

LICENSING SUB-COMMITTEE

Monday, 15 December 2014
(6:02 - 8:05 pm)

Present: Cllr Josephine Channer (Chair), Cllr Kashif Haroon and Cllr Hardial Singh Rai.

1. Declaration of Members' Interests

There were no declarations of interest.

2. Determination of Objection to Temporary Event Notices: The Club, 121 Broad Street, Dagenham, Essex, RM10 9HP

The applicant's representative, Mr Williams, advised the Sub Committee that he wished to seek an adjournment of the matter to consider additional evidence that had been presented to him by the Police.

The Sub Committee noted that they had not received the additional evidence from the Police and therefore determined that it would not be taken into account during the meeting. In light of this, the Chair asked Mr Williams if he still required an adjournment to consider the agenda pack, which he confirmed he did.

The Sub-Committee agreed to this request and adjourned at 18:30.

Upon reconvening at 18:46, the Chair asked the Licensing Officer, Ms Williams, to present the report to the Sub-Committee.

The Councils Licensing Officer, Maria Williams, presented a report in respect of two Temporary Event Notice (TEN) applications which had been received from The Club, 121 Broad Street, Dagenham, Essex, RM10 9HP.

The Sub Committee were advised that on 5 December 2014, two applications were submitted for the grant of a Temporary Event at the premises for 24 December to 26 December 2014 and 31 December 2014. The applications were both for the sale of alcohol, regulated entertainment and the provision of late night refreshment for up to 200 people until 0300 on each day.

The current hours were:

Plays and Films

Monday	19:00 to 23:00 <i>All Areas</i>
Tuesday	19:00 to 23:00 <i>All Areas</i>
Wednesday	19:00 to 23:00 <i>All Areas</i>
Thursday	19:00 to 23:00 <i>All Areas</i>
Friday	19:00 to 24:00 <i>All Areas</i>
Saturday	19:00 to 24:00 <i>All Areas</i>
Sunday	19:00 to 23:00 <i>All Areas</i>

Indoor sporting events and Boxing or Wrestling

Monday 19:00 to 23:00 *All Areas*
Tuesday 19:00 to 23:00 *All Areas*
Wednesday 19:00 to 23:00 *All Areas*
Thursday 19:00 to 24:00 Front Bar
19:00 to 01:00 Rear Hall
Friday 19:00 to 24:00 Front Bar
19:00 to 01:00 Rear Hall
Saturday 19:00 to 24:00 Front Bar
19:00 to 01:00 Rear Hall
Sunday 19:00 to 23:00 *All Areas*

Live Music

Thursday 19:00 to 23:00 Front Bar
19:00 to 02:00 Rear Hall
Friday 19:00 to 24:00 Front Bar
19:00 to 02:00 Rear Hall
Saturday 19:00 to 24:00 Front Bar
19:00 to 02:00 Rear Hall
Sunday 19:00 to 23:00 Front Bar
19:00 to 23:00 Rear Hall

Recorded Music

Monday 11:00 to 23:00 *All Areas*
Tuesday 11:00 to 23:00 *All Areas*
Wednesday 11:00 to 23:00 *All Areas*
Thursday 11:00 to 23:00 Front Bar
18:00 to 02:00 Rear Hall
Friday 11:00 to 01:00 Front Bar
18:00 to 02:00 Rear Hall
Saturday 11:00 to 01:00 Front Bar
18:00 to 02:00 Rear Hall
Sunday 11:00 to 23:00 *All Areas*

Performances of Dance

Thursday 18:00 to 23:00 *All Areas*
Friday 18:00 to 24:00
18:00 to 02:00
Saturday 18:00 to 24:00
18:00 to 02:00
Sunday 18:00 to 23:00 *All Areas*

Supply of Alcohol

Monday 11:00 to 23:00 Front Bar
18:00 to 23:00 Rear Hall
Tuesday 11:00 to 23:00 Front Bar
18:00 to 23:00 Rear Hall
Wednesday 11:00 to 23:00 Front Bar
18:00 to 23:00 Rear Hall
Thursday 11:00 to 23:00 Front Bar
18:00 to 02:00 Rear Hall
Friday 11:00 to 24:00 Front Bar
18:00 to 02:00 Rear Hall
Saturday 11:00 to 24:00 Front Bar

18:00 to 02:00 Rear Hall
Sunday 11:00 to 23:00 *All Areas*

The Board were advised that on 8 December 2014, representation was received from Corinne Holland PC 119KG on behalf of the Chief Officer for Police for the London Borough of Barking and Dagenham objecting to the temporary event notice for 24 December to 26 December 2014.

On 9 December 2014, representation was received from Andrew O'Connor PC 516KG on behalf of the Chief Officer for Police for the London Borough of Barking and Dagenham objecting to Dagenham objecting to the temporary event notice for 31 December 2014.

Both objections were received as the police had recently served a review on the premises due to the high levels of crime and disorder concerning the premises. The review was still in the consultation period and awaited formal hearing. The objection stated that the police at this time could not support any TEN requesting later hours, made by this premises.

The Chair invited the Police to outline their objection to the Sub Committee. The Police representative, Sarah Le Fevre, addressed the Sub Committee setting out their objections to the applications, expressing the surprise of the police that two TENs had been applied for after a review application had been made by the Police.

Ms Le Fevre advised the Sub Committee that since New Year's Day 2014, where the premises were open beyond the licensed hours, there had been several incidents taking place through to November 2014, where there had been three assaults. The Sub-Committee were further advised that on May 2014 an action plan was implemented between the police and the management of the premises.

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

1. The lateness of the hours when incidents were happening.
2. The incidents appeared to be fuelled by alcohol.
3. The frequency of young people in the premises.

In response to questions from the Sub-Committee, it was noted that the club was in a densely populated area. During the discussion, the applicant provided the Sub-Committee with a plan of premises and in particular advised the Sub-Committee that the function room was at the back of the premises.

The Chair then invited the applicant, Mr Hand and his representative, Mr Williams to address the Sub-Committee.

Mr Williams, the applicant's representative, addressed the Sub-Committee advising that the applicant owned two premises in the Borough, The Club being one of them. Mr Williams advised that:

1. When Mr Hand took over the premises he renovated the venue and cleared the debts left by the previous owner.
2. Improvements had been made to the smoking area outside the premises and plans were in place to amend the area out the front of the premises to deter individuals congregating on the front steps.

3. Mr Hand also intended to introduce a membership system to the premises.
4. The premises was regularly used by the community for events ranging from dancing clubs to funerals.

With regard to Appendix E of the agenda, Mr Williams advised that whilst he would not deny all of the incidents had taken place, there was further context to each of the incidents summarised in the report and they should not be considered on just the summary provided in the agenda.

In response to a question from the Chair regarding how the applicant intended to uphold the Licensing Objectives if the events were to allowed, Mr Hand advised that four to six door supervisors would be employed for the evening with more bar staff than usual in place. He would ask staff to have due diligence and would consider a security system to limit the amount of customers smoking at the same time. A free phone taxi system had also been installed into the premises to assist dispersing customers at the end of the evening.

The Sub-Committee were advised that staff were already very strict when asking for ID and had undertaken training within the past week. A further training session was due to take place shortly.

The Sub-Committee questioned Mr Hand as to whether the CCTV system was now working and were advised that it was working and checked by an engineer on a regular basis. The problems that had risen before were due to too many cameras being in place and the cameras being placed to low in the premises.

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

Decision

The Sub-Committee in arriving at its decision, the Committee considered the representations from the Police and the case put forward by the applicant.

TEN for 24-26 December 2014

The Committee refused to grant this application. The committee noted that the rear hall in the premises under the premises licence was open to supply alcohol (and late night refreshment) as well as having recorded/live music until 2 am on the 25th and 26th of December 2014 in any event (which days were Thursday and Friday). The committee were not satisfied that the steps that Mr Hand was taking at the premises to alleviate the Police's concerns would be implemented in time for the 24th of December, nor would there be sufficient time for the implementation of conditions to be applied.

TEN for 31 December 2014

The Committee felt that the considerations for this application were different to that for 24-26 December. The Committee noted that this was New Years Eve, and a lot of people would be out and about anyway. The Committee also noted that this would give the applicant further time to implement steps to alleviate the Police's concerns at the premises, as well as any conditions that may be imposed.

In granting the application, the Committee imposed the same conditions attached to the premises licence to the TEN (including those agreed between the applicant and Environmental Health, those agreed between the applicant and the Police, and those mandatory conditions), with the only modification being the condition relating to door supervisors. The committee stipulated that there was to be a condition that there was to be no less than six door supervisors employed by and on the premises at all times that it was open (during the 31st of December 2014).

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