

## Licensing Sub Committee

A meeting of Licensing Sub Committee was held on Tuesday, 9th December, 2008.

**Present:** Cllr Woodhead, Cllr Mrs Nelson, Cllr Kirton

**Officers:** J. Nertney (LD), D. Kitching, S. Mills (DNS)

**Also in attendance:**

**Apologies:**

**LSC  
43/08**      **Appointment of Chairman**

RESOLVED that Councillor Woodhead be appointed Chairman for this meeting only

**LSC  
44/08**      **Declarations of Interest**

There were no interests declared.

**LSC  
45/08**      **The Queen Victoria, 54 Yarm Road, Stockton-on-Tees, TS18 3PQ  
Application for a Summary Review of the Premises Licence Under the  
Licensing Act 2003**

The Chair introduced all persons who were present and explained the procedure to be followed during the hearing.

The Head of Trading Standards & Licensing advised the Committee that an application had been received from Cleveland Police under the provisions of Section 53A of the Licensing Act 2003 for a summary review of the premises licence. It was noted that a review had already been submitted by the Police under the normal review procedure but that events had occurred over the weekend of 5th December 2008 which were of great cause of concern to Cleveland Police and they had felt it necessary and appropriate to bring a summary review application forthwith.

The Committee members were provided with a copy of the following documents:-

- Application for the review of a premises licence under section 53A of the Licensing Act 2003 dated 8th December 2008
- A Certificate under Section 53A(1)(b) of the Licensing Act 2003 signed and dated by Superintendent Brunskill on 8th December 2008

Members noted that this was a summary review of the premises licence made at the request of the Cleveland Police and was dealt with solely on the basis of the documentary information provided by the Police.

In considering their decision Members had regard to the written application which had been submitted by Cleveland Police. The Committee also had regard to guidance issued by the Department for Culture, Media and Sport titled Expedited/Summary Licence Reviews Guidance which was issued in October 2007.

The Committee were satisfied from the information provided by Cleveland Police that there was evidence that the premises were associated with serious crime as defined under the legislation.

The Committee noted that the Police had already submitted a review of the premises licence which was in the process of been dealt with and advertised as required under the relevant legislation. However owing to the incidents which occurred at the premise on Friday 5th December 2008 the Police had felt it necessary to apply for a summary review of the premises licence. The Committee noted that the Police had given advice to the Designated Premises Supervisor (DPS) regarding her management of the premises and problems and issues that had been brought to the Polices attention. However the DPS had ignored this advice on a number of occasions when she had allowed a member of the public who was 'Pub Watch' barred to be present on the premises. The Police had also received numerous complaints of disorder relating to the premises and the DPS has ignored advice and guidance given to her.

The Committee gave consideration to whether the DPS should be removed. The Committee agreed that this would be appropriate and proportionate in these circumstances. The Committee were of the opinion that from the information provided by the Police this was an extremely serious matter.

The Committee also felt it was appropriate to suspend the premises licence. The Committee balanced their decision to suspend the premises licence against the potential financial impact for the premises licence holder. A suspension was deemed to be proportionate given that this matter was deemed very serious and that the use of the premises could be linked to serious crime.

RESOLVED that: -

- The Designated Premises Supervisor be removed with immediate effect;  
and
- The premises licence be suspended with immediate effect