

**CANNOCK CHASE COUNCIL**  
**MINUTES OF THE MEETING OF THE**  
**LICENSING SUB-COMMITTEE**  
**HELD ON THURSDAY 11 JULY 2019 AT 10:00AM**  
**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**  
**PART 1**

PRESENT:

Councillors:

Dudson, A.  
Fisher, P.A.  
Pearson, A.R.

Applicant

Mr S. Singh

Objectors to the Application

Sgt. J. Finn (Northern Licensing Unit, Staffordshire Police)  
PC. Gallimore (Northern Licensing Unit, Staffordshire Police)  
Ms. N. Bills (Southern Licensing Unit, Staffordshire Police)

Witnesses for the Objectors

Mr S. Doyle (Trading Standards, Walsall Council)  
Ms. G. Fisher (Trading Standards, Walsall Council)

Representing the Licensing Authority:

Mr D. Prosser-Davies (Food, Safety & Licensing Manager)  
Mr S. Kearney (Licensing Enforcement Officer)

Legal Advisor to the Sub-Committee:

Mr G. Finn (Senior Licensing Officer)

Secretary to the Sub-Committee:

Mr M. Berry (Senior Committee Officer)

## **1. Appointment of Chairman**

Councillors P.A. Fisher and A.R. Pearson nominated Councillor A. Dudson as Chairman.

RESOLVED:

That Councillor A. Dudson be appointed as Chairman for the meeting.

## **2. Apologies and Reconstitution of Membership**

No apologies were received.

## **3. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members**

No declarations of interests were received.

## **4. Licensing Act 2003 – Application to Transfer a Premises Licence and Vary the Designated Premises Supervisor, Broadway Convenience Store, 50 Broadway, Hednesford, WS12 4HP**

The Chairman asked all parties present to introduce themselves and to confirm their understanding of the procedure for the Hearing, which had been circulated to all parties in advance.

The Officer representing the Licensing Authority then presented the report in respect of the application and outlined the relevant matters for consideration (Enclosure 4.1 – 4.4 of the Official Minutes of the Council). The Applicant, Objectors to the Application and Members of the Sub-Committee were then afforded the opportunity to ask questions of the Officer of the Licensing Authority on the report presented. No questions were asked.

The Objectors to the Application then presented their case to the Sub-Committee, with the Witnesses for the Objectors providing further background detail to the additional evidence submitted by the Objectors in advance of the meeting. The Applicant and Members of the Sub-Committee were then afforded the opportunity to ask questions of the Objectors and their Witnesses. Questions were put by the Applicant and Members of the Sub-Committee to the Witnesses.

The Applicant then presented his case to the Sub-Committee. The Objectors to the Application and Members of the Sub-Committee were then afforded the opportunity to ask questions of the Applicant. Questions were put by the Objectors and Members of the Sub-Committee.

The Officer of the Licensing Authority, Objectors to the Application and the Applicant were then given the opportunity to sum up their respective cases. Summation was provided by all parties.

Members of the Sub-Committee then deliberated in private, accompanied by the Legal Advisor and Secretary to the Sub-Committee.

All parties then returned to the meeting and the Chairman announced the decision of the Sub-Committee and reasons for the decision, as follows:

After considering; the evidence and representations from Staffordshire Police, Walsall Trading Standards and the Applicant (“the Parties”); the matters set out in the report; the additional documents referred to at the hearing by the Parties; the statutory guidance issued under section 182 of the Licensing Act 2003 (“the Guidance”); and the Council’s Licensing Policy, it was:

RESOLVED:

That:

- (A) Having regard to the notice made by Staffordshire Police, under section 42(6) of the Act, the Committee considered that the application should be rejected, since it considered it appropriate to do so for the purposes of promoting the crime prevention and protection of children from harm objectives.
- (B) As a result of decision (A), it followed therefore that the application to vary the premises licence to specify the Designated Premises Supervisor as the Applicant was also rejected.

#### Reasons for Decisions

The Applicant had been convicted of three offences that the Committee considered were highly relevant to the application, and that they were an exceptional set of circumstances as the convictions showed the Applicant had a propensity to commit offences that undermined the said licensing objectives.

The Committee believed that Applicant had not shown sufficient due diligence when operating his businesses.

The Committee therefore rejected the application to transfer the Premises Licence and Vary the Designated Premises Supervisor, as it considered this an appropriate measure in order to promote the licensing objectives in relation to crime prevention and the protection of children from harm.

The Chairman then advised the Applicant and Objectors to the Application of their right of appeal against the decisions of the Committee under Schedule 5 of the Licensing Act 2003, should they wish to do so.

The meeting closed at 11:19 a.m.

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CHAIRMAN