



DECISION NOTICE

Date	20 th June 2016
Applicant	Tangerine Holdings Limited
Reason for Hearing	<p>The Licensing Authority has received an application to apply for a premises licence at Bradleys Sports Bar and Cafe, Mill Farm, Wesham</p> <p>There has been representations from Medlar with Wesham Town Council and residents, (other persons) and as such meant that the Sub-Committee must determine the application.</p>
Parties in Attendance	<p>Panel:</p> <p>Councillor Barbara Nash - Convenor, Councillor Angela Jacques, Councillor Frank Andrews.</p> <p>Applicant:</p> <p>Miss Sarah Clover of Counsel, David Edwards, Harrison Drury Solicitors, representing the applicant Tangerine Holdings Limited, Bevan Middleton, proposed Designated Premises Supervisor for Bradleys Sports Bar and Café.</p> <p>Other Persons:</p> <p>Jean Priestley on behalf of Medlar with Wesham Town Council, Mr Richard Nulty, Mr Ian Mowbray, represented by Mr Nulty</p>

The licensing authority has received an application for the grant of a premises licence at Bradleys Sports Bar and Cafe, Mill Farm, Wesham.

In considering the application, the panel has to consider whether granting the licence would promote the four licensing objectives which are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

Objections to the application have been received from Medlar with Wesham Town Council and 6 residents, defined as “other persons” by the Licensing Act, concerning the hours of operation, public nuisance and protection of children from harm.

This was the subject of the hearing this afternoon.

We heard from resident Mr Richard Nulty who also spoke on behalf of Mr Ian Mowbray, Jean Priestley representing Medlar with Wesham Town Council, Miss Sarah Clover of Counsel and Bevan Middleton, the proposed Designated Premises Supervisor, representing Tangerine Holdings Limited. We thank the representatives and applicant for their help.

We took into account the information put before us, the Council's Statement of Licensing Policy and the Guidance issued under section 182 of the Licensing Act 2003.

The submissions that we heard identified that the "other persons" were concerned that the granting of the license would encourage youths to obtain alcohol, cause an increase in public nuisance within the town and surrounding areas and impact on public safety and nearby properties. The panel heard that the police had mediated with the applicant and that conditions had been agreed that were designed to address any local issues around underage drinking and potential crime and disorder, in particular on match days.

Having regard to the submissions that we heard, the panel was not satisfied that the issues and problems that had been described by the interested parties would be caused or exacerbated by granting the licence as applied for. We were therefore satisfied that it would be appropriate for the promotion of the licensing objectives to grant the licence as applied for save for the addition of the agreed conditions, and substituting the finish time for late night refreshment on Fridays and Saturdays to 1am and that recorded music is only permitted indoors.

Our decision is therefore as follows:

To grant the application for a premises licence at Bradleys Sports Bar and Cafe as applied for subject to the amendments above and subject to the mandatory conditions and the conditions, as set out in the agenda papers, that have been agreed between the applicant and the police prior to the panel hearing:

1. *CCTV will be installed internally and externally at the premises and will comply with the following:*

The CCTV system shall be installed, maintained and operated to the reasonable satisfaction of Lancashire Constabulary. All public areas of the premises are to be covered by the system.

The system will display on any recording the correct time and date of the recording.

The system will make recordings during all hours that the premises are open to the public.

The recording will be held for a minimum of 31 days and 28 days respectively after the recording is made and will be made available to the police or any authorised persons acting for a responsible authority for inspection upon request.

The system will, as a minimum, record image of the head and shoulders of all persons entering the premises.

A staff member who is conversant with the operation of the CCTV system will be on the premises at all times that the premises are open to the public. This staff member will be able to show police recent data or footage with the absolute minimum of delay, when requested.

The Licence Holder or Designated Premises Supervisor will notify the Police Licensing Unit on any occasion when the CCTV is to be inoperative for a period in excess of one working day and shall provide a certificate from a competent person stating the reason for the system being inoperative and the measures which have been taken to satisfy the licence conditions.

2. *The premises licence holder will operate a Challenge 25 policy at the premises whereby any person who looks or appears to be under the age of 25 shall be asked to provide*

identification that they are over the age of 18. The following are the only forms of identification acceptable:

- i. photo driving licence*
- ii. Passport*
- iii. Proof of Age Standards Scheme card.*
- iv. UK armed forces military ID*

All staff are to have received suitable training in relation to the proof of age scheme to be applied upon the premises. All staff are to receive regular refresher training at intervals of a maximum of six months. Records to evidence this will be made available to an authorised officer upon request.

- 3. On non-first team match days the premises licence holder will risk assess the requirement for door supervisors at the premises, and shall employ door supervisors in such numbers and at such times as is deemed necessary by the risk assessment. All door staff employed at the entrance/exit of the licensed premises will be SIA trained.*
- 4. Appropriate measures will be taken to ensure staff prevent the removal of bottles or glasses from the curtilage and grounds of the licensed premises or any outside area under the control of the premises licence holder.*

Frequent collection of glasses and bottles will be undertaken to ensure that empty containers do not accumulate in or around the licensed premises.

- 5. Risk assessments carried out by or on behalf of the licence holder which relate to a licensing objective will be available for inspection by an authorised officer.*
- 6. An incident recording system will be maintained in which shall be recorded:-*
 - i. All incidents of crime and disorder*
 - ii. Refused sales to suspected under-age and drunken persons*
 - iii. A record of any person asked to leave the premises or removed from the premises*
 - iv. Details of occasions on which the police are called to the premises*
 - v. A record of persons searched on suspicion that drugs are being carried and the reason for such suspicion*

Written records from the system will be available for inspection by a police officer.

- 7. Security arrangements are sufficient to discourage the sale and consumption of drugs and shall ensure such arrangements include regular checks of toilet areas.*

Any person who appears to be intoxicated or who is behaving in a disorderly manner will not be allowed entry to the venue. Any person within the premises who appears to be intoxicated or who is behaving in a disorderly manner will be given care and consideration in leaving the venue.

- 8. All staff are to have received suitable training with regard to serving drunks. All staff are to receive regular refresher training at intervals of a maximum of six months. Records to evidence this will be made available to an authorised officer upon request.*
- 9. Children under the age of 16 shall not be allowed on the premises beyond 22:00hrs.*
- 10. At least one personal licence holder will be contactable while the supply or sale of alcohol is being undertaken (whose identity will be known to all other staff engaged in the supply or sale of alcohol) except in the case of emergency.*

Another member of staff shall be nominated to act for the Designated Premises Supervisor, in their absence, whose identity is known by all other staff when such absence occurs.

- 11. No person in possession of a drink in a sealed or unsealed container will be allowed to enter the premises except for the purposes of delivery.*

No drink will be removed from the premises in an unsealed container save for unfinished bottles of wine which must be re-corked before being taken away from the premises.

- 12. The premises shall be operated in participation with the 'Pubwatch' scheme.*
- 13. Functions which specifically target young people aged 17-18 years (for example birthday parties) will not be allowed to take place on the premises.*
- 14. All internal doors to any entrance / exit point, fire exit doors and external windows shall be closed during hours of any regulated entertainment except in the event of an emergency, save for the purpose of access and egress*
- 15. An authorisation of sales, signed and dated by the DPS, shall be kept at the premises showing all persons authorised by them to make sales of alcohol at the premises.*
- 16. On any date where First Team Football (including friendlies/non-competitive matches) is to be played at Mill Farm Stadium a suitable number of SIA approved stewards as per a risk assessment will cover all entrances and exits to Bradleys Bar and will wear a reflective jacket/tabard of a design approved by Lancashire Constabulary. On any date where First Team Football (including friendlies/non-competitive matches) is to be played at Mill Farm stadium polycarbonate glassware is to be used and bottles decanted into polycarbonate glassware 2hrs before kick-off, during the match and 2hrs after the final whistle.*
- 17. Whilst the football club has Non-Football League status, an individual risk assessment will be completed prior to every football match day by the Ground Safety Officer to determine whether entry will be permitted to Bradleys Bar by 'away fans'.*
- 18. On Football League status being gained by the football club, entry to Bradleys Bar and the sale or supply of intoxicating liquor will be restricted on all home football match days to persons who are holders of a current member's card or home supporters' match ticket for that day. The restriction to entry and sale/supply of alcohol will cease to apply 2hrs from the football match ending.*

That is our decision and we thank you for your assistance.