

MINUTES of a meeting of the LICENSING SUB COMMITTEE held in the Council Chamber, Council Offices, Coalville on WEDNESDAY, 28 MAY 2014

Present: Councillors G A Allman, T Neilson and M Specht

Officers: Mr D Gill, Mrs C Hammond and Mrs C Storer

Interested Parties: Ms A Burr (Neighbour), Ms S Cockburn (Designated Premises Supervisor), Sergeant C Hulse (Leicestershire Police), Insp. N Rixon (Leicestershire Police), Mr P Thomas (representing Enterprise Inns), Mr S Wallace (Premises Licence Holder), Sergeant M Watson (Leicestershire Police), Mrs N Whyman (Neighbour) and Mr P Whyman (Neighbour)

1 ELECTION OF CHAIRMAN

It was moved by Councillor T Neilson, seconded by Councillor G A Allman and

RESOLVED THAT:

Councillor M Specht take the chair for the remainder of the meeting.

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor N Smith.

3 DECLARATION OF INTERESTS

No interests were declared.

4 APPLICATION FOR THE REVIEW OF A PREMISES LICENCE

The Legal Advisor provided Members with an update on the current position at the premises, the applications to change the Premises Licence Holder and the Designated Premises Supervisor, and the fact that the representation period was still live. It was suggested that it may be appropriate for the police, and the new Designated Premises Supervisor and Premises Licence Holder to adjourn to negotiate potential changes to the Premises Licence that could be made effective upon confirmation of the applicants in post.

At 6.10pm the Sub Committee adjourned and reconvened at 7.15pm.

The Legal Advisor provided Members with a more detailed update. He outlined the review application and that Mr Wallace was the leaseholder of the premises and on becoming aware of the issues had terminated the relationship with Garbo Inns Ltd and Mr Garbett submitting new applications to the Licensing Authority. The changes to the Premises Licence Holder and the Designated Premises Supervisor were notified in writing on 21 May 2014 and became effective immediately, subject to a representation period which closed on 4 June 2014 during which the Police could lodge objections on crime and disorder grounds.

The Legal Advisor informed Members that he had himself obtained legal advice in order to validate his view of the position and advised members that the statutory guidance was clear that revocation of a licence should be seen as a last resort and should only be considered where attempts to iron out the issues that were undermining the licensing objectives had failed.

He went on to advise that Members could only consider the application before them which related to the previous Designated Premises Supervisor and Premises Licence Holder. He

Chairman's initials

also highlighted to them that the evidence appeared to show that the issues at the premises had arisen directly from the manner in which the premises had been managed.

The Legal Advisor suggested that Members should consider whether in fact they wanted to take any further action on the review as the outcome requested by the police had already been achieved and cautioned about considering amendments to the conditions that would directly impact on the new Premises Licence Holder and Designated Premises Supervisor when the evidence before them related to the previous operators.

There were no further representations from interested parties.

There were no further questions from Members

It was moved by Councillor T Neilson, seconded by Councillor G A Allman and

RESOLVED THAT:

No further action be taken on the review application.

Members were aware that the new Designated Premises Supervisor and Premises Licence Holder had had extensive negotiations with the police and agreed a series of conditions that would be imposed on the premises licence by way of a minor variation. Members congratulated all parties on the common sense approach that had been adopted in resolving the issue.

The meeting commenced at 6.10 pm

The Chairman closed the meeting at 7.30 pm

Chairman's initials