

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Licensing Sub-Committee**
held on Monday, 8th February, 2010 at Committee Suite 2/3 - Westfields,
Middlewich Road, Sandbach, CW11 1HZ

PRESENT

Councillors Stan Davies, Liz Gilliland and Michael Parsons

Officers

Vilma Robson, Licensing Officer
Sheela Dutton, Solicitor
Paul Mountford, Legal and Democratic Services

68 APPOINTMENT OF CHAIRMAN

RESOLVED

That Councillor Stan Davies be appointed Chairman for the meeting.

(Councillor Davies in the Chair.)

69 DECLARATIONS OF INTEREST

No interests were declared.

70 REVIEW OF PREMISES LICENCE - THE FOX INN, LONDON ROAD, ELWORTH CW11 3BF

The Sub-Committee considered an application by Mr D Smethurst, on behalf of Cheshire Police, for a review of the premises licence of The Fox Inn Public House, Elworth under s51 of the Licensing Act 2003.

Mr Smethurst had applied for the review on the grounds that failure of a test purchase on 5th December 2009, and the behaviour of the Designated Premises Supervisor on that day, had undermined the licensing objective of the protection of children from harm. The Police were seeking a condition to be attached to the premises licence that the proof of age scheme 'Challenge 25' be operated for all sales of alcohol and that the current Designated Premises Supervisor be removed from that position.

Evidence was heard from the following:

Mr David Smethurst – Police Licensing Officer
Sergeant Penny Jones – Cheshire Police
Mr John Bailey – Designated Premises Supervisor, The Fox Inn
Mr Phillip Hargreaves – Witness for Mr Bailey

Mr John Coen – Solicitor for the Brewery, Punch Taverns Plc

Having heard the evidence from all parties, the Sub-Committee went into private session to consider the matter further. At the conclusion of its deliberations, the Sub-Committee re-admitted the interested parties and the Chairman announced the Sub-Committee's decision.

RESOLVED

That the conditions below be attached to the Premises Licence in order to promote the licensing objective of the protection of children from harm:

1. The proof of age scheme 'Challenge 25' be operated for all sales of alcohol.
2. The licensee provide training to the Designated Premises Supervisor, specifically in relation to age-related sales and the misuse of drugs at the premises; all training to be documented.
3. The Designated Premises Supervisor be required to cascade all training to members of staff; all such training to be documented.
4. The toilets at the premises be monitored regularly and a written record of any evidence of drug use to be kept.
5. A drugs policy be adopted and adhered to.
6. A refusals register be kept for age-related products.
7. All training documents, written records, policies and registers referred to in conditions 1 to 6 above be kept at the premises for at least 12 months and be made available to the police and authorised officers of the Licensing Authority on request.

The Sub-Committee felt that these conditions were necessary and proportionate, given the evidence before it, in order to promote the licensing objective of the protection of children from harm.

The meeting commenced at 10.00 am and concluded at 12.01 pm

Councillor Stan Davies