

Licensing Act Sub Committee Hearing

Monday 10th July 2006

Members of the Panel:	Councillors Tumilty (Chair), R Cook and Hall
Application Premises:	89-91 Chatham Road (Halliday Stores)
Applicant and Applicants representative(s):	Neil Harrison, Trading Standards Officer
Officers present:	Ralph Harrison, Head of Public Protection & Housing Tony Macnab, Solicitor Pat Watson, Democratic Services Officer Jo Wilson, Democratic Services Officer
Responsible Bodies Present:	Inspector Peter Knights, Cleveland Police
Respondent Premises Licence Holder:	Joseph Vincent, Jaya Maheswarren, Interpreter
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 an offence of selling alcohol to a 14-year-old child on the 21st September 2005. The Respondent, Mr Vincent, was on 16th May 2006 convicted of the offence and was fined £500 for the offence and ordered to pay £825 costs.</p> <p>The Trading Standards, responsible authority, outlined the background to the offence and advised that the sale was recorded on covert video camera and proof of age was not requested by the store assistant who made the sale. Mr Vincent was adjacent to that staff member and did not intervene to prevent the sale.</p> <p>The police, responsible authority, stated that the area where the premises is located is well known for disorder and was subject to dispersal orders on two or three occasions. There are anti-social patrols on a weekend and such disorder is due to under-age drinking.</p> <p>The Safeguarding and Review Unit, responsible authority for children, made a</p>	

written representation under the category of protecting children from harm. They stated that the implications of supplying alcohol to a minor places the child at risk, both in terms of their health and personal safety. Alcohol can have a serious impact on anti-social behaviour in an area and be a nuisance to residents.

The respondent gave evidence, through his interpreter, that there are signs throughout the premises stating that alcohol cannot be sold to under 18s.

The respondent stated that there was a problem in a field in front of the premises with alcohol being drunk by children which has been purchased by adults and given to them.

The respondent gave evidence that his staff had been trained in respect of the rules and regulations concerning the sale of alcohol to under 18s.

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 the sale of alcohol to children.

For the above reasons the premises licence is hereby revoked.

VICTOR TUMILTY

CHAIR