

# Licensing Sub-Committee

Wednesday, 8th February,  
2023

## MINUTES

### Present:

Councillor Emma Marshall (Chair), and Councillors Karen Ashley and Michael Chalk

### Also Present:

Sgt D. Townsend (West Mercia Police), Colin Leroux (Legal advisor for West Mercia Police), Melanie Bryan (Mother of license holder), Chloe Marshall (Girlfriend of license holder), Alfred Bryan (Father of license holder)

### Officers:

Vanessa Brown, Ryan Keyte, Dave Etheridge

### Democratic Services Officers:

Gavin Day and Pauline Ross (observing)

## 6. CHAIRS WELCOME

This was a meeting following an adjournment on the 25<sup>th</sup> January 2023. The adjournment was to enable Mr Bryan to arrange to be present via a video link and to enable him to consider being legally represented.

The Chair opened the Hearing and with the agreement of the Chair, the Council's Legal Advisor informed the Sub-Committee that an email had been received from a solicitor representing Mr Bryan requesting that the Hearing be adjourned in order to enable Mr Bryan further time to submit a verbal representation. Officers informed the Sub-Committee that they had responded and confirmed that legislation required the review to be considered within 28 days, the 8<sup>th</sup> February being the last date upon which a determination must be made. It was confirmed that this information was provided to both Mr Bryan and his solicitor well in advance of the hearing.

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Chair

Miss Marshall then informed the Sub-Committee that she was in contact with the prison service video unit who were prepared to organise a video link, to enable Mr Bryan to address the Sub-Committee.

With the approval of the Chair the Hearing was adjourned to allow Officers an opportunity to attempt to establish a video link with Mr Bryan.

Accordingly, the Hearing stood adjourned from 10:05 hours to 11:03 hours.

Having reconvened, the Council's Legal Advisor informed the Sub-Committee that after speaking to Prison, it was clear that it was not possible to establish a video link. The Council's Legal Advisor further informed the Sub-Committee that despite the confirmation that a video link was not possible, the Democratic Services Officer had emailed the prison again and the Officer would alert the Chair if any response was received.

The Chair then welcomed everybody to the Hearing and introduced herself and Members of the Sub-Committee, then at the request of the Chair all parties to the proceedings briefly introduced themselves.

Mr and Mrs Bryan and Miss Marshall clarified to the Sub-Committee that that they were attending as representatives of the licence holder.

The Chair informed all those present that although it was a public Hearing, that there may be circumstances when the Sub-Committee might have to move into closed session to consider exempt or confidential information.

## **7. APOLOGIES**

There were no apologies received.

## **8. DECLARATIONS OF INTEREST**

There were no declarations of interest.

9. **REVIEW OF A PREMISES LICENCE FOLLOWING THE MAKING OF A CLOSURE ORDER - THE WARWICK CLUB, 76 IPSLEY STREET, REDDITCH, B98 7AE**

The Chair reminded Mr Bryan's representatives that they were entitled to legal representation at their own expense.

Dave Etheridge, Principal Officer (Licencing), Worcester Regulatory Services, (WRS) presented the report.

Mr Etheridge detailed that on 11<sup>th</sup> January 2023, Worcester Magistrates Court had informed WRS that a Closure Order under section 80 of the Anti-social Behaviour, Crime and Policing Act 2014, had been granted in respect of The Warwick Club. The Closure Order was in relation to an incident that had occurred outside the premises on the morning of 3<sup>rd</sup> December 2022

In accordance with the requirements of the Licensing Act 2003, the Licensing Authority was required to review the premises licence in order to determine what steps it deemed appropriate to take in respect of the licence.

At the time of the Closure Order the Designated Premises Supervisor (DPS) was Michael Deusham Parchment, however, on 6<sup>th</sup> December 2022 Mr Parchment gave WRS notice that he had ceased being the DPS for the premises and his name was removed with immediate effect.

Mr Etheridge outlined that West Mercia Police (WMP) had submitted representation, the public representation was detailed on page 25 of the Public Reports Pack, Other CONFIDENTIAL information would only be made available to the parties to the proceedings. Mr Etheridge further highlighted that no other representations had been received.

Mr Etheridge informed the Sub-Committee that Members needed to reach a determination on the review no later than 28 days after notification of the Closure Order was received from the Magistrates Court. Therefore, a determination needed to be reached no later than Wednesday 8<sup>th</sup> February 2023.

There were no questions from Members nor any party present for Mr Etheridge.

At this stage of the Hearing, and as highlighted by the Chair, at the commencement of the Hearing, it was

**RESOLVED that**

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under Section 100 I of the Local Government Act 1972, as amended, the public be excluded from the meeting on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1, 2, 3 and 7 of Part I of the Act, and that it is in the public interest to do so: -

The Hearing then went into exempt session from 11:20 hours to 17:19 hours and the public and press were excluded.

Having reconvened at 17:19 hours, the Chair announced that the Hearing was no longer in exempt session. The Chair further announced that the Sub-Committee had reached the following decision: -

Having had regard to:

- The licensing objectives set out in the Licensing Act 2003.
- The Council's Statement of Licensing Policy.
- The Guidance issued under section 182 of the Act.
- The Report presented by the Principal Officer (Licensing), Worcestershire Regulatory Services.
- The written and oral representations made at the Hearing by Mr Leroux, solicitor, on behalf of West Mercia Police and Sgt Townsend, West Mercia Police. The Sub-Committee also viewed CCTV evidence
- The oral representations made by Miss Chloe Marshall, Mrs Melanie Bryan and Mr Alfred Bryan on behalf of the director, Mr Clinton Bryan, of the Warwick Arms (Redditch) Limited.

It was:

**RESOLVED that**

**the premises licence for The Warwick Club, 76 Ipsley Street Redditch be revoked.**

The Meeting commenced at 10.05 am  
and closed at 5.27 pm