

**MINUTES OF THE MEETING OF THE LICENSING SUB-COMMITTEE
HELD ON WEDNESDAY, 16 MAY 2007**

COUNCILLORS

PRESENT John Boast, Chris Bond and Terence Smith

OFFICERS: Mark Galvayne (Licensing), Sue McDaid (Head of Trading Standards and Licensing), Susan Inwood (Environmental Health), Peter Lycet (Legal Representative) and Jane Creer (Secretary)

Also Attending: PC Dave Murphy (Licensing Officer, Metropolitan Police), Gary Grant (Barrister), Alan Bates and Siobhan Higgins (Metropolitan Police – Licensing Team), Philip Walton and George Vassili (Premises Licence Holders), Nikolas Clarke (Barrister) Boray Izzet

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WELCOME AND APOLOGIES FOR ABSENCE (IF ANY)

The Chairman welcomed all those present and introduced the Panel members. There were no apologies for absence.

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DECLARATION OF INTERESTS

There were no declarations of interest.

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**APPLICATION FOR A REVIEW OF EXISTING PREMISES LICENCE
(REPORT NO. 001)**

RECEIVED the report of the Head of Licensing requesting the sub-committee to consider the following application, and the supplementary information pack containing information supplied by both the Police and the holders of the Premises Licence, following the publication of the Licensing Sub-Committee agenda.

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RATTLERS WINE BAR, 36 LONDON ROAD, ENFIELD, EN2 6DB

SUBMITTED an application by the Metropolitan Police Service for a Review of the Premises Licence held by Mr Philip Walton and Mr George Vassili in respect of Rattlers Wine Bar, 36 London Road, Enfield, Middlesex, EN2 6ED.

NOTED

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1. The introductory statement of Mark Galvayne, including:
 - (i) The application was made by the Police, with representations also by the Council's Environmental Health Service and an Interested Party.
 - (ii) Further to the original agenda papers, Members had received a supplementary information pack with four items of additional information and an updated version of Annex 01/07 which superceded pages 45 - 48 of the original agenda.
 - (iii) The Interested Party, Miss Palmer, had indicated that should the requested Condition 34 on page 27 of the supplementary information pack, in relation to a lobbied entrance, be imposed she would withdraw her representation, but also that she was unable to attend the meeting today.

2. The introductory statement of Gary Grant, barrister, on behalf of the Metropolitan Police, including:
 - (i) Rattlers Wine Bar was open in the evenings, with a clientele of mainly young people and was a source of exceptional and disproportionate violence and disorder.
 - (ii) The Premises Licence was held by Mr George Vassili and Mr Philip Walton, with Mr Walton being identified as the Designated Premises Supervisor. The licence currently permitted opening hours to 02:30 and sale of alcohol to 02:00 all days of the week.
 - (iii) The sub-committee was invited to suspend the licence and to impose onerous conditions to reduce the permitted opening hours because of the record of violence which had led to these review procedures being instigated by Dave Murphy on 16/3/07.
 - (iv) In 11 months between 25/3/06 to 25/2/07 there had been 46 incidents of violence, disorder or public nuisance associated with this premises.
 - (v) For comparison, statistics were retrieved from Police computer records to show that in a similar period there were a total of 7 incidents associated with Bar Ten, 1 incident associated with Taps, and 2 incidents associated with Bar Form; all fair comparators to Rattlers in terms of the nature, location and size of premises.
 - (vi) Police had met with the owners of Rattlers on 25/8/06 and 11/10/06 to discuss recent incidents and issue warnings that the premises were being monitored and any further problems may result in a review of the premises licence.
 - (vii) It was noted that door supervisors were part of the problems, with numerous incidents involving the door supervisors.

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(viii) A document was tabled illustrating the list of incidents and showing that 72% took place after midnight, 57% involved assault or violence, and 43% involved a door supervisor.

(ix) The full details of incidents were set out on pages 22 - 28 of the main report, with amendments provided verbally. Incident 2 should be disregarded as it related to a kebab shop rather than Rattlers. It was likely that Incidents 13 and 14 referred to the same event. Incidents 17 and 18a related to one event and 18a should read "Suspect approached her and glassed her in the face.". Incident 19 related to further information provided in relation to Incident 18b. Incident 20 should be disregarded as it could not be substantiated. Incident 27 related to the meeting referred to in (vi) above.

(x) The amount of incidents indicated the need for conditions to be added to the licence. The additional conditions, and conditions to replace others already in the licence, requested by the Police were set out on pages 17 - 20 of the supplementary information pack.

(xi) The first requested action was a suspension of the premises licence for a maximum of 3 months. This would (i) allow all conditions to be put into effect; (ii) make it clear to the current clientele that Rattlers was not open for business for some time; and (iii) send a clear message that this sort of violence and lax management would not be tolerated by the Licensing Committee. After 3 months the premises could open again if all other conditions were complied with.

(xii) Police requested a reduction in hours for the sale of alcohol to 12:00 to midnight, with a half hour wind down period of other licensable activities by 00:30, and a terminal closing hour of 01:00.

(xiii) With reference to people leaving other licensed premises and then coming to Rattlers, there should be no entry or re-entry of patrons to the premises after 22:45, which would prevent people drinking to the last minute at nearby pubs then going to Rattlers.

(xiv) Requested Conditions 7 to 13 dealt with door supervision, entry and search policy. Employment of an independent SIA approved contractor to provide door supervisors was important. As Sundays were quieter, Police were happy to accede to a request that 4 rather than 5 door supervisors should be employed on Sunday nights going into Monday mornings, save on those Sundays preceding a Bank Holiday or New Years Day. Wearing of high visibility jackets would also allow Police to identify door supervisors more easily.

(xv) A clear condition relating to age of clientele was requested further to concerns about implications that under 21's may have been allowed into the premises until now.

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(xvi) Condition 15 would ensure that someone responsible and properly trained was there at all times the premises were open.

(xvii) Requested conditions relating to CCTV were a standard set of conditions now requested by the Police.

(xviii) It was accepted that if the additional condition requested by Environmental Health in relation to the rear exit door was imposed, Condition 18 would be otiose and may be deleted.

(xix) In the full updated list of conditions set out on pages 23 - 27 of the supplementary information pack, Condition 20 should be disregarded as it already formed part of Condition 21. Also, Condition 26 was a duty anyway of a licensed premises so did not need to be included as a condition.

(xx) All suggested conditions were necessary and proportionate to resolve the problems associated with this premises and to meet the licensing objectives.

3. Questions were asked in relation to the statement of the barrister on behalf of the Metropolitan Police, responded to by Dave Murphy, as follows:

(i) In response to a query from Councillor Boast, procedures relating to a suspension of the licence and imposition of conditions were clarified.

(ii) In response to a query from Councillor Bond, it was confirmed that it was a legal requirement under the Licensing Act 2003 that there must be a written policy re drunkenness and under age sales from which training must be given on a monthly basis.

(iii) In response to questions from Mr Clarke, it was confirmed that the record of incidents had been created by Dave Murphy from information passed to him, with sources quoted. Acronyms were clarified and that where information was not from a CRIS or CAD report it had been passed on by phone or email. London Ambulance Service had been asked for a record of their calls to Rattlers, though it was acknowledged that the wine bar may have simply been quoted as a convenient reference point in some cases.

4. The opening statement of Sue Inwood, Senior Environmental Health Officer, including:

(i) Environmental Health supported the application by the Metropolitan Police for a review of the premises licence.

(ii) Concerns related to the objective of prevention of public nuisance in the Council's Licensing Policy.

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(iii) Observations carried out had shown that proper control had not been exercised over the volume of music at this premises.

(iv) There were also concerns relating to noise and anti-social behaviour from people leaving the premises, excessive alcohol consumption and possible drug use, and the potential for disturbance to residents in Genotin Terrace and Genotin Road.

(v) Additional conditions were requested, numbered 32 and 33 on page 27 of the supplementary information pack. Condition 32 would require a cutout device to be fitted to the back door of the premises so that music would cease if that door was opened, to limit nuisance to flats at the rear. Condition 33 would ensure the back door be used solely as a fire exit and kept closed, and would also stop noise nuisance to the rear.

(vi) Potential remained for noise in the street caused by patrons who may be adversely affected by drink. Very few complaints were received, but residents may not have been able to make a link with patrons leaving Rattlers. Noise continued to be witnessed in the street when doors were left open and there was a lack of confidence in the management of the premises.

5. Questions were asked in relation to the statement of the Environmental Health Officer, as follows:

(i) In response to questions from Councillor Bond it was acknowledged that Genotin Terrace may be shut at both ends at night, but residents may still hear some noise from Rattlers. It was not believed that there were any nearby residential properties in London Road and that the road was heavily used by people coming from a number of premises and by public transport.

(ii) In response to a question from Mr Clarke, it was confirmed that the Council had received no complaints regarding noise in the street outside Rattlers. Aside from the complaint by the Interested Party, there had been one other separate complaint at the end of 2006 from a resident living to the rear of the premises, in the block of 25 flats in Genotin Road, relating to music from within Rattlers. It was also confirmed that a Council officer had spoken directly to the licensee in relation to noise issues.

6. The opening statement of Mr Clarke, barrister for the licensees, including the following points:

(i) In respect of the proposed additional conditions, the licensees' main objections were to the suggestions of suspension of the licence and suggestions of reduced opening hours.

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(ii) An amendment to Condition 8 to allow fewer door supervisors on Sundays (except before Bank Holidays or New Year's Day) had been agreed between the parties.

(iii) The licensees were not opposed to Condition 9 in principle, but expressed a preference for door supervisors to wear high visibility armbands rather than jackets.

(iv) The licensees had no objection to Condition 10, and the entry and search policy was already in place. There were no objections to Conditions 11, 12, 13, 15, 16 or 17.

(v) With regard to proposed conditions relating to the rear exit door, members were asked to note that a volume cut-out linked to the door being opened may cause upset as when music went off all the lights would go on.

(vi) Philip Walton confirmed that he was the proprietor, personal licence holder and designated premises supervisor. He had been a licensee since 1998 of that particular premises. The present licence covered each day of the week, but the bar only operated Thursday to Sunday. The bar had a capacity of 180 people and provided music and alcohol. The clientele were varied and predominantly came from Enfield, Palmers Green, Edmonton, Waltham Cross, Ponders End, Winchmore Hill and Southgate. There was no entry fee, alcohol prices were higher than in local pubs and there were no drink promotions.

(vii) Mr Clarke and Philip Walton provided comments on the list of incidents reproduced in the supplementary information pack and commented on by Gary Grant.

(viii) With regard to the first incident listed from 25 March 2006, it was stated that the victim had been drinking since 7pm and had been in Rattlers, but it should be noted that Rattlers did not open until 9pm. Philip Walton had no direct knowledge of the ejection by door supervisors and had not been approached by the Police or asked to provide CCTV tapes or make a statement.

(ix) It was advised that Rattlers had a good relationship with London Ambulance Service; a paramedic in a car often based themselves outside the premises as a central point to respond to calls and accepted drinks from staff. Incident 3 related to a man being helped from the street in a state of distress; there was no direct involvement of Rattlers, and Philip Walton had no direct knowledge of the incident.

(x) Philip Walton did not recall the occasion referred to in Incident 4, did not know where the 50 people came from, but Rattlers would not let people in at 01:00.

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(xi) With regard to the loud music referred to in Incidents 5 and 22, Philip Walton advised that in 2006 the bar had a Newmark mixing desk which was heavy towards the bass. Rattlers now had a Pioneer system, installed approximately 5 weeks ago, which allowed the bass to be attenuated so it was less overpowering.

(xii) Philip Walton had no knowledge of Incident 6, and had not been asked for CCTV footage or a statement by the Police. He confirmed that Rattlers had a comprehensive CCTV system, with digital recording in real time and 9 cameras within the premises, and footage stored for 31 days on hard drive. The current system had been in place for the past year, to meet original licensing conditions.

(xiii) With regard to Incident 7 at 02:10, Philip Walton advised that the bar would have been shut. It was usual practice to put on a light at 01:50 to make people aware that the bar was about to close, then at 02:00 the doors were opened and all the lights switched on and patrons then left. He had never witnessed taxis double parked outside; there was only one cab office in the Town and people tended to make their way to the cab rank outside Enfield Town Station from all venues.

(xiv) With regard to Incident 8, Philip Walton advised that the door supervisor flagged down a Police car so that the officer could help to tell a patron to leave the premises.

(xv) Philip Walton had no knowledge of Incidents 9, 10, 11, 13, 14, 15, 16, 23, 28 or 31 and had not been spoken to by Police about any of them.

(xvi) Philip Walton made a statement and attended court in relation to Incident 17/18a, where the suspect was acquitted.

(xvii) Efforts were made to assist Police regarding Incident 18b/19 and door supervisors took actions to break up the fight. Philip Walton was not aware of the suspect being any relation of the door supervisor. Police were helped to search the bar, and CCTV footage had been offered afterwards, but Police did not respond despite warnings that this was time sensitive and only available within 31 days.

(xviii) With regard to Incident 18c, Philip Walton confirmed that he would not have an objection to a lobby front or rear, subject to Fire officers' advice, but he had been mindful of neighbours and taken measures to reduce noise, including rubber seals etc on the back door, and changing the sound system.

(xix) Philip Walton had been surprised to see Incident 21 on the list, as the victim had not been inside Rattlers, but had been spotted in the street in visible distress by Rattlers door supervisors who found the puncture wound in his back, provided first aid and phoned for an ambulance.

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(xx) Philip Walton confirmed that the same door supervisor was linked to Incidents 24 and 25, but those refused admission, and their friends, were almost always disgruntled.

(xxi) It was confirmed there had been no criminal charges, request for CCTV footage or any contact from Police in respect of Incident 26.

(xxii) Full details were given with regard to Incident 29 which related to a group of construction workers who had been causing problems in the Town; Rattlers door supervisors had been made aware, refused them admission and were physically attacked. They were satisfied with the Police moving the workers on and had not wished to press charges.

(xxiii) Philip Walton commented in regard to Incident 30 that some door supervisors indulged in repartee and banter, but he knew and trusted them all and they were not bullies or overly aggressive. He had made sure they were all put through SIA training. Having his own team of door supervisors provided continuity and local knowledge, which could not be guaranteed with agency staff.

(xxiv) In relation to Incident 32, it was stated that the door supervisors were approached aggressively by the youths.

(xxv) Philip Walton confirmed that he had not been approached by Police in relation to Incident 33, and that Incidents 34 to 39 related to unspecified allegations which Police had also not spoken to him about.

(xxvi) Philip Walton stated that the male referred to in Incident 40 had been refused entry to Rattlers because of both his injury and his boisterous state, and the group had continued up London Road and become argumentative.

(xxvii) As explained previously, the bass beat problem referred to in Incidents 41 and 47 had been dealt with.

(xxviii) Philip Walton was not able to provide more specific information in relation to Incidents 42 or 43/44, but it was noted that the CCTV centre had no coverage of the inside of Rattlers.

(xxix) It was stated that Incident 46 related to a man who had not been allowed in Rattlers, and had been refused entry on several occasions. Police were helped to carry out full checks to their satisfaction, and thanked Rattlers staff for their co-operation. CCTV footage was provided when requested and there was nothing to be seen.

(xxx) Philip Walton advised that Rattlers staff flagged down a Police officer for assistance with the female referred to in Incident 48. Police believed she was fitting, called an ambulance and were assisted by

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Rattlers staff to keep her still until it arrived. It was only on reading this agenda that he was aware of the fixed penalty notice issued.

(xxxix) It was advised that Rattlers would have been closed at the time of the disturbances referred to in Incidents 49 and 50.

(xxxiii) Returning to the proposed conditions, Philip Walton re-iterated objections to the employment of an independent contractor to provide door supervisors. He would lose current control and continuity and certainty as to the qualifications of door staff, and contract staff would not have the same local knowledge of the venue and clientele

(xxxiv) Philip Walton felt that high visibility jackets would be impractical for the door supervisors, and armbands should be sufficient.

(xxxv) Philip Walton's understanding was that an over-21's policy had been adopted by themselves, though had never been a condition. The policy was strictly adhered to on a Friday and Saturday night. The Chairman and Licensing Officer clarified that admittance to over-21's only formed part of the bar's operating schedule and was therefore a condition of the existing premises licence.

(xxxvi) It was advised that a three month suspension of the licence would mean the end of the business, as there would still be rent and rates to be paid and Rattlers was not a big operation or a multiple and would not be able to absorb the cost. For allowing time to implement proposed conditions, Philip Walton believed these could be implemented in 7 to 10 days maximum.

(xxxvii) A decision to reduce operating hours would also effectively lead to the closure of Rattlers, as they did not wish to compete with pubs on price, and were closed Monday to Wednesday.

7. Questions were asked in relation to the statement of Mr Clarke, as follows:

(i) In response to Councillor Boast's question about the number of people barred from Rattlers, Philip Walton advised that there was a list of around 15 people never allowed back, and a list maintained with an average of 5 – 10 names of those barred for a couple of weeks.

(ii) In response to Councillor Bond's queries relating to door supervisors, it was advised by Philip Walton that female door staff were hard to get, the only venue he was aware of with contract door staff was The Goose at The George, that he did not socialise with his door supervisors and he insisted that they must have their SIA badge clearly on display when working.

(iii) In response to a further query regarding how many times Rattlers staff had called the Police, it was advised that it was 5 or 6 times over

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the last 5 years, with the 2 most recent incidents to a fight and to the girl who was fitting, having been discussed during this hearing.

(iv) Susan Inwood asked about checks outside the premises to monitor noise levels. Philip Walton confirmed that noise was monitored at least twice every night from the rear car park, and if the bass could be heard the DJ was asked to turn it down until he was satisfied that the neighbours would not be affected.

(v) Susan Inwood further asked about steps taken to ensure customers left the premises with the minimum of noise. Philip Walton acknowledged that patrons were fairly boisterous due to the nature of the business, but door supervisors checked that no glass containers were taken out of the door and customers were asked to be quiet in the immediate vicinity. Patrons did tend to dissipate fairly quickly, and some went to other later opening venues in Tottenham or Harbet Road. Others gravitated to the nearby kebab shop, which had a good relationship with Rattlers. The bar shutters were pulled half way down as soon as the venue was empty.

8. The closing statement of Mark Galvayne reminding Members of Section 52 of the Licensing Act; that the sub-committee must take such steps considered necessary for promotion of the licensing objectives.

9. The closing statement of Gary Grant, including the following points:

(i) The large number of violent incidents related to this premises could not be explained away, and there were still 23 incidents recorded since the owners' meeting with the Police in October 2006.

(ii) The door supervisors appeared at the centre of problems, with numerous incidents involving them specifically.

(iii) Similar premises' records showed nowhere near the same amount of complaints.

(iv) A reduction of operating hours would be crucial to meeting the licensing objectives to reduce crime and disorder, and to eliminate public nuisance. It was clear that a midnight closing time would reduce the violence by a large percentage.

(v) A temporary suspension of the licence was supported for the reasons already given; to alert the clientele, to allow conditions to be put in place and to send a strong deterrent message to all.

10. The closing statement of Mr Clarke, including the following points:

(i) Members were invited to consider each incident very carefully as the list suggested a 'carpet bombing' effect. The allegations were serious and required serious consideration. Because of the way the

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document was compiled, some of the information was very vague and it was difficult to make a connection between some of the incidents and this premises at all. It was also necessary to consider the timings carefully as many incidents were reported as taking place well after the bar's closing time, bringing into question whether Rattlers should be held responsible.

(ii) The overlap of clientele of different venues should be considered and many allegations may well relate to people who had been elsewhere. Rattlers was the only establishment in the locality open late on Sunday night, but, with one exception, there was no suggestion of any trouble relating to Rattlers on a Sunday night/Monday morning. Although Sunday nights were generally quieter, this fact should be reflected on as a useful comparison.

(iii) Door supervisors had a difficult job, and a necessary part of it was to refuse entry / eject patrons. People naturally became disgruntled, friends became involved, and very often spurious allegations were made and it was for the panel to evaluate the weight to be placed on the evidence of disgruntled people ejected or refused entry.

(iv) The panel were invited to consider what had been said regarding the running of the business and the effect the proposed conditions would have with the result of closing this business. Necessary measures, appropriate to further the licensing objectives, could be implemented fairly quickly and in reality the suggested suspension would be a punitive measure.

(v) Likewise, the effect of the suggested conditions to reduce operating hours would be punitive to the extent that the business would close.

RESOLVED that

- (1) In accordance with the principles of Section 100(A)(4) of the Local Government Act 1972 to exclude the press and public from the meeting for this item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A to the Act, (as amended by the Local Government Local (Access to Information) (Variation) Order 2006 as are listed on the agenda).

The Panel retired, with the legal representative and administrator, to consider the application further and then the meeting reconvened in public.

- (2) The following statement was made by the Chairman:

"We have considered all the evidence put before us today and listened most carefully to the arguments put by the two barristers especially given the severity of the conditions being sought. We find that even though some of the

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individual incidents quoted may not be attributable to Rattlers, the number and nature of those that remain necessitate changes being made in furtherance of the licensing objectives.

The problems are undoubtedly drink related. Either people are being served so much alcohol at Rattlers that they become aggressive or, as has been claimed, they drink elsewhere first and then come to Rattlers. This means that Rattlers are being too lax in admitting people who are already drunk or partly so.

To promote the licensing objective of the prevention of crime and disorder we find it necessary to restrict the hours for the sale of alcohol from 12 noon to 00:30 the following morning with closing 30 minutes later.

This means we are granting the Condition 3 requested on page 17 of the supplementary information pack, but until 00:30. We also impose Conditions 4, 5 and 6 on that page.

We find that the door supervisors have failed to exercise their role effectively and therefore agree to Condition 7 sought by the Police.

We agree to Condition 8 as amended in respect of Sundays.

In Condition 9 the word 'jackets' is replaced by the word 'armbands'.

Conditions 10 to 13 and 15 to 17 are accepted by the licensee (Condition 18 not needed) and are therefore imposed.

Condition 14 (in relation to no admission of anyone under 21) applies what was originally intended or is believed to exist and is therefore imposed.

Regarding the conditions requested by the Environmental Health Service and the Interested Party, we find on the basis of the evidence heard that Condition 33 on page 27 of the supplementary information pack shall be imposed, but not Conditions 32 and 34.

On the matter of suspension of the premises licence we do not believe it is our role to be punitive except in so far as doing so would promote the licensing objectives and is necessary to do so. We believe the Police are correct in their reasons for seeking suspension but we find those reasons are satisfied by suspending the licence for one month. That concludes our decision."

(3) that, in order to promote the licensing objectives it was necessary to suspend the premises licence for one month.

For the avoidance of doubt, after one month has elapsed the premises may only then carry out licensable activities if all of the conditions below are fulfilled and complied with, in addition to current conditions set out at Annex 01/07 in the supplementary information pack, save where indicated in italics when they replace current conditions on the premises licence.

Reduced hours

1. Sale of alcohol may only be carried out Monday to Sunday from the hours of 12:00 to 00:30. *[Replaces current hours.]*
2. Other licensable activities (included regulated entertainment) may only be carried out Monday to Sunday from the hours of 12:00 to 00:30. *[Replaces current hours.]*
3. There can be no entry or re-entry of patrons to the premises after 22:45 hours Monday to Sunday *[Replaces condition 10 at page 45 of Report].*
4. The premises must close to the public at 01:00 Monday to Sunday *[Replaces current hours].*

Door supervisors, entry and search policy

5. To employ an independent SIA approved contractor to provide door supervisors.
6. A minimum of 5 door supervisors must be employed when the premises are open, 3 of which must remain on the front entrance door, except on Sundays when a minimum of 4 door supervisors must be employed, save on Sundays preceeding a Bank Holiday or New Years Day *[Replaces condition 16 at page 46 of Report].*
7. All door supervisors on duty must wear high visibility armbands at all times the premises are open.
8. A written entry and search policy must be adopted in consultation with police officers and implemented by door supervisors. This policy must include, but is not limited to:
 - a. Preventing the admission and ensuring the departure from the premises of the drunk and disorderly (without causing further unnecessary disorder or violence);
 - b. Keeping out excluded individuals (subject to court bans or imposed by the premises licence holder or his agent);
 - c. Search and exclude those suspected of carrying illegal drugs or offensive weapons;
 - d. Maintain orderly and reasonably quiet queuing outside the premises;
 - e. Encourage patrons to leave the premises and the area quietly and not to loiter outside the premises;
 - f. Ensuring that no alcoholic or other drinks are taken from the premises in open containers (e.g. glasses and opened bottles);
 - g. Ensuring there is no entry or re-entry of patrons to the premises after 22:45 hours Monday to Sunday.*[Replaces condition 17 at page 46 of Report].*

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9. A log must be kept and signed by each door supervisor each night they are employed at the premises indicating that they have been informed of, understand, and will implement the entry and search policy. This log must be made available to Police or Local Authority employees on request.
10. A log must be kept indicating the date and times door supervisors sign in and out for duty and must include details of each door supervisors clearly printed name, SIA licence number, employer, and the duty they are employed on any particular night.
11. Toilet areas must be checked an average of half hourly and a written record kept of the dates and times of each check. This record must be made available to Police or Local Authority employees on request. *[Replaces condition 11 at page 45 of Report].*

Age of clientele

12. No persons under the age of 21 are permitted on the premises when licensable activities are being carried out. *[Replaces conditions 8, 23 & 24 at page 46 of Report].*

Personal Licence Holder on premises

13. A Personal Licence holder must be on premises at all times the premises are open.

CCTV

14. The premises must be fitted with a digital Closed Circuit Television (CCTV) system as approved by the police and which must conform to the following points *[Replaces condition 9 at page 45 of Report].*
 - i. If the CCTV equipment is inoperative or not working to the satisfaction of the Police or Licensing Authority, the premises shall not be used for licensable activities unless with prior agreement from the Police.
 - ii. Cameras must be sited to observe the entrance and exit doors both inside and outside, the counter areas and all floor areas.
 - ii. Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification – not less than 120% of screen.
 - iv. Cameras viewing counter areas must capture frames not less than 50% of screen.
 - v. Cameras overlooking floor areas should be wide angled to give an overview of the premises. They must be capable of detection i.e. not less than 10% of screen.
 - vi. Be capable of visually confirming the nature of the crime committed.
 - vii. Provide a linked record of the date, time and place of any image.

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- viii. Provide good quality images.
- ix. Operate under existing light levels within and outside the premises.
- x. Have the recording device located in a secure area or locked cabinet.
- xi. Have a monitor to review images and recorded picture quality.
- xii. Record images as near to real time as possible.
- xiii. Recorded images must be of sufficient quality that persons can be identified from the recorded pictures as well as the live view.
- xiv. Be regularly maintained to ensure continuous quality of image capture and retention.
- xv. Comply with the Data Protection Act (DPA) and any applicable British Security Industry Association (BSIA) codes of practice.
- xvi. Have signage displayed in the customer area to advise that CCTV is in operation.
- xvii. Be operated by the correct procedures, to ensure an evidence trail is recorded and can be retrieved for evidential purposes.
- xviii. Digital images must be kept for 31 days.
- xix. Checks should be frequently undertaken to ensure that the equipment performs properly and that all the cameras are operational and a log kept.
- xx. The medium on which the images have been recorded should not be used when it has become apparent that the quality of the images has deteriorated.
- xxi. Access to recorded images should be restricted to those staff that need to have access in order to achieve the purposes of using the equipment.
- xxii. All access to the medium on which the images are recorded should be documented.
- xxiii. Police will have access to images at any reasonable time.
- xxiv. The equipment must have a suitable export method, e.g. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy. If this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Copies must be made available to Police on request.
- xxv. Disclosure of the recorded images to third parties should only be made in limited and prescribed circumstances, law enforcement agencies, Prosecution agencies, relevant legal representatives and people whose images have been recorded and retained.

Incident logs

- 15. Incidents logs must be kept at all times and made available to police and local authority employees on request. As an interim measure, copies of the logs are to be forwarded to Police on a weekly basis for a

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period of 2 months following the re-opening of the premises following any suspension of the premises licence.

Rear exit door

16. The back door to the premises shall be used solely as a Fire Exit and shall be kept closed but not locked at all times the premises is in operation under its licence.