

PRESENT: Councillor Clarke (Chair)
Councillors: Sutherland and Thornber

5 SUBSTITUTES NOMINATED FOR THIS MEETING AND APOLOGIES FOR ABSENCE

No apologies for absence were received.

(The meeting closed at 13:00)

6 APPLICATION FOR REVIEW OF PREMISES LICENCE - THE PENNINE HUB, UNIT 1, THE SHOWROOM, STATION ROAD, SOWERBY BRIDGE HX6 3AB

The Assistant Director, Neighbourhoods submitted a written report seeking consideration of an application for the review of a premises licence under the Licensing Act 2003, where relevant representations had been received.

The Licensing Sub Committee considered the reports presented and to representations made at the hearing, in particular having considered the serious concerns of the Responsible Authority, West Yorkshire Police, West Yorkshire Fire Service and members of the public regarding: -

- Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance

and having due regard to the provisions of the Licensing Act 2003, the statutory guidance issued under section 182 of the Act, the Council's Statement of Licensing Policy and the relevant provisions of the Human Rights Act.

RESOLVED that: -

The Premises Licence for The Pennine Hub, Unit 1, The Showroom, Station Road, Sowerby Bridge HX6 3AB be revoked for the following reasons:-

Interested parties had put forward evidence that all three licensing objectives had been breached;

Prevention of Crime and Disorder

- Intoxication of the Designated Premises Supervisor (DPS). On 19th June 2021 when the Police were called to assist Council staff who had been turned on by customers, the licensee and DPS was argumentative with Police and Council staff and alleged he was being picked on by Council staff and the Police.
- There had been numerous complaints between 26th March 2021 and 3rd July 2021 which evidenced a range of conduct at and near the premises, which involved excessive noise from the premises in the form of rave music being

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played at unacceptably loud volumes, which affected the ability for persons and local businesses to speak on the phone or conduct their businesses, and numerous complaints of disorder at or around the premises.

- There was a complaint of a fire at the rear of the premises which was eventually extinguished by the licence holder and there was abuse by customers to Council staff in attendance. Customers turned on Council staff and demonstrated aggression towards them, this resulted in a request by Council staff for Police assistance.
- Complaints included loud music being played at 2:45am
- Numerous complaints of antisocial behaviour, drunkenness on the premises and along Station Road.

Public Safety

- West Yorkshire Fire Service stated that no Fire Safety Risk Assessment appeared to be in place for the premises, none were supplied following a visit or email requests. Lack of this Risk Assessment is a breach of the Regulatory Reform (Fire Safety) Order 2005. This was of particular concern due to there being incidents of fire and burning of rubbish at the premises without the appropriate authority to have such fires.

The Prevention of Public Nuisance

- Following consideration of Paragraph 2.19 of the Home Office Guidance of the Licensing Act 2003 it was felt that the evidence of drunkenness, excessively loud music including music being played outside of the hours allowed in the licence, constitute a public nuisance.

The Designated Premises Supervisor (DPS), Peter Garside be removed. There had been evidence submitted which inferred that the problems at the premises were of poor management. This was in relation to there being no Fire Safety Risk Assessment being produced despite a request from the West Yorkshire Fire Service.

There was an incident in which a fire was taking place outside the premises without the appropriate authority, and when the DPS was challenged by Police and Council staff he alleged to being picked on and targeted. On the 3rd July 2021, there were two hundred customers and only two staff.

There had been complaints of the DPS drinking with customers and on one occasion the DPS being drunk.

There was a complaint of the DPS recording a man lying down on Station Road live on Facebook and laughing.

(All parties are advised that there is a right of appeal against this decision to the Magistrates Court within 21 days of the date of the decision.