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NORTH LINCOLNSHIRE COUNCIL

LICENSING (ACTIVITIES) SUB-COMMITTEE

1 March 2022

PRESENT: - Councillors P Clark, T Ellerby and T Mitchell

Councillor H Rowson attended the meeting in accordance with Procedure Rule 1.37(b).

The meeting was held in the Conference Room, Church Square House.

1818 **APPOINTMENT OF CHAIRMAN - Resolved** - That Councillor P Clark be and he was hereby appointed chairman for the meeting.

1819 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS, PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS, AND SIGNIFICANT CONTACT WITH APPLICANTS, OBJECTORS OR THIRD PARTIES (LOBBYING), IF ANY** - There were no declarations of disclosable pecuniary interests, personal or personal and prejudicial interests, or significant contact with applicants, objectors or third parties (lobbying).

1820 **APPLICATION FOR THE GRANT OF A PREMISES LICENCE AT SHADOW BRIDGE BREWERY, UNIT 1, THE OLD TILE YARD, BARTON UPON HUMBER, DN18 5EF** - The Director: Economy and Environment submitted a report advising members of an application for the grant of a premises licence at Shadow Bridge Brewery, Unit 1, The Old Tile Yard, Barton Upon Humber, DN18 5EF.

Details of the application were outlined in the report, together with the application for the grant of a premises licence and representations received from Humberside Police, Humberside Fire and Rescue Service, the council's Licensing Authority and the Council's Trading Standards department.

The Director in their report reminded the sub-committee that the options available to it under the Licensing Act 2003 when considering such applications were:

- To refuse to grant the licence.
- To grant the licence with additional conditions.
- To grant the licence without additional conditions.
- To grant the licence but restrict the licensable activities.
- To grant the licence with restricted times

A representative of Humberside Police attended the meeting, addressed the sub-committee and responded to questions.

The meeting was adjourned for deliberation by members. The decision of the sub-committee was communicated to all parties.

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Resolved - The Licensing (Activities) Sub-Committee listened carefully to the representations made by the Responsible Authorities (Humberside Police) at the hearing. The sub-committee also read written representation from the Licensing Authority and the documentation contained within the agenda bundle. After taking into account the statutory guidance issued under s182 of the Licensing Act and the council's Licensing Policy, the sub-committee agreed that the application be granted, subject to the following conditions being incorporated within the premises licence and adhered to by the applicant:

- 1) Condition 1 – A CCTV system must be installed immediately and once installed it must be operated in accordance with the codes of practice attached to the application.
- 2) Condition 2 - The CCTV system must be registered in accordance with the Data Protection Act 2018, and warning signs must be displayed in public areas of the premises.
- 3) Condition 3 - Cameras must be positioned to view:
 - all access to and egress from the premises (including fire exits):
 - all areas where the sale of alcohol occurs; and
 - in areas that are not easily supervised from the bar/sales counter, including outside areas where it is intended to conduct licensable activities. The number and location of the cameras is to be agreed with the Licensing Officer of Humberside Police.
- 4) Condition 4 - A monitor must be installed and operational in a position, to be agreed in consultation with the Licensing Officer of Humberside Police, so it can be viewed by staff working in the sales area of the premises.
- 5) Condition 5 – The CCTV system must:
 - be capable of continuously (24 hours 7 days a week) recording in colour:
 - time and date mark all recordings;
 - provide real time pictures of evidential quality in all lighting conditions:
 - retain copies of all recordings for a period of not less than 28 days: and
 - be capable of producing copies of recordings at the premises.
- 6) Condition 6 - Copies of recordings must be provided at no cost on request to a person under the direction and control of the Chief Constable or an officer of North Lincolnshire Council.
- 7) Condition 7 - The Designated Premises Supervisor will be responsible for the operation of the CCTV system and they must:

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- ensure the CCTV system is maintained in working order and checked weekly;
 - ensure records of any maintenance/weekly checks are endorsed by their signature or other responsible named individual;
 - ensure any actions arising from the maintenance checks are recorded and complied with;
 - appoint a member of staff to download all CCTV footage in a recordable format at all times the premises are operating; and
 - ensure records of all maintenance are kept either by the DPS or an authorised individual or nominated member of staff: and
 - provide all records on request, at no cost to a person under the direction and control of the Chief Constable or an officer of the Local Authority on production of their identification.
- 8) Condition 8 - An incident log must be kept at the premises, and be made available on request to an authorised officer of the Council or a Police Licensing Officer. The incident log must record at a minimum the following:
- all crimes reported to the venue
 - all ejections of patrons
 - any complaints received
 - any incidents of disorder
 - all seizures of drugs or offensive weapons
 - any refusal of the sale of alcohol
 - any visit by a relevant authority or emergency service
- 9) Condition 9 - Staff training must be given to all staff working at the premises. Such training must be documented and recorded in a book/folder kept solely for that purpose. It must record the date and names of those trained and the person providing it and be signed by all attendees to confirm they attended and received the training. The frequency of the training must be a minimum of once every six (6) months. The training must cover all aspects of the responsible sale of alcohol (Licensing objectives, Premises licence conditions, age verification, how to detect proxy sales, consequences of underage sales etc) and conflict management.
- The book must be available to be viewed on demand by either an officer of the Local Authority or an officer under the direction and control of the Chief Constable.
- 10) Condition 10 - When events are held at the premises, a thorough risk assessment must be completed for the use of Polycarbonate or crushable glassware and decanting of all bottles. Polycarbonate or crushable glassware will also be used upon the request of Humberside Police or the Local Authority.
- 11) Condition 11 - The premise licence holder/DPS/Duty Manager must

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ensure that there is an adequate risk assessment of the need for SIA door supervision at the premises during events and shall provide door supervision in accordance with that risk assessment. Such an assessment must be written down and kept at the premises and be available for production on demand by a person under the direction and control of the Chief Constable or an officer of North Lincolnshire Council.

- 12) Condition 12 – Challenge 25 must be implemented and a proof of age policy be applied with the accepted means of proof of age being:
 - Passport
 - Photo Driving Licence
 - A recognised valid photo-ID card bearing the PASS hologram
 - Any future accredited and accepted proof of age, as defined by Humberside Police
- 13) Condition 13 - Signs must be displayed stating that the premises operates a Challenge 25 Policy.
- 14) Condition 14 - Children under 16 must only be granted entry if accompanied by a responsible adult. Adults must be responsible for children at all times.
- 15) Condition 15 - The DPS must ensure that any outdoor area is appropriately identified with barriers and monitored frequently to control the removal of open containers of alcohol from the premise, and that patrons are consuming alcohol in the designated area.
- 16) Condition 16 - Any alcohol that is sold unopened or in a sealed container with the intention of consumption away from the premises must not be consumed in the premises or in any outdoor drinking area attributed to the premises.
- 17) Condition 17 - The premises licence holder/designated premises supervisor must adopt an age verification policy throughout the whole process of operation, so that at any time, if customers are not able to prove they are 18, then the supply of alcohol must be refused by any online/email/telephone order facility and also on delivery.
- 18) Condition 18 - On delivery of any items of alcohol previously ordered, either directly by the premises licence holder, employees of the premises licence holder, or via a third party courier, a Challenge 25 rule must be adopted, so that if on request, acceptable photographic documents cannot be produced to prove the date of birth of the purchaser, or those taking delivery of orders on behalf of the purchaser, then the delivery must be refused outright, and the alcohol returned to the licensed premises.
- 19) Condition 19 - Deliveries of alcohol must not be made where there is

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no one present to accept the delivery.

20) Conditional 20 - External lighting must be on during operational hours.

The aforementioned conditions are –

- to protect all patrons,
- to protect the amenities of local residents,
- to minimise disturbance to the local residents,
- to ensure the protection and safety of all patrons and local residents, and
- to adhere to the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm licensing objectives.

1821 **ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT BY REASON OF SPECIAL CIRCUMSTANCES WHICH MUST BE SPECIFIED -**
There were no urgent items for discussion at the meeting.

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