

DONCASTER METROPOLITAN BOROUGH COUNCIL

LICENSING SUB-COMMITTEE

WEDNESDAY, 1ST APRIL, 2020

A MEETING of the LICENSING SUB-COMMITTEE was held via TELECONFERENCE on WEDNESDAY 1ST APRIL, 2020, at 10.00 A.M.

PRESENT:

Chair - Councillor Ken Keegan

Councillors John Gilliver, Charlie Hogarth and Martin Greenhalgh.

1 DECLARATIONS OF INTEREST, IF ANY

There were no declarations made at the meeting.

2 MINUTES OF THE MEETING HELD ON 7TH FEBRUARY, 2020

RESOLVED that the minutes of the Licensing Sub-Committee Meeting held on 7th February, 2020, be approved as a correct record.

3 APPLICATION FOR A REVIEW OF AN EXISTING PREMISES LICENCE FROM SOUTH YORKSHIRE POLICE – JOEY'S BAR, 54 SILVER STREET, DONCASTER, DN1 1HT

The Sub-Committee considered an application for the review of an existing premises licence in respect of Joey's Bar, Doncaster, DN1 1HT, following an application received from South Yorkshire Police.

The Review was brought before the Sub-Committee on the grounds of the Prevention of Crime and Disorder and Public Safety licensing objectives. A summary of the application was attached at Appendix B to the report.

At the commencement of the hearing, the Chair welcomed all parties to the meeting, made introductions and outlined the procedure to be followed. It was reported that this was the first hearing to be held via Teleconferencing Facility and was necessary as a result of the ongoing situation surrounding the Covid-19 Virus that was currently affecting the country. Members of the Committee and other parties were informed by the Chair that he would indicate who would speak next in order to ensure that the meeting ran smoothly and no one was trying to speak over anyone.

The Licensing Officer introduced the report and outlined the salient points in relation to the application.

A barrister representing South Yorkshire Police addressed the Sub-Committee, made representations and the Licensing Officer for South Yorkshire Police answered questions.

The Premises Licence Holder was in attendance at the meeting, made representations and answered questions.

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

RESOLVED that the Sub –Committee, having considered the application for a Review of the Premises Licence for Joey’s Bar, 54 Silver Street, Doncaster and taken into account the written representations made and the evidence presented, the steps that are appropriate to promote the Licensing Objectives, the Home Office Guidance and our Statement of Licensing Policy and have decided to revoke the licence.

The Sub Committee made the decision for the following reasons:-

The Police have brought a review following an incident that occurred on 8th December 2019 which occurred outside the premises. The Police had concerns that the victim was left on the pavement, there was no CCTV in operation or delta call, the premises did not call the Police or ambulance and first aid was only offered after the Police arrived. Further, whilst the doorman said he did not witness the incident, CCTV from another property showed the incident took place in front of the door staff. All these issues are also a concern for the Committee. It was noted that the Police then sought to agree an action plan to address the concerns and to ensure that the standards operating at the premises could be improved. This should have operated as a warning to the Premises Licence Holder.

It was noted that the Premises Licence Holder was unable to attend the first meeting regarding the action plan as he was working elsewhere. It was noted that he did ask his father to attend on his behalf. The Premises Licence Holder has confirmed his father has no involvement in the business and does not work at the premises. The Committee regard the failure of the Premises Licence Holder who is also the DPS to attend as showing the lack of concern on his part.

The Committee regards the action plan as the police offering a chance for the Premises Licence Holder to seek to ensure the premises operate so as to ensure the four licensing objectives are upheld. The Police submitted that the Premises Licence Holder has wholly failed to engage with the action plan which was admitted by the Premises Licence Holder. His reason for his not engaging was that he was working elsewhere and was tired. This concerns the Committee. Whilst the Premises Licence Holder did show today that he understood the licensing objectives he did not seem to regard the interventions by the police as warranting serious consideration. Action plan sought to deal with 8 matters- The Police say the premises have failed to address any of these and it seems the Premises Licence Holder accepts this is the case and is sorry.

However, it seems that today he still has not taken steps to comply with this plan other than he seems he has a pubwatch radio and the CCTV is now operational. This causes the committee concern.

Since the Police's action plan there have been two further incidents at the premises that required police intervention. The Premises Licence Holder confirms he was not on the premises on either of these occasions. He says he has put staff through training but was unable to say who undertook the training or when this took place other than a month or so ago

The Committee sought to ascertain what level of control the Premises Licence Holder as DPS has over the premises to which he confirmed he had a dress code but when asked about how he controlled intoxicated patrons or the incidents at the premises his response was 'its silver street and that's what its like'. This causes the Committee concern as they expect the Premises Licence Holder and DPS to be able to show they are in control of the premises and its operation will ensure the licensing objectives are upheld.

Police say he has wholly failed in his duty as a DPS and the Committee agrees.

The Committee believes the Premises Licence Holder who is also the DPS has no control over the premises and further that premises have been trading irresponsibly. The Committee has no confidence any conditions or other sanction will ensure that this will prevent the premises from trading irresponsibility and therefore undermining the licensing objectives.

CHAIR:_____

DATE:_____