

LICENSING ACT 2003 SUB-COMMITTEE

Wednesday, 22 March 2017

Present:

Councillors D Burgess-Joyce
 A Hodson
 D Mitchell

36 **APPOINTMENT OF CHAIR**

Resolved – That Councillor A Hodson be appointed Chair for this meeting.

37 **MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members of the Sub-Committee were asked to declare any disclosable pecuniary and non pecuniary interests in connection with any application on the agenda and state the nature of the interest.

No such declarations were made.

38 **SUMMARY REVIEW: TRAFFIC BAR, 110-112 ARGYLE STREET, BIRKENHEAD**

The Managing Director for Delivery reported upon an application for a Summary Review of a Premises Licence in respect of Traffic Bar, 110-112 Argyle Street, Birkenhead, under the provisions of the Licensing Act 2003.

In accordance with the Licensing Act 2003, Merseyside Police had applied for a Summary Review of the Premises Licence for the Traffic Bar following a serious violent incident that had taken place at the premises in the early hours of 20 March 2017 and had requested that the Licensing Authority suspend the licence as an interim step pending the full hearing of the Review.

Merseyside Police were represented by Samantha Cushion and Gillian Littlehales.

Mr Allen, Premises Licence Holder attended the meeting with a member of staff from the premises and his legal representative.

Merseyside Police presented CCTV evidence to Members which showed a serious violent incident that had taken place at the premises on 20 March 2017. Members had also been provided with correspondence which confirmed that there had been issues of concern at the premises previously.

The legal representative of the Premises Licence Holder made representations to Members and proposed that a number of measures be implemented at the premises to prevent such incidents reoccurring. These included closing the premises voluntarily for a period of two weeks, during which time the company providing the door supervisors would be changed, plastic vessels would be used in future and furniture would be secured. Members were also advised that the owner of the building intended to auction the premises in two weeks' time.

In considering the application, Members took account of the Senior Police Officer's Certificate that accompanied the application, representations received from Merseyside Police and the representations made on behalf of the Premises Licence Holder. Members also had regard to the Summary Review Guidance issued by the Home Office.

In determining whether the interim step proposed by Merseyside Police was appropriate and proportionate, Members had regard to the measures proposed on behalf of the Premises Licence Holder. Members had regard to the fact that despite the recent measures that had been implemented by the premises to prevent such incidents occurring, these measures had been ineffective. Members also took into account the Police's submission that they had no confidence in the management of the premises and that the only appropriate measure would be to suspend the Premises Licence pending a full review hearing.

Members concluded that they were not satisfied that the measures proposed by the Premises Licence Holder would be sufficient to prevent any further incidents of crime and disorder taking place in connection with the premises.

Resolved -

(1) That in accordance with Regulation 14(2) of the Licensing Act 2003, the public be excluded from the meeting during consideration of the application.

(2) That the Premises Licence in respect of the Traffic Bar, 110-112 Argyle Street, Birkenhead, be suspended with immediate effect pending the determination of the expedited review by the Licensing Act 2003 Sub-Committee.