

# M MINUTES

meeting: **LICENSING SUB-COMMITTEE**

date: **11 JUNE 2013**

**PRESENT:-**

Councillors Alan Bolshaw (Chair), Keith Inston and Patricia Patten

**IN ATTENDANCE:-**

- |            |   |                                                      |
|------------|---|------------------------------------------------------|
| L Banbury  | - | Democratic Support Officer, Delivery                 |
| R Marshall | - | Solicitor, Delivery                                  |
| R Edge     | - | Section Leader (Licensing), Education and Enterprise |

**Wolverhampton**  
City Council



## **PART 1 – OPEN ITEMS**

### **Licensing Act 2003 – Review of a Premises Licence** **The Greyhound, 14 Bond Street, Wolverhampton (Appendix 7)**

13. In Attendance  
For the Premises  
 K Love - Premises Licence Holder
- Applicant for the Review  
 WPC N Holt and  
 Inspector S Thomas-West - West Midlands Police
- Responsible Authorities  
 E Moreton - Licensing Authority

The Chair introduced the parties and outlined the procedure to be followed at the meeting. No declarations of interest were made.

The Section Leader (Licensing) briefly outlined the report submitted to the meeting and circulated to all parties in advance.

At this juncture, WPC Holt proceeded to outline the application for review of the Premises Licence. It was noted however that she would be making reference to details of incidents still under police investigation and it was agreed that such issues should be heard in closed session.

### **Exclusion of Press and Public**

14. Resolved:-  
 That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from consideration of the items of business in Part II of the Agenda, on the grounds that in view of the nature of the business to be transacted or the nature of the proceedings, exempt information falling within paragraph 2 of Schedule 12A to the Act (Information relating to the identity of an individual) is likely to be disclosed.

### **Application for Review**

15. WPC Holt summarised the grounds for the review application, as detailed at Appendix 3 of the report of the Section Leader (Licensing). In addition, she drew attention to a number of incidents which had occurred either in or within close proximity to the premises between 2008 and 2013. A copy of this document was given to the Solicitor for the Council. The police were of the belief that the Premises Licence Holder did not take responsibility for the issues which had arisen at the premises and, in view of the information presented at this meeting in regard to incidents of crime and disorder, suggested that the Sub-Committee might wish to consider their powers of suspension or revocation.

All parties were afforded the opportunity to question the police representatives. On a point of clarification WPC Holt advised that, although the police had their own Section 161 power of closure, a voluntary agreement was always sought in the first instance. The Sub-Committee were given the opportunity to listen to an example of the loud and potentially offensive music played at the premises, which the police believed was not typical of that normally played at gay venues and would have an impact on the behaviour of patrons. It was acknowledged however that crime and disorder, together with high levels of intoxication and drug related issues, were the main areas of concern for the police. The police representatives stated that the premises had no ejection policy and that problems were not well managed by the door staff. They believed that the imposition of additional conditions on the operating schedule would not alleviate the existing problems.

At this juncture, the Premises Licence Holder made his representations and in so doing advised that, since his last meeting with the police, changes had been made and patrons involved in the gang culture no longer frequented the premises. The music genre had been changed and currently approximately thirty patrons attended on Friday and Saturday nights. Door staff always used wands for search purposes, although it was not possible to carry out thorough searches of individuals and the staff did not know the names of the individuals involved in the gang culture. Plastic glasses were always used after 2200 hours. The Premises Holder felt that he was being harassed by the police, that they did not work alongside the premises and he had therefore decided that he wished the licensing hours to be reduced to terminate at 0300 hours, adding that most of his trade was during the day with meals being provided.

All parties were afforded the opportunity to question the Premises Licence Holder. Mr Love indicated that he would still describe the premises as a gay venue. He believed that the incidents of crime and disorder were due to the late closure hour and that he would be willing to reduce this to 0300 hours, although he had considered putting the premises up for sale. He did not attend Pubwatch meetings because he did not get along with the Chair of this organisation, but had not arranged for a member of staff to attend in his place. On a point of clarification, WPC Holt advised that the Premises Licence Holder also did not attend meetings of the 'SIA Watch' scheme. With regard to the suggested additional conditions proposed by the police, Mr Love indicated that he would ask for two SIA registered door staff, rather than the four requested.

### **Re-Admission of Press and Public**

16.

Resolved:-

That the press and public be readmitted to the meeting.

## **PART I - OPEN ITEMS**

### **Responsible Authority**

17. At this juncture, E Moreton outlined the representations on behalf of the Licensing Authority and, in so doing, referred to complaints received by the authority and representations made by other persons (local businesses). She added that, should the Sub-Committee be minded to impose conditions on the Premises Licence, those suggested by the police required some rewording in order to render them enforceable.

### **Summing Up**

18. All parties were afforded the opportunity to make a closing statement.

### **Exclusion of Press and Public**

19. Resolved:-  
That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from consideration of the items of business in Part II of the Agenda, on the grounds that in view of the nature of the business to be transacted or the nature of the proceedings, exempt information falling within paragraph 3 of Schedule 12A to the Act (Information relating to the business affairs of particular persons) is likely to be disclosed.

All parties, with the exception of the City Council's Solicitor and the Democratic Support Officer, withdrew from the meeting at this point.

## **PART II - EXEMPT ITEMS**

### **Deliberations and Decisions**

20. The Sub-Committee discussed the issues which had been raised during consideration of the review of the Premises Licence

The Solicitor advised them of the options open to them in determining the application.

### **Re-Admission of Press and Public**

21. Resolved:-  
That the press and public be readmitted to the meeting.

## **PART I - OPEN ITEMS**

### **Announcement of Decision**

22. All parties returned to the meeting room and the Solicitor outlined the decision of the Sub-Committee as follows:-

An application has been made by the West Midlands Police for a review of the Premises Licence in respect The Greyhound, 14 Bond Street, Wolverhampton.

At this hearing to review the Premises Licence, the Licensing Sub-Committee have listened carefully to all representations made by the persons who have spoken at the hearing, namely the Police and Licensing Authority (Responsible Authority). They have listened carefully to submissions made by the Premises Licence Holder, have considered all the evidence presented and have found the following facts:

The Premises Licence Holder has failed to promote the prevention of crime and disorder licensing objective, in that there has been a catalogue of incidents of crime and disorder linked to the premises; these are detailed below:-

The Committee heard that between January 2013 and March 2013 there were five serious incidences in or outside the premises. It should be noted that at the outset of the meeting the Police made it clear to Committee that the most recent incidences are currently under investigation. As a result of this when these incidences were being discussed the press and public were excluded from the meeting.

The Committee heard that between January 2013 and March 2013 the five incidences referred to above included Class A and B drugs being found at the premises and malicious wounding. The Committee further heard representations from the Police regarding a number of incidences that had occurred at the premises between 22 September 2012 going back to 6 September 2008, namely:-

1. 22.09.12 at 2320 hours Possession of Class A drug (cocaine). Officers attended location to a report of males with weapons. Upon searching males matching description, a bag containing white powder recovered, tested and identified as cocaine
2. 26.11.11 at 0215 hours malicious wounding where male had been in the premises and was set upon by six to seven males, all males had been ejected where attack continued and he received injuries to his face and back.
3. 23.10.11 – 0030 to 0530 hours malicious wounding where female was having an altercation with another female inside the premises and had somehow ended up on ground outside front door where a male offender has kicked her with

force in the face causing a chipped tooth and cut lip

4. 20.11.10 – 0130 to 0230 hours  
malicious wounding where male victim has had a verbal altercation with another male in the toilets of the premises. Male offender has returned with three other males who have assaulted the victim causing him to lose consciousness and have lacerations to forehead and other facial injuries
5. 05.12.10 at 0338 hours  
GB W/I – male victim was refused entry into premises and a verbal altercation took place where door supervisor has stabbed victim
6. 11.04.10 at 0215 hours  
GBH W/O intent. Two males had verbal altercation on the dance floor. Victim is grappled to the floor where male offender kicks ip to head causing injury.
7. 15.05.10 – 0145 to 0215 hours  
GBH W/O intent. Male victim involved in an altercation with approximately fifteen males on the dance floor. During altercation victim received a two centimetre stab wound to upper right leg.
8. 13.02.10 at 0100 hours  
inflicted GBH W/O intent. Male victim was hit with a glass object to eye area and then dived on by offender. Received injuries to eyebrow, nose and rib cage.
9. 15.11.09 at 0335 hours  
GBH W/O intent. Males had verbal altercation in toilet area and offender hit victim to head using a glass bottle, causing a cut.
10. 03.10.09 at 0159 hours  
Affray. Persons involved in a disturbance at premises which spilled out onto street. Offenders dispersed upon police arrival.
11. 15.09.08 at 0110 hours  
GBH W/O intent. Two persons ejected from premises following an altercation inside. They then pushed victim backwards into glass door causing injuries to arm.
12. 06.09.08 at 0200 hours  
GBH with intent. The victim who is a door supervisor was approached by a male who had been refused entry. Following a verbal altercation victim has been hit over head with a glass bottle and further assaulted him. Victim required surgery to hand.

Further, at the hearing Police admitted that whilst they initially applied as a minimum to reduce trading hours of the venue and to incorporate amendments to the operating schedule, upon hearing their evidence and the evidence of other responsible authorities and interested parties they requested that the Sub-Committee considered their powers to suspend or revoke the Licence.

Based upon the above and having regard to the application and relevant representations made, the Sub-Committee have decided to revoke the Premises Licence.

The above actions are considered appropriate and proportionate action for the promotion of the prevention of crime and disorder licensing objective.

An appeal may be made to the Magistrates' Court against the decision, by the applicant, the holder of the Premises Licence or any other person who made a relevant representation, within 21 days from the date of receipt of this written decision.