

Licensing Sub-Committee report



31st December 2021

Report of: Ed Fisher (Licensing Officer)
 Application: Summary Review
 Premises: Atesh
 Applicant: Chief officer of the Thames Valley Police
 Date of Application: 31 December 2021
 Application Ref: 161114

Exempt / confidential / not for publication	No
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1. Application

- 1.1 This is an application for a Summary Review of the Atesh premises licence made under section 53A of the Licensing Act 2003. The legislation allows an application of this type as a rapid means to tackle serious crime and disorder at an alcohol licensed premises. The Section 182 Guidance states this action should be:
- “Reserved for the most serious matters which cannot be adequately or otherwise redressed unless urgent action is taken.”
- 1.2 The application must be made for a premise that is licensed to sell alcohol, which Atesh has, and by the chief officer of the police for reasons relating to serious crime and/or serious disorder.
- 1.3 The application is included at **Annex A**. This annex also includes the required certificate giving the opinion of the relevant senior police officer that a serious crime has occurred. A GEN40 form is also provided as supporting information to the application.
- 1.4 The applicant is requesting that the Licensing Authority suspends the Licence prior to a full Review hearing on or before January 28th, 2022 (that is within 28 days of the application being made).
- 1.5 The current premises licence is included at **Annex B** to the report. A plan of the premises is provided at **Annex C** to this report.

1.6 Current hours of operation:

Supply of Alcohol/ Entertainment / Late Night Refreshment

Monday to Sunday 1000 – 0400 (the following morning)

Opening Hours

Monday to Sunday 1000 – 0430 (the following morning)

2. Responsible Authorities

2.1 Only the police may serve a Summary Review application. No representations can be made in support or against the application at this stage other than by them or the licence holder.

3. Officer Observations

3.1 The application has been served correctly by the Thames Valley Police.

3.2 The Atesh is situated in Central Milton Keynes and consists of a ground and first floor area. A map of the locality is available at **Annex D**.

3.3 A full review hearing must be held on or before January 28th. During that hearing, other responsible authorities and other persons will have been able to make representations in relation to the review application if they consider it appropriate.

3.4 The premises licence for Atesh was granted on the January 2019 and transferred to the current holder in August 2020. The premises were inspected in November 2021 and non-compliance issues notified to the licence holder.

4. Determination of the Application by the Sub-Committee

4.1 The Sub-Committee is required under Section 53B of the Licensing Act 2003 to consider implementing interim steps prior to the full review hearing.

4.2 The interim steps that the Sub-Committee can take are:

(a) the modification of the conditions of the premises licence.

(b) the exclusion of the sale of alcohol by retail from the scope of the licence.

(c) the removal of the designated premises supervisor from the licence.

(d) the suspension of the licence.

The interim steps will take effect immediately after the hearing.

4.3 The four Licensing Objectives are:

- (a) The Prevention of Crime and Disorder.
- (b) Public Safety.
- (c) The prevention of Public Nuisance.
- (d) The Protection of Children from Harm.

4.4 When carrying out its functions under the Act, and determining an application, the Licensing Authority must have regard to the Guidance issued by the Home Secretary under section 182 of the Act and its own Statement of Licensing Policy.

4.5 Extracts from the Guidance appropriate to this application are attached at **Annex E** to the report. A full copy is available online or from the Licensing Team.

4.6 Extracts from the Council's Statement of Licensing Policy relevant to this application are attached at **Annex F** to the report. A full copy is available online or from the Licensing Team.

Contact Officer

For further information on this application please contact Ed Fisher on telephone 01908 252409 or e-mail: eddie.fisher@milton-keynes.gov.uk

List of Background Papers

Milton Keynes Council Statement of Licensing Policy 2018-2023.

<https://www.milton-keynes.gov.uk/environmental-health-and-trading-standards/licensing/alcohol-and-entertainment/milton-keynes-council-licensing-policy>

Home Office Revised Guidance issued under section 182 of the Licensing Act 2003 - April 2018

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf