



Minutes of the Licensing Sub-Committee

20 October 2017

-: Present :-

Councillors Doggett, Pentney and Thomas (J)

57. Election of Chairman/woman

Councillor Thomas (J) was elected as Chairman for the meeting.

58. Exclusion of the Press and Public

Prior to consideration of the item in Minute 59 the press and public were formally excluded from the meeting on the grounds that the item involved the likely disclosure of exempt information as defined in paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

59. Summary Review of a Premises Licence for The Globe Inn, 131 Winner Street, Paignton.

Members considered a report on an application made under Section 53A for a Summary Review of a Premises Licence for The Globe Inn, 131 Winner Street, Paignton.

Additional Information:

The Hearing was scheduled to commence at 9.30 a.m. The Respondent had not arrived at the stated start time, the Senior Licensing Officer confirmed that a letter had been delivered to the Respondent stating a start time of 9.30 a.m. The Chairman agreed to delay for five minutes, following which the Chairman agreed the hearing should commence in the absence of the Respondent.

At 10 a.m., during the summing up period, the Respondent arrived at the hearing. With the Chairman's agreement an adjournment was permitted in order for the Respondent to re-familiarise himself with the application and supporting information. The Chairman then agreed to the Respondent providing an oral response to the Summary Review Application.

Oral Representations received from:

Name	Details
Applicant	The Applicant outlined the background and reasons for submitting an application under Section 53A for a Summary Review and responded to Members questions.
Respondent	The Respondent addressed the application for Summary

	Review and responded to Members questions.
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Decision:

Following the Section 53A Summary Review application by the Police, Members resolved that the Premises Licence, in respect of The Globe Inn, 131 Winner Street, Paignton, be suspended with immediate effect until 16 November 2017, in accordance with the Licensing Act 2003 provision.

Reason for Decision:

Having carefully considered all oral and written representations, Members resolved to suspend the Premises Licence having noted the number of serious incidents that have occurred at this Premise, as identified by the Police in their Application and oral submissions.

In coming to that decision, Members had regard to the evidence before them which clearly demonstrated that the Licensing Objective, 'The Prevention of Crime and Disorder' had been seriously undermined on numerous occasions and the use of weapons. Members noted that the Designated Premises Supervisor (DPS) had not taken sufficient steps to remedy the long standing concerns of the Police, despite previous warnings and support given by them. Members further noted that the responses given by the DPS to the evidence outlined in the Police's application was weak, did not provide any assurances of change in the premises operation, appeared not to acknowledge the seriousness of the situation he found himself in and the actual likelihood of real risk of harm should the Premises remain open.

Members considered what if any other interim steps may have been appropriate and proportionate in the circumstances but resolved that on the evidence before them, an immediate suspension was the only appropriate course of action to ensure public safety and that this suspension shall remain in force until a Full Licensing Review hearing can be determined.

In concluding, Members noted that the Premise is leased to the DPS and there is an apparent absence of any involvement by the Premises Licence Holders, despite being contacted by one of the Responsible Authority's. Members expect in the interim period that the Premises Licence Holders come forward and engage fully with the Responsible Authorities to provide clear assurances in the future operation of these Premises that will promote the Licensing Objectives should the Premises be permitted to keep its Licence, as to be determined by Members at the Full Licensing Review hearing.

Chairman/woman