

CITY OF
WOLVERHAMPTON
COUNCIL

Statutory Licensing Sub-Committee

Minutes - 18 July 2019

Attendance

Members of the Statutory Licensing Sub-Committee

Cllr Alan Bolshaw
Cllr Jonathan Crofts
Cllr Obaida Ahmed

Premises Licence Holder

Mark Coyne
Paul Ricketts

Premises Licence Holder
Bar Manager

Review applicant

Sgt Steph Reynolds
Rebecca Keeves

West Midlands Police
Barrister for West Midlands Police

Officers

Debra Craner
Lizzie Gregg
Richard Phillips
Donna Cope

Section Leader Licensing
Senior Licensing Officer
Solicitor
Democratic Service Officer

Item No. *Title*

1 Apologies for absence

There were no apologies for absence.

2 Declarations of interest

There were no declarations of interest.

3 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 items of business as they involve the likely disclosure of exempt information falling within paragraph 7 of Schedule 12A to the Act.

4 Licensing Act 2003 - Application for an Expedited Summary Review in respect of Dog and Partridge, Broad Street, Bilston, Wolverhampton, WV14 0BU

An application for an expedited summary review of a Premises Licence in respect of The Dog and Partridge, Broad Street, Bilston, Wolverhampton, WV14 0BU, had been received from West Midlands Police.

The Chair led round-table introductions and outlined the procedure to be followed. All parties confirmed that they understood the procedure.

Elizabeth Gregg, Senior Licensing Officer, provided an outline of the application. West Midlands Police confirmed that the summary was accurate.

The Chair invited West Midlands Police to present their application.

Rebecca Keeves, Barrister representing West Midlands Police, stated the grounds for review as per Appendix 3 of the restricted report and requested that the premises licence be suspended.

The Chair afforded all parties present the opportunity to question the Review applicant in relation to its representation. Rebecca Keeves and Sgt Steph Reynolds provided responses to questions asked.

The Chair invited West Midlands Police to make their final address.

West Midlands Police chose not to make a final summary.

All interested parties, with the exception of the Solicitor and the Democratic Services Officer, withdrew from the meeting to enable the Sub-Committee to determine the matter.

Prior to the Sub-Committee concluding their determination, it was communicated to them that Mr Mark Coyne, Premises Licence Holder and Mr Paul Ricketts, Bar Manager, had in fact been in attendance at the Civic Centre from prior to the start time of the Hearing. The Sub-Committee therefore decided to call all parties back into the room and the Chair explained the situation.

West Midlands police agreed that as Mr Coyne and Mr Ricketts had been in attendance, they must be given the opportunity to make submissions to the Sub-Committee.

The Sub-Committee proceeded on this basis.

The Chair led round-table introductions and invited West Midlands Police to summarise their application.

Rebecca Keeves, Barrister representing West Midlands Police, did so.

The Chair afforded the Premises Licence Holder the opportunity to question the Review applicant in relation to its representation. Rebecca Keeves and Sgt Steph Reynolds provided responses to questions asked.

The Chair invited the Premises Licence Holder to make representations. Mr Coyne and Mr Ricketts did so.

The Chair afforded all parties present the opportunity to question the Premises on their submission. Mr Coyne and Mr Ricketts provided responses to questions asked.

The Chair invited all parties present to make their final address.

Rebecca Keeves, Barrister representing West Midlands Police, made a final summary.

The Sub-Committee adjourned at 12:12 hours.

The Hearing reconvened at 13:17 hours.

All interested parties were invited back to the meeting and the Chair advised them of the decision of the Sub-Committee, which was read out in full by the Solicitor.

Resolved:

An application had been received from the West Midlands Police on 16 July 2019 for an expedited review of the Premises Licence in respect of the Dog & Partridge, Broad Street, Bilston, Wolverhampton, WV14 0BU.

The Chief of Police had given a certificate under Section 53A (1) (b) of the Licensing Act 2003 (the Act), stating that in their opinion the premises were associated with serious crime and disorder and had requested that interim steps be applied to the premises licence pending a full review hearing.

The Act and Home Office Guidance state that the tests to determine the kinds of conduct that amount to serious crime are set out in Section 81(2) and (3) (a) and (b) of the Regulation of Investigatory Powers Act 2000. These tests include conduct which constitutes an offence for which a person could reasonably be expected to be sentenced to imprisonment for 3 years or more; and involves the use of violence.

The LSC had received the certificate from the Superintendent for Local Policing, Wolverhampton and received confirmation at the Hearing that serious crime and disorder occurred at the premises.

The Sub-Committee were satisfied that a serious crime had occurred at the premises. They were further satisfied that serious disorder had occurred on the premises. Serious disorder is to be given its plain ordinary meaning.

Based upon the evidence presented, consideration had been given as to whether it was necessary to take interim steps pending determination of the review (s53C LA2003). The LSC were satisfied that interim steps were necessary and that the only suitable interim step was that in accordance with Section 53B (3) (d) of the Licensing Act 2003, the decision of the Licensing Sub-Committee was to suspend the premises licence pending the full review hearing.