

Licensing Sub Committee

Tuesday 29 April 2014

PRESENT:

Councillor Rennie, in the Chair.
Councillor Mrs Nicholson, Vice-Chair.
Councillors Parker (Fourth Member) and John Smith.

Also in attendance: Sharon Day, Lawyer, Marie Price, Licensing Officer and Katey Johns, Democratic Support Officer.

The meeting started at 11.20 am and finished at 1.25 pm.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

72. APPOINTMENT OF CHAIR AND VICE-CHAIR

Agreed that Councillor Rennie is appointed Chair and Councillor Mrs Nicholson is appointed Vice-Chair for this particular meeting.

73. DECLARATIONS OF INTEREST

The following declaration of interest was made in relation to an item under consideration at this meeting -

Name	Minute No.	Reason	Interest
Councillor Rennie	75, 76 and 77	Used to live next door to the applicant	Personal

74. CHAIR'S URGENT BUSINESS

There were no items of Chair's urgent business. However, with the sub-committee's permission, the Chair reported that he would be taking all three applications together.

75. TEMPORARY EVENT NOTICE - 4 MAY 2014. PETER WRIGHT 12. THE PARADE, BARBICAN, PLYMOUTH, PL1 2JL

The committee –

- (a) considered the reports from the Strategic Director for People and agreed that they would deal with all three reports together as the applications in respect of each date were the same and the issues raised by the Police were the same in respect of each application;

(b) heard from the Police that –

- no proper plan of the area to be covered had been provided
- no operating schedule showing how the events would be controlled had been provided
- no method or policy had been supplied as to how the numbers in the area will be restricted to 499
- in relation to sale of alcohol no details had been supplied as to how and where that licensable activity will take place within the area
- three door supervisors would not be sufficient to monitor the area; at least 6 would be needed
- putting barriers around to define the area and keep the pathway clear would cause a safety issue in relation to the access of patrons to the area and also entry to the area by the emergency services in the event of an incident
- leaving chairs and tables in the area would create an obstruction and had the potential to cause a public safety issue as people tend to dance on the tables and injure themselves when they fall off
- there were concerns over the ability to control glass and bottles from other premises being brought into the area
- PC Wilkins statement provided details of his experience of working on these bank holiday Sundays over 9 years and evidence of disorder, littering and density of the crowd making it difficult to move through the area. His opinion that the area is unsuitable for this type of event

His statement detailed that in the past there have been problems with the concentration and lack of control of customers. There had been incidents of disorder and as a result his concern was for the potential for crime and disorder in that area

He stated that as a police officer it had been virtually impossible to walk through the area in front of the premises and incidents had occurred in the past which had been difficult to see and then get to

Barriers in the area made access to the controlled area very difficult and he had had to ask for them to be removed to allow ready access to developing situations

- CCTV footage was produced of 5/5/13 showing the difficulty door supervisors and police had in controlling the area during these events. The time of the CCTV was 11.25pm which was after the TEN had finished
- the planned area is in a Cumulative Impact Area and in 2012 in the area surrounding the premises 81 offences occurred between 7pm and 7am. 37 of which occurred between 7pm and midnight. In 2013, 62 offences occurred between 7am and 7pm, 36 of which occurred between 7pm and midnight. Figures indicated that in 2011 39% of all crime, in 2012 42% of all crime and in 2013 39% of all crime occurred in the small area surrounding the premises. The concern was that granting the application would add to these

problems

- the Police concern was that a lack of a plan as to how the event would be managed, the lack of defined controlled area, the lack of detail as to how and where the alcohol would be sold and the lack of a plan to control of the number of people present would have a negative impact on the crime prevention objective. On Bank Holiday Sundays the Barbican was not a family friendly area as lots of people were out drinking and even on quiet bank holidays large fights had occurred and Police resources have to be aimed at the Barbican on these bank holidays. Granting these applications would potentially add to crime and disorder in the area.
- the lack of detail as to how pedestrians and emergency services would be able to have uninterrupted passage through the area and lack of detail as how any emergency would be dealt with, how the crowd would be dispersed and lack of a plan providing access for emergency services would have a negative impact on the licensing objective of public safety. Inspector Deer stated that there had been an incident on one bank holiday when a previous event had been going on when disorder had occurred on the other side of the quay to the premises and officers had had great difficulty getting through the crowd to attend to it

(c) heard from the applicant that –

- the premises have 16 CCTV cameras both inside and out
- all drinks will be served in plastic glasses and bottled alcohol will be poured into plastic glasses. Any glasses brought into the area will be confiscated by door staff
- those entering the area will be asked for proof of age by the door staff and entry will be refused if they can't produce it. They operate a challenge 25 policy
- three glass collectors would be employed
- three door staff will be employed but they would increase this to 6-10 if needed
- door staff will control the volume of customers by making regular checks and refusing entry if the number is exceeding 450 people
- door staff will encourage patrons to keep the walkways clear and be responsible for making sure the public can pass safely. The same barriers as last time could be used with two entrances to the area being manned by door staff
- anyone causing or suspected of causing a public nuisance will be asked to leave and if necessary reported to the authorities. The raised stage gives a good vantage point to spot anyone causing a nuisance before any violence starts. Door Staff would be positioned on the stage to oversee the area and all staff are connected by radio
- outside music will be kept at an acceptable noise level and turned down if requested by Environmental Health
- they will have an outside bar which will help alleviate the volume

of customers inside and helps eliminate any violence inside. Having fully trained bar staff outside to monitor and promote responsible drinking. The Bar would be located against the harbourside where the stage used to be positioned.

- the licensee will be available at all time to assist with any issues or requests from relevant authorities
- the average age of the customer is 30 years and it is later in the evening that the youngsters arrive
- the people on the CCTV were not their customers
- the idea of the event is not to be a binge drinking day but rather a family day and that is why they have a barbeque on as well
- the music ends at 9pm and at that point the DJ goes inside and so the customers follow

In reaching its decision the committee did not have regard to its Cumulative Impact Policy as it they did not consider that it applied to TEN applications.

Having listened to what was said by both parties –

- The committee accepted what the Police said with regards to the problems experienced on bank holiday Sunday's on the Barbican and the CCTV they saw was demonstrative of these problems and the dispersal of patrons from the area. In looking at each application the committee considered that they had to assume that 499 people would be in the area and considered that there was the potential for crime and disorder was high if the applications were granted as they did not consider that the applicant would be able to control the area sufficiently taking into account the lack of management policy. These considerations were relevant to the crime prevention licensing objective.
- The committee were concerned that people using the walkway next to the public house could become involved in problems in the area due to its proximity to people who had been drinking. They also had concerns about the ability of the emergency services to deal with incidents and disorder beyond the licensed area due to overcrowding and blocking of the thoroughfare. The committee did not consider that barriers would overcome these potential problems as from the information they had been provided with the barriers themselves were counterproductive causing problems with entry into the area. These considerations were relevant to the public safety and crime and disorder licensing objective.

It was therefore agreed that having had regard to the objection notice and what had been said by both parties it was appropriate for the promotion of the crime prevention and public safety licensing objectives, due to concerns set out above, to give a counter notice in respect of each of the applications.

(Councillor Rennie declared a personal interest in respect of the above item).

76. **TEMPORARY EVENT NOTICE 25 MAY 2014, PETER WRIGHT, 12 THE PARADE, BARBICAN, PLYMOUTH, PLI 2JL.**

This item was considered under minute number 75.

(Councillor Rennie declared a personal interest in respect of the above item).

77. **TEMPORARY EVENT NOTICE 24 AUGUST 2014, PETER WRIGHT, 12 THE PARADE, BARBICAN, PLYMOUTH, PLI 2JL**

This item was considered under minute number 75.

(Councillor Rennie declared a personal interest in respect of the above item).

78. **EXEMPT BUSINESS**

There were no items of exempt business.