

Licensing Act Sub Committee Hearing
 (held at Belle Vue Community, Sports and Youth Centre,
 Kendal Road, Hartlepool)
 Friday 5th January 2007

Members of the Panel:	Councillors Tumilty (Chair), Hall and Kaiser
Application Premises:	39/41 Chatham Road
Applicant and Applicants representative(s):	
Officers present:	Ralph Harrison, Head of Public Protection & Housing Tony Macnab, Solicitor Pat Watson, Democratic Services Officer
Statutory Consultees Present	
Respondent Premises Licence Holder:	
Decision:	
That the meeting stand adjourned, with the consent of all parties, at the request of the Respondent Premises Licence Holder to enable him to be represented, and be reconvened on Thursday 18 th January at 2pm.	
Thursday 18 th January, 2007	
Upon reconvening, the following were present:	
Members of the Panel:	Councillors Tumilty (Chair), Hall and Kaiser
Application Premises:	39/41 Chatham Road
Applicant and Applicants representative(s):	Brian Dinning, Trading Standards
Officers present:	Ralph Harrison, Head of Public Protection & Housing Tony Macnab, Solicitor Jo Wilson, Democratic Services Officer

Statutory Consultees Present	Tony Green, Hartlepool Police
Respondent Premises Licence Holder:	Mr and Mrs Khan Naeem Khan Mr Ellwood (Solicitor for the applicant)
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 objective relating to the protection of children from harm.</p> <p>The application related to the commission of an offence of the sale of alcohol to an individual aged under 18 on 31st March 2006 at the respondent premises. The shop assistant who made the sale pleaded guilty at court on 16th October 2006 and was fined £100 for the offence and ordered to pay £251.40 costs.</p> <p>The Responsible Authority for children, made a written representation under the category of protection of children from harm. They stated that the implications of supplying alcohol to a minor place 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.</p> <p>The Police, Responsible Authority, read out their written representation supplied with the Committee papers but accepted that there was only a tenuous link between these premises and disorder in the immediate area and that this cannot be supported by evidence.</p> <p>The Respondent DPS and the owners of the premises gave evidence that signage regarding under age sales is in place and has been changed to reflect the premises' policy of challenging under 21s. There is a till prompt system in place and a refusals book. The staff undergo training in the sale of alcohol which was evidenced by certificates of having attended relevant professional courses.</p> <p>The Licensing Authority therefore did not consider that it was necessary to take any of the steps mentioned in subsection 4 of section 52 of the Licensing Act 2003 and therefore no action is taken in respect of the premises licence.</p>	

VICTOR TUMILTY

CHAIR