

Licensing Panel

19 June 2017

Subject:	Application for review of a Premises Licence
Applicant	Sandwell MBC Trading Standards
Premises:	Tipton General Store 58-60 Laburnum Road Tipton DY4 9QS
Ward:	Princes End

1. Purpose of the Report

- 1.1 To advise members of an application made under section 51 of the Licensing Act 2003 for review of the Premises Licence in respect of Tipton General Store, 58-60 Laburnum Road, Tipton, DY4 9QS.
- 1.2 The Licensing Panel is required to consider this application and take such steps as it considers appropriate and proportionate for the promotion of the licensing objectives.

2. The Premises

- 2.1 The licence was granted on 29 September 2005.
- 2.2 The licence has been jointly held by Mr Rashvinder Singh Sandhu and Mr Varinder Singh Sandhu since it was granted.
- 2.3 Mr Varinder Singh Sandhu has been named as the Designated Premises Supervisor since the licence was granted.
- 2.4 The hours permitted for Licensable Activities are on weekdays, other than Christmas Day, 8am to 11pm; on Sundays, other than Christmas Day, 10am. to 10.30pm; on Christmas Day, 12 noon to 3pm. and 7pm to 10.30pm, and on Good Friday, 8am to 10.30pm.

- 2.5 The premises licence has previously been reviewed by West Midlands Police on the grounds of all four licensing objectives. A 17 year old female was witnessed by police officers on patrol leaving the premises with a carrier bag containing alcohol. The sale was made by Rashvinder Singh Sandhu without requesting identification to verify the age of the purchaser. A hearing was held on 16 May 2008 to determine the application and the panel imposed conditions on the premises licence.
- 2.6 A copy of the current premises licence is attached at Appendix 2.
- 2.7 The location and proximity to neighbouring premises can be seen on the location map provided which is attached at Appendix 3.

3. The Application

- 3.1 Application was made by Sandwell MBC Trading Standards on 25 April 2017 for a review of the premises licence.
- 3.2 A copy of the application is attached at Appendix 1.
- 3.3 The application has been made on the grounds of the protection of children from harm following the sale of alcohol to an underage volunteer during a test purchase exercise.
- 3.4 Sandwell MBC Trading Standards are recommending the conditions of the licence be modified and the licence be suspended.

4. Relevant Representations

- 4.1 Under the Licensing Act 2003, the premises licence holder, a responsible authority or any other person may make representations in respect of the review which must be relevant to one or more of the licensing objectives. Representations made by a person other than a responsible authority must not be frivolous, vexatious or repetitious.
- 4.2 No representations were received during the statutory consultation period.

5. Matters Relevant to the Application

5.1 Members of the Licensing Panel must make decisions with a view to promoting the licensing objectives which are:-

1. the prevention of crime and disorder;
2. public safety;
3. the prevention of public nuisance;
4. the protection of children from harm.

6. Options Available to the Panel

6.1 The licensing authority may decide that the review does not require it to take any further steps appropriate to promote the licensing objectives.

6.2 Where the licensing authority considers that action is appropriate and proportionate for the promotion of the licensing objectives, it may take any of the following steps:

1. to modify the conditions of the licence;
2. to exclude a licensable activity from the scope of the licence;
3. to remove the designated premises supervisor;
4. to suspend the licence for a period not exceeding three months;
5. to revoke the licence;

For these purposes the conditions of a premises licence are modified if any of them is altered or omitted or any new condition is added.

7. Associated Papers

- 7.1 Appendix 1 – Sandwell MBC Trading Standards application for review
Appendix 2 – The premises licence
Appendix 3 – Plan of the area

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