

Expedited Review, Licensing Act 2003 Sub-Committee
 undertaken Friday 25 May 2012

RECORD OF DECISION*

***There is no requirement for a formal hearing of the Sub-Committee to take place to determine the question of interim steps and the determination may take place over the telephone or other ‘remote means’. This expedited review was conducted with Members via email.**

1. Apologies for Absence	Not applicable.
2. Declarations of Interest	There were no declarations of interest.
3. Application	Expedited Review of Licence – Coco, 11-13 Broadway, Peterborough, PE1 1SQ
3.1 Application Reference	64353
3.2 Sub-Committee Members	Councillor Thacker (Chairman) Councillor Peach Councillor Saltmarsh
3.3 Officers	Darren Dolby, Regulatory Officer – Licensing Colin Miles, Lawyer – Legal Advisor to the Sub-Committee Gemma George, Senior Governance Officer – Clerk to the Sub-Committee
3.4 Applicant	Cambridgeshire Constabulary
3.5 Nature of Application	<p><u>Application Type</u></p> <p>Expedited review of existing premises licence.</p> <p><u>Summary of Expedited Review Application</u></p> <p>An Expedited Review was deemed necessary for the following reasons:</p> <ol style="list-style-type: none"> 1. The serious nature of offences committed in the early hours of Monday 21 May 2012, “the conduct constituted an offence for which a person of 21 years of age or over, with no previous convictions could reasonably be expected to be sentenced to imprisonment for three or more years or the conduct involved the use of violence”; 2. Obvious reluctance by the management to co-operate and engage effectively with the Licensing Authority; 3. Other serious breaches to the premises licence had taken place recently including the performance of a lap dancing event against the advice given by the Police Licensing Officer and without a valid authorisation; 4. CCTV coverage at the venue was unsatisfactory and ineffective in protecting staff, customers and property despite recommendations from Police to update this provision; and 5. Information / intelligence existed to suggest that there may have been a continuance of the violence or disorder in reprisal to the

	initial incident.
3.6 Licensing Objective(s) under which representations were made	1. The Prevention of Crime and Disorder 2. The Promotion of Public Safety
3.7 Parties/Representatives and witnesses present	Not applicable.
3.8 Pre-hearing considerations and any decisions taken by the Sub-Committee relating to ancillary matters	Not applicable.
3.9 Oral representations	Not applicable.
3.10 Written representations and supplementary material taken into consideration	<u>Responsible Authority – Cambridgeshire Constabulary</u> Consideration was given to the application submitted by Cambridgeshire Constabulary and the certificate under Section 53A(1)(b) of the Licensing Act 2003.
3.11 Facts/Issues in dispute	<u>Issue 1</u> Whether the expedited review application would further support the 'Prevention of Crime and Disorder' Licensing Objective. <u>Issue 2</u> Whether the expedited review application would further support the 'Prevention of Public Safety' Licensing Objective.
4. Decision	The Sub-Committee took account of the contents of the application and the certificate issued under Section 53A(1)(b) of the Licensing Act 2003. The Sub-Committee also considered all of the various options available and found as follows: That the serious nature of the incident, which had occurred at the premises during the early hours of Monday 21 May 2012, warranted the interim step of suspending the licence until a full review hearing was convened. The suspension was to take immediate effect and no licensable activities were to take place at the premises until the review hearing had been convened. The Sub-Committee determined that the imposition of these interim steps was necessary and proportionate for the promotion of the two Licensing Objectives, these being the 'Prevention of Crime and Disorder' and the 'Promotion of Public Safety'. The decision could be appealed by the licensee, an appeal hearing to be held within 48 hours of receipt of representation.

Chairman
(timings not applicable)