

MINUTES  
OF A MEETING OF THE  
**LICENSING SUB-COMMITTEE B**

held on 26 March 2019

Present:

Cllr D Harlow

Cllr K Howard

**1. MINUTES**

RESOLVED

That the minutes of the Sub-Committee held on 20 November 2018 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. EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED

That the press and public be excluded from the meeting during consideration of item 5 in view of the nature of the proceedings that, if members of the press and public were present during this item, there would be disclosure to them of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A, to the Local Government Act 1982.

**5. REVIEW OF A PREMISES LICENCE - THE POUND, 12 CHERTSEY ROAD, WOKING**

(Note: Councillor Ali arrived at the meeting shortly after the Review hearing had begun as he had been delayed and was therefore unable to take part in the deliberation of the item, which was heard by Councillors Harlow and Howard.)

The Sub-Committee had before it a report regarding an application by Surrey Police for a Review of the Premises Licence held by The Pound, 12 Chertsey Road, Woking. Geanine Crowley attended the meeting to represent Surrey Police along with Sergeant Gemma Taylor and Constable Tony Charles. Representations had also been received from the Child Employment Enforcement and Strategy Officer at Surrey County Council and a local business owner. The Premises Licence Holder, Neil Young, attended the meeting to represent The Pound.

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, Matthew Cobb, advised the Sub-Committee that the current licensed hours of operation were set out at paragraph 2.2 of the report. Mr Cobb stated that Mr Young had taken on the Premises Licence in 2015 and following a refurbishment re-opened the premises in November of that year. A further refurbishment was undertaken in 2016 to re-brand the premises as 'The Pound' with the aim of becoming a 'low cost local'. In January 2017, following a complaint from a local business owner regarding anti-social behaviour, a meeting was held between the premises and Surrey Police aimed at resolving and preventing further issues. In April 2018 the premises changes its Designated Premises Supervisor and in January 2019 the Review application was submitted by Surrey Police.

The Chairman gave Ms Crowley the opportunity to address the Sub-Committee. Ms Crowley stated that the Review had been called on the grounds of the prevention of crime and disorder and the protection of children from harm. It was stated that the premises had failed a test purchase operation on 18 October 2018 where alcohol had been sold to underage persons, with no refusals log in place, and that there were a number of concerns over how the premises was being run. It was stated that there had been a number of violent and drug offences occurring in the premises or in close proximity to it, including on 13 September 2018 when a young person of 15 years old who had been inside the premises sold drugs to a customer at the entrance of the premises. Concern was expressed over the ability of the current Designated Premises Supervisor to uphold the licensing objectives and manage the pub. Surrey Police's Child Exploitation Team had been investigating the venue as fifteen year old girls classified as at risk of exploitation had been found inside the venue, with instances of children classified as missing being located inside. The Sub-Committee was shown CCTV footage of a person handing the Designated Premises Supervisor a package which was put under his coat and taken to the back of the bar. Ms Crowley added that the atmosphere inside the venue was anti-Police and on the basis of the points made in the Review urged the Sub-Committee to revoke the Premises Licence.

The Licensing representative had no questions for Surrey Police.

Following a question by Mr Young, Ms Crowley confirmed that the young girls found in the premises had been under the age of 18 years old.

Following a question by Cllr Howard, Ms Crowley stated that no arrests had been made in relation to the incidents at the venue, largely due to the poor level of evidence available from any witnesses inside the venue.

The Chairman gave Mr Young the opportunity to address the Sub-Committee. Mr Young stated that he aimed to be reactive to the concerns made by Surrey Police at the previous meeting and had always provided CCTV footage when requested. He stated that he shared the concerns over the current Designated Premises Supervisor's ability to supervise the pub and had arranged for an independent auditor to conduct a monthly stock audit. The takings had been consistent during recent months although there had been a fall of 20% over past few weeks. Mr Young stated that he understood the pub was not operating as it should be; the prices of alcoholic drinks had been increased significantly since the meeting with Surrey Police and children had now been banned from entering the venue at any time.

Following a question by Surrey Police, Mr Young stated that the Designated Premises Supervisor had not been replaced since the Review had been called as the outcome including possible revocation of the Premises Licence, had not yet been determined.

Following a question by the Chairman, Mr Young stated that he had previously operated businesses in Woking, including a fish and chip shop, and when taking on the licensed premises had completed courses offered by the pub's suppliers, with his wife having completed the required course to become a Designated Premises Supervisor.

The Chairman gave those present the opportunity to make closing statements.

Mr Cobb reminded the Sub-Committee that some of the issues at the premises pre-dated Mr Young's tenure and stated that Members should look to prevent recurrence of the issues at the venue.

Ms Crowley reiterated that there had been issues at the venue over the past few years and urged the Sub-Committee to revoke the licence.

Mr Young stated that the failed test purchase had been the first time this had happened under his tenure, whilst other venues which had had their licences revoked had had more than one failed test. Since that time liaison had taken place with Woking Borough Council and a licensing awareness course had been completed. He stated that he would do anything to keep his licence, however if it was to be revoked it would be helpful to have a period of time beforehand due to staff being employed and stock being held.

Sergeant Taylor added that the previous venues which had had their licences revoked due to failed test purchases had not also had drug or violence issues, which had been set out earlier in the hearing.

The Chairman adjourned the meeting at 7.05pm. The Sub-Committee deliberated in private, requesting that the Council's Solicitor join them for the provision of legal advice, and re-assembled at 7.15pm.

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 revoke the Premises Licence. The Sub-Committee had found that there had been a serious failure to uphold the licensing objectives and that the number and severity of the representations, coupled with the lack of regard for licence conditions, had meant that all of the licensing objectives were being undermined, which was likely to continue if no action was taken.

The Chairman added that the Sub-Committee appreciated that revoking a licence was a last resort for a Licensing Authority and had not arrived at the decision lightly. However, grave concerns over the running of the premises were held and any other available option other than revocation would not have achieved the desired effect.

It was added that the premises would have the Right of Appeal to the Magistrate's Court within 21 days from the day on which the appellant was notified of the decision. This decision would not take effect until the end of the Appeal period or, if the decision was to be appealed, the date of which the Appeal was disposed of.

**RESOLVED**

That the Premises Licence held by The Pound be revoked.

The meeting commenced at 6.30 pm  
and ended at 7.20 pm

Chairman: \_\_\_\_\_

Date: \_\_\_\_\_