

LICENSING HEARING

Minutes of the meeting held on 4 June 2014 commencing at 10.30 am

Present:	Cllrs. Abraham, Clark and Walshe		
Also present	PC9923 M Beresford	-	Kent Police Representative
	PS9923 G Brimson	-	Kent Police Representative
	Mr. M. Phipps	-	Applicant's Legal Representative
	Ms. Y. Gell	-	Applicant
	Mrs. C. Powell	-	Applicant
	Mr. S. Powell	-	Applicant
	Mrs. L. Leeds	-	Licensing Officer
	Mr. L. Roberts	-	Legal Advisor
	Mr. D. Lagzdins	-	Democratic Services Officer
	Cllr. Mrs. Morris	-	SDC Councillor

The meeting commenced at 10:45 to facilitate on-going discussion between the Premises Licence Holder and the representatives from Kent Police.

1. Appointment of Chairman

Resolved: That Cllr. Walshe be appointed Chairman of the meeting.

2. Declarations of interest

There were none.

3. Exclusion of Press and Public

Resolved: That, under section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting when considering Appendix A of the following report, on the grounds that likely disclosure of exempt information is involved as defined by Schedule 12A, paragraph 7 (Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime).

4. The Portobello Inn, London Road, West Kingsdown, TN15 6JB

(Exempt Information Schedule 12A paragraph 7 Local Government Act 1972)

The Hearing gave consideration to a report by the Chief Officer Environmental and Operational Services giving details of an application under Section 53A of the Licensing Act 2003 for a summary review of the premises licence. On 30 May 2014 a meeting of the Licensing Sub-Committee had taken the interim step to suspend the premises licence pending the full review. A representation had been received by Sevenoaks District Council on 2 June 2014 made by the Premises Licence Holder against that interim step. Accordingly and under Section 53B of the Licensing Act 2003 the interim steps had been referred to the Sub-Committee for consideration.

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An operating schedule proposed by the Premises Licence Holders was tabled for the consideration of the Hearing.

The Hearing heard from the representative from Kent Police and asked questions. The Hearing heard from the legal representative for the Premises Licence Holder and asked questions.

At 12.07 the Hearing Members, withdrew to consider the issues raised. The Council's Legal Advisor and Democratic Services Officer were present to give legal advice and to minute the decision.

At 12.47 the Hearing Members, Council's Legal Advisor and Democratic Services Officer returned to the Council Chamber.

It was unanimously -

Resolved: That the additional conditions as set out in the Notice of Determination attached as an appendix to these minutes be added to the premises licence.

Notice of Determination

THE MEETING WAS CONCLUDED AT 12.49 pm

Chairman

Notice of determination of interim steps following an application for a summary review of a premises licence

To: Chief Officer of Police for the Kent Police area
Of: Maidstone Police Station, Palace Avenue, Maidstone Kent
Ref: 11/00696/LAPRE

Sevenoaks District Council being the licensing authority, on 28 May 2014 received an application for the summary review of a premises licence in respect of premises known as The Portobello Inn, London Road, West Kingsdown TN15 6JB.

On the 30 May 2014, within 48 hours of receipt of the Chief Officer’s application, a hearing was held to consider whether it was necessary to take interim steps, and having considered it the Council have determined as follows:

To suspend the premises licence

For the following reasons:

The Committee is satisfied on the basis of the information given in the application that on the day of the incident 23 May 2014 the supervision of the premises was not sufficient and that this contributed to the serious incident that occurred. Given the seriousness of the incident, suspending the licence in the interim is proportionate and necessary.

The interim steps are effective from 30 May 2014.

Dated: Signed -----
Chairman – Licensing Hearing
Signed -----
Designation – Licensing Officer

Please address any communications to:

The Licensing Partnership
Council Offices
PO Box 182
Argyle Road
Sevenoaks
Kent TN13 1GP

Note: Representations against the interim steps may be made to the above address and a further hearing held within a further 48 hours pursuant to Section 53B(6).

