

To be submitted to the Council on 17<sup>th</sup> December 2009

## **LICENSING SUB-COMMITTEE**

**24<sup>th</sup> November, 2009**

**PRESENT:** Councillors J. Colebrook, Oliver and D. Pickett

Officers in attendance:

Eve Richardson-Smith	Solicitor - Business Services
Adrian Moody	Licensing Manager – Community Services
Brian Rides	Trading Standards Enforcement Officer – Community Services
Louisa Davis	Licensing Enforcement Officer – Community Services
Georgina Johnson	Democratic Services Officer – Business Services

LSC.19 **APPOINTMENT OF CHAIRMAN**

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

COUNCILLOR J. COLEBROOK IN THE CHAIR

LSC.20 **DECLARATIONS OF INTEREST**

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

LSC.21 **APPLICATION FOR A REVIEW OF A PREMISES LICENCE IN RESPECT OF THE PREMISES KNOWN AS JAX NEWS AND BOOZE, AT THE ADDRESS OF 84A CARTERGATE, GRIMSBY, DN31 1RT.**

The Chair introduced himself, other Members of the Sub-Committee and asked the Officers present to introduce themselves.

Ms. Richardson-Smith gave details of the application and the representations that had been received and advised all parties of the remit of the Sub-Committee and asked all parties if there were any additional documents that they wished to present to the Sub-Committee before the meeting commenced.

There was no additional information for consideration.

The Sub-Committee considered a report from the Executive Director of Community Services for a review of a premises licence in respect of the premises known as Jax News and Booze, at the address of 84A Cartergate, Grimsby, DN31 1RT.

Introducing the report, Mr. Moody outlined details of the representation received and explained the grounds for the review, the Statement of Licensing Policy and the outline procedures.

Mr. Fenton, representing the applicant, Humberside Police, was invited to address the Sub-Committee in an opening speech. Members of the Sub-Committee and interested parties were given the opportunity to ask questions and seek clarification on any matters.

Mr. Cooke, Solicitor, representing the Applicant was invited to address the Sub-Committee in an opening speech. Mr. Thambiah Rameshkumar, the Designated Premises Supervisor, was also invited to contribute to the meeting and answered questions from all parties. Members of the Sub-Committee and interested parties were given the opportunity to ask questions and seek clarification on any matters.

All parties were invited to make their closing speeches.

There being no further evidence to receive, all interested parties, press and public were requested to withdraw from the meeting during the Sub-Committee's deliberations.

The Sub-Committee, having determined its decision, invited all interested parties, press and public to return to the meeting.

The Chair commented that the Sub-Committee took the four Licensing Objectives extremely seriously especially the protection of children from harm. On balance of probability the Committee found that over the past two years the premises had blatantly disregarded the Licensing Laws.

In addition the Sub Committee had read detailed statements of evidence that the premises had previously sold alcohol to children as young as 12 years old. Canon Michael Hunter of St. James Church had bitterly complained about the problem of anti social behaviour encountered in St. James Square by under age drinkers, and when asked they confirmed that they obtained the alcohol from these premises.

The Sub-Committee also noted that the Designated Premises Supervisor had admitted lapses in the past.

The Sub-Committee acknowledged that steps have been taken, including a refusal book and the introduction of CCTV cameras within the premises, but the Sub-Committee was not convinced that these steps would have had any effect had they been introduced two years ago. The Sub-Committee did not feel that these measures would have any deterrent now as previous warnings had been ignored.

The Sub-Committee felt that the offence was so serious that children's lives had been put at risk, and it was lucky that not one child had died as a result of the premises' actions.

After considering all the evidence presented by both sides, the Sub-Committee unanimously came to the conclusion that there was no alternative but to revoke the premises license. The Sub-Committee felt that this action was necessary and proportionate.

RESOLVED - That the premises license be revoked.

There being no further business, the Chairman declared the meeting closed at 3. 30 p.m.