

MINUTES of the meeting of Regulatory Sub Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Friday 20 December 2013 at 10.00 am

Present: Councillor JW Hope MBE (Chairman)

Councillors: BA Durkin and GA Vaughan-Powell

1. ELECTION OF CHAIRMAN

Councillor JW Hope MBE was elected as Chairman for the Regulatory Sub-Committee hearing.

2. APOLOGIES FOR ABSENCE

No apologies for absence were received.

3. NAMED SUBSTITUTES

There were no substitutes present at the hearing.

4. DECLARATIONS OF INTEREST

There were no declarations of interest made.

5. REVIEW OF A PREMISES LICENCE FOLLOWING THE EXPEDITED/SUMMARY LICENCE REVIEW AND REPRESENTATIONS AGAINST THE INTERIM STEPS IN RESPECT OF: THE BREWERS ARMS, EIGN ROAD, HEREFORD

The Sub-Committee held a full review of the premises licence for the Brewer's Arms, Eign Road, Hereford.

On 27 November 2013, following an application for an expedited/summary licence review of the premises licence, the Sub-Committee had suspended the licence for the Brewer's Arms subject to further review at a full hearing to be held on 20 December 2013.

Representations against the interim steps imposed on 27 November 2013 by the Regulatory Sub-Committee had been heard by the Sub-Committee on 2 December.

(The meeting was adjourned between 10.05 am and 10.10 am at the request of the Police to permit discussion with the applicant and the Licensing Manager.)

The Licensing Manager presented the report in the agenda papers..

Inspector N Semper and Mr J Mooney were present representing West Mercia Police. Inspector Semper presented the statement set out at section four of the application form for a review, as appended to the report in the agenda papers, with a short update on the ongoing investigation. He concluded by stating that the view of West Mercia Police was that the premises licence should not be revoked but should be subject to new conditions, copies of which were circulated.

Mr Steven Harrison and Mr Sean Harrison the Premises Licence Holders were present. Mr Steven Harrison informed the Sub-Committee that they were content to accept the conditions proposed by the police, noting that condition 1, the removal of Mr Sean Harrison as the designated premises supervisor had already been met, with the exception that they wished to open half an hour longer than the police were proposing on every Thursday; and one hour longer than the police were proposing on New Year's Eve.

The Sub-Committee retired to make its decision. The Litigation Lawyer then read out the Sub-Committee's decision.

RESOLVED:

- 1 **That Mr Sean Harrison should be removed as the designated premises supervisor. *(It was noted that this condition had already been complied with.)***
2. **The terminal hour of the premises should be as follows –
Sunday to Thursday – 0000hrs (midnight)
Friday and Saturday – 0100hrs
New Years Eve – 0100hrs**
3. **That a personal licence holder should be within the licensable area of the licensed premises from 1900hrs when licensable activities are undertaken at the following times –
Thursday – Saturday.
Sunday before bank holiday Mondays
All bank holidays – except Christmas Day
Christmas Eve
New Year's Eve**
4. **That CCTV should be provided to a standard as set out in the model pool of licensing conditions contained in the Licensing Policy of Herefordshire Council.**

(Model Condition: CCTV will be provided in the form of a recordable system, capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly facial recognition.

Cameras shall encompass all ingress and egress to the premises, fire exits, outside areas, and all areas where the sale/ supply of alcohol occurs. A monitor shall be mounted on the wall at the premises where it is clearly visible to all members of the public. The monitor shall show the live CCTV footage being recorded.

Equipment MUST be maintained in good working order , be correctly time and date stamped, recordings MUST be kept in date order, numbered sequentially and kept for a period of 31 days and handed to Police on demand.

The Premises Licence Holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format EITHER DISC or VHS to the Police/Local Authority on demand.

The Recording equipment and tapes/discs shall be kept in a secure environment under the control of the DPS or other responsible named individual. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings actions taken are to be recorded.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Police on contact number 0300 333 3000 immediately.

5. That all staff should be trained within 3 (three) months of employment to a standard set out within the model pool of conditions contained with the Licensing Policy for Herefordshire Council. This standard is set as BIIAB level 1 licensing training or a standard agreed by Herefordshire Council Trading Standards.

(Model condition: All bar staff engaged in the sale of alcohol to be trained in Responsible alcohol retailing to the minimum standard of BIIAB level 1 or any other training recognised and agreed with Herefordshire Council Trading Standards. Training records shall be kept on the premises and shall be produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.)

6. That the premises licence holder will be an active member of any 'pub watch' scheme that is operating within the Hereford city area for the duration of its existence.

REASON

1. The Committee has found that there has been a serious incident of crime and disorder committed at the premises, involving a bladed weapon, significantly outside licensed hours, and evidence of poor management and a lack of supervision. It has made its decision having heard evidence from West Mercia Police and the Premises Licence Holder and in accordance with the guidance issued under Section 53A of the Licensing Act 2003 as amended. The Committee therefore decided that the addition of the proposed conditions as recommended by West Mercia Police were reasonable in order to promote the licensing objectives of the prevention of crime and disorder and public safety.

The meeting ended at 10.40 am

CHAIRMAN