
SOUTHAMPTON CITY COUNCIL
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 28 June 2012

Present: Councillors Cunio, Lewzey and Vassiliou

10. **ELECTION OF CHAIR**

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

11. **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

RESOLVED that the Minutes of the Meeting held on 31 May 2012 be signed as a correct record. (Copy of the minutes circulated with the agenda and appended to the signed minutes).

12. **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 reached its decisions.

13. **APPLICATION FOR REVIEW OF PREMISES LICENCE - JOINER'S ARMS, 141 ST MARY STREET, SOUTHAMPTON, SO14 1NS**

The Sub-Committee considered the application for review of premises licence in respect of Joiner's Arms, 141 St Mary Street, Southampton, SO14 1NS. (Copy of report circulated with the agenda and appended to the signed minutes).

Mr Lovell, Premises Licence Holder, Mr Mulldowney, Designated Premises Supervisor, Mr Downton, Manager, Unit, PC Wood and PC Prior, 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 2003 (Hearings) Regulations 2005.

RESOLVED that the following conditions be attached to the licence:-

- (i) conditions agreed between the two parties relating to Challenge 25, Staff Training, Incident Book, Refusals book and CCTV detailed below:-

- **Challenge 25**

There will be a Challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual, who visually appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older.

Acceptable identification for the purposes of age verification will include a driving licence, passport or photographic identification bearing the "PASS" logo and the persons date of birth.

If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.

- **Staff Training**

Staff will be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunk persons and the refusal of sale due to intoxication. Records will be kept of such training which must be signed and dated by the member of staff who has received that training.

All staff will receive refresher training every six months as a minimum and that records are to be kept of this refresher training which should be signed and dated by the member of staff who received that training.

All training records will be made immediately available for inspection by Hampshire Constabulary and the licensing Authority upon request. Training records will be kept for a minimum period of two years. Training records will be kept on the licensed premises to which they relate to.

- **Incident Book**

An incident book will be provided and maintained at the premises. It will remain on the premises at all times and will be available to police for inspection upon request.

Any incidents that include physical altercation or disorder, physical ejection, injury, id seizure or drug misuse will be recorded in the incident book. The entry is to include an account of the incident and the identity of all person(s) involved (or descriptions of those involved if identity is not known). Should there be any physical interaction by members of staff and the public the entry will include what physical action occurred between each party. The entry shall be timed, dated and signed by the author.

If the member of staff creating the entry has difficulties reading or writing then the entry may be written by another staff member. This should however be read back to the person creating the entry and counter signed by the person who wrote the entry.

At the close of business on each day the incident book will be checked by the manager on duty where any entries will be reviewed and signed. If incidents have occurred the duty manager will de-brief door staff at the close of business. Should there be no incidents then this will also be recorded at the close of business in the incident book.

- **Refusals Book**

A refusals book will be kept and maintained at the premises and will be available for police inspection upon request. All refusals for the sale of alcohol and the reasons for refusal should be recorded. Any age challenge or identification seizures should also be recorded.

- **CCTV**

The premises shall have sufficient cameras located within the premises to cover all public areas including outside of the premises covering the entrance and exit. The system should be able to cope with strobe lighting and all levels of illumination throughout the premises as well as outside areas.

CCTV warning signs to be fitted in public places.

The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.

The recording system will be able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 28 days.

Records must be made on a weekly basis and kept for inspection to show that the system is functioning correctly and that data is being securely retained.

The DPS or premises manager must be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with, i.e. password protected.

There shall be sufficient members of trained staff at the premises during operating hours to be able to provide viewable copies immediately to police on request when investigating allegations of offences or criminal activity. Any images recovered must be in a viewable format on either disc or VHS. Footage supplied in a digital format on CD or DVD will also have a copy of the CCTV system software enabled on the disc to allow playback.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Southampton Police Licensing Unit; and

(ii) amended conditions:-

- **DPS Training**

The DPS should complete a nationally recognised Level II DPS Course within 3 months, commencing 21 days from receipt of the decision notice.

- **Door Staff**

There shall be 2 registered door staff from 19h00 to closing every Friday and Saturday night, New Year's Eve and any Sunday preceding a public holiday.

On all other occasions when the premises are open for licensable activities there shall be 1 registered door staff when there are 50 to 99 patrons and one additional registered door staff for every 100 patrons thereafter.

REASONS

The Sub-Committee considered carefully the application for review of the premises licence at Joiner's Arms by Hampshire Constabulary and gave due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance, the adopted statement of Licensing Policy, Human Rights legislation, representations, both written and given orally today by both parties, including the additional information provided at the meeting.

The Sub-Committee considered very carefully the evidence of the police and noted that attempts had been made to help the premises put in place suitable procedures to ensure that the licensing objectives were upheld, but that the premises had been slow to implement those procedures. The Sub-Committee noted that specific conditions had been agreed between the two parties and were of the opinion that it was necessary and proportionate for promoting the licensing objectives that those conditions be attached to the licence.

The Sub-Committee heard evidence that the incidents relating to the licensing objectives occurred on Fridays and Saturdays in the latter part of the evening and felt it was therefore necessary and proportionate for upholding the licensing objectives to attach the amended conditions relating to **Door Staff** and **DPS Training** to the licence.

The Sub-Committee was concerned by the large number of under-age young people seen drinking in the immediate vicinity of the premises on some occasions, but acknowledged that some matters were outside the control of the premises itself.

14. **APPLICATION FOR PREMISES LICENCE - GEORGE'S, 6A ATHELSTAN ROAD, SOUTHAMPTON, SO19 4DD**

The Sub-Committee considered the application for a Premises Licence in respect of George's, 6A Athelstan Road, Southampton, SO19 4DD. (Copy of report circulated with the agenda and appended to the signed minutes).

PC Wood and PC Prior, Hampshire Constabulary and Mr Lucas, Trading Standards were present and with the consent of the Chair, addressed the meeting.

The Sub-Committee were informed that due to an administrative error, neither the applicant nor their representative were available to attend the meeting and accepted legal advice relating to meeting procedures in the absence of the applicant and their representative.

RESOLVED that it was considered necessary in the public interest to adjourn the hearing to 26th July 2012.