



# Licensing Sub-Committee

## Minutes – 2 November 2013

### Attendance

#### Members of the Sub-Committee

Cllr Alan Bolshaw (chair)  
Cllr Keith Inston  
Cllr Neville Patten

#### Employees

Wendy Trainor	Interim Chief Legal Officer
Colin Parr	Licensing Manager
Rob Edge	Section Leader (Licensing)
Linda Banbury	Democratic Support Officer

---

## Part 1 – items open to the press and public

<i>Item No.</i>	<i>Title</i>	<i>Action</i>
-----------------	--------------	---------------

### BUSINESS ITEMS

- |    |  |   |
|----|--|---|
| 1. | <b>Apologies for Absence</b><br>There were no apologies for absence.   | - |
| 2. | <b>Declarations of interest</b><br>Councillor Inston advised that he did know one of the residents present, but that it would not prejudice his decision making. | - |

### DECISION ITEMS

- |    |   |  |
|----|---|--|
| 3. | <b>Licensing Act 2003 – Expedited Review of a premises licence in respect of Edda Lounge, Ward Street, Wolverhampton</b><br><u>In attendance</u><br><u>For the premises</u><br>Duncan Craig - Barrister<br>Jennifer Hays - Designated Premises Supervisor<br>Dovey Phillip - Premises Licence Holder<br>Luke Mesquitta and Mohammed Sunney - Door Staff (Time Security Group) |  |
|----|---|--|

John and Donna  
Harper - Local Residents

Applicant for the Review

Inspector Sarah Thomas West  
and WPC Lisa Davies - West Midlands Police

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

The Licensing Manager outlined the report circulated to all parties in advance of the meeting. It was noted that the Police would be requesting that part of the meeting be held in closed session, during which information in relation to current criminal proceedings would be disclosed.

WPC Davies outlined the application for expedited review of the premises licence and, in so doing, advised that if steps were not taken there was a danger of further crime and disorder occurring and the measures already taken by the premises would not suffice.

At this juncture the press and public were excluded from the meeting in order for the Police to continue their application for expedited review. WPC Davies provided information on the incident in the early hours of 28 October 2013 and an edited version of CCTV footage from the premises was shown to those present. The Police were requesting an immediate suspension of the premises licence, pending a full review hearing. Responding to questions, she advised that a police patrol happened to be in the area of the premises due to a completely unrelated incident and they had heard gun shots. It was acknowledged that the premises was conditioned to be closed at 0230 hours and that the CID would be able to verify the timing of CCTV footage, bearing in mind that the incident took place during the weekend that the clocks were adjusted.

A ten minute adjournment took place at this point to enable Mr Craig to clarify some matters with his client prior to his submission.

The meeting re-convened and Mr Craig advised that matters had been raised at this hearing would require further investigation, that his client was of the view that the Police had been in the area throughout the evening of 27 October 2013, that the Designated Premises Supervisor (DPS) and Premises Licence Holder (PLH) were having an animated conversation on the CCTV footage and not an argument. He added neither the PLH nor DPS were aware that there was a person on the premises with a firearm. Mr Craig read from incident log for that night and the DPS advised that a page had been ripped out for the purpose of writing down a telephone number. The DPS and PLH were unaware of the

shooting until advised by the Police. The DPS indicated that requests had been made for the Police to attend the venue at a 'decent' time as a deterrent, but this had not happened and she was not privy to information in regard to the identity of street gang members. It was acknowledged that the door staff had proven to be not up to standard, they had been dismissed and a new company employed in their place. The Premises Licence Holder had been outside the premises as it was necessary to carry out a noise check.

Responding to questions, the DPS and barrister advised that the security arch did have an audible beep as well as flashing light, but that it was possible to activate it if you had a mobile phone on you. The DPS indicated that Police presence was not requested because they were unable to run the venue, but it was necessary to demonstrate that the police and the premises were working together. The DPS confirmed that she was aware of the last entry time condition on the premises licence and that on Sunday the last entry time was midnight and this was clear on posters for the event.

At this juncture the Police and premises were afforded the opportunity to make closing statements.

## **EXCLUSION OF PRESS AND PUBLIC**

### **4. Exclusion of press and public**

Resolved:

That in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business as it involves the likely disclosure of exempt information falling within paragraph 3 of Schedule 12A of the Act.

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

## **Part 2 – exempt items, closed to the press and public**

### **5. Deliberations and decisions**

The solicitor advised them of the options open to them on the decision to be made in regard to the review application.

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

Resolved:

That the press and public be readmitted to the meeting.

## Part 1 – items open to the press and public

7. The parties returned to the meeting and the Chief Legal Officer advised that the Sub-Committee had listened carefully to both the applicant for the review and respondent. The review application had related serious crime or serious disorders or both associated with the premises and the Police had also served a certificate under section 53A(1)(B) of the Licensing Act 2003 and requested interim steps be applied to the premises licence, pending a full review hearing. In accordance with Section 53 of the Act, the Sub-Committee had decided to take the interim step of suspending the premises licence pending the full review hearing.

Wendy  
Trainor  
Rob Edge  
Linda  
Banbury

The legal representative for the premises advised that representations would be made against this decision.