

At a Meeting of the Licensing Hearing Sub-Committee of Richmondshire District Council held at Mercury House, Station Road, Richmond, North Yorkshire on Tuesday, 30 May 2017 at 9.30 am.

Present: Councillors Lawrence Grose, Lorraine Hodgson and Jimmy Wilson-Petch

Officers: Amy Wennington (Legal Advisor), Paul Clark (Democratic Services Officer) and Donna McCarthy (Licensing Enforcement Officer).

In

Attendance: Jonathan Smith (Solicitor - Poppleston Allen), Steven Wignall, Mark Arrol and David Parker (Club Louis); Sgt Matthew France and Sgt Kevin Graham (North Yorkshire Police); Julie Parrish (North Yorkshire County Council Children's Services); WO1 (GSM) Trevor Beck (Ministry of Defence); Pat McCusker (Yorkshire MESMEC); and 6 members of the public.

Apologies: Anne Grimes and Mukesh Subba (Representees).

LSC1/17 Election of Chairman

Resolved: That Councillor Jimmy Wilson-Petch be elected as Chairman for the duration of the hearing.

LSC2/17 Declarations of Interest

There were no declarations of interest reported at the meeting.

LSC3/17 Purpose of the Meeting and the Procedure to be Followed

The Chairman explained the purpose of the hearing and the procedure to be followed in considering it.

LSC4/17 Application for Review of Premises Licence Under Section 51 of the Licensing Act 2003 – Club Louis, Kitchener Road, Catterick Garrison

The Environmental Health Manager submitted a written report seeking consideration of an application by North Yorkshire Police for the review of a Premises Licence under Section 51 of the Licensing Act 2003, and following receipt of relevant representations during the statutory consultation period.

(Note: The Sub-Committee excluded the press and public at approximately 11.30 am in order to view CCTV evidence which is considered exempt by virtue of Paragraph 1 of Part I of Schedule 12A of the Local Government Act 1972. Press and public were readmitted at approximately 11.45 am).

In determining the application, the Sub-Committee carefully considered the evidence appended to North Yorkshire Police's application, relevant representations received during the statutory consultation period and the Licence Holder's written response. Supplementary disclosures were also

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received from the applicant and Licence Holder. The Sub-Committee carefully considered the oral submissions provided by all parties during the course of the hearing, along with CCTV footage of incidents and dispersals from the site. Appropriate weight was given to that evidence. The Sub-Committee also gave regard to the Licensing Act 2003, guidance issued under Section 182 of the Act, and the Council's Statement of Licensing Policy. The Sub-Committee were satisfied that the application was appropriately made under Section 51 of the Act.

The grounds for the review were that Club Louis's unique location, environment and customer profile, along with a lack of sufficient access to public transportation at the site, had allegedly caused significant incidents of crime, antisocial behaviour, public safety and nuisance issues inside and in the vicinity of the site, undermining each of the four licensing objectives of:

- Prevention of Crime and Disorder
- Prevention of Public Nuisance
- Protection of Children from Harm
- Public Safety

(Note: The Sub-Committee retired for deliberation at approximately 4.00 pm, adjourning at approximately 5.00 pm. The Sub-Committee resumed deliberation at approximately 10.15 am on Wednesday, 31 May 2017).

Resolved: That Licensable Activities and Opening Hours remain as on the Premises Licence, other than on Thursdays when Licensable Activities will cease at 02.00 rather than 03.00, save for Late Night Refreshment which will cease at 02.15 rather than 03.15. Closing Time on Thursdays is to be 02.30 rather than 03.30.

The reason for the decision is that a disproportionate number of incidents occur at the premises on Thursday evenings, despite notably lower average attendances. It was felt that a reduction in hours at this time would assist in reducing the number of such incidents.

In respect of Fridays and Saturdays, the Sub-Committee considered, although not unanimously, that with appropriate modifications to the conditions on the premises licence, the Licence Holder will be sufficiently equipped to support each of the four licensing conditions in what is accepted as a difficult location and environment.

Whilst it was noted that the grounds for review were legitimate and evidence provided to support them, the Sub-Committee acknowledged that the premises had worked proactively to reduce such incidents and this was reflected in the annual crime statistics for the premises which illustrated such a reduction on an annual basis. It was considered that the application of conditions was appropriate and proportionate to meet the four licensing objectives and that any further reduction in hours would be disproportionate.

The meeting concluded at approximately 12.30 pm
on Wednesday, 31 May 2017