



# BURNLEY BOROUGH COUNCIL LICENSING ACT 2003 SUB COMMITTEE

BURNLEY TOWN HALL

Tuesday, 12th December, 2017

## PRESENT

## MEMBERS

Councillor Ann Royle in the Chair;

Councillors J Cunningham, A Royle and C White

## OFFICERS

Eric Dickinson	– Democracy Officer
Alison McEwan	– Democracy Officer
David Talbot	– Senior Solicitor

### 6 Appointment of Chair

Councillor Ann Royle was appointed as Chair for this meeting.

### 7 Minutes of the last Meeting held on 2nd June 2017

The Minutes of the last meeting held on the 2<sup>nd</sup> June 2017 were agreed as a correct record.

### 8 Exclusion of the Public

That the determination for review of a Premises Licence at Vogue Night Club, 77 Hammerton Street, Burnley under Section 52 of the Licensing Act 2003 be held in public.

### 9 Determination of a Premises Licence Application- Vogue

John Yardley reported on a review of a Premises Licence at Vogue Night Club, 77 Hammerton Street, Burnley under Section 52 of the Licensing Act 2003 and presented his case on behalf of the Licensing Authority.

Sergeant James Middleton and John Clucas presented their case on behalf of Lancashire Constabulary.

Rick Wilson presented his case on behalf of Lancashire County Council Trading Standards Service.

Rebecca McQuoid and James McQuoid presented their case on behalf of Vogue Night Club.

Members and the relevant parties set out above asked questions regarding the review.

#### DECISION AND REASONS FOR DECISION

After considering the review and all representations it was a very difficult decision but it was decided to accept the conditions and hours proposed by the Police and Vogue Night Club as proposed on 6<sup>th</sup> December 2017 and which are attached as Appendix 1 to the Minutes, which replace the existing conditions set out in Annex 2 to Appendix A of the report.

The Police's approach for them to be proactive and to review the licence again should that be relevant was agreed to.

The reason for the decision was having regard to the prevention of crime and disorder licensing objective.

- a) Appendix 1

## Licensing Act 2003

Address of Premises: **Vogue Night Club, 77 Hammerton Street, Burnley, BB11 1LE.**

**Agreed Licensing Conditions Wednesday 6<sup>th</sup> December 2017**

### **Hours**

Playing of recorded music – Monday to Sunday - From 9pm till 6am

Supply of alcohol for consumption ON the premises – Monday to Sunday – From 9pm till 6am

Opening hours of the premises – Monday to Sunday – From 9pm till 6.30am

### **Conditions**

#### **CCTV**

A colour CCTV system will be installed in the premises and will display on any recording the time and date of the recording and

- The system will be operated during all permitted hours
- The Camera's shall be sufficient in number to view all areas of licensable activity and any exit / entry and the area immediately outside the main entrance.
- Signs will be displayed in the premises to indicate that CCTV is in use and when dealing with incidents or unruly behaviour, staff shall indicate that CCTV is recording the incident.
- The system is kept in a working order, is checked regularly and any faults are rectified promptly.
- Images and Recordings are being kept for 28 days and will be available to the police or other authorised authority promptly upon request and there are staff trained that are able to access and operate the system and provide downloads.
- The recordings can be accessed and downloaded to another format ( e.g. a USB stick or DVD or other recognised format)
- Requests for CCTV by the police will be made by either a personal request or an email request to the premises licence holder. This request will be acknowledged as soon as practicable and in any case within 24 hours of it being made and suitable arrangements will be made for viewing / copying and delivery of the relevant images back to the police as soon as reasonably practicable and in any case within 7 days of the initial request being made.

## **Door supervisors**

Prior to each occasion that licensable activities take place at the premises a risk assessment will be carried out to determine how many door supervisors are necessary. As a guide there should be at least two SIA registered door supervisors for the first 100 customers and then a further one for every additional 100 customers after that. An appropriate number of SIA registered door supervisors will be utilised in accordance with said risk assessment, which will be documented and made available to an authorised officer upon request.

As a minimum, at least two SIA Registered door supervisors will be utilised at the premises on whenever licensable activities are taking place from 22:00hrs until thirty minutes after the last customer has left the premises.

When licensable activities take place after 4am there will be a minimum of 4 SIA registered door supervisors working.

Door supervisors will use clear visible counting devices at all times when the premises are open. Counting equipment and current numbers to be open to inspection by police at any time when in operation.

All door supervisors will be equipped with Body Cam type cameras and will record all ejections and issues with customer. Images from these cameras will be made available as soon as practicable on request from the Police.

When on duty, door supervisors will ensure that no customers leave the premises with open containers.

Door supervisors to wear high visibility clothing with the premises being situated on a busy road. This also allows CCTV to spot the door staff for personal safety.

A record shall be kept on the premises by the DPS of every person employed on the premises as a door supervisor. The record shall contain the following details: name, address, date of birth and SIA licence number and signing in and out for each door supervisor. The record shall be available for inspection, on demand, by an authorised officer of the council, a police officer or the SIA.

## **Drugs Policy**

The premises licence holder shall have a written policy in relation to drugs which will include search, seizure and disposal of drugs and weapons. The policy will be available for inspection on demand by an authorised officer of the Council, Police or SIA.

## **Closing times and facilitating the safe passage home of patrons**

There will a clear customer dispersal policy in place. Such a policy should minimise noise disturbance and potential disorder from customers leaving the premises. A policy should clearly set out measures to control the exit at the end of the evening.

The premises will cease the selling of alcohol and will close at 6am with all patrons leaving the premises as soon as practicable and in any case within 30 minutes.

The premises will link in with at least one local private hire / taxi service to provide a taxi Freephone to assist the booking of vehicles so that people can leave the premises quickly and safely.

### **Protection of Children**

Unless agreed in writing by the Police all events at the premises shall be strictly over 18's only with no person who is under 18 years being admitted to the premises whilst licensable activities are taking place and door supervisors will verify the ages of every person seeking to gain admission to the premises unless they are clearly over 25 years of age.

The premises shall give a minimum of twenty eight days written notice to Lancashire Constabulary Licensing Department of any function targeted predominantly at persons under the age of eighteen.

All persons who appear to be under the age of 25 years shall be required to produce proof of age by way of the following:

- A recognised proof of age card accredited under the British retail consortiums proof of age standards scheme (PASS)
- Photo driving licence
- Passport
- Citizen card supported by the Home Office
- Official ID card issued by HM Forces or European Union member state bearing a photograph and birth date of the holder.

A notice or notices shall be displayed in the premises where they can be clearly seen and read and shall indicate that it is unlawful for persons under 18 to purchase alcohol or for any person to purchase alcohol on behalf of a person under 18 years of age.

Incident log to be kept on site and shall be maintained to record all challenges and refused sales.

### **Staff training**

All staff who are involved in the sale of alcohol will receive training in relation to the licensing objectives so as to reduce crime and disorder, promote public safety, prevent public nuisance and promote the protection of children from harm. Said training will be documented and will be made available to an authorised officer upon request.

People who are clearly under the influence of alcohol will not be sold any more and will only be allowed to consume free tap water as their next drink.

Adequate and appropriate supply of first aid equipment and materials is available on the premises. At least one suitably trained first-aider shall be on duty when the public are present.

The premises will be completely glass free with all sales served only in plastic or polycarbonate containers. The exception to this will be in the VIP area only, when under the personal supervision of the premises staff.

Signed (Applicant)



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Joseph M. Adams PS2659

Signed (Responsible Authority)

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Dated.....

06/2/17