

Licensing Sub-Committee

Monday 12th August
2013
4.30 pm

Council Chamber
Town Hall
Redditch



www.redditchbc.gov.uk

Access to Information - Your Rights

The Local Government (Access to Information) Act 1985 widened the rights of press and public to attend Local Authority meetings and to see certain documents. Recently the Freedom of Information Act 2000, has further broadened these rights, and limited exemptions under the 1985 Act.

Your main rights are set out below:-

- Automatic right to attend all formal Council and Committee meetings unless the business would disclose confidential or “exempt” information.
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- Automatic right to inspect minutes of the Council and its Committees

(or summaries of business undertaken in private) for up to six years following a meeting.

- Automatic right to inspect lists of background papers used in the preparation of public reports.
- Access, on request, to the background papers on which reports are based for a period of up to four years from the date of the meeting.
- Access to a public register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc.

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- Access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned.
- Access to a summary of the rights of the public to attend meetings of the Council and its Committees etc. and to inspect and copy documents.
- In addition, the public now has a right to be present when the Council determines “Key Decisions” unless the business would disclose confidential or “exempt” information.
- Unless otherwise stated, most items of business before the Executive Committee are Key Decisions.
- Copies of Agenda Lists are published in advance of the meetings on the Council's Website:

www.redditchbc.gov.uk

If you have any queries on this Agenda or any of the decisions taken or wish to exercise any of the above rights of access to information, please contact the following:

Ivor Westmore

Democratic Services

Town Hall, Walter Stranz Square, Redditch, B98 8AH

Tel: (01527) 64252 Ext. 3269 Fax: (01527) 65216

e.mail: ivor.westmore@bromsgroveandredditch.gov.uk

Welcome to today's meeting.

Guidance for the Public

Agenda Papers

The **Agenda List** at the front of the Agenda summarises the issues to be discussed and is followed by the Officers' full supporting **Reports**.

Chair

The Chair is responsible for the proper conduct of the meeting. Generally to one side of the Chair is the Committee Support Officer who gives advice on the proper conduct of the meeting and ensures that the debate and the decisions are properly recorded. On the Chair's other side are the relevant Council Officers. The Councillors ("Members") of the Committee occupy the remaining seats around the table.

Running Order

Items will normally be taken in the order printed but, in particular circumstances, the Chair may agree to vary the order.

Refreshments : tea, coffee and water are normally available at meetings - please serve yourself.

Decisions

Decisions at the meeting will be taken by the **Councillors** who are the democratically elected representatives. They are advised by **Officers** who are paid professionals and do not have a vote.

Members of the Public

Members of the public may, by prior arrangement, speak at meetings of the Council or its Committees. Specific procedures exist for Appeals Hearings or for meetings involving Licence or Planning Applications. For further information on this point, please speak to the Committee Support Officer.

Special Arrangements

If you have any particular needs, please contact the Committee Support Officer.

Infra-red devices for the hearing impaired are available on request at the meeting. Other facilities may require prior arrangement.

Further Information

If you require any further information, please contact the Committee Support Officer (see foot of page opposite).

Fire/ Emergency instructions

If the alarm is sounded, please leave the building by the nearest available exit – these are clearly indicated within all the Committee Rooms.

If you discover a fire, inform a member of staff or operate the nearest alarm call point (wall mounted red rectangular box). In the event of the fire alarm sounding, leave the building immediately following the fire exit signs. Officers have been appointed with responsibility to ensure that all visitors are escorted from the building.

Do Not stop to collect personal belongings.

Do Not use lifts.

Do Not re-enter the building until told to do so.

The emergency Assembly Area is on Walter Stranz Square.

COMMITTEE PROTOCOL – LICENSING SUB-COMMITTEE

Each application that comes before this Sub-Committee will be treated on its own merits. This licensing authority will make its decision based on the merits of the application and the promotion of the four licensing objectives, namely:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm,

and will also have regard to the Guidance issued under Section 182 of the Licensing Act 2003 and the Redditch Borough Council Statement of Licensing Policy.

Members of the Sub-Committee will meet prior to the hearing to note matters to be presented, assisted by the legal and administrative support Officers only. The actual application will not be discussed.

LICENSING HEARING PROCEDURE

The Hearing

1. The Chair will open the meeting, outlining the nature of the decision to be taken, and will identify the members of the Sub-Committee and Council Officers present.
2. The Chair will then ask all parties present for that agenda item to introduce themselves.
3. The Chair will give a brief outline of the procedure to be followed at the hearing.
4. The Licensing Officer will present the report, outlining any relevant representations and relevancies to the Redditch Borough Council Statement of Licensing Policy and Guidance issued under Section 182 of the Licensing Act 2003.
5. The Licensing Officer may be questioned by members of the Sub-Committee and, if given permission by the Sub-Committee, the other parties present.

(Similar rights of questioning will apply, with the Sub-Committee's permission, in relation to paragraphs 7, 9 and 11 below.)

6. The Applicant / Licence Holder and / or his / her representative will speak in support of the application.
7. The Applicant / Licence Holder and / or his / her representative may be questioned by members of the Sub-Committee.
8. Any witnesses called, with due notice, by the applicant will, with the permission of the Sub-Committee, then make representations to the Sub-Committee.

(Similar rights will apply in relation to witnesses called by other parties.)

9. The witnesses may be questioned by members of the Sub-Committee.

10. The Police / Local Authority exercising environmental health functions will be invited to present their objections to the application for a Temporary Event Notice to the Sub-Committee.
 - (a) In the case of any party who has made representations but fails to attend, the hearing will normally proceed, taking into consideration the written representations, but ensuring appropriate weight is given to the representations.
 - (b) No party wishing to make representations may raise any ground or objection at the hearing not previously referred to in the written submission, unless all parties give their consent to this.
11. Once the Police / Local Authority exercising environmental health functions making representations have concluded their case, he / she may be questioned by the members of the Sub-Committee.
12. The Licensing Officer will be invited to make a closing statement.
13. The Police / Local Authority exercising environmental health functions will be invited to sum up.
14. The Applicant / Licence Holder and / or his / her representative will be invited to sum up.
15. The Chair will announce an adjournment of the hearing in order for the Sub-Committee to make its decision. The decision will be made in private and in the absence of all parties present, with the exception of the members of the Sub-Committee and the legal and administrative support Officers, from the Sub-Committee's deliberations. Normally the Sub-Committee, legal adviser and committee administrator will withdraw from the room.
16. The Sub-Committee may return to the meeting room to seek clarification on any point. The Sub-Committee, legal advisor and committee administrator will then withdraw again.
17. The Chair may depart from the above procedure if he / she considers it is in the interests of natural justice to do so, either of his / her own volition or upon application by any party. Before doing so he / she shall invite the views of the parties present and consider any representations that may be made.

Decision

18. The hearing will reconvene, all parties being recalled.
19. The Chair will announce the decision, together with reasons for it in public at the conclusion of the hearing, together with any conditions placed upon the licence and the licensing objective they relate to.
20. The decision will be confirmed in writing to the Applicant / Licence Holder and his / her representative (if appropriate), and to the other parties to the hearing, and also to the Chief Officer of Police, as soon as is practicable after the hearing.

Notes

1. *Any changes in Sub-Committee membership will be given at the beginning of the meeting.*
2. *Each party will be limited to a maximum time of ten minutes in which to make representations to the Sub-Committee. This period may be extended at the discretion of the Chair. If an extension is agreed, all parties are to be allowed the same time to make representations.*

3. *Any person wishing to make representations and Applicants / Licence Holders can be represented by a legal representative (at their own expense) or by a Councillor.*
4. *Late representations and evidence will only be considered with the agreement of all parties present.*
5. *Parties to the hearing will not normally be entitled to cross-examine any other party unless given permission by the Sub-Committee to do so.*
6. *The Sub-Committee may require any person attending the hearing, who in its opinion is behaving in a disruptive manner, to leave the hearing and may:*
 - *refuse to permit that person to return; or*
 - *permit that person to return only on such conditions as the Sub-Committee specify,**but such person may, before the end of the hearing, submit in writing any such information which they would have given orally had they not been required to leave.*
7. *Decisions will generally be taken regardless of whether the applicant is present.*
8. *In cases where a decision cannot be given at the end of the hearing, the Sub-Committee will make its decision as soon as is practicable and inform the applicant and other parties of the decision no less than 24 hours prior to the commencement of the Temporary Event.*
9. *Applicants have a right to appeal, details of which can be obtained via the Licensing Officer.*
10. *It is not the general policy of the Council to enter into discussions or correspondence on matters relating to the hearing or any decision made at the hearing.*
11. *Any irregularity resulting from any failure to comply with any provision of the relevant Regulations before the Sub-Committee has made a determination shall not of itself render the proceedings void. In the case of such irregularity, the Sub-Committee shall, if it considers that any person may have been prejudiced as a result of such irregularity, take such steps as it thinks fit to cure the irregularity prior to determination.*
12. *Clerical errors in any document recording a determination of the Sub-Committee or errors arising in such document from accidental slip or omission may be corrected by the Sub-Committee.*
13. *Parties are not normally permitted to cross-examine or question other parties at Licensing Sub-Committee hearings except with the permission of the Sub-Committee. It is important that questions should not be hostile or seek to unfairly undermine the position of any party.*

12th August 2013

4.30 pm

Council Chamber Town Hall

Agenda

Membership:

Cllrs: Cllr Phil Mould (Chair)
Cllr Alan Mason
Cllr Michael Chalk
Reserve member – To be confirmed

1. Chair's Welcome	The Chair will open the meeting and welcome all present.
2. Apologies	To receive apologies for absence and the details of any Councillor nominated to attend the meeting in place of a Member listed.
3. Declarations	To invite Councillors to declare any interest they may have in the item on the agenda.
4. Temporary Event Notice - Objection from West Mercia Police (Pages 1 - 14) Head of Worcestershire Regulatory Services	To consider an objection notice served by West Mercia Police in accordance with the Licensing Act 2003 in respect of a Temporary Event Notice for a planned event at Club Rush, 76 Ipsley Street, Redditch, B98 7AJ. (Report attached) (Central Ward)

**LICENSING
SUB-COMMITTEE**

12th August 2013

**TEMPORARY EVENT NOTICE – OBJECTION FROM WEST MERCIA
POLICE**

Relevant Portfolio Holder	Councillor Rebecca Blake
Portfolio Holder Consulted	No
Relevant Head of Service	Steve Jordan – Head of Worcestershire Regulatory Services.
Wards Affected	Central
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 A Temporary Event Notice was received on 31st July 2013 from the premises Designated Premises Supervisor Mr Michael Parchment relating to an event at Club Rush, 76 Ipsley Street, Redditch, B98 7AJ. Mr Parchment had applied for an event to take place at Club Rush from 22.00hrs on Saturday 24th August 2013 to 06.00hrs on Sunday 25th August 2013.

An objection notice was served by West Mercia Police on Thursday 1st August 2013 in accordance with the Licensing Act 2003.

2. RECOMMENDATIONS

- 2.1 **The Sub-Committee is asked to RESOLVE**

whether or not, having regard to the objection notice, it is appropriate for the promotion of the licensing objectives to serve a counter notice in respect of the Temporary Event Notice under section 105(2)(b) of the Licensing Act 2003.

3. KEY ISSUES

Financial Implications

- 3.1 The Statutory Fee of £21.00 has been paid. Should a counter notice be served there is a right of appeal to Magistrates Court. Should an appeal be successful the Magistrates may make an order for costs.

Legal Implications

- 3.2 The Sub-Committee should have regard to any National Guidance set down under S182 of the Licensing Act 2003 and Redditch Borough Council's Statement of Licensing Policy.
- 3.3 The Committee is obliged to determine this matter with a view to the promotion of the licensing objectives which are:

LICENSING SUB-COMMITTEE

12th August 2013

- The Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children from Harm.

- 3.4 The Sub-Committee must also have regard to the objection notice and the evidence it hears.
- 3.5 The Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:
- (a) Decide to serve a counter notice
 - (b) Decide not to serve a counter notice
- 3.6 In accordance with the provisions of Part 3 of Schedule 5 of the Act, where the licensing authority gives a counter-notice under section 105, the premises user may appeal against the decision. Where the authority does not give a counter notice, the relevant person who gave the objection notice may appeal against the decision. In both cases, appeals must be made to a Magistrates Court within 21 days of receiving notification of the decision - however, no appeal can be brought less than 5 working days prior to the first proposed event day.

Service/Operational Implications

- 3.7 A Temporary Event Notice may be served by any person for licensable activities which it is intended will take place other than under a licence issued. The person making that notice is the premises user. The notice has to be given to the licensing authority and other “relevant persons” not less than ten working days before the event.
- 3.8 Only “relevant persons” can object to a Temporary Event Notice. The following are “relevant persons”:
- (a) the chief officer of police for any police area in which the premises are situated,
 - (b) the local authority by which statutory functions are exercisable in any area in which the premises are situated in relation to minimising or preventing the risk of pollution of the environment or of harm to human health
- 3.9 Objection notices must be given before the end of the third working day following the day on which the relevant person is given a copy of the temporary event notice.

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SUB-COMMITTEE**12th August 2013

- 3.10 On 31st July 2013 a Temporary Event Notice was received by Redditch Borough Council from Designated Premises Supervisor Mr. Parchment of Club Rush. The notice stated that a DJ Club Event will be held at Club Rush commencing at 22.00hrs Saturday 24th August 2013 until 06.00 hrs. Sunday 25th August 2013. A copy of the application can be found at appendix 1.
- 3.11 The Temporary Event Notice is for the sale by retail of alcohol (for consumption on the premise only), the provision of regulated entertainment and the provision of late night refreshment.
- 3.12 Mr Parchment is a personal licence holder – licence issued by Redditch Borough Council expiring 14th September 2015.
- 3.13 On the 1st August 2013 West Mercia Police served an objection notice on Mr Parchment. The Police objection is made on the grounds of Prevention of Crime, Public Safety, Prevention of Public Nuisance and Protection of Children from Harm. A copy of the Objection Notice can be found at Appendix 2.
- 3.14 Members are asked to consider this objection notice and to determine if it is appropriate for the promotion of the licensing objectives that a counter notice should be given by Redditch Borough Council. The effect of the counter notice would be that the licensable activities which are the subject of the Temporary Event Notice in question would NOT be permitted by that Temporary Event Notice.
- 3.15 At any time prior to the hearing, relevant persons may, with the agreement of the premises user, modify the temporary event notice by making changes to the notice. The objection notice shall be treated as having been withdrawn from the time the temporary event notice is modified. No agreement to modify the temporary event notice could be reached in this case.
- 3.16 The premises user and all relevant persons have been invited to attend the hearing.

Customer / Equalities and Diversity Implications

- 3.17 None

4. RISK MANAGEMENT

- 4.1 None

5. APPENDICES

**LICENSING
SUB-COMMITTEE**

12th August 2013

Appendix 1 - TEN Application
Appendix 2 - Objection Notice

6. BACKGROUND PAPERS

Licensing Act 2003
Guidance under S182 of the Licensing Act 2003
Statement of Licensing Policy

AUTHOR OF REPORT

Name: Dave Etheridge – Senior Practitioner (Licensing)
E Mail: d.etheridge@worcsregservices.gov.uk
Tel: (01527) 881395

Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	FARCHMENT		
Forenames	MICHAEL		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth		Day	Month
4. Your place of birth			
5. National Insurance Number			
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
Post town		Postcode	
REDDITCH			
7. Other contact details			
Telephone numbers			
Daytime			
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail address (if available)			
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			

Post town	Postcode
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
76 IBBLEY STREET SMALLWOOD REDDITCH WORCESTERSHIRE B98 7AJ	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
CLUB ONLY	
Please describe the nature of the premises below. (Please read note 4)	
NIGHT CLUB AND BAR	
Please describe the nature of the event below. (Please read note 5)	
DJ CLUB EVENT	

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3. The licensable activities	
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)	
The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>
The provision of regulated entertainment	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input checked="" type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 7)	<input checked="" type="checkbox"/>
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)	
SATURDAY 24TH AUGUST 2013 SUNDAY 25TH AUGUST 2013	
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)	
22.00 - 06.00AM	
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)	
250	
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 11)	On the premises only <input checked="" type="checkbox"/>
	Off the premises only <input type="checkbox"/>
	Both <input type="checkbox"/>

4. Personal licence holders (Please read note 12)		
Do you currently hold a valid personal licence? (Please tick)		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	REDDITCH BOROUGH COUNCIL	
Licence number	18250053	
Date of issue		
Date of expiry	14.09.2015	
Any further relevant details		


5. Previous temporary event notices you have given (Please read note 13 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 14 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

7. Checklist (Please read note 15)	
I have: (Please tick the appropriate boxes)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input type="checkbox"/>

8. Condition (Please read note 16)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 17)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence: (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine not exceeding level 5 on the standard scale; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	23/7/2013

Name of Person signing	MR MICHAEL PARSONS
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For completion by the licensing authority

10. Acknowledgement (Please read note 18)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

**WEST MERCIA POLICE OBJECTION
TEMPORARY EVENT NOTICE**

Club Rush

I Paul Bott an appointed Licensing Officer with West Mercia Police, having delegated authority from the Chief Officer to exercise powers under the Licensing Act 2003, hereby give notice of objection to a Temporary Event Notice received by West Mercia Police on 31st July 2013, made by Michael Parchment and dated 23rd July 2013, The Notification seeks to authorise licensable activities between the hours of 22:00-06:00 on 24th to 25th August 2013 at Club Rush, Ipsley St, Redditch.

The police objection is made on the grounds of Prevention of Crime, Public Safety, Prevention of Public Nuisance, Protection of Children From Harm. The Club Rush has recently come under Police scrutiny, following incidents of crime and disorder in and directly related to the premise. Evidence of which will follow in the event of a hearing being held.

Paul Bott
Licensing Officer duly authorised

Dated 1st August 2013

RESTRICTED (when complete)

Page 1 of 2

WITNESS STATEMENT

(Criminal Procedure Rules, r27.2; Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B)

URN: N/A

Statement of: Paul Bott

Age if under 18: Over 18

Occupation: Licensing Officer

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false, or do not believe to be true.

Signature: P Bott

Date: 6th August 2013

I am a licensing officer employed by West Mercia Constabulary based at Kidderminster Police Station, which is the Divisional Headquarters for North Worcestershire. I have been a licensing officer since October 2011 with delegated authority from the Chief Constable to exercise powers and duties given to the Chief Officer of Police under the Licensing Act 2003.

I am making representations against the granting of a Temporary Event Notice, to Mr Michael Parchment, to extend the opening hours of Club Rush along with the provision of regulated entertainment, and the provision of late night refreshment until 06:00 hrs on Sunday 25th August 2013.

At 5:10 hrs on Sunday 19th May 2013, officers attended Ipsley Street responding to a report received about the road being blocked. On arrival they saw persons were leaving the Club Rush, which should close at 03:00hrs. A man who had just left the premise was in the middle of the road, causing an obstruction to traffic. The officers spoke to the man who became abusive and spat at one of them; he was arrested for being drunk and disorderly and assault police.

On the 21st May 2013, police received a complaint from a lady that her 16 yr old niece had been inside the premise and had been allowed to purchase alcohol as a result she'd become highly intoxicated. A letter of warning was sent and Mr Parchment responded via telephone denying the matter saying that he had had problems with an under age female continually trying to get in and being refused and he believed it may have been her, causing problems for the club.

On the 16th June 2013, Michael Parchment attended Redditch Police Station at the request of Ins'p Joseph, who spoke to him about concerns that the club around drunkenness in and outside the premise and serving under age. He warned Mr Parchment that he may if problems persisted refer the club to a Review at the council.

On the 13th June 2013, a member of doorstaff employed by Club Rush complained to the police that he had been attacked by Mr Parchment and another member of his team, at the end of his shift following a dispute over payment.

At 3:13hrs on Saturday 29th June 2013, police attended Ipsley Street to a man extremely intoxicated who'd been ejected from the club and went on to assault other persons in the street.

On Sunday 4th July 2013, police received a complaint from two ladies that they'd been assaulted at the club at around 2:30 hrs that day. One had been attacked with a glass requiring hospital treatment the other had been punched.

Signature: P Bott

Signature witnessed by: N/A

RESTRICTED (when complete)

Statement of: Paul Bott

URN:

N/A

It is the belief of West Mercia police that if this event is allowed it will interfere with the four licensing objectives:

The prevention of crime and disorder

Public safety

The prevention of public nuisance

The protection of children from harm

Signature: P Bott

Signature witnessed by: N/A