

**MINUTES OF A MEETING OF THE LICENSING COMMITTEE
HELD REMOTELY VIA MICROSOFT TEAMS
ON 25TH MARCH, 2021**

PRESENT –

Councillors:

G. Adam
R. Carroll
C. Carter
L. Crossley
Y. Tennant
S. Wicks

Officers in attendance:

W. Iqbal	Licensing Officer
N. Keating	Licensing, Planning, Environmental Lawyer Solicitor Advocate (Higher Rights Criminal Proceedings)
L. Rowland	Committee Administrator

Observers:

M. Ali	Licensing Administration Officer (Pendle Borough Council)
E. Barker	Principal Legal Officer (Burnley Borough Council)
M. Wiggin	Legal Officer (Burnley Borough Council)

(Apologies for absence were received from Councillors M. Adams, M. Aslam, D. Lord and K. Shore.)



17. APPOINTMENT OF CHAIRMAN

Due to technical difficulties, Councillor S. Wicks, the Chairman of the Committee, could not be heard by those present. For this reason, and in the absence of the Vice-Chairman, the Committee was asked to appoint a Chairman for this meeting only.

RESOLVED

That Councillor R. Carroll be appointed as Chairman for this meeting only.

Councillor R. Carroll – Chairman (In the Chair)

18. DECLARATIONS OF INTEREST

Members were reminded of the legal requirements concerning the declaration of interests.

19. MINUTES

RESOLVED

That the Minutes of the meeting held on 23rd November, 2020 be approved as a correct record and signed by the Chairman.

At this stage in the meeting, the technical difficulties being experienced by Councillor S. Wicks were resolved. It was therefore agreed that Councillor Wicks take the Chair.

Councillor S. Wicks – Chairman (In the Chair)

**20. APPLICATION FOR A PREMISES LICENCE UNDER THE LICENSING ACT 2003 –
PREMIER KNOTTS LANE CONVENIENCE STORE, UNIT 1, COTTON WORKS MILL,
KNOTTS LANE, COLNE**

The Planning, Economic Development and Regulatory Services Manager submitted a report which asked members to consider an application for a Premises Licence following receipt of representations from Lancashire County Council (LCC) Trading Standards and Lancashire Constabulary under the 'Protection of children from harm' licensing objective.

The application was from Miss Jenna Rigby who was the current Premises Licence holder and the Designated Premises Supervisor (DPS). The existing licence was subject to an appeal against its revocation by Pendle Borough Council on 13th January, 2020. The appeal had been due to be heard at Burnley Magistrates' Court on 18th March, 2021, but had been adjourned to 1st July, 2021 as the appellant had been medically unfit to attend. The applicant was also a Personal Licence Holder with Pendle Borough Council.

The Members and all relevant parties had received a copy of the report which included a copy of the application and the representations received.

David Lawson, the applicant's solicitor and Sam McConnell (LCC Trading Standards) and Sergeant Gary Hennighan (Lancashire Constabulary) who had made representations, attended the hearing.

RESOLVED

That, having listened to the representations made with regard to the premises licence application under the Licensing Act 2003 in respect of Premier Knotts Lane Convenience Store, Unit 1, Cotton Works Mill, Knotts Lane, Colne, the application be granted subject to all mandatory conditions; the conditions submitted by the applicant as detailed in the report of the Planning, Economic Development and Regulatory Services Manager and those put forward by Trading Standards as follows -

The Prevention of Crime and Disorder

- The premises shall install and maintain a comprehensive digital, colour, CCTV system.
- All public areas of the licensed premises, including all public entry and exit points, and the street environment will be covered, enabling facial identification of every person entering in any light condition.
- The CCTV cameras shall continually record while the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping.
- A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce/download/ burn CCTV images upon request by a police officer or an authorised officer of the licensing authority.
- Any footage must be in a format that can be played back on a standard personal computer or standard DVD player.

The Protection of Children from Harm

- The premises shall display prominent signage at any point of sale, at the entrance to the premises and in all areas where alcohol is located indicating that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18.
- The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an HM Forces warrant card, or a card bearing the PASS hologram.
- Challenge 25 posters will be displayed at any point of sale, at the entrance to the premises and in all areas where alcohol is located.
- A refusal log shall be kept at the premises to record all refused sales of alcohol for the reasons that the person(s) is/are, or appear(s) to be, under 18 years of age.
- The log shall record the date and time of the refusal and the name of the member of staff who refused the sale.
- The log will be available on request by the police or an authorised officer of Pendle Borough Council.
- The log shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log.
- There shall be a policy for the premises agreed with the Police and Pendle Borough Council, regarding the procedure for the handling of fraudulent identification used to attempt to purchase alcohol.
- In addition to any other training, the Premises Licence Holder shall ensure that all staff are trained to prevent underage sales, are aware of and prevent proxy sales, maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate, and that they monitor staff to ensure their training is put into practice.
- Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals.
- The training records shall be made available for inspection upon request by a police officer or an authorised officer of Pendle Borough Council.
- At all times when children are allowed on the premises, information shall be displayed, at the point of sale, on what to do if there is a cause for concern regarding a child's welfare. This shall include reporting to the Police via 101, the NSPCC on 0808 800 5000 (free 24-hour service) or dialling 999 in the event of an immediate threat.

REASONS

Having heard evidence from both Trading Standards and the Police relating to historical concerns pertaining to the sales of alcohol to under age children at the premises, the Committee were mindful that the evidence at today's licensing committee hearing demonstrated that there had been no incidents of concern pertaining to the four licensing objectives in the last 15 months. The Committee recognised the efforts that Ms Rigby had put in place to promote the 4 licensing objectives, together with the mandatory conditions and the conditions suggested by Ms Rigby herself, the Committee also felt it appropriate to add all those conditions put forward by Trading Standards, particularly to make sure that the licensing objective of protecting children from harm was adhered to. The Committee is of the view that taking all this into account and with all the above conditions added, that this covers all four licensing objectives.

CHAIRMAN _____