

## Crawley Borough Council

### Minutes of Licensing Sub-Committee

Wednesday, 24 April 2024 at 10.30 am

#### Councillors Present:

I Ashraf, I T Irvine and K L Jaggard

#### Officers Present:

Peter Aston	West Sussex County Council Trading Standards Team Manager
Dan Carberry	Public Protection and Enforcement Manager
Lisa Hunt	Sussex Police Licensing Team
Richard Jeffrey	Sussex Police Licensing Team
Warren Jones	Senior Licensing Officer
Kareen Plympton	Team Leader - Health, Safety and Licensing
Jess Tamplin	Democratic Services Officer
Astrid Williams	Senior Lawyer (Solicitor)

#### 1. Appointment of Chair

##### RESOLVED

That Councillor Irvine be appointed Chair for the hearing.

#### 2. Disclosures of Interest

No disclosures of interests were made.

#### 3. Exempt Information – Exclusion of the Public

##### RESOLVED

That in accordance with 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 involve 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.

#### **4. Application for the Review of a Premises Licence - Best One, 4 The Broadway, Northgate Crawley, RH10 1DS**

The Sub-Committee considered an application to review the Premises Licence held in respect of Best One, 4 The Broadway, Northgate, Crawley, RH10 1DS.

Following the introduction of those present, the Chair outlined the procedure to be followed at the hearing. The Senior Lawyer informed all parties that the Sub-Committee had requested a pre-meeting with themselves and the Democratic Services Officer prior to the commencement of the hearing to confirm the procedure that would be followed. It was confirmed that the Sub-Committee had asked for clarification on one aspect of the application, specifically seeking confirmation of the names of the individuals listed as Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS).

The Senior Lawyer then asked all parties present if they wished to make any relevant applications, for example additional information or to cross-examine any party. No applications were made.

Report HCS/080 of the Council's Head of Community Services was then presented by Warren Jones, Senior Licensing Officer for Crawley Borough Council. The Senior Licensing Officer informed the Sub-Committee that on 15 January 2024, West Sussex County Council's Trading Standards department had submitted an application to the Council as the Licensing Authority for the borough of Crawley for a review of the premises licence in respect of the premises known as Best One. The copy of the premises licence was attached as Appendix A to the report. The application was detailed in Appendices B and C to the report and sought revocation of the premises licence. The reasons for the request were on the grounds that the licence holder was not promoting the statutory licensing objectives of the prevention of crime and disorder, public safety, and the protection of children from harm. The Sub-Committee was then guided through the report which set out the reasons for the hearing and the matters which the Sub-Committee should take into account when dealing with the application, including the relevant sections of the guidance issued by the Government pursuant of Section 182 of the Licensing Act 2003 and the Council's policy considerations.

It was confirmed that the application had been advertised in accordance with legislation, and as a result of the consultation process, four relevant representations had been received: from West Sussex County Council's Public Health department, Sussex Police's Licensing team, West Sussex Fire and Rescue Service, and Crawley Borough Council's Licensing team respectively. These representations were attached as Appendices D, E, F and G to the report.

It was highlighted that the Sub-Committee needed to consider the application in the context of the licensing objectives. Each application was to be considered on a case-by-case basis and a decision should be made based on the evidence set out in the documentation and presented verbally at the meeting. The Senior Licensing Officer informed the Sub-Committee of the options available to it in respect of the application, and reminded Sub-Committee members that any decision must be appropriate for the promotion of the four licensing objectives. The options were to:

- (i) Consider that no steps are necessary to address matters.
- (ii) Issue an informal warning.
- (iii) Modify the conditions of the premises licence (i.e. adding new conditions or any alteration to or omission of existing conditions).
- (iv) Exclude a licensable activity from the scope of the premises licence.

- (v) Remove the Designated Premises Supervisor.
- (vi) Suspend the licence for a period not exceeding three months.
- (vii) Revoke the licence.

All parties were then invited to make representations and to ask questions of one another. Once all parties had made representations, the Chair announced that the Sub-Committee would undertake its deliberations in private and the hearing would resume upon the reaching of a decision.

The hearing was temporarily adjourned at 12:22 pm.

At 2:18 pm the Chair declared the hearing re-open for consideration of business in private session.

It was confirmed that the Sub-Committee had given further consideration to the application and to the matters raised at the hearing. In formulating its decision, the Sub-Committee took into account the options that were available to it and considered what was appropriate to ensure that the licensing objectives were promoted. The Senior Lawyer, on behalf of the Sub-Committee, read out the Sub-Committee's decision. It was confirmed that all parties would receive a copy of the decision within five working days of the hearing.

#### **RESOLVED**

The Sub-Committee, having considered the application and the relevant representations in detail, resolved to take the actions detailed in the decision notice for the reasons set out therein.

#### **Closure of Meeting**

With the business of the Licensing Sub-Committee concluded, the Chair declared the meeting closed at 2.08 pm

**I T Irvine (Chair)**

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# Agenda Item

By virtue of paragraph(s) 1, 3, 7 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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