



Please ask for: W. Rowe

Email: wendyrowe@cannockchasedc.gov.uk

23 September 2026

Dear Councillor,

Licensing and Public Protection Committee

10.00am Thursday 1 October 2026

Council Chamber, Civic Centre, Cannock

You are invited to attend this meeting for consideration of the matters itemised in the following Agenda.

Yours sincerely,

T. Clegg
Chief Executive

To: Councillors:

Freeman, M. (Chair)
Sutherland, M. (Vice-Chair)

Cecil, D.	Fisher, P.
Cecil, M.	Fitzgerald, A.
Deakin, S.	Johnson, T.
Elson, J.	Parkes, J.

Agenda

Part 1

1. Apologies

2. Declarations of Interests of Members

To declare any interests in accordance with the Code of Conduct and any possible contraventions under Section 106 of the Local Government Finance Act 1992.

3. Minutes

To approve the Minutes of the previous meeting held on 23 March 2026 (enclosed).

4. Licensing Sub-Committees Minutes

To note the Minutes of the Licensing Sub-Committees held on the following dates (enclosed):

- 13 April 2026
- 22 April 2026
- 13 May 2026
- 8 September 2026

5. Exclusion of the Public

The Chair to move:

That the public be excluded from the remainder of the meeting because of the likely disclosure of exempt information as defined in Paragraph 2, Part 1, Schedule 12A of the Local Government Act 1972 (as amended).

Agenda

Part 2

6. Hackney Carriage/Private Hire Taxi Driver Licence Application

Not for Publication Report of the Head of Regulatory Services (Item 6.1 – 6.14).

This report is confidential due to the inclusion of information which is likely to reveal the identity of an individual.

Cannock Chase Council
Minutes of the Meeting of the
Licensing and Public Protection Committee
Held on Monday 23 March 2026 at 2:07pm
In the Civic Centre, Cannock
Part 1

Present: Councillors

Cartwright, S. (Chair)
Todd, D. (Vice-Chair) (In the Chair)
Elson, J. Freeman, M.
Fisher, P. Sutherland, M.
Fitzgerald, A.

The meeting commenced slightly later than the planned time.

Prior to commencement of the meeting, it was agreed that Councillor D. Todd would be in the Chair for this meeting only.

1. Apologies

Apologies for absence were received from Councillors J. Aston, V. Jones and L. Wilson.

2. Declarations of Interest of Members in Contracts and Other Matters and Restrictions on Voting by Members

No declarations of interests were received.

3. Exclusion of the Public

Resolved:

That the public be excluded from the remainder of the meeting because of the likely disclosure of exempt information as defined in Paragraph 2, Part 1, Schedule 12A of the Local Government Act 1972 (as amended).

Cannock Chase Council
Minutes of the Meeting of the
Licensing and Public Protection Committee
Held on Monday 23 March 2026 at 2:07pm
In the Civic Centre, Cannock
Part 2

4. Referral of Hackney Carriage / Private Hire Driver

Consideration was given to the Not for Publication Report of the Head of Regulatory Services (Item 6.1 – 6.33).

The Chair invited all those present to introduce themselves and then confirmed the procedure for the Hearing.

The Officer representing the Licensing Authority presented the Council's case by taking the Committee, the Driver and Driver's Legal Representative through the report, outlining the relevant issues for consideration.

The Driver, the Driver's Legal Representative, Members of the Committee, and the Legal Advisor to the Committee were then afforded the opportunity to ask questions of the Officer representing the Licensing Authority. Questions were asked by the Driver's Legal Representative and Members of the Committee.

The Driver's Legal Representative then presented their case to the Committee. The Officer of the Licensing Authority, Members of the Committee, and the Legal Advisor to the Committee were then afforded the opportunity to ask questions of the Driver's Legal Representative. Questions were asked by Members of the Committee.

The Officer representing the Licensing Authority and the Driver were then afforded the opportunity to sum up their respective cases. Summation was provided by the Officer of the Licensing Authority and the Driver's Legal Representative.

The Committee then deliberated in private, accompanied by the Council's Legal Advisor and Secretary to the Committee. The Officer representing the Licensing Authority, the Driver and Driver's Legal Representative left the room during the deliberations.

The Officer representing the Licensing Authority, the Driver and the Driver's Legal Representative were all asked to return to the room to answer further questions by Members of the Committee.

All parties then left the room and the Committee deliberated in private, accompanied by the Council's Legal Advisor and Secretary to the Committee.

At the conclusion of the deliberations, the Officer representing the Licensing Authority, the Driver and the Driver's Legal Representative returned to the room, and the Chair announced the decision of the Committee, as follows:

Resolved:

That the Committee was now satisfied that the Driver was a fit and proper person to hold a hackney carriage and private hire drivers' licence with this Authority under section 51(1)(a) and 59(1)(a) of the Local Government (Miscellaneous Provisions) Act 1976.

Reasons for the Decisions:

The Committee was being asked to determine whether the Driver was a 'fit and proper' person to hold a licence to drive a hackney carriage and private hire vehicle with this Authority should he make a subsequent application following the revocation of his current licence; the Committee determined that the Driver was now a fit and proper person to hold a hackney carriage and private hire drivers licence with this Authority.

The Committee carefully considered the written and oral evidence put forward in particular how the Committees' questions were answered. The Council's Policy, the Institute of Licensing Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades and the statutory taxi and private hire vehicle standards were considered together with the provisions of the Local Government (Miscellaneous Provisions) Act 1976.

The Committee made it quite clear that it considered there were exceptional circumstances that allowed them to depart from the Council's Policy and the Statutory Standards in this instance.

The Committee did make it clear that following the revocation of the current licence, and if an application for a new licence is received, the Driver's licence would be subject to scrutiny, and should there be any subsequent breaches of the Council's Policy he would be referred directly back to the Committee where his licence would be considered. This was because the Driver had been considered to be a fit and proper person to hold a hackney carriage and private hire drivers' licence with this Authority based upon the exceptional circumstances present.

The Committee may not make the same decision again.

The decision of the Committee on 23 March 2026 did not alter the decision made by the original Committee on 24 August 2022 or the reasons for that decision.

The meeting closed at 4:25pm

Chair

Cannock Chase Council
Minutes of the Meeting of the
Licensing Sub-Committee
Held on Monday 13 April 2026 at 10:30am
In the Council Chamber, Civic Centre, Cannock
Part 1

Present:

Councillors

J. Aston
A. Fitzgerald
V. Jones (Reserve)

Applicant

J. Theodoulou - (T/A Blind Shot Ltd)

Objector

M. Stabler

Officer Representing the Licensing Authority

S. Kearney: Principal Licensing Officer, Cannock Chase District Council)

Legal Advisor the Sub-Committee

L. Taylor-Grime: Principal Solicitor - Contentious Litigation,
Cannock Chase District Council and Stafford Borough Council

K. Edwards: Legal (Observer) –
Cannock Chase District Council and Stafford Borough Council

Secretary to the Sub-Committee

J. Hunt: Senior Committee Officer - Cannock Chase District Council

(The meeting commenced slightly later than the planned time).

1. Appointment of Chair

Councillor J. Aston was appointed Chair of the Sub-Committee.

2. Apologies and Reconstitution of Membership

An apology was received from Councillor L. Wilson.

3. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members

None received.

4. Licensing Act 2003 - Application for a Premises Licence: Blind Shot Ltd, 41 Newbury Road, Norton Canes, Cannock, Staffordshire, WS11 9FB

The Chair asked all parties present to introduce themselves and to confirm their understanding of the procedure for the Hearing, copies of which had been circulated to all parties in advance of the meeting.

The Officer representing the Licensing Authority presented the report of the Head of Regulatory Services in respect of the application and outlined the relevant matters for consideration (Enclosure 4.1 - 4.38).

The Objector to the application, the Applicant and Members of the Sub-Committee were then given the opportunity to ask questions of the Officer of the Licensing Authority. There were no questions.

The Applicant then presented their case to the Sub-Committee.

The Objector present was then given the opportunity to ask questions of the Applicant. No questions were asked.

Members of the Sub-Committee were given the opportunity to ask questions of clarification of the Applicant. Questions were asked by Members. The Officer representing the Licensing Authority also suggested that the Applicant explain in further detail, the nature of the business. The Applicant addressed the Sub-Committees questions and as part of the discussion, also confirmed that no alcohol stock would be delivered to, or distributed from, the licensed address between the hours of 5:00pm – 9:00am.

The Objector present then presented their respective case to the Sub-Committee.

The Applicant, and the Members of the Sub-Committee were then given the opportunity to ask questions of clarification of the Objector. Questions were clarified by the Applicant.

The Officer representing the Licensing Authority, the Applicant, and the Objector were then given the opportunity to sum up their respective cases. Summation was provided by the Officer representing the Licensing Authority, the Applicant and the Objector.

Members of the Sub-Committee then deliberated in private, accompanied by the Legal Advisor and Secretary to the Sub-Committee.

All parties then returned to the meeting, and the Chair announced the decision of the Sub-Committee as follows:

Resolved:

That the application for a Premises Licence be granted subject to the standard licensing conditions, and subject to the previously agreed conditions with Environmental Health.

Reasons for Decisions:

The Sub-Committee considered the report of the Licensing Authority and heard representations from the Applicant and Objector. There were no representations from any of the Responsible Authorities.

The Licensing Sub-Committee considered the Premises Licence for Blind Shot Ltd. The Committee considered the written submissions, and the evidence put forward during the hearing together with the Licensing Act 2003, the guidance under Section 182 of the Act and the Council's Statement of Licensing Policy and the statutory guidance.

Having considered all the information available the Committee was satisfied that the Premises Licence could be granted subject to the previously agreed conditions with Environmental Health and the standard licence conditions.

For completeness, the additional conditions agreed were as follows:

- a. No public collections: As stated before there will be no chance of personal collections to the property ensuring less traffic and noise.
- b. Vehicle size restriction: We will commit to the condition that no delivery or collection vehicles larger than a 3.5 tonne van (standard delivery size) will service the premises. Restricting the use of large HGV to the street.
- c. Safe loading: Due to the concerns of space on roads, we will address this by making sure all loading and unloading will take place within the private driveway of 41 Newbury Road, ensuring the road remains unobstructed.
- d. Restricted hours: All 3 representations mention the operating hours for the company. We would like to address this in more detail. On the application we have requested 24 hours to allow orders to be placed online at any given time. However, this does not mean deliveries can be made at any given time. As representation 3 has stated we have disclosed that deliveries will be made during standard working hours between 09:00 – 17:00 to avoid school run and evenings. As it may not have been stated on the application, we will make sure this is adjusted accordingly.
- e. No glass: All Blind Shot Ltd products are plastic based. Not only will this eliminate noise pollution it also avoids the risk of broken glass around the street.
- f. Negligible waste: We move prepackaged goods. Our waste footprint is lower than a typical household and will not require the need for commercial bins or external waste storage. All products will arrive ready for delivery.
- g. Age verification: We will have a strict age verification software implemented on our website when released. As for deliveries, the use of Royal Mail has their own policies regarding age restricted items and as for myself as the designated premises supervisor (DPS) I will hold all responsibility for checking age restrictions when delivering the products.
- h. If palatable sized orders are required, this will be done using external HGV companies where the distillery will deliver straight to them avoiding the need to be stored at the premises. This will eliminate the traffic in the area.

The meeting closed at 11:41 a.m.

Chair

Cannock Chase Council
Minutes of the Meeting of the
Licensing Sub-Committee

Held on Wednesday 22 April 2026 at 10:00am
In the Council Chamber, Civic Centre, Cannock

Part 1

Present:

Councillors

J. Aston
V. Jones
D. Todd

Applicant/Applicant's Agent

N. Rajesh: Applicant's Agent
V. Thavanesan: Applicant
P. Vijayatheepan: Manager of premises

Officer Representing the Licensing Authority

S. Kearney: Principal Licensing Officer, Cannock Chase District Council
M. Lockley: Environmental Health Licensing Support Clerk (Observer) –
Cannock Chase District Council

Legal Advisor the Sub-Committee

L. Taylor-Grime: Principal Solicitor - Contentious Litigation,
Cannock Chase District Council and Stafford Borough Council
K. Edwards: Legal (Observer) –
Cannock Chase District Council and Stafford Borough Council

Secretary to the Sub-Committee

W. Rowe: Senior Committee Officer - Cannock Chase District Council

1. Appointment of Chair

Councillor D. Todd was appointed Chair of the Sub-Committee.

2. Apologies and Reconstitution of Membership

None received.

3. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members

None received.

4. Licensing Act 2003 - Application to vary a Club Premises Certificate in respect of the Lido Working Men's Club, 58 School Road, Norton Canes, Cannock, Staffordshire, WS11 9SQ

The Chair asked all parties present to introduce themselves and to confirm their understanding of the procedure for the Hearing, copies of which had been circulated to all parties in advance of the meeting.

The Officer representing the Licensing Authority presented the report of the Head of Regulatory Services in respect of the application and outlined the relevant matters for consideration (Enclosure 4.1 - 4.27).

The Applicant's Agent and Members of the Sub-Committee were given the opportunity to ask questions of clarification of the Officer representing the Licensing Authority. Questions were asked by Members.

The Applicant's Agent then presented the applicant's case to the Sub-Committee.

Members of the Sub-Committee were given the opportunity to ask questions of clarification of the Applicant's Agent. Questions were asked by Members.

The Officer representing the Licensing Authority and the Applicant's Agent were then given the opportunity to sum up their respective cases. Summation was provided by the Officer representing the Licensing Authority and the Applicant's Agent.

Members of the Sub-Committee then deliberated in private, accompanied by the Legal Advisor and Secretary to the Sub-Committee.

All parties then returned to the meeting, and the Chair announced the decision of the Sub-Committee as follows:

Resolved:

That the application for a Premises Licence be granted subject to the standard licensing conditions and subject to the previously agreed conditions with Trading Standards and the following additional condition:

1. The licence is granted subject to planning conditions and does not override any planning restrictions.

Reasons for Decision:

The Sub-Committee carefully considered the application, the submissions and representations made and, having regard to the Licensing Act 2003, the guidance under Section 182 of the Act and the Council's Statement of Licensing Policy determined that the representations made were capable of being addressed through the licence conditions and policies in place.

For completeness the additional conditions agreed are as follows:

Protecting Children from Harm

- a. A Challenge 25 policy must be adopted and enforced at the premise where all persons who appear to be under the age of 25 must be challenged for acceptable identification to prove they are over the age of 18 prior to the purchase or supply of alcohol.

- b. The acceptable forms of identification must be a valid photo driving licence, valid passport, military ID or a valid PASS approved proof of age card.
- c. Challenge 25 posters must be displayed at all entrances to the premises, areas where alcohol is displayed and at the cash till payment area. Posters must be displayed prominently and in sight of customers & staff.
- d. Cash registers in the premises must be fitted with automatic till prompts to ensure that Challenge 25 is implemented at all times.
- e. A refusals register with details of all refusals must be maintained at the premise. The register must contain details of the staff member refusing the sale and must be checked on a 4 weekly basis by the Designated Premises Supervisor and signed and dated by the Designated Premises Supervisor.
- f. The refusals register or when on the till a printout of refusals must be produced and made available for inspection at the time of the visit by any Responsible Authority.
- g. Prior to selling alcohol, all persons involved in the sale of alcohol & age restricted products who are not the holders of a Personal Licence must receive initial and regular 6 monthly refresher training by the Designated Premises Supervisor or external training provider with regards to the law in relation to the sale of alcohol & age restricted products and responsible retailing.
- h. Such training must be recorded and up to date training records of all such persons must be maintained at the premise and produced and made available for inspection at the time of the visit by any Responsible Authority. Both initial and subsequent refresher training in relation to the sale of alcohol & age restricted products must contain a test to be undertaken by the staff member and this test or online certificate must be made available at the time of the visit to any Responsible Authority. Records for each person must be retained for a minimum of 12 months.

Crime Prevention

- i. CCTV must be installed and cover all internal areas, including all public entry and exit points. The CCTV unit must be positioned in a secure part of the licensed premises and not within any private area of the location. Access to the system must be allowed immediately to the Police, Trading Standards or Local Authority Officers in accordance with the Data Protection Act where it is necessary to do so for the prevention of crime and disorder, prosecution or apprehension of offenders or where disclosure is required by law.
- j. All images must be kept for a consecutive 31 day period and to be produced to the Police, Trading Standards or Local Authority Officers in relation to the investigation of crime and / or disorder issues and suspected licence breaches, upon request or within 24 hours of such request where it is necessary to do so for the prevention of crime and disorder, prosecution or apprehension of offenders or where disclosure is required by law.
- k. The CCTV system must be maintained so as to be fully operational and recording continually whilst the premises are open for licensable activities and during all times when customers remain on the premises.
- l. The CCTV system clock must be set correctly and maintained (taking account of GMT and BST).

- m. There must be notices displayed throughout the premises stating that CCTV is in operation.
- n. There must be a member of staff available at all times who is trained and capable of operating the CCTV system and also downloading any footage required by the Police, Trading Standards or Local Authority Officers.
- o. Weekly checks must be made of the operation of the CCTV system to confirm that it is working correctly and such checks must be recorded in a register which is to be signed by the person conducting the check. This record must be kept fully updated at all times and remain on the premises for inspection by the Police, Trading Standards or an authorised officer of the Licensing Authority.

The meeting closed at 10:45 a.m.

Chair

Cannock Chase Council
Minutes of the Meeting of the
Licensing Sub-Committee

Held on Wednesday 13 May 2026 at 10:05am
In the Council Chamber, Civic Centre, Cannock

Part 1

Present:

Councillors

J. Aston
A. Fitzgerald
M. Sutherland

Applicant/Applicant's representatives

S. Smith: Secretary Lido WMC
J. Haughkey: Club Institute and Union (CIU) Branch Secretary
M. Sandford: President of Lido WMC

Objector - Responsible Authority Representatives

Sergeant J. Finn: Staffordshire Police Licensing Unit
E. Case-Duncan: Staffordshire Police Licensing Unit

Objectors – local residents

G. Lewis
S. Bird
J. Hopkins
F. Bayliss

Officer Representing the Licensing Authority

S. Kearney: Principal Licensing Officer, Cannock Chase District Council
L. Parkes: Licensing Enforcement Officer (Observer) –
Cannock Chase District Council

Legal Advisor the Sub-Committee

L. Taylor-Grime: Principal Solicitor - Contentious Litigation,
Cannock Chase District Council and Stafford Borough Council
K. Edwards: Legal (Observer) –
Cannock Chase District Council and Stafford Borough Council

Secretary to the Sub-Committee

W. Rowe: Senior Committee Officer - Cannock Chase District Council.

1. Appointment of Chair

Councillor J. Aston was appointed Chair of the Sub-Committee.

2. Apologies and Reconstitution of Membership

None received.

3. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members

None received.

4. Licensing Act 2003 - Application to vary a Club Premises Certificate in respect of the Lido Working Men's Club, 58 School Road, Norton Canes, Cannock, Staffordshire, WS11 9SQ

The Chair asked all parties present to introduce themselves and to confirm their understanding of the procedure for the Hearing, copies of which had been circulated to all parties in advance of the meeting.

The Officer representing the Licensing Authority presented the report of the Head of Regulatory Services in respect of the application and outlined the relevant matters for consideration (Enclosure 4.1 - 4.55). He advised of a supplementary Annex 7 (circulated at the meeting) which contained several emails and additional conditions suggested by Staffordshire Police Licensing Unit (the Responsible Authority representatives) and agreed by the Applicant.

The objectors who had made representations in respect of the application and the Responsible Authority representatives were given the opportunity to ask questions of clarification of the Officer representing the Licensing Authority. A question was asked by an objector in relation to concern about a publication that was advertising forthcoming events at the premises.

The Applicant, the Applicant's representatives and Members of the Sub-Committee were then given the opportunity to ask questions of clarification of the Officer representing the Licensing Authority. No questions were asked.

The Applicant and the Applicant's representatives then presented their case to the Sub-Committee.

The objectors and Members of the Sub-Committee were given the opportunity to ask questions of clarification of the Applicant. Several questions were asked by the objectors.

The objectors who had made representations in respect of the application and the Responsible Authority representatives had the opportunity to put their respective cases in respect of the matter.

The Applicant and Members were given the opportunity to ask questions of clarification of anyone making representations. No questions were asked. An objector asked the Responsible Authority representative a question in relation to concern about a publication that was advertising forthcoming events at the premises.

The Officer representing the Licensing Authority, the Applicant, the Applicant's representatives, the Responsible Authority representatives and any objectors were then given the opportunity to sum up their respective cases. Summation was provided by the Officer representing the Licensing Authority, the Applicant and the Applicants representatives and the objectors.

Members of the Sub-Committee then deliberated in private, accompanied by the Legal Advisor and Secretary to the Sub-Committee.

All parties were recalled to the meeting so that Members of the Sub-Committee could clarify several issues with the Applicant and the Applicant's representatives. Following this, Members of the Sub-Committee continued to deliberate in private, accompanied by the Legal Advisor and Secretary to the Sub-Committee.

All parties then returned to the meeting, and the Chair announced the decision of the Sub-Committee as follows:

Resolved:

That the application for the variation of a Club Premises Certificate in respect of the Lido Working Men's Club be granted subject to the additional licence conditions agreed with Staffordshire Police as outlined in Annex 7, and the imposition of additional conditions as detailed below:

- (1) The opening hours of the premises are as follows:
 - (a) Sunday to Thursday 10:00 hours to 23:30 hours
 - (b) Friday to Saturday 10:00 hours to 00.30 hours
- (2) For all licensable activities at the premises the hours are as follows:
 - (a) Sunday to Thursday 10:00 hours to 23:00 hours
 - (b) Friday to Saturday 10:00 hours to 00:00 hours
- (3) All publications of events must clearly describe the function as members only.
- (4) All private hire of the club must clearly describe the hire as for members only.
- (5) There is to be no glass outside in the smoking area.
- (6) All external doors are to be kept closed to ensure music is not audible outside the premises.
- (7) The fire door is to be fitted with an alarm with clear signage that the door is not to be used unless in an in emergency and that it is alarmed.
- (8) Dustbins to be placed outside the premises with signage for members to use
- (9) All members must be away from the premises by closing time to reduce the risk of disturbance to the local residents

Reasons for Decisions:

1. That the Premises Licence is granted subject to the amended times and conditions as set in the formal decision notice. When making the decision the Sub-Committee noted the concern of the residents and there had been an issue with the previous club member who was responsible for running the premises which had led to a change in leadership and approach. The Applicant had sought advice from the Licensing Authority and their affiliated body.
2. The Sub-Committee noted that the Applicant needed to manage the premises to ensure compliance with all 4 of the Licensing Objectives which included consideration of the issues raised by the Objectors. As such it was appropriate to amend the opening hours of the premises on a Sunday to an earlier time for the cessation of the sale of alcohol and the closure of the premises to prevent public nuisance through excessive noise. It was acknowledged that the Applicant had already amended the opening times for Monday to Thursdays.
3. To prevent further Public Nuisance and for Public Safety in preventing the risk of littering and noise the Applicant could appropriately address these points by ensuring that all external doors remain closed, including the fire door which was an emergency exit point only. This would reduce the travelling of noise to neighbouring properties. Further the fitting of an alarm to the fire exit would ensure that staff became aware of the inappropriate use of the door, in addition to deterring the use of the door it would prevent nuisance to neighbouring properties.
4. To prevent the Public Nuisance and Public Safety issue of littering the installation of waste bins outside the premises external doors would offer members the opportunity to dispose of rubbish promptly.
5. Further a restriction on the use of glass in the outdoor seating area would prevent risk of breakages and glass being deposited in neighbouring gardens, therefore promoting the Licensing Objectives of Public Nuisance, Public Safety and Protection for Children from Harm.
6. It was noted that the Applicant was happy to agree to amended opening and licensing hours to address the concerns of local residents and have the licensable activities cease on all nights 30 minutes before the closure of the premises to allow drinking up and disbursal.
7. The Sub-Committee carefully considered the application, representations and submissions made during the hearing. Having regard to the Licensing Act 2003, the guidance under section 182 of the Act and the Council's Statement of Licensing Policy determined that the Licensing Objectives were capable of being addressed through amended hours of operation, the licence conditions agreed with Staffordshire Police, and the imposition of additional conditions as detailed in the formal decision notice.

The meeting closed at 11:55am.

Chair

Cannock Chase Council
Minutes of the Meeting of the
Licensing Sub-Committee
Held on Tuesday 8 September at 10:35am
In the Esperance Room, Civic Centre, Cannock
Part 1

The meeting commenced at the later time of 10.35am.

Present:

Councillors

A. Fitzgerald
M. Freeman
J. Parkes (Reserve)

Applicant for the Review

A. Davies: Immigration Officer, Home Office

Responsible Authorities

Sgt. J. Finn: Staffordshire Police, Licensing Unit
PC P. Heaney: Staffordshire Police, Licensing Unit

Premises Licence Holder

S. Miah: Season Spice, Cannock

Officers Representing the Licensing Authority

S. Kearney: Principal Licensing Officer,
Cannock Chase Council and Stafford Borough Council

Legal Advisor the Sub-Committee

L. Taylor-Grime: Principal Solicitor - Contentious Litigation,
Cannock Chase District Council and Stafford Borough Council

K. Edwards: Paralegal (Observer) –
Cannock Chase District Council and Stafford Borough Council

Secretary to the Sub-Committee

J. Hunt: Senior Committee Officer, Cannock Chase Council

1. Appointment of Chair

Councillor M. Freeman was appointed Chair of the Sub-Committee.

2. Apologies and Reconstitution of Membership

Councillor J. Elson was not present; therefore, the reserve Member Councillor J. Parkes sat on the Sub-Committee.

3. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members

None received.

4. Exclusion of the Public

The Chair moved that the public be excluded from the remainder of the meeting because of the likely disclosure of exempt information as defined in Part 1, Schedule 12A of the Local Government Act 1972 (as amended).

Cannock Chase Council
Minutes of the Meeting of the
Licensing Sub-Committee

Held on Tuesday 8 September at 10:35am

In the Esperance Room, Civic Centre, Cannock

Part 2

Prior to the commencement of the meeting, the Officer representing the Licensing Authority circulated an updated document with proposed conditions (Annex 3) to the report from Staffordshire Police for consideration.

5. Licensing Act 2003 – Application for a Review of Premises Licence: Season Spice, 2 Old Fallow Road, Cannock, Staffordshire, WS11 5QJ

The Chair asked all parties present to introduce themselves and to confirm their understanding of the procedure for the Hearing, copies of which had been circulated to all parties in advance of the meeting.

The Officer representing the Licensing Authority then presented the report of the Head of Regulatory Services in respect of the application and outlined the relevant matters for consideration (Enclosure 4.1 - 4.35). He advised of a minor change on Appendix 1 of the report and outlined the additional information received from Staffordshire Police at Annex 3.

The Applicant for Review was given the opportunity to ask questions of the Officer of the Licensing Authority. There were no questions.

The Licence Holder was given the opportunity to ask questions of the Officer of the Licensing Authority. There were no questions.

Members of the Sub-Committee had no questions of the Officer of the Licensing Authority.

The Applicant for the Review then presented their case to the Sub-Committee.

The Licence Holder, Members of the Sub-Committee and those making representations were given the opportunity to ask questions of the Applicant for the Review. There were no questions.

Those making representations then presented their case to the Sub-Committee. They referred to Annex 3 previously circulated and the proposed conditions.

The Applicant for the Review was given the opportunity to ask questions of clarification of those making representations. There were no questions.

The Licence Holder was given the opportunity to ask questions of those making representations. The Licence Holder asked questions and responses were given.

Members of the Sub-Committee were given the opportunity to ask questions of those making representations. Members of the Sub-Committee asked questions and responses were given.

The Licence Holder then presented their case to the Sub-Committee. In response, the Legal Advisor to the Sub-Committee asked the Licence Holder to address the Sub-Committee around the reasons why he had been asked to the meeting today. The Licence Holder addressed those present.

The Applicant for the Review was given the opportunity to ask questions of the Licence Holder. The Applicant for the Review asked questions and responses were given.

Members of the Sub-Committee were given the opportunity to ask questions of the Licence Holder. Questions were asked and responses were given.

Those making representations were also given the opportunity to ask questions of the Licence Holder. Questions were asked and responses were given.

Additionally, further questions were asked by Members of the Sub-Committee and responses given by the Licence Holder.

The Officer representing the Licensing Authority, the Applicant for the Review, those making representations and the Licence Holder were then given the opportunity to sum up their respective cases. Summation was provided by all those present.

Members of the Sub-Committee then deliberated in private, accompanied by the Legal Advisor and Secretary to the Sub-Committee.

All parties then returned to the meeting and the Chair announced the decision of the Sub-Committee as follows:

Resolved:

That the premises licence be varied with;

- (A) The provision of late-night refreshment revoked with immediate effect, and
- (B) The licence conditions agreed with the Police contained at Appendix 3 (as circulated), to be added to the licence with immediate effect.

Reasons for Decisions:

The Sub-Committee carefully considered the application made by IECLT for the review of the licence, and the representations made during the hearing. Having regard to the Licensing Act 2003, the Statutory Guidance under Section 182 of the Act, the promotion of the Licensing Objectives and the Council's Statement of Licensing Policy determined that the premises licence was to be varied to include the agreed conditions from Staffordshire Police as listed below for the sale of alcohol and regulated entertainment. However, the provision of late-night refreshment was revoked with immediate effect.

The premises licence would be varied with immediate effect to include the following conditions:

1. CCTV must be installed and cover all internal areas, including all public entry and exit points and any areas where smokers are allowed to congregate. The CCTV unit must be positioned in a secure part of the licensed premises and not within any

private area of the location. Access to the system must be allowed immediately to the Police, Trading Standards or an authorised officer of the Licensing Authority in accordance with the Data Protection Act where it is necessary to do so for the prevention of crime and disorder, prosecution or apprehension of offenders or where disclosure is required by law.

2. All images must be kept for a consecutive 31 day period and to be produced to the Police, Trading Standards or an authorised officer of the Licensing Authority in relation to the investigation of crime and/or disorder issues and suspected licence breaches, upon request or within 24 hours of such request where it is necessary to do so for the prevention of crime and disorder, prosecution or apprehension of offenders or where disclosure is required by law.
3. The CCTV system must be maintained so as to be fully operational and recording continually whilst the premises are open for licensable activities and during all times when customers remain on the premises.
4. The CCTV system clock must be set correctly and maintained (taking account of GMT and BST).
5. There must be notices displayed throughout the premises stating that CCTV is in operation.
6. There must be a member of staff available at all times who is trained and capable of operating the CCTV system and also downloading any footage required by the Police, Trading Standards or an authorised officer of the Licensing Authority.
7. Weekly checks must be made of the operation of the CCTV system to confirm that it is working correctly, and such checks must be recorded in a register which is to be signed by the person conducting the check. This record must be kept fully updated at all times and remain on the premises for inspection by the Police, Trading Standards or an authorised officer of the Licensing Authority.

The Sub-Committee noted that during the submissions the licence holder did not provide consistent answers to questions in relation to CCTV requirements and the illegal worker. He could not explain why he did not think the company had to comply with the terms of the premises licence from the date of transfer. His admissions that he did not have CCTV demonstrated a failure to uphold the Licensing Objective of the Prevention of Crime and Disorder.

The Sub-Committee noted that the licence holder had been at the premises for a considerable period of time yet still appeared to have very little knowledge or understanding of the need to uphold the Licensing Objectives. The failure to check the employment of an individual together with an ongoing breach of licence conditions was a clear failure to uphold the Licensing Objectives.

The Sub-Committee observed that compliance with the conditions of a premises licence was not optional, but compulsory and no clear and consistent answers were provided for the licence holders failure to uphold the Licensing Objectives or comply with the premise licence.

The Sub-Committee noted that the premises would be subject to ongoing enforcement reviews as a result of the variation of the licence.

ADDITIONAL NOTE – the variation of the premises licence takes effect immediately. This would mean that the licence holder should not be open to the public if they are not in compliance with the CCTV conditions added to the licence. Additionally, the removal of the provision of late-night refreshments would mean that the premises must be closed by 23:00 hours every day. Any failure to comply with the terms of the premises licence would result in a breach of licence and could result in being referred back to a Licensing Sub-Committee and/or prosecution through the Magistrates' Court.

RIGHT OF APPEAL: the applicant could appeal to the Magistrates' Court against this decision within 21 days of receiving the decision.

The meeting closed at 12:20 p.m.

Chair

Cannock Chase Council

Licensing and Public Protection Committee

Procedure for Dealing with Matters not Governed by the Licensing Act 2003

Referral of Applicant to the Committee

Procedure for the Hearing

1. The Chair of the Committee will invite all parties present to introduce themselves.
2. The Chair shall explain the Procedure for the Hearing.
3. The Officer of the Licensing Authority shall present their report and may call witnesses.
4. The Applicant may ask questions of the Officer from the Licensing Authority and any witnesses.
5. Members of the Committee may ask questions of the Officer from the Licensing Authority and any witnesses called.
6. Where the Officer of the Licensing Authority is legally represented, the legal representative may ask questions of the Officer of the Licensing Authority and any witnesses called.
7. The Applicant shall present their case and may call witnesses.
8. The Officer from the Licensing Authority may ask questions of the Applicant and any witnesses called.
9. Members of the Committee may ask questions of the Applicant and any witnesses called.
10. The Officer of the Licensing Authority shall sum up their case.
11. The Applicant shall sum up their case.
12. Members of the Committee shall deliberate in private, accompanied by the Council's Legal Advisor and Secretary to the Committee, only recalling the other parties or their representatives to clarify points of uncertainty on evidence or submissions already given. If it is necessary to recall any party, all parties are to return, notwithstanding that only one party may be concerned with the points giving rise to doubt.
13. The Chair will announce the Committee's decision and will give reasons for the decision to the parties at the end of the hearing; the decision being confirmed in writing within seven working days (or as soon as practicable).