

**LICENSING SUB-COMMITTEE**  
**24th January, 2014**

Present:- Councillor Wootton (in the Chair); Councillors Barron and Swift.

**CLUB/PREMISES CERTIFICATE (LICENSING ACT 2003) - METZ BAR,  
6 MAIN STREET, ROTHERHAM**

Further to a minute of the meeting of the Licensing Sub-Committee held on 31st December, 2013, consideration was given to an application for the review of a premises licence under the Licensing Act 2003, in respect of the premises known as the Metz Bar, 6 Main Street, Rotherham.

The Licensing Authority received representations made by the South Yorkshire Police, which had not been withdrawn, and the Sub-Committee considered those representations.

The Sub-Committee heard representations from Chief Inspector Womersley and Inspector Bentley, on behalf of South Yorkshire Police, supported by Mrs. Mumby, Licensing Manager, Mrs. Cooper, Licensing Enforcement Officer, and Mr. Ainsworth, Enforcement Officer. Representations were also received from Mr. Metcalfe, the owner and Designated Premise Supervisor (DPS) of the Metz Bar, and from Mr. Rowland, his representative.

The representations made by the South Yorkshire Police to the Members of the Licensing Sub-Committee were in relation to a serious injury received by a man in the building early on Christmas morning on Wednesday 25<sup>th</sup> December, 2013, and the facial injuries of his associate. The Police's representation included their concerns about Mr Metcalfe's ability to be a fit and proper Designated Premises Supervisor at the current time following the incident and seventeen previous incidents at the premises since September 2012 (detailed in a chronology of events), involving allegations of drug use, violence, disorder and offensive weapons in the premises. The Police also referred to another ongoing criminal investigation.

Reference was made to the Closed-Circuit Television footage obtained from the front of the premises on Main Street and the disturbance that had occurred there, and to footage obtained to the rear of the property.

The Licensing Sub-Committee and other parties present asked questions to the South Yorkshire Police Representatives on the information they had submitted. Topics raised included the Voluntary Action Plan that existed between the South Yorkshire Police Licensing Department and the Designated Premise Supervisor, the timescale/chronology of the specific incident in the early hours of Christmas Day, the shared use by different premises of the rear yard, and the relevance of the alleged incidents at

the Metz Bar that had taken place before the current Designated Premises Supervisor took up post in May 2013.

Consideration was given to the representations made by Mr. Metcalfe and his representative. The issues raised here included how the Mr. Metcalfe had worked with the Police in relation to the main event under consideration, the degree of his involvement in the running of the business before becoming Designated Premise Supervisor and the chronology of events relating to the Metz Bar, and in particular, the seriousness of one incident recorded and how Mr. Metcalfe disputed the police recording of it. The Designated Premise Supervisor's representative disputed that the chronology of incidents that the Police had provided highlighted any particular problem since his client had been in post; there was evidence to support that Mr. Metcalfe was working with all Partners to reduce and eliminate all areas of concern.

The Licensing Sub-Committee and other parties present asked questions to the Designated Premise Supervisor and his representative on the information that they had submitted. Topics covered included the content of the CCTV footage displayed, the chronology of events on Christmas Day morning and the number of people who were in the area at the time (inside and/or outside the premises) and involved or not involved in the disturbance.

Both parties were asked to sum-up their representations before retiring. Following these representations, the Licensing Sub-Committee gave consideration to the review of the Metz Bar's Premise Licence giving consideration to the licensing objectives relating to public safety, the prevention of crime and disorder and the prevention of public nuisance.

Resolved: - (1) That, after due consideration of the application for review, and to all the representations received, the following additional conditions shall apply to the premises licence in respect of the Metz Bar, 6 Main Street, Rotherham, in accordance with the provisions of the Licensing Act, 2003: -

- (i) The premises' opening hours will be 8.00 p.m. – 12.30 a.m. with a 1.00 a.m. closing time on Sunday to Thursday and 8.00 p.m. – 1.30 a.m. with a 2.00 p.m. closing time on Friday and Saturdays;
- (ii) Door staff will be employed and on duty whenever members of the public are on the premises;
- (iii) Door staff will use a metal detector wand on every person seeking entry to the premises;
- (iv) Notices shall be displayed advising customers that searches will be conducted using the metal detector wand;
- (v) The last person to leave the premises each day/night shall be the Designated Premise Supervisor or other nominated paid member of staff, and they will also ensure closure of the premises;

- (vi) Door staff will conduct searches of all areas of the premises, including toilet areas and a written record of such activity shall be maintained.