

**LICENSING SUBCOMMITTEE D  
(2003 ACT)**21 July 2008  
1.30pm – 2.10pm

**Present:** Councillors Rosenstiel (Chair), Stuart and Upstone

**08/lic/14      Declarations of Interest**

No declarations of interest were made.

The Subcommittee noted that the Chair was a member of CAMRA, the Campaign for Real Ale.

**08/lic/15      Procedure to be Followed**

The procedure for hearings of the subcommittee set out on the agenda was noted

**08/lic/16      Exclusion of the Public**

The Subcommittee were advised that under S14 of the Licensing Act 2003 (Hearings) Regulations hearings were to take place in public.

**08/lic/17      Chair's Ruling under 100B(4)(b) of the Local Government Act 1972**

The Chair ruled that under 100B(4)(b) of the Local Government Act 1972, the oral report by the Licensing Officer on the application for a review of the Premises Licence of the Locomotive Pub Mill Road be considered, despite not being made publicly available five clear days prior to the meeting. He noted that members of the Sub Committee had been notified of the need to hold a meeting in compliance with the Summary Review requirements of the Licensing Act and that a copy of the Agenda had been placed on public deposit.

**08/lic/18      Application for the Review of a Premises Licence Under section 53A of the Licensing Act 2003: The Locomotive**

**Present for this application:**

**For the Police: Simon Walsh, Inspector Chris Porter, Hannah Pooley, PC Sinclair**

**For the Licence Holder: Guy Lavenburg, Mark Francis (Punch Taverns)**

**The hearing:**

**The Licensing Officer** made an oral report following the receipt of an application under section 53A of the Licensing Act 2003 and the accompanying certificate under the provisions in that section. New provisions within the Act, inserted by the Violent Crime Reduction Act 2006, allowed for a 'fast track' review process when the Police considered that the premises concerned was associated with serious crime or serious disorder, or both and came into force 1 October 2007.

She outlined the process and timetable for an expedited premises review and the need for the licensing authority to consider the need for any interim steps pending determination of that review.

The Designated Premises Supervisor had been notified of the meeting but was not present or represented and had not submitted a representation.

**Simon Walsh, for the Police**, spoke to the background to the application made and referred to two further documents submitted: the Problem Profile for the Locomotive PH and the Statement by Inspector Porter, copies of which were circulated to members and the Licence Holder's representatives.

He said that the Police considered that the premises concerned was associated with both serious crime and serious disorder and were of the view that the licence should be suspended to give the Licensee time to rectify the situation at the premises.

**Guy Lavenburg, for the Licensee**, agreed with Police's representative's comments and confirmed that the Licensee would be consulting the Police before the review took place to ensure their agreement on rectifying the problems experienced.

The parties present said they had had sufficient opportunity to speak to the Subcommittee.

The Subcommittee considered the options available to them, including the removal of the Designated Premises Supervisor from the licence.

Members of the Sub-Committee retired at 2.0pm to consider the application and returned at 2.10pm with their decision.

**The Decision:** In reaching the decision on the application the Subcommittee considered the material presented, the Council's Statement of Licensing Policy and the Statutory Guidance under the Licensing Act 2003.

Having considered the evidence presented to them in the hearing, the Sub Committee were satisfied that the premises are licensed premises in relation to the sale of alcohol and that the premises have been associated with serious crime and serious disorder, namely that the police presented evidence of 22 violent incidents occurring on the premises since 1<sup>st</sup> July 2007, and the seizure of a substantial quantity of class A drugs on the premises on 13<sup>th</sup> July 2008.

The Sub Committee considered that in view of the seriousness of the crime and disorder it was necessary to take interim steps pending the determination of the review and that the licence be suspended with immediate effect.

The Meeting concluded at 2.15pm

