

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

HELD ON THURSDAY 12 JUNE, 2014 AT 10:00 A.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PRESENT: Councillors:

Anslow, C.
Bernard, J.D.
Fisher, P.A.

Designated Premises Supervisor:	M. Hagan (Missoula)
Representing the Licence Holder:	C. Robertson (Area Manager Stonegate Pub Company)
Licence Holder's Solicitor:	Ms. C. Eames (Popleston Allen Solicitors)
Applicant for Review:	PC. N. Bills (Licensing Officer Staffordshire Police) PC. D. Evans (Licensing Officer, Staffordshire Police)
Representing the Licensing Authority:	Mr. D. Prosser-Davies (Food & Safety Manager, Cannock Chase Council)
Legal Advisor to the Sub-Committee:	Mr. S. Turner (Principal Solicitor, Cannock Chase Council)
Secretary to the Sub-Committee:	Mr. M. Berry (Senior Committee Officer, Cannock Chase Council)
Observer:	Mr S. O'Meara (Senior Licensing Officer, Cannock Chase Council).

1. Appointment of Chairman

Councillors C. Anslow and J.D. Bernard nominated Councillor P.A. Fisher as Chairman.

RESOLVED:

That Councillor P.A. Fisher be appointed Chairman for the meeting.

2. Apologies and Reconstitution of Membership

Councillor P.A. Fisher was appointed as substitute in place of B. Bottomer.

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 for a Review of a Premises Licence – Missoula, 11 Market Place, Cannock, WS11 1BS

Consideration was given to the Report of the Head of Environmental Health (Enclosure 4.1 – 4.129).

The Chairman asked all parties to introduce themselves and to confirm their understanding of the procedure.

The Officer of the Licensing Authority presented the report in respect of this matter. He outlined the relevant issues for consideration, and also advised that the representation received from Councillor J.T. Kraujalis had been formally withdrawn by the Councillor in advance of the Hearing.

The Solicitor for the Licence Holder, Applicant for Review and Members of the Sub-Committee were afforded the opportunity to ask questions of the Officer of the Licensing Authority. No questions were asked.

The Applicant for Review presented her case to the Sub-Committee. She advised that in advance of the meeting, the proposed conditions had been agreed with Stonegate Pub Company.

The Solicitor for the Licence Holder and Members of the Sub-Committee were afforded the opportunity to ask questions of the Applicant for Review. No questions were asked.

The Solicitor for the Licence Holder then presented her case to the Committee.

The Applicant for Review and Members of the Sub-Committee were afforded the opportunity to ask questions of the Solicitor for the Licence-Holder. No questions were asked by the Applicant for Review.

The Officer of the Licensing Authority, the Applicant for Review and the Licence Holder's representative were given the opportunity to sum up their cases. No summation was provided by the Officer of the Licensing Authority.

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

RESOLVED:

That after hearing the evidence submitted by Staffordshire Police and the Licence Holder ("the Parties") and having considered the matters set out in the report attached to the agenda, the additional conditions as set out below are to be added to the premises licence:

1. The premises will adopt the Challenge 25 policy to tackle underage sales. All staff must be fully trained in its use before being allowed to sell alcohol and a record is to be kept of staff training in relation to the Challenge 25 scheme.

The Designated Premises Supervisor will ensure that all staff training is refreshed at least every 2 calendar months

Initial training in relation to the sale of alcohol will contain a written test to be undertaken by the staff member and this record must be signed and dated by both the member of staff and the designated premises supervisor.

2. All records of staff training, including written tests must be kept fully updated at all times and held at the licensed premises. These records must be made available upon request to the Police, Trading Standards Officers and the Licensing Authority.
3. A record of refusals must be maintained at the premises and will record details of the time and date of any sales that are refused in relation to persons that are under age and must also show details of the staff member refusing the sale. This record must be checked on a monthly basis.
4. Persons purchasing alcoholic drinks who appear to be under the age of 25 must be required to produce proof of age by way of a proof of age card accredited under the Proof of Age Standards Scheme (PASS) or if a proof of age card is not available a genuine valid photo driving licence or valid passport.
5. Each till will provide daily birth check information which will be kept updated at all times with the current date at which a person must be born before to be aged 18 or over.
6. On Thursday, Friday and Saturday from 21:00hrs (or such other times as agreed with the Police Licensing Officer and notified to the Licensing Authority in writing), the premises will utilise one entrance to the venue and at this entrance an ID scan machine will be in operation. The ID Scan device must meet the approval of Staffordshire Police Licensing Unit and all persons who appear under 25 years of age entering the venue will be subject to the use of the device upon entry.

Reasons for the Decision

The Committee found that there had been an illegal sale of alcohol to minors on 29 November 2013.

The Committee noted that the Parties had agreed that the conditions as set out above should be added to the premises licence.

The Committee considered it appropriate and proportionate to impose the additional conditions set out above in order to promote the licensing objectives relating to the prevention of crime and disorder and the protection of children from harm.

The meeting closed at 10:29am

CHAIRMAN