

DECISION NOTICE

Western Area Licensing Sub Committee

Decision made on 25 June 2012

In respect of an application by Wiltshire Police for a Review of a Premises Licence at Black Pearl, 5a Church Street, Trowbridge, BA14 8DR

Decision:

The Western Area Licensing Sub Committee has resolved to SUSPEND the licence for ONE MONTH and amend the conditions as detailed below:

a) Condition 5 be amended as follows:-

5. When regulated entertainment is taking place a minimum of three door supervisors will be deployed at the premises from 2100hrs to the closing of the premises. In addition on all Thursdays, Fridays and Saturdays, and any other evening when regulated entertainment is taking place, a minimum of two door supervisors will be deployed at the premises from 1900hrs.

b) A further condition be added as follows:-

18. The premises licence holder shall maintain a written rota of all staff for at least seven days in advance and submit a copy of it to the licensing authority monthly. This rota is to be available for immediate inspection on request of council officers and police.

Evidence and Reasons

The Sub-Committee noted the evidence that was presented on behalf of the police in relation to the incidents of violence and disorder that had occurred at the premises and also the incidents that had occurred at the Carpenters' Arms, during the time that the premises licence holder had been working there. They accepted that there had been a failure by the premises licence holder to properly maintain certain records required by conditions on the licence and that some people on the pubwatch banned list had gained access to the premises, which had, on occasion, led to incidents of disorder.

In light of the evidence presented, the Sub Committee seriously considered the request by police to revoke the licence, but concluded that the licensing objectives could still be met by a period of suspension and the addition of further conditions.

The Sub Committee concluded that a period of suspension was appropriate to permit the licence holders to implement existing conditions and improve management skills.

The additional requirement for door staff was considered to be appropriate to control access to the premises and to seek to prevent incidents of violence and disorder.

In reaching its decision the Sub Committee has considered the relevant provisions of the Licensing Act 2003 (in particular Sections 4 and 52); the guidance issued under Section 182 of the Act (in particular to paragraphs 11.19, 11.21, 11.23 and the Licensing Policy of Wiltshire Council.

The Sub Committee have also considered the written evidence presented in the agenda and the supporting evidence provided by the review applicant and premises licence holder, together with the oral evidence given at the hearing.

Right to Appeal

All parties have the right to appeal to the Magistrates Court within 21 days of receipt of this decision.

The decision of the Sub Committee will not come into effect until the period of appeal is concluded, or if an appeal is made until the appeal has been finally disposed of.