

LICENSING PANEL

Friday, 5 November 2021

Present: Councillors A Hodson
D Mitchell
C O'Hagan

21 APPOINTMENT OF CHAIR

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

22 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Panel 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.

23 SUMMARY REVIEW: PLATINUM BAR, CONWAY STREET, BIRKENHEAD

The Licensing Manager reported upon an application for a Summary Review of a Premises Licence in respect of Platinum Bar, Conway 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 Platinum Bar following a serious violent incident that had taken place at the premises in the early hours of Sunday 31 October 2021. Merseyside Police were represented at the Hearing.

The Designated Premises Supervisor attended the meeting together with a member of staff from the security company of the premises, his legal representative and expert witness.

The Licensing Sergeant requested that the meeting take place in private under Regulation 14 of the Licensing Act 2003, Hearing Regulations 2005 due to ongoing investigations in the matter and evidence that would be provided during representations made and viewing of CCTV footage.

Members of the Licensing Panel considered Regulation 14 of the Licensing Act 2003, Hearings Regulations 2005 and following the representations made by Merseyside Police decided that the matter be heard in private.

Merseyside Police outlined the reasons they had submitted the Summary Review and presented CCTV evidence to Members in support of their application. Members also viewed footage from a body worn camera of a Police Officer who had attended the premises on the evening after the incident had occurred. Merseyside Police submitted that there was no lesser step other than the suspension of the Premises Licence that could be taken to prevent serious crime and disorder occurring at these premises.

The Premises Licence Holder and his legal representative made representations to Members. They believed it would not be necessary to suspend the Premises Licence and proposed that a number of measures be implemented at the premises to prevent such incidents reoccurring.

In considering the application, Members took account of the Senior Police Officer's Certificate that accompanied the application as well as evidence and representations received from Merseyside Police and the representations made by and 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 also took into account the Police's submission 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 Platinum Bar, Conway Street, Birkenhead, be suspended with immediate effect pending the determination of the expedited review by the Licensing Panel.