

Decision Notice

**Application No. and Ward: 11/00262/LQN
Bricklayers Arms (Purple Lounge), 137
Bartholomew Street, Newbury, RG14 5HB
Monday, 28th March, 2011**



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NOTICE OF DECISION

The Licensing Sub-Committee of West Berkshire Council met on 28 March 2011 and considered the application 11/00262/LQN for the review of the Premise Licence in respect of premises known as The Bricklayers Arms (Purple Lounge), 137 Bartholomew Road, Newbury submitted by Superintendent Robin Rickard on 16 February 2011.

In coming to their decision, the Committee had regard to the four licensing objectives, which are:

1. The prevention of crime and disorder;
2. Public safety;
3. The prevention of public nuisance; and
4. The protection of children from harm.

They also considered the Department of Culture, Media and Sport Guidance on the Licensing Act 2003 and West Berkshire Council's licensing policy.

The Committee heard representations made by:

1. The Applicant: Inspector Malcolm Whitaker on behalf of Thames Valley Police
2. The Premise Licence Holders represented by: Sarah LeFevre and Ian Pearson
3. The Responsible Authorities: Ros Haynes (Safeguarding Children)

Having taken those representations into account, the Licensing Sub-Committee RESOLVED that the Premise Licence be amended with immediate effect.

1. The conditions attached to the Premises Licence after a hearing which took place in August 2005, and appearing as numbered conditions 1, 2 and 6 on the current Licence shall be removed and the Licence varied to include the following conditions:

1. All incidents which impact on any of the four licensing objective shall be recorded in a register kept at the premises for this purpose. The names of the persons recording the information and those members of staff who deal with the incident shall also be recorded. Where known, any offenders names shall also be recorded. The register must be made available to responsible authorities on request.
2. a. All bar staff with the exception of Personal Licence Holders, shall be trained in the requirements of the Licensing Act 2003 in relation to age restricted sales of alcohol before being authorised to sell alcohol.
b. At all times that the premises are open to the public there shall be at least one member of staff on the premises who shall be accredited to BII level 1 Award in Responsible Alcohol Retailing (ARAR) or any other similarly recognised nationally approved accreditation curriculum, within six weeks for existing and subsequent new employees.
c. Records of training, refresher training and proof of the date of the commencement of employment (e.g. signed contract) shall be retained and must be made available to officers of West Berkshire District Council and Police on request.
3. The premises shall at all times operate a Challenge 25 policy to prevent any customers who attempt to purchase alcohol and who appear to the staff member to be under the age of 25 years without first having proved identification. Only a valid British Drivers Licence showing a photograph of the person, a valid passport or proof of age card showing the "Pass" hologram are to be accepted as identification.
4. The Premises Licence Holder shall ensure all staff authorised to sell alcohol receive regular refresher training on the law relating to underage sales at least every four months in relation to the Four Licensing Objectives contained within the Licensing Act 2003. The Premises Licence Holder shall review such training every four months following completion of the same. Written proof of training shall be recorded and maintained whilst the member of staff remains in employment and will be retained for inspection by the Council and Police.

and consumption of alcohol by minors. In accordance with the guidance the Licensing Authority considered whether the revocation of the Licence should be imposed. However the Licensing Authority considered that the steps taken by the Premises Licence Holder to terminate the tenancy at will and their consent to the conditions suggested by the Police as detailed above was such that in this case a suspension of one month in addition to the variation to conditions and the removal of the DPS was appropriate.

Subject to the relevant statutory provisions this decision takes effect immediately.