

Licensing Act Sub Committee Hearing

Monday, 20 December 2010

Members of the Panel:	Councillors Fleet (Chair), Barclay and Lawton
Application Premises:	Shades, Church Street, Hartlepool
Officers present:	Tony Macnab, Solicitor Ian Harrison, Principal Trading Standards and Licensing Officer Sarah Bird Democratic Services Officer
Applicant:	Inspector Green, Sergeant Henderson Rachel Landin Liam O'Brien
Other:	Gareth Prince Tim Gilbert
Respondent :	Not present
Decision:	
<p>The Licensing Authority considered an application by Cleveland Police as a responsible authority for the review of the premises licence in Church Street.</p> <p>The premises licence holder had written to the licensing authority advising that no representative from the company that owns the business would be attending the licensing review. As a result, the evidence presented by the police remained unchallenged.</p> <p>The police advised that this was the second review of Shades. The first having occurred in September 2006 when the premises licence was suspended for a period of three months.</p> <p>The police gave evidence that there had been 18 incidents involving crime and disorder and public safety in and around the premises within the past eighteen months, sixteen of which had occurred in the past eleven months. All but one of these incidents had occurred between 2.00 am and 4.00 am.</p> <p>The police gave examples of incidents which they state undermine the licensing objectives of the prevention of crime and disorder and public safety. One such incident occurred in May this year when a fight took place outside the premises which resulted in a male being violently assaulted having been stabbed in the head with a glass and knocked unconscious. This resulted in the police requesting that the premises close voluntarily in the interests of public safety.</p>	

This incident occurred just over a month after an incident in April when a female was in the toilets and was knocked to the floor and kicked unconscious. Further incidents of violence in the premises occurred on 12 June 2010, 18 July 2010 and 25 July 2010.

The police showed a DVD consisting of CCTV footage of further incidents involving crime and disorder and public safety primarily outside the premises involving persons who had either been inside the premises or were entering the premises. The incidents occurred between 20 August 2010 and 30 October 2010.

A further incident occurred in the beer garden of the premises when a male was knocked unconscious by another male in an unprovoked attack.

The incidents involved a large use of police resources with one incident alone on 8 October 2010 involving the deployment of thirteen police officers.

CCTV footage was shown of a very recent incident which occurred on 12 December 2010 when a male who had been on the premises and who was clearly intoxicated, was assaulted outside the premises by a male who subsequently attempted to enter the premises. This incident and all other incidents immediately outside the premises were witnessed by the door supervisors who did not intervene or appear to take action to alert the police.

The police gave evidence that between April and September this year, Shades contributed to a total of almost 10% of the number of recorded incidents or offences within the night time economy.

The Licensing Act Sub Committee considered all the evidence presented to it and included in the witness statements provided by the police and decided that the patrons of the premises are responsible for a disproportionate number of serious incidents or violence and public order offences for which the management of the premises do not appear capable of preventing.

The premises had previously had its licence suspended for a period of three months. The Licensing Act Sub Committee decided that the licensing objectives relating to crime and disorder and public safety will continue to be undermined if the premises are permitted to remain open and therefore decided to revoke the premises licence.

CHAIR