

Summary of Licensing Sub-Committee Decision(s) taken on 11 March 2015

Part I

Application No. 15/00157/LQN - Crown Mead Stores, 12 Crownmead, Bath Road, Thatcham RG18 3JW (Item 2(1))

NOTICE OF DECISION

The Licensing Sub-Committee of West Berkshire Council met on **11th March 2015** and considered Application **15/00157/LQN** made by Thames Valley Police for a review of Premises Licence number 017703 issued in respect of premises known as **Crown Mead Stores, 12 Crown Mead, Bath Road, Thatcham, Berkshire, RG18 3JW** and resolved to revoke the Premises Licence.

In coming to their decision, the Sub-Committee had regard to the four licensing objectives, which are:

1. the prevention of crime and disorder;
2. public safety;
3. the prevention of public nuisance; and
4. the protection of children from harm.

They also considered the Department of Culture, Media and Sport Guidance on the Licensing Act 2003 (issued June 2014) and West Berkshire Council's Licensing Policy.

The Sub-Committee heard representations made by:

1. **The Applicant:** Mr. Stephen Deane and Inspector Warren McKeown (Thames Valley Police)
2. **The Licence Holder:** Mr. Harjit Singh Sandhu assisted by Mrs. Navdeep Kaur Sandhu

The Sub-Committee also had regard to written documentation which was submitted by Mrs. Navdeep Kaur Sandhu in relation to the Premises Licence and the business Crown Mead Stores. These documents included a signed consent to transfer premises licence 017703 from Harjit Singh Sandhu to Navdeep Kaur Sandhu dated 6th March 2015, certificates relating to training, documentation relating to suppliers, the ownership of the business and letters from employees and the new Designated Premises Supervisor George Kristiaan in relation to the management of the business. These documents were considered by the Sub-Committee with the consent of the parties to the hearing.

If you have any queries regarding this/these decision(s), please contact:
Moira Fraser, Democratic Services Manager
Tel: (01635) 519045 or e-mail: mfraser@westberks.gov.uk

Summary of Licensing Sub-Committee Decision(s) taken on 11 March 2015 (continued)

Decision:

Having taken all relevant representations into account, the Licensing Sub-Committee RESOLVED that further to the Application reference **15/00157/LQN** the Premises Licence be revoked.

Reasons:

The Sub-Committee had regard to the representations received in reaching its decision and noted that the Application made by Thames Valley Police for the review of the Premises Licence was supported by Thatcham Town Council and Responsible Authority Public Health and Wellbeing and the Local Safeguarding Children Board.

The Sub-Committee heard evidence from Thames Valley Police that the Licence Holder Mr. Harjit Singh Sandhu had recently been convicted by Reading Crown Court for the offences of perverting the course of justice and handling stolen goods. These offences occurred at the licensed premises. The Sub-Committee also heard evidence from Thames Valley Police as to Mr. Harjit Singh Sandhu's lack of engagement following his conviction and his flagrant and persistent disregard for the licensing objective namely the prevention of crime and disorder. The Sub-Committee heard that Mr. Deane had hand delivered a letter to Mr. Sandhu dated 27th November 2014 which Mrs. Sandhu opened. The letter warned that Thames Valley Police would apply for a review of the Premises Licence if they did not hear from him within two weeks from the date of the letter. Despite the efforts made by Thames Valley Police they failed to resolve the situation which led to their review application dated 26th January 2015.

Mr. Harjit Singh Sandhu had been the Designated Premises Supervisor until 9th March 2015 when the Licensing Department received an application for the Premises Licence to be varied and George Kristiaan to be named as the Designated Premises Supervisor with immediate effect. Mrs. Navdeep Kaur Sandhu explained that she had recently instructed a third party to apply for the Premises Licence to be transferred to her and provided a signed Consent for the Transfer of the Premises Licence dated 6th March 2015. Amanda Ward of the Licensing Department confirmed that the Council had received no such application. The Sub-Committee therefore noted that Mr. Harjit Singh Sandhu remained the Licence Holder of the Premises.

The Sub-Committee heard from the Licence Holder Mr. Harjit Singh Sandhu who apologised for his actions explaining that it had been a mistake and disputed that he had shown any disregard towards the Police. He explained that they had phoned whilst he was completing his community service and he had returned the call as soon as he had been able to and had understood that his wife had been communicating well with Mr Deane. Mrs. Navdeep Kaur Sandhu had always been the manager of the business and he had limited involvement as he ran another business. It was acknowledged that the Designated Premises Supervisor should have been changed a long time ago. The business was a family business as the store was owned by a family relative but Mr. and Mrs. Sandhu were not the owners.

The Sub-Committee considered that Mr. Sandhu had been convicted of serious criminal offences which had occurred at the premises and the facts related to the only licensable

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activity attached to the licence, namely the sale and supply of alcohol. He had maintained a position of responsibility as Licence Holder and Designated Premises Supervisor but by his own evidence had never held a managerial role and had limited involvement with the business. Whilst the Sub-Committee acknowledge that it is not a statutory requirement for the Designated Premises Supervisor to be responsible for the day to day management of the premises it is expected, considering the Department of Culture, Media and Sport Guidance on the Licensing Act 2003 (issued June 2014) that he will have at least some control of the business in order to promote the licensing objective and the prevention of crime and disorder. Thames Valley Police explained of their struggle to engage with Mr.Sandhu. Mrs. Sandhu had remained the manager of the premises during this time and even after Mr. Sandhu had been convicted had not ensured that the necessary action had been taken and Mr. Sandhu remains the Licence Holder. The Sub-Committee did not consider that Mr. and Mrs. Sandhu had taken their responsibilities seriously in terms of promoting the licensing objectives namely the prevention of crime and disorder and ensuring they were the point of contact for Thames Valley Police.

The Sub-Committee in considering whether any steps were appropriate for the promotion of the licensing objectives, in particular, the prevention of crime and disorder, concluded that the only step which was necessary and appropriate was to revoke the Premises Licence.

Cllr	(Chairman)
Cllr	
Cllr	
Date: 17 th March 2015	