

**NOTES OF MEETINGS OF THE STATUTORY LICENSING  
REGULATORY BOARD SUB COMMITTEE**

**14<sup>th</sup> February, 2017**

- 1     **Present:**     Councillors Wilson (Chair), Daniel Griffin and Tattersall.

Members of the Public and Press were excluded from the meeting

2.     **Declarations of Pecuniary and Non-Pecuniary Interest**

There were no declarations of pecuniary or non-pecuniary interest.

3.     **Application for an Expedited Review – Chambers, Peel Square,  
Barnsley – Interim Review**

The Sub Committee considered a report on an application by the South Yorkshire Police for an Expedited Review of the Premises Licence in respect of Chambers, Peel Square, Barnsley.

The Sub Committee considered the application which had been based upon certain events that had taken place either inside or on the outside curtilage of the premises over the last eleven months which had culminated in a serious incident.

After hearing all the evidence presented by all parties, including the serious crime that occurred on the 9<sup>th</sup> February, 2017 and after careful consideration of the interim steps required to be taken immediately to prevent further serious crime and disorder at the premises (pending a full review of the premises licence to be held within 28 days of the application being received by the Licensing Authority) the Sub Committee determined that the following steps be implemented for the promotion of the Licensing Objectives:

**Licensable activities**

Opening hours, to the public, to be reduced to:

Monday – Saturday: 1300 – 0030hrs

Sunday: 1300 – 2330hrs

Supply of alcohol to be between the following times:

Monday – Saturday: 1300 – 0000hrs

Sunday: 1300 – 2300hrs

(Other licensable activities to retain their start times but to reflect the closing times of the premises as detailed above)

No sale of alcohol for consumption off the premises.

### **Door staff**

The current levels of door staff to be maintained at current levels

### **Management of the premises**

The Designated Premises Supervisor, or a nominated, responsible, personal licence holder, to be present at all times the premises open to the Public. This person to take responsibility for reporting Crime & Disorder incidents to South Yorkshire Police as well as any other Emergency Service which may also be required.

No glassware to be taken outside the premises.

A CCTV system to be fitted and maintained at all times the premises are open to the Public. CCTV images to be stored for 30 days and to be made available to Police, and authorised officers of the Council, in connection to the prevention of crime and disorder.

A copy of South Yorkshire Police violent incident protocol to be displayed and to form part of staff training.

### **Refusals & Incidents**

To have a strict policy on the refusal of all customers who appear too intoxicated and record such refusals.

To record incidents that occur within the premises. Door Security to advise Management of incidents which occur on the premises curtilage which are of a Crime & Disorder, ASB or Public Safety nature. These also to be recorded.

### **Pubwatch**

To be an active member of the local Pubwatch scheme.

Ensure that the premises adheres to the Pubwatch Rogues Gallery by not allowing/serving members in the premises who are barred through the scheme.

### **Non urgent contact with South Yorkshire Police**

Regular telephone calls and meetings with the Licensing Officer to identify emerging areas of concern.

The decision of the Sub Committee was unanimous.

**6<sup>th</sup> March, 2017**

- 4      **Present:**      Councillors C Wraith MBE(Chair), Daniel Griffin and Wilson together with Councillor Tattersall (Reserve Member).

Members of the Public and Press were excluded from the meeting

**5. Declarations of Pecuniary and Non-Pecuniary Interest**

There were no declarations of pecuniary or non-pecuniary interest.

**6. Application for a Review of the Premises Licence – Chambers, Peel Square, Barnsley**

The Sub Committee considered a report on a review of the Premises Licence in respect of Chambers, Peel Square, Barnsley which was required to be held following an expedited hearing held on the 14<sup>th</sup> February, 2017.

The Sub Committee determined that, having heard representations from all parties, and those parties having mediated to an agreed set of conditions, it was appropriate to endorse those proposals as follows:

- That the conditions imposed at the expedited hearing be retained but that the opening hours revert to those of the original premises licence; and
- That in relation to Door Staff:
  - 2 Door Staff be on duty from 8.00 pm to Closing time on Fridays and Saturdays; and
  - 2 Door Staff be on duty from 7.00 pm to Closing Time on Sundays

These conditions were to come into force with immediate effect.

The decision of the Sub Committee was unanimous.

**15<sup>th</sup> March, 2017**

- 7 Present:** Councillors W Johnson (Chair), Frost and Daniel Griffin together with Councillor Wilson (Reserve Member).

Councillor Wilson left the meeting prior to the commencement of the case as he was not required to act in the capacity of Reserve Member.

Members of the Public and Press were excluded from the meeting

**8. Declarations of Pecuniary and Non-Pecuniary Interest**

There were no declarations of pecuniary or non-pecuniary interest.

**9. Review of Premises Licence – Whispers, Regent Street, Barnsley**

The Sub Committee considered a report on an application by the South Yorkshire Police for a Review of the Premises Licence in respect of Whispers, Regent Street, Barnsley.

The Sub Committee considered the application which had been based upon the continual breach of licence conditions, anti-social behaviour and lack of confidence in the management of the premises within the context of the Licensing Objectives and particularly Objectives:

- Prevention of Crime and Disorder; and
- Public Safety

The Sub Committee noted that Statutory Guidance required it to consider only those steps that were necessary and proportionate to promote the Licensing Objectives. After considering all the evidence presented and having listened to the representations made by all parties the Sub Committee determined that in order to promote those Objectives, the licence in respect of Whispers be revoked on the following grounds:

- The continual breach of licence conditions
- The anti-social behaviour occurring at and in the vicinity of the premises
- The Responsible Authorities lack of confidence in the management of the premises
- The lack of communication from the premises and the failure to manage incidents
- The ongoing safety concerns linked to the electrical works which remain incomplete
- The safeguarding concerns in respect of poor security procedures and the lack of effective management
- The failure to fully comply with the additional conditions attached to the licence following a review of the premises licence in 2016

The Sub Committee also noted that, as a matter of law, the Premises Licence holder was responsible for the management of the premises. The Licence holder in this case, could have taken action personally to remedy the issues identified at the hearing and this was also permitted as detailed within Paragraph 29.6 of the Tenancy Agreement, but he failed to take any action.

The decision of the Sub Committee was not unanimous.