

# SHROPSHIRE COUNCIL

## LICENSING ACT SUB-COMMITTEE

Minutes of the meeting held on 28 June 2017

10.00 - 10.37 am in the Shrewsbury Room, Shirehall, Abbey Foregate, Shrewsbury,  
Shropshire, SY2 6ND

**Responsible Officer:** Shelley Davies

Email: shelley.davies@shropshire.gov.uk Tel: 01743 257718

### **Present**

Councillors Simon Jones, Kevin Pardy and Keith Roberts

### **8 Election of Chairman**

#### **RESOLVED:**

That Councillor Keith Roberts be elected Chairman of the Licensing Act Sub-Committee for the duration of the meeting.

### **9 Disclosable Pecuniary Interests**

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

### **10 Application for a Review of a Premises Licence - News Shop Express, Shrewsbury**

Consideration was given to an application for a Review of a Premises Licence in respect of News Shop Express/First Stop Express, 5 London Road, Shrewsbury, SY2 6NN.

Mr. G. Tunnadine (Applicant - Trading Standards – Shropshire Council), Ms. L. Prince (Solicitor – Shropshire Council), Ms. J. Moores (Public Protection Officer – Professional – Shropshire Council), PC. K. Roberts (West Mercia Police) and Sgt. S. Morris (West Mercia Police) were in attendance.

The Licence Holder was not in attendance.

The applicant, Mr. G. Tunnadine provided the Sub-Committee with background information relating to the premises and the circumstances that led to the submission of an application for a review of the premises licence. He made reference to two failed test purchase exercises and a Police incident at the Premises in April 2017. It was explained that the business had recently transferred to a new owner and the new owner had applied for a new premises licence.

The Public Protection Officer (Professional) addressed the Sub-Committee, and confirmed that the application had been accepted as a valid application.

PC. Roberts addressed the Sub-Committee in relation to the application and confirmed that the Police had been in attendance at the time of the two failed test purchase exercises and that the Police been called to an incident at the premises on 19th April 2017.

The Chairman invited all parties to sum up and make any final comments prior to the Sub-Committee making a decision on the application.

Members of the Sub- Committee retired to consider the application, in private, at 10.26 a.m. and reconvened at 10.36 a.m. to announce their decision.

**RESOLVED:**

That the Premises Licence for News Shop Express/First Stop Express be revoked.

Reasons

The Sub-Committee had considered all of the documents submitted prior to the hearing and the representations made by those parties present at the hearing. The Sub-Committee were disappointed however, that the Licence Holder had not attended the hearing.

The Sub-Committee considered the information provided by the Applicant in relation to the potential transfer of the business to a third party but noted that no evidence or details were provided to support this. They were therefore satisfied that no sanction other than revocation of the licence would be appropriate. The Sub-Committee were so concerned by the serious nature of the breaches of the licence conditions and the management of the premises that it was not appropriate for the licence to remain in place while the premises were operated by the Licence Holder.

The Sub-Committee did not consider it would be appropriate to simply remove the Designated Premises Supervisor as they considered the failings in the business related to the overall poor management of the premises.

The parties were advised that the decision would be confirmed in writing within 7 working days of the date of the hearing. Every party had the right of appeal against this decision to the Magistrates Court within 21 days of being notified of the decision.

Signed ..... (Chairman)

Date: .....