

Coventry City Council
Minutes of the Meeting of Licensing and Regulatory Sub-Committee (Hearing)
held at 10.00 am on Monday, 24 August 2015

Present:

Members: Councillor J Birdi
Councillor D Galliers
Councillor L Harvard (Chair)

Employees (by Directorate):

Place: D. Cahalin-Heath

Resources: C. Sinclair, M. Smith

In attendance: J. Bowes, West Midlands Police
D. Murkett, West Midlands Police
D. Gardner, Coventry City Council
I. Iqbal, Licensee
M. Smith, Licensee's legal representative

Public Business

5. Appointment of Chair

RESOLVED that Councillor Harvard be appointed Chair for the meeting.

6. Declarations of Interest

There were no declarations of interest.

7. Licensing Act 2003 - Application for Review of Premises Licence

The Sub-Committee considered an application by West Midlands Police to review the premises relating to Highway Wines, 217 Sewall Highway, Coventry.

The review was called on the grounds that the licensing objective of prevention of crime and disorder had not been promoted due to the fact that drugs were found to be cultivated on the premises, with the knowledge and participation of the premises licence holder. The premises were currently licensed for the supply of alcohol off the premises from 11.00 to 00.00 Monday to Sunday.

The Sub-Committee considered the written review application and the oral submissions made during the hearing. In accordance with Section 4 of the Act, the Sub-Committee also had regard to Part 11 of the Secretary of State's guidance to licensing authorities concerning reviews.

The Sub-Committee accepted the evidence presented by the Police which indicated that the premises as a whole have been used for various unlawful activities (possession/display of illicit goods, sale of alcohol outside licensable hours and the production of controlled drugs). These activities appear to have

been on-going during 2014-15 despite previous warnings and seizures which also appear to have been ignored. It heard from the Police that the places from which the electricity and water were being supplied to the storeroom used to grow cannabis plants were readily accessible from the shop and did not regard it as being credible that the connection between what was happening in the storeroom and the shop would not have been obvious to a Designated Premises Supervisor exercising proper control. Having regard to paragraphs 11.27-11.28 of the Secretary of State's Guidance, it felt that these premises were being used to undermine the crime prevention objective and that the appropriate step in this case was the revocation of the licence.

RESOLVED that the premises licence is revoked, subject to appeal.

8. Any Other Business

There were no other items of business.

(Meeting closed at 11.45 am)