

Licensing Sub-Committee
29 SEPTEMBER 2017 2.00PM

Present: Councillors: Paul Marshall, Godfrey Newman and Jim Sanson

LI/1 **ELECTION OF CHAIRMAN FOR THE MEETING**

RESOLVED

That Councillor Paul Marshall be elected Chairman for the meeting.

LI/2 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

LI/3 **ANNOUNCEMENTS**

There were no announcements.

LI/4 **REVIEW APPLICATION FOR CONSIDERATION**

**FOR THE REVIEW OF A PREMISES LICENCE, UNDER SECTION 51 OF
THE LICENSING ACT 2003, IN RESPECT OF THE INDIAN COTTAGE,
LONDON ROAD, ASHINGTON**

The Chief Immigration Officer for the South East Immigration Compliance and Enforcement Team had submitted a review application which sought to revoke the Premises Licence that had been granted on 4 January 2006. This licence allows the following licensable activities to take place every day at The Indian Cottage, London Road, Ashington:

- Premises open to the public (8am – midnight);
- Sale and supply of alcohol by retail for consumption on the premises only (noon – 11.30pm);
- Playing of recorded music (noon – midnight);
- The provision of late night refreshment (11pm – midnight).

The Licensing Officer presented the report, which set out details of the application, including three enforcement inspections which had been conducted at the premises. On the first two occasions a number of employees had been found to be working with an incorrect immigration status, and on the third occasion one employee had been found to be working with an incorrect immigration status. The applicant confirmed the dates of the inspections, which were incorrect in the Sub-Committee report, to have been 25 August 2016, 18 November 2016 and 22 June 2017.

It was noted that a witness statement for the third visit had not been included with the Sub-Committee report and the representative of the Premises Licence holder requested that only the first two inspections should be taken into consideration.

Responsible Authorities: It was reported that Sussex Police supported the application and considered the Licensing Objective of the prevention of crime and disorder was not being promoted at the premises.

There had been no consultation responses from other responsible authorities or interested parties.

The Sub-Committee heard from the applicant who considered that the Licensing Objective of prevention of crime and disorder had been seriously undermined by the Premises Licence holder.

The Sub-Committee then heard from the Premises Licence holder's representative. The Premises Licence Holder's representative invited the Sub-Committee to allow him to submit papers in mitigation regarding the health of the Premises Licence holder and copies of employees' identity papers.

The Chairman and members of the Sub-Committee then questioned the Premises Licence holder and the applicant.

The Chairman invited the Sub-Committee to move to private session to deliberate in private. They considered all the evidence and submissions before them including the matters put forward in mitigation, and the statements and answers to questions given by those present.

The Sub-Committee concluded that The Indian Cottage Premises Licence holders had consistently failed to employ persons lawfully and its operation was therefore detrimental to the achievement of the Licensing Objective of the prevention of crime and disorder.

RESOLVED

That the application to have the Premises Licence LI/05/1014/PREM revoked be granted.

REASON

The operation of the business under this Premises Licence was detrimental to the achievement of the following Licensing Objective:

- The prevention of crime and disorder

The parties were informed of the rights of appeal.

The meeting closed at 3.34 pm having commenced at 2.00 pm

CHAIRMAN