

DONCASTER METROPOLITAN BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

MONDAY, 24TH JULY, 2017

A MEETING of the LICENSING SUB-COMMITTEE was held at the COUNCIL CHAMBER - CIVIC OFFICE on MONDAY, 24TH JULY, 2017, at 9.30 am.

PRESENT:

Chair - Councillor Ken Keegan

Councillors Bev Chapman and Steve Cox.

APOLOGIES:

An apology for absence was received from Councillor Charlie Hogarth.

1 DECLARATIONS OF INTEREST, IF ANY.

No declarations made at the meeting.

2 APPLICATION FOR A REVIEW OF A PREMISES LICENCE - SHOOTERS SHOT BAR, 6 SILVER STREET, DONCASTER, DN1 1HQ – (Minute No. 1 – 29th June, 2017)

Further to the above Minute, the Sub-Committee considered an application submitted by Superintendent Thorpe on behalf of the Chief Officer of South Yorkshire Police for a review of an existing premises licence in respect of 'Shooters Shot Bar', 6 Silver Street, Doncaster.

The review was brought before the Sub-Committee on the grounds that the premises had been associated with serious crime. A summary of the application was attached as Appendix B to the report.

A copy of the application for review was sent to the Premises Licence Holder and Responsible Authorities. The application had been advertised on a blue notice at the premises, in the Council's Civic Office and published on the Council's website.

On the same day that the application was served by South Yorkshire Police, the Sub-Committee noted that the Premises Licence Holder had voluntarily surrendered the licence with immediate effect, but were also aware of the ability for that licence to be reinstated in accordance with relevant statutory provisions.

An interim steps Licensing Sub-Committee hearing took place on 29th June, 2017, where the Licensing Sub-Committee resolved to remove the Designated Premises Supervisor and Suspend the Premises Licence with immediate effect, pending today's summary review hearing. The minutes from the hearing were attached at Appendix E to the report.

The Sub-Committee Members, the Premises Licence Holder and the Responsible Authorities had received the agenda prior to the meeting.

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

Paul Williams, Business and Safety Licensing Manager introduced the report and outlined the salient points. He advised that the Licensing Authority had not received an application from any person challenging the interim steps put in place by the Licensing Sub-Committee on 29th June, 2017. He further reported that on the day that the interim steps were taken, South Yorkshire Police had applied for a Closure Order to prohibit anyone from accessing the premises for a period of 3 months.

Mr Brian Outhwaite, Counsel acting on behalf of South Yorkshire Police, addressed the Sub-Committee answered questions and made representations. Andrew Steele, (Licensing Enforcement Officer), South Yorkshire Police and Police Constable Iain Robb, South Yorkshire Police were also in attendance at the meeting in support of the application.

The Premises Licence Holder was not in attendance at the meeting.

All parties were then asked to leave the room whilst the Sub-Committee deliberated on the Application and reached a decision.

The Licensing Sub-Committee having considered the application for a Review of the Premises Licence in respect of 'Shooters Shot Bar', 6 Silver Street, Doncaster and having taken into account the Application, the written representations made and the evidence presented today, the steps that were appropriate to promote the Licensing Objectives, the Home Office Guidance and the Council's Statement of Licensing Policy.

The Sub-Committee had also considered whether there were any Interim Steps appropriate for the promotion of the licensing objectives, considered any relevant representations and determined whether to continue, to withdraw or modify the interim steps taken on 29th June, 2017

The Sub-Committee had carefully considered the representations and had been informed that there was currently a closure Order in place until 29th September 2017. The Police had asked for a revocation of the licence and the continuation of the steps that were put in place on 29th June, 2017.

It was noted that no one had attended representing the Premises Licence Holder.

The evidence of serious crime contained in the application and the information presented today that cocaine was taken at the premises and that the premises were not in any effective control means the Sub-Committee was concerned that none of the licensing objectives were being promoted and had considered the steps to ensure there were appropriate and proportionate safeguards in place.

The Sub-Committee noted that although the Premises Licence Holder had now voluntarily surrendered the licence were also aware of the ability for that licence to be reinstated in accordance with relevant statutory provisions and the implications of an appeal and associated process.

In reaching their Decision the Licensing Sub-Committee was mindful of the requirement of the Licensing Act 2003 and that in carrying out its functions under the Act, must do so with a view to promoting the licensing objectives. In considering all of the above factors, the Sub-Committee, balancing the interests of all parties to the hearing had RESOLVED to:-

Revoke the license and to continue the interim steps of removing the Designated Premises Supervisor and continue the suspension of the licence.

The Sub-Committee deemed the above steps to be necessary to uphold the licensing objectives.

CHAIR: _____

DATE: _____