

MINUTES of a meeting of the LICENSING SUB COMMITTEE held in the Council Offices, Coalville on WEDNESDAY, 18 JULY 2018

Present: Councillors D Everitt, A C Saffell and M Specht

Officers: Mrs L Arnold, Mr A Cooper and Mrs M Meredith

Interested Parties:

Applicant – Mr N Rixon and Sgt I Weston (Leicestershire Police)

Respondent - Mr A Grant (Marston's PLC), Ms M Hazlewood (John Gaunt and Partners), Mr K Palmer (Marston's PLC), Ms E Smith (Marston's PLC) and Mr J Timms (DPS at the White Hart)

1 ELECTION OF CHAIRMAN

It was moved by Councillor D Everitt, seconded by Councillor M Specht and

RESOLVED THAT:

Councillor A C Saffell take the chair for the remainder of the meeting.

2 APOLOGIES FOR ABSENCE

There were no apologies for absence received.

3 DECLARATION OF INTERESTS

No interests were declared.

4 REVIEW OF PREMISES LICENCE

The Chairman introduced the parties and outlined the procedure to be followed.

The Hearing Regulations 2005 stated that the Authority must allow parties an equal period of time in which to present their evidence. It was agreed that the maximum time limit for each presentation be ten minutes.

The Licensing Team Leader presented the report to members, referring to the summary review which had taken place and the interim measures which had been agreed. He highlighted that no representations had been received during the consultation period and that some agreements had been reached between Marston's and the Police as circulated by the Legal Advisor.

Mr N Rixon presented the case on behalf of the applicant. He explained that initially the summary review had been requested as a result of 3 occasions of disorder at the premises and the interim steps had been put in place purely based on what was happening during the football matches. He reported that since the interim steps had been applied, there had been a further 4 games involving England and there had been no further incidents of disorder associated with the premises. He advised that according to the reports of officers, following the implementation of the interim steps, the White Hart was one of the best run pubs in Ashby and the staff were professional, had acted with due diligence and had taken on board everything the Sub-Committee had enforced. He outlined his experience with the differing levels of anti-social behaviour with each football match. He referred to the discussions undertaken with Marston's and the proposed conditions which had been agreed and circulated.

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Councillor M Specht stated that he was pleased to hear that the interim steps had worked. He sought confirmation that the police were happy with the content of the appendix which had been circulated; they confirmed that this was the case.

Councillor D Everitt referred to the problems which had previously occurred with people travelling from outside of the area and he asked if this had been an issue following the implementation of the interim steps. Sgt I Weston advised that the officers on the scene had reported that people were still travelling from outside of the area, however they had commented on the robustness of the search and admission policy implemented by the White Hart.

Ms M Hazlewood presented the case on behalf of the respondent. She stated that Marston's took this issue very seriously and were pleased that no representations had been received during the consultation period. She reported that the four subsequent matches had operated with no issues and with a lower occupancy. She acknowledged that there had been deficiencies in the operation during the first matches, however the DPS and the area manager had been through a steep learning curve throughout this process, and she believed that the proposed conditions were robust, could be implemented whenever England played key matches and could be taken forward by whoever was running the premises. She outlined the proposed conditions which had been agreed with the Police and circulated to the Sub-Committee.

In response to a question from Councillor M Specht regarding the CCTV camera covering the rear area, Ms M Hazlewood advised that since the proposed conditions had been drafted, she had visited the site and could now confirm that the camera could and would be relocated.

Councillor M Specht expressed concerns in respect of the proposed ratio of door supervisors. Ms M Hazlewood advised that there was a prescribed formula to calculate this and the proposed conditions built in the ability for the Police to request a lower ratio as and when required.

Councillor M Specht referred to the blanket search which had been undertaken as part of the interim measures. He asked how many people refused to be searched once this had been implemented. Mr J Timms advised that staff had observed that people who did not want to be searched had decided not to approach the premises.

In response to concerns raised by Councillor M Specht regarding the proposals relating to the search policy, Mr N Rixon explained that the proposed wording of the conditions sought to take a proportionate and reasonable approach to each game whilst supporting the licensing objectives. Councillor M Specht welcomed the fact that the search policy would be agreed in consultation with the Licensing Authority and the Police.

In response to questions from Councillor A C Saffell, Mr J Timms reported that the occupancy on world cup final day was half as much as for the previous England games. There were other events, such as a recent rugby event operated under a Temporary Event Notice which drew a large crowd, however these generally operated without any disorder.

Mr N Rixon referred to part 4 of the appendix and requested that timescales be included in the conditions to specify when the risk assessment would be provided to the Police. It was agreed that 48 hours prior to an event would be reasonable.

Ms M Hazlewood and Mr N Rixon made brief closing statements reiterating points made earlier in the meeting.

At 7.26pm the Sub-Committee adjourned to consider its decision. The Sub-Committee reconvened at 7.46pm.

RESOLVED THAT:

a) The following conditions be added to the premises licence:

1. On the screening of England football games played at a major tournament or in liaison with Leicestershire Police and the Licensing Authority the Premises Licence Holder and DPS will implement the following steps:
 - i. A Personal Licence Holder will be on duty from opening or 3 hours prior to kick off whichever being the shorter period and the Personal Licence Holder will be on duty for a period of 2 hours following the cessation of the match.
 - ii. Bottles will be decanted into plastic/polycarbonates vessels and only plastic/polycarbonate vessels will be used during the course of the match and for 3 hours prior to its commencement; this practice will continue for a period of 2 hours post cessation of the match.
 - iii. Glass sweeps to be undertaken from the inception of use of plastic/polycarbonate vessels and to continue during the duration of use of plastic/polycarbonate vessels.
 - iv. The DPS will ensure a comprehensive written risk assessment is prepared and submitted to the Police and Licensing Authority 48hrs in advance of kick off for each match. This is to include:-
 - (a) A risk assessment by the SIA approved door supervisor provider
 - (b) Operational plan for the premises staff
 - (c) An assessment as to the number of SIA door supervisors to be employed, calculating from an initial expectation of 1 per 100 customers or such lower ratio as agreed with the Police and Licensing Authority. For a minimum of 2 door supervisors to be present at site 3 hours before kick off and with such door supervisors to be incrementally increased towards the commencement of the match. The risk assessment to cover the deployment of door supervisors so as to ensure coverage of both front and rear entrances and suitable monitoring as to the interior of the site
 - (d) Door supervisors to undertake ID checks from 3 hours before kick off and where documentation is disputed or found to be inconclusive, entry will be refused.
 - (e) A blanket search policy (unless agreed otherwise with the Police and Licensing Authority) on entry will be implemented from 3 hours before kick off, such searches will include visual inspections of hand bags and additionally will include full body pat down to include legs, arms, backs and pockets.
 - v. Admission on England match days will within the hour before kick off be limited to the front entrance (Market Street) only, unless otherwise agreed with the Police and Licensing Authority or resulting from dynamic risk assessment on the match day.
 - vi. On England match days during the match and for a period of 1 hour thereafter exit will be via the rear entrance only (South Street), unless otherwise agreed with the Police and Licensing Authority or resulting from dynamic risk assessment on the match day.

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- vii. On England match days door supervisors will be positioned at key points during the course of dispersal so as to ensure customers migrate away from the premises in an ordered manner and potential flash points in relation to the arrival of taxis are overseen and managed
- viii. Notices will be in place on entry points to the premises confirming that any persons who behave in an aggressive or unacceptable manner will be asked to leave the premises.
- ix. Enhanced signage will be displayed requesting customers to depart in an orderly manner and respecting those residents in the vicinity.
- x. For a period of 3 hours prior to commencement of the England match and for 1 hour after its cessation a Challenge 25 Policy will be implemented.
- xi. For the period of 3 hours prior to the commencement of England matches during the match and for 2 hours thereafter the Premises will operate with a capacity of 325 persons only.
- xii. On England match days, no person under the age of 18 years shall remain on the premises from 2 hours before kick off and admission of persons under 18 years shall recommence 1 hour following cessation of the match.
- xiii. The CCTV camera covering the rear area will be relocated and further cameras to be added as appropriate

b) Annex 2, condition 13 be amended to read as follows:

At least 7 days written notice shall be given to the Police and Licensing Authority prior to the premises opening for licensable activities to show the broadcast of televised sporting events of national or international interest. Such notification shall include the opening times and the sporting event to be shown. In accordance with Annex 3 condition 1 of the licence, in relation to those England matches referred to – such documentation as mentioned here shall be provided 48 hours in advance of those matches.

The meeting commenced at 6.40 pm

The Chairman closed the meeting at 7.50 pm

Chairman's signature