

LICENSING (LIQUOR AND GAMBLING) PANEL

Date: 02 September 2019

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 10.00 am

Present: Councillors: Tony Boto
Glenvil Greenwood-Smith
Steven North

1. APPOINTMENT OF CHAIRMAN

RESOLVED:

That Councillor Glenvil Greenwood-Smith be appointed Chairman of the Panel for this hearing.

2. APOLOGIES FOR ABSENCE

No apologies for absence were received.

3. DECLARATIONS OF INTEREST

No declarations of interest were made.

4. REVIEW OF THE PREMISES LICENCE FOR ONE STOP SHOP, 33-37 OUNDLE ROAD, THRAPSTON, NN14 4PA

The Health Protection Manager reported that an application to review the premises licence at One Stop Shop, Oundle Road, Thrapston had been received on 24 July 2019 from Northamptonshire Police. The appropriate Blue Notice had been displayed on the premises during the required consultation period.

The matters for which a review was sought related to the prevention of crime and disorder and the protection of children from harm. The request for the review related to underage sales of alcohol made on 15 April and 17 June 2019. The Council's Licensing Enforcement Officer had submitted a representation to support the review application.

Having heard from all parties, the Panel **RESOLVED:**

The Licensing Panel has considered this application for a Review of the Premises Licence for One Stop Shop, 33-37 Oundle Road, Thrapston that was requested by Northamptonshire Police following failed test purchases on 15 April 2019 and 17 June 2019. The Panel took into account the report of the Health Protection Manager and the representations made by the Licensing Enforcement Officer of East Northamptonshire Council. The Panel also heard from the legal representative on behalf of the Company. Also present were the Area Manager and Licensing Manager from One Stop Shop.

The Panel carefully deliberated and had regard to:-

- The Licensing Act 2003
- The Statement of Licensing Policy (Section 2.10 and 2.13)
- S182 Guidance – (Section 11.16 to 11.23 and 11.29)
- All relevant representations received

The main reason for the review is in relation to the prevention of crime and disorder and the protection of children from harm.

The Licensing Panel have considered all the above and were pleased to hear that remedial steps had been taken by the company since the failed test purchases and that the Police and Local Licensing Authority had been consulted. It was also noted that the company are in discussions with their primary authority (Hertfordshire County Council) to update their policy documents. Furthermore, the Panel were advised that two internal test purchases organised by the company were passed on the 30 May 2019 and 31 July 2019. The police confirmed that a test purchase had also taken place on 13 August 2019 which was challenged successfully and therefore passed.

The Panel also noted that the Company has agreed to conditions put forward by Northamptonshire Police and therefore the Panel have decided that the following conditions should be added to the Premises Licence to promote the Licensing Objectives:-

- 1) A CCTV system is installed and maintained within the premises, the CCTV will cover all licensable areas including the till and serving counter. The CCTV will record images and these will be retained for a minimum of 31 days. A member of staff trained in the operation of the CCTV equipment will be available on the premises at all times the premises is open to the public. A copy of the recordings will be provided to the Police or an Authorised Officer of a Responsible Authority upon reasonable request but no later than 48 hours, the request will be made within the provisions of current Data Protection legislation.
- 2) A proof of age scheme, Challenge 25 shall be operated at the premises where the only acceptable forms of identification are recognised photographic cards, such as a driving licence, passports, holographic marked PASS scheme cards, or HM Forces identification cards.
- 3) Electronic training records shall be kept and maintained in respect of the prevention of underage sales of alcohol and refresher training shall be done twice annually. All staff shall also be required to confirm twice annually that they have completed age restricted product training. Such confirmation may be given electronically.
- 4) Signage shall be displayed within the premises relating to the Challenge 25 scheme.
- 5) A refusal log (which for the avoidance of doubt may include an electronic record of refusals through an EPOS electronic point of sale), shall be available on the premises and record whenever a sale is refused to a person who cannot prove they are over the age of 18. The Log should contain the date and time of the incident, the name of staff member who refused the sale, and the reason the sale was refused. The Log will be made available to the Police and Council Officers on request. The Log should be reviewed and signed for by the DPS every three months (this is to see if any patterns emerge).
- 6) A Personal Licence Holder will be present at all times the premises is open for licensable activity for a period of three months.

In spite of the satisfaction by the Panel shown above the Company are reminded of the seriousness of the test purchase failures and are warned that any further failures will be taken seriously by this Licensing Authority.

The Decision Notice will be sent out in writing. If any Party, who has made a representation, is aggrieved with the Panel's decision, they have the Right to Appeal to the Magistrates Court. That must be done within 21 days of the date given on the Decision Notice, and the modification of the licence conditions do not take affect until expiry of the 21 day period

Chairman