

## NOT PROTECTIVELY MARKED

West Mercia Police are in receipt of an application for a new premises licence for a location known as the **Royal Oak Hotel, South Street, Leominster.**

The application is for the licensable activities of the sale/supply of alcohol, regulated entertainment and late night refreshment.

The application seeks to specify the designated premises supervisor as Charmaine BROOKS

West Mercia Police do not object to the application for a premises licence, but **DO OBJECT** to Ms BROOKS being specified as designated premises supervisor (DPS).

This premises was subject to a police review application in July 2015. This resulted in the review being granted in August 2015 and the premises licence being revoked.

As part of the police submissions for the review application, the police raised concerns over the ability of Ms BROOKS to manage the premises and also raised concerns over her honesty. At the time of the review Ms BROOKS did not hold a personal licence and was employed at the location as the manageress. In addition the then premises licence holder gave authority for her to speak on behalf of the company owning the venue.

It is the view of West Mercia Police that there are exceptional circumstances why Ms BROOK should be excluded as the designated premises supervisor for this premises. It has already been demonstrated that the premises are associated with crime and disorder - which as indicated resulted in a review application and licence revocation. Additionally the evidence presented for the review showed a clear link with her being associated with the issues disclosed and her inability to manage the premises in an effective manner to promote the licensing objectives.

With regards to the actual premises licence application, West Mercia Police have the following representations in order to promote the licensing objectives. These are based on knowledge of the location, its previous history and the need to apply conditions that are proportionate, achievable and enforceable

1. A terminal hour for all licensable activities of midnight other than on Bank Holidays, Christmas Eve, Boxing Day and New Years Eve when the terminal hours shall be 0100 hours.
2. All licensable areas shall be vacated within 30 minutes of the end of licensable activities.
3. 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, a 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.

4. On all occasions when regulated entertainment takes place (regulated entertainment is defined as those licensable activities shown within the licence but excluding the sale of alcohol and the provision of late night refreshment), a minimum of two (2) SIA Licensed Door staff shall be employed at the premises one hour prior to the commencement of regulated entertainment until the termination of all licensable activities. When employed externally Door staff shall wear hi-viz reflective jackets or vests. When employed internally they shall be readily identifiable as door staff.

5. At all other times the Premises Licence Holder or DPS will employ SIA doorstaff on a risk assessed. The risk assessment shall be in writing, available at the premises and be produced on demand for inspection by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003), or the Police or an authorised officer of the SIA.

6. The Premises Licence Holder or DPS or a person nominated by them in writing for the purpose, shall maintain a register of door supervisors which shall be kept on the premises showing the names and addresses of the door supervisors, their badge numbers and shall be signed by the door supervisors as they commence and conclude duty. The register shall be made available on demand for inspection by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003), or the Police or an authorised officer of the SIA.

7. 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 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 faults in the CCTV system or searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service

8. A Personal licence Holder shall be on duty within the licensed area of the premises at all times when the premises operate for the sale of alcohol
9. 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 employment. All staff shall be re-trained six 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.
10. The DPS and all other staff shall ensure that no open vessels are taken off the premises by customers.
11. Noise or vibration shall not emanate from the premises so as to cause a nuisance.
12. 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.
13. 'Noise' from the premises must not be 'audible or discernable' within any occupied permanent structure where people normally reside or sleep, when assessed with windows and doors closed. 'In this conditions; 'Noise' -is defined as sound which is created by entertainment consisting of either vocal (recorded or live) or instrumental music (recorded or live) or a combination of both. Audible or discernable' - is defined as 'noise' which is distinct above the general hubbub of activity on the site which can be identified by the human ear as originating from discrete sources from the licensed premises'.
14. Loudspeakers shall not be located in the entrance lobby or external to any part of the premises.
15. The courtyard/garden/carpark shall not be used after 23:00 hours.
16. No external area at the premises shall be used after 23:00 hours.
17. No person under the age of 18 shall be permitted on the premises unless accompanied by an adult aged 18 or over.
18. No person under the age of 18 shall be permitted on the premises after 2200hrs (save for being employed at the premises or a residential hotel guest)
19. 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.

20. 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).

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

Regards

Jim Mooney (On behalf of Inspector R. Barnett)

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