



RECORD OF CONSIDERATION OF INTERIM STEPS

LICENSING ACT 2003 SS53A –C

Applicant Summary Review: Superintendent P Anderson, Kent Police

Premises: Talk of the Town, The Promenade, Leysdown-on-Sea, Isle of Sheppey, Kent ME12 4QB

Licence Holders: Mr Christopher Prime and Mrs Jacqueline Prime

Date of Consideration: 13 April 2017

Licensing Sub Committee Members: Cllr Roger Clark (Chairman)

Cllr Paul Fleming

Cllr Anita Walker

Legal Advisor in attendance: Jayne Bolas, Solicitor Team Leader (Contentious), MKLS

Licensing Officer in attendance: Mohammad Bauluck

DECISION AND REASONS

The Sub Committee have considered whether interim steps are necessary in this case. They have considered the grounds set out in the application for summary review and the oral representations made by Kent Police and the Licence holders. This included evidence in the summary review application and that of previous incidents at the premises, availability of CCTV and the general nature of operations at the premises. Also, conditions offered by the Licence holders and agreed with Police as appropriate and proportionate to promote the relevant Licensing objectives.

The Sub-Committee considered the options available to them and the interim step of suspension of the Licence originally requested by Kent Police. However, having heard representations of the Licence holders requesting Members to consider modification of Licence conditions by addition of conditions to promote the Licencing objectives of prevention of crime and disorder, protection of public safety and of children from harm, relating to door supervision, CCTV and use of polycarbonate/plastic glasses only as containers, Police indicated that they would be content with the option of conditions agreed with the Licence holders meeting necessary interim steps.

The conditions agreed are:

1. **CCTV**

- (a) CCTV to be fitted to a standard agreed to by the police that complies with the current CCTV Code of Practice produced by the Information Commissioners Office, with all public areas, including all access and egress points covered. This is also to include any exit doors, alleyways or any other areas used for the ejection of customers.
- (b) The CCTV system will be maintained and serviced on a regular basis and records kept to that effect.
- (c) CCTV shall be operational at all time that members of the public and/or staff are on the premises.
- (d) Images will be retained for a period of at least one calendar month by whatever means the licence holder deems appropriate.
- (e) The Police, Local Authority and Trading Standards will be provided with a recording by way of tape, CD Rom or any other means of the image, immediately upon request.
- (f) There will be at least one member of staff on duty during trading hours who is able to provide a recording of any incident at the request of police or local authority, or able to attend within 15 minutes.

2. **SIA**

- (a) On any day when any Regulated Entertainment is scheduled at any time, door supervisors will be employed at the premises from 19:00 hours until close of trading.
- (b) A sufficient number of door staff will be employed at the premises to provide sufficient safety and security for the capacity. This will be at a ratio of 1:50 customers with a minimum of two at all times they are to be required.
- (c) All security staff will wear a reflective jacket or tabard.

3. Record Keeping

(a) A logbook will be kept detailing all incidents that occur at the premises. This will be a bound book which will detail the following: -

- The day, date and time of the incident.
- The member of staff making the entry.
- All members of staff involved in the incident.
- An account of the incident.
- Details of any persons injured and the injuries sustained.
- Any other details thought relevant.
- The duty manager or supervisor will check and sign the logbook every shift.

(b) A register will be kept of all security staff working at the premises for every time that the premises are open for trading. This register will be a bound book and it will contain the following information: -

- Day and date of entry.
- Time that member of security staff starts and finishes work.
- Full name.
- SIA registration number.
- Signature of the member of security staff.
- The duty manager or supervisor will check and sign the register every shift.

(c) A written refusals book will be kept at the premises and all staff fully trained in its use. The book will be bound and clearly marked. The following information will be recorded in this book: -

- Time of refusal
- Item refused
- Name or description of person refused sale
- Reason for refusal
- Name of staff member making refusal

(d) The refusal book will be made available for inspection to any police officer, Local Authority Licensing Officer or Trading Standards Officer at any reasonable time.

(e) The supervisor on duty will countersign all entries in the refusal book.

4. Glasses / Bottles

(a) From 1800hrs daily, all drinks to be provided in plastic or polycarbonate containers. All bottled drinks to be provided in plastic bottles or decanted into plastic or polycarbonate containers.

(b) By 1800hrs daily, all glassware in circulation within the premises must be collected and removed from public areas, any unfinished drink to be decanted into plastic or polycarbonate containers.

Members considered modifications of conditions to be necessary as an interim step. All of the agreed conditions to form interim steps, with the addition of a further condition:

No use of pool tables and cues and balls to be removed from the public area after 19:00 hrs on Friday, Saturday and Bank Holidays.

Reason: to prevent any availability of possible weapons to promote public safety, protect children from harm and prevent crime and disorder. This is considered a necessary and proportionate interim step.

Members heard comments from the Licence holders and Police but raised concern at the time of the incident on 8 April 2017 being at 20:50hrs, and this is an interim measure that can be reconsidered at full hearing and agreed to extend the time to 20:00hrs from the original condition canvassed of 19:00 but decided that this condition will be an interim step required.

Dated:...13/04/17.....

Signed:...Signed copy kept on file.....