

Licensing Sub-Committee, 12 February 2013

**LICENSING SUB-COMMITTEE
12 February 2013**

PRESENT: Councillor Andrew Morgan - Chairman, Councillor David Kelsey - Vice-Chairman; Councillor Christopher Wakefield.

The meeting commenced at 3.36 pm.

SECTION I - BUSINESS RECOMMENDED TO THE COUNCIL

No items.

SECTION II - BUSINESS DECIDED UNDER DELEGATED POWERS

26. DECLARATIONS OF INTEREST

There were no declarations made of any disclosable pecuniary interests by members under the Code of Conduct.

27. EXCLUSION OF THE PRESS AND PUBLIC

DECISION MADE:

That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 7 in Part I of Schedule 12A of the Act and that the public interest in withholding the information outweighs such interest in disclosing the information.

28. APPLICATION FOR EXPEDITED REVIEW OF PREMISES LICENCE - V, EXETER ROAD

The Sub-Committee considered an application made by Dorset Police for an expedited review of the premises licence for V, Exeter Road, which was received by the Licensing Office at 3.30 pm on 12 February 2013.

The Sub-Committee was convened to consider whether it was necessary to take any interim steps pending the determination of a review of the premises licence in accordance with section 53B of the Licensing Act 2003.

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The Chairman referred to the Expedited/Summary Licence Reviews Guidance issued by the Government which set out the steps available to the Sub-Committee.

The Sub-Committee noted that the application had been made in accordance with section 53A of the Licensing Act 2003 and was accompanied by a certificate issued by the Superintendent of Dorset Police that stated that, in her opinion, the premises was associated with serious crime.

The Sub-Committee considered written, verbal and photographic evidence in support of the application for expedited review from Sergeant Steve Lyne and PC Martin Blake of Dorset Police.

Sergeant Lyne and PC Blake responded to questions from the Sub-Committee in relation to the evidence presented, before the Sub-Committee retired to make its decision.

DECISION MADE:

That the premises licence for V, Exeter Road, be suspended with immediate effect.

REASONS FOR DECISION:

The Sub-Committee were of the opinion that interim steps were necessary at this stage and that the focus for these should be on the immediate measures that were necessary to prevent serious crime occurring.

In view of the evidence presented, the Sub-Committee considered that the suspension of the licence was the most appropriate step to take in the circumstances of the case, pending the full review of the premises licence.

The Sub-Committee were of the opinion that there were no further conditions that could be imposed on the premises licence that would prevent the serious crime from taking place, as there were concerns that conditions already on the licence had been breached.



They were also of the view that the exclusion of the sale of alcohol by retail, or other licensable activities, from the scope of the licence would not resolve the serious crime that had taken place, as although there were concerns about the drunken behaviour in the premises, it was not thought that this was solely caused by alcohol sold within the premises.

The Sub-Committee considered that there was a lack of control at the premises and those managing the premises had not taken their management responsibilities seriously and removing the designated premises supervisor would not resolve this.

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The Sub-Committee therefore concluded that it had no alternative than to suspend the premises licence immediately because of the serious crime that was associated with the premises. Dorset Police had stated that they had lost all confidence in the premises and they could not mitigate by policing the lack of control that was apparent, and as a consequence there was an ongoing risk to public safety.

The meeting closed at 4.12 pm.

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