

TITLE OF REPORT: **Application for the review of a Premises Licence:**
Wellfield Stores, 1 Wellfield Terrace, Windy Nook,
Gateshead, NE10 9BU

REPORT OF: **Strategic Director, Communities & Environment:**
Licensing Officer

1. PURPOSE OF THE REPORT

The Sub-Committee is asked to consider the application from the Chief Inspector of Weights & Measures, who is duly authorised on behalf of Trading Standards (Local Weights and Measures Authority) at Gateshead Council for the review of a Premises Licence for Wellfield Stores, 1 Wellfield Terrace, Windy Nook, Gateshead, NE10 9BU.

Representations from the Licensing Authority, Gateshead's Local Safeguarding Children Board (LSCB), Public Health and Northumbria Police have also been received and are to be considered with the review application.

2. BACKGROUND

There has been a premises licence for Wellfield Stores at 1 Wellfield Terrace, Windy Nook, Gateshead, NE10 9BU since June 2005. There have been several application to transfer the premises licence and variations to nominate individuals as designated premises supervisor.

On 30 November 2016 Mr Suwandrarasa Jeyarasa submitted an application to transfer the premises licence into his name and nominated himself as the designated premises supervisor. Northumbria Police had no objections to these applications.

3. THE CURRENT REVIEW APPLICATION

The review application submitted by the Local Weights and Measures Authority ('Applicant') is attached at Appendix 1. A copy of the Premises Licence is attached at Appendix 1.1.

The Applicant applied for a review of the existing licence (Appendix 1.1) under s51 of the Licensing Act 2003 on the following grounds:

On 24 October 2017 Mr Daniel Shaw, an employee at the store, sold four cans of Stella lager to a 15 year old volunteer, contrary to section 14691) of the Licensing Act 2003

The application for review relates to the following licensing objectives:

- The prevention of crime and disorder

- The protection of children from harm

The application for review was advertised in accordance with the provisions of the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005.

The Licensing Authority may attach conditions to any licence which are appropriate for the promotion of the Licensing Objectives. A copy of the Model Pool of Conditions from Gateshead Council's Statement of Licensing Policy is attached at Appendix 1.2.

4. REPRESENTATIONS

The following representations have been received:

- Licensing Authority (Appendix 2)
- Gateshead Local Safeguarding Children Board (LSCB) (Appendix 2.1)
- Public Health (Appendix 2.2)
- Northumbria Police (Appendix 2.3)

5. PARTIES

The Parties to the hearing will be:

- a) Local Weights and Measures Authority;
- b) Licensing Authority;
- c) Gateshead Local Safeguarding Children Board (LSCB);
- d) Public Health
- e) Northumbria Police;
- f) The Premises Licence Holder, Mr Suwandrarasa Jeyarasa

6. THE POLICY & GUIDANCE

When carrying out its functions the Sub-Committee must have regard to:

- (a) the Statement of Gateshead Council's Licensing Policy, and
- (b) the Licensing Act 2003
- (c) the Amended Guidance (April 2017) issued under Section 182 of the Licensing Act 2003 by the Secretary of State.

Some relevant parts of the Policy and Amended Guidance are reproduced in Appendices 3 and 4. The parties may refer to any part of the Policy and Guidance during the hearing.

An area plan is attached as Appendix 5.

7. FOR DECISION

The Licensing Authority may, having regard to the application, take any of the following steps as it considers appropriate for the promotion of the licensing objectives:

- Take no action;
- Modify the conditions of the licence (alter, add or remove conditions);
- Remove the designated premises supervisor;
- Suspend the licence for a period not exceeding three months; or
- Revoke the licence.

APPENDICES

Appendix	1	Review Application
	1.1	Premises Licence
	1.2	Pool of Model Conditions from Gateshead Council's Licensing Policy
Appendix	2	Representation from Licensing Authority
	2.1	Representation from Gateshead Local Safeguarding Children Board
	2.2	Representation from Public Health
	2.3	Representation from Northumbria Police
Appendix	3	Relevant Extracts from Gateshead Council's Licensing Policy
Appendix	4	Relevant Extracts from the Guidance issued under Section 182 of the Licensing Act 2003.
Appendix	5	Area Plan