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| MEETING: | REGULATORY SUB-COMMITTEE |
| MEETING DATE: | 4th February 2015 |
| TITLE OF REPORT: | Expedited/Summary Licence Review of the Premises Licence: The Ducking Stool, 11 South Street, Leominster, HR6 8JA - Licensing Act 2003 |
| REPORT BY: | Head of Trading Standards and Licensing |

Classification

Open

Key Decision

This is not an executive decision.

Wards Affected

Leominster

Purpose

To consider an application for an '*expedited licence review*' of the premises licence relating to The Ducking Stool, 11 South Street, Leominster, HR6 8JA called by Susan Thomas, Superintendent of the West Mercia Constabulary and represented by Inspector Bob Barnett.

Recommendation

That:

Sub-Committee determine the interim steps necessary to prevent serious crime or serious disorder at the premises and to promote the licensing objectives in the overall interests of the local community. They should give appropriate weight to:

- The steps that are necessary to assist with the prevention of serious crime and disorder,
- The representations (including supporting information) presented by all parties,
- The Guidance issued to local authorities under Section 53A of the Licensing Act 2003 by the Violent Crime Reduction Act 2006, and
- The Herefordshire Council Licensing Policy.

Options

1. The interim steps that the licensing authority can consider taking are:

Further information on the subject of this report is available from
Fred Spriggs – Licensing Officer 01432 383542

Take no action or

Take any of the following steps: -

- (a) to modify the conditions of the licence;
- (b) the exclusion of the sale of alcohol by retail (or other licensable activities) from the scope of the licence;
- (c) to remove the designated premises supervisor;
- (d) to suspend the licence;

Where the authority takes a step mentioned in subsection (a) or (b), it may provide that the modification or exclusion is to have effect until the full review hearing.

Reasons for Recommendations

2. Ensures compliance with the Licensing Act 2003 and the Crime & Disorder Act 2006.

Key Considerations

3. The powers to call for an expedited review are contained in Section 53A of the 2003 Act by virtue of the Violent Crime Reduction Act 2006. The powers allow:
 - The police to trigger a fast track process to review a premises licence where the police consider that the premises are associated with serious crime or serious disorder (or both); and
 - The licensing authority to respond by taking interim steps quickly, where appropriate, pending a full review.

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| Applicant | Susan Thomas – Superintendent West Mercia Constabulary Represented by: - Inspector Bob Barnett | |
| Premise Licence Holder | Janet Morris The Ducking Stool, 11 South Street, Leominster, HR6 8JA | |
| Solicitor | Not known | |
| Type of application: Expedited Review | Date received: 03/2/2015 | Interim Steps Hearing 48 hours 04/2/2015 |

4. Current Licence

The current licence authorises the following licensable activities during the hours shown: -

A Performance of Live Music
 Sunday – Thursday 20:00 – 23:00
 Friday, Saturday 20:00 – 02:00

Any playing of Recorded Music
 Sunday – Thursday 11:00 – 23:30
 Friday, Saturday 11:00 – 02:00

Sale by retail of alcohol
Sunday-Thursday 11:00-00:00
Friday, Saturday 11:00-02:30

5. **The Grounds for the Review**

The grounds for the review and the Superintendent's authority are contained in Appendix 1 and 2 of the background papers.

6. The committee have to decide what action should be taken, if any, to prevent further outbreaks of serious crime and disorder and to promote the four licensing objectives in accordance with the recommendation.

Community Impact

7. Any decision is unlikely to have any significant effect of the local community.

Equality duty

8. There are no equality or human rights issues in relation to the content of this report.

Financial implications

9. There are unlikely to be any financial implications for the authority at this time.

Legal Implications

10. The premise licence holder may make representations against the interim steps taken by the licensing authority. There is not a time limit for the premises licence holder to make representation on the interim steps, although this would be within the normal review period of 28 days. On receipt of representations and if they are not withdrawn, a hearing must be arranged within 48 hours of receipt.

Risk Management

11. There is little risk associated with the decision at this time as the legislation allows representation to be made against the interim steps.

Consultees

12. Copies of the application and certificate have been sent to the responsible authorities.

Appendices

13. Application for expedited review
14. Superintendent's certificate
15. Summary Review Guidance issued by the Home Office

Background Papers

None.