

MINUTES of the meeting of Regulatory Sub Committee held at Committee Room 1, The Shire Hall St Peter's Square Hereford HR1 2HX on Wednesday 4 February 2015 at 11.30 am

Present: Councillor (Chairman)
Councillor (Vice Chairman)

Councillors: CM Bartrum, A Seldon and P Sinclair-Knipe

In attendance:

Officers: Fred Spriggs

1. ELECTION OF CHAIRMAN

Councillor A Seldon was proposed as Chairman by Councillor Bartrum and seconded by Councillor Sinclair-Knipe

2. APOLOGIES FOR ABSENCE

No apologies for absence were received.

3. NAMED SUBSTITUTES (IF ANY)

There were no substitutes present at the hearing.

4. DECLARATIONS OF INTEREST

There were no declarations of interest made.

5. EXPEDITED/SUMMARY LICENCE REVIEW OF THE PREMISES LICENCE IN RESPECT OF THE DUCKING STOOL, 11 SOUTH STREET, LEOMINSTER, HR6 8JA - LICENSING ACT 2003

The Regulatory Sub-Committee was convened in order to determine an application for an expedited review of a premises licence for the Ducking Stool, 11 South Street, Leominster, Herefordshire HR6 8JA.

The review had been applied for on behalf of Superintendent Susan Thomas, representing West Mercia Police. The review related to the licensing objectives of the prevention of crime and disorder.

The Chairman introduced the Members and Officers and asked any interested parties to introduce themselves. The following interested parties were present: Inspector Bob Barnett and Jim Mooney representing the Applicant for the Review – West Mercia Police. Janet Morris, Premises Licence holder for the Ducking Stool and her husband Mr Mathew Morris. The Head Doorman at the Ducking Stool was also in attendance.

The Licensing Officer, Fred Spriggs presented the report.

Inspector Bob Barnett addressed the Sub Committee and presented the statement set out at section four of the application form for a review, as appended to the report in the agenda papers.

He concluded by stating that the view of West Mercia Police was that the premises licence should be suspended immediately and the Designated Premises Supervisor (DPS) be removed.

He also added that if a decision not to suspend the licence is taken by the Committee, that the following measures are taken

- The removal of the DPS
- A reduction of Friday and Saturday Licensing hours
- That the DPS to be in attendance on the premises from 20:00hrs every night
- The removal of the incumbent Security Team.

Janet Morris was invited to address the committee and made the following comments:

- She disagreed with the police report
- As far as she was aware there had been no incidences in the past involving the police.
- Had not received assistance from the Police in the past when requested.
- The victim referred to in the police report was 29 years of age and not 24
- The victim was not playing pool but was outside smoking
- Doorman intervened in an altercation straight away
- No one was knocked to the ground
- CCTV shows victim leaving the premises with no marks on his face
- Had heard that the victim had fell down stairs at his home

Janet Morris also enquired as to the identity of the victim and perpetrator

Inspector Bob Barnett replied that incidents referred to in the report were over a number of years. The victim had received catastrophic injury to his eye and had provided a statement confirming that the injury was as result of an assault at the Ducking Stool. Inspector Barnett also had concerns regarding the management of the incident in particular the provision and maintainance of the CCTV and incident book entries. He also confirmed that it would not be appropriate to name any individuals.

Janet Morris replied that in her experience the Police cannot sometimes play and view the complete CCTV footage.

The Chairman stated that the Committee was not sitting to discuss the use or failings of technology.

The Sub-Committee retired to make its decision.

When the meeting was reconvened the Chairman read out the decision as follows:

Resolved:

That it is the decision of the Committee that the licence is suspended and that the Designated Premises Supervisor is removed until such time that a full review is convened.

The nature of the injury and apparent non-adherence to the Licence Conditions is of great concern. You have the option to challenge the decision in that time. You may wish to obtain legal advice in the matter.

The meeting ended at 12:05pm

CHAIRMAN

