

SOUTH NORFOLK LICENSING AND GAMBLING ACTS COMMITTEE

Minutes of a meeting of the South Norfolk Licensing and Gambling Acts Committee of South Norfolk Council, held on Wednesday, 4 October 2023 at 10.47 am.

Committee Members Present: Councillors: J Easter (Chairman), G Blundell, I Spratt and K Murphy (Reserve)

Officers in Attendance: S Harris (Licensing Team Leader), A Cox (Licensing & Enforcement Officer), J Gowland (Legal Advisor - Birketts) and J Hammond (Democratic Services Officer)

Also in Attendance: C Chapman (Home Office Immigration Enforcement Officer, Applicant for the review)
S Jeyavinothan (Premises Licence Holder)
G Hopkins and L Potter (Agents for the Premises Licence Holder)
M Bartram and E Innes (Licensing Team, Norfolk Constabulary)
Two members of the public

8. APOLOGIES FOR ABSENCE

No apologies for absence were received.

9. DECLARATIONS OF INTEREST

No declarations of interest were received.

10. MINUTES

The minutes of the meetings held on 14 June 2023 and 21 August 2023 were confirmed as a correct record.

11. APPLICATION TO REVIEW A PREMISES LICENCE

The Chairman welcomed everyone to the meeting and explained the procedure for determining the application to review the premises licence.

The Licensing and Enforcement Officer outlined her report and drew attention to the key areas for member consideration.

The Applicant presented their case and responded to questions from the Panel and Agent for the Licence Holder.

The Norfolk Constabulary Licensing Officer commented on the application as a Statutory Consultee and responded to questions from the Panel.

The Agent for the Licence Holder presented their case and alongside the Licence Holder responded to questions from the Panel, Applicant and Statutory Consultee.

All parties were given the opportunity to make their closing statements.

The Applicant, Norfolk Constabulary Licensing Officers, Licence Holder, Agents for the Licence Holder, Licensing Officers and two members of the public left the meeting at 11.30am whilst the Panel determined the application. They were then readmitted to the meeting at 12.34pm and the Solicitor announced the decision.

It was,

RESOLVED

That

The Sub Committee had given consideration to the facts submitted, those being:-

- A breach of the crime and disorder objective by employing an illegal worker at the premises;
- Sections 11.27 and 11.28 of the Guidance recommended revocation where the objectives are undermined through the premises being used to further crimes;
- Illegal working has harmful social and economic effects in the UK, exploiting migrant workers and undercutting other businesses operating within the law;
- Questioning the management's ability to promote the licensing objectives.

The Sub-Committee considered the Licence Holder's submissions and the proposed additional conditions. Whilst taking into account the representations on behalf of the Licence Holder, including the lack of any previous issues/breaches, on balance, the Sub-Committee attached more credibility to the evidence of the Responsible Authorities. The Committee noted that revocation was recommended by the Home Office Immigration Enforcement Officer.

In reaching its decision the Sub-Committee had regard to the steps that were appropriate to promote the licensing objectives, the representations made by all parties, revised guidance issued under Sec 182 Licensing Act 2003 and the Council's Licensing Policy.

The Committee's decision was to revoke the licence in its entirety for the premises, known as Bunwell Stores, 98 Bunwell Road, Bunwell, Norfolk NR16 1AB. The Committee did not consider that additional conditions or modification of existing conditions would resolve the issues at the premises, nor would any period of suspension.

The Licence Holder was advised that should they be aggrieved by the decision, they had a right of appeal to the Magistrates' Court within 21 days of the date on which they were notified of the decision in writing.

The Panel's decision would not come into effect until the end of the period for appealing the decision or after any appeal had been heard.

(The meeting concluded at 12.39 pm)

Chairman