

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
LICENSING SUB-COMMITTEE

HELD ON MONDAY 13 AUGUST, 2012 AT 2.00 P.M.

IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PRESENT: Councillors

Snape, P.A. (Chairman)

Allen, F.W.C.

Bernard, J.D.

Applicant's Representatives:

Mr. R. Arnot, Wardhadaway
Mr. A. Jeff, Store Manager, Co-op Service Station

Representing the Licensing Authority:

Mr. S. Shilcock, Head of Environmental Health, Cannock Chase Council
Mr. S. O'Meara, Senior Licensing Officer, Environmental Health, Cannock Chase Council

Objector to the Application:

Mr. G. Brindley, 80 Uxbridge Street, Hednesford

Legal Advisor to the Committee:

Mr. G. Finn, Legal Advisor

Secretary to the Committee:

Mr. S. Partridge, Democratic Services Manager

14. Apologies and Reconstitution of Membership

The Chairman informed all parties that the Council would only allow licensing decisions to be taken by a minimum of three Councillors. In the event of one Member being unable to attend, their place would be substituted by another Member taken from the membership of the full Licensing/Public Protection Committee. In the event of this substitution taking place, all parties would be informed of the change of membership at the beginning of the hearing.

The Chairman informed all those present that Councillor A. Dudson would not be in attendance and would be substituted by Councillor F.W.C. Allen.

15. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members

No declarations of interests were received.

16. Licensing Act, 2003 – Application for Variation to an Existing Licence – Co-operative Service Station/Convenience Store, Hill Top, Uxbridge Street, Hednesford, Staffs, WS12 5DE

Consideration was given to the Report of the Head of Environmental Health (Enclosure 5.1 – 5.22 of the Official Minutes of the Council).

The Chairman asked all parties to introduce themselves and to confirm their understanding of the procedure and explained that each party would have an equal amount of time in which to present their case.

The officer of the Licensing Authority presented the report in respect of this matter. He outlined the relevant issues for consideration.

The Objector and Applicant's Representative were afforded the opportunity of asking questions of the Officer of the Licensing Authority.

Members of the Sub-Committee were also afforded the opportunity of asking questions of the Officer of the Licensing Authority.

The Applicant's Representative was then given the opportunity of presenting his case. The Applicant presented his case.

The Objector and Members of the Committee were then afforded the opportunity of asking questions of the Applicant's Representative.

The Objector was then afforded the opportunity to present his case. The Applicant's Representative and Members of the Committee were then afforded the opportunity of asking questions of clarification the Objector.

All parties were then afforded the opportunity to sum up their cases.

The Committee then deliberated in private accompanied by the Council's Legal Adviser and Secretary to the Committee.

RESOLVED:

The Licensing Sub-Committee, having regard to all the relevant and material issues and facts in the circumstances, decided that the Premises Licence granted in respect of the Co-operative Service Station/Convenience Store, Hill Top, Uxbridge Street, Hednesford, Staffs, WS12 5DE be varied as set out below.

The Licensing Sub-Committee agreed to the following variation to the Premises Licence:

Sale by Retail of Alcohol

Sunday - Monday 05.00 to 24.00hrs.

Reasons for the Decision

The Committee gave careful consideration to all representations made, together with the relevant provisions of the Licensing Act 2003 and Section 182 Statutory Guidance issued by the

Secretary of State, as well as the Council's licensing policy.

The Committee considered the fact that none of the Responsible Authorities had made any representations in relation to the application. The Committee were satisfied that the company had sufficient training and procedures in place to ensure the four licensing objectives were being met. It was also noted that there had been no issues of concern or incidents that had taken place during the five years the premises had been licensed.

The Committee, in considering its obligations under the Licensing Act 2003, had therefore determined that there were no reasons to justify the refusal of the application.

CHAIRMAN

(The meeting closed at 3.20 p.m.).