

FOR PUBLICATION

AGENDA ITEM

LICENSING ACT 2003
CONSIDERATION OF APPEAL IN RESPONSE TO THE INTERIM
STEPS FOLLOWING AN APPLICATION FOR A SUMMARY REVIEW
OF A PREMISES LICENCE
PREMISES: BAR CENTRO, 5 HOLYWELL STREET, CHESTERFIELD

MEETING: LICENSING COMMITTEE

DATE: 20 DECEMBER 2013

REPORT BY: LICENSING OFFICER

WARD: ST. LEONARDS

1.0 PURPOSE OF REPORT

1.1 The purpose of this report is for the Committee to consider the appeal submitted to the Council on 18th December 2013 on behalf of the Premises Licence Holder in response to the Committee's decision on the 17th December 2013 to suspend the Premises Licence (Determination of application from Derbyshire Constabulary for an Expedited Review) with immediate effect pending the determination of the full review application.

2.0 APPLICATION FOR A SUMMARY REVIEW

2.1 The application for a summary review was made by the Chief Officer of Police on 16 December 2013 and received by the Licensing Authority at 12 noon on that date. A copy of the application form and the certificate given by the police is attached at Appendix 1.

- 2.2 A copy of the premises licence is attached at Appendix 2.
- 2.3 A copy of the Secretary of State's guidance relating to summary reviews is attached at Appendix 3.
- 2.4 The application was made on the grounds that the police are of the opinion that the premises are associated with serious crime.
- 2.5 The Licensing Committee met on 17th December 2013 to consider whether it was necessary to impose interim steps on the premises licence. The Committee considered the matter to be serious and suspended the licence from 9pm on 17th December 2013. The Committee decision letter is attached at Appendix 4.
- 2.6 As the Committee decided to suspend the licence as an interim step prior to the hearing for the Review of the Premises, the Premises Licence Holder can make representations against the Committees decision.
- 2.7 The Premises Licence Holder submitted the appeal to the Council on 18th December 2013. A copy of the appeal is attached at Appendix 5.
- 2.8 As a representation has been made, the Committee must hold a further hearing with 48 hours to review the matter. This is the matter which is under consideration today.
- 2.9 The Committee must carry out a full review of the premises licence and make a final decision within 28 days time. The full review hearing will take place next month.
- 2.10 The Committee can at today's meeting consider the following options:-
- Modifying the conditions of the premises licence;
 - Excluding the sale of alcohol by retail from the scope of the licence;
 - Removing the Designated Premises Supervisor from the licence;
 - Suspending the licence.

3.0 **RECOMMENDATION**

- 3.1 That the Committee consider whether to continue to suspend the Premises Licence relating to the premises known as Bar Centro, 5 Holywell Street, Chesterfield, or whether to take any other options as set out in paragraph 2.10 of this report, pending the determination of a summary review of the premises licence which has been applied for by the Chief Officer of Police, Derbyshire Constabulary.

LICENSING OFFICER

19 DECEMBER 2013