

Crawley Borough Council

Minutes of Licensing Sub Committee

14 July 2009 at 6.00 p.m.

Present:

Councillors B M Brockwell, B J Quinn and J A Singh
Councillor B McCrow (Substitute – Observing)

Officers Present:

T Baldock	Group Manager for Food, Licensing and Occupational Health
J Green	Committee Clerk
M Lyons	Licensing Officer
A Williams	Legal Clerk

Also in Attendance:

Applicant	Mr C Boyle, Sussex Police (Observing)
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1. Appointment of Chair

RESOLVED

That Councillor B J Quinn be appointed Chair for the meeting.

2. Members' Disclosure of Interests

No disclosures of interest were made by Members.

3. Application to Review a Premises Licence – Co-operative Group Ltd, 1 - 2, Tilgate Parade, Tilgate

The Sub-Committee considered an application by Sussex Police for the review of the premises licence held by the Co-operative Group Ltd in respect of 1 -2, Tilgate Parade, Tilgate.

Report ES/216 of the Head of Environmental Services was presented by Mike Lyons, a Licensing Officer for Crawley Borough Council. The Sub-Committee was also informed that, following discussions between the two parties, the Police and the Co-op had now reached an agreement on a possible way forward involving a variation of the licence conditions together with a voluntary suspension of the sale of alcohol for a period of two weeks. A copy of the Memorandum of Agreement setting out the terms agreed by the two parties, together with associated correspondence had been previously circulated to the Sub-Committee.

These documents, together with the submission by the Police had not been available for five clear days before the meeting and the Chair, therefore, agreed that there were special circumstances justifying their urgent consideration in compliance with Section 100(B) of the Local Government Act 1972.

The Sub-Committee was asked in correspondence from the two parties to consider whether it felt able to approve the terms agreed between them. Alternatively, it was suggested that the Sub-Committee might wish to adjourn the hearing to deal with any concerns that they might have or to consider representations from representatives of the parties.

The Sub-Committee had a general discussion about the application. In particular, it was noted that, in the review application, the Police had originally asked the Sub-Committee to consider suspending the premises licence for six weeks. The Sub-Committee felt that it would have been useful to know the reasoning behind the proposed reduction in the period of suspension to two weeks. This would have helped the Sub-Committee to determine whether the revised period was long enough to enable training to be carried out and to break the link between the premises and the sale of alcohol to children.

The Sub-Committee took the view that, at this point, it would be appropriate to seek legal advice.

RESOLVED

In accordance with Regulation 14(2) of the Licensing Act 2003 (Hearings) Regulations 2005, the public be excluded from the following part of the hearing. The Sub Committee considered that the public interest in taking such action outweighed the public interest in the hearing taking place in public.

4. Application to Review a Premises Licence – Co-operative Group Ltd, 1 - 2, Tilgate Parade, Tilgate

The Sub Committee gave further consideration to the application and to the matters raised at the meeting.

RESOLVED

That, in accordance with Regulation 12 of the Licensing Act 2003 (Hearings) Regulations 2005, the hearing be adjourned until Thursday 23 July, 2009 at 6.30p.m. to allow for consideration to be given to representations from the parties.

5. Re-admission of the Public

The Chair declared the meeting re-open for consideration of business in public session. The Legal Clerk indicated that she had provided advice to the Sub-Committee on relevant aspects of the legislation and on procedure. The Chair then announced the Sub Committee's decision to adjourn the hearing

6. Closure of Meeting

With the business of the Sub-Committee concluded, the Chair declared the meeting closed at 7.20 p.m.

B J QUINN
Chair