

**NORTH LINCOLNSHIRE COUNCIL**  
**LICENSING (ACTIVITIES) SUB-COMMITTEE**

**25 January 2024**

**PRESENT:** - Councillors K Vickers, P Vickers and H Rayner.

The meeting was held in Room G01e/G02e, Church Square House.

2038 **APPOINTMENT OF CHAIRMAN – Resolved-** That Councillor K Vickers be and he was hereby appointed chairman for the meeting.

2039 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS, PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS, AND SIGNIFICANT CONTACT WITH APPLICANTS, OBJECTORS OR THIRD PARTIES (LOBBYING), IF ANY –** There were no declarations of disclosable pecuniary interests, personal or personal and prejudicial interests, or significant contact with applicants, objectors or third parties (lobbying).

2040 **APPLICATIONS AND VARIATION TO PROCEDURE - APPLICANT TO ADDRESS THE COMMITTEE –** In relation to Minute 2041, the applicants legal representative addressed the sub-committee, respectfully requesting CCTV to be viewed, an extension of time to 25 minutes for item 5 of the procedure, and the ability to cross-examine the licence holder to gather information from the licence holder regarding the incident which is the subject of the application for a review of their premises licence.

The Sub-Committee agreed to take a short adjournment to consider the request from the applicants legal representative.

The hearing reconvened and the sub-committee agreed to view the CCTV and allowed to extend the time limit at items 5 and 8 of the procedure to 25 minutes for each party. However, the sub-committee did not agree to deviate from procedure and allow the applicant to cross examine the licence holder. Their reasons being, they were there to determine the review of the premises licence in an administrative manner with questioning of the licence holder and applicant being led by the Chairman of the sub-committee.

2041 **APPLICATION FOR A REVIEW OF A PREMISES LICENCE FOR KING KEBAB, 150 HIGH STREET, SCUNTHORPE, DN15 6EN –** The Director: Communities submitted a report that advised of an application for the review of a premises licence at King Kebab, 150 High Street, Scunthorpe.

Details of the review application were outlined in the report, together with representations submitted by the applicant, Humberside Police, of the review.

The Director in their report reminded the sub-committee that the options

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available to it under the Licensing Act 2003 when considering such applications were:

- To modify the conditions of the licence
- To exclude a licensable activity from the scope of the licence
- To suspend the licence for a period not exceeding three months
- To revoke the licence
- To take no action

Humberside Police and their legal representative, and the licence holder of the premises attended the meeting and made representations and responded to questions.

Following the summary of both parties, the meeting was adjourned for deliberation by members, with the sub-committee decision to be communicated to all parties in writing, stating the following decision –

**Resolved** – The Licensing (Activities) Sub-Committee carefully considered all the information contained in the agenda bundle, as well as the supporting documentation submitted by Humberside Police as the applicant for the review (supported by the Licensing Authority), the legal representative of Humberside Police, the licence holder and their representatives.

The sub-committee gave particular weight to the CCTV evidence where the licence holder was clearly identified assaulting a member of the public and that during the incident, the licence holder had left the premises to carry out other duties leaving members of staff at the premises to deal with the escalating incident.

The sub-committee were also concerned that the licence holder was not carrying out pre-employment checks adequately which failed to assist the police in their investigations by not being able to identify the licence holder's member of staff who was also involved in the incident. The sub-committee viewed this and the failure to co-operate with the applicant (Humberside Police) as obstructive behaviour and were concerned that the licence holder was not taking his responsibility seriously and failed to promote the licensing objectives.

In their deliberations, the sub-committee also gave particular consideration to the licensing objectives, namely the prevention of crime and disorder and paragraph 11.26 of statutory guidance under s182 of the Licensing Act in promoting the licensing objectives and the preventions of illegal working in the interests of the wider community.

Consequently, the sub-committee unanimously agreed to revoke the premises licence. The sub-committee determined that it was appropriate and proportionate for the promotion of the crime and disorder licensing objective and had little confidence that the licence holder would put sufficient measures in place to ensure that any patrons frequenting the premises or employees working at the location were at all times subject to environments which were

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safe in order to adhere to the prevention of crime and disorder licensing objective. The sub-committee considered the recent violent activities involving staff from the premises and the licence holder, to be a highly serious concern.

- 2042 **ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT BY REASON OF SPECIAL CIRCUMSTANCES WHICH MUST BE SPECIFIED**  
– There was no urgent business for consideration at the meeting.