

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
LICENSING SUB-COMMITTEE
HELD ON MONDAY 9 JULY, 2012 AT 10.00 AM
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PRESENT: Councillors

Allen, F.W.C. (Chairman)

Bernard, J.D.

Grice, Mrs. D.

Licence Holder:

Mr. S. Sriharan

Responsible Authorities

Mr. M. Wilson, Trading Standards, Staffordshire County Council

Ms. F. Chapman, Trading Standards, Staffordshire County Council

Miss, N. Bills, Licensing Officer, Staffordshire Police

Representing the Licensing Authority:

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

Mr. D. Prosser-Davies, Food and Safety Manager

Legal Advisor to the Committee:

Mr. S. Turner, Solicitor

Secretary to the Committee:

Mrs. J. Hunt, Senior Committee Officer

5. Appointment of Chairman

RESOLVED:

That Councillor F.W.C. Allen be appointed Chairman for the Hearing.

6. 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.

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

No declarations of interests were received.

8. Exclusion of the Public

That the public be excluded from the remainder of the meeting because of the likely disclosure of exempt information as defined in paragraph 2, Part 1, Schedule 12A of the Local Government Act, 1972 (as amended)

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PART 2

9. Licensing Act, 2003 – Application for a Review of a Premises Licence – Bargain Stores (formerly Bargain Booze), 19A Horsefair, Rugeley, Staffs, WS15 2EJ

Consideration was given to the Not for Publication Report of the Head of Environment Health (Enclosure 5.1 – 5.50 of the Official Minutes of the Council).

At this point the Senior Licensing Officer reported that the Licence Holder's Legal Representative had recently contacted the Council and requested an adjournment due to their being no representation available for his client today.

Representatives of Trading Standards advised that they had no objection to adjourning the hearing in the interest of fairness, although due to other commitments they were only available to attend on 16 July, 2012. It was explained that it had taken a long time for the application to come before the Committee and over 6 weeks notification had been given advising of the hearing today.

The Police Representative asked that the hearing be heard today in view of all the evidence submitted.

At this point, Members of the Sub-Committee deliberated in private, accompanied by the Council's Legal Advisor and Secretary to the Sub-Committee.

RESOLVED:

That the Licensing Sub-Committee be adjourned until Monday 9 July, 2012 commencing at 1.00 p.m.

Reasons for the Decision

1. The Committee noted that the Licence Holder had instructed a legal representative
2. The Committee decided that it was in the interests of justice to give the Licence Holder the opportunity to be represented by his appointed legal representative;
3. It was therefore appropriate for the promotion of the licensing objectives and proportionate to adjourn the matter to 9 July, 2012

CHAIRMAN

(The meeting closed at 10.20 a.m.).