

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee A

Date: Thursday, 4th July, 2019

Place: Committee Room 4 - Civic Suite

Present: Councillor B Ayling (Chair)
Councillors M Borton and D Cowan

In Attendance: R Harris, A Brown, M Newton, L Coombs

Start/End Time: 9.45 - 10.05 am

128 Apologies for Absence

There were no apologies for absence at this meeting.

129 Declarations of Interest

There were no declarations of interest at this meeting.

130 1145 London Road, Leigh-on-Sea, Essex, SS9 3JE - Application for the Grant of a Premises Licence

The sub-committee received a report of the Deputy Chief Executive (Place) concerning an application for the grant of a premises licence in respect of 1145 London Road, Leigh-on-Sea, Essex.

Mr M Hines (applicant's representative) and Mr R Tenlick (Designated Premises Supervisor) were in attendance.

The sub-committee noted that letters of objection had been received from the Licensing Authority, in its capacity as a responsible authority, Leigh Town Council and Essex Police. Mr A. Penn (Licensing Authority), Mr D Colewell and Ms K Drain (Essex Police Licensing Unit) and Mrs H Symmons (Leigh Town Council) were in attendance.

At the hearing the Sub-Committee noted that the objections from the responsible authorities and Leigh Town Council had subsequently been withdrawn following agreement with the applicant to the additional conditions proposed by Essex Police and the Licensing Authority.

On the basis of the evidence presented to it and that all parties have agreed additional conditions to be attached to the Licence, the sub-committee did not consider that the promotion of the licensing objectives would be undermined by the granting of this application.

The application is therefore granted subject to:

(1) The Mandatory Conditions set out in Appendix 1 to the report of the Deputy Chief Executive (Place);

- (2) The conditions drawn from the Operating Schedule set out in Appendix 2 to the report of the Deputy Chief Executive (Place);
- (3) The conditions set out below agreed between the Licensing Authority, Essex Police, Leigh Town Council and the applicant:

1. No alcohol may be supplied by an individual unless that individual has the written consent of the Designated Premises Supervisor or other employed Personal Licence Holder.

A written record of this consent must be retained on the premises at all times when such an individual supplies or proposes to supply alcohol and be made available immediately upon reasonable request of the police or licensing authority.

2. The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:
 - i. CCTV will be provided in the form a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;
 - ii. CCTV cameras shall cover all entrances and exits and the areas where alcohol sales take place;
 - iii. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of 31 days;

Upon the reasonable request of the police or licensing authority staff, within 48 hours viewable copies of recordings will be provided.

3. Signs must be displayed at all entrances and exits advising customers that CCTV is operating at the premises and shall be clearly legible at all times when the premises conducts licensable activities.
4. The premises shall display prominent signage indicating at any point of sale that it is an offence:

for a person under the age of 18 to buy or attempt to buy alcohol; or buy, or attempt to buy, alcohol for a person under the age of 18.

5. A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement **and** is either a:
 - i. Proof of age card bearing the PASS Hologram;
 - ii. Photocard driving licence;
 - iii. Passport; or
 - iv. Ministry of Defence Identity Card.

6. A refusals record shall be maintained at the premises which details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale.

All entries must be made as soon as possible and in any event within 4 hours of the refusal and the record must be made immediately available to police, trading standards or licensing authority staff upon reasonable request.

The refusals record shall either be electronic or maintained in a bound document and retained for at least 12 months from the date of the last entry.

7. An incident log shall be kept at the premises, and made immediately available to police or licensing authority staff upon reasonable request.

The log must be completed as soon as is possible and within any case within 4 hours of the occurrence and shall record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder
- (e) any faults in a CCTV system mandated as a condition of the licence

The incident log shall either be electronic or maintained in a bound document with individually numbered pages and be retained for at least {12} months from the date of the last entry.

8. The premises licence holder shall provide the following information in writing to the licensing authority and police before any sale of alcohol is carried out:

- a) The trading name of any company that will operate under the licence
- b) All telephone numbers that will be used to accept orders
- c) The URL/website address that will be used to accept orders

Any change to this information shall be notified to the licensing authority and police within seven days.

9. All staff engaged in the sale or supply of alcohol on the premises, including delivery drivers, shall have received training in relation to the protection of children from harm including under-age sales and child sexual exploitation and the steps to be taken when such activity is suspected., how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months.

Training records shall be kept on the premises (or otherwise be accessible on the premises) for a minimum of 12 months and made immediately available to police, trading standards or licensing authority staff upon reasonable request.

10. Alcohol shall only be supplied with an order for hot food. The food element of any order shall have a retail value of at least £9

Off Sales only for home delivery

11. Off-sales are not permitted to persons on or in the immediate vicinity of the premises: sales of alcohol for consumption off the premises may only be made to persons at another location to whom alcohol will be delivered by the licence holder, his employees or his agents.
12. All deliveries of orders which include alcohol will be made only to the address given at the time of ordering.
13. All refusals of sales shall be logged, recorded whether by the courier company or by in house staff
14. All orders/deliveries which include alcohol will be paid for at the time of ordering via the internet, or via telephone credit card payment. There will be no cash or payment taken at the time of delivery.
15. All orders which include alcohol shall be accepted and delivered implement the challenge 25 age verification policy. Only a Passport, UK photo driving licence or 'PASS' accredited card shall be accepted as suitable ID upon delivery.
16. A 'No ID, No Sale/delivery' policy shall be implemented at all times.
17. In the event that delivery is outsourced: The delivery contract with the courier company will include the requirement to meet the challenge 25 requirements.

(4) The conditions set out below submitted by the applicant:

1. There will be no sales of alcohol on the premises whatsoever.
2. The contract will be with Just Eat and our own web ordering page will not allow orders to be placed after 11.45pm.
3. As the delivery services finishes at 12.00 midnight the last orders for delivery will be at 11.45pm, this would include the sale of alcohol.
4. The relationship with Oyster training will ensure that staff and delivery drivers will have relevant training relating to age verification and safeguarding issues including child sexual exploitation.
5. We will retain training records as required.
6. Customers will be notified on our website and Just Eats website of our age verification policy and that we have a no ID no sale policy.

Chairman: _____