



Minutes of the Licensing Sub-Committee

4 April 2018

-: Present :-

Councillors Doggett, Thomas (D) and Stocks

1. Election of Chairman/woman

Councillor Doggett was elected as Chairman for the meeting.

2. Winstons, Station Square, Paignton

Members considered an application for a Summary Review of a Premises Licence in respect of Winstons, Station Square, Paignton.

Oral Representations received from:

Name	Details
Applicant (Police)	The Applicant outlined their application for a Summary Review and responded to Members questions.
Respondent's Representative	The Respondents Representative set out their response to the application for a Summary Review, detailed action taken since the incident and responded to Members questions.

Additional Information

The Chairman permitted an extension of time for oral representations and advised that each party would be permitted 50 minutes to make their representation.

Decision:

That the Premises Licence in respect of Winstons, Station Square, Paignton shall be suspended with immediate effect until the 27 April 2018 whereby a Review Hearing would have been heard on the 26 April 2018, as in accordance with the Licensing Act 2003 provision.

Reason for Decision:

In coming to their decision, Members gave careful consideration to all the oral and written Representations before them and the CCTV video footage seen by them at the hearing. In doing so, Members considered what interim steps would be necessary in addressing the matter before them and unanimously resolved that the only appropriate step in this instance, was an immediate suspension of the Premises Licence.

Members gave careful consideration to other interim steps, such as removing the Designated Premises Supervisor (DPS) and formally removing the door steward company, Fortem Security Ltd who provided door stewards to the premises but in viewing the CCTV footage, which clearly showed serious failings by the current DPS and SIA Door Stewards on the 10th March 2018 which by his own admission, had been viewed by the Premises Licence Holder the following day, it was of great concern to Members that the measures taken by the Premises Licence Holder since the incident had only occurred following the Summary Review application being submitted by the Police. In Members opinion, such a delay in light of the serious failings fell well below the standard reasonably expected by them of a responsible Premises Licence Holder.

Adding to their determination, Members had serious concerns on hearing that despite the Premises Licence Holder removing Mr Mudge as the Designated Premises Supervisor, Mr Mudge would continue to have involvement in operation of these premises and it was their opinion, that any influence Mr Mudge may have in respect of these premises would hinder necessary action to fundamentally improve its operations to ensure that all four licensing objectives are promoted in the future. In coming to that opinion, Members noted the inactions of Mr Mudge on the 10th March 2018 and the fact that a further incident of violence in respect of these premises had occurred over the recent Bank Holiday weekend whilst he remained the Designated Premises Supervisor.

Members were further concerned that the current practices and procedures in place, as orally submitted by the Premises Licence Holder, did not appear to be robust enough to manage the operations of a late night premises and in respect of this incident, it was an even greater concern to Members that the premises known practices and procedures were not followed by either employees of the premises or SIA door stewards which in itself, could have led to the fatality of an individual.

In concluding, Members noted the concerns raised by the Police in respect of the proposed replacement Designated Premises Supervisor and the SIA Door Steward company, as orally submitted at the hearing by the Premises Licence Holder and resolved that with such uncertainty in respect of their suitability, the Premises Licence Holder should use the interim period to resolve these concerns which ensure compliance with the Council's Licensing Statement of Principles and have in place a Designated Premises Supervisor who the Police have not objected to.