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DONCASTER METROPOLITAN BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

WEDNESDAY, 28TH APRIL, 2021

A MEETING of the LICENSING SUB-COMMITTEE was held as a MICROSOFT TEAMS VIRTUAL MEETING on WEDNESDAY, 28TH APRIL, 2021, at 10.00 am.

PRESENT:

Chair - Councillor Iris Beech

Councillors Steve Cox, John Gilliver and David Nevett.

1 Declarations of interest, if any.

No declarations of interest were made at the meeting.

2 Minutes of the Licensing Sub-Committee meeting held on 7th April, 2021

RESOLVED that the minutes of the meeting held on 7th April, 2021 be approved as a correct record.

3 Application for a Review of an existing premises licence in respect of Shabir's Restaurant, 36-38 East Laith Gate, Doncaster, DN1 1HZ. (Appendix F to the report is not for publication as it contains personal information protected by Data Protection Legislation, not required to be published in accordance with the Licensing Act 2003).

The Sub-Committee considered an application for a Review of an existing premises licence in respect of Shabir's Restaurant, 36-38 East Laith Gate, Doncaster, DN1 1HZ.

The review was brought before the Sub-Committee by South Yorkshire Police on the grounds that the premises were failing to promote the Prevention of Crime and Disorder Licensing Objective. A summary of the application was attached as Appendix B to the report.

Representations from Public Health and Doncaster Council Licensing in support of the review, were attached at Appendix F to the report.

The Sub-Committee Members, the Applicant, the person making representations and Responsible Authorities, had received the agenda prior to the meeting. Copies of the representations were attached to the report at Appendix F.

At the commencement of the hearing, the Chair welcomed all parties to the meeting, made introductions and outlined the procedure to be followed.

As the hearing was being held via a teleconferencing facility, Members of the Sub-Committee and other parties, were informed by the Chair that she would indicate who would speak next in order to ensure that the meeting ran as smoothly as possible.

The Licensing Officer, David Smith, introduced the report and outlined the salient points in relation to the application.

Representatives of South Yorkshire Police, Emily Price and Mr Andy Steele, addressed the Sub-Committee, made representations and answered questions.

Mr Andy Collins and Mr Nigel Green who had made written representations in respect of the application, outlined their concerns and objections to the application, and answered questions.

The meeting was then adjourned to allow the Sub-Committee to deliberate on the application and reached a decision in private.

All parties were then invited back in to the meeting to be informed of the Sub-Committee's decision.

RESOLVED that the Sub-Committee, having considered the application for a Review of the Premises Licence for Shabir's Restaurant, 36-38 East Laith Gate, Doncaster and have taken into account the written representations made and the evidence presented today, the steps that are appropriate to promote the Licensing Objectives, the Home Office Guidance and our Statement of Licensing Policy, has decided to Revoke the licence.

The Sub-Committee made the decision for the following reasons:-

It was submitted by South Yorkshire Police, a Responsible Authority, that there had been reports of illegal activities taking place at the premises, it was subsequently discovered when the Police visited the premises that illegal gambling was taking place, in addition to this, there was a gathering of people in the premises in breach of Covid-19 regulations. The Sub-Committee was also concerned that drug paraphernalia was found at the premises.

Representations were also made by Public Health and Licensing also highlighting that they were very concerned at the illegal activities taking place at the premises and the apparent lack of control by those involved. Public Health pointed out that Doncaster has the third highest number of Covid cases in the country and any breaches of regulations are very concerning.

The Sub-Committee found those involved in the premises were very irresponsible and had no regard for the licensing objectives, particularly the prevention of crime and disorder and public safety.

It was noted that Mr Mahmoud telephoned yesterday at 5pm to request an adjournment of 14 days, however, he is not the DPS and only represents the food business at Shabir's and in any event, Red Curry Ltd and those involved in the premises had 28 day notice of the application for review, for these reasons, the Sub-Committee decided to continue with the hearing.

CHAIR: _____

DATE: _____