

To be submitted to the Council on 15th December, 2011

LICENSING SUB-COMMITTEE

17th November, 2011

PRESENT: Councillors Bramley, Burton and Fenty

Officers in attendance:

Sue Burns	Licensing Officer, People and Communities
Eve Richardson Smith	Solicitor – Governance and Transformation
Jo Edwards	Democratic Services Officer – Governance and Transformation

Also in attendance:

Mr Rameshkumar – Premises Licence Holder (PLH)
Mr Hook – Premises Licence Holder's representative
Mr Baker – Licensing representative
Councillor Darren Billard, Ward Councillor

LSC.61 **APPOINTMENT OF CHAIRMAN**

RESOLVED – That Councillor Fenty be appointed Chair for this meeting of the Licensing Sub - Committee.

COUNCILLOR FENTY IN THE CHAIR

LSC.62 **DECLARATIONS OF INTEREST**

There were no declarations of interest by any member of the Sub-Committee.

LSC.63 **REVIEW OF PREMISES LICENCE – IN RESPECT OF THE PREMISES KNOWN AS CARTERGATE NEWS AND BOOZE**

The Sub Committee considered a report from the Interim Strategic Director of People and Communities regarding the premises known as Cartergate News and Booze, following an application to review the premises licence.

Mrs. Richardson-Smith confirmed that there had been no further representations received and no representations withdrawn. Mrs. Burns introduced the report and advised the Sub Committee that the application to review the premises licence had been made by Councillor Billard, Councillor for the West Marsh Ward. Councillor Billard advised the Sub Committee of the issues that the residents of the area faced, with regard to inherent problems with drinkers in St. James Square, which had now moved onto Cartergate area. He stated that the area was being brought down because of these issues and something must now be done about it. He stated that he had witnessed the sale of alcohol to a person in drink, at the premises known as Cartergate (Jax) News and Booze, and had received many complaints from the residents of the area regarding the anti-social behaviour of people in drink.

Mr. Hook asked Councillor Billard to clarify how he had witnessed a person in drink purchasing alcohol from the premises. Councillor Billard explained that (before he was elected), he was carrying out his business as a taxi driver, he had picked up a fare who was very drunk indeed. He had asked him (Councillor Billard) to stop at an off licence where he purchased 8 cans of strong lager, which he proceeded to drink for the duration for the journey. The off licence was Cartergate (Jax) News and Booze.

Mr. Hook noted that the application to review the premises licence had been dated on 9th September, 2011, but was not submitted until 27th September 2011 and wondered why this delay had occurred. Councillor Billard advised that this was to collate information from residents of the area. Mr. Hook asked how long Councillor Billard had been a Ward Councillor for the area and had he ever spoken to the premises licence holder about the issues that he and the residents of the area had. Councillor Billard advised that he had been a Ward Councillor since May, 2011 and that he had not spoken to the Premises Licence Holder about these issues, which had been brought to his attention in September of this year.

Members of the Licensing Sub-Committee and interested parties were given the opportunity to ask questions and seek clarification on any matters.

Mr. Hook advised the Licensing Sub Committee of the background of Mr. Rameshkumar's business and its dependency on the local community for its survival and stated that the establishment was now known as Cartergate Food and Wine. In brief, he stated that there were clearly issues with antisocial behaviour in the area, noting the comments of the complaints received, but stated that none of these could be attributed to the premises in question.

A Police incident listed within the report stated that alcohol legally purchased at the premises, was given to someone who was clearly underage. Whilst a very serious and improper incident, the premises licence holder could not be rebuked for this and in fact he regularly covered the front of shop to be alert to who is purchasing alcohol. Mr. Hook continued to list the measures undertaken by his client to promote

an effective running of the business. In summary Mr. Hook stated that the premises licence holder had a very positive relationship with local police and PCSO's and regular visits by them had never raised any issue with the premises, in fact no representations had been made by the police. Far from being a cause of the problem, the premises had experienced problems itself. He stated his disappointment that no one had raised any of the issues with the premises licence holder, prior to the review application, which had escalated since the drinkers had moved from St James Square.

Members of the Licensing Sub-Committee and interested parties were given the opportunity to ask questions and seek clarification on any matters.

There being no further evidence to receive, the Sub-Committee retired to consider its deliberations.

The Sub-Committee, having determined its decision, reconvened the meeting.

The Licensing Sub Committee found it very difficult to associate that Cartergate News and Booze was responsible for those persons that may give rise to public nuisance and disorder, and therefore the Licensing Sub Committee do not feel there is any need to take further action.

However the Licensing Sub Committee impress upon on the Council, that there is an issue of anti social behaviour associated with St James Square and Cartergate, and ask that it works with the various partners to address the issues raised.

The Licensing Sub Committee further recommend to the Council as part of its CCTV review, that this area be highlighted as a hot spot that needs specific cover.

As a result of this, the Licensing Sub Committee suggested to the applicant that they may introduce a labelling of alcohol, specific to the premises, In an effort to disassociate themselves from issues as highlighted at today's meeting.

The Licensing Sub Committee appreciated the applicant's co-operation in this matter in the interest of promoting the four licensing objectives and were pleased to accept the applicant's self-imposed agreement to apply labels, of an approximate size of 50mm, attached to all alcohol within the premise and to be sold with a label attached. They were pleased that the premises are broadly using the best practice guidance regarding CCTV on the premise, and therefore felt no need to add any additional conditions at this time.

RESOLVED –

(1) That, with regard to an application for a review of the premises licence, no further action be taken.

(2) That the Licensing Sub Committee further recommend to the Council as part of its CCTV review, that this area be highlighted as a hot spot that needs specific cover.

There being no further business, the Chairman closed the meeting at 4.00pm