

Licensing Sub-Committee

Meeting held on Monday 22nd January 2018 at 10:30am in the Croydon Council Chamber, Town Hall, Katharine Street, Croydon, CR0 1NX

DRAFT MINUTES – PART A

Present: Councillors Oliver Lewis, Margaret Bird and Pat Clouder

Also

Present: Michael Goddard (Licensing Manager), Jessica Stockton (Corporate Solicitor and legal advisor for the Sub-Committee), Mr Poobalasingham Rangit (Applicant), Mr Suresh Kanapathi (Agent for Applicant), PC801ZD Zoe Garrod (Metropolitan Croydon Police), PC553ZD David Bean (Metropolitan Croydon Police), PC Tony Rose (Police Licensing Sargent), Trevor Williams (Senior Fair Trade Officer)

MINUTES - PART A

1. **Appointment of Chair for the meeting**

Councillor Pat Clouder nominated Councillor Oliver Lewis
Councillor Margaret Bird seconded the motion

The Sub-Committee **RESOLVED** to appoint Councillor Lewis as Chair of the Sub-Committee.

2. **Apologies for Absence**

There were no apologies.

3. **Disclosure of Interests**

There were no disclosures.

4. **Urgent Business**

There was no urgent business.

5. **Application for Review of a Premises Licence: 247 London Road, Croydon, CR0 2RL**

The Licensing Sub-Committee considered the Application for a Review of the Premises Licence at 247 London Road, Croydon, CR0 2RL and the representations received as contained in the report of the Executive Director

'Place'. The Sub-Committee also considered the verbal representations made by the police at the hearing and the additional documentation submitted in advance of the hearing.

The Sub-Committee also considered the verbal representations made at the hearing by the premises licence holder and his representative. The CCTV engineer and an illegal worker from the premises was also present to answer questions on behalf of the premises license holder.

The Sub-Committee considered whether taking any of the following steps were necessary to promote the four licensing objectives:

- To modify the conditions of the licence
- To exclude a licensable activity from the scope of the licence
- To remove the designated premises supervisor
- To suspend the licence for a period not exceeding 3 months
- To revoke the licence

The Sub-Committee, having reference to the licensing objectives under the Licensing Act 2003 and the Council Licensing Policy **RESOLVED to REVOKE** the premises licence on the basis that the Sub-Committee was satisfied that it would support the licensing objectives to do so for the following reasons:

1. Having regard to the police's stepped approach to address concerns with the premises and the fact that this has not resulted in satisfactory compliance with the licensing objectives and the licensing conditions.
2. Concerns in relation to immigration offences as detailed in the statements by the police including a repeat instance of employing an illegal worker in the premises in November 2017. In this regard, the Sub-Committee had specific reference to the Statutory Guidance: Paragraph 11.18 in relation to taking into account any civil immigration penalties which the license holder has been required to pay for employing an illegal worker. In addition, the Sub-Committee had regard to Paragraph 11.27 namely that there is certain criminal activity that may arise in connection with licensed premises which should be taken particularly seriously. This includes use of licensed premises for employing a person who is disqualified from that work by reason of their immigration status in the UK.
3. Following variation of the license to incorporate additional conditions on the 10th October 2017 the compliance with the conditions on the premises licence has not improved satisfactorily in that, subsequent to the variation, the premises license holder has failed to comply with a number of conditions including:
 - Condition 1: Permitted hours of sale of alcohol.
 - Condition 4: In relation to CCTV to Home Office requirements, its maintenance, retention and provision of images in usable format to the police, and ensuring that the system covers all internal and external areas (including where alcohol is displayed/sold).

- Condition 8: Failure to ensure that the staff are trained by the Croydon Council Trading Standards in aged restricted products.
 - Condition 10: Insufficient proof of identification and Right to Work documentation of persons working on the premises.
 - Condition 11: That each alcohol sale shall only be made by a personal license holder.
4. Concern that the current premises license holder did not understand and would therefore have difficulty in applying the licensing objectives.

6. Exclusion of the Press and Public

The following motion was moved by Councillor Lewis and seconded by Councillor Clouder to exclude the press and public:

“That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the remainder of the meeting on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Act.”

The motion was put and it was agreed by the Committee to exclude the press and public for the remainder of the meeting.

Meeting ended at 12:46pm

Licensing Sub-Committee

Meeting held on Monday 22nd January 2018 at 12:45pm in the Croydon Council Chamber, Town Hall, Katharine Street, Croydon, CR0 1NX

DRAFT MINUTES – PART B

Present: Councillors Oliver Lewis, Margaret Bird and Pat Clouder

Also

Present: Michael Goddard (Licensing Manager), Jessica Stockton (Corporate Solicitor and legal advisor for the Sub-Committee), Chloe Allison (Applicant), PC459ZD Tony Rose (Metropolitan Croydon Police) and Sargent Donald Ross (Metropolitan Croydon Police).

MINUTES - PART B

7. Application for a Personal Licence

The Licensing Sub-Committee considered the Application for a Personal Licence for Miss C.M.A and the representations received from the Police as contained in the report of the Executive Director 'Place'. The Sub-Committee also considered the verbal representations made by the Applicant.

The Sub-Committee also considered the verbal representations made by the Police at the hearing.

The Sub-Committee further considered the representations from the applicant. The Sub-Committee, having reference to the licensing objectives under the Licensing Act 2003 and the Council Licensing Policy **RESOLVED to REFUSE** the application on the basis that they were not satisfied that the offence took place so long ago, that the applicant no longer has a propensity to reoffend. Accordingly the Licensing Sub-Committee were not satisfied that the granting of the application would support the crime prevention objective.

The meeting concluded at 1:15pm.