

<b>Meeting:</b>	<b>Licensing sub-committee</b>
<b>Meeting date:</b>	<b>Friday 10 August 2018</b>
<b>Title of report:</b>	<b>Supplement to Agenda Item 6 - Review of a premise licence in respect of 'Summer Palace Oriental Restaurant, 60 Widemarsh Street, Hereford. HR4 9HG' – Licensing Act 2003</b>
<b>Report by:</b>	<b>Licensing officer</b>

## Classifications

Open

## Key Decision

This is not an executive decision.

## Wards Affected

Central

## Additional Information

Since the agenda item was published the Licensing Authority received an application for a minor variation (appendix 1) to amend the conditions on the licence.

The conditions offered were

1. 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
2. All existing staff shall be trained on appropriate steps to promote the Licensing Objectives within three months of the date this condition appears on this licence. All new staff shall be similarly trained within one month of taking up employment. All staff shall be re-trained twelve monthly thereafter. The training shall included:
  - a. Drugs Awareness
  - b. Conflict resolution
  - c. Selling to under age person(s)
  - d. Selling to drunks
3. 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.

4. 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.
5. 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 weekly 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.
6. A compliance 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:
  - all crimes (relevant to the licensing objectives) reported to the venue
  - all ejections of patrons
  - any complaints (relevant to the licensing objectives) received
  - any incidents of disorder
  - seizures of drugs or offensive weapons
  - any faults in the CCTV system or searching equipment or scanning equipment (if fitted)
  - any refusal of the sale of alcohol
  - any visit by a relevant authority or emergency service
7. No open containers will be removed from the premises.
8. Noise or vibration shall not emanate from the premises so as to cause a nuisance.
9. A written record 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), the Police or an officer of the UK Border Agency. The written record must record and contain the following information as a minimum:
  - a. Details of all persons employed at the premises in any capacity.
  - b. Date of birth of the person.
  - c. The full name of the person.
  - d. Their current address.
  - e. A copy of the current Home Office 'Right to Work Checklist' or any other current document issued by the Home Office, with the information required as contained within the document for each person employed.

All such information shall be recorded/copied prior to them working at the premises. All information detailed above to be supported by a copy of the relevant document(s) as indicated in the current Home Office 'Right to Work Check List' or any other current document issued by the Home Office.

10. 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 Licensing Authority granted the application in part but was unable to include condition 9 as it duplicates existing legislation and therefore would go against the stated cases of Thwaites and Bristol.

## **Appendices**

Appendix 1. Minor Variation Application