

**LICENSING ACT 2003 SUB-COMMITTEE
TUESDAY 8TH NOVEMBER 2011**

PRESENT – *Councillor John Wright (in the Chair), Councillor
Councillor Roy Davies and Councillor Florence Oldfield*

RESOLUTIONS

29 Declarations of Interest

There were no declarations of interest

30 Application for a review of a Premises Licence – Bella Roma/Cheers Bar (formerly Ginos), 71 King William Street, Blackburn, BB1 7DT.

The Sub-Committee considered an application for a review of a Premises licence in respect of Bella Roma/Cheers Bar (formerly Ginos) 71 King William Street, Blackburn, BB1 7DT. The application had been submitted by PC2549 Steven Finley, Police Licensing Officer under section 51 of the Licensing Act 2003, on 27th September 2011.

It was reported that the grounds for the review were prevention of Crime and Disorder and the Protection of Children. The premises had come to the attention of police over recent months, due to issues of crime and disorder that had occurred inside and within the vicinity of the premises. Observations from Police officers and other intelligence had stated that underage persons were regularly frequenting the premises. It was reported that concerns had been raised with the management, but persons underage using the premises at night, continued to be an issue.

A copy of the application and supporting reports for the review were attached to the report at appendices 1 and 1a. Witness statements referring to the application were also attached to the report at appendices 2 to 2r. Additional information supplied during the consultation period, including incidents during this time were attached to the report at appendices 3-3n.

All responsible authorities had been consulted and advertisements had been displayed in accordance with the provisions of the Licensing Act. Attached to the report at appendix 4 was a witness statement that had been submitted by Mansoor Ellahi, Senior Public Protection Officer based in the Council's Trading Standards Service. Attached to the report at appendices 5 and 6 were two letters supporting the review of the premises.

In considering the application for the review, Members took into account the information presented by the Council's Public Protection and Trading Standards Officers, representations from Police Officers Steve Finley, Andy Duxbury and Sergeant Dave Clarke from Lancashire Constabulary, video evidence from Mr Rick Heck, Lancashire Constabulary Police Imaging Unit, Mr Gino Difillippo,

Designated Premises Supervisor, Bella Roma and Mr Fajul Abdulla Patel, Premises Licence Holder, Bella Roma.

Following submissions by the Council's Public Protection and Trading Standards Service, representations from Police Officers Finley, Duxbury and Sergeant Clarke, Mr Heck, Mr Difillippo and Mr Patel, the Sub-Committee retired to seek legal advice.

The Chair of the Sub Committee advised those present that, in reaching a decision, the Sub Committee had considered all the information presented by the Council's Public Protection and Trading Standards Service, representations from the applicants (Police), Mr Heck, Mr Difillippo and Mr Patel, all documented CCTV evidence and verbal statements.

The Chair advised that the Sub Committee had also considered the licensing objectives of Public Safety, Prevention of Crime and Disorder, Prevention of Public Nuisance and the Protection of Children from Harm. The Committee had considered in particular, the following issues:

- Failure to follow the conditions on the Premises Licence.
- Failure to follow the additional conditions agreed on 5th January 2011 and 23rd June 2011.
- The sale of alcohol to minors.
- Employing of minors.
- Alcohol being taken out on to the street.
- The high numbers of violent incidents associated with the premises.
- The standards of admission.
- Behaviour of the Designated Premises Supervisor (serving three 16 year olds).
- Permitting those involved in incidents, to return to the premises.
- Failure to adopt the 'challenge 25' policy.

RESOLVED – That the Premises Licence in respect of Bella Roma/Cheers Bar (formerly Ginos), 71 King William Street, Blackburn, be revoked from 8th November 2011.

Mr Patel and Mr Difillippo were advised of the right to appeal against the decision of the Sub Committee, within 21 days of the 8th November 2011.

Signed
Chair of the meeting at which the Minutes were signed

Date