

**MINUTES  
LICENSING ACT PANEL**

**Tuesday 20 August 2019**

Councillor Marje Paling (Chair)

Councillor Roxanne Ellis

Councillor Julie Najuk

Officers in Attendance: F Whyley

**5 ELECTION OF CHAIR**

Councillor Paling was elected as Chair of the Panel.

**6 DECLARATION OF INTERESTS**

None.

**7 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 6 AUGUST 2019**

**RESOLVED:**

That the minutes of the above meeting, having been previously circulated, are agreed as a correct record.

**8 CONSIDERATION OF AN APPLICATION FOR A PREMISES LICENSE - FRESHPOL**

The Panel considered an application for a premises licence at the Freshpol in accordance with the agreed procedure.

.RESOLVED to:

Grant the application for a premises licence, subject to the Licensing Act 2003 mandatory conditions, and the conditions agreed with the Police and set out below;

- 1) A Challenge 25 scheme shall operate at the premises. Any person who appears to be under 25 years of age shall not be allowed to purchase alcohol unless they produce an acceptable form of photo identification. (eg passport, driving licence, Military ID or PASS accredited card).

- 2) Challenge 25 notices shall be displayed in prominent positions throughout the premises.
- 3) A CCTV system with recording equipment shall be installed and maintained at all times in working order. All recordings used in conjunction with CCTV shall:
  - Be of evidential quality
  - Cover the point of sale, entrance and exit
  - Indicate the time and date
  - Be retained for a period of 30 days
  - Sufficient staff will be trained to use the system
  - The original images will be made available for inspection immediately upon the request of police officers, or other authorised officers.
  - copies of recordings shall be provided in a format which can be viewed on readily available equipment without the need for specialist software.
- 4) All members of staff shall be fully trained in the retail sale of alcohol. The training shall be ongoing and each member of staff shall be reviewed every 6 months. All details of the level of training shall be recorded in a book or electronic record. This information shall be made available for inspection and copying by the Police or any other authorised person on request and all such records shall be retained at the premises for at least 12 months.
- 5) A bound and sequentially paginated refusals book or electronic record shall be kept at the premises to record all instances where admission or service is refused. Such records shall show:
  - The basis for the refusal
  - The person making the decision to refuse; and
  - The date and time of refusal.

Such records shall be retained at the Premises for at least 12 months, and shall be made available for inspection and copying by the Police or any other authorised person on request.

The licence permits the supply of alcohol as set out in the application, between the hours of 06:30 – 23:00 Monday to Saturday and 09:00 – 23:00 on Sunday during which times the Premises will be open to the public.

The Panel heard from the Applicant's representative that there is already a premises licence in place at 56 Victoria Road, which is currently a convenience store run by the Applicant and this application is to facilitate a change of premises for the store from 56 to 54 Victoria Road Netherfield. As such a new application for a premises licence has been made for 54 Victoria Road, this is not an increase in the number of licensed premises in Netherfield as suggested by the Objector but a move of premises.

The Panel are sympathetic to the Objector and any victims of anti-social behaviour in the area, however the Panel are not satisfied from the evidence considered that granting a premises licence at the Premises would have a significant impact on levels of anti-social behaviour in the area. There has been no representations or evidence from Responsible Authorities to support the suggestion that this application would increase anti-social behaviour or crime and disorder in the area.

The Panel are satisfied that the conditions proposed by the police and agreed by the Applicant would mitigate any potential impact in relation to the licensing objectives, particularly in relation to the prevention of crime and disorder and the prevention of public nuisance.

In making its decision, the Panel has had regard to the Gedling Borough Council Licensing Policy, the guidance issued under section 182 of the Licensing Act 2003 and the Human Rights Act 1998 and has carefully considered all the evidence presented to it including the oral and written representations of the Applicant and all Objectors.

The Panel has made this decision to promote the 4 Licensing Objectives:

- (a) Prevention of crime and disorder;
- (b) Public Safety;
- (c) Prevention of Public Nuisance;
- (d) Protection of Children from harm

The meeting finished at 11.10 am

Signed by Chair:  
Date: