

## Police Representation

## APPENDIX C

**From:** Mooney,James

**Sent:** 11 October 2013 15:06

**To:** Licensing

**Subject:** FW: Connollys Bar, RoW - variation application

West Mercia Police are in receipt of an application to vary the premises licence for **Connollys Bar, 7 Gloucester Road, Ross on Wye**. The application seeks to vary operating hours for licensable activities.

The application is move the hours to commence licensable activities - including the sale of alcohol - back to 0900hrs., and to end at 2400hrs (Monday-Wednesday); 0100hrs (Thursday-Saturday) and 0030hrs on Sundays

West Mercia Police do not object to this application.

This location is within a busy area of a rural market town and is well used by local people and visitors to the area. There are issues recorded on police systems indicating crime, disorder and nuisance incidents occurring at or near to (and connected with) the premises. These are not significant, but are relevant to the police response to this application.

The applicant has not made any additional submissions to promote the licensing objectives, except to refer to the existing premises licence. This existing licence has a number of conditions that are ambiguous, no longer relevant and not achievable and enforceable. It is disappointing that the applicant has not taken the opportunity to deal with this issue.

West Mercia Police has the following representations in order to promote the licensing objectives. These are based on the submissions of the applicant, knowledge of the venue and the vicinity and the model pool of conditions contained in the licensing policy for Herefordshire Council. It is our view that they are proportionate, necessary, achievable and enforceable.

1. **CCTV (IF FITTED)** 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 a recordable format EITHER DISC or VHS to the Police, 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 with employ SIA registered door supervisors on a risk assessed basis

3. An incident log must be kept at the premises, and 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 reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) seizures of drugs or offensive weapons
- (f) any refusal of the sale of alcohol
- (g) failure or malfunction of CCTV system (if fitted)
- (g) any visit by a relevant authority or emergency service

4. 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 Trading Standards. (All existing staff shall be trained within one month of the date that this condition appears on this licence. All new staff shall be trained within one month of taking up employed. All staff shall be re-trained twelve monthly thereafter. Training records shall be kept on the premises which shall show the name of the training course attended, the date of the training, the name of the Person undertaking the training and 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.

5. 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 employed. All staff shall be re-trained twelve monthly thereafter. The training shall included:

- Drugs Awareness
- Conflict resolution
- Selling to under age person
- Selling to drunks

Training 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.

6. The Designated Premises Supervisor (DPS) and all other staff shall ensure that no open vessels are taken off the premises by customers.

7. All windows will be kept shut after midnight.

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 music or other type of regulated entertainment will take place in any external area of the premises after midnight.
11. External areas of the premises will not be used after midnight, save for the purpose of smoking. When this occurs the premises licence holder will ensure that no excessive nuisance occurs.
12. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
13. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to any beer garden, patio area, smoking area or similar, requesting the public to respect the needs of local residents and to be quiet.
14. No person under the age of 18 shall be permitted on the premises unless accompanied by a person over the age of 18
15. 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
16. The premises licence holder or DPS will be an active member of any locally operated 'pub watch' scheme for the duration of its existence.

Whilst I have 'touched on' noise/nuisance management, the relevant responsible authority may have further representations.

These are the minimum conditions West Mercia Police would wish to see to any variation granted to this premises.

Regards

Insp 0795 Semper  
Safer Neighbourhood Teams - Hereford

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**From:** Barry Richards  
**Sent:** 21 October 2013 16:02

James,

I write further to the representation that you have made in respect of the above premises.

I have spoken with our client who has advised they are prepared to agree to all of the conditions on the licence except for the staff training condition which they feel is too onerous, in particular the minimum standard and the time in which this must be completed.

Should our client agree to the other conditions on the licence could you advise me if you would be prepared to reword the staff training condition?

I look forward to hearing from you.

Kind regards

**Barry Richards**  
Chartered Legal Executive  
for TLT LLP

**From:** Mooney,James  
**Sent:** 22 October 2013 10:31  
**To:** 'Barry Richards'

Thank you for your response. The stance of West Mercia Police is that training is required to ensure the responsible sale and delivery of alcohol. The condition put forward is one that is based on the model pool of conditions contained in the licensing policy for Herefordshire Council. It is a condition used on a regular basis for most - (if not all applications) - major variations and new premises applications. In addition it has been applied a number of times as a result of licensing review applications. This condition is relevant for this venue.

Your client has not put forward anything that would address this issue - if there is something that they have in mind, perhaps they could share it with the police and other relevant responsible authorities.

You will see I have shared this matter with the other parties

I await your response

Regards

Jim Mooney  
Harm Reduction and Licensing  
Territorial Policing Unit - Herefordshire  
West Mercia Police