3. Declaration of Members' Interests

There were no declarations of interest.

4. Application to Review the Premises Licence for The Club, 121 Broad Street, Dagenham, Essex, RM10 9HP

The Councils Licensing Officer, Mr Paul Adams, presented a report in respect of an application to review the premises licence for The Club, 121 Broad Street, Dagenham, Essex RM10 9HP.

The Sub-Committee were advised that on 2nd December 2014, an application to review the Premises Licence was received from Corinne Holland PC 119KG on behalf of the Chief Officer for Police for the London Borough of Barking and Dagenham, under the licensing objectives prevention of crime and disorder, the prevention of public nuisance & the protection of children from harm.

The Sub-Committee were advised that the premises licence was held by Mr George Hand, Trimast Associates Ltd, Vine House, The Green, Blackmore, Chelmsford, Essex, CM4 0QH. The Designated Premises Supervisor (DPS) was Vicky Smith, who held a Personal Licence issued by the London Borough of Barking and Dagenham.

The authorised licensable activities, the times for carrying out the licensable activities and a copy of the premises licence were contained within the report.

The premises had suffered a number of crimes in recent months which had been detailed in the review application which was attached to the report as Appendix B. Despite regular contact by the Police with the management of the premises in an effort to resolve the issues contributing to these crimes their occurrence has continued, therefore the Police felt that there was no realistic alternative left open to them other than a review of the licence to ensure that the risk posed by the premises to the Licensing Objectives was reduced.

The Police had submitted additional documentation which was before the Sub-Committee, along with additional information that had been submitted by Mr Hand.

There were no questions for the Licensing Officer.

The Chair invited the Police to present their case. Ms Sarah Le Fevre, the representative for the Police, in attendance and presented the application to
review the premises licence to the Sub-Committee.

The Sub-Committees attention was drawn to the review application as detailed within the agenda, which contained summaries of incidents that had taken place at the premises since New Years Day 2014. Ms Le Fevre advised that the Police sought to maximise the certainty that the risk of repetition of such incidents was minimised.

The concerns of the Police were summarised by Ms Le Fevre:

1. Violence had been connected to the premises until November 2014.
2. Despite an action plan being implemented with the police and the management in May 2014, the Police felt the issues had not been rectified.
3. There was concern that Mr Hand was not in control of the premises, with responsibilities unclear.

Detailed within the review application were five courses of action that the police had requested

i. The premises licence to be suspended for three months.
ii. The Designated Premises Supervisor should be removed.
iii. A personal Licence Holder must be employed, as part of the management, and working in the bar area at all times when alcohol is for sale.
iv. there shall be at all times, when alcohol is available for sale, a member of staff on the premises who had access to and be able to fully operate the CCTV equipment (for viewing and downloading). 
v. The licensable hours should be reduced to 2300hrs for all three bars seven days of the week.

PC Holland advised the Sub-Committee that she had visited the premises within the last 10 days where she was advised that booked events would be continuing in the evening, however a wristband system had been introduced to differentiate between those who were underage and those who were over 18 years of age. In response to a request for the staff training records and a copy of the incident book, PC Holland was advised that these were not available.

The Sub-Committee were advised, in response to a question with regard to the booking of events, that a booking system was now in place for the venue capturing all information the premises licence holder considered necessary to be able to manage the event.

In response to a further question from the Sub-Committee, it was confirmed that no incidents had taken place at the premises since 27.11.2014.

Mr Tim Jones, Noise Officer for the London Borough of Barking and Dagenham, was invited by the Chair to present his report to the Sub Committee.

Mr Jones advised the Sub-Committee that there had been problems with sound coming from the venue, particularly the side door, in 2014. However no complaints had been received since 24 October 2014.

The Sub-Committee had before them a copy of Mr Jones’ detailed report and noted that seven incidents had been reported on one day in July 2014 due to noise
coming from the first floor of the premises. Following these incidents noise abatement notices had been served on the premises.

In response to questions, the Sub-Committee were advised that since the last visit of Mr Jones to the premises in September 2014, the premises had been sound proofed, with the work being completed in October 2014.

The meeting adjourned at 3.10pm for a break and reconvened at 3.20pm.

The Chair then invited Mr Williams, legal representative for Mr Hand, to address the Sub-Committee.

Mr Williams addressed the Sub-Committee, speaking in support of the premises and the Premises Licence Holder, Mr Hand, raising the following points:

1. Witness statements had been received supporting the premises
2. A petition had been received supporting the premises
3. Since the introduction of an action plan in Mid 2014, there had been an improvement at the premises.
4. The request for suspension of the licence for three months was considered excessive due to the improvements made at the premises.
5. Mr Hand had agreed with the current DPS that she would be removed from post and a new DPS would be appointed.
6. There were no Personal Licence Holders at the premises when Mr Hand took it over, there were now 13 and another three employees were due to complete the course shortly.
7. Issues with the CCTV system at the premises had been rectified and there were two engineers on call to ensure the equipment could be fixed quickly if there was a fault.
8. There had been no issues over the Christmas period.

Ms Vicky Smith, the current DPS, addressed the Sub-Committee, explaining that wristbands had now been purchased and were used during events when under 18 years old may be present and were placed on those who were over 18 years old only to allow easy identification by bar staff. Bookings for events were now taken on a more formal basis with detailed information required and for bookings for birthday parties for 18 year olds and 21 year olds were taken only if an adult would be present.

The Sub-Committee were further advised that the security staff were required to sign in and sign out of their shifts and that an incident book was in place.

The Sub-Committee questioned whether training had been undertaken and it was noted that the current DPS, Ms Smith, had recently provided training to staff on Challenge 21.

The Chair allowed all parties to summerise their case, the Sub-Committee then retired to consider their decision.

**Decision**

In arriving at its decision, the Committee considered the representations from the Police, Environmental Health, and the case put forward by the applicant. The
Committee decided as follows: -

There would be no suspension of the premises licence for any period of time Vicky Smith is to be removed as the DPS at the premises, and a new DPS appointed within 6 weeks.

A personal licence holder must be employed as part of the management and working in the bar area at all times alcohol is available for sale.

A daily record must be kept of all premises licence holders on the premises, and this record must be available for inspection by the Police and Local Authority at all times.

There shall be at all times when alcohol is available for sale, a member of staff on the premises who has access to and be able to fully operate the CCTV equipment.

There would be no reduction in the licensable hours.

The current condition on the premises licence relating to door supervisors is to be amended to read as follows: -

“Where door supervisors are employed it will be at a ratio of not below 50 customers to one, with a minimum of one door supervisor employed on Thursday, Friday, and Saturday evenings, and more door supervisors employed at anytime management things this is necessary”.

The current condition on the premises licence relating to (training) of new staff members is to be amended to read as follows: -

“Any new members of staff shall, before first starting to sell alcohol, be trained as to their responsibilities under the Licensing Act 2003 by a recognised training provider, namely sales to underage persons, persons already intoxicated, sales by proxy, licensable hours, conditions attached to the premises licence. Evidence of this training should be obtained and be made available on demand to any Police Officer, Police Community support Officer, or an authorised officer of the Local Authority”.

The current condition on the premises licence relating to the continuation of training for all staff members is to be amended as follows: -

“All staff shall receive training on the prevention of underage sales at least every six months from a recognised licensing training provider. Evidence of such training showing what training has been given to whom and by whom and on what date should be obtained and shall be available on request to any Police Officer, Police Community support Officer, or an authorised officer of the Local Authority”.