

LICENSING ACT 2003 SUB-COMMITTEE

Thursday, 13 August 2015

Present:

Councillors S Niblock D Roberts
 G Davies

7 **APPOINTMENT OF CHAIR**

Resolved – That Councillor S Niblock be appointed Chair for this meeting.

8 **MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members of the Sub-Committee were asked to declare any disclosable pecuniary and non pecuniary interests in connection with any application on the agenda and state the nature of the interest.

No such declarations were made.

9 **APPLICATION FOR A PREMISES LICENCE UNDER THE PROVISIONS OF THE LICENSING ACT 2003 - BALTIC STORE, 1 SHERLOCK LANE, WALLASEY**

The Strategic Director of Regeneration and Environment reported upon an application that had been received from Baltic Store, 1 Sherlock Lane, Wallasey for a Premises Licence under the provisions of the Licensing Act 2003.

The hours requested were outlined within the report.

The applicant had submitted an operating schedule setting out how the business would be conducted/managed in accordance with the four licensing objectives. A copy of the full application was available. Members were advised that following discussions with Merseyside Police, the applicant had agreed to a number of conditions being included in the Operations Schedule should the Premises Licence be granted.

A representative of the applicant, Ms Sylvia Rydzynska attended the meeting with the proposed DPS for the premises. Members were advised that written authorisation had been given for Ms Rydzynska to speak on behalf of the applicant.

Ms Tricia Cavanagh, Public Health Advisor and Mr Gary Rickwood, Senior Public Health Manager were also in attendance.

The Licensing Manager confirmed that all documentation had been sent and received. An amended copy of a map detailing locations of licensed areas within the area was circulated by the representatives from public health.

Ms Rydzynska addressed the Sub-Committee and reported that it was expected that only 3% of income would come from the sale of alcohol. Members were informed that the shop will specialise in Polish produce and will only sell Polish alcohol. It was explained that the cost of alcohol will be high as it will need to be imported, therefore it is likely that alcohol will be purchased primarily by local Polish residents and would not be a low cost outlet for alcohol. Members were then advised that the applicant intends to adopt a strict 'challenge 25 policy' and will keep a log book to record this. It was further advised that the applicant will ensure that all staff undertake appropriate training. Members heard how the applicant has had experience with similar premises for a number of years and currently operates in two other premises.

Ms Rydzynska responded to questions from Members of the Sub-Committee and Mr A Bayatti, Legal Advisor to the Sub-Committee.

Ms Tricia Cavanagh addressed the Sub Committee to express concerns regarding the availability of alcohol within Wirral and the correlation between the availability of alcohol as a whole and the density of venues selling alcohol and the impact of the cost on public health. It was reported that there are currently two low intensity areas of ASB just below where Baltic Store will be and that the concern is that these areas could become hot spots if more alcohol were to become available.

Representatives from Public Health responded to questions from Members of the Sub Committee and Mr A Bayatti, Legal Advisor to the Sub- Committee.

In determining the application the Licensing Act 2003 Sub-Committee had regard to the Licensing Objectives, The Council's Statement of Licensing Policy and the Statutory Guidance issued under section 182 of the Licensing Act 2003.

In considering the application Members had regard to the representations made by Ms Rydzynska on behalf of the applicant and Public Health as the responsible authority. Members found that there was no evidence that related directly to these premises to demonstrate that the granting of the Premises Licence would undermine the licensing objectives. Members noted the various measures that the applicant would put in place in order to adhere to the Licensing Objectives and the discussions that they had with Merseyside Police

Resolved -

(1) That in accordance with Regulation 14(2) of the Licensing Act 2003, the public be excluded from the meeting during consideration of the application.

(2) That the application for a Premises Licence in respect of Baltic Store, 1 Sherlock Lane, Wallasey be agreed with the following hours:

Sale by Retail of Alcohol

Sunday to Saturday 08:00 to 22:00

Hours Open to the Public

Sunday to Saturday

08:00 to 22:00

- (3) That the application be granted in accordance with the conditions proposed in the operating schedule with the following amendment:

No person must be allowed to sell alcohol at the premises unless they undertake appropriate training to a minimum of BIIAB level 1 in responsible alcohol retailing or receive such training through a comprehensive refresher training on the responsible sale of alcohol must be provided to staff every 6 months. A record of the training must be kept at the premises.

- (4) That the following conditions be attached to the Premises Licence:

- **A Challenge 25 Policy must be in place and appropriate signage must be displayed throughout the licensed display areas in relation to the policy.**
- **Till prompts for age restricted products must be in place and all age challenges must be recorded in a refusal book. The refusal book must be provided to officers from the Local Authority or Merseyside Police upon request.**
- **Spirits must only be displayed behind the sales counter and not available for self service.**
- **CCTV must be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition.**
- **Cameras shall encompass all access and egress to the premises and all areas where the sale/supply of alcohol occurs. The outside area at the front of the premises must be covered by infra-red cameras to ensure evidential quality.**
- **Equipment must be maintained in good working order, recordings must be kept for a period of 28 days and handed to Police on request.**
- **The CCTV recording equipment must be kept in a secure environment under the control of the Premises Licence Holder or other responsible named individual.**
- **Notices must be displayed in conspicuous positions informing customers that CCTV is recording.**
- **There must be sufficient members of trained staff available to be able to download CCTV evidence at the request of the Police or Local Authority approved officer on request.**

