

REPORT TO	DATE OF MEETING
LICENSING PANEL	22 November 2010

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SUBJECT	PORTFOLIO	AUTHOR	ITEM
REVIEW OF PREMISES LICENCE – DARIOS, 240a STATION ROAD, BAMBER BRIDGE PRESTON PR5 6EA	REGENERATION, LEISURE AND HEALTHY COMMUNITIES	KAY LOVELADY	

SUMMARY AND LINK TO CORPORATE PRIORITIES

An application has been received from Lancashire Constabulary for a Review of the Premises Licence at Darios, 240a Station Road, Bamber Bridge Preston PR5 6EA

The Police state that the Premises did not have a CCTV system in operation. They state that there had been a number of incidents and crimes associated with the premises that the Police had been unable to detect due to lack of evidence. It is the Police's view that had CCTV been in operation it would have improved the chances of bringing the offender to justice. Crime advice was given by the police to the premises licence holder regarding the need for CCTV however at the time of the application this had been ignored and further crimes had occurred.

The Police felt that the premises were undermining the Prevention of Crime objective by not having CCTV in operation and as a result of the above the Police applied for a Review of the Premises Licence.

RECOMMENDATIONS

That the panel conduct the hearing in accordance with the hearing procedure and decide accordingly.

DETAILS AND REASONING

Attached is a copy of the Application form detailing the grounds that the Police have for concern. In addition the Police have provided witness statements.

The statements give examples of the aforementioned crime and disorder detailing the incidents that have occurred at the premises and the fact that Police officers have not been able to properly investigate crime due to the lack of CCTV coverage.

The failures outlined seriously impact on the licensing objectives. The Police have provided example conditions for consideration.

Following receipt of the application for Review the Premises Licence Holder, Hassan Malekzadeh, has installed a new CCTV system covering the inside and outside of the premises. I have had verbal confirmation that this is in accordance with Police requirements.

Representations from Responsible Authorities

There have been no representations from Responsible Authorities

Representations from Interested Parties

There have been no representations from Interested Parties.

The Legislation

Under Section 52 Licensing Act 2003 the Authority must have regard to the application and any relevant representations and take such steps ...(as are outlined below)... if any, as it considers necessary for the promotion of the licensing objectives.

The steps are:-

- a. to modify the conditions on the licence
- b. to exclude a licensable activity from the scope of the licence
- c. to remove the designated premises supervisor
- d. to suspend the licence for a period not exceeding 3 months
- e. to revoke the licence.

Obviously the Committee can also choose to do nothing for example if the application is frivolous, vexatious or repetitive and the Committee must ensure that any action they take is proportionate to the four licensing objectives.

WIDER IMPLICATIONS

In the preparation of this report, consideration has been given to the impact of its proposals in all the areas listed below, and the table shows any implications in respect of each of these. The risk assessment which has been carried out forms part of the background papers to the report.

FINANCIAL	There are no financial implications for the authority.		
LEGAL	Any party at the hearing has the right of appeal to the Magistrates Court.		
RISK	This application must be determined in line with legal guidelines.		
OTHER (see below)	There are no other risks associated with this proposal		
<i>Asset Management</i>	<i>Corporate Plans and Policies</i>	<i>Efficiency Savings</i>	<i>Equality, Diversity and Community Cohesion</i>
<i>Freedom of Information/ Data Protection</i>	<i>Health and Safety</i>	<i>Human Rights Act 1998</i>	<i>Implementing Electronic Government</i>
<i>Respect Agenda</i>	<i>Staffing</i>	<i>Sustainability</i>	<i>Training and Development</i>

BACKGROUND DOCUMENTS

Hearing Procedure

Application Form & additional information supporting the Application.