

## LICENSING APPLICATIONS SUB-COMMITTEE 1 MINUTES - 6 OCTOBER 2015

**Present:** Councillors Woodward (Chair), Livingston and Vickers.

### 12. MINUTES

The Minutes of the meeting of Licensing Applications Sub-Committee 1 held on 15 September 2015 were confirmed as a correct record and signed by the Chair.

### 13. APPLICATION FOR THE REVIEW OF A PREMISES LICENCE - CLUB 20, HOSIER STREET, READING

The Head of Planning, Development and Regulatory Services submitted a report on an application by Thames Valley Police for the review of a Premises Licence in respect of Club 20, 20 Hosier Street, Reading, RG1 7JL.

The report stated that a review of the Premises Licence had been requested by Thames Valley Police. The application detailed the grounds for review as follows:

- Breaches of conditions on the premises licence in relation to the provision of door supervisors and the use of the Club Scan device within the premises to carry out age verification, contrary to Section 136 of the Licensing Act 2003;
- The sale of alcohol to persons who were intoxicated, contrary to Section 141 of the Licensing Act 2003;
- The presence of unaccompanied children who were prohibited from the premises, contrary to Section 145 of the Licensing Act 2003;
- The sale of alcohol to children, contrary to Section 146 of the Licensing Act 2003;
- The significant amount of incidents requiring police intervention, as detailed in the report, which had taken place at the premises and had undermined the prevention of crime and disorder licensing objective.

The review application sought a modification of the conditions contained on the premises licence and a two month suspension to allow them to be implemented.

A copy of the review application was attached to the report at Appendix I. This gave further details of the grounds for the application, including incidence reports from Thames Valley Police. A plan showing the location of the premises and surrounding streets was attached to the report at Appendix II.

The report stated that the Premises Licence Holder was Bar Mango Ltd and that the Designated Premises Supervisor was Mrs Emma Wilson. The existing Premises Licence, a copy of which was attached to the report at Appendix III, permitted the following:

Hours for the Exhibition of Films, Hours for Indoor Sports, Hours for the Performance of Live Music, Hours for the Performance of Dance, Hours for anything similar to Live Music, Recorded Music and Performance of Dance

Sunday to Friday	1100 hours until 0400 hours
Saturday	1100 hours until 0500 hours

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On the second Saturday morning of every month (i.e. the morning continuing on from Friday night trade) until 0500 hours.

### Hours for the Playing of Recorded Music

Sunday to Friday	1100 hours until 0400 hours
Saturday	1100 hours until 0500 hours

On the second Saturday morning of every month (i.e. the morning continuing on from Friday night trade) until 0500 hours.

The extra hour for recorded music on Saturday (Sunday morning) between 0400hrs and 0500hrs shall only be played indoors.

### Hours for the Provision of Late Night Refreshment

Sunday to Friday	2300 hours until 0400 hours
Saturday	2300 hours until 0500 hours

On the second Saturday morning of every month (i.e. the morning continuing on from Friday night trade) until 0500 hours.

### Hours for the Sale by Retail of Alcohol

Sunday to Friday	1100 hours until 0400 hours
Saturday	1100 hours until 0430 hours

On the second Saturday morning of every month (i.e. the morning continuing on from Friday night trade) until 0430 hours.

### Hours the Premises is Open to the Public

Sunday to Friday	1100 hours until 0430 hours
Saturday	1100 hours until 0530 hours

On the second Saturday morning of every month (i.e. the morning continuing on from Friday night trade) until 0530 hours.

The report stated that in considering the application, the Licensing Authority had a duty to carry out its functions with a view to promoting the four licensing objectives, as follows:

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

The report stated further that, in determining the application, the Sub-Committee could take the following steps:

- Take no further action;
- Issue formal warnings to the premises supervisor and/or premises licence holder;
- Modify the conditions of the licence (including, but not limited to hours of operation of licensable activities);
- Exclude a licensable activity from the scope of the licence;
- Remove the Designated Premises Licence Supervisor;

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- Suspend the licence for a period not exceeding three months;
- Revoke the licence.

(Where the Sub-Committee took a step mentioned in the third and fourth bullet points above it may provide that the modification or exclusion was to have effect for a period not exceeding three months or permanently.)

The report set out paragraph 9.12 of Secretary of State's Guidance, Section 182 of the Licensing Act 2003 (March 2015), which stated that in their role as a responsible authority, the police were an essential source of advice and information on the impact and potential impact of licensable activities, particularly on the crime and disorder objective. The police had a key role in managing the night-time economy and should have good working relationships with those operating in their local area.

The police should be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective, but might also be able to make relevant representations with regard to the other licensing objectives if they had evidence to support such representations. The licensing authority should accept all reasonable and proportionate representations made by the police unless the authority had evidence that to do so would not be appropriate for the promotion of the licensing objectives. However, it remained incumbent on the police to ensure that their representations could withstand the scrutiny to which they would be subject at a hearing.

Mrs Emma Wilson, Designated Premises Supervisor, Mr Stephen Nyazuranne, Security Manager and Mr William Donne from Silver Fox Licensing Consultants, were present at the meeting and addressed the Sub-Committee. Mr Kenan Mursaloglu, Director of Bar Mango Limited who were the Premise Licence Holders, was also present at the meeting.

Mr Mike King and PC Simon Wheeler, Thames Valley Police, was present at the meeting and addressed the Sub-Committee.

### **Resolved -**

That, having reviewed the Premises Licence in respect of Club 20 and having had regard to the four licensing objectives and the oral and written representations made, the Secretary of State's guidance (in particular paragraphs 11.1, 11.18 and 11.20) and the Council's Statement of Licensing Policy, the Sub-Committee has concluded that it was appropriate and proportionate for the Premises Licence to remain in force but that the following conditions be attached to the Licence:

1. A CCTV system shall be installed, in accordance with current or amended Home Office Guidelines relating to UK Police Requirements for Digital CCTV Systems. The system shall be maintained and operated correctly to the satisfaction of Thames Valley Police (TVP), ensuring all licensed areas of the premises (except toilet facilities) were monitored, including all entry and exit points enabling frontal identification of every person entering and in any light condition.

All cameras shall continually record whilst the premises are open to the public and recordings shall be kept for a minimum of 31 days with time and date stamping and except for mechanical breakdown beyond the control of the proprietor shall be made available upon request to the police and authorised officers of Reading

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Borough Council (RBC). Any breakdown or system failure will be notified to TVP or RBC immediately and remedied as soon as possible. Any request from TVP or RBC for a recording to be made for evidential purposes must be carried out immediately.

Recordings shall be made available to an authorised officer of TVP or RBC together with facilities for viewing with immediate access by a person qualified to operate the system;

2. A minimum of five Security Industry Authority (SIA) licensed door supervisors shall be present whenever the premises are being used under the terms of the licence from 2100 hours until closing. If customer numbers exceeded 375 then six SIA Door staff shall be present and if the numbers exceeded 450 then seven SIA Door staff shall be present.

A register of Door Supervisors shall be kept. The register shall show the following details:

- (i) SIA registration number;
- (ii) Date and time that the door supervisor commenced duty, countersigned by the Designated Premises Supervisor (DPS) or Duty Manager;
- (iii) Date and time that the doors supervisor finished work, countersigned by the Designated Premises Supervisor or Duty Manager;
- (iv) Any occurrence or incident of interest involving crime and disorder or public safety must be recorded giving names of the doors supervisors involved;
- (v) A record of the number of patrons on site must be made hourly in the door register.

The door supervisor register must be kept at the premises and be available for inspection by an authorised officer from TVP or RBC and shall be retained for a period of one year.

All door supervisors shall be clearly identifiable at all times whilst on duty and display Hi-Visibility personalised armbands containing their SIA badge;

3. The licensee must implement a 100% search procedure for all patrons, and provide a written policy agreed with TVP, to prevent illegal weapons and drugs being brought onto the premises, including search, detection, confiscation, storage and disposal of drugs procedures.

Notices shall be displayed advising to the public that the right to conduct an outer body search was reserved as a condition of entry, and that TVP would be informed if anyone was found in possession of illegal drugs or offensive weapons.

The venue shall also actively partake in drugs initiatives run by TVP (including, but not exclusively, drug itemiser, passive drug dogs and spiked drinks campaigns);

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4. A closure and dispersal policy, agreed with TVP, for controlling the closing of the premises and the departure of customers at the conclusion of the licensed activities shall be put in place and shall be actively operated;
5. No new customers shall be permitted entry to the premises after 0200 hours;
6. The Premise Licence Holder shall participate, as far as is practicable, in the Local Town Radio Scheme when the premises are opened for licensable activities after 2100 hours Monday to Sunday inclusive;
7. The premises shall at all times operate a Challenge 25 policy to prevent any customers who attempt to purchase alcohol and who appear to the staff member to be under the age of 25 years from making such a purchase without having first provided identification. Only a valid British driver's licence showing a photograph of the person, a valid British passport or proof of age card showing the 'Pass' hologram are to be accepted as identification.

Notices advertising the Challenge 25 policy shall be displayed in prominent positions on the premises.

The Premises Licence holder shall display in a prominent position a copy of their policy on checking proof of age;

8. The DPS must ensure that all staff shall be trained in procedures to ensure that no underage drinking occurs on the premises. Signed training records must be kept and immediately be made available on request to an authorised officer or TVP or RBC. These records shall be kept for a minimum of one year;
9. The DPS shall ensure that on any day when regulated entertainment is provided at the premises after 2100 hours that all new customers entering the premises shall have their details verified by a Club Scan device. The device shall record the names and dates of birth of all persons entering the club and retain the image and detail of the ID presented. This should record the date and time of entry for each ID scanned for a period of no less than 31 days;
10. An event management plan for each event shall be available to TVP and RBC, setting out how the event shall be managed and the precautions which have been taken to cater for all reasonably foreseeable contingencies, and which will demonstrate the procedures, roles and specific responsibilities of the management team, security and associated personnel. The finished version of such a plan must be available for at least seven working days prior to the commencement of the event;
11. Alcohol shall cease to be sold one hour before the end of the time that the premises is permitted to be opened to the public;
12. All drinks shall be served in polycarbonate containers. No glass shall be used at all during events and drinks in glass bottles shall be decanted into polycarbonate containers;
13. Recorded music shall be reduced to background level one hour before the end of the time that the premises is permitted to be open to the public.

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The Sub-Committee also amended the premises licence hours as follows:

Hours for the Exhibition of Films, Hours for Indoor Sports, Hours for the Performance of Live Music, Hours for the Performance of Dance, Hours for anything similar to Live Music, Recorded Music and Performance of Dance

Sunday to Friday	1100 hours until 0330 hours
Saturday	1100 hours until 0430 hours

On the second Saturday morning of every month (i.e. the morning continuing on from Friday night trade) until 0430 hours.

Hours for the Playing of Recorded Music

Monday to Friday	1100 hours until 0400 hours
Saturday	1100 hours until 0500 hours
Sunday	1100 hours until 0330 hours

On the second Saturday morning of every month (i.e. the morning continuing on from Friday night trade) until 0430 hours.

The extra hour for recorded music on Saturday (Sunday morning) between 0400hrs and 0500hrs shall only be played indoors.

Hours for the Provision of Late Night Refreshment

Sunday to Friday	2300 hours until 0400 hours
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Hours for the Sale by Retail of Alcohol

Monday to Friday	1100 hours until 0330 hours
Saturday	1100 hours until 0430 hours
Sunday	1200 hours until 0330 hours

On the second Saturday morning of every month (i.e. the morning continuing on from Friday night trade) until 0430 hours.

Hours the Premises is Open to the Public

Sunday to Friday	1100 hours until 0430 hours
Saturday	1100 hours until 0530 hours

On the second Saturday morning of every month (i.e. the morning continuing on from Friday night trade) until 0530 hours.

(The meeting started at 5.00pm and finished at 8.10pm)