

## LICENSING SUB COMMITTEE

18 JANUARY 2016

Present: Councillors Charlesworth, Dowling (Chair), Roberts and Webb in reserve. Also in attendance: Bob Brown, Licensing Manager; Trevor Scrase, Senior Licensing Officer; Mr Peter Savill, Barrister for Sussex Police Authority; Anthony Masters, Sussex Police Licensing Officer, Mrs Jean Irving, Head of Licensing and Public Safety for Sussex Police; Sergeant Vokins, Sussex Police Licensing Team, and PC Chris Trevena, Sussex Police Licensing Team.

### 42. APPOINTMENT OF CHAIR FOR THIS MEETING

In accordance with the terms of reference of the Licensing Committee, the Chief Legal Officer invited nominations for the appointment of Chair for the duration of the meeting. Councillor Roberts moved that Councillor Dowling should take the Chair. This was seconded by Councillor Charlesworth.

**RESOLVED (unanimously) that Councillor Dowling be appointed as Chair for the duration of the meeting.**

### 43. APOLOGIES FOR ABSENCE

None.

### 44. MINUTES OF THE MEETING HELD ON 3 NOVEMBER 2015

**RESOLVED that the minutes of the meeting held on 3 November 2015 be approved and signed by the Chair as a true record.**

### 45. DECLARATIONS OF INTEREST

None.

### 46. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

### 47. EXCLUSION OF THE PUBLIC

**RESOLVED - that the public be excluded from the meeting during the consideration of the item of business listed below because it is likely that, if members of the public were present, there would be disclosure to them of 'exempt' information as defined in the paragraphs of Schedule 12A to the Local Government Act 1972**

<u>Minute No.</u>	<u>Subject Matter</u>	<u>Paragraph No.</u>
48(E)	Application for the Review of a Premises Licence following Closure Order	Paragraph 4

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The Licence Holder/DPS had been invited to attend the hearing, but was not present. Cllr Roberts Proposed that the Hearing continue, which was seconded by Councillor Charlesworth.

### **48E APPLICATION FOR THE REVIEW OF A PREMISES LICENCE FOLLOWING CLOSURE ORDER: BEYOND THE SOUND NIGHTCLUB, 20 ROBERTSON STREET, HASTINGS**

The Licensing Manager presented the report of the Assistant Director of Environment and Place in respect of an application to review the Premises Licence under section 17 of the Licensing Act 2003 as a result of a Closure Order for Beyond the Sound, 20 Robertson Street, Hastings, TN34 1HL.

Members confirmed they had received the supplementary witness statements.

Mr Scrase, Senior Licensing Officer (Applicant), said he instigated the review of the premises licence following evidence provided by Sussex Police relating to the Closure Order.

Members sought clarification and received answers to their questions.

Mr Savill, Counsel for Sussex Police Authority, made his representation on the grounds of Crime and Disorder and Public Safety. He referred to the witness statements provided by Sussex Police in the supplementary papers and recommended the premises licence be revoked.

### **RESOLVED (unanimously) to REVOKE the licence as follows:**

The reason for this decision was:

The Committee believe that the licensing objectives of Crime and Disorder and Public Safety have been seriously undermined by the Licensee and DPS.

She has not engaged with the Police investigation into the matter failing to report the incident. It is alleged that she tried to cover up the incident by offering bribes.

This conduct falls seriously short of a responsible Licence Holder and DPS. The Licence Holder and DPS failed to attend today's hearing to explain her conduct nor did she send a representative.

The safety of the public is of paramount importance therefore the Committee believe that revocation is the only practical solution to this problem. The Committee have had regard to the Secretary of States guidance.

### **49. ADDITIONAL URGENT ITEMS (IF ANY)**

None.

(The Chair declared the meeting closed at. 12.00 pm)