Public Document Pack

Licensing (Licensing and Gambling) Sub-Committee

Thursday, 21st November, 2013 at 9.30 am

PLEASE NOTE TIME OF MEETING

Conference Room 3 - Civic Centre

This meeting is open to the public **Members**

Councillor Cunio Councillor Parnell Councillor Thomas

Contacts

Democratic Support Officer Karen Wardle Tel: 023 8083 2302

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Head of Legal and Democratic Services Richard Ivory Tel. 023 8083 2794

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PUBLIC INFORMATION

Terms of Reference

The Sub-Committee deals with licences for which the Council is responsible under the Licensing Act, 2003 and Gambling Act 2005, including:-

- Personal licences for the sale of liquor Licensing Act 2003;
- Premises licences, various permits, variations and reviews (Licensing Act 2003 and Gambling Act 2005);
- Club certificates, variations and reviews Licensing Act 2003;
- Registration and deregistration of designated premises supervisors Licensing Act 2003;
- Determination of police objections to temporary event notices Licensing Act 2003

Relevant Representations

Those who have made relevant representations may address the meeting about the matter in which they have an interest.

When dealing with Licensing Act matters the Sub-Committee can only take into account the following statutory Licensing Objectives:-

- prevention of crime and disorder
- public safety
- prevention of public nuisance
- protection of children from harm

Likewise, when dealing with Gambling Act matters the Sub Committee can only take into account the statutory Licensing Objectives below:-

- Preventing gambling being a source of crime
- That gambling is conducted in a fair and open way
- To protect children and other vulnerable children from harm

Smoking policy

The Council operates a no-smoking policy in all civic buildings.

Mobile Telephones -

Please turn off your mobile telephone whilst in the meeting.

Southampton City Council's Priorities:

- Economic: Promoting Southampton and attracting investment; raising ambitions and improving outcomes for children and young people.
- Social: Improving health and keeping people safe; helping individuals and communities to work together and help themselves.
- **Environmental**: Encouraging new house building and improving existing homes; making the city more attractive and sustainable.
- One Council: Developing an engaged, skilled and motivated workforce; implementing better ways of working to manage reduced budgets and increased demand.

Fire Procedure -

In the event of a fire or other emergency a continuous alarm will sound and you will be advised by Council officers what action to take.

Access -

Access is available for disabled people. Please contact the Democratic Support Officer who will help to make any necessary arrangements.

Dates of Potential Meetings Municipal Year 2013/14

5 TH DECEMBER
19 TH DECEMBER
2014
16 TH JANUARY
30 TH JANUARY
13 TH FEBRUARY
27 TH FEBRUARY
13 TH MARCH
27 TH MARCH
10 [™] APRIL
24 TH APRIL
8 TH MAY
22 ND MAY

CONDUCT OF MEETING

Terms of Reference

Business to be discussed

The terms of reference are contained in the Council's Constitution.

Only those items listed on the attached agenda may be considered at this meeting.

Rules of Procedure

Quorum 3

The meeting is governed by the Council Procedure Rules as set out in Part 4 of the Constitution.

The minimum number of appointed Members required to be in attendance to hold the meeting is 3.

DISCLOSURE OF INTERESTS

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "Disclosable Personal Interest" or "Other Interest" they may have in relation to matters for consideration on this Agenda.

DISCLOSABLE PERSONAL INTERESTS

A Member must regard himself or herself as having a Disclosable Pecuniary Interest in any matter that they or their spouse, partner, a person they are living with as husband or wife, or a person with whom they are living as if they were a civil partner in relation to:

- (i) Any employment, office, trade, profession or vocation carried on for profit or gain.
- (ii) Sponsorship:

Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

- (iii) Any contract which is made between you / your spouse etc (or a body in which the you / your spouse etc has a beneficial interest) and Southampton City Council under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.
- (iv) Any beneficial interest in land which is within the area of Southampton.
- (v) Any license (held alone or jointly with others) to occupy land in the area of Southampton for a month or longer.
- (vi) Any tenancy where (to your knowledge) the landlord is Southampton City Council and the tenant is a body in which you / your spouse etc has a beneficial interests.
- (vii) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of Southampton, and either:
 - a) the total nominal value fo the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or
 - b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

Other Interests

A Member must regard himself or herself as having a, 'Other Interest' in any membership of, or occupation of a position of general control or management in:

Any body to which they have been appointed or nominated by Southampton City Council

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

Any body whose principal purpose includes the influence of public opinion or policy

Principles of Decision Making

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it.
 The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations:
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the "rationality" or "taking leave of your senses" principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, 'live now, pay later' and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

AGENDA

Agendas and papers are available via the Council's website.

1 **ELECTION OF CHAIR**

To appoint a Chair for the purposes of this meeting.

2 APOLOGIES AND CHANGES IN MEMBERSHIP (IF ANY)

To note any changes in the membership of the Sub-Committee made in accordance with the Licensing Act 2003.

3 **DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS**

In accordance with the Localism Act 2011, and the Council's Code of Conduct, Members to disclose any personal or pecuniary interests in any matter included on the agenda for this meeting.

NOTE: Members are reminded that, where applicable, they must complete the appropriate form recording details of any such interests and hand it to the Democratic Support Officer.

4 STATEMENT FROM THE CHAIR

5 MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)

To approve and sign as a correct record the Minutes of the meeting held on 7 November 2013 and to deal with any matters arising, attached.

6 **EXCLUSION OF THE PRESS AND PUBLIC**

At a predetermined point during the consideration of all items the Sub-Committee may move into private session in order to receive legal advice when determining issues. The press and the public, unless otherwise excluded by the Licensing Act 2003 (Hearings) Regulations 2005, will be invited to return immediately following that private session at which time the matter will be determined and the decision of the Sub-Committee will be announced.

APPLICATION FOR REVIEW OF PREMISES LICENCE - VOODOO LOUNGE, 7 **VINCENTS WALK, SOUTHAMPTON SO14 1JY**

Report of the Head of Legal and Democratic Services, detailing an application for a review of the premises licence in respect of Voodoo Lounge, Vincents Walk, Southampton SO14 1JY, attached.

Wednesday, 13 November 2013 HEAD OF LEGAL AND DEMOCRATIC SERVICES



SOUTHAMPTON CITY COUNCIL LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE MINUTES OF THE MEETING HELD ON 7 NOVEMBER 2013

<u>Present:</u> Councillors Cunio, Lewzey and Parnell

35. **ELECTION OF CHAIR**

RESOLVED that Councillor Cunio be elected as Chair for the purposes of this meeting.

36. MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)

RESOLVED that the minutes of the meeting held on 17 October 2013 be approved and signed as a correct record.

37. **EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED that in accordance with the Licensing Act 2003 (Hearings) Regulations 2005 that the press and public be excluded at a predetermined point whilst the Sub-Committee reach its decisions.

38. <u>APPLICATION TO VARY A PREMISES LICENCE - JUNK CLUB, 55 LONDON</u> ROAD, SOUTHAMPTON SO15 2AD

The Sub-Committee considered the application to vary a premises licence in respect of Junk Club, 55 London Road, Southampton SO15 2AD. (Copy of report circulated with the agenda and appended to the signed minutes)

Mr Walton (Solicitor), Mr Aston (Applicant / Operations Director), Mr Lawrence (Manager, Junk), Mr Leigh (DPS, Junk), PC Conway and PC Harris (Hampshire Constabulary) were present and with the consent of the Chair, addressed the meeting.

The Sub-Committee considered the decision in confidential session in accordance with the Licensing Act (Hearings) Regulations 2005.

RESOLVED that the application to vary a premises licence be refused.

After private deliberation the Sub-Committee reconvened and the Chair read the following decision:-

All parties will receive written confirmation of the decision and reasons.

The Sub-Committee considered very carefully the application to vary a premises licence at Junk Club, 55 London Road. It has given due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance, the adopted statement of Licensing Policy, in particular the Cumulative Impact Policy.

The Sub Committee considered representations, both written and given orally today, by all parties. Human rights legislation has been borne in mind whilst making the decision.

Legal advice was accepted by the Sub-Committee in relation to the Cumulative Impact Policy. It was noted that the premises is located within the boundary of a previously

identified stress area, and is subject to the provisions of the formally adopted Cumulative Impact Policy "CIP" (adopted 13 May 2009, confirmed upon review 17 November 2010) that applies to that area.

The Committee noted in particular that:-

- one effect of the CIP is that a *rebuttable presumption* applies to applications for premises licences.
- The rebuttable presumption is that such applications shall ordinarily be refused
- Licensing Policy CIP2 16.9 provides that the onus is upon applicants to demonstrate through their Operating Schedule and where appropriate supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced

The Sub-Committee has determined to refuse the application.

REASONS

The Sub-Committee were of the opinion that the application was for a substantial variation to the existing premises licence in that it requested an extension of the licensable activities and opening hours.

The Sub-Committee has considered very carefully all of the evidence.

The Sub-Committee focused its consideration upon whether, in light of the policy, the proposed variation would, on the balance of probabilities, *not* add to the cumulative impact already being experienced in the area.

The Sub-Committee considered carefully the following points, raised by the applicant, including, but not limited to:-

- Glassware/ID scanner already in place;
- Zero tolerance policy on drugs (proactive reporting);
- Door staff assist in incidents in the area;
- Club not responsible for racial abuse outside the premises:
- Other premises nearby causing incidents and the premises should not be held responsible;
- 12 Temporary Event Notices submitted (incidents not occurring during proposed variation hours):
- No evidence to support an alleged increase in cumulative impact;
- Extending hours will reduce pinch points:
- The lack of representation from residents or Environmental Health given the residential nature of the area;
- Destination premises / aficionado clientele;
- Lack of police objection to TENs;
- A gap between the premises closing time and available public transport;
- A good working relationship with the police

The Sub-Committee noted legal advice provided during the hearing that the policy states that :-

- quality of management of the premises
- character or experience of the applicant
- capacity, size, hours or any increase therein applied for, is not substantial
- the applicant has a good understanding of how to reduce the potential for crime on the premises

shall not ordinarily be considered as an exception to the policy or justification for departure.

All of the issues raised by the applicant were very carefully considered but not felt to be sufficient to justify a departure from the policy in this case. The majority of points raised by the applicant confirm existing good practice / management and the Sub-Committee saw no reason to depart from the policy and consider such as an exception in this case.

The Sub-Committee very carefully considered the clientele at the premises and whether the sale of Corona and Desperados in glass bottles constituted a significant improvement to those likely to be attracted to the venue. In this regard the Sub-Committee noted the prevalence of drug use at the premises and attempted entry by those wishing to supply drugs. Whilst the premises licence holder should rightly be applauded for intercepting and dealing with such issues, the Sub-Committee finds that such issues are indicative of the clientele at the premises which it is not satisfied, despite careful consideration, will change as a result of Coronas or Desperados being offered.

The Sub-Committee did take into consideration the fact that the premises had utilised temporary event notices, however, accepted police evidence that due to the limited application of such notices the impact can not be compared with that made available by a substantial variation. It was noted that the police had not objected to temporary event notices, however, the Sub-Committee accepts that the impact of a one off event is substantially different to that of a daily extension in hours.

In light of all the evidence, particularly that presented by the applicant (given the onus, in light of the policy, is upon them to prove the point), the Sub-Committee is not satisfied that the proposed variation would not result in additional issues relating to crime and disorder within the designated area. The statistics provided show recorded incidents over a period peaking at particular times and the Sub-Committee heard nothing to satisfy it that extending the period of operation at the premises would not cause the existing to be spread over a greater period and, perhaps more importantly, thereby increase the levels of incidents.

The Sub-Committee accepted that premises may have changed within the stress area over time, but noted that police statistics showed an increase of reported incidents. The policy is directed at the impact caused by the totality of licensable activities within the area rather than the operation of any specific premises. Accordingly, the Sub-Committee did not consider the fact that the position had changed for the worse justified a departure from the policy.

The Sub-Committee considered carefully whether any condition might alleviate the impact but was not satisfied that any condition would do so.

There is a right of appeal to the Magistrates' Court. The formal notice of the decision will set out that right.

39. <u>APPLICATION TO VARY A PREMISES LICENCE - GENTING CASINO TERMINUS TERRACE, TERMINUS HOUSE, TERMINUS TERRACE, SOUTHAMPTON SO14 3FE</u>

The Sub-Committee noted that the application for a premises licence in respect of Genting Casino Terminus Terrace, Terminus House, Terminus Terrace, Southampton SO14 3FE no longer required a hearing as agreement had been reached between the parties and the objectors had withdrawn their representations.

Agenda Item 7



Hearing: 21st November 2013 Reference: 2013/02405/01SRAP

Application for Review of Premises Licence

Premises Name: **Voodoo Lounge** Premises Address: Vincents Walk

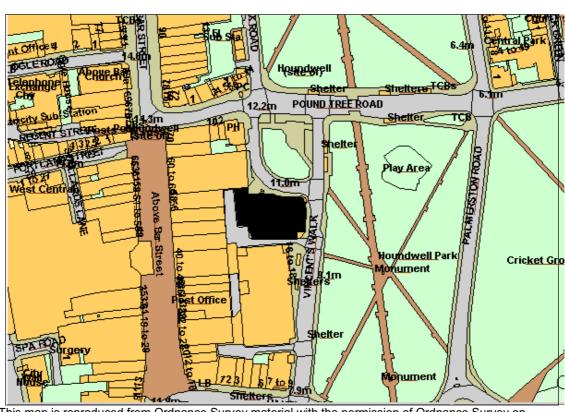
Southampton SO14 1JY

Application Date: 2nd October 2013 Application 7th October 2013

Received Date:

Application Valid Date:

7th October 2013



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Representation From Responsible Authorities

Responsible Authority	Satisfactory?	Comments
Child Protection Services - Licensing	No Response Received	

Hampshire Fire And Rescue - Licensing	Yes	
Environmental Health - Licensing	No Response Received	
Planning & Sustainability - Building Control - Licensing	No Response Received	
Primary Care Trust - Public Health Manager	No Response Reveived	
Police - Licensing	No	
Trading Standards - Licensing	Yes	

Other Representations

Name	Address	Contributor Type

Legal Implications

- 1. Part 3 of the Licensing Act 2003 provides that a responsible authority of a resident or business in the vicinity (interested party) may apply for review of a premises licence.
- 2. The grounds of review applications must relate to one or more of the licensing objectives.
- 3. In such circumstances, the applicant for the review must serve a copy of the review application on the holder of the premises licences, the City Council and each of the responsible authorities.
- 4. On receipt of the application for review, the officers will consider its validity, under delegated powers. Reasons for rejection, in whole or in part, include:
 - that the grounds for review are not relevant to one of more of the licensing objectives and;
 - (in the case of an application not made by a responsible authority), that the application is frivolous, vexatious or repetitious.
- 5. The City Council must, within one day of receiving the application for review, display a prescribed notice of the review application on the outside or adjacent the premises; the notice must remain on display for 28 days and any interested party in the vicinity

- or the responsible authorities may make representations in that period.
- 6. Unless the applicant, licence holder, interested parties and responsible authorities agree that a hearing is unnecessary, the City Council is then required to hold a hearing to consider the review.
- 7. The sub-committee, in considering the application for review, must have regard to the adopted Statement of Licensing Policy and evidence before it at the hearing.
- 8. The Licensing Act 2003 provides that, in determining an application for review, the sub-committee may take any (or none) of the following steps, as it considers necessary:
 - modify the conditions of the licence;
 - exclude a licensable activity from the scope of the licence;
 - · remove the designated premises supervisor;
 - suspend the licence for a period not exceeding three months;
 - revoke the licence.
- 9. The Licensing Act 2003 makes provision for appeal to the Southampton Magistrates' Court against the sub-committee's decision in relation to an application for review.
- 10. In considering this application the sub-committee will sit in a quasi-judicial capacity and is thus obliged to consider applications in accordance with both the Licensing Act 2003 (Hearings) Regulations 2005, and amending secondary legislation and the rules of natural justice. The practical effect of this is that the sub-committee must makes its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching its decision.
- 11. Copies of the application for review and the Police objection are annexed to this report.
- 12. The sub-committee must also have regard to:-
- 13. Crime and Disorder Act 1998

Section 17 of the Crime and Disorder Act 1998 places the Council under a duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

14. Human Rights Act 1998

The Act requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the Council to act in a way that is incompatible (or fail to act in a way that is compatible) with the rights protected by the Act. Any action undertaken by the Council that could have an effect upon another person's Human Rights must be taken having regard to the principle of proportionality - the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the Council which affect another's rights must be no more onerous than is necessary in a democratic society. The matters set out in this report must be considered in light of the above obligations.



Southampton City Council Licensing Team Civic Centre Southampton. SO14 7LY

Our ref: Your ref:



Southampton Central Police Station Southern Road Southampton Hampshire SO15 1AN

> Telephone: 0845 045 45 45 Direct dial: 023 8067 4768

Fax: 08453660037

Deaf/speech impaired minicom: 01962 875000 Email: western.licensing@hampshire.pnn.police.uk

4th October 2013

Dear Sir,

I have submitted the following application to review the licence at Voodoo Louge.

As a licensee under the Licensing Act 2003 they have a duty to promote the four licensing objectives which are-

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance and
- The protection of children from harm

Hampshire Constabulary believes that they have neglected in their duty to promote the licensing objectives, namely, the prevention of crime and disorder and public safety. As a result I submit this application. I enclose the evidence for your records.

Yours faithfully

PC 24288 Harris

Violent Crime Reduction & Licensing Department





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Before completing this form, please refer to FPP 07001 (Licensing (Licensing Act 2003))

PC 24288 Harris , on behalf of the Chief Officer of Hampshire Constabulary, (Insert name of applicant) Apply for the review of a club premises certificate. Apply for the review of a club premises certificate. (Select as applicable) Make a representation about a premises licence/club premises certificate Premises or Club Premises details					
Postal address of premises:	Voodoo Lounge Vincents Walk Southampton				
Postcode (if known):	SO14 1JY				
Name of premises licence holder or club holding club premises certificate (if known) Jon Ashley Wood Number of premises licence or club premises certificate (if known) 2013/01834/01SPRT Details of responsible authority applicant					
Mr Mrs Mis	s Ms Other title / Rank: PC				
Surname: Harris	First Names: Jon				
Current postal address :	Southampton Central Police Station Southern Road Southampton				
Postcode:	SO15 1AN				
Daytime telephone number: E-mail address:	02380 674768				
(optional)					

Hampshire Constabulary is a responsible authority and the applicant has the delegated authority of the Chief Officer of Police in respect of his responsibilities under the Licensing Act 2003



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This application to review relates to the following licensing objective(s)

		Select one or more boxes
1)	The prevention of crime and disorder	\boxtimes
2)	Public safety	
3)	The prevention of public nuisance	
4)	The protection of children from harm	

Please state the grounds for review which must be based on one or more of the licensing objectives together with supporting information:

This review is brought by Hampshire Constabulary as a responsible authority under the Licensing Act 2003. Following an incident that occurred at the premises on Friday 20th September 2013, the police have serious concerns with the premises management and their commitment to promote the licensing objectives, namely public safety and prevention of crime and disorder. As a result of our investigation into these matters as evidenced below, it is felt that a review is necessary to invite the licensing sub committee to consider revocation of the premises licence. Should the committee decide that this course of action is unnecessary, we would ask for the following to be considered:

- 1) Removal of the existing DPS
- 2) Reduce the hours the premises is able to trade to 01:00 hrs
- 3) Update the ID Scanner condition we propose:

ID SCANNER

The provision, maintenance and use of ID Scan equipment to scan all customers identification upon entry to the premises at all times during licensable activities. The only exception will be customers who have had their identification recorded against their fingerprint meaning they can be identified by the use of a biometric fingerprint or a magstripe reader integrated into the system. Accepted forms of identification will be passport, photo driving licence, Military ID or Proof of Age Standards Scheme (PASS).

The ID Scanning system installed should work by scanning the data page of the identification provided (for example the face of a drivers licence or identity card or the biodata page of a passport) which is then connected to a database of legitimate forms of identification. The user is alerted if a match for the scanned ID is not found in the database and is therefore potentially false ID. The system will be capable of calculating the age of the owner of the ID and of verifying that the ID has not expired. The system will also be set up to ID anyone who is banned via Drinks Banning Orders, local Pubwatch schemes or other similar initiatives with all such bans being added to the system within 7 days.

In all circumstances of a breakdown or fault in the system, the police must be notified immediately and the fault rectified within 24 hours or a replacement ID scan will need to be



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loaned in its place.

The police evidence to support this application is as follows:

On Saturday 21st September 2013 at around 00:45 hours, PC 24191 Wood and PC 24288 Harris attended the premises following a report of disorder. A male had been ejected from the venue, described as "being in drink" by the manager (Annex A). PC Leniston attended this incident and ended up detaining the drunken male who became abusive and aggressive towards him. PC Leniston had to restrain the male on the ground to prevent injury to himself and others with the assistance of the venues head doorman. The male was in the back of a marked police vehicle on PC Wood and PC Harris' arrival and was later given a S27 dispersal notice after he had calmed down and co-operated with police.

With this incident now resolved, PC Wood and PC Harris' attention were drawn to the doorman who was using a small handheld device to scan customer's identification (Annex B). The venue was not using the id scanner that had been in operation at the premises since it opened on 25/02/2012, following a condition being added to the licence by the licensing sub committee on 26/01/2012. The device in use was an Easyscan portable document scanner, which does nothing more than scan a document and store it to a memory card. This device does not do any of the following that the Scannet (Safer Clubbing at Night Network) ID scanner did that was there before:

- Automated document authentication ID Scan carries out over 3000 checks on a document in 2 seconds to ensure its authenticity and can do this with more than 3000 + identification documents, including Visas, passports, driving licences and ID cards.
- Calculates and displays the customers age, generating an alert message if they are underage
- Determines if the ID has expired
- Determines if the ID was presented earlier on the same night
- Adds a record of the customer to the Scannet database if they are banned under the Red Card Scheme, the operators will be notified
- CCTV built in updates photo of the customer
- Records date and time customer enters the premises
- Can set different user access rights
- Banned customers can set length of ban
- Witness list in seconds

Annex C shows the ID SCAN website which produces the SCANNET device.

As the list suggests, along with the name "Safer Clubbing At Night Network" the system goes a long way in promoting the licensing objectives and in particular public safety and the prevention of crime and disorder. We believe the condition that was added to the licence was aimed with this type of system in mind without actually promoting a particular brand. The Home Office guidance for false ID defines ID scanners as in Annex D and supports our view. The owner for this business has been in the trade for a long time. He owns the



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business of another club venue in Southampton, which also has a condition to use an ID scanner and has had other premises before hand. He had used the Scannet system at the premises since February 2012 and then all of a sudden changed without any sort of consultation with the police. Had he contacted us to discuss the matter, we would have made it clear that a document scanner was not acceptable as it did none of the things that the Scannet device did and did not promote licensing objectives. It should be noted that the Scannet device can be rented from £45 per week in comparison to the Easyscan document scanner that can be purchased from Ebay for £35. The difference in price clearly demonstrates the disparity in quality, technology and service between the two products.

PC Harris spoke to the designated premises supervisor for the venue at the visit and he advised PC Harris he believed the device they were using, adhered to the condition of the licence. The portable scanner they had in use was not manufactured by IDscan and is not of similar equipment as outlined in the condition. This is a breach of the condition. Furthermore, all other premises know what is required when it comes to an ID scanner as does this operator from previous experience. He has deliberately flouted the condition and played on words whilst given total disregard to the licensing objectives.

On 27th September 2013, PC Harris contacted the company IDscan that produce Scannet and had provided the system to Voodoo Lounge. They were asked to confirm if there had been breakdowns or maintenance issues with the Scannet system to see if this had been the reason for the venue removing the system. The police were informed that since it was installed on 16th February 2012, there had been only two technical support cases. The first was on the 7th March 2012, which related to a bad connection in the scanner. The company repaired this. The second occurred on 10th May 2013, which was recorded as "scanner disconnected - resolved by re-plugging in the USB scanner". Annex E is an email received from the Director of IDscan Biometrics Limited who goes on to explain "I would like to add that the system has been blocked on multiple occasions due to delinquent account status and that this is different to system reliability, as IDscan has blocked the system and made it non operational". They have 5 cases reported against the venue where they have blocked the system for non payment and this goes back over a period from 19th December 2012 through to 2nd June 2013. On 4th July 2013, IDscan were contacted by the venue and told to collect their equipment as the venue was to be closed. This was not a permanent closure and only a temporary close for the summer period.

The police have never been informed that there had been issues over payment for services; we have only ever been told if there was a fault. It would now appear that the system would not have been operating on 5 other occasions when the system has been blocked and we were not informed. This highlights that the condition has been breached for an extended period of at least 6 months, as the system has failed to be maintained. The premises licence holder would have been fully aware of this and the detriment to the licensing objectives.

Whilst PC Wood and PC Harris were in discussion with the designated premises supervisor at the front entrance of the venue, a male was carried out by members of door staff and placed on the cold floor. He was breathing, but not responsive. This should not have happened. The venue had a condition added to their licence in April 2013 to have a



welfare/first aid room and the male should have been taken there by the door team. The officers waited to see if the manager or its staff would take control of the situation, considering they have a duty of care and responsibility for its customers. The DPS only looked on and watched and offered no support or instruction to his team. He had an opportunity to request for the door staff to take the male to the welfare room, but this did not happen. PC Harris requested for an ambulance for the male and both officers moved him into the recovery position. It took several minutes for the male to come around, but he was in no fit state to get up off the ground. He was given water and almost immediately after began to vomit. He wanted to stand up, but as he was so unstable was only able to sit on all fours. This was happening as persons were still entering and exiting the premises.

A first responder attended to the male initially and in speaking with him, formed the opinion he had taken a drug. The male did not make a great deal of sense and stated he had been drinking two slices of beans on toast in the venue. He did not remember being carried out from inside although door staff had stated he collapsed. The first responder was concerned by the male's confused thinking and she requested for an ambulance which then took him to hospital.

What is most concerning with regards to this incident is that it was the venues first night of opening following closure over the summer. It's a student venue and with the holidays, it does not have the same level of custom so chooses to close. It is for this reason we would have expected the venue to have been prepared. However, despite there being conditions on the licence for a welfare/first aid room this was not utilised and this can only be down to poor training or lack of supervision, despite the DPS being level 2 trained. Furthermore, there appeared to be a breach in the condition of a club nanny/floorwalker. The condition states "A member of staff will be employed (may not be their only role) to patrol the venue and monitor customers for signs and/or symptoms of excess alcohol consumption. Anyone suspected of consuming excess amounts of alcohol will be taken to a welfare/first aid room. The club nanny/floorwalker will monitor persons purchasing alcohol to check they are not mixing multiple shots or measures together to ensure responsible alcohol consumption. A record will be maintained providing details of persons attended to, date, time along with the member/s of staff involved." The DPS was asked as to who was the club nanny and he advised it was the acting head doorman. Although the condition does state it does not have to be the person's only role, it is clearly not sufficient employing the head doorman. They cannot remain solely in the venue and monitor what the customers are consuming as they are responsible for the security team. The doorman was asked what he perceived his role to be by PC Wood and he only understood his role to be to supervise other staff members. This meant that the club nanny role was not being fulfilled and a breach of the licence conditions.

It is evident that the DPS for the premises has limited ability in reacting to problems as they arise. Body warn video footage taken from the incident (Annex G), highlights this as the DPS does not even appear to communicate with his door team. The DPS has failed to ensure his staff were fully trained or aware of what was required of them with regards to the use of the welfare/first aid room and club nanny. When told the Id scanner was inadequate for the condition on the licence, the DPS was not prepared to make a decision. He recommended a meeting should be held with the premises licence holder and area manager



Page 6 of 6

present. This indicates that the problem goes far deeper than just with the DPS. The premises licence holder is in control behind the scenes and indirectly maintains a grip on the running of the venue. The police are of the understanding that the change in the Scannet id scanner to the Easyscan document scanner was implemented by the premises licence holder for the venue. He has made the same change at another premises in the city that he owns and committed the same breach in conditions with that licence. We are aware that the Scannet system was not being paid for there which resulted in services being suspended. This highlights the lack in commitment the premises licence holder has in supporting licensing objectives. He is breaching conditions and as a result, undermining public safety. The police have no confidence in the operator and are seeking a revocation of the licence as it is the only way we can tackle an uncooperative premises licence holder.

as it is the only way we can tackle an uncooperative premises licence holder.				
Have you made an application for review relating to the	ese premises before:	Yes No		
If yes please state the date of that application:				
Day I	Month Year			
If you have made representations before relating to this were	premises please st	ate what they		
Please tick				
I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate				
I have sent a copy of this representation to the principal licensing officer of Southampton City Council				
It is an offence, liable on conviction to a fine up to level 5 on the standard scale, under Section 158 of the Licensing Act 2003 to make a false statement in or in connection with this application				
Signature of Officer Completing				
Name Harris	Collar Number:	24288		
Signature:	Date:	02/10/13		
Signature of Authorising Officer (Inspector or above)				
Name Alinsp. Wake	Collar Number:	3173		
Signature:	Date:	3110113		

truex A.

Occurrence details

Hampshire Constabulary

Printed:

02/10/2013 14:09 by 24288

Occurrence:

44130358228

Occurrence details:

Report no .:

44130358228

Occurrence Type: Occurrence time:

S27/30 Dispersal Order (Police Initiated) 21/09/2013 00:36 - 21/09/2013 00:36

Reported time:

21/09/2013 00:36

Occurrence address:

VINCENTS WALK SOUTHAMPTON, HAMPSHIRE United Kingdom SO14 1JY (VOODOO LOUNGE) (OCU: 1 WESTERN, District: S SOUTHAMPTON, Sector: SW CENTRAL SOUTHAMPTON WEST, Beat: 1SW01 CITY CENTRE)

Clearance status:

Concluded:

Under investigation No

Concluded date:

Summary:

was being abusive to door staff at Voodoo lounge when he directed his abuse towards PC LENISTON. When became aggressive he was restrained and taken to the floor. Resulted in ! getting a S27

VCRA order.

Remarks:

Associated occurrences:

- Same address / 44080524407 / Z Prem Licence (Management Occurrence) / See reports tab page for copy of Premises Licence. / Visits should be recorded on a working sheet the reports tab. / All other incidents should be raised on a new occurrence and linked to master record
- Same address; Same event; Same person / 44130358214 Stop check / Stop check / 21/09/2013 01:24 / 20130921 01:24:01:197 / MALE WAS ABUSIVE TO DOOR STAFF. WHEN ASKED TO LEAVE THE AREA THE MALE BECAME ABUSIVE TOWARDS POLICE. RESULTING IN BEING RESTRAINED. 24 HOUR DISPERSAL, MAP GIVEN.

Involved addresses:

VINCENTS WALK / Dispatch address; Occurrence address / SOUTHAMPTON, United Kingdom SO14 1JY (VOODOO LOUNGE) (OCU: 1 WESTERN, District: S SOUTHAMPTON, Sector: SW CENTRAL SOUTHAMPTON WEST, Beat: 1SW01 CITY CENTRE)

Involved comm addresses:

Involved officers:

- Supervising officer / PRIOR, N. / #20920 / Hamp / Police officer / CENTRAL SNT C
- Witness / SPRATT, N. / #22196 / Hamp / Police officer / CENTRAL SNT C
- Assisting officer; Attending officer / SPRATT, N. / #22196 / Hamp / Police officer / CENTRAL SNT C
- Officer in case / LENISTON, J. / #25017 / Hamp / Police officer / CENTRAL SNT E

Modus operandi:

Reports:

Printed by: 24288 Date: 02/10/2013 14:09 Computer: SC056 Page 1 of 1

EasyScan

(904 259 2818

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ALWAYS NEW OFFERS



Home

EasyScan Pvt Ltd is India's leading provider of Portable Scanning Solutions.

Easy Scan Portable Scanner does not require any computer or external power source for scanning process, so it can add immense value to large enterprises who want to deploy scanning at the field level.

Easy Scan Portable Scanner is originally developed for students and educational institutions. Through Easy Scan Portable Scanner, we have simplified the scanning process and made possible to covert the text book into digital format in more efficient manner.

Who are using our Portable Scanner?

- 1. Students in Colleges and Universities,
- 2. Marketing Professionals,
- 3. Business Owners,
- 4. Travel Agents,
- 5. Advertisement Agencies,
- 6. IT, Telecom, Banking and Insurance companies,
- 7. Educational Institutions and Libraries.

Why you need our Portable Scanner?

- 1. Ideal to carry anywhere you go.
- 2. Computer/Laptop not required while scanning.
- 3. No need of any external power source. Only 2 x AA batteries.
- 4. Plug and Play. No Driver software required.
- 5. Supports MicroSD card up to 32GB. Can store more than 6,000 pages.

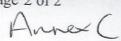






Easy Scan Portable Scanner | Pen Scanner | Book Scanner | Handheld Scanner | Image Scanner | Document Scanner | sales@easyscan.in

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Reads 3000+ ID documents including: visas, passports, driving licences and ID cards







Starting from just £45 per week



Contact us now for more information or an online demo 0207 987 9977 www.nightclub.co.uk



Corporate Offices and Showroom IDscan Biometrics Ltd Aegon House, 13 Lanark Square Crossharbour London, E14 9QD



Venue Name Email Address City Mobile Number Message Office use only Please call me to arrange an online demo SUBMIT

First Name Last Name



Fix is a purpose built klosk ideal for venues which have a safe, secure wall where SCANNET can be permanently fixed. Like all option it just needs a power supply and internet connection.

Flex is the most popular option with nightclubs and bars. It uses a lightweight all-in-one super-fast PC and touchscreen which can be placed in venues where space is at a premium.

Copyright # 2013 IDScan Biometrics | Passport Scanner, ID Check and Fake ID Detection | All rights reserved Terms and

IEScan Biometrics Show Room | London | 13 Lanark Square | Crossharboni | +44 0207 987 9977



Floor is a full standing Flosk, ideal for lobbles or areas that are totally protected from the weather. If you use several different entrances on different nights this could be ideal.

Online Chat

Add Facebook, Twitter, mobile and email details to your customer accounts. SCANNET know who visited for the first time last night, who has a birthday next week and who are your top 500 customers.

Did you know that the average age of customers in the night-time economy has increased by 7 months in the past year. IDScan's customers did and they are doing something about it.

SCANNET is the fastest way to receive accurate marketing analytics allonging you to compare your venues at a glance. You even receive a nightly text and email summary of the nights activities.

Do you know the average distance your customers travel to get to your venue? SCANNET customers do

You can enrol your customers into your membership scheme which means they don't have to bring ID with them on their next visit. SCANNET gives you the option of using a biometric fingerprint or a magstripe reader.

Did you know that you can even enrol your customers from your website? Click here to view www.nightclub.co.uk/membership

FALSE ID GUIDANCE >>>

SCANNET options from just £45pw
Complete the form below to receive an instant price list & brochure.

ID Scanning

ID Smart

ID Assurance

Age Verification

Case Studies

Products

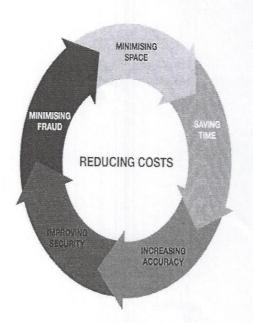
About Us

Contact Us



IDscan's ID scanning system; Improving Business Process

ID scanning allows you to extract data quickly, efficiently and accurately from complex documents such as passports and identity documents.



Authentication -

Read

Bill Scan

Discover

Hardware,

View

Expertise >

Explore

Expertise

Image capturing and processing:

IDscan are experts in capturing images from a variety of devices ranging from specialised document readers (passport scanners), commodity A4 scanners and

Document authentication and verification:

Authentication engines use sophisticated algorithms to audit the authenticity of the document and to provide a 'yes/no' answer. The engines are flexible and can work in a 'full authentication' mode when it's supplied with multiple images

miscellaneous camera sources, for example, iPads/Smartphones/Webcams.

Document recognition:

IDscan can correctly classify, when using specialised document readers (passport scanners), more than 3,500 types of different documents covering proof of ID (passports, identity cards, driving licenses), proof of address (utility bills), proof of income (bank statements, payslips, tax document), right to work and residence (resident permits, visas, travel permits)

Data extraction

Utilising multiple ID scan technologies & components such as optical character recognition (OCR) we can accurately extract all the data represented on the documents whether it's explicitly printed or implicitly encoded (for example, in a barcode) or a RFID biometric chip.

and biometric chip data or in a 'basic validation' mode. Fake ID detection, Document OCR, Age Verification, Passport Scanning, Bespoke Software Development and ID Checking. Our IDscan software solutions and authentication processes can be applied to most scanner types to deliver low level MRZ and data collection, through to full UV, RFID, Coaxil, Smart Card and Infrared authentication through dedicated passport scanners.

Biometric capturing/verification and identification: We use biometrics to provide additional authentication and other high level features. We compare the image taken from a biometric chip with the image on the visible passport.

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Authentication

IDscan provide automated document authentication, fake ID detection, ID checking, for more than 3,500 global identity documents and deliver authenticated, automated results. IDscan looks for over 3000 checks on each document in about 2 seconds.

IDscan uses advanced mathematical algorithms, colour wave-length technology together with an encyclopaedic knowledge of these documented IDs, to automatically process images captured by passport scanners to provide ID validation.

IDscan then delivers an effective and immediate decision on a document's legitimacy.

IDscan's solutions are used for border control (http://idscan.co.uk/?case-study=airport), financial transactions (http://idscan.co.uk/case-studies), Passport Scanners, ID checks (http://idscan.co.uk/case-study/three-mobile-uk), car hire (http://idscan.co.uk/case-study/europcar), security (http://idscan.co.uk/case-study/metropolitan-police), access control (http://idscan.co.uk/case-study/reed) and age verification (http://idscan.co.uk/case-study/tesco).

In this example of a Belgium passport the document has been corrupted by the fraudster applying their own details across the document Here you see that the Infrared image shows no data – however the UV is correct and the fabric of the document was correct – It is only with IDscan that you discover that the real owner of the original passport revealed from the biometric chip is a young girl – IDscan uses further facial recognition checks to compare the image on the biometric chip with the passport photo.





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Watch Our IDscan Quick Round-up Video »

Bill Scan

Bill Scanning, data extraction and authentication from IDSCAN.

IDscans 'Bill scan' is able to read utility bills automatically and conduct authentications checks.

Simply load a bill on to a scanner, or snap shot from a smart phone or iPad or load it up to our server and IDscan will quickly understand what type of document it is and conduct validation and authentication checks.

IDscan is **the only ID scanning business** that can perform these checks automatically.



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ID Bureau

ID Bureau Service is a walk-in ID check service provided from our Canary Wharf offices which enables customers to bring physical documents such as passports or driving licenses to be inspected and authenticated — you will receive a 19 page report detailing the full authentication checks of the document including any Visas or work permits plus the option of receiving a "Route 2 CRB" check.

Read more about the revised and enhanced identification checking guidelines from the Criminal Records Bureau and HMG's Minimum Requirements for the Verification of the Identity of Individuals

Batch Scan

For businesses that hold a depository of historic IDs either photocopied or scanned, Batch Scan is an automated audit of these documents. Although this is not an authentication of your records it is an efficient inspection. IDscan's OCR engine will interrogate your database extracting the OCR elements from ICAO compliant documents and conduct numerous cross digit checks from the extracted data.

Case Study: Batch Scan was used by a bank in Paris to audit account opening documents, during a single day Batch Scan processed 500,000 passports and French ID cards and revealed 1,329 fake documents.

The cost of the ID Bureau is £10. Click Here to Buy Now » (/id-bureau)

Passport Scanners

IDscan's product is capable of working with a large selection of passport scanners. Passport scanners are in essence an advanced digital camera.

Scanners provide a reliable, controlled environment, essential to authentication and image processing.



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Built-in Reference Library

IDscan's system have a built in reference library allowing you to compare scans in Infrared, UV and visible image against known genuine samples.

The system also allows you to superimpose one image on top of the other for further analysis.

Watch

Go to Top

Document Library Repository

An important consideration for this type of solution is the document library. Currently, our solution can classify over 3,500 document types. You can view the most current document list here. (http://idscan.co.uk/document-library)

Each document presented can be processed through more than 3,000 validation checks, the most basic of checks are those prescribed by ICAO standard 9303, which are machine readable zone (MRZ) checks with more sophisticated checks utilising hyper-advanced mathematical algorithms, colour wave-length technology together with an encyclopaedic knowledge of more than 3000+ documented IDs.

Live Support

Live Support is an upgrade to any solution that puts you in touch with a document expert at any time. Selecting you CHAT button on your ID scan system channels you in directly to an experienced document expert to offer a further level of secure authorisation.

The CHAT button opens a direct window for our experts to view your screen and assist you with the document presented. Documents that are damaged, worn, exotic or new may need a second opinion. ID scan's live support means that you will never have to experience what we call the "chocolate factor". This is when a perfectly genuine document fails because a strategic portion of the document is covered, worn, damaged or has "chocolate" covering it.

Using Live Support, we will quickly identify the infringement and satisfy you that this is a false positive.

Operators can see client's screen



Watch Our IDscan Quick Round-up Video »

Why IDscan?

Saving Time

Avoiding manually typing of data from IDs to account applications.

Improving Security

Enriching your database adding seamless online verification.

Minimising Fraud

Adding automated authentication to the identity process.

Increasing Accuracy

Reduce human typing errors with advanced technologies.

Reducing Costs

Copying is no longer needed for keeping colour ID images.

Minimising Space

Eliminate paper work and archiving of ID's photocopies.

Focus

ID Scanning, it's what we do.

Stability

10 years of ID experience on the back of financially sound operations.

Knowledge

Accuracy

ID Knowledge - We know

Exclusive

Bill Scanning authentication

documents.

capability exclusive to IDscan.

IDscan has the fastest scanning Speed speed of any system.

Library

Largest classified ID document library in the world - at least 855

documents more than any other

IDscan has the largest deployment Experience

of ID scanners in the UK commercial sector and the largest networked

deployments of ID scanning systems in the UK. Excellent track record in executing large corporate orders

Technology

Latest smartphone capture

technology more mature than any other viable provider, offering users

the vastest array of solutions. ahead of expectations.

Approximately 95% of IDs scanned Market Leader

and authenticated in the commercial market place in the UK are scanned by IDscan - Our customers scan an average of more than 1.6 million IDs

each month.

Versatility

IDscan is not tied to any particular

scanner.

Maturity

IDscan's products are ready to use.

Reach

More than 1,000 existing customers

supported 24/7.

viable providers.

IDscan uses its own OCR code

customised for documents.

Scalability

Proven track record of scalability of IDscan's solution for large corporate

customers in a short time frame.

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(http://idscan.co.uk/idscan/wp-content/uploads/2013/09/FS-589915.pdf?a046f3)

Annex D.

Information sharing

Sharing information about false ID found by your staff is an effective way of forewarning other premises about what to look out for. Information sharing is an important feature of schemes such as Pubwatch or Community Alcohol Partnerships, but can also be done through informal contacts or communication with the police or local authority. However, it must be borne in mind that ID contains personal information and the sharing of this information should always be subject to data protection laws.

ID scanners

ID scanning technology works by scanning the data page of the provided identification (for example the face of a driver's licence or identity card or the biodata page of a passport) which is then connected to a database of legitimate forms of identification. The user is alerted if a match for the scanned ID is not found in the database and is therefore potentially false ID. These systems are also capable of calculating the age of the owner of the ID and of verifying that the ID has not expired. In addition some systems can be set up to alert the member of staff if the individual presenting the identification is banned for example due to a Drinking Banning Order or local Pubwatch banning schemes. There are several companies which sell ID scanning readers and software in the UK. The Home Office does not endorse the products of one company over any other's.

Details of a case study carried out by the Metropolitan Police and the London Borough of Sutton in relation to IDscan can be found in **Annex** E.

Annex F.

Working Sheet

Hampshire Constabulary

Printed:

23/09/2013 13:52 by 21071

Occurrence: 44080524407 Z Prem Licence (Management Occurrence)

Author:

#21071 NORRIS, S.

Report time:

07/08/2013 16:23

Entered by: #21071 NORRIS, S.

Entered time:

07/08/2013 16:23

Remarks: Visit 4/8/13

Spoke with Richard Timpson. The venue was having a Polish night. There were 175 in the venue. The scanners were not working and had been taken away to be repaired. They were using a hand held scanning device provided by Toby Loney

PC 21071 NORRIS

Printed by: 21071 Date: 23/09/2013 13:52 Computer: SC080 Page 1 of 1

Annex H

Harris, Jonathan

From:

LICENSING WESTERN Mailbox

Sent:

08 May 2013 08:50

To:

Harris, Jonathan

Subject: FW: Id scanner

From: Richard Timson [mailto:

Sent: 07 May 2013 21:37

To: LICENSING WESTERN Mailbox

Subject: Re: Id scanner

Hi Jon

Firstly to confirm it was voodoo that 1 of the scanners was not working. As far as I'm aware it does work however I will be back in the office on Thursday and will be testing the machines.

Richard Timson club manager

On 7 May 2013, at 08:43, <western.licensing@hampshire.pnn.police.uk> wrote:

Good morning Richard

I received a message in relation to your ID scanner being faulty on 03/05. Firstly, can you confirm if this was Voodoo's scanner and if so how long was it out for? Has it now been repaired?

Many thanks Jon 24288 Harris

The information is intended to be for the use of the individual(s) or entity named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of the information is prohibited. If you have received this electronic message in error, please notify us by telephone +44 (0) 845 045 45 or email to postmaster@hampshire.pnn.police.uk immediately. Please then delete this email and destroy any copies of it.

All communications, including telephone calls and electronic messages to and from the Hampshire Constabulary may be subject to monitoring. Replies to this email may be seen by employees other than the intended recipient.

Harris, Jonathan

From:

Sent:

27 September 2013 15:24

To: Subject: Harris, Jonathan Voodoo Southampton

Dear Jonathan

Thank you for contacting IDscan this afternoon. You had relayed to me concerns regarding the reliability of the IDscan system we had provided to Voodoo Southampton, I have checked our records and I can see that since the system was installed on the 16th February 2012 through to the date of its removal in July 2013 there have been two technical support cases.

CASE 03627 07/03/2012 - relates to a bad connection in the scanner cradle, which was replaced

CASE 05026

10/05/2013 - Scanner disconnected - resolved by re-

plugging

in the USB scanner cable

I would like to add that the system has been blocked on multiple occasions due to delinquent account status and that this is different to system reliability as IDscan has blocked the system and made it non operational

CASE 4361 system blocked non payment CASE 4658 system blocked non payment CASE 4856 system blocked non payment CASE 5120 system blocked non payment CASE 5194 system blocked non payment

These dates range from 19th December 2012 through to 2nd June 2013

n the 4th July 2013 at 16:32 we were contacted by Cheryl Strugnell of Voodoo Lounge and told that the Venue was now closed and we should collect our equipment.

Sincerely

t: 0207 987 9977 (from abroad 00 44 207 987 9977) f: 0845 003 1091 (from abroad 00 44 845 003 1091)

m: 07958 301 563 (from abroad 0044 7958 301 563)

e:

W: WWW.ldscan.co.uk

IDscan Biometrics Limited Aegon House, Lanark Square,

