

Minutes

Alcohol, Entertainment & Late Night Refreshment Licensing Committee

Friday, 26 July 2024



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Committee members present

Councillor Pam Bosworth (Chairman)
Councillor Helen Crawford
Councillor Steven Cunnington
Councillor Paul Fellows
Councillor Robert Leadenham
Councillor Nikki Manterfield
Councillor Philip Knowles

Officers

Licensing Officer, Chris Clarke, Elizabeth Reeve
Legal Advisor, Martha Rees
Democratic Officer, Lucy Bonshor

1. Apologies for absence

Apologies for absence were received from Councillor Harrish Bisnauthsing, Councillor Patsy Ellis, Councillor Jane Kingman and Councillor Elvis Stooke.

2. Disclosures of interests

None disclosed.

3. Minutes of the meeting held on 24 April 2024

The minutes of the meeting held on 24 April 2024 were proposed, seconded and **AGREED**.

(10:10 Councillor Paul Fellows arrived)

(10:10 – 10:20 adjournment)

4. **Licensing Act 2003: Review of Premise Licence - Indre Shop Ltd, 9A Bridge End Road, Grantham, NG31 6JW**

Decision

That the Premises Licence for the premise known as Indre Shop Ltd, 9A Bridge End Road, Grantham, NG31 6JW is revoked.

The Chairman confirmed who would be speaking in respect of the review before the Committee from Lincolnshire Police, PC Casey stated that she would be speaking in respect of the review. It was confirmed that the Premises Licence Holder and the Designated Premises Supervisor was not present and it was believed that they had left the Country.

The Licensing Officer presented the report which concern a review of the premises licence for the premises known as Indre Shop Ltd, 9A Bridge End Road, Grantham. An application to review the premises licence for Indre Shop Ltd, Grantham was received from Lincolnshire Police on 4 June 2024.

The application for the review related to the undermining of the licensing objectives in respect of:

- Prevention of crime and disorder
- Public safety
- Protection of Children from harm

The Police had advised that they had obtained evidence which indicated that the management of the premises were being operated in such a manner that amounted to criminal activity that undermined the licensing objectives – large scale cannabis plants were being grown within the disused ground floor shop area. A notice was erected at the premises by the Licensing Authority regarding the review on 6 June 2024 and no representations had been received.

The current licence holder, Indre Adamkevicius had held the premises licence for the premises since 2016. Mr Adamkevicius had previously been issued with a Police caution for admitting to committing licensing offences at the premises in 2016. Section 136 offences (unauthorised licensable activities) and Section 144 Offences (keeping of smuggled goods on licenced premises).

The Police then made their representation and spoke of the significant concern they had that the facilities were being used for criminal activity that was undermining the licensing objectives. The premises had been subject to two previous reviews in June and August 2016 which had resulted in a three month suspension resulting from failed test purchases and illegal cigarettes, foreign medicine and smuggled alcohol being encountered at the premises, along with several instances of non-compliance with licence conditions. The Police made reference to both Section 136, Unauthorised Licensable Activities and Section

144, Keeping of Smuggled Goods of the Licensing Act 2003. The Police had made numerous attempts to contact Mrs Indre Adamkevicius but without success. Mr Adamkevicius continued to pay rent on the property where the cannabis plants had been found growing on the ground floor. A wireless wifi system was in place which gave remote access to CCTV and enabled the plants to be watered remotely. The plants were approximately three months old with an estimated value of between £21,500 - £75,000. Members were referred to Appendix A and the statement given by PC Holmes and were reminded that cannabis was a Class B drug under the Misuse of Drugs Act 1971. Mrs Indre Adamkevicius was currently the Premises Licence Holder and the Designated Premises Supervisor and not attempt had been made to surrender either licence. The criminal activity happening at the premises was seriously undermining the licensing objectives and the Police asked the Committee to consider revoking the Premises Licence.

The Licensing Officer then gave his closing statement reminding the Committee that the options open to it were:

- To modify the conditions of the licence
- To remove the Designated Premises Supervisor (DPS)
- To suspend the licence for a period not exceeding 3 months
- To revoke the licence.

Guidance under Section 182 of the Act stated that:

“In deciding which of these powers to invoke, it is expected that licensing authorities should, so far as possible, seek to establish the cause or causes of the concerns which the representations identity. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response”.

The Police gave their closing statement stating that the rent on the shop was still being paid by Mr Adamkevicius that Mrs Indre Adamkevicius was still the Premises Licence Holder and DPS and taking into account the previous reviews brought in connection with the premises the Police considered that criminal activity was taking place and seriously undermining the licensing objectives of the Prevention of Crime and Disorder and Public Safety and again urged the Committee to revoke the Premises Licence.

(10:32 the Licensing Officers and Police left the meeting)

The Committee considered the review before them having taken into account the report, appendices, Section 182 Guidance and the Council's Statement of Licensing Policy. Members were seriously concerned about the activities taking place at the premises and the fact that the current Premises Licence Holder and DPS appeared to have left the Country. It was felt that the only reasonable and proportionate response to safeguard the licensing objectives from being

undermined was to revoke the Premise Licence. The proposal was seconded and on being put to the vote unanimously **AGREED**.

(10:44 the Licensing Officers and Police returned to the meeting)

The Legal Advisor read out the Committee's decision. The Committee had taken into account the report, appendices, representations made, the Section 182 Guidance, the Council's Statement of Licensing Policy and their duty under Section 149 of the Equality Act 2010 and had decided to revoke the premises licence for the premises known as Indre Shop Ltd, 9A Bridge End Road, Grantham, NG31 6JW.

The Committee had decided that it was reasonable and proportionate to the safeguarding and promotion of the licensing objectives to revoke the premises licence. In considering the options available to them the Committee were concerned that this was a very serious issue, and they determined that the only proportionate response was to revoke the premises licence.

There was a right of appeal of this decision to the Magistrates Court within 21 days of receipt of this decision in writing.

5. Any other business which the Chairman, by reason of special circumstances, decides is urgent.

None. Meeting closed at 10:45am.