

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

HELD ON THURSDAY 3 APRIL, 2014 AT 10.00 A.M.

IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PRESENT: Councillors:

Anslow, C.
Bottomer, B.
Grice, Mrs. D.

Designated Premises Supervisor: Mr. T.L. Dunning (The White Lion)

Representing the Licence Holder: Mr. M. Brown (Admiral Taverns Ltd.)

Applicant for Review: Ms J. Mellor (Licensing Officer,
Staffordshire Police)

Representing the Licensing Authority: Mr. D. Prosser-Davies
(Food & Safety Manager,
Cannock Chase Council)

Legal Advisor to the Committee: Mr. S. Turner (Principal Solicitor,
Cannock Chase Council)

Secretary to the Committee: Mr. M. Berry, (Senior Committee Officer,
Cannock Chase Council)

Observer: Mr J. Salter (Licensing Enforcement Officer,
Cannock Chase Council)

1. Appointment of Chairman

Councillors C. Anslow and Mrs. D. Grice nominated Councillor B. Bottomer as Chairman.

RESOLVED:

That Councillor B. Bottomer 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 for a Review of a Premises Licence – The White Lion, Stafford Road, Cannock

Consideration was given to the Report of the Head of Environmental Health (Enclosure 4.1 – 4.75). It was noted that some of the report contained exempt information. The Committee was informed that if it was necessary for this information to be referred to, the Chairman would formally move that the meeting be held in exempt session.

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.

The Licence Holder's representative and Members of the Sub-Committee were afforded the opportunity of asking questions of the Officer of the Licensing Authority. No questions were asked.

The Applicant for Review presented her case. She advised that in advance of the meeting, the proposed conditions had been agreed with Admiral Taverns, as well as an additional proposal that the Designated Premises Supervisor be transferred from Mr. Dunning to Mrs. Dunning, his wife. A copy of the agreed conditions was circulated to the Committee.

The Licence Holder's representative was afforded the opportunity of asking questions of the Applicant for Review, however no questions were asked. Members of the Sub Committee and the Legal Advisor to the Committee then asked questions of the Applicant for Review.

The Licence Holder's representative presented his case to the Committee.

The Applicant for Review was afforded the opportunity of asking questions of the Licence Holder's representative, however no questions were asked. Members of the Sub-Committee then asked questions of the Licence Holder's representative..

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.

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 and having considered the matters set out in the report attached to the Agenda, the additional conditions set out below are to be added to the premises licence:

(A) Under Annex 2, Protection of Children from Harm, remove all conditions and replace with:

(i) Challenge 25 will be operated at the premise whereby all persons

who appear to be under 25 and purchasing or attempting to purchase alcohol will be asked to provide identification to prove they are over 18 years of age. All staff must be fully trained in its use before being allowed to sell alcohol. The only acceptable forms of identification allowed will be a valid passport, valid photo ID driving licence or valid proof of age scheme card with the PASS approved hologram. Challenge 25 signage to be displayed at the entrance to the premises and at the cash till payment area and in sight of customers and staff.

- (ii) All staff working at the premises involved in the sale and supply of alcohol will receive initial training from a recognised external training company and subsequent 3 monthly refresher training on the law in relation to sales of alcohol by the DPS. This will be recorded in a staff training register and will include a written test of knowledge, signature of the member of staff, the DPS or an appropriately accredited training provider together with the date. Training records must be available to the police and officers of responsible authorities on request. Records shall be retained at the premise.
- (iii) A refusal register is to be used to record all incidents when a sale is refused. The register is to be kept at the premise at all times unless it is requested by the police or officers of responsible authorities. The refusal register must also contain details of the staff member refusing the sale and be checked, signed and dated on a monthly basis by the designated premises supervisor or duty manager.
- (iv) At each till there will be placed a date of birth check card 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.
- (v) No children under the age of 16 years of age are permitted upon the premises after 19:30 hours if licensable activities are taking place. Children prior to this time should be accompanied by a responsible person who are at least 18 years of age.

(B) Under Annex 2, The Prevention of Crime and Disorder, add:

- (i) All persons involved in the sale of alcohol who are not the holders of a Personal Licence to sell alcohol will receive initial and regular 3 monthly refresher training by the Designated Premises Supervisor or an appropriately accredited training provider with regards to the law and in relation to the sale of alcohol. Such training will be recorded and up to date training records of all such persons will be maintained at the premises and produced and made available for inspection upon request by a responsible authority.
- (ii) Both initial and subsequent refresher 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.

Reasons for the Decision

The Committee found that there had been an illegal sale of alcohol to minors on 23 November 2013.

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

The Committee noted that there is to be an application to vary the Designated Premises Supervisor to Mrs Dunning in the next few weeks.

The meeting closed at 11:00 a.m.

CHAIRMAN