

Meeting	Licensing Committee
Portfolio Area	Communities, Community Safety and Equalities
Date	19 October 2021

APPLICATION TO REVIEW A PREMISES LICENCE – IBIS HOTEL, THE FORUM, DANESTRETE, STEVENAGE, SG1 1EJ.

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1 PURPOSE

- 1.1 To determine an application for a review of the premises licence for Ibis Hotel, The Forum, Danestrete, Stevenage, SG1 1EJ. The application has been made by Hertfordshire Constabulary. Representations have been made by Stevenage Council's licensing team.

2 RECOMMENDATIONS

- 2.1 That the Committee reviews the evidence presented by the responsible authorities and the premises licence holder (and/or representatives) and determines what action should result in respect of the review application.

3 SUMMARY OF APPLICATION

- 3.1 Ibis Hotel is combined hotel and function suite. It has a premises licence for the performance of live music, the playing of recorded music and the performance of dance. It is also licensed to provide activities similar to the

three just mentioned. It is further licensed to exhibit films, and provide on and off sales of alcohol. In June, 2013. A 13 year old girl booked into the hotel for 2 nights. During her stay at the hotel she associated with various other residents. This situation was discovered by Police who launched an investigation into potential child abuse. This investigation was hindered by the Hotel failing to provide Police with CCTV footage. A combined Police and Council visit to the hotel revealed that the procedure for viewing or obtaining CCTV footage is an obstacle to the efficient investigation of crime. The application for review was accepted as valid and duly made by the Council on 3rd September, 2021. A copy of the application is attached at Appendix A.

4 BACKGROUND INFORMATION

- 4.1 The Hotel is situated in the part of the town centre known as The Forum. The hotel is used Stevenage Council to accommodate homeless people. The hotel also accepts bookings from other people. At present the function room is not being used for entertainment or functions. The hotel does not appear to be making off sales of alcohol at present. A location map is attached at Appendix D. A copy of the premises licence is attached at Appendix E.

5 RESPONSIBLE AUTHORITIES

- 5.1 Hertfordshire Constabulary has submitted the review in connection with the Licensing Objectives of the prevention of crime and disorder, and the protection of children from harm. Representations have been received from Stevenage Council's Licensing Responsible in connection with the Licensing Objectives of the prevention of crime and disorder and the prevention of public nuisance. The Police review details a number of incidents that have occurred at the hotel, and the inadequacy of the provision of CCTV coverage which hinders the investigation of these incidents. The Licensing Authority's representation re-inforce the evidence about inadequate CCTV provision, and point out the possibility of public nuisance because the hotel is licensed for off sales. The Licensing Authority also recommend changes to the premises licence conditions.
- 5.2 A copy of the Licensing Authority's representations is attached at Appendix C.

6 INTERESTED PARTIES

- 6.1 No interested parties have made representations.

7 IMPLICATIONS

7.1 Financial Implications

7.1.1 There are no financial or resource implications arising from the content of this report.

7.2 Legal Implications

7.2.1 The Committee is advised that paragraphs 9.1 – 9.10 & 9.3- 10.10 of the Guidance under section 182 of the Act describe the powers of a Licensing Authority on the determination of an application.

7.2.2 The following options are available to the committee under section 51 & 52 of the Licensing Act 2003:

- To modify the conditions of the licence
- To exclude a licensable activity from the licence
- To remove the designated premises supervisor
- To suspend the licence for a period not exceeding three months
- To revoke the licence

7.3 Policy Implications

7.3.1 *Stevenage Borough Council Statement of Licensing Policy 2020 – 2025*

The following sections of the licensing authority's statement of licensing policy apply to this application:

17.2 The Licensing Authority, in determining if the application for a review is relevant, will have regard to the current guidance issued by the Secretary of State under section 182 of the Act in so far as to whether an application is frivolous, vexatious or repetitious. Representations made by a responsible authority cannot be deemed as being frivolous, vexatious or repetitious.

17.4 In instances where the crime prevention objective is being undermined, revocation, even in the instance of this being a first review of the premises licence, or club premises certificate, will be given serious consideration.

7.3.2 *Guidance issued under section 182 of the Licensing Act 2003*

The Committee is reminded of the Guidance issued under section 182 of the Licensing Act 2003. These particular sections are relevant to this review application:

The Review Process paragraphs 11.1 – 11.11

Repetitious Representations paragraphs 11.12 – 11.15

Reviews arising in connection with crime paragraphs 11.24 – 11.28

7.4 Equalities and Diversity Implications

7.4.1 Any decision by the Committee is based on evidence before it at the meeting; there are no equalities and diversity implications.

7.5 Crime and Disorder

- 7.5.1 The Committee is reminded of their duty under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the authority's responsibility to co-operate in the reduction of crime and disorder in the Borough.

8 BACKGROUND DOCUMENTS

- BD1 Licensing Act 2003
- BD2 Stevenage Borough Council, Statement of Licensing Policy 2020-2025
- BD3 Guidance issued under section 182 of the Licensing Act 2003

9 APPENDICES

- A Application for review of the premise licence.
- B Expanded details of incidents mentioned in the review application.
- C Representations the Licensing Authority.
- D Map of the location of Ibis Hotel.
- E Premises licence for Ibis Hotel..