

SHROPSHIRE COUNCIL

LICENSING ACT SUB-COMMITTEE

Minutes of the meeting held on 7 November 2018

10.00 - 10.29 am in the Council Chamber, Shirehall, Abbey Foregate, Shrewsbury,
SY2 6ND

Responsible Officer: Shelley Davies

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

Present

Councillors Roy Aldcroft, Keith Roberts and Dave Tremellen

7 Election of Chairman

RESOLVED:

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

8 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.

9 Exclusion of Public and Press

RESOLVED:

That under Section 100(A)(A4) of the Local Government Act 1972, the public be excluded during the consideration of the following item of business on the grounds that they might involve the likely disclosure of exempt information as defined in Schedule 12(A) of the Act.

10 Application for a Review of a Premises Licence

The Applicant (Trading Standards – Shropshire Council), the Public Protection Officer, the Council's Solicitor and a representative from West Mercia Police were in attendance.

The Chairman invited the applicant to present their case. The applicant provided the 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. These included reports of underage sales of alcohol and a failed Trading Standards tobacco test purchase. A photograph of the volunteer used for the Trading Standards tobacco test purchase exercise was circulated to the Sub-Committee. The applicant confirmed that legal proceedings against the Licence Holder had commenced.

In response to a question from the Sub-Committee, the Applicant confirmed that other premises where the Trading Standards tobacco test purchase exercise was undertaken asked the volunteer for identification.

The Chairman invited the Public Protection Officer (Professional) to present their case. It was explained that the Licence Holder had been contacted in relation to the premises licence review but had failed to engage with the process.

The Chairman invited the representative from West Mercia Police to present their case. It was noted that the Police had received numerous reports in relation to the premises from parents and other shop keepers in the area.

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 10.20 a.m. and reconvened at 10.27 a.m. to announce their decision.

RESOLVED:

That the Premises Licence 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 and were 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 undermining of the licensing objectives and poor management taking place at the premises that it was not considered appropriate for the licence to remain in place while the premises were operated by the Licence Holder.

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: