

\*Printed for information

## LICENSING SUB-COMMITTEE

2 August 2007

**Present:-** Councillor Cooper in the Chair

Councillors Hambleton and Mrs Heames

Roger Constantine	}	Trading Standards
Brian Mycock		
Adrienne Smith		
Brain Wain		

Agent - Grindeys

Keith Lawton	}	Environmental Health – Newcastle Borough Council
Nesta Henshaw		
Charlotte Ros		

Sarah Clover	Barrister	}	Staffs Police
Herjinder Aoulick	Solicitor		
Steve Thirsk	Inspector		
Jeff Moore	Inspector		
Fiona Peel	Licensing Officer		
Lisa Roberts	Licensing Officer		

### 304. \* GATSBY'S, IRONMARKET, NEWCASTLE – RENEW PREMISES LICENCE

#### Issues

Staffordshire Police had called for a review of these premises following concerns on the grounds of the Prevention of Public Nuisance, Public Safety, Prevention of Crime and Disorder Objectives and the Licensing Act 2003.

#### Decision

Having taken into account the Licensing Act 2003, the guidance issued under Section 182 of the Act and the Council's Statement of Licensing Policy and also the fact that Staffordshire Police had requested a review of the premises licence which request had been supported by the Environmental Health Officers and Trading Standards to promote the licensing objectives relating to the Prevention of Crime and Disorder, Public Safety, the Prevention of Public Nuisance and the Protection of Children From Harm.

Also having taken into account that representations submitted by both the premises licence holder and the owner have been withdrawn, the Sub-Committee had considered the relevant Licensing Objectives in the light of what had been said.

In view of the evidence given, the poor management of the company is a direct reflection of poor company practice and policy and reflects upon the Designated Premises Supervisor.

The Sub-Committee were concerned that the licensing objectives, particularly the crime prevention objective was being undermined through the premises being used to further crime. Substantial evidence had been given regarding the use of the premises for use and supply of Class A drugs, high levels of disorder inside and in the immediate vicinity of the premises, general nuisance and the sale of alcohol to young persons at the premises.

The Sub-Committee were of course aware that the Premises Licence holder had only held the premises licence since December 2006 and therefore incidents prior to that date had been given appropriate weighting.

The Sub-Committee were of course not concerned with guilt or innocence of the individuals concerned and therefore this had not been taken into account. The Sub Committee were only concerned with what action needed to be taken for the promotion of the licensing objectives in question. The guidance provides that where a licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crime, it is expected that revocation of the licence, even in the first instance, should be considered.

The guidance also states that certain criminal activity that may arise in connection with licensed premises should be treated particularly seriously. Amongst this activity is the sale and distribution of Class A drugs and the purchase and consumption of alcohol by minors which impacts inter alia upon health of young persons.

The Sub-Committee were not convinced, in view of what had been said that anything other than the removal of the DPS from the licence and its subsequent revocation would promote the licensing objectives.

The Sub-Committee were therefore disposed to remove the Designated Premises Supervisor from the Licence and revoke the Licence for the premises with immediate effect.

A notice would be issued to that effect.

**J COOPER**  
**Chair**