

**Expedited Review, Licensing Act 2003 Sub-Committee  
undertaken Wednesday 11 March 2014**

**RECORD OF PROCEEDINGS\***

**\*There is no requirement for a formal hearing of the Sub-Committee to take place to determine the question of interim steps and the determination may take place over the telephone or other 'remote means'. This expedited review was conducted with Members via email.**

1. Apologies for Absence	Not applicable.
2. Declarations of Interest	There were no declarations of interest.
3. Application	Expedited Review of Licence – Solstice/Radius, Northminster Road, Peterborough, PE1 1SQ
3.1 Application Reference	
3.2 Sub-Committee Members	Councillor Thacker (Chairman) Councillor Peach Councillor Saltmarsh
3.3 Officers	Darren Dolby, Regulatory Officer – Licensing Nigel Joseph, Lawyer – Legal Advisor to the Sub-Committee Karen S Dunleavy, Governance Officer – Clerk to the Sub-Committee
3.4 Applicant	Cambridgeshire Constabulary
3.5 Nature of Application	<p><b><u>Application Type</u></b></p> <p>Expedited review of existing premises licence.</p> <p><b><u>Summary of Expedited Review Application</u></b></p> <p>An Expedited Review was deemed necessary for the following reasons:</p> <ol style="list-style-type: none"> <li>1. A serious disorder took place which involved a member of the public on Sunday, 9 March between the hours of 2:30am and 2:50am;</li> <li>2. It is the view of the police that there was a reluctance and ineffectiveness of the part of management to deal effectively with the current 'In House' door supervisors;</li> <li>3. Issues of excessive use of force over the last 12 months, whereby Security Industry Authority (SIA) door supervisors utilised by the Designated Premises Supervisor (DPS) who were concerned in the disorder had used excessive force previously on customers; and</li> <li>4. Lack of appropriate conditions on the premises licence that would effectively assist the DPS in promoting the Licensing objectives.</li> </ol>
3.6 Licensing Objective(s) under which representations were made	1. The Prevention of Crime and Disorder

3.7 Parties/Representatives and witnesses present	Not applicable.
3.8 Pre-hearing considerations and any decisions taken by the Sub-Committee relating to ancillary matters	Not applicable.
3.9 Oral representations	Not applicable.
3.10 Written representations and supplementary material taken into consideration	<p><b><u>Responsible Authority – Cambridgeshire Constabulary</u></b></p> <p>Consideration was given to the application submitted by Cambridgeshire Constabulary and the certificate under Section 53A(1)(b) of the Licensing Act 2003.</p>
3.11 Facts/Issues in dispute	<p><b><u>Issue 1</u></b></p> <p>Whether the expedited review application would further support the 'Prevention of Crime and Disorder' Licensing Objective.</p>
4. Decision	<p><b>The Sub-Committee took account of the contents of the application and the certificate issued under Section 53A(1)(b) of the Licensing Act 2003. The Sub-Committee also considered all of the various options available and found as follows:</b></p> <p>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.</p> <p>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.</p> <p>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:</p> <ul style="list-style-type: none"> <li>• The modification of the conditions of the premises licence;</li> <li>• The exclusion of the sale of alcohol (or other licensable activities) from the scope of the licence;</li> <li>• The removal of the designated premises supervisor; and</li> <li>• The suspension of the licence.</li> </ul> <p>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.</p> <p>The Sub Committee decided to implement the Police recommendation revoking the ability to employ an 'In House Door Supervisor Team', by imposing the following conditions onto the Premises Licence:</p>

1. All Licensable activity would cease at 02:00am;
2. All Security Industry Authority (SIA) registered door supervisors must be employed from a recognised and qualified SIA registered Door Supervisor Security Company that had been approved by the Licensing Authority;
3. A minimum of 8 SIA registered door supervisors would be employed at all times a licensable activity took place from 21:00 hours on each Friday and Saturday night. A minimum of two 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 was not breached;
  - d. Assist customers to leave 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; and
  - g. Maintain effective communication via City Link Radio, or other means with Peterborough CCTV or the Police when requesting assistance.
4. All door staff would 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 would ensure door supervisors were 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 would 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) would be fully trained in the use of their powers to do so;
8. Where a licensed premises engaged in searching persons, the premises licence holder and / or designated premises supervisor would ensure that door supervisors of both sexes were on duty; and
9. The premises licence holder and / or designated premises supervisor would ensure that the following details for each door supervisor were contemporaneously entered into a bound register kept for that purpose :
  - Full Name
  - SIA badge number in full
  - The time they began duty
  - The time they completed their duty
  - The full details of any agency through which they had 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 were recorded. This would 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, was to form part of the entry. The register had to be kept on the premises at all times and would be produced to an authorised officer of the Licensing Authority or Police Officer (including any Licensing Police Community Support Officer) when required. The register should be retained for a minimum of 12 months; and

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

The decision could be appealed by the licensee, an appeal hearing to be held within 48 hours of receipt of representation.

Chairman  
(timings not applicable)