



DECISION NOTICE

Date	24 August 2018
Applicant	Anthony Philip Hannon
Reason for Hearing	<p>The Licensing Authority had received an application for the grant of a premises licence for The Mayfield, 88 Mayfield Road, St Annes.</p> <p>There has been representations from “other persons” as defined by the Licensing Act 2003. As such a hearing must be held to determine the application.</p>
Parties in Attendance	<p>Panel: Councillor Angela Jacques - Convenor, Councillor Frank Andrews, Councillor Ray Thomas.</p> <p>Applicant: Mr Anthony Hannon – Applicant Mr Mark Audin – Proposed Designated Premises Supervisor</p> <p>Representatives: Six representatives addressed the panel</p>

The licensing authority had received an application for a premises licence for The Mayfield, 88 Mayfield Road, St Annes. The premises were previously known as St Annes Royal British Legion and benefitted from a Club Premises Certificate. The new owner, Mr Hannon, was now seeking to apply for a Premises Licence in place of the Club Premises Certificate.

Thirty-six written representations had been received, mainly from residents within the vicinity of the premises. Six representatives chose to attend the hearing and address the panel with their concerns.

We thank the representatives for their time and representations.

In considering the application, the panel had to consider whether granting the licence as requested 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.

This was the subject of the hearing this morning.

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 concerns from the local residents covered noise from amplified music, parking concerns, anti-social behaviour on and off the premises and the influence on children from the local primary schools witnessing customers of the premises consuming alcohol outdoors.

The applicant, Mr Anthony Hannon, and the proposed designated premises supervisor, Mr Mark Audin, both addressed the panel. In response to the concerns from the local residents assurances were provided that the premises would be well managed and have a zero tolerance to drugs.

They said that any events that involve amplified music would be monitored for excess noise levels to ensure no disturbance to neighbours and explained that the premises benefited from no opening windows downstairs and self-closing doors ensuring that any noise escaping would be from the front entrance doors which are utilised for access and egress. Internal air conditioning units are also available.

We heard concerns about the applicant's intention to install a beer garden at the front of the premises. The applicant explained that it was their intention to install four picnic style tables outside during the summer months. No alcohol or glass would be allowed outside after 8pm.

With regards to the ongoing parking problems in the area these are out of the control of the applicant. Mr Audin did provide assurances that he would speak to any vehicle owners, that were known to frequent the premises, to encourage them to either park respectfully or to use the premises car park.

The applicant had, following mediation, already agreed a number of conditions with the Police and Environmental Protection. The Panel agree that these conditions are appropriate.

Having regard to the submissions that we heard, the panel found that there was no evidence that the granting of the premises licence, together with the agreed additional conditions, would exacerbate any existing issues experienced by the local residents when the premises were operated by the previous operator.

The panel's decision is as follows:

To grant the application for a premises licence as applied for subject to the mandatory conditions and the agreed conditions as set out in the agenda papers that had been agreed between the applicant, the Police and Environmental Protection prior to the panel hearing.

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

Additional conditions agreed.

Following mediation with the Police (who are a responsible authority) the applicant had agreed a number of conditions as detailed below to be attached to the licence. The Panel has considered the conditions and approve them to be included on the licence.

1. 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.
2. Another member of staff shall be nominated to act for the DPS in their absence whose identity is known by all staff when such absence occurs.
3. An authorisation, signed and dated by the Designated Premises Supervisor, shall be kept at the premises showing all persons authorised by them to make sales of alcohol at the premises.
4. 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.
5. Security/staff arrangements will be sufficient to discourage the sale and consumption of drugs and shall ensure such arrangements include regular checks of toilet areas at least every 30minutes.

6. Clearly visible notices shall be displayed advising those attending that:
 - a) It is a condition of entry that customers agree to be searched and
 - b) Police will be informed if anyone is found in possession of controlled substances or weapons.
7. Records of incidents involving the use, and/or detection of drugs shall be maintained and those records shall be available for inspection. Confiscated and found drugs shall be transferred to the police in accordance with procedures agreed with Lancashire Constabulary.
8. 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.
9. Appropriate measures will be taken to ensure staff prevent the removal of bottles or glasses from the grounds and curtilage of the premises.
10. Frequent collection of glasses and bottles will be undertaken to ensure that empty containers do not accumulate in or around the grounds and curtilage of the licensed premises.
11. No entertainment of an adult or sexual nature will take place on the premises.
12. A Challenge 25 proof of age policy shall be implemented and adhered to. 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:
 - A recognised proof of age scheme accredited under the British Retail Consortiums Proof of Age Standards Scheme (PASS).
 - Photo driving licence.
 - Passport.
 - Official ID card issued by HM Forces or European Union bearing a photograph and date of birth of the holder.

If no suitable identification is provided the sale of alcohol to them will be refused. Suitable signage will be displayed to specify the Challenge 25 policy is in place.
13. All staff to have received suitable training in relation to the proof of age scheme. Refresher training on underage sales to be provided to all staff every 3 - 6 months. Records to evidence this will be made available to an authorised officer upon request.
14. Functions which specifically target young people aged 17-18 years (for example birthday parties) will not be allowed to take place on the premises.
15. CCTV must be installed internally and externally at the premises and must comply with the following:
 - i. Appropriate signage alerting customers to CCTV recording must be displayed in conspicuous positions on the premises.
 - ii. The CCTV system must be installed, maintained and operated to the reasonable satisfaction of Lancashire Constabulary. All public areas of the premises must be covered by the system. The system will incorporate a camera covering each of the main entrance doors and each camera must be capable of providing an image which is regarded as identification standard in all lighting conditions.
 - iii. The system must record all hours the premises are open to the public.
 - iv. Recordings must display the correct date and time.
 - v. Digital recordings must be held for a minimum period of 21 days. The system must as a minimum record images of the head and shoulders of all persons entering the premises.

- vi. A staff member who is conversant with the operation of the CCTV system will be on the premises at all times 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
 - vii. The licence holder must 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 conditions of this licence.
 - viii. Bi-annually documented maintenance checks must be made of the CCTV system to ensure that the system is in good working order and is operating in compliance with the conditions of this licence.
16. An adequate number of licensed door supervisors shall be on duty as appropriate to a risk assessment.
17. An incident book 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
- The book will be available for inspection by a police officer.
18. Patrons shall not be permitted to consume drinks outside after 20:00hrs each day. Signs shall be displayed in prominent positions warning customers that they will not be permitted to eat or drink in the external areas after these times.
19. Any seating in the outside area should be fixed or removed from the area no later than 20:30hrs.
20. The outside area should be monitored at regular intervals by staff and must be covered by CCTV.

Following mediation with the Environmental Protection (who are a responsible authority) the applicant had agreed a number of conditions as detailed below to be attached to the licence. The Panel has considered the conditions and approve them to be included on the licence.

- 1. All doors and windows shall be closed, except for access and egress during the performances of amplified entertainment.
- 2. All amplified entertained shall cease at 23.00 Sunday to Thursday and 00:00 Fridays and Saturdays.