

Notice of Decision



of the Licensing Sub Committee

Date of Meeting:	24 May 2024
Determination Date:	24 May 2024
Notice of Decision:	5 June 2024
Members:	Cllr L Farley (Chair) Cllr L Martin Cllr R Downes (Remotely)
Legal Officer:	Robert Brown, Principal Legal Officer
Licensing Officer:	Matthew Nelson, Principal Licensing Officer
Premises:	The Pax Inn, 11 The Village, Boston Spa, Wetherby, Leeds, LS23 7AR
Application:	Summary Review: Interim Steps

West Yorkshire Police having made an application for summary review of the premises licence for The Pax Inn, 11 The Village, Boston Spa, Wetherby, Leeds, LS23 7AR pursuant to s.53A of the Licensing Act 2003, the Council's Licensing Sub-Committee (herein referred to as "the Committee") met to consider whether it was necessary to take interim steps pending the determination of the substantive application.

Members of the Licensing Sub-Committee had been provided in advance with a copy of the Report of the Chief Officer Elections and Regulatory. Appended to that Report were copies of the following:

- A copy of the premises licence
- An application submitted by West Yorkshire Police ("WYP") for a summary review of the premises licence
- A certificate under s.53A(1)(b) of the Licensing Act 2003 from a senior officer of WYP that in the opinion of that officer the premises are associated with serious crime and/or serious disorder.
- A copy of the Home Office Summary Review Guidance

P.C. Clifford of West Yorkshire Police referred to the allegations of violence by the licence holder and answered questions from the Committee. The premises licence holder was made aware that Members of the Licensing Sub Committee would be meeting to consider interim steps. There was no attendance by the licence holder or by anyone on his behalf.

The Committee noted the reasons for the application for review set out by West Yorkshire Police and that they seek immediate suspension of the premises licence.

Decision

Having carefully considered the available information, having heard from and questioned, the Police and having deliberated in private session, the Licensing Sub-Committee was of the unanimous view that it was necessary to suspend the licence of The Pax Inn, 11 The Village, Boston Spa, Wetherby, Leeds, LS23 7AR with immediate effect, pending the determination of the substantive review application.

Reasons

It appeared to be the case that the licence holder had been responsible for an assault on an underage customer at the premises. The Committee considered the alleged violence would constitute serious crime for the purposes of section 53A of the Licensing Act 2003.

The Committee considered that modification of the conditions or removal of the designated premises supervisor would be inadequate to address its concerns. The designated premises supervisor was also the licence holder. The Committee concluded that, in all the circumstances, suspension of the licence pending the hearing of the summary review application was necessary.

Right of Appeal

There is no right of appeal at this stage of the summary review process. However, the legislation permits a premises licence holder to make representations against the interim steps taken by the licensing authority.

On receipt of such representations the licensing authority must (if the representations are not withdrawn) hold a hearing within 48 hours of their receipt.

Further information on making a representation against the interim measures can be found in the Guidance issued under section 182 of the Licensing Act 2003.