

LICENSING SUB-COMMITTEE A

A meeting of the Licensing Sub-Committee A was held on 13 December 2019.

PRESENT: Councillors R Arundale, (Chair), A Bell and J Goodchild

ALSO IN ATTENDANCE: Sergeant Higgins, Cleveland Police
Police Constable Westmoreland, Cleveland Police
K Dale, Cleveland Police
V Dentoshivili, Legal Representative
S Lin, Legal Representative
F Li, Premises Licence Holder

OFFICERS: C Cunningham, T Hodgkinson, S Morris, S Lightwing

APOLOGIES FOR ABSENCE All Committee Members were present..

DECLARATIONS OF INTERESTS

There were no Declarations of Interest made by Members at this point of the meeting.

1 EXCLUSION OF THE PRESS AND PUBLIC

ORDERED that: Pursuant to Paragraph 14 (2) of the Licensing Act 2003 (Hearings) Regulations 2005, press and public were excluded from the meeting during consideration of the following item because the public interest in the exclusion outweighed the public interest in the hearing taking place in public. The information to be provided was part of an ongoing investigation and disclosure would risk future proceedings.

2 LICENSING ACT 2003 - APPLICATION FOR SUMMARY REVIEW OF PREMISES LICENCE -

The Chair introduced those present and outlined the procedure to be followed at the meeting.

A report of the Head of Community Protection was presented in relation to two applications for a summary review of two premises made by Cleveland Police under Section 53 A of the Licensing Act 2003.

It was highlighted that the Licensing Act 2003 provided a procedure for a summary review of a Premises Licence by the Police which triggered a fast-track process to review premises where Police considered those premises to be associated with serious crime and/or disorder. The procedure allowed the licensing authority to respond by taking interim steps, which would take immediate effect, where appropriate, pending a full review.

It was clarified by Middlesbrough Council's Legal Representative that the premises licence holder was entitled to make further representations in relation to any interim steps imposed at the summary review hearing at any time prior to the full review hearing taking place. A further hearing would need to be arranged within 48 hours for representatives to be heard should an application be made by the premises licence holder.

Sergeant Higgins, Cleveland Police, advised that Superintendent-Tariq Ali had issued the Certificate under Section 53A (1)(b) of the Licensing Act 2003, stating that in his opinion, the premises was associated with serious crime.

Committee Members, the Premises Licence Holder and Legal Representatives, were afforded the opportunity to ask questions and no issues were raised. It was confirmed that there were no questions and all interested parties other than the Officers of Legal and Democratic Services withdrew, whilst the Committee determined the application.

The Members went into closed session to consider the request from Cleveland Police to take interim steps against the premises licences pending the full review of the licences.

Subsequently all parties returned and the Chair announced the Committee's decision.

ORDERED that the Premises Licences in respect of the Banana Leaf and I China Wholesale Limited were suspended with immediate effect.