

LICENSING (LIQUOR AND GAMBLING) PANEL

Date: 04 November 2019

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 10.00 am

Present: Councillors: Tony Boto
Andy Mercer
Gill Mercer

1. APPOINTMENT OF CHAIRMAN

RESOLVED:

That Councillor Andy Mercer 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 THRAPSTON POST OFFICE, 10 HIGH STREET, THRAPSTON, NN14 4JH

The Health Protection Manager reported that an application to review the premises licence at Thrapston Post Office, High Street, Thrapston had been received on 18 September 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 an underage sale of alcohol made on 13 August 2019. The Council's Licensing Enforcement Officer had submitted a representation to support the review application.

Having heard from all parties and carefully considered all of the information available, the Panel **RESOLVED:**

The Licensing Panel has considered this application for a Review of the Premises Licence for Thrapston Post Office, 10 High Street, Thrapston that was requested by Northamptonshire Police.

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 10.46 to 10.50. 11.16 to 11.23 and 11.29)
- All relevant representations received
- Report of the Health Protection Manager
- Oral Representation from the Licensing Enforcement Officer of East Northamptonshire Council
- Oral Representation from the Premises Licence Holder
- Oral evidence from Northamptonshire Police, Licensing Constable

The main reason for the review is in relation to the prevention of crime and disorder and the protection of children from harm which related to an underage sale of alcohol made on 13 August 2019. When asked, the alcohol seller said that they had not had any training in the Licensing Act or the Licensing Objectives.

Subsequently, on 20 August 2019, the Licensing Enforcement Officer visited the premises and noted the following:

- Part B of the Licensing Notice was not displayed as required by the Licensing Act 2003.
- The most senior person present was not aware of the location of the licence.
- There was no age verification policy at the premises.
- There was no authorisation list at the premises.
- The most senior person present stated that she had received no training in the Licensing Act or the Licensing Objectives.
- The most senior person present was not sure of what type of ID for age verification are acceptable.
- The most senior person present could not explain what the Challenge 25 Scheme was.
- There was no signage regarding the age restriction for alcohol sales.

The Licensing Panel have considered all the above and has decided, unanimously, to suspend the Premises Licence for a period of three months.

The Panel has also decided to remove the Designated Premises Supervisor.

The Panel have decided that the following conditions shall apply, (many of which are already within the Premises Licence):

1. 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.
2. Training records shall be kept and maintained in respect of the prevention of underage sales of alcohol and refresher training shall be done every six months, the records shall be signed for by all staff employed in the sale by retail of alcohol.
3. Signage shall be displayed within the premises relating to the Challenge 25 scheme.
4. A refusal book (or refusal button on the EPOS Electronic Point of Sale) shall be kept on the premises and completed whenever a sale is refused to a person who cannot prove they are over the age of 18.
5. A Personal License Holder will be present at all times the premises is open for licensable activity for a period of three months.

6. An up to date Authorisation List to be on Premises at all times, listing who has the authority to sell alcohol. This List must be produced on demand by either the Police or ENC's Licensing Enforcement Officer

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