

Determination Notice

Application to summary review a Premises Licence Licensing Act 2003, Section 53A

DV8 Bars Ltd
98 Bridge Street
Warrington
WA1 2RF

On the 14 November 2013, Warrington Borough Council (“the Council”), being the relevant Licensing Authority, received an application for a summary review of a Premises Licence from Cheshire Constabulary in respect of premises known as:

Reef
98 Bridge Street
Warrington
WA1 2RF

Premises Licence Number: WBC/LP0039

On the 15 November 2013 a meeting was held to consider the summary review application and a written representation received from Poppleston Allen solicitors, acting on behalf of DV8 Bars Ltd. Balancing the interests of Cheshire Constabulary and the premise licence holder the Sub-Committee resolved to take the following interim steps:

- The exclusion of the sale of alcohol from the scope of the premises licence: alcohol sales to cease at 2.30am.
- The modification of the conditions of the premises licence: the premises shall be closed to the public at 3.00am.

On the 15th November 2013, a further written representation was received from Poppleston Allen solicitors acting on behalf of DV8 Bars Ltd. A hearing was held on Tuesday 19th November 2013 at 10am to hear the representation and consider the interim steps taken against the premises licence.

The Sub-Committee is aware of its obligations under the Licensing Act 2003 and the guidance issued under section 182 of the Act together with the Council’s statement of licensing policy the Home Office Guidance on summary review and the requirements of the Human Rights Act 1998 and Section 17 of the Crime and Disorder Act.

The Sub-Committee considered the certificate that accompanied Cheshire Constabulary’s application and the written representation made on behalf of the premises licence holder. The Sub-Committee also took into account the information presented by Cheshire Constabulary and the information presented on behalf of the premises licence holder.

The Licensing Sub-Committee resolved that the interim steps taken on the 15th November 2013 are appropriate for the promotion of the licensing objectives. The interim steps are:

- To exclude the sale of alcohol from the scope of the premises licence: alcohol sales to cease at 2.30am.
- To modify the conditions of the premises licence and close the premises to the public at 3.00am.

Accordingly the Sub-Committee determined that the interim steps should continue to take effect as made until the review of the premises licence. For the avoidance of doubt the interim steps shall cease to have effect on the commencement of that review hearing but without prejudice to the powers of the Licensing Sub-Committee in dealing with that review.

The reasons for the Sub-Committees decision are as follows:

The Committee was satisfied that the incident on 10th November did amount to serious disorder associated with the operation of the Reef premises and the interim steps as determined were appropriate for the promotion of the Licensing objectives.

A number of incidents of disorder, in particular the incident of serious disorder on 10th November 2013, had occurred at these premises in the early hours of the morning after 3:00am despite the existing licensing conditions. It was considered that reducing the operating hours as stated would reduce the opportunity for customers to drink over extended periods and reduce the opportunity for incidents associated with the premises of crime and disorder, and of risk to public safety of the type which have taken place in association with the current operation of the premises pending the review of the premises licence.

Dated: 19 November 2013

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end.

Signed: _____

Designation: Public Protection Manager