

TITLE OF REPORT: Application for the review of a Premises Licence:
Soka Wine Centre, Durham Road, Birtley, DH3 1JS

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

1. PURPOSE OF THE REPORT

The Sub-Committee is asked to consider the application from Gateshead Council's Local Weights and Measure Authority for the review of a Premises Licence for Soka Wine Centre, Durham Road, Birtley, DH3 1JS.

Representations were received from Northumbria Police, Licensing Authority, Local Safeguarding Childrens Board and Public Health.

2. BACKGROUND

Mukhtiar Ahmed Malik (previously known as Arshad Javed) has been the premises licence holder and designated premises supervisor of Soka Wine Centre, Durham Road, Birtley, DH3 1JS since the premises licence was granted in June 2005. Prior to that he held a Justices licence was in place.

3. THE CURRENT REVIEW APPLICATION

The review application submitted by Gateshead Council's Local Weights and Measure 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 23 March 2018 a member of staff, Iqbal Mazahir, sold a case of Budweiser and a bottle of vodka to a 17 year old boy.

The application for review relates to the following licensing objective:

- 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:

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

5. PARTIES

The Parties to the hearing will be:

1. Local Weights and Measures Authority;
2. Mr Mukhtiar Ahmed Malik, the Premises Licence Holder and the Designated Premises Supervisor represented by Sarah Smith from Sintons LLP;
3. Northumbria Police
4. Licensing Authority
5. Local Safeguarding Childrens Board
6. Public Health

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 2018) 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 at 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 Northumbria Police
	2.1	Representation from Licensing Authority
	2.2	Representation from Local Safeguarding Childrens Board
	2.3	Representation from Public Health
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