

Recommendation

The Licensing Act 2003, s52 empowers the Licensing Sub-Committee upon review of a licence to:

1. Modify the conditions of the licence;
2. Exclude a licensing activity from the scope of the licence;
3. Remove the designated premises supervisor;
4. Suspend the licence for a period of no more than three months;
5. To revoke the licence.

The Applicant seeks to ensure that the licence holder is able to operate in a manner that is consistent with the licensing objectives and in particular:

1. The prevention of crime and disorder;
2. Public Safety, and;
3. The protection of children from harm.

The Applicant recommends that:

1. The Licensing Sub-Committee removes the designated supervisor;
2. If the Licensing Sub-Committee is satisfied that the licence holder has agreed to the proposed amendments to the licence conditions set out in schedule A below, and has demonstrated that they are able and willing to abide by those conditions, and has put in place adequate arrangements to ensure the safe conduct of public events, modify the terms of the licence to include those amended conditions;
3. In the event that the licence holder cannot demonstrate to the Licensing Sub-Committee that adequate remedial action has been taken by the date of the review to ensure future compliance with the proposed licence conditions and the safe conduct of public events and the avoidance of the breaches and risks identified within this report, it is the Applicant's opinion that the licence should be suspended for such time as is sufficient, but for no more than three months, to enable the licence holder to:
 - i. Replace the designated premises supervisor;
 - ii. Replace the current safety management team with a robust and effective team who are committed to abiding by the terms and conditions of the licence and the safe conduct of public events, and;
 - iii. To impose the modifications to the licence set out within schedule A below.
4. If the licence holder cannot demonstrate to the Licensing Sub-Committee that adequate remedial action has been, or is to be taken to ensure compliance with the licensing objectives and the conditions and proposed

conditions of the licence, it is the Applicant's opinion that the licence must be revoked.

Schedule A:

1. A 'Challenge 25' policy shall be operated on the premises at all times. The policy must be understood by all employees. The policy will be documented, read and signed by all individuals working at the business to indicate that they understand it. The policy must require all staff to check the identification of all persons who appear to be less than 25 years of age.
2. The check shall be made by examining either a passport, photographic driving licence or PASS approved proof of age card. These checks must be made for every sale of this nature regardless of previous checks. Any individual who works at the premise must be aware of the 'Challenge 25' policy.
3. Clearly visible notices shall be displayed at the entrance, at the point of sale and where the goods are displayed highlighting the operation of the 'Challenge 25' policy. The notices will display details of the operation of the 'Challenge 25' and valid identification policy.
4. A refusals register will be maintained detailing all refusals and the reason for the refusal, including people suspected of purchasing alcohol or tobacco on behalf of a person under 18 years of age. The refusals register will be reviewed by the designated premises supervisor on a weekly basis to show that refusals are being monitored and to sign and date the refusals register when this review takes place.
5. The designated premises supervisor shall observe staff undertaking sales of age restricted products on a weekly basis to ensure they are operating the 'Challenge 25' policy, requesting the appropriate identification and completing the refusals register appropriately and record that observations have taken place.
6. CCTV to be installed and maintained in working order. CCTV images to be retained for 28 days and produced to Authorised Officers of Trafford Council and police immediately upon request. All employees will be trained

in relation to use of CCTV equipment. The Licensee/The Manager/Duty Manager will be able to produce the required CCTV images immediately upon request to Authorised Officers of Trafford. CCTV equipment to be checked at the commencement of the trading day. If the CCTV is not working no retail sale of alcohol may take place until such times as the equipment is working.