

Crawley Borough Council

Minutes of Licensing Committee Wednesday 23rd January 2008 at 7.45 pm

Present:

Councillor B M Brockwell (Chair)

Councillor D J Shreeves (Vice-Chair)

Councillors B K Blake, A G Brown, B J Burgess, J I Denman, R J Hull,
C C Lloyd, B McCrow, J L Millar-Smith, B J Quinn,
C J Redmayne, L A Seekings and J Singh

Officers Present:

Mike Lyons

Manson Kendall

Angela Tanner

Madeleine Shopland

Licensing Officer

Principal Lawyer

Head of Environmental Services

Democratic Services Officer

Apologies for Absence:

Councillor D P Kavanagh

10 Minutes

The minutes of the meeting of the Committee held on 14 November 2007 were approved as a correct record and signed by the Chair.

11. Decision regarding response to appeal by Tesco's to Licensing Sub Committee's decision concerning Tesco Express Ifield

The Principal Lawyer provided the Committee with a summary of the decision made regarding the response to appeal by Tesco's to the Licensing Sub Committee's decision concerning Tesco Express Ifield.

The Chair asked why this decision had not been reported to the last ordinary meeting of the Council or of the appropriate committee (ie: the Licensing Committee) as set out in Council Procedure Rule 24.3 (Urgent Action). The Democratic Services Officer apologised and commented that this was the result of an oversight.

Members questioned what was meant by 'emergency and unforeseen' circumstances in the context of the condition added to the premises licence that:

No supply of alcohol may be made under the premises licence from 18.00 to close of business on Thursdays, Fridays and Saturdays unless the Designated Premises Supervisor or other personal licence holder is present on the premises except where no such person is on the premises at these times due to an emergency or unforeseen circumstances.

The Head of Environmental Services stated that this covered occurrences such as an accident at work. The Committee was informed that had the exemption not been put into the condition, it would be unenforceable, as it would indicate that the Council might be obliged to prosecute if a DPS was not on site at the required times even if it was the result of an event such as an accident. This would be unreasonable.

Members were informed that spot checks were carried out by the Police, Trading Standards and Licensing Officers. The Licensing Officer indicated that the Licensing Authority could not change the condition unless a responsible authority brought it back before them with evidence of a problem.

12. Report Template

The Committee were reminded that at their last meeting on 14th November 2007 they had requested to see a draft template for the new Licensing Sub Committee reports. The Head of Environmental Services took Members through the report format. Members were pleased with the report template and commented that officers had obviously taken on board the comments they had made at the previous Licensing Committee meeting.

13. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 8 p.m.

B M BROCKWELL
Chair