

RAMSEY TOWN COMMISSIONERS

[PUBLIC]

A special Board Meeting of the Ramsey Town Commissioners was held in Town Hall, Parliament Square, Ramsey, on Wednesday, 23rd November, 2011, at 7.00 p.m.

Present: Cpt. N. H. Malpass, Mesdames, S. P. Beattie, and E. Carlile and Messrs. Dr. A. J. Allinson [part meeting only], B. Beattie, H. S. Bevan, K. B. Mayne, R. Radcliffe and W. G. Young.

Apologies: Mrs E M Bruce, Messrs. K. A. Crowe and G. K. Quayle.

The Town Clerk was in attendance. The meeting was also attended by Sergeant D Bradford, Police Alcohol Unit.

(2011/12:274) Licensing CI Newsagents Presentation:

Mr. Peter Whittaker, Managing Director, CI Newsagents Limited, and Mr. Matt. Lewis, Operations Director, joined the meeting, and gave a short presentation about the history of the company, the previous licence approval, the proposed refurbishment at 19 Parliament Street and the manner in which the company approaches and controls alcohol sales. Mr. Whittaker had joined the company in 2007 following the submission of a previous off-licence application for the premises.

The Board noted the following points:-

- The store comprises approximately 2,000sq ft
- The company had previously in 2007 received licensing consent for 14 linear metres of alcohol display area running along the east wall of the shop from the front elevation
- The company had decided not to proceed with [above] approval
- A revised proposal was now submitted for 4 linear metres of display area, 1 metre of which would be devoted to spirit sales behind a counter, and 3 metres to beers, lagers, cider and wines products
- Alcohol sales would be confined to an area at the rear of the shop adjacent to and beyond the till area so that all customers approaching the alcohol offer would have to pass the till and would be in clear view of shop assistants.
- The company was not interested in “alco-pop” product sales and would be prepared to enter into an undertaking related to such
- The company currently trades no latter than 7:30 p.m. and has no intention at this time of opening later except for seasonal variations
- There will be no window promotion of alcohol sales

Mr. Whittaker outlined the Company’s alcohol sale controls including till controls, till and manual records and staff training, the company has had no prosecutions related to

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sale of alcohol in the past 5 years. The shop layout, security and CCTV provisions would all be undertaken subject to approval of the Police Alcohol Unit.

(2011/12:274) Licensing CI Newsagents Presentation Continued:

Mr. Whittaker advised by response to a question that he would be willing to incorporate suitable signage related to the offence of alcohol supply to under 18's, and also to investigate the possibility of incorporating a further question on the till system "is this alcohol for you".

NOTE: the Town Clerk was subsequently advised that the till system used by CI Newsagents was updated to incorporate such a provision the day after the meeting although responses will not be able to be recorded until the software is further updated.

Mr. Whittaker also advised of UK proposals to introduce minimum sale prices for alcohol products [above duty prices] which the company would support if the IOM Government chose to follow.

Messrs Whittaker and Lewis were thanked for attending and left the meeting at 7:35 p.m.

Dr. Allinson was excused due to a prior commitment and left the meeting at 7:35 p.m.

Sergeant Bradford addressed the Board and explained the role of the Police Alcohol Unit. The unit will never support an application, but would object to an application if not satisfied. In considering applications the Unit is concerned predominantly with the suitability of the applicant, the suitability of the layout of premises, that the designated officials are fit and proper persons and that the premises have suitable security and linked to a monitored control system.

The Town Clerk drew Members' attention to the provisions of Section 7 of the Licensing Act 1995 related to the determination of applications for a licence.

(2011/12:275) Licensing Ellan Vannin Fuels Limited Presentation:

The meeting was joined by Mr. J. Carter, Advocate for the applicants, Mr. P. Downs, Managing Director Ellan Vannin Fuels, and Mesdames. J. Martin and J. Carden Designated Officials in respect of the off-licence application for the Total Garage Ramsey at 7:45pm.

Mr. Carter outlined the changes in attitude and training generally within the licensing trade over recent years and in particular the training requirements for designated officials and staff. The company has the benefit of the Total UK training packs related to age restricted sales, which will continue, and already implements controls in respect of 7 existing products [fuel, tobacco, medi-care, solvents, DVD's, magazines and

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liqueur containing products], the company utilises all the Total UK expertise where 95% of UK Total outlets have alcohol licenses.

The company is not a cheap retailer, it does not offer promotions and aims to target the convenience market rather than the discount sales market. They do not wish to retail Alco-pop products.

Mr. Carter advised that there were 2 store layout options both of which would be subject to Police Advice, either may be used and amended to meet police requirements. The company has a modern CCTV system in place both within and outside the store and has adopted the Challenge 25 principles. The alcohol sales area would be away from the store front. The company has 3 reported 3 incidents of theft in recent years and stated that it experienced a very low level of loss in comparison to stock levels.

At least 2 staff are on duty at all times, the store employs 10 staff, all local, of which 7 are parents and conscious of the harm which can be caused by alcohol and has no wish to put any person at risk. The staff are vigilant in sale of controlled substances, and digression would be an act of gross misconduct and would result in immediate dismissal.

An incident log is maintained for all controlled products and would be extended for alcohol if the application was successful. The company would be happy to facilitate a site visit and to demonstrate the training systems in place.

The applicant representatives were thanked for their attendance and left the meeting at 8:20pm.

The Town Clerk reported the process for consideration of the application by the Courts, and the dates for submission of skeleton arguments and evidence. Sergeant Bradford advised that the Police position on the application was presently reserved and that the matter would be considered in more detail as part of the Court process.

(2011/12:276) Licensing CI Newsagents Licensing Application

Members discussed the detail of the application by CI Newsagents and the presentation which had been received. Members noted that the previous application had been approved and that the company had proposed a much reduced alcohol offer and had a robust and clear policy towards the method of sale of alcohol products.

Resolved: in the light of the reassurance obtained from the presentation the Commission's objection to the proposal to be withdrawn subject to:-

- An undertaking to limit sales to beers wines and sprits [no alcopops] to be included within the license

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- An undertaking not to seek to vary the license conditions without prior written notification to the Commissioners
- An agreement to limit normal trading to 7:30pm except for seasonal events [i.e. late night Christmas shopping] – note it is not possible to restrict trading hours within the provision of the Licensing Act
- An agreement to display appropriate signage regarding purchase of alcohol for other persons at the checkouts.

Members commented that the company had demonstrated a clear willingness to listen to and respond to genuine concerns, and that the systems of control outlined by the Company were substantial and might easily provide a benchmark which other license holders might aspire to.

(2011/12:277) Licensing Ellan Vannin Fuels Limited

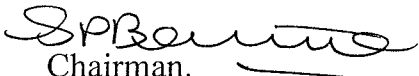
Members discussed the detail of the application by Ellan Vannin Fuels Limited [previously Total (IOM) Ltd] and the presentation which had been received.

Members expressed concern regarding the store layouts and commented that the applicant appeared to be attempting to fit an alcohol offer within the existing store layout, that the layout was not presently suitable for such, and that it would be difficult for staff to control petty theft which it was felt could occur.

Members reiterated their concerns regarding the demand for additional off-license facilities within the town, noting the existing provisions and the Spar store which had previously been approved and was now proceeding albeit in a reduced capacity, and the proximity of the applicant site to 2 existing off-license premises. Members reiterated concerns regarding the amount of school aged customers, and that the store was well used by grammar school children at lunchtimes and after school.

Resolved: the Commission's objection to the proposal as submitted to continue.

The meeting closed at 8:35 p.m.


Chairman.