

Crawley Borough Council

Minutes of Licensing Sub Committee

Thursday 30 May 2013 at 10.30am

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Present:

Councillors B J Burgess, D J Shreeves, K B Williamson

Officers Present:

Tony Baldock	Group Manager for Food, Licensing and Occupational Health
Mike Lyons	Senior Licensing Officer
Astrid Williams	Legal Clerk
Chris Pedlow	Committee Clerk

Also in Attendance:

Applicant	Mr Vallipuram Rajakumar (Applicant) Ali Pervaiz (Applicant's Representative and translator) Kajenthi Vadinel (Applicant's translator and advisor)
Responsible Authority (Objector)	P.C. Ian Vasey – <i>Sussex Police – Licensing Officer</i> Pauline Giddings – <i>Sussex Police – Licensing Officer</i> P.C. Claire Irving – <i>Sussex Police – Licensing Officer</i>

Apologies for Absence:

Councillor C Oxlade.

27a. Appointment of Chair

RESOLVED

That Councillor D J Shreeves be appointed Chair for the meeting.

28a. Members' Disclosure of Interests

Councillor D J Shreeves	Minutes 30a, 31a and 32a	Application for a Personal Licence – Mr V Rajakumar	Personal and Non- Prejudicial Interest in the item as he was a personal licence holder.
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29a. Exempt Information – Exclusion of the Public

RESOLVED

That under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the item.

30a. Application for a Personal Licence – Mr V Rajakumar
(Exempt – Paragraph 1 – Information relating to an Individual)

Summary of Part B Proceedings

Following a brief set of introductions, the Sub Committee considered an application by Mr Vallipuram Rajakumar for the granting of a personal licence under the Licensing Act 2003

The Application

The Sub Committee considered report PES/113 by the Council's Head of Planning and Environmental Services which was presented by Mr Lyons, Senior Licensing Officer for Crawley Borough Council. It was noted that the application for the personal licence by Mr Rajakumar was submitted to the Council on 24 April 2013.

Presentations

Mr Pervaiz on behalf of the applicant Mr Rajakumar addressed the Sub Committee providing them with some background and context regarding Mr Rajakumar, as well as putting across the reasons as to why he should be able to hold a personal licence.

P.C. Ian Vasey then addressed the Sub Committee on behalf of Sussex Police, to detail their objection.

Sub Committee's Questions and Discussion

A number of questions were put to the applicant and to Sussex Police by the Sub Committee. After hearing the responses, and satisfied that they had heard all the evidence the Sub Committee left the room for further discussion in closed session to finalise their decision.

31a. Application for a Personal Licence – Mr V Rajakumar
(Exempt – Paragraph 1 Information relating to an Individual)

The Sub Committee gave further consideration to the application and to the matters raised at the meeting. The Sub Committee considered the application against the promotion of the licensing objectives, particularly the prevention of crime and disorder objective; and in that respect, took into account the fact that the Police had objected to the application. It also had regard to the guidance issued by the Secretary of State which stated that where the Chief Constable of Police had objected to the granting of a personal licence, then refusal of the application should be the normal course unless there were, in the opinion of the licensing authority, exceptional and compelling circumstances which justified granting the licence.

RESOLVED

That, in the light of the objection from the Police and in the absence of any exceptional and compelling circumstances which would justify the granting of the licence, the application for a personal licence submitted by Mr Vallipuram Rajakumar be refused. The Sub Committee made the decision because it considered refusal of the application necessary for the promotion of the licensing objective of prevention of crime and disorder.

32a. Announcement of Decision

The Sub Committee returned to the Committee room at 12.10pm and the Chair informed all those parties present of the Sub Committee's decision to refuse Mr Rajakumar a personal licence, he also provided the reasons for that decision.

33a. Closure of Meeting

With the business of the Sub-Committee concluded, the Chair declared the meeting closed at 12.16pm.

**Councillor David Shreeves
Chair**