

## **BARNSELY METROPOLITAN BOROUGH COUNCIL**

### **STATUTORY LICENSING REGULATORY BOARD SUB-COMMITTEE**

**23<sup>rd</sup> February, 2010**

1. **Present:-** Councillors C. C. Wraith (Chairman), Bruff and J Smith.

2. **Appointment of Chairman**

**RESOLVED** that Councillor C. C. Wraith be appointed Chairman of this Regulatory Board Sub-Committee hearing.

3. **Declarations of Personal Interest**

There were no declarations of personal interest from Members in respect of items on this agenda.

4. **Exclusion of the Public and Press**

**RESOLVED** that the public and press be excluded from the meeting during the consideration of the following item because of the likely discussion of exempt information as defined by Paragraph 7 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended)

- 5 **Expedited Review of Premises Licence – Thurnscoe Hotel, Houghton Road, Thurnscoe**

The Panel was asked to consider a request for a expedited review of the Premises Licence in respect of the Thurnscoe Hotel, Houghton Road, Thurnscoe Rotherham in accordance with Section 53A of the Licensing Act 2003.

It was reported that on the 22<sup>nd</sup> February, 2010 an application had been received from the South Yorkshire Police for an expedited review to be held to review the premises licence in respect of the Thurnscoe Hotel.

The existing premises licence was issued in the name of GRS Inns Ltd and included the following licensable activities and opening hours:-

- Regulated Entertainment & Supply of alcohol: Recorded music, facilities for making music and facilities for dancing and the sale by retail of alcohol on Mondays to ~Saturdays from 11.00 until 01.11 the following morning and on Sundays from 11.00 to 24.00
- Opening hours – as above

There had been no licensing conditions attached to the licence although voluntary conditions had been agreed between the Police and the premises licence holder (details of which were provided)

The application for the expedited review had been submitted following a number of incidents over the last 12 months which had culminated in a large public order incident involving more than 20 people on Friday 19<sup>th</sup> February, 2010 details of which were also outlined.

In connection with the above, the Panel received a schedule of incidents that had occurred at or in the vicinity of the premises during 2009/10 which also gave details of the type of response that had been initiated by the Police together with the agreements that had been entered into by the Designated Premises Supervisor and the representatives of the Police, Sergeant Barker and Acting Superintendent S Morley outlined in detail the serious crime and disorder that had occurred.

The presentation of the evidence engendered a full and frank discussion of all the issues raised and questions of a detailed and general nature were raised and answers were given to members questions where appropriate.

Mr G Kirk, representing the Borough Secretary reminded the Panel of the options that were available to it in the light of the evidence presented. He commented that the Panel was being asked to agree interim measures pending a full review of the license which would have to be undertaken within 24 days of this hearing. In addition, in the event that the license holder submitted evidence to the Authority, it may be necessary to hold a further expedited hearing within 48 hours of the submission of that evidence.

In summary, the following options were now available to the Panel:-

- Take no action
- Modify the conditions of the premises licence
- Exclude a licensable activity from the scope of the license
- Remove the designated premises supervisor from the licence
- Suspend or revoke the license

After considering all the evidence presented, it was unanimously:-

**RESOLVED:-**

- (i) that the license be suspended with immediate effect; and
- (ii) that a further Statutory Licensing Regulatory Board Panel meeting be arranged for 3.00 pm on Thursday 18<sup>th</sup> March, 2010 to fully review the premises licence.

The grounds for the decision were as follows:-

- the balance of the evidence presented appeared to demonstrate that the Premises Licence holder has lost the ability to control the premises and prevent the occurrence of serious crime and disorder
- whilst consideration was given to the agreed voluntary conditions made by the Licensing Sergeant and the respective Designated Premises Supervisor at the premises, it was apparent that these had failed to have had any remedial effect on the situation and the evidence presented further demonstrated that incidents of serious crime and disorder had occurred at various opening hours
- there were very real concerns for the safety of the public and the suspension of the premises licence was considered to be the only effective means of reducing crime and disorder in and around the immediate vicinity of the Thurnscoe Hotel

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Chairman