

## **NOTIFICATION OF DECISION OF LICENSING SUB-COMMITTEE**

### **APPLICATION FOR SUMMARY REVIEW OF PREMISES LICENCE UNDER SECTION 53(A) OF THE LICENSING ACT 2003**

<b>Date of Review:</b>	5 <sup>th</sup> May 2010
<b>Premises:</b>	Shooters Bar, 29 New Road, Peterborough, PE1 1FJ
<b>Applicants:</b>	Cambridgeshire Constabulary (Northern Division)
<b>Decision:</b>	To suspend the premises licence from 12 Noon on 5 <sup>th</sup> May 2010 until a full review hearing can be convened within the statutory period of 28 days from the date of receipt of the application.

#### **OUTLINE OF FINDINGS OF FACT**

1. The Sub-Committee considered representations made by the police contained within the application and certificate in support of summary review. These representations detailed an incident which took place on 30<sup>th</sup> April 2010 between 0330hrs and 0430 hrs. The police made four arrests, one for actual bodily harm, one for a public order offence and two for affray. The police state that between 15 and 20 people were involved in serious disorder. This disorder took place immediately outside the premises and within the vicinity.
2. The Sub-Committee viewed a DVD of this incident. It showed that a number of people, about 11 individuals (count undertaken by committee members), were involved and party to violence which included fighting. The DVD showed sporadic outbursts of fighting and other similar behaviour, and that a crowd had gathered by the door of the premises which did not disperse during the disturbance. The DVD also showed attempts by door staff to deal with the situation which included restraint of some individuals, and intervention by a number of police officers who

- made some arrests. A member of the door staff appears to have been assaulted, as did a police officer.
3. The Sub-Committee formed the opinion that there were insufficient door staff outside dealing with the incident and as such, it was allowed to escalate.
  4. The DVD also showed members of the public gaining access to the premises after 0400hrs whilst the disturbance continued. The Sub-Committee felt that access and egress to the premises should have been controlled whilst the incident was taking place for public safety reasons.
  5. The Sub-Committee contacted by telephone the Community Safety and Licensing Team Leader for the police, Ms D Sampson, to confirm that those engaged in the fighting had come from the bar; this not being apparent from the DVD footage. Ms Sampson confirmed that according to statements made, that some of those involved had been drinking in the bar immediately prior to the disorder outside, but not all those present had been inside Shooters Bar.
  6. Following an email to the Licensing Authority, the Sub-Committee considered further information concerning a fight between two females that took place within the premises on 3<sup>rd</sup> May 2010 at 0440hrs. An arrest for common assault was made and an ambulance called for. Officers who attended state that both females were extremely intoxicated and one of them said that they had been drinking for most of the day and entered Shooters at about 0200hrs.
  7. A DVD of this incident was supplied to the Sub-Committee but for some reason it contained no data and therefore the Sub-Committee were unable to view any footage.
  8. The Sub-Committee were satisfied that they had sufficient information to make a decision and therefore did not speak with the premises licence holder.

## **CONSIDERATIONS BY THE SUB-COMMITTEE**

9. The Sub-Committee considered:

- The licensing objectives of public safety, the prevention of crime and disorder, and the prevention of public nuisance
- The Government Guidance on Expedited/Summary Reviews
- The Council's own Statement of Licensing Policy
- The Human Rights Act
- The interim steps available
- The senior officer's certificate
- The chief officer's representations

10. The Sub-Committee considered it necessary for the promotion of the three licensing objectives as listed above, that the interim step of suspension of the licence is necessary and proportionate.

## **REPRESENTATIONS BY THE PREMISES LICENCE HOLDER UNDER SECTION 53(B)(6) OF THE ACT**

11. The premises licence holder is entitled to make representations on the interim steps taken. If representations are made, the licensing authority must hold a hearing within 48 hours of receipt (excluding non-working days). At the hearing the licensing authority must consider if the interim steps taken are necessary for the promotion of the licensing objectives and determine whether to withdraw or modify the steps taken.

Colin Miles

5<sup>th</sup> May 2010

On behalf of the Solicitor to the Council

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