

Licensing Sub Committee

Friday, 24 June 2022

Present: Councillors L Ferasin, Janet Hunter and W Lott

LS4/22 Appointment of Chair

Resolved that Councillor W Lott be appointed Chair for the meeting.

LS5/22 Declarations of Interest

There were no declarations of interest or dispensations reported.

LS6/22 Review - Booze Master Food Centre, 43 High Street East, Wallsend, NE28 8PF

The Sub-committee met to consider an application for a review of the Premises Licence in respect of Booze Master Food Centre, 43 High Street East, Wallsend, NE28 8PF.

The Applicant, the Local Weights and Measures Authority sought a review of the Premises Licence on the grounds of the prevention of crime and disorder licensing objective. The application had been supported by the Chief Officer of Police, the Licensing Authority and the Director of Public Health.

Following introductions the Sub-committee's legal advisor outlined the procedure to be followed at the hearing.

In the absence of the licensee the Sub-committee had to determine whether to continue with the hearing or adjourn to allow the licensee a further opportunity to attend the hearing. Having been advised that the licensee had indicated that he would not be present the Sub-committee agreed to proceed in his absence.

Mr Young, Licensing Officer, presented details of the application, the representations received and the options available to the Sub-committee.

Mr Duffy, Trading Standards Officer, presented details of the application for the review of the Premises Licence on the grounds that the premises had been used for the storage and sale of illicit tobacco. He responded to questions from members of the Sub-committee and the Sub-committee's legal advisor.

Mr Kirkpatrick, Licensing Officer on behalf of the Chief Officer of Police, set out the Police's support for the review of the Premises Licence and the revocation of the Licence. He responded to questions from members of the Sub-committee.

Mrs Lee, Public Protection Manager, set out, on behalf of the Licensing Authority, her support for the review of the Premises Licence and its revocation. She also referred to breaches of the licensing conditions attached to the Premises Licence. She responded to a

question from the Sub-committee's legal advisor.

All parties to the hearing were given the opportunity of summing up their respective cases and the Sub-committee retired to make its decision in private.

All parties were invited back into the hearing and the Chair announced the decision of the Sub-committee.

Resolved that the Premises Licence in respect of Booze Master Food Centre, 43 High Street East, Wallsend be revoked.

Reason for Decision

- The Sub-committee is satisfied that illicit tobacco has been stored on and sold from the Premises.
- The Sub-committee is satisfied that the Licensee has failed to adhere to the requirements of the Licensing Act 2003, the various tobacco products legislation, the Trade Marks Act 1994 and the Consumer Protection from Unfair Trading Regulations which demonstrates to the Sub-committee that the Licensee company disregards the need for it to operate in accordance with the law at all times.
- The Sub-committee is also satisfied that the Licensee has failed to promote the licensing objective in relation to the prevention of crime and disorder and to comply with the conditions attached to the Premises Licence.