



LICENSING AUTHORITY: SWALE BOROUGH COUNCIL

**LICENSING ACT 2003
LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005**

NOTICE OF DETERMINATION

Application Ref No: SHE/SWALE/189/0666

Applicant: Queenborough Social Club
Regarding **NEW PREMISES LICENCE**
Date(s) of hearing: 23 March 2017
Date of determination: 23 March 2017
Committee Members: [Chairman]: Councillor Lesley Ingham
Councillor Mike Whiting
Councillor Bobbin

Legal Advisor in attendance at hearing(s): Robin Harris

Licensing Officer in attendance at hearing(s): Tom Dunn

This was an application for:

- Variation Grant
 Provisional Statement Review Other

for a

- Premises Licence Club Premises Certificate Personal Licence
 Temporary Event Notice

A: Representations, evidence and submissions:

The Committee considered the representations, evidence and submissions of the following parties:

Applicant

- Name: Mrs Morris - Queenborough Social Club Committee
- Legal or other representative: Mr Matthew Champ - Queenborough Social Club Committee

Responsible Authorities

b) Police

Other Persons – Mr Chris Le Couteur

Representations considered in the absence of a party to the hearing:

- None

The Committee has taken into account the following provisions of the Licensing Act 2003 and the Regulations thereto:

Section 17

The Committee has taken into account the following provisions of the Guidance under section 182 of the Act:

Chapter 2 which relates to the licensing objectives
Chapter 8 & 9 which relates to premises licences & determinations
Chapter 10 which relates to conditions attached to licences;

The Committee has taken into account its Statement of Licensing Policy.

The Committee has decided to depart from the guidance under section 182 of the Act and or the statement of licensing policy for the following reasons:

Paragraphs and reasons (state in full): not applicable

C: Determination:

The Committee has decided to:

- grant the application subject to modified conditions necessary for the promotion of the licensing objectives. If so, state the modified conditions:

Condition one

CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition.

- (a) Cameras shall encompass all ingress and egress to the premises, fire exits and all areas where the sale and supply of alcohol occurs.
- (b) Equipment must be maintained in good working order, be correctly time and date stamped, recordings MUST be kept in date order, numbered sequentially (if not stored by hard drive) and kept for a period of 31 days and handed to Police upon reasonable request.
- (c) Key staff nominated by the data controller will be trained in the operation of the CCTV & will be capable and competent at downloading CCTV footage in a recordable format to the Police and Local Authority upon reasonable request.
- (d) The recording equipment and any discs/tapes shall be kept in a secure environment under the control of the data controller.
- (e) In the event of technical failure of the CCTV equipment the premises licence holder or DPS must report the failure to the Police Licensing Officer as soon as reasonably practicable (ie by the next working day) (licensing.north.division@kent.pnn.police.uk)

Condition two

All persons that sell or supply alcohol to customers must have licensing training.

- (a) Training should take place within six weeks of employment and any new employees will be supervised until the training has taken place.
- (b) Refresher training should be repeated a minimum of every six months or earlier if required due to changes of legislation.
- (c) Training records must be kept on the premises and shall contain the nature, content and frequency of all training.
- (d) Records must be made available for inspection by Police, Police Licensing Officer and authorised officers from the Local Authority upon reasonable request either electronically or hard copy.

Condition three

The premises licence holder or designated premises supervisor must keep an incident register.

- (a) Staff to be trained to complete an incident book/records immediately after the incident but no later than the end of their shift.
- (b) The register must be kept on the premises and will detail
 - (i) Day, date and time of incident
 - (ii) Nature of incident
 - (iii) Resolution

(iv) Each entry is to be checked and signed by the DPS/duty manager no later than 1 week after the entry has been made.

(c) The register must be made available to Police, Police Licensing Officers and authorised officers from the Local Authority upon reasonable request either electronically or hard copy.

Condition four

At all times when the premise has been hired by a non-member or is hosting an event a risk assessment will be completed to assess the requirement for door supervisors. If door supervisors are required there will be a minimum of 2 door supervisors at any one time. All risk assessment will be kept for a minimum of 6 months and will be made available to Police and Local authority licensing officers upon reasonable request.

Condition five

The premises will display a sign prominently at all entrances and exits of the premises asking that patrons leave quietly and respect their neighbours.

Reasons for determination:

■ **Prevention of Crime and Disorder**

Reasons (state in full):

The Sub-Committee noted that the Police representation had been dealt with by way of agreed conditions with premises, and therefore no further steps were necessary under this licensing objective.

■ **Public Safety**

Reasons (state in full):

The Sub-Committee noted that there were no representations received in respect of this licensing objective.

■ **Prevention of nuisance**

Reasons (state in full):

The Sub-Committee noted the representations made in writing and at the Committee meeting today. The Sub-Committee were not satisfied that the evidence presented to the Committee sufficiently linked any instances of nuisance with the applicant premises. On that basis the Sub-Committee was content that the operating schedule is sufficient to promote this licensing objective.

■ **Protection of children from harm**

Reasons (state in full):

The Sub-Committee noted that there were no representations received in respect of this licensing objective.

Parties aggrieved by a decision of the Licensing Sub-Committee have 21 days to appeal the decision by way of complaints to the Magistrates Court.

PRINT NAME (CHAIRMAN):

L. INGHAM.

Signed [Chairman]: A copy of the original document is held on file

Date: 23.03.17

A handwritten signature in black ink, appearing to read 'L. Ingham', with a long horizontal flourish extending to the right.

