

HEREFORDSHIRE COUNCIL

**REGULATORY COMMITTEE DECISION NOTICE
(THE LICENSING ACT 2003)**

PREMISES	Spar
LICENCE HOLDER	Tates Ltd
APPLICANT'S NAME	Chief Constable Paul West
APPLICATION TYPE	Review of Premises Licence
PANEL MEMBERS	Councillor Brigadier P Jones CBE Councillor JW Hope MBE Councillor A Seldon
DATE OF MEETING	9 May 2008

Members of the Licensing Panel of the Council's Regulatory Committee considered the above application, full details of which appeared before the Members in their agenda and the background papers.

Prior to making their decision, the Members heard from PC Thomas and Mr Thorne, the Principal Trading Standards Officer, together with Mr Roberts, Mr Davies and Mr Dyson, speaking on behalf of Threshers, the premises licence holder.

Having carefully considered those matters put before them, the Members of the Committee considered that in order to promote the Licensing Objectives that the application should be, and was determined as follows:-

That the License be suspended in respect of all licensable activity for a period of 24 hours, such suspension not to take effect until 00:01hrs on 31 May 2008.

That the following additional conditions be imposed forthwith* upon the licence:-

- Ensure comprehensive training is given to all staff. This training should be recorded and refreshed at least once every six months.
- Ensure staff are trained on how to spot underage purchasers and to handle refusals safely.
- Adopt a NO ID NO SALE policy.
- To adopt a 'Challenge 25' policy where anyone who looks under 25 has to provide suitable ID to prove they are over 18 before being served.
- Only accept the following forms of ID: Valid British passport, photo driving licence and proof of age cards carrying the PASS hologram.

HEREFORDSHIRE COUNCIL

REGULATORY COMMITTEE DECISION NOTICE (THE LICENSING ACT 2003)

- Use a refusals log; monitor its usage to ensure all staff are being vigilant.
- Display posters and notices at entrance and points of sale, advising customers of the age restrictions and that they will be asked for ID if they look under 21.
- Have a CCTV system installed. Tapes/recordings must be kept for four weeks minimum. These tapes/recordings should be produced for any agency that requires them.
- Dependant on the type of Till in use at the premise, Install a till prompt system.

That the following additional conditions be imposed upon the Licence as from 00:01hrs on 1 August 2008.

- That all age restricted sales made on the premises after 16.00 hours are supervised by a personal licence holder.

** Subject to Section 52(11) which states that a determination under this section does not have effect:*

- (a) until the end of the period given for appealing against the decision, or*
- (b) if the decision is appealed against, until the appeal is disposed of.*

REASONS

In reaching their decision, the Members had full regard to both the provisions of the Licensing Act 2003 and the Council's Licensing Policy, the Guidance issued pursuant to Section 182 of the Act, together with the matters raised both orally and in the documents presented to the meeting. The Committee were cognisant of the fact that the Licence amounted to 'property' within the meaning of Article 1 to the First Protocol of the European Convention on Human Rights and considered that their decision was proportionate, having regard to all the matters put before them. The Members made their decision in order to promote the four licensing objectives, namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.