

## **BATH AND NORTH EAST SOMERSET**

### **LICENSING (GAMBLING AND LICENSING) SUB-COMMITTEE**

Friday, 6th May, 2011

**Present:-** Councillors:- Tim Warren (Chair), Tim Ball and Gabriel Batt

**Also in attendance:** Terrill Wolyn (Licensing Officer) and Francesca Smith (Senior Legal Adviser)

#### **1 EMERGENCY EVACUATION PROCEDURE**

The Democratic Services Officer read out the procedure.

#### **2 ELECTION OF VICE-CHAIR (IF DESIRED)**

**RESOLVED** that a Vice-Chair was not required on this occasion.

#### **3 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

There were none.

#### **4 DECLARATIONS OF INTEREST**

There were none.

#### **5 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR**

There was none.

#### **6 MINUTES: 1ST APRIL 2011 AND 18 APRIL 2011**

These were approved as a correct record and signed by the Chair.

#### **7 LICENSING PROCEDURE**

The Chair drew attention to the licensing procedure, copies of which had been made available to members of the public attending the meeting.

#### **8 APPLICATION FOR A PREMISES LICENCE FOR CHAPLIN'S , 4-6 HIGH STREET, UPPER WESTON, BATH BA1 4BX**

Applicant: Nigel Chaplin

Responsible Authority: Avon and Somerset Police, represented by Martin Purchase (Liquor Licensing Officer)

The parties confirmed that they had received and understood the licensing procedure.

The Licensing Officer summarised the application, which sought authority for the sale of alcohol for consumption off the premises between 08.00 and 21.45 every day. The Police had made a representation relating to the licensing objective of the prevention of crime and disorder and had proposed that the following three conditions be attached to the licence:

- A CCTV system will be installed and maintained at the premises in consultation with the Police. The images will be of evidential standard and recordings will be kept for 31 days and made available to the Police on reasonable request
- All spirits and fortified wines will be displayed at the rear of the serving area and therefore will not be subject to self service
- All staff will be trained in the sale of alcohol and records kept of such training and made available for inspection
- A refusal of sales register will be maintained and made available for inspection

The applicant had confirmed in writing his willingness to accept these conditions.

The applicant and Mr Purchase both said that they had nothing to add to their written submissions.

Following an adjournment the Sub-Committee **RESOLVED** to grant the application, subject to the mandatory conditions for the sale of alcohol and age verification policy, the conditions consistent with the Operating Schedule, and to the additional conditions proposed by the Police and agreed to by the applicant.

Authority was delegated to the Licensing Officer to issue the licence accordingly.

## **REASONS**

Members have today determined an application for the grant of a new premises licence for Chaplin's 4-6 High Street, Weston, Bath. In doing so they have taken account of the Licensing Act, Human Rights Act, the Council's Policy and the Statutory Guidance.

Members are aware that the proper approach under the Licensing Act is to only do what is necessary and proportionate to promote the licensing objectives in light of what is presented to them.

Members considered the relevant representations and took account of the evidence put before them. They were careful to balance the competing interests of the applicant and those of the Responsible Authority, i.e. the Police in reaching a decision.

Members noted that the Police had stated that the area was subject to sporadic crime and disorder and anti social behaviour particularly in the early evenings and were alcohol related. The Police proposed that several conditions were imposed on

the premises licence in order to promote the licensing objective of the prevention of crime and disorder. Members noted that the applicant had agreed to the conditions being imposed.

Members therefore granted the licence as applied for together with the mandatory conditions for the sale of alcohol and age verification policy, the conditions consistent with the Operating Schedule and the conditions proposed by the Police and agreed to by the applicant.

The meeting ended at 2.37 pm

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

