

MINUTES of the meeting of Regulatory Sub Committee held at Committee Room1, The Shire Hall St Peter's Square Hereford HR1 2HX on Friday 6 February 2015 at 2.30 pm

Present: Councillors: C Bartrum, Brig P Jones CBE and A Seldon

1. ELECTION OF CHAIRMAN

Councillor A Seldon was elected as Chairman for the Regulatory Sub-Committee hearing.

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. TO CONSIDER REPRESENTATION AGAINST THE INTERIM STEPS IMPOSED ON 4 FEBRUARY 2015 BY THE REGULATORY SUB-COMMITTEE FOLLOWING AN APPLICATION FOR AN 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 consider a representation against the interim steps imposed on 4 February 2015 by the Regulatory Sub-Committee following an application for an expedited/summary licence review of the Premises licence in respect of the Ducking Stool, 11 South Street Leominster HR6

The Chairman introduced the Members and Officers and asked any interested parties to introduce themselves. The following interested parties were present: Inspector Nick Semper and Jim Mooney West Mercia Police. Fred Spriggs Licensing Officer, Janet Morris, Premises Licence holder for the Ducking Stool and Natalie Norman an employee at the Ducking Stool.

The Licensing Officer, Fred Spriggs presented the report.

The Chairman explained the rationale behind the decision taken on the 4 February 2015

Mrs Morris was invited to explain what has changed since the 4 February that would allow the licence to be reinstated.

Mrs Morris explained that she had contacted the Licensing Department to confirm the requirements of the licence and had provided details of an alternative Designated Premises Supervisor.

The Licensing officer confirmed that Wayne Morris of the premises known as Shooters Bar has confirmed that he is prepared to be the DPS for the Ducking Stool. The application would go be considered by the police for suitability. If the police refuse then this matter would come back before this committee.

Inspector Nick Semper outlined a statement from the original application and added that two individuals had been arrested on bail while further enquiries were being carried out.

The following points were also made:

An assault did take place inside the premises and near the pool table
Significant injuries were sustained
The incident was recorded on the CCTV system
The victim is 29 years of age and not 24 as previously notified.
The assault took place around 0200hrs and not 0100 hrs as previously notified
A number of drunks were on the premises

Inspector Semper believed that Mrs Morris has some difficulty in grasping the legal requirements of the licence i.e. door staff, DPS, age verification, and crowd dispersal.

It was also confirmed that evidence of the incident would be provided for the premises review.

Jim Mooney confirmed that the replacement DPS would be acceptable

At this point the meeting was adjourned for ten minutes for Mrs Morris and the Police to discuss licence conditions.

On return Mrs Morris addressed the committee with the following points made.

- Apologised for the severity of the offence
- Doorman has been replaced
- New DPS in place
- Two new doorman employed
- Personal Licence holder to be on the premises
- Will provide a list of Personal Licence holders.

The Chairman read out the following statement:

The committee is minded, as an interim step, to grant a licence with the additional conditions as confirmed by Fred Spriggs. I remind you that this is an interim step pending the convening of a full review hearing which will be at the beginning of March date to be set. You must be also aware that the premises will come under considerable scrutiny in the intervening time

I advised you on the last occasion that you may consider independent advice. I will stress this again.

Conditions as recommended by West Mercia Police

1. Removal of the designated premises supervisor and to be replaced with a designated premises supervisor that meets the satisfaction of the West Mercia Police.
2. Reduction in operating hours for licensable activities on Friday and Saturday nights. The terminal hour being reduced to midnight.

3. A personal licence holder to be on the premises from 2000hrs to end of licensable hours on Friday and Saturday.
4. A written list of personal licence holders will be supplied to the police and only personal licence holders who are agreed by the police shall be so employed.
5. Requirements that a minimum of two (2) registered SIA door supervisors are employed at the premises and are deployed from 2100hrs on Friday and Saturdays until the conclusion of licensable activities.
6. All door supervisors employed will meet the satisfaction and requirements of West Mercia Police.
7. A register of door supervisors shall be kept at the premises. Such register shall be signed by the door staff and shall show their badge number, name, time of start of duty and time of finish.

ADDITIONAL INFORMATION

1. The Committee is required to review the premises licence in full within 28 days of the application for an Expedited/Summary licence review made on 3 February 2015.

There is no right of appeal to a magistrates' court against the licensing authority's decision at this stage

This ended the meeting

The meeting ended at Time Not Specified

CHAIRMAN