

DONCASTER METROPOLITAN BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

WEDNESDAY, 27TH SEPTEMBER, 2017

A MEETING of the LICENSING SUB-COMMITTEE was held at the COUNCIL CHAMBER, CIVIC OFFICE on WEDNESDAY, 27TH SEPTEMBER, 2017, at 9.30 am.

PRESENT:

Councillor Linda Curran

Councillors Bev Chapman, Martin Greenhalgh and Ian Pearson.

1 DECLARATIONS OF INTEREST, IF ANY.

No declarations were made at the meeting.

2 MINUTES OF THE LICENSING SUB-COMMITTEE MEETINGS HELD ON 23RD AUGUST AND 6TH SEPTEMBER 2017

RESOLVED that the minutes of the Licensing Sub-Committee meetings held on 23rd August and 6th September, 2017, be approved as a correct record and signed by the Chair.

3 APPLICATION FOR A REVIEW OF PREMISES LICENCE - JUNCTION STOP, BROXHOLME LANE, WHEATLEY, DONCASTER DN1 2LJ

The Sub-Committee considered an application for a review of an existing premises licence in respect of 'Junction Stop', 2 Broxholme Lane, Wheatley, Doncaster, DN1 2LJ, following an application received from Trading Standards responsible authority.

The review was brought before the Sub-Committee on the grounds of 'the Prevention of Crime and Disorder licensing objective. A summary of the application was attached as Appendix B to the report.

Representations in support of the application for review had been received from South Yorkshire Police and the Health and Safety Responsible Authorities, copies of which were attached at Appendix F of the report.

Trading Standards had indicated that a copy of the application for review had been sent to the Premises Licence Holder and Responsible Authorities.

The Premises Licence holder had written to the Licensing Authority disputing the grounds for the review, a copy of which was attached as Appendix G of the report.

The Sub-Committee Members, the Premises Licence Holder and the Responsible Authorities had received the agenda prior to the meeting.

At the commencement of the hearing, the Chair made introductions and outlined the procedure to be followed.

David Smith, Licensing Officer introduced the report and outlined the salient points.

Stuart Jones, Senior Trading Standards Officer on behalf Trading Standards, addressed the Sub-Committee answered questions and made representations.

Andrew Steele, (Licensing Enforcement Officer), South Yorkshire Police was in attendance at the meeting in support of the application for review of the licence and addressed the Sub-Committee and answered questions.

With the agreement of all parties, documentary evidence relating to a witness statement from a test purchase operative, who worked on behalf of Trading Standards, which had not been provided to the Sub-Committee prior to this hearing, was tabled at the meeting for Members' information.

The Premises Licence Holder and a representative acting on behalf of the Premises Licence Holder were in attendance at the meeting, made representations and answered questions.

All parties were then asked to leave the room whilst the Sub-Committee deliberated on the Application and reached a decision.

The Sub-Committee considered the application for a Review of the Premises Licence for 'Junction Stop', 2 Broxholme Lane, Wheatley, Doncaster, DN1 2LJ and having taken into account the written representations made and the evidence presented today, the steps that were appropriate to promote the Licensing Objectives, the Home Office Guidance and the Council's Statement of Licensing Policy, RESOLVED to Revoke the licence.

The Sub-Committee made the decision for the following reasons:-

The Sub-Committee noted that there had been 3 test purchases, which had resulted in smuggled and/or illicit tobacco being purchased from the premises and therefore believed that the premises had been used for the sale of smuggled tobacco and therefore had been trading irresponsibly.

The Sub-Committee acknowledged the acceptance of the issues by the Premises Licence Owner, but also noted that staff members employed at the time of at least one of the failed test purchases was still employed. In addition, the Sub-Committee had no confidence that the steps the Premises Licence Owner had taken to date, such as, the inclusion of CCTV would prevent the sale of smuggled tobacco.

CHAIR:_____

DATE:_____