MINUTES OF LICENSING SUB-COMMITTEE

Friday, 13 February 2015
(7:45 - 9:15 pm)

Board Members Present: Cllr Adegboyega Oluwole, Cllr Kashif Haroon and Cllr Hardial Singh Rai

5. Declaration of Members' Interests

There were no declarations of interest.

6. Application for a Summary Review of the Premises Licence for Ship and Shovel Public House, Ripple Road, Barking IG11 0SN

The Councils Licensing Officer, Mr Paul Adams, presented a report in respect of an application for the summary review of the premises licence at Ship and Shovel Public House, Ripple Road, Barking IG11 0SN.

The Sub-Committee were advised that on 12 February 2015, an application for the Summary Review of the premises Licence was received from Andrew O'Connor PC 516KG on behalf of the Chief Officer for Police for the Metropolitan Police Area as the premises had been associated with serious crime.

The Licensing Authority on receipt of the application for Summary Review must, within 48 hours of the time of its receipt, consider whether it is necessary to take interim steps pending determination of the review of the premises licence.

The Licensing Authority must in any event undertake a full review within 28 after the day of receipt of the summary review application.

The Sub-Committee were advised that the Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) was Mr Malkit Puaar. Mr Adams advised the Sub-Committee that there was an additional Premises Licence Holder, Mr Sandhu, however this information had been omitted from the report by error.

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

The Licensing and Regulatory Board had determined an application for a review of the premises licence submitted by the Metropolitan Police on 21 October 2014. The Sub Committee were reminded that an appeal had been made to the Magistrates’ Court against the decision and the matter was pending, awaiting determination by the Courts on 2 March 2015.

Andrew O’Connor PC 516KG was present and addressed the Sub-Committee in relation to the application for a Summary Licence Review. Mr O’Connor advised the Sub-Committee:
1. The Police had felt it necessary to use emergency measures to call the Summary Licence Review due to the serious crime taking place at the premises. All options available to the Police had been exhausted.

2. On Saturday 7 February 2015, Police Officers from the Central Licensing Team undertook a random spot check on the premises and found it to be in breach of several conditions on the licence.

3. On Sunday 8 February 2015 a female customer was punched and knocked out in the car park of the premises. When asked to call an ambulance, it was alleged that the door staff refused. It was suspected that the victim had received brain injuries, however it was reported that she had now been released from hospital.

4. The Police had attended the incident and were advised that the victim had been taken to Newham General Hospital in a taxi.

5. Due to several incidents taking place in the premises over the last year, the Police had lost faith in the management of the premises and requested the following:
   - The licensable activities be curtailed to 01:00 with the premise closing at 02:00.
   - The DPS, Mr Malkit Puaar, be removed.

6. Actions had already been taken by the Premises to remove the DPS, with the Police already being served with papers as such, of which they had accepted. The papers would be served on the Licensing Authority also.

In response to questions from the Sub-Committee, PC O’Connor advised that a colleague, Corinne Holland PC 119KG, had spoken to the victim on the telephone after the incident, however the victim had not provided a witness statement to CID officers as she was considered too unwell.

Mr Khang, representing Mr Puaar, was present and addressed the Sub-Committee, speaking in support of the premises. In particular, Mr Khang advised the Sub-Committee of the following:

1. Since October 2014, there had been no serious incidents at the premises.
2. There were six licensed door supervisors present at weekends.
3. The management understood the concerns of the Police and were therefore already taking steps to remove the DPS.
4. A ticketed event had been arranged for Saturday 14 February 2015 and the premises had already sold many tickets.

Mr Hare, head of door security at the premise, was also present and addressed the Sub-Committee:

1. The incident on Sunday 8 February had taken place outside of the premises and was a domestic incident between a male and a female. The victim slipped and fell on the floor and was not punched as alleged.
2. A chair and assistance had been provided for the victim after the incident.
3. The Police had not attended since the incident to review the CCTV, however Mr Hare had reviewed the CCTV and it was noted that the outside camera needed to be changed due to the inclement weather conditions causing misting over the lens of the camera.
4. The management took the safety of its patrons seriously and as well as making the venue a safe place to visit, often called taxi’s for those leaving in the early hours of the morning.
In response to questions from the Sub-Committee regarding the breach of conditions on Saturday 7 February 2015, Mr Puaar advised the Sub-Committee that the SIA staff were wearing hi-visibility jackets, however they were blue and the licence did not stipulate they must be yellow. Yellow hi-visibility jackets had now been purchased by the premise. Furthermore, the lockable drugs box and lockable weapons box had been removed as they were not used at the premises due to a strict body search procedure in place. They would be replaced shortly to ensure compliance with the conditions of the licence.

The Chair gave those present the opportunity to sum up before the Sub-Committee retired to deliberate.

DECISION

The Sub Committee had regard to the Licensing Act 2003. The statutory guidance issues, the Council’s Licensing Policy and all matters presented before it, both written and oral.

The Sub Committee agreed that in order to promote the licensing objectives to vary the licence for the Ship and Shovel Public House on an interim basis as follows:

(i) The licensable activities at the premises shall cease at 02:00 everyday with a half hour cooling off period and the premises shall close by 02.30.
(ii) The current designated premises supervisor Mr Puaar shall be removed.
(iii) On Friday and Saturday nights from 23:00 until the premises closes at 02:30 the next day, there shall be nine licensed door supervisors employed.
(iv) On Sunday to Thursday nights, the door staff shall be employed on a ratio of one door supervisor per 100 patrons or part thereof whichever is greater.

The Sub Committee advised that the decision would take immediate effect.

Following the announcement of the Sub Committee’s decision to those present, the Sub Committee gave the Licence Holder an opportunity to address them on the decision, they declined.