

► **Licensing Act 2003**
► **Statutory Consultee Response**

To:	Andrew Smith	From:	Niky Barrett
Position:	Licensing Officer	Position:	Licensing Enforcement Officer
Division:		Division:	Regeneration and Healthy Communities
Your Ref:		Our Ref:	
Extension No:	5580	Extension No:	5357
Copy To:		Date:	24.3.2014

Name of Premises: The Sumpter Horse

Address: 235 Leyland Road, Penwortham, PR1 9SY

Application Number: PREMA0131

I am in receipt of PS1506 Bushell's application on behalf of Lancashire Constabulary for a review of the above-mentioned premises licence.

Since 25th April 2012 the Licensing Authority has been designated as a Responsible Authority and as such may make representations in respect of applications.

It is in this capacity that I submit this representation in support of Lancashire Constabulary's application.

I can confirm that in the past 12 months I have had cause to visit the premises in respect of 2 separate issues.

On 7th July 2013 I was monitoring for noise breakout from the premises, following a complaint from a resident about loud music disturbing them. I witnessed regulated entertainment in the form of recorded music being provided until 01:30 when the permitted hours for that activity terminate at midnight. Mr McDonnell was subsequently interviewed by myself and PS Bushell where he admitted the offence made out in section 136 (1) of the Licensing Act 2003 and received a Police Caution.

Following the disposal of this offence I can confirm that I have not received any further complaints from residents about loud music, although as with all licensed premises I have undertaken a number of external monitoring visits over the intervening months to satisfy myself that the music levels were being appropriately controlled and offered only within the authorised hours. I have not had cause to enter the premises on any of these night-time checks.

On 7th February 2014 on the invitation of PS Bushell I visited the premises. My role was to offer Mr McDonnell the opportunity to use the minor variation process to amend his premises licence to include a new condition about maintaining a CCTV system which covers the public areas of the premises and which he is able to operate. To this end I took with me an application form and a guidance note on the minor variation process. Mr McDonnell has not to date submitted such an application.

During the meeting it became apparent that Mr McDonnell was not capable of using the CCTV he had had installed at the pub and he was not even sure if it was in fact operating correctly. When pressed about the effectiveness of having a system which he couldn't interrogate, he became quite defensive and suggested that it should be the Police who learnt how to use his CCTV as they were the ones who wanted the footage.

To this end I fully support the Police's application as the measures proposed clearly promote the licensing objectives.