

Minutes of a meeting of the Licensing Sub-Committee held as a Virtual Meeting via Zoom on Friday 1 October 2021 at 10.00 am.

Present Councillor Mike Warren (Chair)
 Councillor Keith Holland-Delamere
 Councillor Jake Roberts

Officers Martin O'Connell, Senior Licensing Enforcement Officer
 James Chadwick, Senior Licensing and Litigation Solicitor
 Richard Woods, Democratic Services Officer

17. Appointment of Chair for the meeting of the Sub-Committee

The Democratic Services Officer opened the meeting and invited Councillors to appoint a Chair of the Sub-Committee Hearing. It was proposed by Councillor Jake Roberts and seconded by Councillor Keith Holland-Delamere that Councillor Mike Warren be appointed Chair of the Sub-Committee Hearing.

Resolved

(1) That Councillor Mike Warren be appointed Chair of the Sub-Committee Hearing.

18. Declarations of Interest

There were no declarations of interest.

19. Review of Premises Licence - Escape

The Senior Licensing Enforcement Officer submitted a report which requested that the Sub-Committee Hearing consider an application for a review of the Premises Licence for Escape, a nightclub at 5 Horseshoe Street, Northampton.

The Sub-Committee Hearing heard representations from interested parties both in favour of and in objection to the application, and gave due consideration to these representations in making their deliberations.

Resolved

(1) That, having given due consideration to all of the evidence presented, the Sub-Committee deemed that it was not appropriate or proportionate to revoke or suspend the Premises Licence on this occasion.

- (2) That further conditions be added to the Premises Licence in order to promote the Licensing Objectives of the prevention of crime and disorder and the prevention of public nuisance. These conditions have been copied to all relevant parties and are detailed as follows:

CCTV

1. A fully working and maintained CCTV system capable of recording and storing images must be installed on the premises. In selecting and maintaining the system, regard shall be had to any advice offered by the police and the Home Office document "UK Police Requirements for Digital CCTV Systems" and "Surveillance Camera Code of Practice" and "CCTV supporting small business". The system must record at all times whilst the premises are open to the public for and immediately after licensable activities are provided and images must be stored for a minimum of 31 days with date & time stamping. As a minimum this must cover all entry and exit points, both sides of all areas where the sale/supply of alcohol takes place.
2. A person conversant with the retrieval and down loading of CCTV footage must be present on the premises at all times whilst it is open to the public, or available to attend the premises within a period of 24 hours.
3. The system shall incorporate a means of reproducing copies of recorded images onto media that is capable of being played on domestic grade video equipment or a computer. All CCTV recordings must be made available to an officer from a responsible authority upon reasonable request and in line with the provisions of the current Data Protection Legislation and guidance issued by the Information Commissioner.

SIA

4. The licence holder shall conduct a risk assessment to consider the need for door supervision, which shall take account of any advice offered by the Police or Door Security Company that is engaged, as well as the audience profile and nature of any event taking place. This assessment shall require on that Fridays, Saturdays, bank holidays and organised events days a minimum of 2 SIA licensed door supervisors shall be on duty at the premises from when the premises opens at 22:00. At least a further 1 SIA licensed door supervisor will be on duty from midnight until the venue has closed.
5. A Search Wand will be provided at the premises and will be in use when the venue is open to the public for the conduct of licensable activities.
6. A search policy shall be in place. Regular searches will be carried out where deemed appropriate by SIA licenced door staff and shall include the use of the Search Wand. All searches will be monitored by the venue's CCTV system.
7. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility jackets or vests.

8. There shall be no sales of alcohol for consumption off the premises after **23.00hrs**.
9. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
10. The licence holder shall require customers to disperse from the area once they have left for the evening. Such dispersal shall be monitored by security staff to try and ensure that there is no public nuisance or obstruction to the public highway as customers disperse.
11. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to try to ensure that there is no public nuisance and that customers who are smoking/drinking outside do not occupy the pavement or roadway.
12. No glass will be removed from the premises by customers and taken outside of the Licensable Area.
13. All security staff must sign in on a register at the commencement of every duty. This register will contain the name, date of birth and full SIA badge number of each security staff member on duty. The register must be fully maintained and kept on the premises at all times and must be made available to an officer from a responsible authority upon reasonable request. Records must be retained for at least 6 months.

Policies and Procedures

14. The premises will have a written policy in relation to dealing with vulnerable people associated with the venue. This will include as a minimum –
 - a) A means of contacting any scheme that deal with vulnerable people such as Street Pastors;
 - b) A direct line of communication with the local area CCTV operators;
 - c) Documented training for all staff members in dealing with vulnerability and how to spot it within the context of the night-time economy;
 - d) Identification of a safe area inside the venue where vulnerable people can remain until their safety has been insured;
 - e) A nominated member of staff who can be tasked to deal with any vulnerable people within the venue;
 - f) A method of recording the rationale for actions taken when dealing with a person who is deemed as vulnerable.

15. A copy of this policy will remain on the premises and be made available to all staff as they need to refer to it and to an officer from a responsible authority at all times upon reasonable request.
16. The premises will have a documented drugs policy which has been agreed between the management and Northamptonshire Police. This document will be retained upon the premises and made available to an officer from a responsible authority for inspection upon reasonable request.
17. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises is open. The register shall not be removed from the premises, except in case of emergency or for the purposes of copying, until a period of 12 months has expired since the last entry that has been recorded
18. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) All crimes reported to the venue;
 - (b) All ejections of patrons;
 - (c) Any complaints received concerning crime and disorder;
 - (d) Any incidents of disorder;
 - (e) All seizures of drugs or offensive weapons and
 - (f) any faults in the CCTV system, searching equipment or scanning equipment.
19. In the event that a serious and/or sexual assault is committed on the premises (or appears to have been committed) the management upon becoming aware will immediately ensure that:
 - (a) The police (and, where appropriate, the East Midlands Ambulance Service) are called without delay;
 - (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
 - (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
 - (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

Training

20. All staff involved in the retail of alcohol will be trained in relation to the law regarding its sale. This training must be completed prior to them being authorised to sell alcohol and refreshed every 12 months as a minimum. A record of this training must be kept and maintained with a copy of the syllabus attached. The recipient of the training must sign to state that they have received and understood the training and this should be dated.

Public Safety

21. There must be at least 1 personal licence holder on duty and present at all times whilst the premises are open to the public.
22. The premises will have a means of monitoring and controlling its capacity during peak times, (clickers, head count etc). A policy in terms of the maximum and any comfort capacity figures decided upon for the venue will be documented in the venues fire risk assessment and made known to any member of staff employed in the control of entry/exit points.
23. The Police Licensing Unit will be advised 7 days prior to any externally promoted event taking place within the venue's nightclub by a member of the venue's management team.
24. Food and non-intoxicating beverages shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
25. The last entry time for these premises will be 1 hour before closing.

Prevention of Public Nuisance

26. All sales of alcohol for consumption off the premises shall be in sealed containers only.
27. Signs will be displayed at the exit points of the venue requesting that customers respect local residents by leaving and dispersing from the premises and immediate area quietly. Further signs shall be prominently displayed at the public exits from the premises asking patrons to dispose of their waste in the litter bins provided.

Protection of children

28. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport, proof of age card with the PASS Hologram or other document recognised by the Licensing Authority as suitable for demonstrating the age of the holder.
29. Unless otherwise agreed in writing with the Licensing Authority, no children under the age of 18 will be allowed to enter or remain on the premises after

- 21.00 unless for the purposes of attendance at a pre-booked private function and in which case under the supervision of a person age no less than 21-years-old.
30. There shall be a defined gap of at least one hour between any specified under 18 event and the commencement of alcohol sales at any later opening of the venue.
31. Unless otherwise agreed in writing with the Licensing Authority, any under 18 events will go on until no later than 22.30hrs.
32. A contact number and/or email address shall be supplied to the Licensing Authority and Police. This number and/or email address shall be monitored and responded to within no more than two working days in the case of a response being required.
33. A contact telephone number shall be provided outside of the premises in a conspicuous position to enable contact to be made with the management of the premises without entering. Any complaints received through this telephone number that pertain to one or more of the licensing objectives shall be recorded in the incident book.
34. The hours of operation of the premises shall be clearly displayed so as to be legible outside of the premises. The notice of trading hours will make it clear that the last admission will be 15 minutes before the published closing time.
35. The licence holder will regularly attempt to exchange information with other licensed premises in the immediate vicinity, with the aim of promoting the licensing objectives. Such information may include intelligence reports, details of individuals who have been banned or information concerning disturbance through noise or anti-social behaviour.
36. The licence holder will review the operation of the premises on at least a monthly basis and evaluate the potential for impact, if any, upon the licensing objectives. Such an evaluation will include consideration of the incident book, the reports of persons engaged by the licence holder in litter picking, door supervisors and a member of staff who shall be engaged to evaluate any impact observed on the street scene. Where corrective action is required, this action shall be recorded in an operations log book along with the result of the action.

20. Premises Licence Application - Brothers Pub Co

The Senior Licensing Enforcement Officer submitted a report which requested that the Sub-Committee Hearing consider an application for a new Premises Licence under the Licensing Act 2003 submitted by Joshua Fitzgerald on behalf of his company, Brothers Pub Co Venues Ltd, in respect of 1 Abington Street, Northampton.

The Sub-Committee heard representations in favour of the application from the Mr Fitzgerald and gave due consideration to these representations in making their deliberations.

Resolved

(1) That the Premises Licence be granted, subject to the inclusion of the following agreed conditions:

1. The premises license holder will take all necessary steps to ensure that noise or vibration is not noticeable at the façade of any noise-sensitive premises/nearest residential property.
2. When any 'regulated entertainment' is provided on the premises, all ground floor doors and windows shall remain closed except for the purposes of access and egress.
3. The placing of bottles into receptacles outside the premises shall take place at times that will minimise disturbance to nearby properties and will not take place between 22.00 and 09.00hrs.
4. The premises license holder shall implement a system to ensure that offensive smells from the licensed premises are not permitted so as to cause a nuisance to nearby properties and the premises are properly vented.
5. Receptacles for waste shall be emptied regularly to minimise nuisance smells.
6. A notice will be displayed at the exit door requesting customers to leave quietly.
7. At the request of a customer, the operator will call (free of charge) for a taxi/private hire.
8. Litter shall be prevented at all times and where identified regularly cleared from the immediate vicinity of the premises.

The meeting closed at 1.01 pm

Chair: _____

Date: _____