

SHROPSHIRE COUNCIL

LICENSING ACT SUB-COMMITTEE

Minutes of the meeting held on 13 July 2015

**10.00 - 10.19 am in the Ludlow Room, Shirehall, Abbey Foregate, Shrewsbury,
Shropshire, SY2 6ND**

Responsible Officer: Emily Marshall

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Present

Councillor

Councillors Joyce Barrow, Vivienne Parry and Keith Roberts

4 Election of Chairman

RESOLVED:

That Councillor Keith Roberts be elected Chairman of the Licensing Act Sub-Committee for the duration of the meeting.

5 Disclosable Pecuniary Interests

Members were reminded that they must not participate in the discussion or voting on any matter in which they had a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

6 Application for a Variation of a Premises Licence - Seven Bar and Attic, 8 Broadway, Shifnal, Shropshire

Consideration was given to an application for a Premises Licence in respect of Bar Seven & Attic, 8 Broadway, Shifnal, Shropshire, TF11 8AZ.

Ms. Louise Prince (Solicitor – Shropshire Council); Mr S. Ditton (Public Protection Officer (Specialist) - Shropshire Council); Mr Simon Moxham (Applicant); Ms Jackie Eaton (Applicant's Representative) and Mr M. O'Grady (Applicants representative) were present.

Mr Moxham (Applicant) presented his case to the Sub-Committee, stating that he employed experienced, well trained staff and had not received any complaints or incidents since taking over the business. Mr Moxham had applied for a new premises licence to enable him to open earlier and to serve morning coffee, creating a family friendly atmosphere. The applicant commented on the objection received, explaining that the location of the premises was along the main route of those leaving the town and so the anti-social behaviour experienced by the objector could not be directly attributed to the premises. There had been no other objections received from any other nearby residents or any responsible authorities.

The Public Protection Officer (Specialist) addressed the Sub-Committee, confirming that one representation had been received from a local resident who expressed concerns in relation to crime and disorder and public nuisance, however they were not present at the hearing.

The Chairman invited all parties to sum up and make any final comments prior to the Sub-Committee making a decision on the application.

Members of the Sub-Committee retired to consider the application, in private, at 10:11 a.m. and reconvened at 10:16 a.m. to announce their decision.

RESOLVED:

That the application for a Premises Licence for Bar Seven and Attic, 8 Broadway, Shifnal, TF11 8AZ, be granted for the following days, hours and licensable activity:

Recorded Music - indoors

Monday to Thursday – 11:00 to 01:00

Friday to Sunday - 11:00 to 02:00

Xmas Eve - 11:00 to 02:00

Late Night Refreshment – indoors

Monday to Thursday – 23:00 to 01:00

Friday to Sunday – 23:00 to 02:00

Xmas Eve - 23:00 to 02:00

Supply of Alcohol - on and off the premises

Monday to Thursday – 11:00 to 01:00

Friday to Sunday - 11:00 to 02:00

Xmas Eve - 11:00 to 02:00

Opening Hours

Monday to Thursday – 11:00 to 01:30

Friday to Sunday - 11:00 to 02:30

Xmas Eve - 11:00 to 02:30

Non-standard timings

End time on New Year's Eve is start time on New Year's Day for opening and all activities (save late night refreshment 05:00 on New Year's Day).

And in accordance with the following operating schedule.

Prevention of Crime and Disorder

1. The licence holder will ensure that the premises benefit from a CCTV system that operates at all times when licensable activities are taking place.
2. The system will incorporate a camera covering all of the entrance doors and the main alcohol dispensing area and will be capable of providing an image which is regarded as identification standard. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.

3. The system will incorporate a recording facility and any recording will be retained and stored in a suitable and secure manner for a minimum of 28 days and will be made available, subject to compliance with Data Protection legislation, to the police for inspection on request,.
4. The system must be able to export recorded images to a removable means eg CD/DVD and have its own software enabled to allow playback/review.
5. A member of staff trained in the use of the CCTV system must be available at the premises at all times the premises are open to the public.
6. The system will display, on any recording, the correct date and time of the recording

Public Safety

1. Regular assessments are maintained and recorded.
2. Action will be taken to control any hazards that may be identified
3. Fire safety checks will take place regularly and be recorded
4. Fire fighting equipment will be maintained and regularly serviced
5. Adequate lighting systems are installed

Prevention of Public Nuisance

1. Any issues of public nuisance will be addressed and dealt with whenever necessary
2. Customers will be asked to leave the premises quietly
3. Liaise with Authorities and local residents to resolve any issues of public nuisance that may arise

Protection of Children from Harm

1. A strict Challenge 25 Policy is in operation and only a passport, photo card, driving licence or pass ID with hologram is acceptable proof of age
2. A record of service refusals will be maintained and will be made available for inspection by the police and other authorities upon request
3. All staff are trained to promote the Licensing Objectives and carry out their statutory responsibilities in relation to public safety.
4. Training records will be maintained and made available for inspection by authorities if required.

Reasons:

The Sub-Committee had considered all of the documents submitted prior to the hearing and the representations made by the applicant at the hearing. The Sub-Committee also took into account the Guidance issued under S182 of the Licensing Act 2003 and Shropshire Council's Licensing Policy.

The Sub-Committee had noted the concerns of the neighbour and understood their position. However, having considered the application in detail and the answers given by the applicant the Sub-Committee were satisfied that the applicant had taken appropriate steps to promote the licensing objectives and therefore granted the application as detailed above.

Any party may appeal this decision to the magistrate's court within 21 days of the decision notice being received.

The parties were advised that the decision would be confirmed in writing within 7 days of the date of the hearing. Every party had the right of appeal against this decision to the Magistrates Court within 21 days of being notified of the decision.