

Councillor P A Leason - In the Chair

Present (for all or part of the meeting):-

Councillors:

A P Edgeller

J P Read

Officers in attendance:-

S Turner	-	Legal Service Manager
J Peat	-	Democratic and Corporate Services Manager
K McKinney	-	Senior Licensing and Enviro-Crime Officer

Also in attendance:-

J Wallace	-	Licensing and Enviro-Crime Group Manager, Stafford Borough Council
Sgt J Finn	-	Staffordshire Police
L Roberts	-	Police, Licensing
R Jarman	-	Police Licensing
PC Gallimore	-	Staffordshire Police
PC Parry	-	Staffordshire Police
K U Khan	-	Licence Holder
Hasib Shah	-	Friend of Licence Holder

LSC2 Application for a Review of Premises Licence: Peppers, Stafford

Considered the report of the Licensing Officer in relation to an application for a review of Premises Licence for Peppers, 3 Bridge Street, Stafford, ST16 2HJ.

On 12 May 2023 the Council received an application for a review of the Premises Licence for Peppers, 3 Bridge Street, Stafford, ST16 2HJ.

Staffordshire Police Licensing Unit, (Sergeant James Finn), had requested the review in relation to issues relating to two of the Licensing objectives - the prevention of crime and disorder, and public safety.

Staffordshire Police had stated that the operation and current management of the premises were undermining the said two licensing objectives and that there was a lack of legal compliance with the Premises Licence Conditions. Staffordshire Police were seeking revocation of the premises licence.

The Premises Licence Holder of Peppers is Mr Khateeb Ullah Khan.

The Licensing Authority had made a relevant representation in support of the Staffordshire Police review application. The Licensing Manager for Stafford Borough Council stated that there was a fundamental concern over the way the premises was managed and that there was a clear disregard for compliance with licence conditions.

The documents relating to the application, the current Premises Licence and the representations from Staffordshire Police Licensing Unit and the Licensing Authority were attached as a confidential appendix to the report.

K McKinney attended the meeting on behalf of the Interim Head of Regulatory Services and introduced the report for Members.

The Licence Holder requested an adjournment of proceedings which the committee rejected.

Recording of the meeting was paused and then restarted following consideration by the committee.

LSC3 Exclusion of Press and Public

RESOLVED:- that pursuant to Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting whilst the next following item of business be discussed, on the grounds that it includes the disclosure of exempt information of the type specified in paragraph 7 of Schedule 12A of the Act.

Sgt J Finn and LO Richard Jarman outlined their case in support of the review of the Premises Licence together with CCTV footage.

The licence holder was given the opportunity to question the Police and the Licensing Manager.

Mr Shah outlined the Licence Holders case.

All parties were given the opportunity to question the licence holder.

The Police and Licensing Manager were duly given the opportunity to sum up their case.

The applicants were subsequently given the opportunity to sum their case.

The Sub Committee then considered the matter in private.

Recording of the meeting was paused and then restarted when all parties were back in the room.

RESOLVED:- that:-

The premises licence be revoked with immediate effect.

Reasons

- (i) The Committee found that the licence holder had failed to comply with the conditions of the premises licence, and that the operation and management of the premises are undermining the licensing objectives relating to prevention of crime and disorder and public safety - in particular that -
 - (a) The premises were open and selling late night refreshment outside of the permitted hours on the premises licence on several dates- namely 27 December 2022, 9 April and 10 April 2023 ;
 - (b) The CCTV footage presented by the Police showed door staff not wearing yellow high visibility jackets while on duty - and this was apparent on 20 November, 27 November, 27 December 2022, 22 January, 8 February, 19 February, 19 March, 9 April, 10 April, 21 May 2023. This was a breach of the premises licence conditions.
 - (c) The time and date of CCTV was not set to the correct time from 27 November 2022 until new CCTV was installed in February 2023, in clear breach of the licensing conditions.
- (ii) The Committee found that the licence holder inadequately supervised the area outside the premises, and noted that on 9 April, there was a fight between several customers, and a female customer was seen to kick another female who was lying on the pavement, while the door supervisor looked on and did nothing to intervene.
- (iii) Despite receiving two conditional cautions, a warning letter, a first review of the premises licence, and a Police interview, the licence holder did very little to improve his compliance with the premises licence conditions. The licence holder's focus seemed to be on rejecting the findings of the last Licensing Sub Committee
- (iv) The Committee were disappointed to note that the licence holder had not yet joined the Pubwatch scheme.

- (v) The improvements mentioned by the licence holder at the hearing come too late, and only after numerous failures and breaches of the premises licence

CHAIR