

Shropshire Council  
Legal and Democratic Services  
Shirehall  
Abbey Foregate  
Shrewsbury  
SY2 6ND

Date: Friday, 23 January 2015

**Committee:**  
**Licensing Act Sub-Committee**

**Date:** Monday, 2 February 2015

**Time:** 11.00 am

**Venue:** Ludlow Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

You are requested to attend the above meeting.  
The Agenda is attached

Claire Porter  
Head of Legal and Democratic Services (Monitoring Officer)

**Members of Licensing Act Sub-Committee**

Joyce Barrow  
Andrew Davies  
Vivienne Parry

Your Committee Officer is:

**Emily Marshall** Committee Officer

Tel: 01743 252726

Email: [emily.marshall@shropshire.gov.uk](mailto:emily.marshall@shropshire.gov.uk)

# **AGENDA**

## **1 Election of Chairman**

To elect a Chairman for the duration of the meeting.

## **2 Disclosable Pecuniary Interests**

Members are reminded that they must not participate in the discussion or voting on any matter in which they have a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

## **3 Application for a Review of a Premises Licence - Albrighton Post Office and Convenience Store, 31-33 Station Road, Albrighton (Pages 1 - 14)**

Report of the Public Protection Officer (Specialist) is attached, marked 3.  
Contact Simon Ditton on 0345 6789026



## Committee and Date

Licensing Act Sub-Committee

Monday 2<sup>nd</sup> February 2015  
11am

## Item

3

Public

## LICENSING ACT 2003

### APPLICATION FOR A REVIEW OF A PREMISES LICENCE

**Responsible Officer** Simon Ditton, Public Protection Officer (Specialist)  
e-mail: [licensing@shropshire.gov.uk](mailto:licensing@shropshire.gov.uk) Tel: 0345 6789026

#### 1. Summary

To consider an application for a review of a Premises Licence.

Premises: Albrighton Post Office and Convenience Store, 31-33 Station Rd, Albrighton, WV7 3QG. A location plan is attached to the report as Appendix A.

Shropshire Council being the authorised licensing authority for the above premises has received an application for a premises licence.

The application has been accepted as a valid application. The application is required to be determined by way of a hearing of the Licensing Sub-Committee.

In determining the application the licensing authority must give appropriate weight to:

- the steps that are necessary to promote the licensing objectives;
- the representations (including supporting information) presented by all parties;
- Guidance issued under Section 182 of the Licensing Act 2003;
- Shropshire Council's Licensing Policy.

After considering all the relevant issues the licensing authority may grant

- take no further action
- issue informal/formal warnings to the Designated Premises Supervisor and/or Premises Licence holder
- modify conditions of the licence
- exclude a licensable activity from the scope of the licence
- remove the designated premises supervisor
- suspend the licence for a period not exceeding three months

- revoke the licence

Following a hearing, the licensing authority should give its decision and provide reasons to support it. This will be important if there is an appeal by any of the parties.

All parties are required to be notified of a decision and that decision should be accompanied by information on the right of the party to appeal.

## **2. Recommendations**

That the Sub-Committee determines the application in accordance the Statutory Guidance issued under s182 of the Licensing Act 2003, the Council's Statement of Licensing Policy, the information contained within this report, supporting documentation and having had due regard to the applicant, licence holder and the parties/authorised bodies making relevant representations.

That the Sub-Committee determines the application in accordance with the options in paragraph 7.

That the Sub-Committee provides the reasons for its decision.

## **REPORT**

### **3. Human Rights Act Appraisal**

The Committee is required to consider the consequences of any action on the licence holder's human rights.

### **4. Financial Implications**

None.

### **5. Purpose of Report**

To consider an application for a review of the Premises Licence for Albrighton Post Office and Convenience Store, 31-33 Station Rd, Albrighton, WV7 3QG.

### **6. Background**

- 6.1 Shropshire Council Public Protection, Trading Standards, has made an application for a review of a Premises Licence on the grounds that operations at the premises undermine the Protection of Children from Harm Licensing Objective. The application is supported by evidence of at least two sales of alcohol to persons under 18 years of age.
- 6.2 The Premises Licence was first granted on 6<sup>th</sup> October 2005 (Premises Licence Number PL/BH126). The current Premises Licence holder and designated premises supervisor is Mr Tahir Mahmood.

- 6.3 On 17<sup>th</sup> and 31<sup>st</sup> January 2014 Shropshire Council Public Protection received from West Mercia Police information of two underage alcohol sales which allegedly emanated from the premises.
- 6.4 On 21<sup>st</sup> February 2014 the premises were visited as part of a market surveillance test purchasing exercise by Shropshire Council Public Protection. During this exercise a 16 year old male volunteer was sold alcohol by Mr Mahmood Anwar.
- 6.5 On 14<sup>th</sup> March 2014 further visit was made to the premises using an underage test purchasing volunteer and the attempted sale was refused.
- 6.6 On 26<sup>th</sup> September 2014 the premises were visited again as part of a market surveillance test purchasing exercise by Shropshire Council Public Protection. During this exercise a 17 year old female volunteer was sold alcohol by Mr Mahmood Anwar.
- 6.7 The current application was then submitted.
- 6.8 No further formal representations have been received in response to the application.

## **7. Options for Consideration**

- 7.1 The options available to the Licensing Sub-Committee having considered all the relevant information are as follows:
- take no further action
  - issue informal/formal warnings to the Designated Premises Supervisor and/or Premises Licence holder
  - modify conditions of the licence
  - exclude a licensable activity from the scope of the licence
  - remove the designated premises supervisor
  - suspend the licence for a period not exceeding three months
  - revoke the licence
- 7.2 Members of the Sub-Committee should be advised that the applicant, licence holder or any other person who made relevant representations in relation to the application may appeal against the decision made to the Magistrates' Court within 21 days of the date on which they were notified.

## **8. Standard of Decision Making**

- 8.1 In accordance with the provisions of the Licensing Act 2003 and the Council's scheme of delegation, all applications for a review of a Premises Licence have to be determined by this Sub-Committee.
- 8.2 When determining the application, the Sub-Committee should only consider issues, which relate to the four licensing objectives. The licensing objectives are:

- The prevention of Crime and Disorder
- Public Safety
- The prevention of a Public Nuisance
- The protection of Children from Harm

8.3 Members of the Sub-Committee must have regard to the statutory guidance issued under section 182 of the Licensing Act 2003 and the Council's Statement of Licensing Policy. Members of the Sub-Committee may deviate from the statutory guidance and licensing policy only if they deem that there is good reason to do so.

8.4 Members of the Sub-Committee should not allow themselves to predetermine the application or to be prejudiced in favour or opposed to the applicant and/or the licence holder and shall only determine the application having had an opportunity to consider all relevant facts.

**List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

Shropshire Council Licensing Policy.  
 Guidance issued under section 182 of the Licensing Act 2003 (October 2014).  
 The Licensing Act 2003 (Hearings) Regulations 2005.  
 Application form and associated papers.

**Cabinet Member (Portfolio Holder)**

Cllr S Charmley

**Local Member**

**Appendices**

Appendix A – Location Plan

Appendix B – Current Licence





Albrighton Post Office



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Licensing Act 2003

# Premises Licence

**PL/BH126**

## Part 1 - Premises Details

**POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION**
**Albrighton Post Office and Convenience Store**

31-33 Station Road, Albrighton, Shropshire, WV7 3QG.

**WHERE THE LICENCE IS TIME LIMITED THE DATES**

Not applicable

**LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE**

- the sale by retail of alcohol

**THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES**

| Activity (and Area if applicable)                                      | Description        | Time From | Time To |
|--|--------------------|-----------|---------|
| M. The sale by retail of alcohol for consumption OFF the premises only | Monday to Saturday | 8:00am    | 11:00pm |
|  | Sunday             | 10:00am   | 10:30pm |
|  |                    | 8:00am    | 10:30pm |
|  | Christmas Day      | Noon      | 3:00pm  |
|  | Christmas Day      | 7:00pm    | 10:30pm |

**THE OPENING HOURS OF THE PREMISES**

| Description | Time From | Time To |
|-------------|-----------|---------|
|-------------|-----------|---------|

**WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES**

- M. The sale by retail of alcohol for consumption OFF the premises only

## Part 2

**NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE**

Tahir Mahmood

31 Park Road East, West Park, Wolverhampton, West Midlands, WV1 4PX.

**REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)**



Shropshire  
Council

Licensing Act 2003

## Premises Licence

**PL/BH126**

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Tahir MAHMOOD

31 Park Road East, West Park, Wolverhampton, West Midlands, WV1 4PX.

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. WN/027568

Issued by Wolverhampton

### ANNEXES

#### Annex 1

#### MANDATORY CONDITIONS

**1. No supply of alcohol may be made under the premises licence:**

- (a) At any time when there is no designated premises supervisor in respect of the premises licence, or
- (b) At a time when the designated premises supervisor does not hold a personal licence or their personal licence is suspended.

**2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.**

#### EMBEDDED RESTRICTIONS

##### A. EMBEDDED RESTRICTIONS UNDER THE LICENSING ACT 1964

##### **1. PERMITTED HOURS**

Alcohol shall not be sold or supplied except during permitted hours.  
In this condition, permitted hours means:-

- (a) On weekdays, other than Christmas Day, 8am to 11pm.
- (b) On Sundays, other than Christmas Day, 10am to 10.30pm
- (c) On Christmas Day, 12 noon to 3pm and 7pm to 10.30pm
- (d) On Good Friday, 8am to 10.30pm



Licensing Act 2003

## Premises Licence

PL/BH126

ANNEXES continued ...

The above restrictions do not prohibit:

- (a) During the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel
- (b) The ordering of the alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered
- (c) The sale of alcohol to a trader or club for the purposes of the trade or club
- (d) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.

### 2. CONSUMPTION

Alcohol shall not be sold in an open container or be consumed in the licensed premises.

#### B. EMBEDDED RESTRICTIONS UNDER THE CHILDREN AND YOUNG PERSONS ACT 1933

The Premises Licence is subject to the restrictions contained in the Children and Young Persons Act 1933 to the extent that any of those restrictions were imposed on the use of the premises for the existing licensable activities under the relevant existing licence or licences.

#### ANNEX 2

#### CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

As this was a conversion of an existing licence(s) Annex 1 contains the embedded restrictions from the converted licence(s), with amendment where necessary.

#### ANNEX 3

#### CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

There was no hearing in relation to this application, so no conditions were imposed by the Licensing Committee.

#### ANNEX 4

#### PLANS



Shropshire  
Council

Licensing Act 2003

**Premises Licence**

**PL/BH126**

ANNEXES continued ...

**As attached**

Signature of Authorised Officer



Shropshire  
Council

Licensing Act 2003

## Premises Licence Summary

PL/BH126

### Premises Details

#### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

##### Albrighton Post Office and Convenience Store

31-33 Station Road, Albrighton, Shropshire, WV7 3QG.

#### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

#### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the sale by retail of alcohol

#### THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

| Activity (and Area if applicable)                                      | Description        | Time From | Time To |
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|  |                    |           |         |

#### THE OPENING HOURS OF THE PREMISES

| Description | Time From | Time To |
|-------------|-----------|---------|
|-------------|-----------|---------|

#### WHERE THE LICENCE AUTHORIZES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption OFF the premises only

#### NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Tahir Mahmood

31 Park Road East, West Park, Wolverhampton, West Midlands, WV1 4PX.

#### REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

#### NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES THE SUPPLY OF ALCOHOL

Tahir MAHMOOD



Shropshire  
Council

Licensing Act 2003

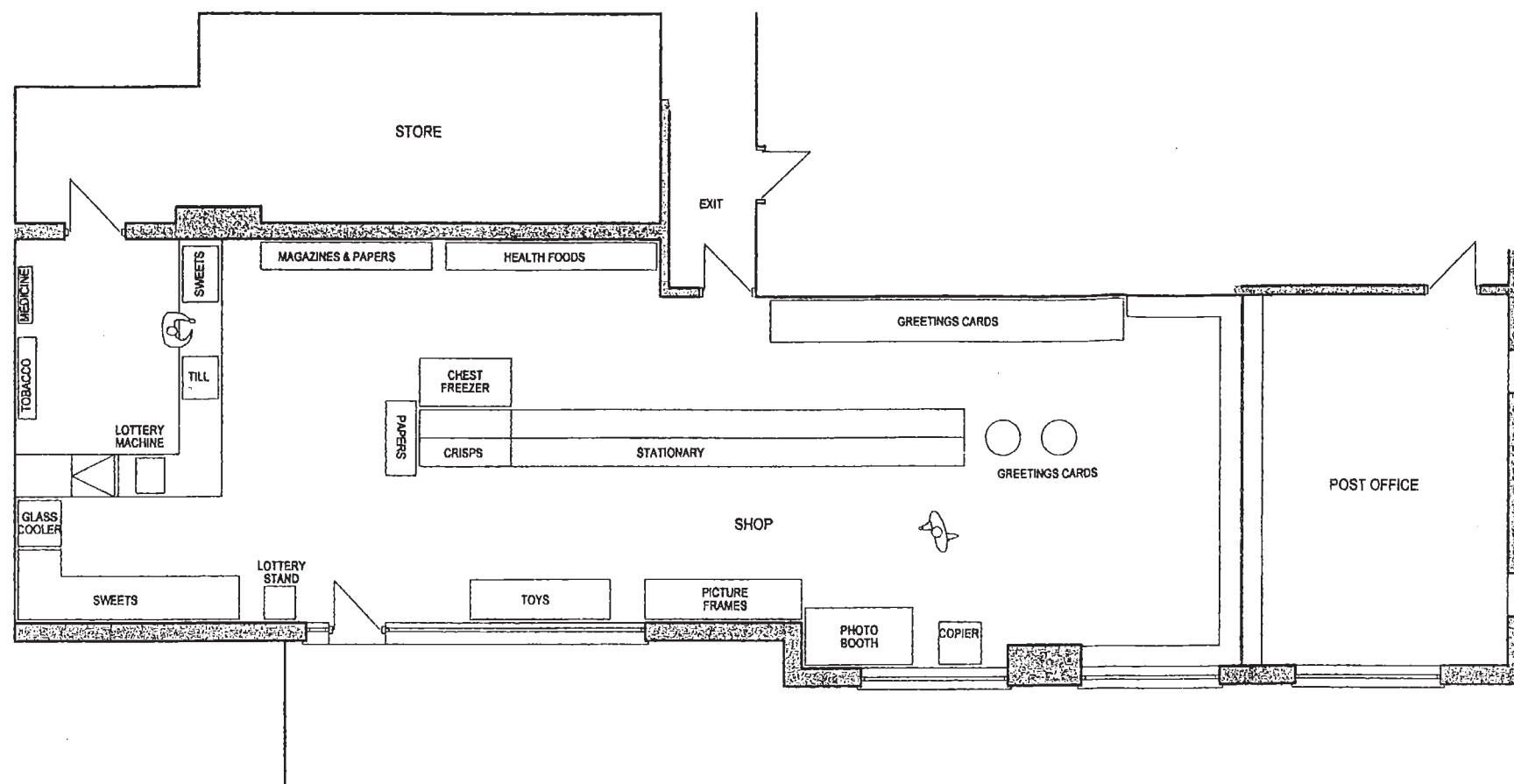
## Premises Licence Summary

**PL/BH126**

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Signature of Authorised Officer

19765



Extg. Plan

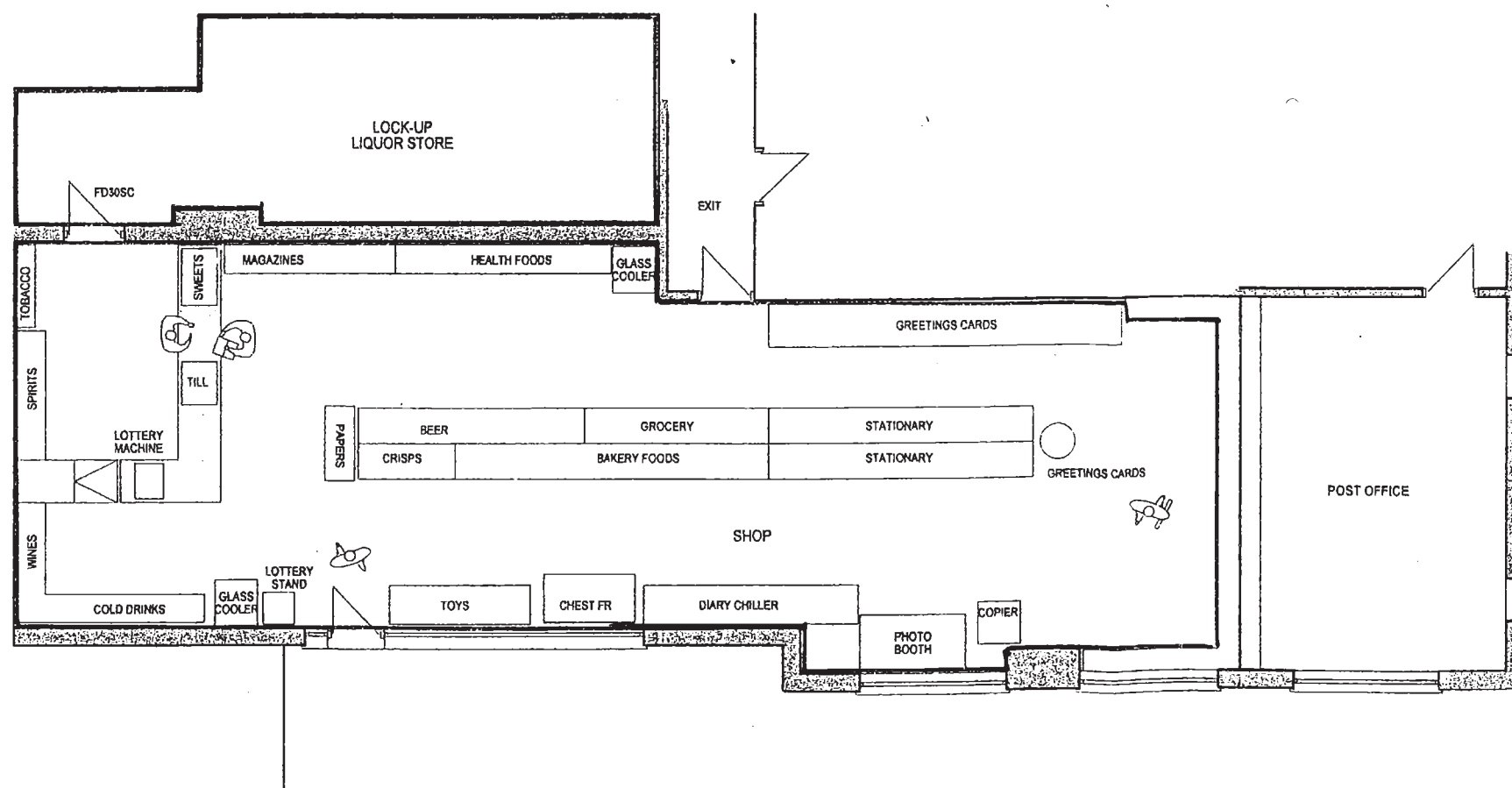
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BRIDGNORTH DISTRICT COUNCIL,  
WESTGATE,  
BRIDGNORTH,  
SALOP WV16 5AA

SECURITY  
SHOP FRONT WINDOWS FITTED WITH INTERNAL SECURITY GRILLS  
SECURITY ALARM SYSTEM CONNECTED TO 'REDCARE'  
SECURITY CAMERA FITTED

KEY:

— LICENCED AREA AND LIQUOR STORE



Prop. Plan

Scale 1:100

Client Mr. Nirwal Sandhu  
31-33 Station Road  
Albrighton  
WV7 3QH

Drawing Title

RETAIL DISPLAY OF WINES, BEERS AND SPIRITS

Drg.No: 77/03 Date: 03/11/2003 Drawn: JCB

**JK Kalsi**  
Building Designs & Technical Services

2 Coalway Road  
Penn  
Wolverhampton  
WV3 7LR

Tel/Fax: 01902-620330  
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