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LICENSING SUB-COMMITTEE

9 APRIL 2015

10.30am

PRESENT Councillors Linda Taylor (in the Chair), Tobin Byers, Joan Henry

Also Present: Guy Bishop, Legal Advisor, Stephen Beedell, Licensing Officer, Sarah Lane, Public Health, Sgt Peter Sparham, Metropolitan Police, Hilary Gullen, Democratic Services Officer, Lisa Jewell, Democratic Services Officer

1 APPOINTMENT OF CHAIR (Agenda Item 1)

Cllr Linda Taylor was appointed Chair

2 DECLARATIONS OF INTEREST (Agenda Item 2)

None

3 BALCANIC TASTE LTD, 19 ABBOTSBURY ROAD, MORDEN, SM4 5LJ (Agenda Item 3)

Cllr Taylor introduced the proceedings, informing those present that the hearing was recorded.

Sgt Peter Sparham presented the concerns of the Metropolitan Police, as detailed in the agenda papers pages 33 and 34 and highlighted the suggested conditions 1-7 on page 34.

Sarah Lane presented the objections of Public Health, as detailed in the agenda papers pages 35-38.

Sarah Lane had tried to contact the applicant, but had been unsuccessful. Sarah Lane asked the committee to consider conditions 1-4 on page 36 of the agenda papers.

Guy Bishop explained that condition 1 of the Public Health conditions had been dealt with in the October 2014 amendment to the Licensing Act.

Guy Bishop gave the panel advice relating to the Thwaites case.

Decision:

The Licensing Sub Committee considered the application Balcanic Taste Ltd for a premises licence to permit the retail sale of alcohol from 10.00 to 21.00 Mondays to Sundays for its premises at 19 Abbotsbury Road, Morden SM4 5LJ (formerly known as Brasoveanca Butcher Shop). The hours sought on Christmas Eve and Good Friday were 10.00 – 23.00. The Premises Licence was **granted**, for the hours and licensable activity above, subject to the following conditions:

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points shall be covered enabling frontal identification of every person entering in any light conditions. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of a Police or authorised officer, for the preceding 31 day period. The CCTV system should be updated and maintained according to police recommendations.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premise is open to the public. This staff member must be able to show a Police or authorised officer recent data or footage with the absolute minimum of delay when requested.
3. No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.
4. No single cans or bottles of beer, lager or cider shall be sold at the premises.
5. A proof of age scheme, such as Challenge 21, shall be operated at the premises where the only acceptable forms of identification are (recognised photographic identification cards, such as a driving licence or passport/holographically marked PASS scheme identification cards).
6. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the council at all times whilst the premises are open.
7. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the Police, which will record the following:
 - a) All crimes reported to the venue
 - b) All ejections of patrons
 - c) Any complaints received
 - d) Any incidents of disorder

- e) Any faults in the CCTV system or searching equipment or scanning equipment
- f) Any refusal of the sale of alcohol
- g) Any visit by a relevant authority or emergency service.

8. No more than 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.

The reasons for the decision were as follows:

The Licensing Sub-Committee considered all of the relevant evidence made available to it and in doing so has taken into account the Licensing Act 2003, the Guidance under section 182 of the Licensing Act 2003, its Regulations, case law, and Merton Council's Licensing Policy.

The Licensing Sub-Committee felt that the conditions imposed would be sufficient to prevent public nuisance to local residents. There is a record of street drinking in Morden such that various conditions were deemed to be both appropriate and proportionate and were therefore imposed on the Premises Licence.