



# Licensing Sub-Committee

## Minutes - 11 July 2014

### Attendance

**Chair** Cllr Alan Bolshaw (Lab)

#### Labour

Cllr Ian Claymore  
Cllr Rita Potter

#### Conservative

#### Employees

Linda Banbury  
Rob Edge  
Sarah Hardwick

Democratic Support Officer  
Section Leader - Licensing  
Solicitor

*Item No.*    *Title*

**1        Apologies for Absence**

There were no apologies for absence.

**2        Declarations of Interest**

There were no declarations of interest.

**3        Licensing Act 2003 - Review of a premises licence in respect of Cameron Convenience Store, 575 Parkfield Road, Wolverhampton**

In attendance

For the premises

Mr A Salvo – Premises Licence Holder

Responsible Authority

Dianne Slack – Environmental Health (Commercial)

The chair introduced the parties and outlined the procedure to be followed at the meeting.

The Section Leader (Licensing) outlined the report submitted to the meeting and circulated to all parties in advance.

Dianne Slack outlined the review application which was attached at Appendix 3 to the Licensing Officer's report.

Responding to questions, she indicated that advice had been given to the premises licence holder to ensure that he understood the legislation. She stated that he had taken responsibility for the underage sales, had learned lessons from the incidents and had implemented the requested till prompt, refusals log and signage. She believed that the proposed due diligence conditions would assist the premises licence holder in promoting the licensing objectives.

At this juncture Mr Salvo present his case and, in so doing, advised that he had now relinquished his full-time employment in order to concentrate on the convenience store and was only away from the premises when he needed to go to the cash and carry.

Responding to questions, he advised that either his father or girlfriend were on the premises in his absence adding that he could access the CCTV via his phone and that all staff were now aware of the requirement to ask for identification. He confirmed that the premises would not close after 9pm.

Both parties were afforded the opportunity to make closing statements.

**4        Exclusion of Press and Public**

Resolved:

That in accordance with section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting at this point as it involves the likely disclosure of exempt information falling within paragraph 3 of Schedule 12A to the Act relating to the business affairs of a particular person.

**5 Deliberations and decision**

The Sub-Committee discussed the issues which had been raised during consideration of the review of the premises licence and the Solicitor advised them of the options open to them in determining the matter.

**6 Re-admission of press and public**

The parties returned to the meeting and were advised of the Sub-Committee's decision as follows:

**7 Announcement of decision**

An application has been made by Trading Standards for a review of the Premises Licence in respect of Cameron Convenience Store, 575 Parkfield Road, Parkfields, Wolverhampton.

At this hearing to review the Premises Licence, the Licensing Sub-Committee has listened carefully to the submissions made Trading Standards and the Premises Licence Holder.

Based upon the above and having regard to the application and representations made, the Sub-Committee have decided to modify the conditions of the Licence permanently. The following due diligence conditions will be attached to the licence:

1. All persons selling alcohol must be trained before they are allowed to sell alcohol to the public. Refresher training must be undertaken at regular intervals. Records must be kept of training by the Designated Premises Supervisor (DPS). Persons selling alcohol must be authorised in writing by the DPS. The records of training and persons authorised to sell alcohol must be kept on the premises during opening hours and must be available on request to an officer of a Responsible Authority.
2. A 'Challenge 25' and 'No ID No Sale' policy, which is supported with signage at all entrances where alcohol is displayed and at the till, must be implemented; this is the responsibility of the DPS.
3. An electronic or written 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.
4. Only documents which include a photograph of the purchaser and their date of birth should be accepted to prove that person's age, e.g. Validate Card or Citizen's Card.

5. A refusals log must be maintained, which documents the date and time a refusal is made, the reason for the refusal and the member of staff refusing the sale. 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. Evidential quality CCTV should be installed and maintained to a high standard, with images/recordings to be kept for 31 days and to be made available upon request to an officer from a Responsible Authority. At any time there should be at least one member of staff available to download CCTV. CCTV should cover entry and exit points of the premises, areas where alcohol is served and money is taken and all areas to which the public have access.
7. The DPS must have responsibility for the day to management of the sale of alcohol.

The Sub-Committee urged the Premises Licence Holder to ensure that he operates the premises in accordance with the law and more specifically, in accordance with the conditions of the Premises Licence. They advised that it is extremely likely that, should the licence be further reviewed for similar reasons, it would be revoked. The Sub-Committee further noted that the Premises Licence Holder had expressed remorse for the under-age sales, wished to put the matter behind him and improve the business.

The above actions are considered necessary and proportionate for the promotion of the protection of children from harm licensing objective.

An appeal may be made to the Magistrates' Court against the decision by the applicant, 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.