

MINUTES
OF A MEETING OF THE
LICENSING SUB-COMMITTEE A

held on 4 March 2024

Present:

Cllr R Leach (Chairman)
Cllr S Hussain (Vice-Chair)
Cllr M Sullivan

Absent: Councillor A Caulfield

1. MINUTES

RESOLVED

That the minutes of the Sub-Committee held on 7 December 2023 be approved and signed as a true and correct record.

2. DECLARATIONS OF INTEREST

There were no Declarations of Interest.

3. URGENT BUSINESS

There were no items of Urgent Business.

4. APPLICATION FOR A REVIEW OF A PREMISES LICENCE - THE CROWN PUBLIC HOUSE, 33 HIGH STREET, KNAPHILL

The Sub-Committee had before it a report regarding an application by Surrey Police for a Review of the Premises Licence held by Craft Union in relation to The Crown Public House, 33 High Street, Knaphill. Mr Taylor of Gosschalks LLP attended the meeting to represent the premises along with Mr Chipchase, Licensing Manager for Craft Union (a Stonegate owned company). Mr Corrie of Counsel attended the meeting to represent Surrey Police along with Ms Sumner and Sergeant Scott.

All parties present had a copy of the Licensing Committee's agreed procedure to be followed at Licensing Sub-Committee hearings. The Chairman introduced Members of the Sub-Committee and outlined the order of speaking which would be followed at the hearing.

The Licensing Authority's representative, Mr Laing, advised the Sub-Committee that on 23 January 2024 a request for a review of the premises licence held by the Crown had been received from Surrey Police, with the grounds for the review being in relation to all four of the licensing objectives. Following the call for the hearing, the Police had proposed the removal of the Designated Premises Supervisor (DPS) alongside a number of conditions for adding to the licence, as set out in Appendix 5 of the report, all of which had been agreed by Craft Union. However, it was a matter for the Sub-Committee to determine the

outcome of the hearing and whether the proposed conditions would address the concerns of the Police.

The Chairman gave Mr Crorie the opportunity to address the Sub-Committee. Mr Crorie referred to the application for review as set out as Appendix 2 to the report and reiterated that negotiations had taken place with representatives from Surrey Police which had resulted in the aforementioned agreement that satisfied the concerns raised by Surrey Police. It was added that the Police were not seeking any further conditions to be applied.

Following a question by Mr Taylor it was confirmed that the Police regarded the root cause of issues related to the operation by the existing DPS. It was noted that the premises had been closed following the call for the hearing and the person would no longer be involved in the future.

In response to a question by Councillor Hussain over the monitoring of the venue by Craft Union, it was stated that the venue was now very much in the spotlight and regular checks would be taking place once it had re-opened under the management of a new DPS.

Following a question by the Chairman over whether the conditions should refer to age limitations, staffing levels and prevention of drug usage, it was stated that the Police were not looking to micromanage the public house and the new DPS would need to take responsibility for operational issues.

The Chairman gave Mr Taylor the opportunity to address the Sub-Committee, who stated that it was accepted by Craft Union and Stonegate that there had been failures in the management of the venue. There were around 580 Craft Union pubs nationwide, all operated by management arrangement with an operator whereby Craft Union would supply all the supplies, materials, food and drink for their operation. It was regarded as essential that the operator complied in full with the conditions on the Premises Licence, and Craft Union held the right to terminate the agreement. The company was of the view that the existing DPS did not have the appropriate management controls in place and discussions over the person's suitability had previously taken place with the Police. The company felt that the concerns raised by Surrey Police had been sufficient for the calling of a review. The removal of the DPS and the conditions agreed between Mr Chipchase and Ms Sumner were regarded as sufficient. It was added that a condition from the existing licence regarding the outside television not operating should also be added. Craft Union would initially be carrying out daily checks on the venue, then reducing in time to fortnightly, monthly and quarterly.

Following a question by Councillor Hussain, it was noted that the Police had not requested that the licensing hours be adjusted. However, Craft Union was stated to be content to meet with local residents and work with Environmental Health as required.

Following a question by the Chairman, it was stated that Craft Union would ensure that past DPS errors of not informing the Licensing Authority of a change to their address and not presenting themselves to the Police would not be repeated.

The Chairman gave the parties present an opportunity to make a closing statement.

Mr Laing stated that he had no closing statement to make. Mr Crorie stated that the Police had no further comments they wished to make.

Mr Taylor urged the Sub-Committee to approve the removal of the DPS and to impose the conditions as agreed with the Police.

The Chairman adjourned the meeting at 11.40pm. The Sub-Committee deliberated in private, requesting that the Council's Solicitor join them for the provision of legal advice, and re-assembled at 11.55pm.

The Chairman stated that having read the reports and considered the arguments, taking into account the licensing objectives, statutory guidance, legislation and Woking Borough Council's Licensing Policy, the Sub-Committee had decided to remove the DPS and modify the premises licence by adding conditions as proposed by Surrey Police and agreed with Craft Union set out in the report, with an addition to the Public Nuisance section being '9. Any television situated in the outside areas of the premises shown on the plan attached to the premises licence will be turned off no later than 2300.'

The Chairman advised that the Sub-Committee had also taken into account the licence holder's decision to voluntarily close the premises and remove the DPS. It was felt that the evidence presented by the Police as to the incidents and breaches of the licence was so concerning the Sub-Committee held no confidence that the current management and/or DPS was capable of upholding or promoting the licensing objectives. Following the removal of the current DPS, a new DPS should be appointed in liaison with the Police, to enable the new postholder to be given the opportunity to effectively manage the premises better and without undermining the licensing objectives. The Sub-Committee felt that a history of poor management had contributed to the repeated breaches of the licence and in particular to the prevention of crime licensing objective being undermined. It was suggested that some of the supervisory visits undertaken by Craft Union should take place without prior notice to the premises.

Any party to the decision or anyone who had made a relevant representation in relation to the application could appeal to the Magistrates' Court within 21 days of notification of the decision.

RESOLVED

That the Premises Licence held by Craft Union for the Crown pub in Knaphill be modified by adding the agreed conditions, and the current Designated Premises Supervisor be removed.

The meeting commenced at 11.00 am
and ended at 12.05 pm

Chairman: _____

Date: _____