

Minutes of Licensing Panel 1

10th July, 2015 at 10.00am
at the Sandwell Council House, Oldbury

Members in attendance: Councillor Allen, Piper and Tranter.

Matters Delegated to the Panel

14/15 **Application for the Interim Summary Hearing in respect of the Triple S Bar, 13 Bradley Lane, Tipton, DY4 9EZ**

Present: Julie Hadley (Licensing Officer);
Stewart Wright (Local Authority Solicitor);
Mick Boyd (West Midlands Police Licensing Officer);
Georgina Shoker (Designated Premises Supervisor).

The Panel considered an application for an interim summary hearing in respect of the Triple S Bar, 13 Bradley Lane, Tipton, DY4 9EZ.

The application for review had been made by a senior police officer of West Midlands Police who had certified that, in his opinion, the premises were associated with serious crime and serious disorder.

The authority was required to consider the application within 48 hours whether any interim steps were needed, pending the full review. A full review must be held and determined within 28 days of receipt of the application and this was scheduled to take place on 5th August, 2015.

The Panel was advised that at 0305 hours on Saturday 4th July, 2015 a call was made to the Police from Ambulance Control in relation to an incident at the Triple S bar concerning a possible assault, a crowd had gathered and there were problems caused for the ambulance crew treating the patient.

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The Police arrived at 0310 hours and a 22 year old male was being treated by the ambulance crew at the entrance to the premises. The man was unconscious and was taken to hospital where he was being treated for multiple and extreme blows to the head believed conducive with punches or a weapon. His skull had been fractured in two places and he was in hospital in an induced coma with possible life changing injuries.

The Panel was informed that CCTV had been installed at the premises and the hard drive which had been recovered showed evidence of the incident being deleted by a remote device. A forensic examination of the hard drive had recovered deleted images and showed the injured party being punched by a man inside the bar and the injured party falling to the floor.

The Panel was also informed that it was believed that three door men were on duty and at least two bar staff. A DJ had been performing and it had been estimated there were between 50 and 60 customers, however, not one person had come forward stating that they had witnessed the incident.

The Panel noted that there was intelligence to suggest that an incident had also take place on 27th June, 2015 where a man's face was slashed, however, this had not been reported to the Police.

The Panel was advised by the West Midlands Police Licensing Officer that a meeting had been held with the Designated Premises Supervisor following the incident who had agreed to close the premises for one month pending investigation. However, it had come to the attention of the Police that information posted on Facebook indicated that the premises would be open the following weekend. The matter had, therefore, been referred to the Licensing Panel for intervention.

West Midlands Police requested closure of the premises until a full review was heard and removal of the Designated Premises Supervisor. In the event that the Panel did not consider this acceptable, conditions were also proposed for the Panel to take into consideration.

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The Designated Premises Supervisor was present, accompanied by her sister for moral support, and was also of the opinion that the premises should be closed until the issue was resolved. The Designated Premises Supervisor informed the Panel that she had not been present on the evening of the incident, a manager had been left in charge of the premises. She also confirmed that she was aware that there had been issues previously and that these had occurred when she had been away from the premises.

The Panel took advice from its Legal Advisor before adjourning to make a decision on the application.

Having considered the Licensing Officer's report, representations made by all parties, and legal advice given by the Local Authority's Solicitor, the Panel was minded to suspend the Premises Licence in respect of the Triple S Bar, 13 Bradley Lane, Tipton, West Midlands, DY4 9EZ, pending a full review on 5th August, 2015.

The reason for the decision was as follows:-

- (1) the panel were of the view that the premises were associated with serious crime and serious disorder;
- (2) the Panel had taken into account the serious nature of the incident which had taken place on 4th July, 2015;
- (3) the Panel supported the application for closure of the premises pending a full review, however, did not wish to remove the Designated Premises Supervisor at the present time.

Resolved that the Premises Licence in respect of the Triple S Bar, 13 Bradley Lane, Tipton, West Midlands, DY4 9EZ, be suspended pending a full review on 5th August, 2015.

All parties were advised that there was no right of appeal in respect of an interim review, however, if the Designated Premises Supervisor wished to make representations against the interim steps taken by the Authority a further hearing would be heard within 48 hours of receipt of such representations.

(Meeting ended at 1.05 pm)

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