The Licensing Sub Committee has convened to consider the application made by the police for interim steps in relation to Way2Save. We have heard significant evidence from both police and the applicant as the events which occurred on 26 November 2017 and 1 December 2017.

In summary, on 26 November 2017 a significant incident took place at way 2 save. The LSC had the benefit of viewing CCTV footage of the incident, with commentary from the police. It was seen that a small group of friends entered the premises and, within the space of a few seconds, had approached the counter and engaged with staff. For reasons unclear, the staff member hits out at one of the individuals, and reaches for a glass bottle to use as a weapon. Two of the friends act as intermediaries. It is not clear what sparked the altercation, but the demeanour of the three friends did not indicated they were looking for trouble.

The incident briefly subsides, and they are seen from another angle to be talking with another staff member. Additional staff appear quickly, and all armed with various weapons of different descriptions. The victims are clearly seen to be raising their hands to demonstrate they did not wish to fight, nonetheless, they were attacked, and one victim was dragged into a room and kept for a number of minutes. He later leaves.

No footage is available from 1 December for the LSC but we are told that it is in the possession of the police and it again involved an altercation with customers who have purchased alcohol at the premises. We are told by the police that further footage of the occurrences in the storeroom have been deleted, and all other footage is available. It has been taken away for forensic examination. For reasons we need not examine, police are still identifying the offenders.

We have been told by the DPS that two members of staff involved in the incident on 1 December were sacked, and prior to that 2 members of staff who had been involved on 26 November had been sacked. We are told that there were SIA security staff who had been signed in that day, but that he had been elsewhere at the time, having a meal. We are told that he is seen to appear in the incident after it commences. He was not, apparently, on duty as required by the license conditions.

The DPS suggests that an appropriate way forward would be to reduce hours for alcohol, provide for independent SIA staff, and for conflict management training to be provided.

The LSC has taken into account the s182 guidance, all evidence provided in the agenda pack, and all representations made during the hearing.

Particular concern is cause by

1) The apparent ease and readiness of staff members to escalate matters, and to obtain and use offensive weaponry. It was observed that the staff appeared very comfortable engaging in the actions that they did and knew where to go to obtain weaponry. The LSC cannot understand why this situation was allowed to arise in the first place, and demonstrates at the best very poor management, and at the worst explicit consent for these weapons to be available. It is however noted that this is the first time there was an incident at this premises.

2) The deletion of CCTV which would assist with the ongoing investigation of crime demonstrated complicity by management, the DPS confirming only he and his manager have access to the CCTV. Therefore, on balance of probabilities, only they could have deleted the footage. Whilst there is no requirement for there to be CCTV in the store room, there is a clear expectation that any CCTV that is operational is properly maintained. The willingness to delete evidence significantly undermines the protection of the public from harm and the prevention of crime and disorder.

3) No evidence was provided that SIA were signed in on that date. The LSC was told that Mr Oxusz, who we are told is SIA qualified and the business partner of the DPS, was in the premises and signed in. A further SIA staff was not signed in or present. However, in any event, security were not on the door or performing their duties as would be expected. There is no direct evidence to support that the security was signed in, or “on the door” at any point during the night. It is concerning that the sign in book has not been produced. It was further confirmed by the police that no SIA staff were on the door on 1 December either.
4) Whilst hours could be reduced, the concern is that the approach to management still represents a risk to safety and to members of the public, and that they are undermining the licensing objectives. Conditions were imposed in February 2017 to safeguard the public, but these have either not been complied with, or undermined.

The decision of the LSC is to suspend the license effective immediately. Customers and members of the public must be kept safe and protected, and the LSC have no confidence that this can be achieved with anything less than suspension.