

LICENSING ACT 2003 SUB-COMMITTEE

THURSDAY 17 APRIL 2014
1.30 PM

Council Chamber - Town Hall

AGENDA

Page No

1. **Apologies for Absence**
2. **Declarations of Interest**

At this point Members must declare whether they have a disclosable pecuniary interest, or other interest, in any of the items on the agenda, unless it is already entered in the register of members' interests or is a "pending notification" that has been disclosed to the Solicitor to the Council.

Members must also declare if they are subject to their party group whip in relation to any items under consideration.

3. **Application for Review of Premises Licence - The Solstice / Radius, Northminster, Peterborough, PE1 1YN** 3 - 40



There is an induction hearing loop system available in all meeting rooms. Some of the systems are infra-red operated, if you wish to use this system then please contact Philippa Turvey on 01733 452560 as soon as possible.

Committee Members:

Councillors: P Thacker (Chairman), J Peach (Vice Chairman) and B Saltmarsh

Further information about this meeting can be obtained from Philippa Turvey on telephone 01733 452460 or by email – philippa.turvey@peterborough.gov.uk

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LICENSING ACT 2003 SUB COMMITTEE		AGENDA ITEM No 3
17 APRIL 2014		PUBLIC REPORT
Contact Officers:	Adrian Day, Licensing Manager Darren Dolby, Licensing Regulatory Officer	Tel: 454437 Tel. 453561

APPLICATION:	Expedited Summary Review of Premises Licence
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PREMISES:	The Solstice / Radius Northminster, Peterborough, PE1 1YN
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REFERENCE NUMBER:	MAU 069060
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GLOSSARY OF TERMS:	Attached at Appendix A on Page 6
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1. PURPOSE OF REPORT

1.1 To consider and determine an application made by Cambridgeshire Constabulary for an expedited summary review of a Premises Licence under Section 53A of the Licensing Act 2003 for the above premises. A summary review is applicable for premises experiencing serious crime or disorder.

2. BACKGROUND INFORMATION

2.1 On the 9th August 2005 an application was made to Peterborough City Council to convert an existing justice's licence to a premises licence under 'grandfather rights' for The Solstice / Tara Suite which is situated at Northminster, Peterborough, PE1 1YN. The original name of the premises was The Solstice / Tara Suite and this was subsequently later changed to The Solstice / Radius. As no representations were received from any of the responsible authorities or from any interested party, the premises licence was granted on the 5th September 2005. At that time the premises licence was granted the premises licence holders were 'Woodglen Leisure Limited'.

2.2 Between the initial grant of the premises licence and the service of the expedited review on 3rd April 2014 there have been three variations to the premises licence. Two concerned the addition and subsequent plan change of an external garden area and the third variation was to allow all licensable activities to finish at 4.30am and to remove all outdated conditions and replace them with an up to date manageable set of conditions. This variation was granted on 18th May 2011 after receiving no representations from any of the responsible authorities nor interested parties. A copy of this current premises licence is attached at **Appendix B Page 9**.

3. APPLICATION

- 3.1 In accordance with section 53A of the Licensing Act 2003 following the submission of an application for a summary review of the premises licence and the certificate signed by a superintendant from Cambridgeshire Constabulary, the licensing authority must consider if it is necessary to take interim steps within 48 hours.
- 3.2 A consideration hearing took place via email on the 11th March 2014 where the licensing sub committee determined the interim steps to be applied as per section 53B of the Act. The sub committee's decision was to restrict the licensable hours back to 2am and to impose additional licence conditions. A copy of the decision of the Licensing Committee 2003 Sub Committee can be found at **Appendix B Page 26**.
- 3.3 A copy of the application for summary review and the accompanying certificate under section 53A, which was received at these offices on 10th March 2014 is attached at **Appendix B – Page 29**.
- 3.4 A 'Notice' was displayed on the premises in accordance with Part 5 no. 38 of Statutory Instruments 2005 No. 42 – The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005 (as amended by the Violent Crime Act 2006 and Statutory Instruments 2007 No 2502).

4. Summary of issues raised by Cambridgeshire Constabulary

- 4.1 The summary review has regard to an incident of serious disorder occurring on the 9th March 2014, involving a member of the public and four SIA registered door supervisors employed by Woodglen Leisure Limited who are the premises licence holders of the Solstice / Radius. A detailed account of the incident can be found in the summary review application which is attached at **Appendix B Page 29**. Both the Police and Local Authority have on numerous occasions over the previous 12 months of the incident been in contact with the management of the premises. The Police and Local Authority had been concerned with the apparent ineffectiveness of the door supervisors employed at the premises and there were also a number of accusations of excessive force made against the door staff.

5. MEDIATION

- 5.1 Mediation has taken place between all parties since the service of the expedited review and is currently ongoing. It is anticipated that before the date of the review hearing an agreement to a set of conditions and licensable hours will be agreed upon by all parties. The committee will be sent this mediated agreement prior to the hearing date for their consideration.

6. POLICY & GUIDANCE IMPLICATIONS

- 6.1 The following sections/paragraphs are applicable to this application:

6.2 Council's Statement of Licensing Policy

- Other legislation: *Section 7 on Page 7*
- Fundamental Principles: *section 6 on Page 6*
- Reviews: *section 16 on Page 15*
- Delegation / Decision Making / Administration: *Section 17 page 16*

6.3 Guidance Issued under Section 182 of the Licensing Act 2003 (June 2013)

- The licensing objectives: *Section 2 pages 11 to 17*
- Reviews: *Section 11 pages 75 to 80*

7. LEGAL OFFICER'S COMMENTS

- 7.1 The Licensing Authority (hereafter referred to as "the Council") is charged with implementing the provisions of the Licensing Act 2003. This is an application for a summary review of a premises licence following the application by Cambridgeshire Constabulary (Responsible Authority) to review the premises licence made under section 53A of the Licensing Act 2003.
- 7.2 In this case, the application was received at these offices on 10th March 2014.
- 7.3 The application before this committee will consider:
- (i) The application to review the licence,
 - (ii) Any relevant representations
- 7.4 The committee will take such of the steps as it considers that action is necessary for the promotion of the licensing objectives. The steps are:
- (a) to modify the conditions of the premises licence
 - (b) to exclude a licensable activity from the scope of the licence
 - (c) to remove the designated premises supervisor from the licence
 - (d) to suspend the licence for a period not exceeding three months, or
 - (e) to revoke the licence.

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added

LICENSING ACT 2003 GLOSSARY OF TERMS

Note: In this document, the following definitions are included to provide an explanation of certain terms included in the Act. In some cases they are an abbreviation of what is stated in the Licensing Act 2003 or an interpretation of those terms. For a full definition of the terms used, the reader must refer to the Licensing Act 2003.

‘Child’

(a) means an individual aged under 16

(b) a child is unaccompanied if he is not in the company of an individual aged 18 years or over

DCMS: Department for Culture Media and Sport

‘Designated Premises Supervisor’ means the person (who must be a Personal Licence Holder), in the case of premises selling alcohol, who will normally have been given the day to day responsibility for running the premises by the holder of the Premises Licence or will be the Premises Licence holder.

‘Other Persons’:

- persons who live, or are involved in a business, in the relevant licensing Authorities area and who are likely to be affected by the application and are not a Responsible Authority.

‘Late Night Refreshment’ means the supply of hot food or hot drink to members of the public (whether for consumption on or off the premises) between the hours of 11.00 pm and 5.00 am.

‘Licensable Activities’ means: -

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of Regulated Entertainment
- The provision of Late Night Refreshment

‘Licensing Authority’: - is the licensing function of Peterborough City Council

‘Licensed Premises’ includes club premises and events unless the context otherwise requires.

‘Licensing Objectives’

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

‘Operating Schedule’ means a document containing a statement of the following matters (and any others that may be prescribed): -

- The relevant Licensable Activities
- The times at which the Licensable Activities are to take place and any other times when premises are open to the public
- Information regarding the person who will be specified in the Premises Licence as the Premises Supervisor
- Where the Licensable Activities involve the supply of alcohol, whether it is for the supply on and/or off the premises
- The steps being taken to promote the Licensing Objectives

'Rateable Value': as regards a premises, is the value for the time being in force for the premises entered in the local non-domestic rating list for the purposes of Part III of the Local Government Finance Act 1988(b).

'Regulated Entertainment' (Schedule 1 of the Act) means: -

- A performance of a play
- An exhibition of a film
- An indoor sporting event
- A boxing or wrestling entertainment
- A performance of live music
- Any playing of recorded music
- A performance of dance

Or entertainment of a similar description falling within the last three of the categories listed above, where the entertainment takes place in the presence of and for the purposes of entertaining that audience or spectators.

Or the provision of entertainment facilities:

Facilities for enabling persons to take part in entertainment of the following description for the purpose or purposes, which include the purpose of being entertained:

- making music
- dancing
- entertainment of a similar description

'Relevant Licensing Authority': is the Authority in the area the premises are situated.

'Responsible Authority' means any of the following: -

- Cambridgeshire Constabulary (The Chief Officer of Police)
- Cambridgeshire Fire and Rescue (The Fire Authority)
- Health and Safety Team, Peterborough City Council
- Planning authority, Peterborough City Council
- Trading Standards, Peterborough City Council
- Environmental Health – Pollution, Peterborough City Council
- Children's Services – Child Protection & Review Manager
- Primary Care Trust or Local Health Board (Director of Public Health)
- The Relevant Licensing Authority, Peterborough City Council
- Maritime & Coastguard Agency, Walton on Naze. (For vessels carrying more than 12 passengers.)
- Environment Agency, Peterborough (For vessels carrying 12 or less passengers).

'Supply of alcohol':

- the sale by retail of alcohol, or
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club.

'Temporary Event Notice' means a Permitted Temporary Activity involving one or more Licensable Activities subject to the following various conditions and limitations: -

- Duration – they are limited to events lasting for up to 168 hours (7 days);
- Scale – they cannot involve the presence of more than 499 people at any one time;
- Use of the same premises – the same premises cannot be used on more than 12 occasions in a calendar year, but are subject to the overall aggregate of 21 days irrespective of the number of occasions on which they have been used; and

- The number of notices given by an individual within a given period of time – a Personal Licence Holder is limited to 50 notices in one year and another person to 5 notices in a similar period.

(In any other circumstances, a full Premises Licence or Club Premises Certificate will be required for the period of the event).

‘the Act’: means the Licensing Act 2003

PART A**Premises Licence**

Peterborough City Council, Operations, Bayard Place
Broadway, Peterborough, PE1 1HZ

Premises Licence Number

066850

Part 1 - Premises Details**Postal address of premises, or if none, ordnance survey map reference or description**

The Solstice / Radius
Northminster Road

Post Town Peterborough**Post Code** PE1 1YN**Telephone Number** 01733 565097 - 560231**Where the licence is time limited the dates**

Start Date N/A

End Date N/A

Licensable activities authorised by the licence**Provision of regulated entertainment****Films**

The showing of films will take place both indoors and outdoors

Indoor Sporting Events**Live Music**

The live music will take place both indoors and outdoors

Recorded Music

The recorded music will take place both indoors and outdoors

Performances of Dance

The performance of dance will take place indoors

Anything of a similar description to that of live music, recorded music or performances of dance

The entertainment will take place indoors

Provision of entertainment facilities**Making Music**

The activity will take place indoors

Dancing

The activity will take place indoors

Entertainment of a similar description to that of making music or dancing

The activity will take place indoors

Provision of late night refreshment

The provision of late night refreshment will take place both indoors and outdoors

Sale by retail of alcohol

The supply of alcohol will be for consumption both on and off the premises.

The times the licence authorises the carrying out of licensable activities**Films**

Monday to Sunday Between 09:00hrs and 04.30hrs

Indoor Sporting Events

Monday to Sunday Between 09:00hrs and 04.30hrs

Live Music

Monday to Sunday Between 09:00hrs and 04.30hrs

Recorded Music

Monday to Sunday Between 09:00hrs and 04.30hrs

Performances of Dance

Monday to Sunday Between 09:00hrs and 04.30hrs

Anything of a similar description to that of live music, recorded music or performances of dance

Monday to Sunday Between 09:00hrs and 04.30hrs

Making Music

Monday to Sunday Between 09:00hrs and 04.30hrs

Dancing

Monday to Sunday Between 09:00hrs and 04.30hrs

Entertainment of a similar description to that of making music or dancing

Monday to Sunday Between 09:00hrs and 04.30hrs

Late Night Refreshment

Monday to Sunday Between 09:00hrs and 04.30hrs

Sale by Retail of Alcohol

Monday to Sunday Between 09:00hrs and 04.30hrs

Non-standard timings When major sporting events occur early in the morning the premises may sell alcohol from 07:00

The opening hours of the premises

Monday to Sunday Between 08.30hrs and 05.00hrs

Non-standard timings When major sporting events occur early in the morning the premises may sell alcohol from 07:00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

The supply of alcohol will be for consumption both on and off the premises.

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Woodglen Leisure Limited
Northminster Road
Peterborough
Cambs
PE1 1YN
01733 565 097

Registered number of holder, for example company number, charity number (where applicable)

Ltd Company 3241339

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Kevin James Jeffery
25 Fletcher Way
Gunthorpe
Peterborough
PE4 7AL

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence Number	047835
Issuing Authority	PETERBOROUGH CITY COUNCIL

Annex 1 - Mandatory conditions

Licensees should note that the under enclosed Mandatory conditions should be read in conjunction with the granted licence and these conditions shall be enforceable where relevant to the operation of the premise and its activities.

Supply of alcohol (Premises Licence)

This registration authorises the supply of alcohol subject to the following conditions:

1. No supply of alcohol may be made at a time when
 - (a) there is no designated premises supervisor in respect of the premises licence, or
 - (b) when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

An irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

Games or other activities which require or encourage, or are designed to require or encourage, individuals to—

Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

Drink as much alcohol as possible (whether within a time limit or otherwise);

Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

Provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—

The outcome of a race, competition or other event or process, or

The likelihood of anything occurring or not occurring;

Selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

4. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
6. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark
7. The responsible person shall ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.

Annex 2 - Conditions consistent with the Operating Schedule**All Licensing Objectives**8. Noise Control – Garden Area

All entertainment activities in the garden area will cease at 02.00.

Crime and Disorder

9. An authorised person will be available at all times on the premises to show CCTV images immediately or to an authorised officer on demand.
10. CCTV images will be clear and comprehensible
11. CCTV will cover the entire garden area
12. Video/CCTV equipment will be set to record all licensed areas from the time that the premises open to the public until the premises closes and all members of the public have left.
13. Video/CCTV equipment shall be installed inside/outside the premises and maintained in working order.
14. Video/CCTV equipment will be set to record from the time that the premises open to the public until the premises close and all members of the public have left.
15. Monitoring tapes shall be retained for at least thirty one days and shall be produced to an authorised officer on demand.
16. Garden Area
- At least one SIA staff member will monitor the outside garden area from 20.00hrs Thursday to Saturday or on an any Major sporting event.
17. Person in Charge
- The Holder of the Premises Licence, or responsible person over the age of 18 years nominated by them in writing, shall be in charge of and remain at the Licensed Premises during the whole time the premises are open to the public. The person in charge shall not be engaged in any duties that will prevent them from exercising general supervision of the premises. They shall be responsible for maintaining good rule and order within the premises under this licence, taking charge of emergency situations and the summoning of emergency services.
18. Conduct on Premises
- No conduct or behaviour which is obscene, indecent, offensive, disgusting or shocking or of demoralising character or which in any way offends against recognised standards or propriety or is injurious to the public shall take place on the Licensed Premises.

19. Powers of Entry

An 'Authorised Person' representing the Licensing Authority or any of the Responsible Authorities whether in uniform or not shall upon production of written identification have free access to any place in respect of which a premise licence or club premise certificate is in force at all reasonable times and shall be permitted by the holder of the premises licence upon request, to examine any books or records required to be kept by the holder of the premises licence and to examine and test any furniture, equipment, fittings and the like.

20. Whilst in existence subscribe to the "city safe"

21. Numbers Admitted

An electronic/mechanical counting device shall be installed at the entrance of the premises to record accurately the total number of persons admitted to the premises at all times. The information is to be supplied on demand to an 'Authorised Person'.

22. Video Monitoring Equipment

Video surveillance equipment must be installed both inside and outside the premises to the satisfaction of the Licensing Authority. Such equipment to be operational at least one hour before the advertised start time of any event and remain so until a least one hour after the advertised closing time or the premises has closed, whichever is the later.

23. Video Monitoring Equipment

Digital images must be used and be retained by the Holder of the premises licence **one month** or such longer period as may be specified by the Licensing Authority.

24. Video Monitoring Equipment

Monitoring media are to be produced to an 'authorised person' on request where they are required for examination in relation to incidents that have occurred on or outside the Licensed Premises.

Public Safety

25. No customers will be admitted, or permitted to leave when carrying opened containers.

26. Log Book

A logbook shall be provided in which shall be kept accurate records of tests required in these conditions, visits by 'authorised persons' and incidents as required in these conditions. The logbook shall be produced to an 'authorised person' for inspection on request.

27. Staff/Stewards

The Licensing Authority reserves the right to increase the number of stewards required, when in its opinion, a particular event, or audience necessitates additional stewarding.

28. Special Effects

No special effects equipment shall be used in the premises under the terms of the licence, unless prior written consent is given by the Licensing Authority. This includes the use of firearms, weapons other firearms, strobe lights, equipment that uses a heat source to produce effects, i.e. real flame, smoking, smoke capsules, pyrotechnics, and generators; lasers and holographs.

29. Floor Coverings

Mats or other floor coverings shall be so secured that they are not in any way liable to rucking, or to be a source of danger to the public, and no drapings shall trail on the floor. New floor coverings must comply with BS5287 and BS4790.

30. Provision for People with Disabilities

On those occasions where people with disabilities are present on the Licensed Premises such special arrangements as may be necessary in the circumstances shall be made so as to enable all persons to leave the premises safely in the event of fire.

31. Provision of Sanitary Accommodation

Adequate provision should be made in female accommodation for the disposal of sanitary dressings.

32. Provision of Sanitary Accommodation

Wash hand basins must be provided with hot and cold water or hot water at a suitably controlled temperature, soap and suitable and sufficient hand drying facilities.

33. Provision of Sanitary Accommodation

The entrance door to every toilet or block of toilets shall be clearly labelled to indicate the sex for which they are provided.

34. First Aid

A first aider is to be provided on the Licensed Premises during opening hours to the following scale:-

1 – 250	1
251 – 500	2
Above 500	Extra 1 for every 500 or part thereof.

35. First Aid

Any person who is seriously unwell including those affected by drugs or alcohol, must be seen by the trained first aider, who shall:-

- a) Give first aid
- b) If necessary, seek medical assistance.

36. Numbers Admitted to Licensing Premises

The Licensee must ensure that the permitted numbers for the Licensed Premises are not exceeded at any time.

37. Condition 5 - Toilet and Washing Facilities

The following sanitary accommodation and washing facilities will be provided:

MALE	As Existing
FEMALE	As Existing
DISABLED	As Existing

Public Nuisance

38. Noise Control – Garden Area

All entertainment activities in the garden area will cease at 02.00.

39. Noise Control – Garden Area

Entertainment will be at a background level, with the exception of 12 specific event days per year. The Council will be notified of these events 7 working days before any specified event

40. Noise Control

The holder of the premises licence or responsible person shall ensure that no noise shall emanate from the Licensed Premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance or unreasonable disturbance to the occupiers of premises in the vicinity of the Licensed Premises.

41. Noise Control

Requests made by the Licensing Authority shall be complied with as soon as practicable. In addition any restriction specified in the Operating Schedule to the licence the holder of the premises licence shall implement regarding control to be exercised over music or responsible person at all times when the premises are open to the public.

42. Noise Control

The holder of the premises licence or responsible person nominated by them in writing, shall take all reasonable steps to prevent and control noise nuisance caused by persons using the Licensed Premises and also ensure patrons and visitors arrive at and depart from the premises in a manner which will not cause annoyance to nearby occupants.

43. Noise Control

If instructed by the Licensing Authority a “noise limiting device” shall be used on all specified equipment including juke boxes in or about the Licensed Premises.

Protection of Children from Harm

- 44. A proof of age policy, ‘Challenge 25’ shall be implemented.
- 45. The premises licence holder shall take all reasonable steps to prohibit the use of gaming machines to under aged persons.
- 46. Signage will be prominently placed within the premises advertising the fact that the premises operates the Challenge 25 initiative.

Annex 2A – Embedded Restrictions

On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

Annex 3 - Conditions attached after a hearing by the licensing authority

Annex 4 – Plans

PART B**Premises Licence Summary**

Peterborough City Council, Operations, Bayard Place
Broadway, Peterborough, PE1 1HZ

Premises Licence Number

066850

Premises Details

Postal address of premises, or if none, ordnance survey map reference or description The Solstice / Radius Northminster Road	
Post Town Peterborough	Post Code PE1 1YN
Telephone Number 01733 565097 - 560231	

Where the licence is time limited the dates	
Start Date	Information not provided
End Date	Information not provided

<p>Licensable activities authorised by the licence</p> <p>Provision of regulated entertainment</p> <p>Films The showing of films will take place both indoors and outdoors</p> <p>Indoor Sporting Events</p> <p>Live Music The live music will take place both indoors and outdoors</p> <p>Recorded Music The recorded music will take place both indoors and outdoors</p> <p>Performances of Dance The performance of dance will take place indoors</p> <p>Anything of a similar description to that of live music, recorded music or performances of dance The entertainment will take place indoors</p> <p>Provision of entertainment facilities</p> <p>Making Music The activity will take place indoors</p> <p>Dancing The activity will take place indoors</p> <p>Entertainment of a similar description to that of making music or dancing The activity will take place indoors</p>
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Provision of late night refreshment

The provision of late night refreshment will take place both indoors and outdoors

Sale by retail of alcohol

The supply of alcohol will be for consumption both on and off the premises.

The times the licence authorises the carrying out of licensable activities**Films**

Monday to Sunday Between 09:00hrs and 04.30hrs

Indoor Sporting Events

Monday to Sunday Between 09:00hrs and 04.30hrs

Live Music

Monday to Sunday Between 09:00hrs and 04.30hrs

Recorded Music

Monday to Sunday Between 09:00hrs and 04.30hrs

Performances of Dance

Monday to Sunday Between 09:00hrs and 04.30hrs

Anything of a similar description to that of live music, recorded music or performances of dance

Monday to Sunday Between 09:00hrs and 04.30hrs

Making Music

Monday to Sunday Between 09:00hrs and 04.30hrs

Dancing

Monday to Sunday Between 09:00hrs and 04.30hrs

Entertainment of a similar description to that of making music or dancing

Monday to Sunday Between 09:00hrs and 04.30hrs

Late Night Refreshment

Monday to Sunday Between 09:00hrs and 04.30hrs

Sale by Retail of Alcohol

Monday to Sunday Between 09:00hrs and 04.30hrs

Non-standard timings When major sporting events occur early in the morning the premises may sell alcohol from 07:00

The opening hours of the premises

Monday to Sunday Between 08.30hrs and 05.00hrs

Non-standard timings When major sporting events occur early in the morning the premises may sell alcohol from 07:00

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

The supply of alcohol will be for consumption both on and off the premises.

Name, (registered) address of holder of premises licence

Woodglen Leisure Limited
Northminster Road
Peterborough
Cambs
PE1 1YN

Registered number of holder, for example company number, charity number (where applicable)

Ltd Company 3421339

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Kevin James Jeffery

State whether access to the premises by children is restricted or prohibited

Restricted

NOTIFICATION OF DECISION OF LICENSING SUB-COMMITTEE**APPLICATION FOR SUMMARY REVIEW OF PREMISES LICENCE UNDER
SECTION 53(A) OF THE LICENSING ACT 2003**

Date of Review: 11 March 2014

Premises: Solstice/Radius, Northminster Road, Peterborough, PE1
1SQ

Applicants: Cambridgeshire Constabulary

Decision:

The ability to employ an 'In House Door Supervisor Team' is revoked, by imposing the following conditions onto the Premises License:

1. All Licensable activity will cease at 02:00am
2. All SIA Registered door supervisors must be employed from a recognised and qualified SIA registered Door Supervisor Security Company that is approved by the Licensing Authority.
3. A minimum of 8 SIA registered door supervisors will be employed at all times a licensable activity takes place from 21:00 hours on each Friday and Saturday night. A minimum of 2 SIA door supervisors will be employed where capacity is expected to exceed 100 on any other night. They will be employed on the main access door and at strategic points around the venue to:
 - a. Prevent the admission of drunk and disorderly persons.
 - b. Maintain an orderly queue outside the venue
 - c. Count those entering and leaving the premises to ensure building capacity is not breached.
 - d. Assist customers leaving the venue to ensure they leave in a quiet and orderly fashion.
 - e. To keep out excluded persons circulated via the NightSafe Pub Watch Scheme.
 - f. Search and exclude those persons suspected of carrying illegal drugs or offensive weapons.
 - g. Maintain effective communication via City Link Radio, or other means with Peterborough CCTV or the Police when requesting assistance.

4. All door staff shall be trained in the requirements of the Challenge 25 policy, the identification & recognition of drunks and the correct procedures to be followed when refusing service.
5. The premises licence holder and / or the designated premises supervisor shall ensure door supervisors are properly briefed and trained to manage queues in a safe and efficient manner.
6. All door supervisors employed at the entrance / exit of the licensed premises will wear high visibility clothing and display their SIA badge in an arm badge holder.
7. All door staff engaged in searching persons (as a condition of entry) shall be fully trained in the use of their powers to do so.
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9. The premises licence holder and / or designated premises supervisor shall ensure that the following details for each door supervisor are contemporaneously entered into a bound register kept for that purpose :

Full Name

SIA badge number in full

The time they begun duty

The time they completed their duty

The full details of any agency through which they have been allocated work at the premises.

10. The premises licence holder and / or designated premises supervisor or in their absence another responsible person to keep an 'incident report register' in a bound book in which full details of all incidents are recorded. This shall be completed as soon as possible and in any case no later than the close of business on the day of the incident. The time and date when the register was completed, and by whom, is to form part of the entry. The register is to be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or Police Officer (inc any Licensing PCSO) when required. The register should be retained for a minimum of 12 months.
11. All door supervisors shall be capable of communicating instantly with one another by way of radio or other simultaneous system of communication.

OUTLINE OF FINDINGS OF FACT

1. The Sub-Committee considered representations made by the police contained within the application and certificate in support of the expedited review. The representation detailed an incident which took place on 9th March 2014 between the hours of 02:30am and 2:50am;

2. Due to the seriousness of the incident, the Sub-Committee contacted by telephone the Police Licensing Officer, PC Robinson, to seek reassurances that the proposed interim conditions would be effective; and
3. The Sub-Committee were satisfied that they had sufficient information to make a decision.

CONSIDERATIONS BY THE SUB-COMMITTEE

4. The Sub-Committee considered whether in the light of the representations made by the police, if it was necessary to take interim steps to address the immediate problems with the premises.
5. The Sub-committee considered paragraph 3 of the Home office guidance and the powers available to it under Section 53A of the Licensing Act 2003 namely:
 - The modification of the conditions of the premises licence;
 - The exclusion of the sale of alcohol (or other licensable activities) from the scope of the licence;
 - The removal of the designated premises supervisor; and
 - The suspension of the licence.
6. The Sub-Committee considered that the interim step of modifying the conditions of the premises licence was necessary to prevent the likelihood of further serious disorder and that the hours of operation for licensable activities should be curtailed and that further conditions surrounding the management of door supervisors should be attached to the licence as recommended by the Police.

REPRESENTATIONS BY THE PREMISES LICENCE HOLDER UNDER SECTION 53(B)(6) OF THE ACT

7. The premises licence holder is entitled to make representations on the interim steps taken. If representations are made, the licensing authority must hold a hearing within 48 hours of receipt (excluding non-working days). At the hearing the licensing authority must consider if the interim steps taken are necessary for the promotion of the licensing objectives and determine whether to withdraw or modify the steps taken.

Councillor Thacker M.B.E
Licensing Act 2003 Sub-Committee - Chairman

11 March 2014

FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

[Insert name and address of relevant licensing authority and its reference number (optional)]

Peterborough City Council Bayard Place, Broadway, Peterborough

PETERBOROUGH CITY COUNCIL
10 MAR 2014 14:30 FRS
LICENSING

Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing the form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. **Use additional sheets if necessary.**

I Superintendent Ixer [on behalf of] the chief officer of police for the Cambridgeshire police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details:

Postal address of premises, or if none or not known, ordnance survey map reference or description:

Solstice / Radius, Northminster Road

Post town: Peterborough

Post code (if known): **PE1 1SQ**

2. Premises licence details:

Name of premises licence holder (if known): Woodglen Leisure Limited, Northminster Road, Peterborough, Cambridgeshire, PE1 1YN

Number of premises licence holder (if known): 066850

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)

4. Details of association of the above premises with serious crime, serious disorder or both:

[Please read guidance note 2]

At the Solstice Public House on Sunday 09th March 2014 between the hours of 02:30am and 02:50am a serious disorder took place which involved a member of the public (customer) and four SIA registered Door Supervisors employed by Woodglen Leisure Limited - the Premises License holders.

An allegation exists whereby the customer assaulted the head doorman at the Solstice by throwing a punch at him as he stood on the door of the Solstice. The customer who is seen to leave the Solstice seconds earlier was refused re-entry into the venue despite the fact that other customers were freely entering the premises. The head doorman has moved towards the customer in an aggressive fighting stance and a full on fist fight has taken place at the front of the premises on the road. The customer appears to subdue the doorman and after being pulled away by a friend, has made off towards Cattlemarket. Four doormen (including the head doorman) from the Solstice are seen on Town CCTV to pursue the customer to the grounds of Peterborough Cathedral where they continue to assault the lone male. Two Police Officers attended the scene and had to break up the assault with the use of baton strikes to some of the doormen. 5 males were arrested at the scene for affray and there is now a protracted investigation in place.

The Solstice normally employs up to 8 SIA registered door supervisors on a Friday and Saturday night to maintain the licensing objectives at the premises. These door supervisors are employed 'In House' (employed directly by a manager (the DPS) at the venue who holds an SIA badge), and are not employed directly from a registered Security Company. However all door supervisors at the Solstice hold valid SIA door badges. There are no specific conditions on the Premises License that pertain to the employment of door staff, and the venue employs them subject to any Risk Assessment that they may have in place. In January 2014 the Constabulary conducted two training days for SIA door supervisors and Licensees. The training was 4 hours long and specific to Communication Skills and Conflict Resolution refresher following on from a recent spate of complaints against door staff around the City, employed during the Night Time Economy, for excessive force and abusive language towards customers. All Solstice SIA door supervisors attended this course.

The Police and Local Licensing Authority have, on numerous occasions over the last 12 months, had to speak both formally and informally to management at the Solstice in relation to the apparent ineffectiveness of the door supervisors employed at the venue and the allegations of excessive force and abuse. There have been a number of accusations against the door staff both from members of the public and Police Officers for being aggressive and using excessive force, and there is CCTV evidence of door staff employed at the venue kicking / punching customers at the venue on separate past occasions.

The DPS is aware of these issues following on from problem solving meetings and has been totally co-operative and pro-active in attempting to resolve the issues. However, he has been left in no uncertain terms that the premises license may be reviewed if there was no positive and effective move forward by

his door team.

This serious disorder, combined with previous accounts of excessive use of force by door supervisors specific to the Solstice proves that despite intervention and guidance from the Licensing Authorities and misguided belief by the DPS with his door team, that the management of the Solstice do not appear to have effective control of the SIA door staff and therefore bringing the venue into disrepute.

The Solstice has a capacity of over 700 and it has been shown that there is a need for a professional and effective door team to be in place to prevent and deter crime and disorder, promote public safety, prevent public nuisance and protect children from harm. Despite the best efforts of the Licensing Authorities and the DPS I believe that the current Door Team is highly ineffective and problematic for the venue.

The Expedited / Summary license review guidance as issued by the Department for Culture, Media and Sport (DCMS) in October 2007 gives guidance in relation to such matters. All other powers available have been visited. An expedited review is deemed necessary, for the following reasons:

1. The serious nature of the offences committed in the early hours of Sunday morning - "the conduct constitutes an offence for which a person 21 years of age or over with no previous convictions could reasonably be expected to be sentenced to imprisonment for 3 or more years or the conduct involves the use of violence"
2. Obvious reluctance and ineffectiveness of the management to deal effectively with the current 'In House' door supervisors.
3. Other issues of excessive use of force over the last 12 months whereby SIA door supervisors concerned in this weekends disorder have been seen to use excessive force previously on customers.
4. Lack of appropriate conditions on the premises license that would effectively assist the DPS in promoting the Licensing objectives.

It is believed that should the license be allowed to continue with the use of an 'In House door Supervisor Team', without immediate review then there is a very real likelihood that more serious violence or disorder could occur.

I recommend that the Licensing Authority immediately consider the proposed interim measures and impose further effective license conditions on the Premises License of Solstice until the outcome of the full review hearing.

Interim Conditions:

the ability to employ an 'In House Door Supervisor Team' is revoked, by imposing the following conditions onto the Premises License:

1. All Licensable activity will cease at 02:00am
2. All SIA Registered door supervisors must be employed from a recognised and qualified SIA registered Door Supervisor Security Company that is

approved by the Licensing Authority.

3. A minimum of 8 SIA registered door supervisors will be employed at all times a licensable activity takes place from 21:00 hours on each Friday and Saturday night. A minimum of 2 SIA door supervisors will be employed where capacity is expected to exceed 100 on any other night. They will be employed on the main access door and at strategic points around the venue to:

- a. Prevent the admission of drunk and disorderly persons.**
- b. Maintain an orderly queue outside the venue**
- c. Count those entering and leaving the premises to ensure building capacity is not breached.**
- d. Assist customers leaving the venue to ensure they leave in a quiet and orderly fashion.**
- e. To keep out excluded persons circulated via the NightSafe Pub Watch Scheme.**
- f. Search and exclude those persons suspected of carrying illegal drugs or offensive weapons.**
- g. Maintain effective communication via City Link Radio, or other means with Peterborough CCTV or the Police when requesting assistance.**

4. All door staff shall be trained in the requirements of the Challenge 25 policy, the identification & recognition of drunks and the correct procedures to be followed when refusing service.

5. The premises licence holder and / or the designated premises supervisor shall ensure door supervisors are properly briefed and trained to manage queues in a safe and efficient manner.

6. All door supervisors employed at the entrance / exit of the licensed premises will wear high visibility clothing and display their SIA badge in an arm badge holder.

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9. The premises licence holder and / or designated premises supervisor shall ensure that the following details for each door supervisor are contemporaneously entered into a bound register kept for that purpose :

- Full Name**
- SIA badge number in full**
- The time they begun duty**
- The time they completed their duty**
- The full details of any agency through which they have been allocated work at the premises.**

10. The premises licence holder and / or designated premises supervisor or in their absence another responsible person to keep an 'incident report register' in a bound book in which full details of all incidents are recorded. This shall be completed as soon as possible and in any case no later than the close

of business on the day of the incident. The time and date when the register was completed, and by whom, is to form part of the entry. The register is to be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or Police Officer (inc any Licensing PCSO) when required. The register should be retained for a minimum of 12 months.

11. All door supervisors shall be capable of communicating instantly with one another by way of radio or other simultaneous system of communication.

Signature of applicant:



Date: 10th March 2014

Capacity: Superintendent Peterborough District Cambridgeshire Constabulary

Contact details for matters concerning this application:

Address: PC1572 Grahame Robinson, PCIT (Licensing), Thorpewood Police Station, Peterborough, PE3 6SD

Telephone number(s): 01733 424438

Email: grahame.robinson@cambs.pnn.police.uk

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

~~None~~ ~~None~~

CERTIFICATE UNDER SECTION 53A(1)(b) OF THE LICENSING ACT 2003

I hereby certify that in my opinion the premises described below are associated with serious crime / serious disorder / both serious crime and serious disorder¹.

*Premises*²:

SOLSTICE / RADIUS, Northminster, Peterborough, PE1 1YN

Premises licence number (if known):

Peterborough City Council - 066850

Name of premises supervisor (if known):

Kevin Jeffrey

I am a Superintendent³ in the Peterborough District of Cambridgeshire police force.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case, because⁴:

At the Solstice Public House on Sunday 09th March 2014 between the hours of 02:30am and 02:50am a serious disorder took place which involved a member of the public (customer) and four SIA registered Door Supervisors employed by Woodglen Leisure Limited - the Premises License holders.

An allegation exists whereby the customer assaulted the head doorman at the Solstice by throwing a punch at him as he stood on the door of the Solstice. The customer who is seen to leave the Solstice seconds earlier was refused re-entry into the venue despite the fact that other customers were freely entering the

¹ Delete as applicable.

² Include business name and address and any other relevant identifying details.

³ Insert rank of officer giving the certificate, which must be superintendent or above.

⁴ Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned.

PETERBOROUGH CITY COUNCIL
10 MAR 2014 14:30HRS
LICENSING

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Tomy Lee

(Signed) (Date) 10/3/14

