

# Licensing Act Sub Committee Hearing

Thursday 1<sup>st</sup> June 2006

Members of the Panel:	Councillors Lilley (Chair), R Cook and Kaiser
Application Premises:	46 Owton Manor Lane (Premier Grocery Express)
Applicant and Applicants representative(s):	Neil Harrison, Trading Standards Officer
Officers present:	Ralph Harrison, Head of Public Protection & Housing Ann McMorris, Head of Safeguarding and Review Unit Lorraine Hutchinson, Safeguarding and Review Unit Team Clerk Tony Macnab, Solicitor Jo Wilson, Democratic Services Officer
Statutory Consultees Present:	Tony Green, Cleveland Police David Halliday, Cleveland Police
Respondent Premises Licence Holder:	Jaghtar Sahota (Licensee) Radheer Sahota Fergus Grant (Miles, Hutchinson and Lithgo)
Decision:	
<p>The Licensing Authority considered that the application for a review of the premises licence by the Trading Standards, responsible authority, was relevant to the licensing objectives relating to the prevention of crime and disorder, the prevention of public nuisance and the prevention of children from harm.</p> <p>The application related to the commission of two offences of selling alcohol to a 14-year-old child on the 24<sup>th</sup> June 2005. Mr Sahota pleaded guilty to the offences on 13<sup>th</sup> March 2006 and was fined £400 for each offence and ordered to pay £525 costs.</p> <p>The Trading Standards, responsible authority, outlined the background to the offences and advised the Licensing Authority that there had been a steady stream of complaints relating to the sale of alcohol to under 18s in the weeks leading up to the 24<sup>th</sup> June 2005 and that the premises had been targeted as a result of information received from the police.</p>	

The police, responsible authority, gave evidence that there are problems regarding anti-social behaviour in and around the St Patrick's shops where these premises are situated caused by youths drinking alcohol early evening and especially at the weekend. The police advised that they had warned Mr Sahota concerning the sale of alcohol to under 18s from these premises.

The Safeguarding and Review Unit, responsible authority for children, stated that they had concerns over the sale of alcohol to children which placed children at risk in terms of their health and personal safety.

The respondent gave evidence that since the 24<sup>th</sup> June 2005 systems had been put in place to prevent the sale of alcohol to under 18s. His staff had received training and had signed a contract stating they would not sell alcohol to under 18s. There is also an under 21 policy in place. There had been no incidents of sales of alcohol to under 18s since 24<sup>th</sup> June 2005. The respondent stated that if the premises licence was revoked or suspended his livelihood would be affected.

The Licensing Authority was satisfied that the Applicant, responsible authority and the Police and Safeguarding and Review Unit, responsible authorities, had demonstrated that the licensing objectives relating to the protection of children from harm, the prevention of public nuisance and the prevention of crime and disorder would only be promoted if very strong action were to be taken against the respondent.

The Licensing Authority considered its options and reached the conclusion that the only responsible course of action to take is to revoke the premises licence.

The Licensing Authority considered that this decision is necessary and proportionate to ensure the protection of children from harm and the prevention of public nuisance and crime and disorder caused by rowdy and drunken behaviour as a result of under-age sales of alcohol.

For the above reasons the premises licence is hereby revoked.

GEOFF LILLEY

CHAIR