

**MINUTES of the meeting of Regulatory Sub Committee held at
Committee Room 1, The Shire Hall, St Peter's Square, Hereford,
HR1 2HX on Wednesday 22 June 2016 at 1.00 pm**

Present:

Councillors: TL Bowes, BA Durkin and DW Greenow

In attendance:

Officers: Mike Jones and Fred Spriggs

25. ELECTION OF CHAIRMAN

Councillor DW Greenow was elected as Chairman for the Regulatory Sub-Committee hearing.

26. DECLARATIONS OF INTEREST

There were no declarations of interest made.

27. REVIEW OF A PREMISES LICENCE IN RESPECT OF: 'QUEENS ARMS PUBLIC HOUSE, 4 BROAD STREET, HEREFORD, HR4 9AP' - LICENSING ACT 2003

The sub-committee considered a review of a premises license in respect of Queens Arms Public House, Broad Street Hereford HR4 9AP

The chairman read out the guidance notes and asked all present to introduce themselves.

The chairman offered the opportunity to all present to raise any points regarding the agenda papers.

The licensing officer presented the report as per the agenda papers and confirmed that the trading standards conditions had been accepted by the applicant.

The representative from WMP confirmed that conditions offered had been agreed by the premises owner however it was confirmed by the licensing officer that WMP conditions had not been by the licensing department seen prior to the hearing.

The hearing was adjourned at 13:20 to allow discussions between all parties to take place.

The hearing re-adjourned at 13:25

The Legal representative for the council confirmed that the applicant had sight of a copy of the police conditions since May, the conditions are in place and the applicant is content to accept police and trading standards conditions as offered.

It was noted that the police were proposing that under eighteens would not be permitted on the premises after 9:00pm against the existing time of 7:00pm. The applicant confirmed that he would be content with an earlier time set as a condition.

The applicant was asked to explain the circumstances of the incident that had required the review.

The applicant stated that the incident had occurred during a busy period and was not organised by the applicant. He added that he was not aware that the incident had happened until a member of the public had notified him.

It was confirmed that three members of staff were on duty at the time of the incident. The sub-committee expressed concern that despite three staff members on duty staff were not aware of the incident.

The chairman asked if there were any further questions, there were none.

The sub-committee retired to make their decision.

The sub-committee retired to make its decision. On its return the legal advisor read out the decision.

DECISION

The sub-committee has reviewed the premises licence in respect of the above premises and has decided as follows:

The committee having heard from both the police and licensing officer concerning the incident in question, but more particularly information as to the management of the premises both on the night of the incident and subsequently.

The committee considers there are apparent and significant shortcomings in the management of the premises.

The committee therefore modifies the licencing conditions. It incorporates both the police and trading standards conditions as put before it. However, it requires an amendment to condition 10 of the police condition namely reference to 21:00hrs shall be deleted and 19:00hrs substituted.

The committee also requires that Mr David Pope is removed as the designated premises supervisor.

The conditions attached to the licence therefore shall be:

1. 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.
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 recordable media format, an authorised Herefordshire Trading Standards Officer or the 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 '101' immediately

2. The Premises Licence Holder or DPS or a person nominated by them in writing for the purpose will employ SIA door staff on a risk assessed basis. The risk assessment shall be in writing and shall be made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police
3. All existing staff shall be trained within one month of the date this condition appears on this licence. All new staff shall be trained within one month of taking up employment. All existing staff to be trained within three months of this condition appearing on this licence. All staff shall be re-trained six monthly thereafter. The training shall include:
 - Drugs Awareness
 - Conflict resolution
 - Selling to under age person
 - Selling to drunksTraining records shall be kept on the premises which shall show the area of training covered, the date of the training, the name of the person and shall be signed by the trainer and trainee. This shall be produced to the police, an authorised Herefordshire Trading Standards Officer or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) on demand.
4. A written or electronic register of refusals will be kept including a description of the people who have been unable to provide required identification to prove their age. Such records shall be kept for a period of 12 months. It will be collected and reviewed on a daily basis by the Designated Premises Supervisor and 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.
5. An incident log must be kept at the premises. Incident log records will be retained for a period of 12 months from the date it occurred. It will be made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003), an authorised Herefordshire Trading Standards Officer or the Police, which must record the following:
 - (a) all crimes (relevant to the licensing objectives) reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints (relevant to the licensing objectives) received
 - (d) any incidents of disorder
 - (e) seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment (if fitted)
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service
6. No open containers will be removed from the premises.
7. The premises licence holder shall be active member of any locally based 'pub watch' scheme for the duration of its existence
8. Noise or vibration shall not emanate from the premises so as to cause a nuisance.

9. The Premises Licence Holder or DPS or the responsible person must immediately comply with any request to adjust noise levels/ frequency spectra made by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police.
10. No person under the age of 18 years shall be permitted to be on the premises after 1900 hours other than a member of staff employed at the premises or a child of the premises licence holder or DPS
11. The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of an authorised person' (as defined by Section 13 of the Licensing Act 2003), an authorised Herefordshire Trading Standards Officer or the police. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any bar advertising the scheme operated.
12. No adult entertainment or services or activities must take place at the premises (Adult Entertainment includes, but is not restricted to, such entertainment or services which would generally include topless bar staff, striptease, lap-table, or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language).

The meeting ended at 2.10 pm

CHAIRMAN