

LICENSING SUB-COMMITTEE

**MEETING HELD AT THE BIRKDALE ROOM - SOUTHPORT TOWN
HALL, LORD STREET, SOUTHPORT, PR8 1DA
ON FRIDAY 13TH MAY, 2022**

PRESENT: Councillor John Kelly (in the Chair)
Councillors Bradshaw and Lynne Thompson

4. APPOINTMENT OF CHAIR

RESOLVED:

That Councillor John Kelly be appointed as Chair for this meeting of the Sub-Committee.

5. DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary interests or personal interests were received.

6. LICENSING ACT, 2003 – SUMMARY REVIEW - PARNELLS, 62 SOUTH ROAD, WATERLOO L22 0LY

The Sub-Committee considered the report of the Head of Highways and Public Protection on an application served by Sergeant Craig Carmichael, Merseyside Police, for a Summary Review of a Premises Licence under Section 53A of the Licensing Act 2003, in the respect of the above-named premises, on the grounds that the premises had recently been associated with serious crime and disorder.

The Chair advised that the Sub-Committee had previously convened on 21 April 2022, when it had resolved to take the interim step of modifying the current conditions of the Premises Licence to include the following condition:

- At all times when the premises operates for licensable activities there shall be a minimum of two members of staff present on the premises at any one time in addition to any door supervisor staff.

The Sub-Committee heard representations from Sergeant Craig Carmichael, Merseyside Police in support of the application. The Sub-Committee also heard representations from the Premises Licence Holder's Representative and the Premises Licence Holder.

Sergeant Ken Sumner was also present.

All parties agreed the issues that were in contention and the procedure that was to be followed. There were no preliminary issues raised, and at the end of their representation, everyone confirmed they were satisfied that they had said all they wished to say.

The Sub-Committee retired under Regulation 14(2) of the Licensing Act Regulations 2005 and thereby excluded the press and public whilst they reached their decision on the application. The Sub-Committee returned to give their decision in full.

Decision

RESOLVED: That

(1) The Premises Licence for Parnells, 62 South Road, Waterloo, L22 0LY conditions be modified to the effect that the conditions in annex 2 are deleted and replaced with the following:

- (i) A personal licence holder will always be present when licensable activities take place
- (ii) There will be a minimum of two staff on duty on every occasion that licensable activities take place during the following hours:

Days of Operation

Hours of Operation

Monday - Thursday

19:00 until the bar is closed

Days of Operation

Hours of Operation

Friday - Sunday

18:00 until the bar is closed

(iii) All staff shall be fully trained to perform their role. They shall also be trained in the contents of the premises licence including times of operation, licensable activities and all conditions. Training shall be recorded in documentary form that will be available for inspection at the request at all times by an authorised officer from a relevant responsible authority and/or Police Officer. The records will be retained for at least 12 months.

(iv) An incident book shall be maintained to record any activity of a violent, criminal or anti-social nature. The record will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident. The incident book shall be available for inspection at all reasonable times by an authorised officer or a relevant responsible authority and/or a Police officer. The

records will be retained for at least 12 months.

- (v) A minimum of two SIA registered door supervisors will be employed at the premises from 21:00 on Friday and Saturday until all licensable activities have ended, and the premises is empty of customers.
- (vi) When the premises are to be open beyond midnight on any night of the week, there must be a minimum of two SIA registered door supervisors on duty from 21:00 until all licensable activities have finished and the premises is empty of customers.
- (vii) At all other times, the requirement of door supervisors must be risk assessed by the management of premises.
- (viii) When employed, all door supervisors shall be trained in regards of access and egress from the premises, the identification and recognition of drunks, and the correct procedure to be followed when refusing entry. The Premises Licence Holder and/or Designated Premises Supervisor shall ensure door supervisors are properly briefed, trained, and supervised to manage queues which may form to gain entry to the premises, in a safe and efficient manner. When door supervisors are engaged in searching persons, the premises Licence Holder and/or Designated Premises Supervisor shall ensure that door supervisors of both sexes are on duty and that they shall be fully trained in the use of their powers to do so. Door supervisors will be responsible for ensuring the safe, quiet, and orderly dispersal of customers from the premises and the immediate vicinity of the premises.
- (ix) Metal detector wands must be used by door staff on a random and frequent basis to deter people from entering the premises with a knife or other weapon.
- (x) Searches will be carried out by door staff on a random and frequent basis to detect and prevent drugs or weapons from being brought into the premises.
- (xi) Door staff will wear a uniform to clearly identify themselves. This will include a high Viz Arm band containing their SIA badge.
- (xii) All door staff must wear body cameras which must be used to record any incidents of disorder.
- (xiii) 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:

- (a) Full name;
 - (b) SIA certificate number and/or badge number or registration number of any accreditation scheme recognised by the Licensing Authority (including expiry date of that registration or accreditation);
 - (c) The time they began their duty;
 - (d) The time they completed their duty;
 - (e) The full details of any agency through which they have been allocated to work at the premises if appropriate.
- (xiv) The register shall be available at all reasonable times to an authorised officer of the Licensing Authority or Merseyside Police. The register is to be kept at the premises at all times and shall be so maintained as to enable an authorised officer or Merseyside Police to establish the particulars of all door supervisors engaged at the premises during the period of not less than 12 months prior to the request.
- (xv) The Premises Licence Holder and/or the designated Premises Supervisor shall not allow any drinking vessel, glass, or bottle to be taken from the premises.
- (xvi) CCTV shall be installed at the Premises in the form of a recordable system, capable of providing clear, good quality images in all lighting conditions. Cameras shall encompass all entrances and exits to the premises, any external seating or smoking areas, all areas where the sale, supply or consumption of alcohol occurs and all other areas where the licensable activities take place. Equipment shall be maintained in good working order and checked on a regular basis to ensure it displays the correct time and date. The system shall record in real-time and operate whilst the premises are open to the public. The recordings shall be retained for a period of 31 days and made available to any authorised officer on reasonable requests for evidential purposes, in accordance with Data Protection Legislation. The recording equipment shall be kept in a secure environment under the control of the Premises Licence Holder or other responsible named individual. There shall be sufficient members of trained staff available to be able to download or view CCTV evidence with the minimum of delay at the reasonable request of an authorised officer.
- (xvii) If the CCTV equipment (including any mobile units in use at the premises) breaks down, the Premises Licence Holder shall ensure the Designated Premises Supervisor, or in his/her absence another responsible person, verbally informs

the licensing Authority as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority shall be informed when faults are rectified.

- (xviii) The Premises Licence Holder or nominated person shall provide a written drugs policy detailing the actions to be undertaken to minimize the opportunity to use or supply illegal substances within the premises. The Premises Licence Holder or nominated person shall ensure that records are maintained detailing the time and date of substance misuse training, the people who received the training, and the name of the person delivering the training. The records will be available for inspection by an authorised officer at all reasonable times. The records will be retained for at least 12 months.
- (xix) The premises will take part in Merseyside Police – Op Storage Box Procedure.
- (xx) The Licence Premises Holder or nominated person shall ensure that a clearly visible notice is displayed advising those attending, that the Police will be informed if anyone is found in possession of controlled substances or weapons.
- (xxi) The Premises Licence Holder and/or Designated Premises Supervisor shall ensure that any outside area included in the licence will be controlled in a safe and effective manner to the same standard operating within the premises building and will pay special attention to the impact that the use of the outside area has on the surrounding community.
- (xxii) Challenge 25 scheme to be in place. All staff to be trained prior to serving any age-restricted products. Training records are to be kept for inspection by an authorised office of the local authority. Refusal system in place (till prompt or book) to be monitored by the Designated Premises Supervisor and to be made available to an authorised officer of the Local Authority on request.
- (xxiii) Children shall not be allowed in the premises from 19:00 weeknights and 17:00 Friday and Saturday.

Reasons:

LICENSING SUB-COMMITTEE- FRIDAY 13TH MAY, 2022

The Sub-Committee is pleased that the Premises Licence Holder and the Police have worked together in the period since the interim steps were taken to agree to the amended conditions which seek to address the issues identified as a result of this review namely issues identified by staffing levels, the conduct of door supervision staff and the management procedures in place.

The Sub-Committee has imposed the amended conditions which they consider are sufficient to meet the issues that have been raised in this review and are justified and proportionate.

The condition imposed by this committee as an interim step is modified and included in the conditions referred to above. For clarity, this is amended to the effect that:

There will be a minimum of two staff on duty on every occasion that licensable activities take place during the following hours:

Days of Operation

Monday - Thursday

Hours of Operation

19:00 until the bar is closed

Days of Operation

Friday - Sunday

Hours of Operation

18:00 until the bar is closed