

LICENSING & PUBLIC SPACE PROTECTION ORDER (PSPO) SUB COMMITTEE

Monday 23 January 2023

Present: Councillors Gurpreet Bhangra, Mandy Brar and Phil Haseler (Chairman)

Also in attendance virtually: Councillor Catherine del Campo and Councillor Ewan Larcombe

Officers: Oran Norris-Browne, Greg Nelson, Anthony Lenaghan and Alex Lisowski

Officers in attendance virtually:

APPOINTMENT OF CHAIRMAN

Councillor Bhangra proposed that Councillor Haseler be Chair for the duration of the meeting. This was seconded by Councillor Brar.

AGREED: That Councillor Haseler be Chair for the duration of the meeting.

APOLOGIES FOR ABSENCE

No apologies for absence were received.

DECLARATIONS OF INTEREST

Councillor Brar declared that she was a licensee within the borough.

PROCEDURES FOR SUB COMMITTEE

All parties present noted the procedures.

CONSIDERATION OF AN APPLICATION TO REVIEW A PREMISES LICENSE UNDER s51 of the LICENSING ACT 2003

Greg Nelson, Reporting Officer for the Royal Borough of Windsor & Maidenhead, began by stating that the two representatives of Jagz Ltd, that had attended the hearing were looking for there to be an adjournment of the meeting. He said that it would be timely to hear the reasons for this before any further persons spoke at the meeting. Other parties and the panel would then be able to ask questions and share their thoughts on what had been discussed. The Chair agreed that this was the best way forward and invited the representatives of Jagz Ltd to address the panel.

Philip Haywood & Candice Curtis, representatives on behalf of Jagz Ltd, explained the current situation to the panel. They said that they currently held a 10% stake in the company known as Jagz Ltd and that they were the new management of the premises. They took control of the running and management of the premises on 2 December 2022, from the majority shareholder, Natasha Tah.

In time, they were seeking to turn the premises into a member's club, having been in that business for around 40 years already. They requested an adjournment of the meeting until a time when they had 100% ownership of the business, which had started but of course took time due to a legal process having to be followed. Since December 2022, they were adamant that the conditions on the license had all been met and that they would continue to be followed until such a time where variations could be discussed.

Richard Ferguson, Regional Manager of the site since July 2022 confirmed the current situation that had just been outlined. He stated that he was in support of the plan that had been proposed and that the current lease was a rolling one.

Councillor Brar asked how long he had known about the issues surrounding the premises under the management of Natasha Tah. He replied by saying that he knew about the issues quite early on in July 2022, when he arrived. He said that he was looking forward to working with a new entity.

Alex Lisowski, RBWM Licensing Enforcement Officer and Applicant, asked when the earliest was that the lease could end. He replied by saying that when the lease came to an end, it would go into statutory continuation, where it would continue on the current terms.

Alex Lisowski stated that he was opposed to an adjournment of the meeting. This was because the deal that was in place to change ownership of the premises had not yet been signed and delivered. Therefore, this could mean that Natasha Tah, remained as the majority shareholder of the business and that she could also re-take control of the premises' management. Natasha Tah was the majority shareholder, and she held a minimum of 75% of overall shareholdings. This allowed her to have the power to depose both Philip Haywood & Candice Curtis as she was also the leaseholder of the premises. Councillor Brar asked for clarity around this, which Alex Lisowski provided.

Councillor Bhangra asked when he first had dealings with Natasha Tah. He confirmed that contact first occurred in August 2022.

Richard Ferguson said that he had been given an indication that Natasha Tah was no longer involved in the day to day running of the premises, which now sat with both Philip Haywood & Candice Curtis. He was supportive of this and was looking forward to it.

Councillor Bhangra asked if any breaches of the licensing conditions had occurred at the premises since 2 December 2022. Alex Lisowski confirmed that he was not aware of any breaches and stated that he had no issues with the new interested individuals. Candice Curtis said that Natasha Tah was happy to sign over all of the shares, however a legal process existed and that this was being followed.

Debie Pearmain, Thames Valley Police, said that Natasha Tah should be present at the meeting in order to answer the questions around why the licensing conditions had been breached. She wished for the meeting to be adjourned until such a time that Natasha Tah could attend the meeting herself. It was confirmed that she was unable to attend due to legitimate medical reasons, which had been accepted prior to the meeting.

Councillor Bhangra asked Debie Pearmain how many breaches she had on record for the premises. She confirmed that she had 3 breaches on record. Meetings had occurred between her and Natasha Tah in the past over these and meetings would occur in the future with the new owners of the premises in due course.

Candice Curtis confirmed to the best of her ability, that no further breaches would occur at the premises and that they were looking forward to providing a new service to residents.

Alex Lisowski said that there was 1 further director of the company. When he sent a message to Natasha Tah inviting her to the hearing, he made sure to state that another director could attend on behalf of Jagz Ltd. As this director had also not attended, he wished for the meeting to go ahead.

The Chair thanked all parties for their questions and contributions and said that the meeting would briefly be adjourned so that the panel could discuss options with Anthony Lenaghan, Legal Officer. All parties then left the room.

Meeting was adjourned at 11:25

Meeting re-convened at 11:29

The Chair welcomed all parties back into the meeting and stated that the panel had agreed to adjourn the hearing until a later date. The reasons for this were to allow the completion of the new minority shareholders to acquire the business in question and fulfil the legal process involved. The other reason was due to Natasha Tah not being present, the panel wished for her to attend a future meeting to answer to the reasons as to why the licensing conditions were breached and give her account of events.

AGREED UNANIMOUSLY: That the meeting be adjourned until a specified date which will be advised forthwith to all parties.

The meeting, which began at 10.50 am, finished at 11.35 am

Chair.....

Date.....