



Minutes

Licensing Sub-Committee Thursday, 18th July, 2019

Attendance

Cllr Fryd
Cllr Keeble

Cllr Ms Sanders

Apologies

Substitute Present

Also Present

Officers Present

Dave Leonard	- Licensing Officer
Jean Sharp	- Governance and Member Support Officer
Paul Adams	- Principal Licensing Officer
Surinder Atkar	- Planning Solicitor

139. Appointment of Chair

Members resolved that Cllr Keeble should chair the meeting.

140. Administrative Function

Members were respectfully reminded that, in determining the matters listed in the agenda they were exercising an administrative function with the civil burden of proof, i.e. 'on the balance of probabilities'. The matter would be determined on the facts before the Sub-Committee and the rules of natural justice would apply.

141. Application for a Summary Review of a Premises Licence - Licensing Act 2003 - The Swan, 123 High Street Brentwood. CM14 4RX

On 20 June 2019 an application had been made to Brentwood Borough Council by Essex Police for a summary review of the premises licence for The Swan, 123 High Street, Brentwood CM144RX. The application related to an operation Essex Police had undertaken to disrupt the supply of Class A drugs in and around Brentwood High Street.

As a first step the police had requested an interim suspension of the premises license and this was agreed by the Licensing Sub-committee at a hearing held on 21 June 2019. Representations were subsequently received against the interim steps and at a hearing on 2 July the suspension was conditionally lifted upon compliance with condition 3 specifically and conditions imposed.

The full hearing took place on 18 July 2019 in order to review the premises license and to decide whether the interim steps previously imposed should be withdrawn or modified.

The Sub-committee was addressed by Essex Police and the Licence-holder's representative and Members retired to consider the report and oral representations. Their decision was that, as the Licensing Objective on crime and disorder had now been met, there was no need for the suspension so long as the conditions imposed at the 2 July 2019 continued. Condition 3 was amended with the last sentence to that condition deleted. On a point of clarity from the Police the Legal Representative confirmed that none of the conditions would duplicate each other.

The Committee felt that there should be publicity of the decision for purposes of deterrence.
