

M MINUTES

meeting: **LICENSING SUB-COMMITTEE**

date: **2 NOVEMBER 2011**

PRESENT:-

Councillor Dass (Chair)
Councillors Pask and Shah

OFFICERS IN ATTENDANCE:-

L Banbury, Democratic Support Officer - Delivery (Corporate Governance)
R Edge, Section Leader (Licensing) - Education and Enterprise
S Hardwick, Senior Solicitor - Delivery (Corporate Governance)

Wolverhampton
City Council



OPEN ITEMS

Review of a Premises Licence – Banga Stores, 59a Lea Road, Wolverhampton (Appendix 43)

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In Attendance

For the Premises

Mr J Lal - Premises Licence Holder

Applicant for Review

Mr P Dosanjh - Trading Standards

The Chair introduced all parties and outlined the procedure to be followed. No interests were declared by Members.

The Licensing Officer briefly outlined the report submitted to the meeting and circulated to all parties in advance.

All parties were afforded the opportunity to question the Licensing Officer.

At this juncture Mr Dosanjh outlined the application for review of the Premises Licence which was attached as Appendix 3 of the Licensing Officer's report and invited the Sub-Committee to add the sale of alcohol due diligence conditions to the Premises Licence.

All parties were afforded the opportunity to question Mr Dosanjh. Mr Dosanjh indicated that further test purchases had been undertaken following the legal proceedings and the test customers had been refused in regard to the attempted purchase of alcohol.

At this juncture, Mr Lal made his representations and, in so doing, advised that he had already implemented all the due diligence conditions, with the exception of number 6. It was acknowledged that the till prompt could be in the form of a laminated notice to avoid any unnecessary expenditure.

All parties were afforded the opportunity to question Mr Lal. Mr Lal confirmed that he would make arrangements for the till prompt notice to be displayed.

The Chair briefly outlined the decision of the Sub-Committee and the Solicitor informed Mr Lal of the provision of a right of appeal to the Magistrate's Court:-

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Resolved:-

An application has been made by Trading Standards for a review of the Premises Licence in respect of Banga Stores, 59a Lea Road, Penn Fields, Wolverhampton.

At this hearing to review the Premises Licence, the Licensing Sub-Committee have listened carefully to all representations made by persons who have spoken at the hearing.

Based upon the above and having regard to the application for review and relevant representations made, the Sub-Committee have decided to modify the conditions of the Licence permanently to include the following due diligence conditions which were detailed in the application:-

1. All persons selling alcohol must be properly trained before they are allowed to sell any alcohol to the public. Records must be kept of training by the Designated Premises Supervisor (DPS) or Premises Licence Holder. Persons selling alcohol must be authorised in writing by the DPS following successful completion of training. The records must be kept on the premises during opening hours and must be made available on request to an officer of a Responsible Authority.
2. Refresher training must be carried out at regular intervals and records maintained. The records must be kept on the premises during opening hours and must be made available to an officer of a responsible authority.
3. A 'Challenge 25' policy and 'No ID NO Sale' policy which is supported with signage at all entrances and in the serving areas must be implemented.
4. Only documents which include a photograph of the purchaser should be used to prove that person's age, e.g. passport, new style driving licence, 'PASS' approved age card e.g. Validate Card or Citizen's Card.
5. A 'Refusals Log' must be maintained, which documents the date and time a refusal of sale is made, the reason for the refusal and the member of staff refusing the sale. The Premises Licence Holder or the DPS must monitor the Log on a regular basis and sign it to show it has been done. The Log must be kept on the premises during opening hours and must be made available on request to an officer of a Responsible Authority.
6. A till prompt or a notice must be secured to the till at eye level to remind staff that they must ask for ID if a customer looks under 25.
7. CCTV must be installed and recordings kept at licensed premises for the maximum period the system will allow, whilst maintaining adequate picture quality to identify shoppers. Recordings must be made available to an officer from a responsible Authority on request.

The above actions are considered necessary and proportionate action for the promotion of the Protection of Children from Harm licensing objective.

An appeal may be made to the Magistrate's Court against the decision by the holder of the Premises Licence, or any other person who made a relevant representation, within 21 days from the date of receipt of written notice of this decision.