

Crawley Borough Council

Minutes of Licensing Sub-Committee

Wednesday, 4 October 2023 at 10.30 am

Councillors Present:

I Ashraf, I T Irvine and K L Jaggard

Officers Present:

Warren Jones	Senior Licensing Officer
Kareen Plympton	Team Leader - Health, Safety and Licensing
Jess Tamplin	Democratic Services Officer
Astrid Williams	Senior Lawyer (Solicitor)

Also in Attendance:

For the Applicant	Sidney Lule - South East Immigration Compliance & Enforcement Team, Home Office Immigration Enforcement
For the Premises	Suresh Kanapathi – Representative for Company Directors and Mekala Sivarajah – Company Director

1. Appointment of Chair

RESOLVED

That Councillor Jaggard 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 - Dosa Plaza Restaurant, 8 The Boulevard, Crawley, RH10 1XX (Three Bridges Ward)

The Sub-Committee considered an application to review the premises licence held in respect of Dosa Plaza, 8 The Boulevard, Crawley, RH10 1XX.

Following the introduction of those present at the hearing, the Senior Lawyer outlined the procedure to be followed. 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 not asked for clarification of any aspect of the application or on the representations received from any party.

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

Report HCS/066 of the Head of Community Services was presented by Kareen Plympton, Health, Safety and Licensing Team Leader, Crawley Borough Council.

The Application

The Council's Health, Safety and Licensing Team Leader informed the Sub-Committee that on 16 August 2023 an application had been received by 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 Dosa Plaza. The application was detailed in Appendix B to the report and sought the revocation of the premises licence. The reasons for the request were on the grounds that the licence holder was not promoting the statutory licensing objective of the prevention of crime and disorder.

It was confirmed that the application had been advertised in accordance with legislation. 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 highlighted that the Sub-Committee needed to consider the application in the context of the licensing objectives, in particular the prevention of crime and disorder. 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 Sub-Committee was informed of the options available to it in respect of the application, and was reminded that any decision must be appropriate for the promotion of the four licensing objectives. The options were to:

- (i) Modify the conditions of the premises licence (that is, adding new conditions or any alteration to or omission of existing conditions).
- (ii) Exclude a licensable activity from the scope of the licence.
- (iii) Remove the Designated Premises Supervisor.
- (iv) Suspend the licence for a period not exceeding three months.
- (v) Revoke the licence.
- (vi) Issue an informal warning.
- (vii) Take no action.

All parties were then invited to make representations and to ask questions of one another.

Once all parties had made representations, the Chair called for a temporary adjournment of the hearing to allow for the Sub-Committee to consider the information presented to it.

At 14:18 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 2.24 pm.

K L Jaggard (Chair)