

Licensing Sub-Committee

23 August 2018

Present: Councillors G Madden, J O'Shea and A Waggott-Fairley

LSQ13/08/18 Appointment of Chair

Resolved that Councillor G Madden be appointed Chair for this meeting.

LSQ14/08/18 Declarations of Interest and Dispensations

There were no Declarations of Interest or Dispensations reported.

Councillor Madden explained to the parties present that he was a Personal Licence Holder and he would approach the application with an open mind and base any decision on the written and verbal evidence presented.

LSQ15/08/18 Application for the Review of a Premises Licence – Gills Off Licence, 55-57 West Percy Street, North Shields, Tyne and Wear, NE29 0DR (Riverside Ward)

The Sub-committee met to consider an application for a review of a Premises Licence in relation to Gills Off Licence, West Percy Street, North Shields, NE29 0DR.

The application had been received from the Local Weights and Measures Authority for a review of the Premises Licence on the grounds of the licensing objectives of the prevention of crime and disorder and the protection of children from harm. The Chief Officer of Police, the Director of Public Health and the Local Safeguarding Children's Board also supported the review of the premises licence.

The following parties were present at the hearing: Mr A Burnett, representing the Weights and Measures Authority and Mr N Kirkpatrick, representing the Chief Officer of Police. Mr M Robinson was present to represent Mrs M K Gill, the Licensee and Designated Premises Supervisor. He was accompanied by Mrs M K Gill, Mr J S Gill and Miss Z Grewal.

Following introductions the Sub-committee considered a representation from Mr Robinson in relation to the legality of the hearing due to the Licensee having previously accepted a formal closure order following two sales of alcohol to minors. He argued that under the legislation the acceptance of the closure order precluded further proceedings being taken against his client.

The Sub-committee retired to give consideration to the information presented.

The meeting reconvened and the Chair announced the Sub-committee's decision.

Resolved that (1) the hearing be adjourned to allow all parties the opportunity of considering the information which had been presented on the morning of the hearing;

- (2) Mr Robinson be requested to provide all parties with a “Skeleton Argument” by Wednesday 27 August 2018; and
- (3) the meeting will reconvene at 10.00am on Friday 7 September 2018

Reason for Decision:

The Sub-committee considers that it was appropriate to adjourn the hearing to allow all parties the opportunity of considering the implications of the legal argument which had been presented on the morning of the hearing and if necessary for them to obtain their own legal advice on the points raised.