

## APPENDIX C



Ms Nancy Sarah Maxwell



Via Email:



**Hard copy delivered to:**

Pitch & Vinyl  
2 London Road  
Portsmouth  
PO2 0LH

Dear Ms Maxwell

**APPLICATION FOR A SUMMARY REVIEW - PITCH & VINYL (FORMERLY KNOWN AS THE BLUE ANCHOR) 2 LONDON ROAD PORTSMOUTH PO2 0LH - 23/02658/LAPRSR - IMPOSITION OF INTERIM STEPS**

This letter is addressed to the holder of a premises licence issued by Portsmouth City Council ("the council") under our reference 23/02658/LAPRSR.

As advised in my previous email to you yesterday, the Licensing Sub-Committee was convened this morning to determine whether any interim steps should be taken to address those problems of serious crime and disorder evidenced by the Chief Officer of Police in the application for a summary review.

### **DECISION AND REASONS**

On 3 August 2023, an application was made by Hampshire Constabulary under section 53A of the Licensing Act 2003 for a summary review of the premises licence for Pitch & Vinyl (aka The Blue Anchor) situated at 2 London Road, Portsmouth, Hants, PO2 0LH. The application was accompanied by a signed Certificate by a senior officer of Hampshire Constabulary which states that, in the officer's opinion, these premises are associated with serious crime or serious order or both.

Within 48 hours of receiving a summary review application, under section 53B of the Licensing Act 2003, the Licensing Sub-Committee must consider whether it is necessary to take interim steps pending the full review of the premises licence.

**Culture, Leisure and  
Regulatory Services**

Licensing Service  
Civic Offices  
Guildhall Square  
Portsmouth  
PO1 2AL

Phone: 023 9283 4604

Our Ref: 23/02658/LAPRSR

Date: 4 August 2023

The Licensing Sub-Committee met today to consider whether such interim steps are necessary. Councillors heard from PC Vincent and Mr Colin Pollard from Hampshire Constabulary and myself as Licensing Manager and were able to ask questions.

The Sub-Committee were made aware of the interim steps that a licensing authority must consider taking. These are:

- The modification of the conditions of the premises licence;
- The exclusion of the sale of alcohol by retail from the scope of the licence;
- The removal of the designated premises supervisor from the licence; and
- The suspension of the licence.

At all times the Licensing Sub-Committee reminded itself that it must carry out its functions under the Licensing Act 2003 with a view to promoting the licensing objectives.

The licensing objectives engaged are:

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

In determining this matter, the sub-committee has taken into account the oral and written evidence available to it and considered the Council's statement of licensing policy, the relevant sections of the Licensing Act 2003 and Regulations made thereunder, the Guidance issued by the Secretary of State under section 182 of the Act, including the specific guidance issued in relation to section 53A and the licensing objectives, the Human Rights Act and the Equality Act.

The sub-committee was satisfied on the evidence available to it that there was evidence of incidents connected to the premises on Sunday 30 July 2023 (Saturday evening into Sunday morning) as detailed in the application. The sub-committee makes no findings in respect of whether criminal activities have been proven and its focus remains on ensuring the promotion of the licensing objectives. The sub-committee were satisfied that the incidents on this date have shown significant concerns as to how the premises are being managed and the sub-committee considered that it was necessary and proportionate, in order to promote the licensing objectives, to take interim steps pending determination of the review of the premises licence.

The sub-committee considered all available options and concluded that the appropriate interim steps in this matter was that the premises licence be **suspended** pending a full review of the premises licence (to be within 28 days after the day of receipt of the s.53A application) and that the suspension should take effect immediately and remain in force until the determination of the review.

In addition it also determined that it would be appropriate, in the circumstance to remove the current designated premises supervisor from the licence

The premises licence holder may make representations against the interim steps taken by the licensing authority. Under s.53B, the licensing authority must within 48 hours of the receipt of any such representations hold a hearing to consider those.

**The effect of this decision is that it is unlawful for any person to carry out any licensable activities at the premises including the sale of alcohol. There are serious penalties at law for contravening the provisions of the Licensing Act 2003 and you should seek your own legal advice on this matter.**

The Licensing Sub-Committee will consider the review proper on a date to be fixed. You will be invited to attend the hearing and may be represented accordingly. A formal notice of hearing will be sent to all parties in due course.

Yours sincerely



**Nickii Humphreys  
Licensing Manager**

Email: 

