

Report to Licensing sub committee
18 July 2013

Item

Report of Head of citywide services

3

Subject Licensing Act 2003:
Application for Summary Review of a Premises Licence –
Twilight Anglia Square Norwich NR3 1EB

Purpose

Members are asked, in accordance with the delegation of licensing functions contained in the Norwich City Council Statement of Licensing Policy (Licensing Act 2003), to consider an application by a Chief Officer of Police at Norfolk Constabulary for the summary review of a premises licence under Section 53A of the Licensing Act 2003.

Recommendation

That Members determine the summary review application respect of Twilight Anglia Square Norwich NR3 1EB in accordance with the:

- Licensing Act 2003;
- Guidance issued under Section 182 of the Licensing Act 2003; and
- Norwich City Council Statement of Licensing Policy.

Corporate and service priorities

The report helps to meet the corporate priority of a safe and clean city and the service plan priority of protecting the interests of the public through the administration of the licensing function.

Financial implications

None.

Ward/s: All wards

Cabinet member: Councillor Stonard – Environment, development and transport

Contact officers

Ian Streeter, licensing manager

01603 212761

Background documents

None

Report

Summary Review Applications

1. A new procedure for the review of premises licences was introduced by Sections 21 and 22 of the Violent Crime Reduction Act 2006, which amended the Licensing Act 2003 to allow for a quick process for attaching interim conditions to a licence and a fast-track licence review when the police consider that the premises concerned is associated with serious crime or serious disorder (or both).
2. The powers only apply where a premises licence authorises the sale of alcohol. They do not, however, apply in respect of other premises licences or club premises certificates. The purpose of these powers is to complement existing procedures in the Licensing Act 2003 for tackling crime and disorder associated with licensed premises.
3. The procedure allows:
 - The police to trigger a fast track process to review a premises licence where the police consider that the premises are associated with serious crime or serious disorder (or both); and
 - The Licensing Authority to respond by taking interim steps quickly, where it is appropriate to do so.

Summary of the New Procedures

4. The process that needs to be followed by the Police and Licensing Authority is summarised below.
5. The chief officer of police for the area in which the premises are situated may apply to the licensing authority for an expedited review of a premises licence where a senior police officer (defined as an Officer is who a Superintendant or above) has issued a certificate stating that in his/her opinion the premises are associated with serious crime or serious disorder (or both).
6. On receipt of the application and the certificate, the Licensing Authority must within 48 hours of the time of its receipt consider whether it is necessary to take interim steps pending determination of the review of the premises licence - the authority must in any event undertake a review within 28 days after the day of receipt of the application.
7. The options open to the licensing authority at the interim steps stage include:
 - Modification of the conditions of the premises licence;
 - The exclusion of the sale of alcohol by retail from the scope of the licence;
 - Removal of the designated premises supervisor from the licence; and
 - Suspension of the licence.

Interim steps consideration

8. On 21 June 2013, the council's Licensing sub-committee considered a certificate submitted by Norfolk Constabulary under section 53A(1)(b) of the Licensing Act 2003 (interim steps) in respect of Twilight Anglia Square Norwich NR3 1EB.
9. Having considered the certificate and the representations made by the police and the licence-holders representative, the sub-committee resolved to take interim steps by way of attaching the following additional conditions to the premises licence in respect of Twilight Anglia Square Norwich NR3 1EB:
 - A minimum of 6 SIA door supervisors to be employed on any night until close when the premises operates after Midnight. These numbers will include 2 monitoring the main entrance/exit and the remaining 4 operatives to patrol the main public areas on the first floor.
 - No admittance or re-admittance to the premises beyond 1am or 1 hour before the end of licensable activity whichever is earlier.
 - All licensable activity to cease at 2am and for all patrons to have left the premises by 2.30 am.
 - Door staff to be present on the exterior of the front door for a period of 30 minutes after closing to assist with safe dispersal of patrons.
 - The premises licence holder will ensure a written risk assessment is agreed with Norfolk Constabulary a minimum of 4 weeks prior to any event planned to proceed after 2200 hours. This should include the details of those organising the event, nature and description of event and measures that will be employed to adhere to the licensing objectives.
 - All door supervisors to wear yellow fluorescent jackets when on duty at the premises.
10. The sub-committee also resolved to amend condition 7 of annexe 2 of the current premises licence to read:
 - Incidents of crime and disorder shall be reported to the police via the radio.
11. The reasons for the sub-committee's decision were:

The members of the sub-committee found serious disorder occurring inside and outside these premises and considered that the proposed conditions suggested by the Norfolk Constabulary were proportionate and were directed toward remedying the problems shown by the serious incidents of disorder which have occurred and in the councillors' opinion are likely to reoccur should no action be taken. The committee noted that none of the additional steps required have significant financial implications for the period until the review takes place and do not involve permanent or semi-permanent physical adjustments to the premises.
12. A copy of the Notice of Determination following the sub-committee meeting on 21 June is attached at appendix A to the report and a copy of the premises licence held in respect of Twilight is attached at appendix B.

Consideration of summary review application

13. The purpose of the summary review application hearing is for the sub-committee to:

- Consider the application for the review and any relevant representations;
- Consider what steps it considers appropriate for the promotion of the licensing objectives; and
- Consider what steps should be taken to secure the promotion of the licensing objectives, including whether the interim steps previously taken should be made permanent.

14. The steps the Committee can take are:

- The modification of the conditions of the premises licence;
- The exclusion of a licensable activity from the scope of the licence;
- The removal of the designated premises supervisor from the licence;
- The suspension of the licence for a period not exceeding three months; or
- The revocation of the licence.

15. The Committee must ensure that, from the coming into effect of their decision upon the review application, any interim steps imposed pending the review of the premises licence cease to have effect (except in those circumstances where any interim steps form part of the determination of the review application).

16. For the purposes of the first bullet point in paragraph 15 above, the conditions of a premises licence are modified if any of them is altered or omitted or any new condition is added.

17. Members should also be aware that the Licensing Act 2003 provides that where a decision is reached either to modify the conditions of a premises licence or to exclude a licensable activity from the scope of the licence, the Committee may provide that such modification or exclusion is to have effect only for a specified period, but this must not exceed a maximum period of three months.

18. An appeal may be made within 21 days of the licence holder being notified of the licensing authority's decision to a magistrate's court. An appeal may be made by:

- The Chief Officer of Police;
- The Holder of the premises licence; or
- Any other person who made relevant representations in relation to the application.

19. The decision of the Committee, following the review hearing, will not have effect until the end of the period allowed for appeal, or until the appeal is disposed of. Any interim steps taken will remain in force over these periods.

Application for summary review

20. On 20 June 2013 an application was received from Andy Owens, Solicitor on behalf of the chief officer of police for the Norfolk constabulary police area requesting a

review of the premises licence for Twilight Anglia Square Norwich NR3 1EB, in accordance with the provisions of Section 53A of the Licensing Act 2003. A copy of the application, together with two summaries of police involvement with the application premises, is attached at Appendix C. The grounds for the review relate to serious disorder.

21. A licensing authority must hold a review of the premises licence within 28 days after the day of receipt of the chief officer's application. This must take place even if the chief officer asks to withdraw his application or representations. The licensing authority must

- Consider what steps it considers appropriate for the promotion of the licensing objectives; and
- Decide which interim steps cease to have effect altogether or become the subject of any steps which it considers are appropriate when making its determination on the review.

22. Upon receipt of the review application a licensing authority must:

- Advertise the review inviting representations from any persons for no less than seven consecutive days, by notice as described in regulations made under the Licensing Act 2003. The relevant notice should be published on the day after the day of receipt of the chief officer's application.
- Advertise that any representations made by the premises licence holder, responsible authority and any other persons should be submitted to the licensing authority within 10 working days of the advertisement of the review appearing.
- Give formal notice of the hearing no later than five working days before the day or first day on which the hearing is to be held to the premises licence holder and to every responsible authority.

23. Unfortunately, due to an administrative error, the notice referred to in the first bullet point of paragraph 23 above was not published on the day after the day of receipt of the chief officer's application. The notice was advertised on 8 July 2013 advising that any representations should be made by the 18 July 2013. This provides for representations to be made within 9 working days of the hearing. The premises licence holder and police were given notice of the hearing and period for representations on 8 July 2013.

24. Because the final date for representations is the date of the hearing (18 July), additional written representations from the premises licence holder, responsible authority and any other persons may follow this report and will either be made available to members prior to, or at the hearing.

Summary review guidance

25. The Home Office has issued guidance in relation to section 53A of the Licensing Act 2003 in relation to attaching interim conditions to a premises licence and a fast track licence review process. Whilst this guidance has no statutory basis, it is intended to assist police forces and licensing authorities when considering using these procedures. A copy of the guidance is attached to the report at appendix D.



NORWICH
City Council

NOTICE OF DETERMINATION

Date of Hearing: 21 June 2013

Licence Type: Consideration of interim steps following receipt of an application for a summary review of a premises licence.

Name of Applicant: Norfolk Constabulary

Name of Premises: Twilight

Postal address of Premises: Anglia Square, Norwich

Licensing Sub-Committee: Councillors Button (Chair) Henderson and Maxwell

Persons Present: On behalf of Norfolk Constabulary - Michelle Bartrum, Jeremy Brown, Edward Brown and Andy Owen (Solicitor)

On behalf of Norwich City Council - Ian Streeter (Licensing Manager) Mr D Lowens and Ms R Thompson of nplaw

On behalf of the premises licence holder - Mr Steve Brookes, Designated Premises Supervisor/Premises Licence Holder represented by Mr K Lindsay

DETERMINATION:

Councillors heard from the licensing manager in respect of the procedure for summary review set out in section 53A of the Licensing Act 2003 and the licensing manager confirmed that the premises licence permitted the sale of alcohol and the council had received a certificate signed by Superintendent DA Marshall requesting that the licensing authority take interim steps in respect of this review of a premises licence on the basis of serious disorder being associated with the premises.

The sub-committee members were informed by the Norfolk Constabulary that a significant number of serious incidents had been noted in the relatively short time the premises had been open being since March 2013, contravening the crime and disorder objective. A closure notice had been served at one point. The police were concerned regarding the lack of sufficient effective management, demonstrated for example by the provision of dummy close circuit television cameras. The police provided written details of a number of incidents of disorder and provided councillors with sight of CCTV footage

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of incidents taking place inside and outside the premises. This footage taken on the 9th June 2013 showed lengthy instances of disorder inside and at the door of the premises involving multiple participants. Councillors were invited to impose the conditions set out in the application as an interim measure but with immediate effect and it was noted that a 'drum and base' night was intended to take place in the evening of 21 June with the risk of serious disorder taking place.

Mr K Lindsay responded to the matters raised on behalf of the premises licence holder and described meetings held with the Norfolk Constabulary, his concerns with the process and his intention to produce a new operating schedule on behalf of his client. He noted the number of door staff for the evening of 21 June was already intended to be six and that the 'drum and base' event was already advertised until 3.00 am with a 3.30 am time to vacate the premises. Mr Lindsay suggested there had to date only been one serious incident within the venue which point was disputed by the Norfolk Constabulary who also responded to concerns regarding possible disorder if persons were turned away tonight by suggesting it would be up to the management to manage the situation and that they would be ready to respond to any requests for assistance. The designated premises supervisor/licence holder Mr Brookes also spoke directly to the committee regarding his concerns that excluding persons from the premises earlier than they expect could cause more problems and answered a question from a councillor as to the numbers expected, saying a maximum of 300 persons was the most they had received in the past.

The Sub-Committee's decision

The members of the sub-committee decided that interim steps were necessary in order to deal with the risk of serious disorder arising in both at and in the immediate vicinity of the premises noting the seriousness of the matters shown on the reports, the verbal details given to the sub-committee and the close circuit television footage provided to the sub-committee. Noting the forthcoming event members decided that the following conditions needed to be imposed with immediate effect prior to the full review hearing:

1. A minimum of six SIA door supervisors are to be employed on any night until close when the premises operates after midnight. These numbers will include two door supervisors monitoring the main entrance/exit and the remaining four door supervisors patrolling the main public areas on the first floor.
2. No admittance or re-admittance to the premises after 01:00 hours or one hour before the end of licensable activity whichever is earlier.
3. All licensable activities are to cease at 02:00 hours and all patrons shall have left the premises by 02:30 hours.
4. SIA door supervisors are to be present on the exterior of the front door for a period of 30 minutes after closing to assist with the safe dispersal of patrons.
5. The premises licence holder will ensure a written risk assessment is agreed with Norfolk Constabulary a minimum of four weeks prior to any event planned to proceed after 22.00 hrs. This is to include the details of those organising the event, details of the nature and a description of the event and

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details of the measures that will be employed to adhere to the licensing objectives.

6. All door supervisors are to wear yellow fluorescent jackets when on duty at the premises.
7. Condition 7 of Annex 2 of the current premises licence is amended to read "incidents of crime and disorder shall be reported to the police via the radio".

The Committee's reasons

The members of the sub-committee found serious disorder occurring inside and outside these premises and considered that the proposed conditions suggested by the Norfolk Constabulary were proportionate and were directed toward remedying the problems shown by the serious incidents of disorder which have occurred and in the councillors' opinion are likely to reoccur should no action be taken. The committee noted that none of the additional steps required have significant financial implications for the period until the review takes place and do not involve permanent or semi-permanent physical adjustments to the premises.

Dated this 1st July 2013



Premises Licence Number

13/00250/PREM

Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Twilight
Anglia Square
Norwich
NR3 1EB

Telephone number _____

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence.

Boxing or Wrestling - Activity takes place indoors
Films - Activity takes place indoors
Late Night Refreshment - Activity takes place indoors
Live Music - Activity takes place indoors
Performances of Dance - Activity takes place indoors
Provision of Dance Facilities - Activity takes place indoors
Provision of Music Facilities - Activity takes place indoors
Sale by Retail of Alcohol - Activity takes place indoors
Recorded Music - Activity takes place indoors

The times the licence authorises the carrying out of licensable activities

Boxing or Wrestling	Every Day	09:00 - 03:00
Films	Every Day	09:00 - 03:00
Late Night Refreshment	Every Day	23:00 - 03:00
Live Music	Every Day	09:00 - 03:00
Performances of Dance	Every Day	09:00 - 03:00
Provision of Dance Facilities	Every Day	09:00 - 03:00
Provision of Music Facilities	Every Day	09:00 - 03:00
Sale by Retail of Alcohol	Every Day	09:00 - 03:00
Recorded Music	Every Day	09:00 - 03:00

Non Standard/Seasonal Timings

All licensable activities: An additional hour to the standard and non standard timings on the day when British Summertime commences.

On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

For up to 3 hours beyond or before the standard times on no more than 12 occasions a year provided an operating plan covering any additional measures to be taken to meet the licensing objectives shall be

completed. Seven days notice of such events to be given to the Police and the Licensing Authority. The Police have a right to veto the event by giving notice to the Designated Premises Supervisor 72 hours before the event.

The opening hours of the premises

Monday	09:00 - 03:30
Tuesday	09:00 - 03:30
Wednesday	09:00 - 03:30
Thursday	09:00 - 03:30
Friday	09:00 - 03:30
Saturday	09:00 - 03:30
Sunday	09:00 - 03:30

Non Standard/Seasonal Timings

An additional hour to the standard and non standard timings on the day when British Summertime commences.

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Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the Premise

Name, (registered) address of holder of premises licence

Mr Steven Brookes
Prince Of Denmark
140 Sprowston Road
Norwich
NR3 4JQ

Registered number of holder, for example company number, charity number (where applicable)

Name, designated premises supervisor where the premises licence authorises for the supply of alcohol

Steven James Brookes

State whether access to the premises by children is restricted or prohibited



Premises Licence

Premises Licence Number

13/00250/PREM

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Twilight
Anglia Square
Norwich
NR3 1EB

Telephone number

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence.

Boxing or Wrestling - Activity takes place indoors
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Provision of Music Facilities - Activity takes place indoors
Sale by Retail of Alcohol - Activity takes place indoors
Recorded Music - Activity takes place indoors

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Films	Every Day	09:00 - 03:00
Late Night Refreshment	Every Day	23:00 - 03:00
Live Music	Every Day	09:00 - 03:00
Performances of Dance	Every Day	09:00 - 03:00
Provision of Dance Facilities	Every Day	09:00 - 03:00
Provision of Music Facilities	Every Day	09:00 - 03:00
Sale by Retail of Alcohol	Every Day	09:00 - 03:00
Recorded Music	Every Day	09:00 - 03:00

Non Standard/Seasonal Timings

All licensable activities: An additional hour to the standard and non standard timings on the day when British Summertime commences.

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For up to 3 hours beyond or before the standard times on no more than 12 occasions a year provided an operating plan covering any additional measures to be taken to meet the licensing objectives shall be completed. Seven days notice of such events to be given to the Police and the Licensing Authority. The Police have a right to veto the event by giving notice to the Designated Premises Supervisor 72 hours before the event.

The opening hours of the premises

Monday	09:00 - 03:30
Tuesday	09:00 - 03:30
Wednesday	09:00 - 03:30
Thursday	09:00 - 03:30
Friday	09:00 - 03:30
Saturday	09:00 - 03:30
Sunday	09:00 - 03:30

Non Standard/Seasonal Timings

An additional hour to the standard and non standard timings on the day when British Summertime commences.

On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

For up to 3 hours beyond or before the standard times on no more than 12 occasions a year provided an operating plan covering any additional measures to be taken to meet the licensing objectives shall be completed. Seven days notice of such events to be given to the Police and the Licensing Authority. The Police have a right to veto the event by giving notice to the Designated Premises Supervisor 72 hours before the event.

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the Premise

State whether access to the premises by children is restricted or prohibited

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Steven Brookes
Prince Of Denmark
140 Sprowston Road
Norwich
NR3 4JQ

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Steven James Brookes
140 Sprowston Road
Norwich
NR3 4JQ

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Party Reference: 05/02066/PERSTR

Licensing Authority: Norwich City Council

Annex 1 – Mandatory conditions

- 1 No supply of alcohol may be made under a premises licence -
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- 2 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 3 No moving picture shall be exhibited unless: -
 - (i) it has received a "U", "PG", "12A", "15" or "18" certificate of the British Board of Film Classification; or
 - (ii) it is a current newsreel which has not been submitted to the British Board of Film Classification; or
 - (iii) the permission of the Licensing Authority is first obtained and any conditions of such permission are complied with.
- 4 No person under the age of 18 years shall be admitted to any exhibition at which there is to be shown any moving picture which has received an "18" certificate from the British Board of Film Classification.
- 5 No person under the age of 15 years shall be admitted to any exhibition at which there is to be shown any moving picture which has received a "15" certificate from the British Board of Film Classification.
- 6 No person under the age of 12 years shall be admitted to any exhibition at which there is to be shown any moving picture which has received a "12A" certificate from the British Board of Film Classification.
- 7 Where, at specified times one or more individuals must be at the premises to carry out a security activity each such individual must be licensed by the Security Industry Authority.
- 8 (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on -
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;

- (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
- 9 The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- 10 The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 11 (with effect from 1 October 2010)
- (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
- 12 (with effect from 1 October 2010)
- The responsible person shall ensure that -
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
- (i) beer or cider: half pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and
- (b) customers are made aware of the availability of these measures.

Annex 2 – Conditions consistent with the Operating Schedule

1 **General - all four licensing objectives**

2 The venue will train its staff as required by the relevant legislation including training on crime prevention and drug awareness.

3 The hours sought in themselves keep to promote the licensing objectives in allowing customers to emerge from the premises at a more gradual rate.

4 **The Prevention of Crime and Disorder**

5 Where available a local radio link scheme will be used to keep in contact with other premises in Norwich.

6 Such radio shall be kept in good working order and shall be monitored by a responsible member of staff.

7 Relevant incidents of crime and disorder shall be reported to the police via the radio.

8 A written risk assessment will be prepared and in agreement with Norfolk Constabulary to establish the numbers of door supervisors to be deployed at the premises.

9 A register of door staff will be maintained indicating the number of door staff on duty, their identity and the times they were on duty.

10 Any female customer who needs to be searched will be searched by a female door supervisor or a female member of staff.

11 No person who is drunk or disorderly will be allowed access to or be allowed to remain on the premises. Door supervisors will carry out regular patrols within the premises to find such persons and eject them.

12 No person who is the subject of a court banning order or who is restricted access through a Pubwatch Scheme will be allowed in the premises provided the details of such person have been provided to the premises by the Police.

13 Any customer who behaves inappropriately will be barred from the premises and their details passed to any relevant Pubwatch scheme.

14 The venue does not wish to be associated with illegal drugs or its associated culture. The licensee will cooperate with the responsible authorities in relation to the dealing with issues of drugs on the premises.

15 Random searching will take place of those people suspected of carrying drugs or offensive weapons. Agreement will be reached with the Police about the storage of such drugs or weapons recovered from customers and their delivery to the Police. An Amnesty Safe will be installed and used for the secure storage of drugs found on persons and the Police will arrange a convenient time to empty this.

17 No customer will be allowed to bring open or sealed bottles on to the premises.

18 No person shall be allowed to leave the premises whilst in possession of any drinking vessel or glass bottle, whether empty or containing any beverage except a plastic bottle of drinking water.

19 Tables shall be cleared of all empty bottles and glasses on a regular basis.

20 CCTV shall be provided on the premises and shall be kept in good working order.

21 A notice shall be displayed at the entrance to the premises that CCTV is in operation in the premises.

22 Photographic driving licences, passports or in agreement with the Police a form of identification with the PASS hologram will be used as evidence to confirm the age of anyone who appears to be under the age of 18.

23 The premises will be a member of any local pub watch scheme.

24 An incident book will be kept at the premises in which will be recorded all incidents of crime and disorder. This book will be reviewed by senior management in association with the Designated Premises Supervisor.

25 All staff who work behind the bar will be fully trained to ensure no person who is drunk or disorderly or who appears to be under the age of 18 years will be served with intoxicating liquor, such training to be repeated every 6 months. A record of this training will be kept to record who was trained, about what and by whom and this will be available for inspection by the Police or other responsible authority on request.

26 Any glasses into which drink is dispensed will be made from toughened glass.

27 The DPS or suitable representative will be a member of the Norwich Licensing Forum and undertake to attend at least 3 meetings a year.

28 The entrance to the premises will be well lit to provide good quality CCTV image and to carry out searches effectively.

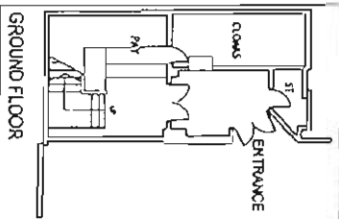
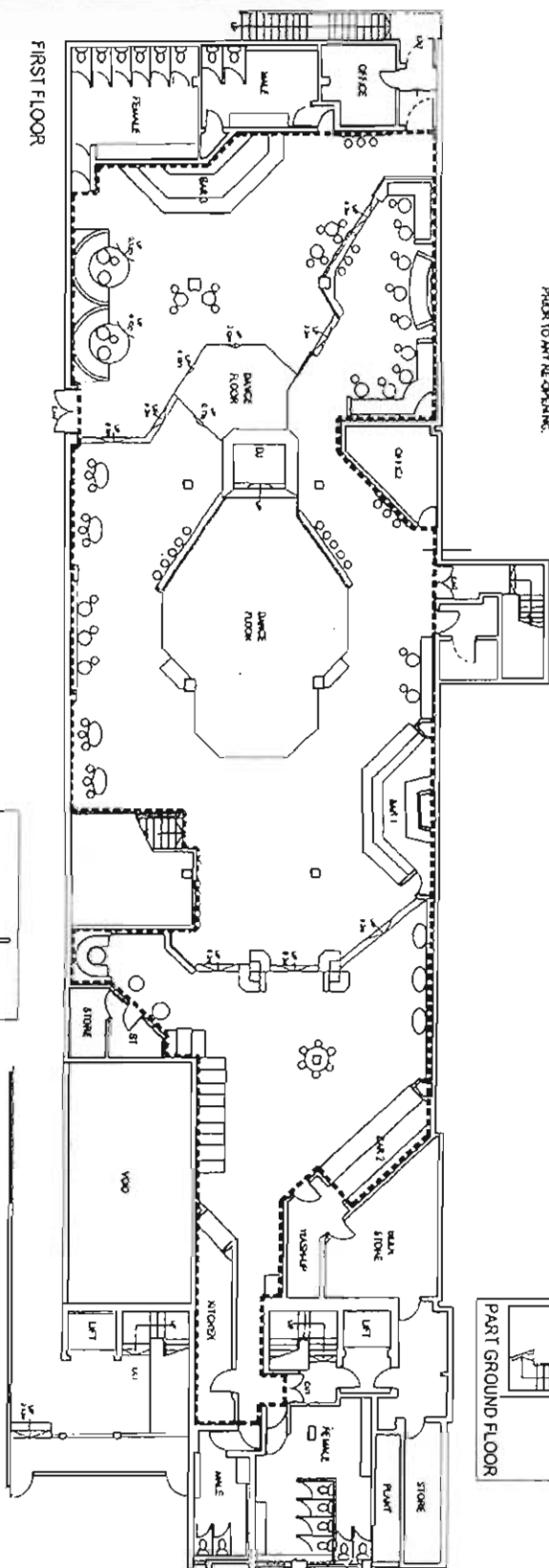
- 29 The CCTV system is to be in operation during the hours of trading. The CCTV footage of internal and external areas is to be retained for a minimum of 30 days and be available to the Police or other responsible authority on request.
- 30 Random searches of patrons will take place on entry. Door staff will be trained on proper conduct of these searches. A record of the training undertaken by each individual door staff must be kept at the premises. There must be a sufficient number of appropriately trained male and female door staff on duty at one time to carry out personal searches on male and female customers.
- 31 A Challenge 21 Policy will be in force. Anyone who appears to be under the age of 21 shall be challenged and asked for "Credible Photographic proof of age evidence". This is for anyone seeking access to the premises or to purchase/consume alcohol. Without ID, entry will be refused.
- 32 Staff are to maintain the cleanliness of the front of the building to remove cigarette ends/litter from at least a 2m radius of the front door before closing.
- 33 All door supervisors will be registered with the SIA and shall wear their name badge at all times. A register will be kept including name, full badge number, and a record of time that their duty commenced and completed. The DPS will be responsible for ensuring this registration is carried out. This register will be available to Police or officers of the Licensing Authority on request.
- 34 A minimum of 2 SIA trained door supervisors will be placed at the exit at all operational periods and during dispersal periods.
- 35 Only open plastic or open polycarbonate containers will be used for the supply of alcoholic and non alcoholic drinks. Drinks served in glass bottles will be acceptable.
- 36 Door staff are to regularly monitor and patrol the periphery of the building/premises to detect and deter any illegal activities by customers or members of the public during the evening and dispersal points.
- 37 A notice will be displayed at the entrance of the premises advising customers that they may be asked to produce evidence of their age.
- 38 Queuing areas and smoking areas will be clearly marked out by ropes/barriers and will be monitored and controlled by door supervisors.
- 39 **Public Safety**
- 40 An accurate record shall be kept of the number of persons admitted to the premises, with such records retained for 6 months and made available to responsible authorities.
- 41 There shall be a suitable number of adequately trained staff to prevent overcrowding in parts of the premises, kept exit routes clear and to ensure the safe evacuation of people from the premises. In the event of an emergency such staff will have been issued with specific duties in the event of an emergency.
- 42 A Fire Evacuation Plan will be agreed with the Fire Authority.
- 43 All staff shall have received training on the safe evacuation of the premises in the event of an emergency and such training shall be repeated at least annually. A record of the training provided shall be kept at the premises for at least 12 months and will be made available to the fire service or Licensing Authority.
- 44 Adequate arrangements will be made in the Fire Evacuation Plan to ensure the safe evacuation of any disabled persons in the event of an emergency.
- 45 All fire escape routes and access to emergency vehicles shall be kept unobstructed and will be clearly identifiable.
- 46 All escape doors and escape routes will be checked before the premises open for trading to the public and a record of the check shall be maintained.
- 47 All fire exit doors shall be available and shall be capable of opening without the use of any key, card, code or similar means.
- 48 Fire doors will be self-closing and shall not be held open other than by devices approved by the fire service.
- 49 Edges to steps and stairways shall be maintained so as to be conspicuous.
- 50 Notices detailing the action to be taken in the event of fire or other emergency will be prominently displayed in the premises.
- 51 Fire alarm/fire evacuation/emergency lighting tests will be carried out at least monthly and a record maintained of those tests, such records to be kept at the premises for at least 12 months and made available to the fire service and Council.
- 52 All fire fighting equipment will be maintained in good working order and shall be available for immediate use. Such equipment will be inspected annually by a competent person and records of those inspections must be kept at the premises for at least 12 months and made available for inspection by the fire service and the Council.

- 53 A person trained in First Aid will be present at the venue during trading hours, who will have received training in any problems associated with alcohol and drug misuse.
- 54 No lasers or pyrotechnics will be used without the prior approval of the Licensing Authority.
- 55 There shall be no demonstration of hypnotism without the prior approval of the Licensing Authority.
- 56 An adequate supply of free drinking water shall be provided for all customers.
- 57 Risk Assessments (including a fire risk assessment) will be carried out and following such Risk Assessment an Action Plan will be prepared and any additional action required will be implemented. This will be reviewed annually.
- 58 A qualified medical practitioner shall be present throughout any sporting entertainment involving boxing, wrestling, judo, karate or sport of a similar nature.
- 59 Where a ring is used it will be constructed by a competent person and shall be inspected by a competent authority before use and any material used to form the skirt of the ring shall be flame retardant.
- 60 Members of the public shall not occupy any seat which is closer than 2.5 metres to the ring.
- 61 **The Prevention of Public Nuisance**
- 62 The holder of the premises licence shall maintain suitable and sufficient sound attenuation throughout the whole building.
- 63 The holder of the premises licence shall ensure that the noise limiter (where fitted) is used and maintained as set up by the qualified sound engineer.
- 64 The applicant will adopt a bespoke dispersal policy for the premises and shall provide any of the responsible authorities with a copy of it if requested.
- 65 Noise or vibration from within the premises or from any plant machinery or equipment shall not emanate from the premises so as to cause a nuisance to any residential dwelling.
- 66 **The Protection of Children From Harm**
- 67 A person under the age of 18 will only visit the venue with a responsible adult using for the purpose of dining, unless there is an event especially organised for the youth market. Unaccompanied persons under the age of 18 are not welcome in the venue except at events especially organised for the youth market.
- 68 At all times the licensee shall maintain a comprehensive policy for the protection of children.
- 69 All staff shall be trained to ensure that no person under the age of 18 years will be sold intoxicating liquor, including the need for any person who looks under 18 to provide evidence of their age.
- 70 The venue intends to have specially organised events for the youth market where the venue will adhere to its following documentation: 1) Admission Policy, 2) General Policies Statement, 3) Code of Conduct for Staff Statement and 4) Child Protection Policy.
- 71 Signs shall be displayed at the bar stating that any person who appears to be under the age of 18 will not be served with intoxicating liquor.
- 72 Photographic driving licences, passports or, in agreement with the police, a form of identification with the PASS hologram will be used as evidence of anyone who appears to be under the age of 18.
- 73 A person under 18 years will not be allowed to use any AWP machine.
- 74 Where specially organised events for the youth market take place, the following conditions will be adhered to:
- Upon admission supervisors will vet and search persons who wish to gain admission. If stewards have any doubt regarding the age of a customer or believes they have used alcohol or an illegal substance, they will not admit that person to the venue.
 - Any drink, weapon or illegal substance will be confiscated.
 - Soft drinks only will be on sale.
 - No alcohol branding will be displayed, and all alcoholic drinks will be removed from bars for the event.
 - Cigarette machines will be disabled and turned round the duration of the event.
 - All gaming machines will be disabled and turned round for the duration of the event.
 - The police will be informed that the event is taking place and given at least 28 days notice.
 - Any persons that refuse to be searched before entry are not permitted entrance to the event.
 - The age policy will be 13-17 (or other designated age range).
 - Should a difficulty arise with a customer, staff will only use physical contact if absolutely necessary and will avoid being alone with a young person at all times. An event liaison officer will be advised and asked to present for each event.

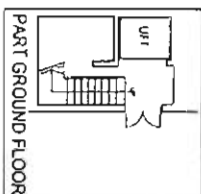
AREA TO BE USED FOR THE SALE OF ALCOHOL, THE PROVISION OF HOT FOOD AND DRINK AFTER 11PM AND THE PROVISION OF REGULATED ENTERTAINMENT.

THE LOCATION AND TYPE OF ANY FIRE SAFETY EQUIPMENT IS NOT SHOWN ON THE PLANS, BUT WILL BE PROVIDED TO THE SATISFACTION OF THE FIRE SERVICE AND OTHER RESPONSIBLE AUTHORITIES PRIOR TO ANY REGISTRATION.

FIRST FLOOR



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PART GROUND FLOOR

luminar
LIGHTING LIMITED

bignell + bignell + ewing

65 SYSTEM STREET,
BIRMINGHAM B15 2BN
T: 0121 353 1100
F: 0121 353 1101
www.luminarlighting.co.uk

Client

Project

Address

Location

Date

Drawn by

Check by

Scale

Notes

Comments

Revisions

Drawn by

Check by

Scale

Notes

FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

(Insert name and address of relevant licensing authority and its reference number (optional))

Licensing Authority

Norwich City Council

City Hall

St Peters Street

Norwich

Norfolk

Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing the form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use **additional sheets if necessary**.

I Andy Owens, Solicitor [on behalf of] the chief officer of police for the Norfolk Constabulary police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details:

Postal address of premises, or if none or not known, ordnance survey map reference or description:

Twilight,
100-101, St Annes Walk,
Anglia Square,

Post town: Norwich

Post code (if known): NR3 1EB

2. Premises licence details:

Name of premises licence holder (if known): Steven Brookes

Number of premises licence holder (if known): 13/00250/PREM

3. **Certificate under section 53A(1)(b) of the Licensing Act 2003** [Please read guidance note 1]:

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm) ☒

4. **Details of association of the above premises with serious crime, serious disorder or both:**

[Please read guidance note 2]

The grounds for this application are as follows:-

Since the opening of the premises on 9th March 2013 there has been a number of incidents which have shown the management of the premises have failed to adhere to the Licensing Objectives, in particular the prevention of crime and disorder.

By way of background, Twilight Nightclub is a two floor premises based in the Anglia Square Shopping Centre complex in Norwich. It was opened in its current format on the 9th March 2013 with Mr Steven Brookes being the Premises Licence Holder and the Designated Premises Supervisor.

Norfolk Constabulary were initially informed that the intention of the venue would be to hold 'white collar' events, with a focus on corporate proceedings. SSY Guarding have provided security services to the venue since its opening and provide door supervisors, head doorman and CCTV service.

Since its opening the venue primarily only opens on Friday and Saturdays nights.

In the last three months Norfolk Constabulary have had cause to attend the venue on 8 occasions, almost exclusively to deal with violent incidents either inside the venue, or directly outside. Police have also visited the venue on 20 occasions during the same period. As the venue is the only premises operating after 0200 hours in the locality it would be reasonable to believe alcohol related disorder outside the venue is indeed linked to Twilight and no other nightclub.

In light of the fact the venue only opens on 2 nights a week it clearly shows a disproportionate number of incidents compared with other venues of a similar standing.

A number of visits have also been made by officers from Norfolk Constabulary's Licensing Regulation Team in order to discuss these incidents of violence and the general management of the premises. In each case, it is procedure to try and identify the cause of the incident and look to solutions in order to support the venue into rectifying the problems. There has been clear evidence of supporting the venue in accordance with the Licensing Act Guidance.

The venue have also been the subject of several problems with their premises licence. With only approx 3 days to go before opening the venue Norfolk Fire and Rescue completed a number of checks on the premises and found it to be lacking in an appropriate number of fire exits, this led to a reduction in capacity and a heightened public order risk assessment as management at Twilight had already sold a large amount of tickets and the potential for disorder at the entrance was significantly increased.

As mentioned above, Twilight have had a disproportionate amount of serious incidents within their venue since opening. Examples of which are:-

- On the 10th March 2013 at approx 0215 hours violence erupted inside the venue when a male was being ejected by door staff. The offender bit part of the ear of the doorman off whilst being detained, this resulted in hospital treatment having to be sort. Criminal Investigation Department officers investigated the incident but reported that their enquiries were delayed due to management failing to respond to requests for information in good time.

Police do not believe this incident was relayed through the 'Alert' radio scheme (Breach of premises licence condition 7, Annex 2 'Prevention of Crime and Disorder')

- On the 11th April 2013 a letter was sent to the venue management from Norfolk Police in relation to advertising material in connection to an event named 'Hysteria'. The event was due to run on the 3rd May 2013. The advertising posters included clear images of cannabis behind the text, appearing to place the controlled drug in a positive light, in direct connection to the event. (Breach of premises licence condition 14, Annex 2 'Prevention of Crime and Disorder')

- On the 4th May 2013 reports suggest a large fight took place directly outside the venue. A witness called the police stating approx 60 persons were fighting and there was a lot of blood. No call was received from security or management at the premises. Subsequent enquiries revealed that security had been involved in attempting to resolve the situation. Police do not believe this incident was relayed through the 'Alert' radio scheme (Breach of premises licence condition 7, Annex 2 'Prevention of Crime and Disorder')

- On the 9th May 2013 police felt it necessary to issue a closure notice under Section 19 of the Criminal Justice and Police Act 2001 due to a breach of the premises licence in relation to external CCTV not functioning.

- On 9th June 2013. The venue were holding a 'Garage' music style event with performers from the London and Luton areas.

At approx 0332 hours a number of customers were gathered around the hot food refreshments hatch inside the premises, queuing and consuming hot food. Two male customers begin a verbal altercation which quickly escalates into physical violence. Door staff attend the scene and make efforts to intervene, however the number of customers involved in the violence quickly increases leaving security staff vastly outnumbered.

At one point a male is seen to pick up a glass bottle and turn it upside down in

his hand, suggesting his intention was to use this as a weapon.

The violence appears to involve approx 10 male customers and continues inside the premises for approx 6 minutes. Individuals are seen to be punching and scuffling with each other in an uncontrolled manner, with little intervention by staff, due mainly to the lack of numbers of security staff on duty at the time. The security manager has admitted to trying to call his staff into the venue office during the altercation as he felt their safety had been seriously compromised.

During this incident staff do manage to eject one member of the group out of fire exit leading to an exterior car park. That individual then makes his way round to the front door of the premises where he meets up with a number of his friends who had already left.

As further customers leave the venue via the front door, the male, along with his friends use the opportunity to try and force their way back into the venue, assaulting door staff by punching and kicking. One male is seen to remove an object from the rear of his trousers and use it to hit a female member of door staff to the rear of her head.

Eventually the group are forced out of the door and staff shut the door with speed causing an injury to a finger of another member of security staff.

On Thursday 13th June 2013 police attended the venue in order to discuss the incident and view CCTV. During this meeting Steve Brookes, the current DPS and PLH fully admitted that the venue were conducting licensable activity at 0330 hours on the 9th June 2013, despite not informing police that they wished to operate until 0400 hours, thus failing to offer the police an opportunity to veto. (Breach of Premises Licence Standard Operating Hours).

Mr Brookes has also admitted that numbers of door staff have been dramatically reduced in recent weeks. He claims this decision has been made by Zarah Jones, who has been brought in by the owners in order to reduce costs. No risk assessment of this process had been sent to the police, despite a condition on the premises licence dictating this should have been followed and agreed with police. This decision is viewed as a major contributory factor in the recent serious disorder.

The police have also failed to receive any form of risk assessment in relation to door staff numbers since the 30th April 2013. This document covered events up until the 1st June 2013. (Breach of premises licence condition 8, Annex 2 'Prevention of Crime and Disorder')

Since the premises opened in March 2013, Police are aware of 3 separate serious incidents in amongst a number of less serious occurrences where violence has been offered. In comparison to other Licensed Premises in the locality, this ratio is disproportionately high.

In Summary, Norfolk Constabulary requests an expedited review of the premises licence in order to allow for significant improvements in the management at the premises. Additionally, to seek appropriate and proportionate conditions on the premises licence to alleviate the problems that have been experienced since its opening. The track record of the premises since this time has been poor with no attempts by the management to resolve

these concerns.

It is respectfully proposed that the following conditions are added to the Premises Licence:

- A Minimum of 6 SIA door supervisors to be employed on any night until close when the premises operates after Midnight. These numbers will include 2 monitoring the main entrance/exit and the remaining 4 operatives to patrol the main public areas on the first floor.
- A last time of entry to the premises to be 1am.
- All Licensable Activity to cease at 2am and for all patrons to have left the premises by 2.30am.
- Door Staff to be present on the exterior of the front door for a period of 30 minutes after closing to assist with the safe dispersal of patrons.
- The Premises Licence Holder will ensure a written risk assessment is agreed with Norfolk Constabulary a minimum of 4 weeks prior to any event planned to proceed after 2200 hours. This should include the details of those organising the event nature and description of the event and measures that will be employed to adhere to the Licensing Objectives.
- All door supervisors to wear yellow fluorescent jackets when on duty at the premises.

Signature of applicant:

Date:

Capacity:

Contact details for matters concerning this application:

Address:

Legal Services Department
Norfolk Constabulary
OCC
Falconers Chase
Wymondham
Norfolk
NR18 0WW

Telephone number(s): 01953 423920

Email: owensa@norfolk.pnn.police.uk

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2 Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

Telephone number(s): 01953 423920

Email: owensa@norfolk.pnn.police.uk

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2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both

SUMMARY OF POLICE INVOLVEMENT

Twilight, Anglia Square

Date	Time	Incident	Description	Reported By	Reference	Officer
Sunday 9/6/13	03:30	Assault / Affray	During a garage event a large scale fight took place inside involving approx 10 customers. Unlicensed food sales were being made at 3.30hrs. All 4 door staff and the DPS received injuries.	Venue	NC-09062013-86	PS 3456 Oldmeadow PC 631 Baker PC 1288 Cole PC 1678 Taylor
Sunday 9/6/13	01:15	Ejection	Male was ejected after constantly bumping people on the dancefloor on purpose.	Police		PS 3410 Brooks
Saturday 18/5/13	23:40	Violent customer	Male reported to have punched a female on Magdalen Street, followed and was seen to enter Twilight.	Member of public	NC-18052013-624	PC 661 Collins
Saturday 4/5/13	04:08	Violence / Disorder	Report of large group fighting outside. No weapons seen but there was a lot of blood. People hanging around but door staff have 'resolved'.	Member of public	NC-04052013-82	PC 706 Frost
Saturday 13/4/13	00:36	Noise Complaint	Caller lives near to the premises complaining music is too loud - louder than normal. Police observations confirmed music was loud particularly when the door was opened. A lot of noise was coming from people congregating in the smoking area upstairs. Drum and base night.	Member of public	NC-13042013-16	PS 3231 Lowndes-Burt PC 1403 Lester PC 9041 Lester
Sunday 10/3/13	02:50	Disorder	A fight took place outside the club, males were separated and sent on their separate ways. A male in the name of Spider was involved.	Police		PS 3462 Hodges PC 1700 Plowman PC 1665 Spinga PC 1669 Walters
Sunday 10/3/13	02:30	Assault	Male doorman had a section of his ear bitten off by an unknown IC3 male when ejecting him from the premises following an altercation inside.	Victim	CR10844/13 NC-10032013-504	DC Joyce

Sunday 10/3/13	00:30	Ejection	Two males were ejected by door staff, they required further intervention by Police as they proceeded to walk into the City Centre whilst continuing to remonstrate.	Police		PS 3462 Hodges PC 1700 Plowman PC 1665 Spinga PC 1669 Walters
Saturday 9/3/13	22:30	Noise Complaint	Member of public who lives opposite the club complained and was frightened for the health of his mother. Was advised to make contact with Norwich City Council.	Member of public		PS 3462 Hodges PC 1700 Plowman PC 1665 Spinga PC 1669 Walters
Friday 8/3/13	02:11	Assault	A male customer left the premises with his friends. He was approached outside by 2 x u/k males. When he declined to give them a cigarette his was punched in the face. His friend intervened and also ended up in a scuffle. As they walked away the 2 x u/k males followed so Police were called. The victim was however unwilling to make a formal complaint or any Police action.	Victim	CR10255/13/1 NC-08032013-25	PC 1165 Hillary PC 1701 McDonnell
Thursday 07/03/13	22:33	Noise Complaint	Member of public complaining about loud music coming from the night club. It is keeping him awake and he has to be up for work in the morning. Police attend and confirm music is loud.	Member of public	NC-07032013-603	PC 1614 Knowles PC 706 Frost

SUMMARY OF POLICE INVOLVEMENT

Twilight, Anglia Square - VISITS

Date	Time	Visit	DETAIL	REPORTED BY	REFERENCE	OFFICER
Tuesday 18/06/13	13:00	Tel Call	<p>Telephone called received from Steve Brookes to confirm that we have received his email to PC 1376 Brown regarding the intervention meeting scheduled for Thursday 20th June and who will be attending from Twilight. He said that they have had a meeting at the premises and it will now just be himself and Ken Lindsay attending. They felt they did not want to turn up on mass to appear like 'they were really in the shit' Zara Jones decided she does not want to attend and they thought it would be best if Lee Bush doesn't attend either because he 'will get angry and just start shouting'. I explained to Steve that may have mis-understood, we have invited all decision makers for the premises to attend so decisions can be made at the meeting, concerns discussed and forward actions agreed. I asked if he was therefore happy that Zara and Lee were not intending to turn up and he confirmed he was, and advised that Ken will be representing them.</p>	n/a	Innweb	PC 1561 Nash
Friday 14/06/13	23:30	LRT Visit	<p>Attended twice throughout the night due to 'rave' style event on-going. Numbers were low with a high of 100 persons inside. The atmosphere was reasonable, however a great number of customers were displaying distinct signs of being under the influence of controlled drugs. The venue were warned about the potential for this issue during a meeting on Thursday (13/5/13) and still felt they could run the event. <u>4 door staff on duty at the time of the second visit (2330)</u>, taking into account the condition on the licence in respect of two SIA on the front door this left inadequate numbers monitoring the dance floor and toilets. This was all fed back to management. CCTV from the affray from the previous weekend is still not working properly after failing to find a solution, even after a constabulary laptop was taken to the venue to try and bottom out the issue with the 'player'. This will need to be resolved by a visit to TSU and ICT next week, we have however informed the DPS that we may well need access to the images on Monday afternoon by viewing at the premises.</p>	Police	Innweb	PC 1376 Brown PC 1561 Nash

Sunday 09/06/13	00:30	PO Visit	VISIT TO PREMISES WALKTHROUGH CONDUCTED AND ALL DOOR STAFF SPOKE TO. LOG BOOK CHECKED. ONLY 80-100 PPL IN THE VENUE. HOLDING A GARAGE NIGHT WITH GUEST DJ'S FROM LONDON. AIO AT THIS TIME. ZARAH JONES. ONLY 120 PERSONS PRESENT AND ONLY 40 TICKETS SOLD AT £10 EACH. THERE WERE NO ISSUES IN CLUB AT TIME OF WALK THROUGH. ZARAH WAS VERY HELPFUL AND WAS GLAD OF POLICE PRESENCE. PLEASE REFER TO LATER CAD NC. 09062013-86 WHICH REFERS TO AN AFFRAY/ASSAULTS BY DJ'S AT THE CLUB WHO HAD BEEN PROMPTED BY A DALE BAWHAM (NORWICH). THE CLUB UNFORTUNATELY DID NOT HAVE A LIST OF PERSONAL DETAILS OF DJ'S SO IDENTITY IS STILL UNKNOWN.	Police	Innweb	PS 3456 Oldmeadow PC 631 Baker PC 1288 Cole
Sunday 26/05/13	23:35	PO Visit	ON FIRST ATTENDANCE THERE WERE 32 PEOPLE AND THEN ONLY 73 ON SECOND ATTENDANCE MORE TICKETS HAD BEEN SOLD THAN PEOPLE WHO HAD ATTENDED	Police	Innweb	PS 3318 Clabon
Sunday 19/5/13	02:00	PO Visit	WALK THROUGH CONDUCTED OF PREMISES, NUMEROUS DOOR SUPERVISORS PRESENT. NO ISSUES OBSERVED	Police	Innweb	PS 3161 Taylor
Saturday 18/5/13	01:05	LRT Visit	WALK THROUGH OF TWILIGHT AT 01:05HRS, THEY HAD HAD JUST OVER 200 THROUGH THE DOORS BUT 45 HAD ALREADY LEFT. THEY WERE HOPEFUL FOR A TOTAL OF 300 BUT FEW WERE SEEN TO ARRIVE DURING THE NEXT HOUR. THOSE CUSTOMERS INSIDE DIDN'T PAY MUCH ATTENTION TO POLICE, MOST WERE ON THE DANCE FLOOR. THERE ARE METAL BARRIERS (OVER HEAD HEIGHT) SURROUNDING THE SMOKING AREA. THEY WERE ALL JOINED TO EACH OTHER (APART FROM ONE NEXT TO THE WALL) BUT CAN BE UNSCREWED IN AN EMERGENCY & ALTHOUGH WOULD NOT NECESSARILY BE A QUICK THING TO DO. THEY STATED THEIR CAPACITY FOR THIS AREA IS 40 BUT IT HAS YET TO REACH ANYWHERE NEAR THAT. CCTV CAMERAS CHECKED AND THEY NOW HAVE SOME COVERAGE OF THIS AREA. THEY HAVE ALSO MANAGED TO OBTAIN A KEY FOR ANGLIA SQUARE GATES WHICH THE HEAD DOORMAN WILL CARRY, HOWEVER DO NOT BELIEVE THEY ARE NOW GOING TO BE LOCKED DURING THE WALK THROUGH WE IDENTIFIED AND HAD BEEN MADE AWARE DURING THE PUBLIC ORDER BRIEFING HE WAS WANTED FOR A ALLEGATION. DOOR STAFF ASSISTED IN ASKING HIM TO JOIN US OUTSIDE ONCE ADDITIONAL UNITS HAD ARRIVED TO OFFER SUPPORT. DID RESPOND TO THE DOOR TEAM AND CAME TO THE ENTRANCE WHERE HE WAS SUBSEQUENTLY ARRESTED.	Police	Innweb	PS 3410 Brooks PC 1561 Nash
Thursday 16/5/13	12:05	CCTV	TELEPHONE CALL RECEIVED FROM STEVE BROOKES TO CONFIRM THAT THEIR ADDITIONAL CCTV CAMERAS HAVE ARRIVED TODAY AND WILL BE WORKING FROM TOMORROW MORNING.	Venue	Innweb	PC 1561 Nash

Saturday 11/5/13	01:40	LRT Visit	VISIT TO PREMISE AND LETTER DELIVERED, AND DISAPPOINTMENT EXPRESSED AT LACK OF DETAIL IN THE INCIDENT BOOK RELATING TO THE DISORDER OUTSIDE. FULL WALK THRU, APPROX 20 CUSTOMERS LEFT, ALTHOUGH APPROX 90 HAD BEEN THRU THE DOOR DURING THE EVENING. 6 DOOR STAFF ON DUTY. CONCERNS RAISED BY DOOR STAFF THATS SHOULD ANGLIA SQUARE MANAGEMENT LOCK THE REAR GATES THAT WOULD BLOCK OFF HALF OF THE FIRE EXITS, CUSTOMERS WOULD BE ABLE TO LEAVE THE BUILDING OF THE CLUB, BUT THEN BE STUCK IN THE CAR PARK BAY WHICH IS SURROUNDED BY HIGH WALLS. THEY ARE TRYING TO OBTAIN A KEY BUT NOT HAVING ANY LUCK. THIS NEEDS TO BE RAISED WITH FIRE.	Police	Innweb	Insp 4198 Brown PS 3410 Brooks PC 875 Spinks
Friday 10/5/13	23:00	PO Visit	DURING A VISIT TO LOCATION TO ESTABLISH NUMBERS. IT HAS BEEN NOTED THAT THEY ARE CURRENTLY RUNNING A SMOKING AREA, WHICH IS SITUATED OPPOSITE THE EVENT. THIS IS GATED OFF BUT IT DOES MEAN THAT MEMBERS OF THE PUBLIC ARE HAVING TO NEGOTIATE DRUNKS AS THEY PASS THROUGH ANGLIA SQUARE. DURING THE VISITS, NUMBERS VARIED BETWEEN 30-130 PERSONS. GENERAL PATRONS WERE DRUNK BUT OF GOOD NATURE AND COOPERATIVE. DOOR STAFF WERE RUNNING WITH 7 AND WERE ALSO COOPERATIVE.	Police	Innweb	PC 97 Baker PC 1354 Collingsworth
Thursday 9/5/13	09:50	CCTV	ATTENDED VENUE TO SEIZE EXTERNAL CCTV FOOTAGE AND THE INCIDENT BOOK ENTRY FROM THE DISORDER OUTSIDE ON 04/05/13 ABOUT 04.05 HRS. CCTV CAMERAS OUTSIDE THE VENUE ARE DUMMIES (SECTION 19 SERVED) NO ENTRY IN INCIDENT BOOK. ANGLIA SQ CCTV SEIZED.	Police	Innweb	PC 875 Spinks
Saturday 4/5/13	01:50	PO Visit	VISIT TO TWILIGHT. 280 PERSONS INSIDE THE PREMISES WITH 4 MEMBERS OF DOOR STAFF. DRUM AND BASS EVENT ON. FEMALE FOUND IN POSSESSION OF AMPHETAMINE UPON BEING SEARCHED BY DOOR STAFF, ALREADY PLACED INTO AMNESTY BIN UPON POLICE ARRIVAL FEMALE SEARCHED. NEGATIVE.	Police	Innweb	PC 1543 Pointer PC 660 Boiles
Friday 3/5/13	22:15	LRT Visit	ON ARRIVAL AT 2215 THERE WERE 93 PATRON WITH 200 TICKETS SOLD FOR THE EVENT. DOOR STAFF ARE DUE TO FINISH AT 4AM. A WALK THROUGH WAS CONDUCTED AND TOILETS AND SMOKING AREA CHECKED. MALE TOILETS HAD AN ATTENDANT AND NO SIGNS OF SUBSTANCE ABUSE. THE OPENNESS AND PROXIMITY OF THE SMOKING AREA TO THE CAR PARK COULD LEAD THE VENUE OPEN TO THINGS BEING PASSED THROUGH OR THROWN OVER THE BARRIERS. ON OUR ARRIVAL AT THE DOORWAY OF THE SMOKING AREAINTELLIGENCE REPORT SUBMITTED... NO KNOWN NOMINALS SEEN AT THIS TIME. ALL PATRONS WERE BEING SEARCHED ON ENTRY AND RE-ENTRY WITH CLEAR SIGNAGE OF THIS POLICY. REVISITED TWILIGHT AT 0005 WHERE THERE WERE 280 PATRONS. & DOOR STAFF PLUS ONE CCTV OPERATOR. SMOKING AREA HAD 40+ WITH ONE DOOR STAFF AT THE DOOR. THIS SEEMS TO BE A WEAKNESS IN THE SECURITY OF THE VENUE AS WE ENTERED THROUGH A GAP IN THE BARRIER UNSEEN BY THE DOOR STAFF. AMNESTY SAFE EMPTIED OF VARIOUS SUBSTANCES AND PILLS.	Police	Innweb	PC 875 Spinks SC 7085 Aldous

Friday 26/4/13	23:00	LRT Visit	REGGAE NIGHT TAKING PLACE WITH 34 PEOPLE INSIDE. 5 DOOR STAFF ON DUTY AND NUMBERS OBTAINED TO CHECK AGAINST THE SIA DATABASE. THE AMNESTY SAFE WAS EMPTIED. THEY STATED THEY WERE EXPECTING 100 CUSTOMERS	Police	Innweb	PC 875 Spinks PC 1376 Brown
Friday 12/4/13	23:30	LRT Visit	WALK THROUGH VENUE 10 X D5 + 1 X CCTV OPERATOR, 177 PATRONS, PERMANENT DS IN MALE TOILETS & FEMALE DS ON DANCEFLOOR WITH BRIEF TO COVER FEMALE TOILETS, NO SIGN OF DRUG USE, PATRONS APPEARED GOOD NATURED, SMOKING AREA IN USE BUT LOTS OF PATRONS OUTSIDE THE AREA SMOKING. SEARCHING GOING ON AND SUBSTANCES TO BE SEIZED FROM AMNESTY SAFE AS AP, 1 X ID SEIZED FROM SAFE, DS ALSO WANDERING OUTSIDE VENUE LOOKING FOR SUSPICIOUS ACTIVITY.	Police	Innweb	PC 875 Spinks
Thursday 14/3/13		Crime Update	I JUST WISH TO MAKE YOU AWARE OF AN INCIDENT AT TWILIGHT NIGHTCLUB. FIRSTLY THIS WAS PICKED UP BY A CAD ON TUESDAY AND WE DID NOT HAVE ANY INVOLVEMENT AS AN ORGANISATION ON THE NIGHT. IN THE EARLY HOURS OF SUNDAY MORNING A MEMBER OF DOOR STAFF AT TWILIGHT BECAME INVOLVED IN AN ALTERCATION BETWEEN PATRONS WITHIN THE CLUB WHICH ULTIMATELY ENDED WITH HIM HAVING THE LOWER PART OF HIS LEFT EAR BITTEN OFF, THIS WAS NOT REPORTED TO POLICE ON THE NIGHT AND NO POLICE ATTENDED THE SCENE, THE ONLY REASON POLICE WERE INFORMED OF THIS WAS WHEN THE IP CONTACTED POLICE SUNDAY NIGHT. THE LOCATION OF THE INCIDENT WAS WITHIN THE NIGHTCLUB IN FRONT OF FIRE EXIT 2 IT THEN SPILLED OUT OF THE NIGHTCLUB ONTO THE FIRE ESCAPE WHICH BACKS ONTO FIRE EXIT 2, THIS ESCAPE LEADS AROUND THE BACK OF PROPERTIES BACK ONTO ANGLIA SQUARE. HAVING TAKEN A STATEMENT AND SPOKEN WITH A COUPLE OF THINGS BECAME VERY APPARENT THAT I FEEL NEED TO BE ADDRESSED. 1) THE REAR OF FIRE EXIT 2 HAS NO EXTERNAL CCTV COVERAGE 2) POLICE WERE NOT CALLED ON THE NIGHT, WITH WHAT IN ESSENCE WAS A SERIOUS GBH. 3) IP STATES DOOR STAFF WERE ALMOST IMPOSSIBLE TO SEE WHEN CROSSING THE DANCE FLOOR AS IT WAS DARK AND THEY WERE WEARING BLACK JACKETS WITH A STRIPE ON THE*, THE STRIPE AND COLOUR OF JACKET WAS CAUSING THEM TO BE UNIDENTIFIABLE. 4) ALSO THE COMMUNICATIONS WITHIN THE CLUB WERE POOR AND STATED HE WAS STRUGGLING TO HEAR/UNDERSTAND WHAT WAS GOING ON.	Police	Innweb	PC 1614 Knowles

Thursday 14/3/13				<p>SPOKE TO DPS RE INCIDENT ON 10/03/13 WHEREBY DURING THE EJECTION OF A MALE FROM THE DANCE FLOOR FOR DISORDER A DOOR SUPERVISOR HAD PART OF HIS EAR LOBE BITTEN OFF. IT APPEARS THE DS DID NOT IMMEDIATELY KNOW IT HAD HAPPENED, ONCE IT WAS REALISED WHAT HAD OCCURRED TIME WAS SPENT LOOKING FOR THE PART OF THE EAR TO SEND WITH THE DS TO A&E. 1/. ALTHOUGH INCIDENT CAPTURED ON CCTV THEY NOW CANNOT DOWNLOAD THE FOOTAGE TO A MEMORY STICK, THE CCTV PROVIDER HAS BEEN CONTACTED TO SORT THIS ISSUE BUT NO TIME SCALE KNOWN. AS SOON AS SYSTEM REMEDIATED CCTV FOOTAGE INCLUDING FACIAL SHOT OF SUSPECT ENTERING TO BE SUPPLIED TO DC JOYCE BETHEL ST, CID. 2/. INCIDENT BOOK ENTRY SEEN MENTIONS 2 GROUPS ARGUING, NO DESCRIPTIONS. 3/. CCTV CAMERAS TO BE MOVED TO COVER ALL EXITS USED FOR EJECTIONS TO PREVENT ALLEGATIONS AGAINST DS. 4/. NEITHER DPS NOR SENIOR DOOR SUPERVISOR KNEW IF ANYONE CALLED POLICE FOLLOWING THE ASSAULT. SEE CONDITION 7. 5/. RELEVANT INCIDENTS OF CRIME & DISORDER SHALL BE REPORTED TO POLICE VIA THE RADIO. 6/. DS ADMIT PROBLEMS WITH RADIO COMMUNICATIONS INSIDE THE VENUE, ADVISED TO TRY BETTER EAR PIECES. 6/. TONIGHT 6X DS + 1 X CCTV OPERATOR ON DUTY.</p>	Police	Innweb	PC 875 Spinks PC 1376 Brown
Thursday 14/3/13				<p>WHITE POWDER TRACE - AS PART OF LICENSING DEBRIEF OF PREVIOUS INCIDENT, A WALK THROUGH OF THE PREMISES WAS UNDERTAKEN. INSIDE THE MALE TOILET, LEFT HAND CUBICLE ON TOP OF TOILET ROLL DISPENSER WAS CLEARLY VISIBLE TRACES OF WHITE POWDER.</p>	Police	Innweb	SSgt 7952 Harrod SC 7335 Wilton
Thursday 14/3/13				<p>LETTER SENT IN RELATION TO AGREEMENT OF SECURITY PLAN AND HIGHLIGHTING CONDITIONS RELATING TO U18'S EVENT.</p>	Police	Innweb	Michelle Barttram

				<p>ATTENDED THE VENUE DUE TO IT BEING THE OFFICIAL LAUNCH NIGHT OF THE PREMISES. CONCERNS REGARDING POSSIBLE OVER SALE OF TICKETS APPEARED TO BE UNFOUNDED AT THE TIME OF OUR VISIT AS NUMBERS APPEARED QUITE SMALL WITH ONLY 101 CUSTOMERS INSIDE AT 2245 AND 220 AT JUST AFTER MIDNIGHT ALTHOUGH NUMBERS WERE INCREASINGLY STEADILY. DURING OUR VISIT, POLICE IDENTIFIED A STRONG SMELL OF CANNABIS FROM A PATRON WHO WAS SUBSEQUENTLY SEARCHED IN A SIDE ROOM. THIS MALE DID NOT HAVE ANY DRUGS ON HIM BUT STATED, IN THE PRESENCE OF SECURITY AND THE DPS, THAT HE HAD SMOKED CANNABIS PRIOR TO ENTERING THE CLUB 30 MINUTES PREVIOUSLY. GIVEN THIS, IT WAS BOTH SURPRISING AND DISAPPOINTING THAT HE WAS PERMITTED TO STAY IN THE VENUE AFTER THE CONCLUSION OF THE SEARCH. THE VENUE HAS A SPECIFIC CONDITION ON THE LICENSE STATING; THE VENUE DOES NOT WISH TO BE ASSOCIATED WITH ILLEGAL DRUGS OR ITS ASSOCIATED CULTURE. THE LICENSEE WILL CO-OPERATE WITH THE RESPONSIBLE AUTHORITIES IN RELATION TO DEALING WITH ISSUES OF DRUGS ON THE PREMISES. THE DPS AND SECURITY TEAM WERE ADVISED THAT THIS WAS NOT ACCEPTABLE AND THE DPS AGREED THAT IT WAS HIS MISTAKE AND THAT IT WOULD NOT HAPPEN AGAIN. THE PREMISES INSPECTION IDENTIFIED THE FOLLOWING OBSERVATIONS / CONCERNS; ON FIRST ARRIVING AT THE PREMISES, WE WERE INFORMED BY DOORSTAFF AND MANAGEMENT THE CAPACITY OF THE VENUE WAS 690 INCLUDING STAFF. THEY STATED THAT THEY HAD BEEN INFORMED OF THIS BY FIRE OFFICER..... WE KNEW THIS TO BE INCORRECT AND THAT THE ACTUAL FIGURE WAS 630. IT IS POSSIBLE THAT THEY MISINTERPRETED THE INSTRUCTION GIVEN BY FIRE AND THOUGHT THAT THE 60 CAPACITY FOR THE VIP AREA WAS IN ADDITION TO THE 630 BUT THIS IS INCORRECT. WE WERE ABLE TO SHOW THEM THE EMAIL FROM THE FIRE SERVICE CONFIRMING A MAXIMUM FIGURE OF 630. THERE WAS NO WRITTEN RISK ASSESSMENT AGREED WITH THE POLICE ESTABLISHING THE NUMBER OF DOOR SUPERVISORS AND DEPLOYMENT WITHIN THE PREMISES PRIOR TO THIS EVENT. THE SECURITY PROVIDER (SSV / NIGEL BRIGGS) DID PRODUCE A GENERIC RISK ASSESSMENT FOR DOOR SUPERVISOR DUTIES WHICH WAS WRITTEN TO A GOOD STANDARD. HOWEVER, THIS DID NOT SPECIFY THE NUMBERS AND DEPLOYMENT AND NEITHER WAS IT AGREED WITH THE CONSTABULARY. SSV THEN SHOWED POLICE AN ELECTRONIC DOCUMENT DETAILING DOOR SUPERVISOR NUMBERS DEPENDENT ON THE NUMBERS WITHIN THE VENUE. IT WAS EXPLAINED THAT THIS WOULD NEED TO BE SUBMITTED TO THE CONSTABULARY AND ADDED, EFFECTIVELY, AS AN ENFORCEABLE CONDITION OF THE LICENSE. IT WAS FURTHER EXPLAINED THAT THIS WOULD NEED TO BE EVENT SPECIFIC AND THAT THE CONSTABULARY RESERVE THE RIGHT TO CHALLENGE AND NOT</p>
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Saturday 9/3/13	22:45	LRT Visit	<p>AGREEMENT ASSESSMENT. HOWEVER, IT IS DIFFICULT TO PROPERLY ASSESS THE NUMBERS AND DEPLOYMENT REQUIRED AS THIS IS ONLY THE 2ND NIGHT OF THE CLUB AND WE DO NOT KNOW HOW THE VENUE WILL RUN.</p> <p>THERE WAS A HIGH RATIO OF DOOR SUPERVISORS TO PATRONS AND THEY WERE POSITIONED THROUGHOUT THE VENUE. HOWEVER, IT IS A LARGE, DARK VENUE AND DURING WALKTHROUGHS DOOR SUPERVISORS WERE ONLY IDENTIFIABLE DUE TO THE SPARSE NUMBERS OF PATRONS. THEY WOULD NOT BE A VISIBLE DETERRENT TO PATRONS IF THE CLUB EVER BECAME BUSY. HIGH VISIBILITY YELLOW JACKETS WOULD BE BENEFICIAL AS REFLECTIVE STRIPS ARE ONLY USEFUL FOR CCTV PURPOSES.</p> <p>THERE WERE SEVERAL GROUPS OF BME BACKGROUND INSIDE THE VENUE AND MANY APPEARED TO BE FROM SOUTH LONDON (OR CLAIMED TO BE). THIS MAY BE LINKED TO THE GUEST PERFORMERS (SO SOLID CREW) AS PER PREVIOUS INTELLIGENCE.</p> <p>DESPITE THE DPS STATING THAT HE WAS RUNNING A STRICT DOOR POLICY WITH NO TROUBLE MAKERS ALLOWED INSIDE THE PREMISES, WAS WITNESSED TO BE GRANTED ACCESS BY SECURITY STAFF. WHEN THIS WAS QUESTIONED WITH SECURITY, THEY STATED THAT THEY WERE FULLY AWARE OF WHO WAS BUT DID NOT SEE ANY REASON WHY HE SHOULD BE DENIED ACCESS. THEY FURTHER STATED THAT THEY WERE FULLY CONFIDENT THAT HE WOULD NOT MISBEHAVE INSIDE THE PREMISES. THEY WERE ADVISED THAT A RECORD OF THIS WOULD BE RECORDED.</p> <p>THE DPS AND PLH IS STEVEN BROOKES. BROOKES WAS ASKED ABOUT THE PLANNED 'RAVE STYLE EVENT' PLANNED FOR SATURDAY 16TH MARCH. THIS EVENT IS BELIEVED TO BE LINKED TO THE 'SENSITIZED' EVENTS WHICH HAD PREVIOUSLY TAKEN PLACE AT THE ARENA IN GREAT YARMOUTH BEFORE POLICE INTERVENED AND THREATENED REVIEW ACTION AGAINST THE PREMISES SHOULD THEY CONTINUE DUE TO INEXTRICABLE LINK TO DRUG USE AND SUPPLY.</p>	Police	Innweb	PC 875 Spinks PC 1376 Brown
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Saturday 9/3/13	LRT Meeting	<p>BROOKES WAS ADVISED BY BOTH THE POLICE AND HIS OWN SECURITY TEAM (WHO ALSO COVERED THE ARENA EVENTS) THAT THESE EVENTS WERE A BAD IDEA AND FUNDAMENTALLY UNDERMINED THE LICENSING OBJECTIVES. BROOKES INITIALLY STATED THAT HE WOULD HAVE TO ASK THE 'OWNER', BUT THEN SUBSEQUENTLY CLAIMED THAT HE WAS THE 'OWNER'. HE THEN SAID HE HAD MADE HIS MIND UP TO CANCEL THE EVENT BEFORE CHANGING AGAIN AND SAYING HE WOULD HAVE TO CONSULT JOAN BUSH AND HER FAMILY AS THEY WERE THE ONES WHO HAD SET UP THE EVENT. HE SAID A DECISION WOULD BE MADE ON MONDAY AND THAT THE POLICE WOULD BE INFORMED. HE WAS TOLD THAT IF THERE WAS ANY EVIDENCE OF DRUG USE INSIDE THE PREMISES OR PROBLEMS ASSOCIATED WITH DEALING WITH THE FALL OUT OF ANY SUCH EVENT THEN THIS WOULD REFLECT EXTREMELY POORLY ON THE VENUE AND WOULD RESULT IN ENFORCEMENT ACTION. AN AMBULANCE HAD TO BE CALLED FOR A FEMALE WHO HAD INJURED HERSELF POLE DANCING. PUBLIC ORDER OFFICERS COMMENTED THAT 'SCUFFLING PATRONS WERE EJECTED FROM THE PREMISES BUT THAT INEVITABLY THEY HAD NO WHERE TO GO. THIS RAISED CONCERNS THAT THIS PREMISES WILL NEED TO BE MONITORED BY POLICE ON A REGULAR BASIS. ON THE POSITIVE SIDE, THE CCTV SYSTEM INSIDE THE PREMISE IS COMPREHENSIVE WITH 23 CAMERAS COVERING MOST AREAS. THE VENUE HAS A DEDICATED SECURITY ROOM WITH A MEMBER OF SIA STAFF MONITORING THE CCTV CAMERAS PERMANENTLY. THE VENUE USES THE ALERT RADIO SCHEME AND RESPONDED TO AN INITIAL TEST CALL ON THE SYSTEM. BY 0130 THE NUMBERS HAD FALLEN TO 154. THIS WOULD SUGGEST THAT THE OPENING NIGHT HAS NOT BEEN A SUCCESS. 4 OFFICERS WERE LEFT MONITORING THE AUGLIA SQUARE AREA WHO WERE ABOVE AND BEYOND THE 'NORMAL' PUBLIC ORDER DEPLOYMENT LEVELS FOR SATURDAY NIGHT. THIS PREMISES WILL NEED TO BE MONITORED CLOSELY OVER THE COURSE OF THE NEXT FEW WEEKS TO ESTABLISH HOW MUCH OF AN ISSUE, OR OTHERWISE, IT WILL BE. WHILST THE PREMISES MANAGEMENT APPEAR AMENABLE THERE REMAINS SIGNIFICANT CONCERNS ABOUT THE POSSIBLE IMPACT OF THIS PREMISES ON THE WIDER NTE AND NECESSARY POLICE RESOURCING. AS A PRIORITY, THE POLICE LICENSING TEAM WILL NEED TO ASCERTAIN WHETHER THE EVENT NEXT SATURDAY IS GOING AHEAD AND, IF IT IS, PLAN FOR BOTH THE PUBLIC ORDER AND LICENSING TEAM RESPONSE.</p>	Police	Innweb	PC 875 Spinks PC 1376 Brown
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Thursday 7/3/13	12:00	LRT Meeting	<p>JOINT VISIT BY LRT AND FROM FIRE & RESCUE, ALSO PRESENT DPS AND TILLY FROM SSS WHO SUPPLY THE SECURITY TEAM, PROBLEMS RELATING TO NUMBERS ALLOWED IN, FOLLOWING AN EXPLANATION FROM THE FIRE RISK ASSESSMENT NOW STATES 630 INCLUDING STAFF DPS STATED THE EVENT ON SATURDAY ALREADY HAD 800 PRE SOLD TICKETS AND HAS AGREED TO AN EXTRA 2 DS IN CASE OF PROBLEMS WITH PATRONS UNABLE TO GET IN, NOW 12 DS AND 1 X CCTV OPERATOR WHO WILL HAVE THE ALERT RADIO, THE CAPACITY WOULD HAVE BEEN 800+ IF THE BLOCKED 2ND FIRE EXIT IN THE VIP AREA WAS PUT BACK INTO USE AS THE OPS STATED IT WOULD, BUT FOLLOWING A CONVERSATION WITH OF ANGUA SQ MANAGEMENT THIS IS CLEARLY NOT GOING TO HAPPEN</p> <p>TWILIGHT ARE ADVERTISING THE VENUE FOR HIRE WITH A CAPACITY OF 1000 AND HAVE BEEN TOLD TO CHANGE THIS IMMEDIATELY, WHILST IN THE VENUE THEY MANAGED TO GET THE CCTV SYSTEM WORKING 24 CAMERAS WITH GOOD QUALITY VISION BUT UNABLE TO CHECK RECORDING ABILITY, FIRE ALARM STILL NOT WORKING AND TO RE-ATTEND THERE TONIGHT TO CHECK, IF THE SYSTEM IS STILL INOPERATIVE HE WILL CLOSE THE VENUE, THE NOISE/FIRE CURTAIN DIVIDING THE VIP BAR AREA FROM THE MAIN AREA MUST BE KEPT OPEN TO ALLOW THE ONLY FIRE EXIT IN THE VIP AREA TO BE VISIBLE TO ALL PATRONS IN THE EVENT OF AN INCIDENT THIS WILL NEED TO BE MONITORED BY DS AS THE CAPACITY FOR THE VIP AREA IS ONLY 60. STATED HE HAD BEEN APPROACHED BY PERSONS INVOLVED IN TWILIGHT TO TAKE ON THE LEASE OF THE AS A LICENSED SPORTS BAR AND AS A TAKEAWAY. STATED THE APPROACH WOULD BE VIEWED FAVOURABLY AS THEY TRY TO RE-INVIGORATE THE AREA BUT ONLY ON A YEAR ON YEAR LEASE WITH A ONE MONTH CANCELLATION CLAUSE AS THEY ANTICIPATE A NEW LANDLORD/ DEVELOPER TILLY WAS UNABLE TO SUPPLY A SECURITY DEPLOYMENT PLAN BUT BELIEVED HE HAD ENOUGH DS TO COPE.</p>	Police	linweb	PC 875 Spinks PC 1376 Brown
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Tuesday 5/3/13	12:00	LRT Meeting	<p>VISIT TO PREMISES TO DISCUSS OPENING AND TO MEET WITH MANAGEMENT. ON ARRIVAL MET WITH NIGEL BRIGGS FROM SSV SECURITY. HE ADVISED THAT HIS TEAM WAS THE DOOR COMPANY FOR THE VENUE. DPS WAS TALKING TO FIRE AND NCC SO WE CONTINUED TO DISCUSS SECURITY PLANS. WE CARRIED OUT A WALK THROUGH OF THE PREMISES TO ESTABLISH EJECTION POINTS, SECURITY OFFICE ETC. THE VENUE WILL HAVE A FULL CAPACITY OF 690 (120 LESS IF THE SOUND CURTAIN IS IN USE TO SEPARATE THE VENUE TO TWO SEPARATE ROOMS). WHEN THE VENUE IS FULL, THE MAXIMUM NUMBER OF SIA DOOR STAFF WILL BE 10 WITH 2 AT THE FRONT DOOR, ONE IN THE SECURITY OFFICE VIEWING THE CCTV AT ALL TIMES. THE VENUE INTENDS TO USE A SEPERATE AREA OPPOSITE THE SITE FOR SMOKING. THIS AREA WILL HAVE A CAPACITY OF 60 OUTSIDE AND 2 DOORSTAFF MONITORING PATRONS. PATRONS WILL BE PREVENTED FROM REENTERING AND ANYONE WHO MOVES AWAY FROM THE AREA WILL BE CLASSED AS A NEW CUSTOMER AND BE SEARCHED ETC AGAIN. DISPERSAL WAS DISCUSSED AND PATRONS WILL BE ENCOURAGED TO HEAD TOWARDS ANGLIA SQUARE AWAY FROM THE ROAD AND WHERE THERE IS CCTV COVERAGE. THERE WILL BE A CLOAKROOM FACILITY AND USE OF THE ALERT RADIO SCHEME. COMPLIANT PATRONS THAT NEED EJECTING WILL BE REMOVED VIA THE MAIN ENTRANCE AND EXIT AND THOSE THAT ARE DISORDERLY WILL BE REMOVED BY THE QUICKEST EXIT, LRT HIGHLIGHTED THAT A FULL EJECTION NEEDS CCTV COVERAGE IN ORDER TO PREVENT ALLEGATIONS OF ASSAULT BY DOORMEN. THE SECURITY ROOM WILL INCLUDE CCTV HARD DRIVE AND THERE WILL BE NO CCTV CAMERA IN THIS ROOM (ADVICE GIVEN TO DO THIS) THE EQUIPMENT WILL HAVE AN EVIDENCE TAMPER KIT AND ONLY SELECT FEW WILL HAVE ACCESS TO THE PASSWORD. WE WERE INTRODUCED TO HEAD DOORMAN MARCUS GREEN. THE SEARCH POLICY WAS DISCUSSED AND USUALLY RAMDOOM HOWEVER WITH RAVE EVENTS, THESE WILL BE 100% SEARCH. NIGEL ADVISED THAT THE VENUE INTENDS TO HOLD EVENTS SUCH AS SENSITISE AND EVENTS RUN BY (PREVIOUSLY HELD AT). NIGEL ADVISED THAT THIS RAVE EVENTS WILL HAVE A MIN OF 3 EMT (MEDICS) DURING OUR VISIT, THE DOOR TEAM WERE BEING BRIEFED AND WALKED THROUGH THE VENUE. MET WITH DPS STEVE WHO ADVISED THAT HE HAS WORKED AT MANY PREVIOUS VENUES WITHIN THE NTE AND IS EXPERIENCED. BOTH PC BROWN AND I HIGHLIGHTED OUR CONCERNS TO DPS AND NIGEL BRIGGS ABOUT HOLDING RAVE EVENTS AND THE POTENTIAL ISSUES OF DRUG USE WITH THESE. THEY ADVISED THAT THE FIRST EVENT IS 16TH MARCH 2013 WITH</p>	Police	Innweb	Michelle Bartram PC 1376 Brown
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Tuesday 5/3/13	12:00	LRT Meeting	<p>DPS ADVISED THAT THE VENUE WILL HOLD STUDENT NIGHT ON THE THURSDAY CALLED "LAVISH" WHICH IS R&B AND HOUSE MUSIC AND THEN PROMOTERS FRI/SAT. LO M. BARTRAM HIGHLIGHTED PREVIOUS ISSUES EXPERIENCED WITH PROMOTERS INCLUDING BREACH OF MANDATORY CONDITIONS (POURING ALCOHOL DIRECTLY INTO MOUTH) THE EVENT MANAGER IS VIKKI LEE AND WILL BE IN CHARGE OF THE IBIZA NIGHTS. 8 BAR STAFF HAVE BEEN EMPLOYED. THESE WILL BE TRAINED AS PER CONDITION ON THE LICENCE. TRAINING RECORDS AND CCTV CAMERAS WERE NOT AVAILABLE FOR INSPECTION AT THIS TIME AND SO PC BROWN AGREED TO INSPECT THURSDAY MORNING. CONDITIONS ON PREMISES LICENCE HAVE BEEN DISCUSSED AND DPS AWARE OF HIS RESPONSIBILITIES. POLYCARBONATE GLASSES WILL BE USED AND SECURITY ADVISED THAT PATRONS WILL BE PREVENTED FROM TAKING DRINKS ONTO THE DANCEFLOOR ANYWAY. PRICES OF DRINKS DISCUSSED AND NO PROMOTIONS HIGHLIGHTED FOR CONCERN. CONTACT DETAILS EXCHANGED AND PERSONAL LICENCE CHECKED. LETTER IN RELATION TO RAVE EVENTS TO BE DISCUSSED. JOAN BUSH TO ALSO BE MANAGER AND APPLYING FOR PERSONAL LICENCE.</p>	Police	Innweb	Michelle Bartram PC 1376 Brown
Weds 27/02/13	13:00	LRT Visit	<p>FIRE & RESCUE ATTENDED THE VENUE BUT UNABLE TO COMPLETE A PREOPENING SURVEY DUE TO THE AMOUNT OF ONGOING WORK TO BE FINISHED, EMERGENCY LIGHTING, FLOOR/STAIRWAY MARKING ETC, STILL NO FIRE RISK ASSESSMENT SUPPLIED BY VENUE TO F&R, CONCERNS ABOUT THE EVACUATION PLAN. THEY ARE TO RE-ATTEND NEXT TUES 05/02. SPOKE TO THE DPS RE LICENCE CONDITIONS, TRAINING RECORDS TO BE MADE AVAILABLE TUES 05/02. SECURITY PROVIDER WILL SUPPLY ALERT RADIO AND ENSURE STAFF TRAINED IN ITS USE. SUPPLY DS DEPLOYMENT PLAN, SUPPLY DS SIGNING IN/ INCIDENT/ REFUSAL/ SEARCH RECORD BOOK, SUPPLY FEMALE DS FOR SEARCHING AND ENSURE RANDOM SEARCHING TAKES PLACE, SUPPLY MINIMUM OF 5 X DS FOR NORMAL TRADING AND A MINIMUM OF 7 X DS FOR EVENTS/ PROMOTIONS OF WHICH 2 X DS WILL ALWAYS BE AT THE ENTRANCE. CCTV - SYSTEM WILL CONSIST OF 24 CAMERAS, 24 HOURS A DAY. KEPT FOR 21 DAYS ASKED DPS TO INCREASE THAT TO 30 DAYS, SYSTEM NOT YET INSTALLED THEREFORE UNABLE TO GAUGE QUALITY. UNDERAGE & NO PERSON UNDER 18YRS TO BE ALLOWED ON PREMISES AS NO FOOD ON OFFER UNLESS IT IS A PRE-PLANNED UNDERAGE EVENT OF WHICH POLICE WILL HAVE 28 DAYS NOTICE. DPS TO ENSURE NOTICES REQUIRED BY THE PREMISES LICENCE IN RELATION TO CCTV, CUSTOMERS LEAVING QUIETLY, AGE VERIFICATION ETC TO BE DISPLAYED BY TUES 05/02. SMOKING & UNSURE OF THE SMOKING AREA LOCATION OR TYPE OF BARRIERS TO BE USED THIS IS TO BE MONITORED BY DS, DPS TO LIAISE WITH ANGUS SQ MANAGEMENT. DRUGS & VENUE MANAGEMENT HAPPY TO COOPERATE WITH POLICE AND ALLOW DRUGS MAPPING OF THE VENUE UTILISING THE ION TRACKER SWABS.</p> <p>VENUE WILL USE PLASTIC/ TOUGHENED GLASSES ONLY.</p>	Police	Innweb	PC 875 Spinks PC 1561 Nash Sue Woods

Tuesday 22/01/13	13:00	LRT Visit	<p>MET WITH DPS. PERSONAL DETAILS CHECKED. 1 YR LEASE WITH OPTION TO CONTINUE EACH YR FOR TOTAL OF 3 YRS. FAMILY HELPING TO REFURB. JUST DPS INVESTING. DPS HAS NOT SEEN FULL COPY OF LICENCE, ADVISED TO GO THROUGH CONDITIONS & CONTACT US IF UNSURE OF ANY. DISCUSSED POSSIBLE VARIATION TO TIDY UP CONDITIONS IN FUTURE. FIRE RISK ASSESS GAVE CAPACITY 1200 BUT PLANNING NOT TO GO ABOVE 850. PLANS TO OPEN SATURDAY 2ND MARCH. INTENDS TO ONLY HOLD BOOKED TICKETED EVENTS NOT TO OPEN AS CLUB. NO PLANS FOR UNDERAGE EVENTS. WORKING ON DOOR STAFF DEPLOYMENT/POLICY WITH SS SECURITY AT PRESENT. PLANS TO HAVE 1 SIA PURELY ON CCTV MONITORING. CCTV SYSTEM BEING FITTED NEXT WEEK. ADVISED HAVE AMNESTY SAFE & IT WILL BE DELIVERED NEXT WEEKEND</p> <p>DISCUSSED POSSIBLE EMRO FOR 0300 & POLICE OBJECTIONS TO ANY EVENT BEYOND 0400 WITH REGARDS TO CONDITION ON LICENCE FOR 3 HR EXTENSION 12 TIMES PER YEAR. VENUE WILL USE PLASTIC GLASSES. DISCUSSED AT LENGTH ISSUES WITH SMOKING AREA AS NO DESIGNATED AREA AS YET. DPS PLANS TO DISCUSS WITH ANGLIA SQUARE TO CLARIFY. DPS MADE AWARE OF ISSUES RELATING TO ONLY HAVING SMALL NUMBER OF PEOPLE IN SMOKING AREA AT ONE TIME. CONDITION STATES NO OPEN DRINKS LEAVE VENUE SO NOT ALLOWED IN SMOKING AREA. DPS PLANS NO DRINKS ALLOWED BEYOND THE TOP OF STAIRS. DISCUSSED USE OF TERMS & CONDITIONS OF HIRE & ESPECIALLY AVOIDING ISSUES WITH PROMOTORS CAUSING POSSIBLE BREACHES OF CONDITIONS. DISCUSSED ENSURING ENOUGH STAFF ON BARS TO AVOID DISORDER IF PATRONS WAITING TOO LONG ETC & RUNNING STAFF TRAINING RECORDS/Written Authority to serve alcohol. LICENSING CONTACT DETAILS LEFT AND ADVISED TO CONTACT US TO DISCUSS ANY QUERIES ETC.</p>	Police	Innweb	PC 875 Spinks Sue Woods
Friday 28/12/12	13:10	LRT Visit	<p>THIS VENUE IS TO RE-OPEN AS TWILIGHT AN EVENTS VENUE, SPOKE TO JOAN BUSH SOLE DIRECTOR OR NEW COMPANY AND STEVE BROOKS TO BE PLH & DPS. VENUE A MESS FAR FROM OPENING FIRE RISK ASSESSMENT DUE SOON THEN BROOKS WILL KNOW WHAT HE HAS TO DO TO RE-OPEN. HE WISHES TO RUN WHITE COLLAR BOXING NIGHTS AND SCOOTER NIGHTS (MIDDLE AGE NORTHERN SOUL) AND JUNIOR BALLS UNDER 18'S NO ALCOHOL NIGHTS HE STATES THE 2 OF THEM ARE THE ONLY INVESTORS AND HIS "FRIENDS" ARE DOING ALL THE REFURBISHMENT FOC UNTIL HE CAN AFFORD TO REPAY THEM. HE SAYS ALL THE RIGHT THINGS IN RELATION TO TRAINING STAFF (OF WHICH HE HAS NONE SO FAR). CCTV, DS (HE HOLDS NON FRONT LINE BUT WILL PROBABLY USE NSS, SEARCHING, LIAISING WITH POLICE, NOT GOING TO BE A NIGHT CLUB, NOT GOING BEYOND 0300 AND NORMALLY OUT BY 0200, EVENTS WILL BE ALL TICKET, DOESN'T WANT LOCAL PROBLEM PATRONS, EMPHASISE ON EVENT ONLY. HE WILL CONTACT AFTER THE FIRE RISK ASSESSMENT AND WELL PRIOR TO OPENING SO WE CAN RE-VISIT AND GO THROUGH LICENCE WITH HIM. HE UNDERSTANDS OUR EXPECTATIONS AND UNDERSTANDS THE POSSIBLE CONSEQUENCES OF NOT CARRYING OUT WHAT HE HAS STATED HE WILL DO.</p>	Police	Innweb	PC 875 Spinks PC 1561 Nash

APPENDIX
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Home Office

Section 53A Licensing Act 2003

Summary Review Guidance



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- 1. Introduction**
- 2. The Steps – Summary Review**
- 3. The Licensing Authority and the Interim Steps**
- 4. Making representations against the Interim Steps**
- 5. The Review of the Premises Licence**
- 6. Right of Appeal**

ANNEX A

- 1. Certificate Under section 53A(1)(b) of the Licensing Act 2003**

ANNEX B

- 2. Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)**

INTRODUCTION

- 1.1 This guidance explains how to use the provisions in the Licensing Act 2003 ("the 2003 Act"), inserted by section 21 of the Violent Crime Reduction Act 2006, which allow a quick process for attaching interim conditions to a licence and a fast track licence review when the police consider that the premises concerned is associated with serious crime or serious disorder (or both).
- 1.2 This guidance has no statutory basis but is intended to assist police forces and licensing authorities when considering using the procedures.
- 1.3 The powers are set out in sections 53A to 53C of the 2003 Act and apply only where a premises licence authorises the sale of alcohol. They do not apply in respect of other premises licences, or to premises operating under a club premises certificate. The purpose of these powers is to complement existing procedures in the 2003 Act for tackling crime and disorder associated with licensed premises. Existing powers in Part 8 of the 2003 Act provide for the instant closure of premises by the police in some circumstances (in essence, disorder or nuisance) and the consequent review of premises licences by the licensing authority. The powers under sections 53A to 53C, which are in Part 3 of the 2003 Act, are aimed at tackling serious crime and serious disorder, in particular (but not exclusively) the use of guns and knives.
- 1.4 The powers allow:
 - the police to trigger a fast track process to review a premises licence where the police consider that the premises are associated with **serious** crime or **serious** disorder (or both); and
 - the licensing authority to respond by taking interim steps quickly, **where appropriate**, pending a full review.
- 1.5 In summary, the process is:
 - the chief officer of police for the area in which the premises are situated may apply to the licensing authority for an expedited review of a premises licence where a senior police officer has issued a certificate stating that in his/her opinion the premises are associated with serious crime or serious disorder (or both);
 - on receipt of the application and the certificate, the licensing authority must within 48 hours of the time of its receipt consider whether it is necessary to take interim steps pending determination of the review of the premises licence – the authority must in any event undertake a review within 28 days after the day of receipt of the application.
- 1.6 The options open to the licensing authority at the interim steps stage include:
 - modification of the conditions of the premises licence;
 - the exclusion of the sale of alcohol by retail from the scope of the licence;
 - removal of the designated premises supervisor from the licence; and

- suspension of the licence.

1.7 Following the full licence review, the licensing authority may do any of the above or may revoke the licence.

1.8 The purpose of this guidance is to:

- set out the circumstances where the power can be used; and
- outline the process and the steps at each stage.

THE STEPS

2. Triggering the expedited review

2.1 Section 53A of the Licensing Act 2003 sets out who may apply for an expedited review and the circumstances in which it can be used.

Application for expedited review

2.2 The chief officer of police for the area in which the premises are situated may apply to the relevant licensing authority for an expedited licence review if a **senior member** of the force has issued a **certificate** that in his/her opinion a licensed premises is associated with **serious crime or serious disorder (or both)**.

2.3 The key definitions used above are:

- **Senior member of the force:** This must be an officer of the rank of superintendent or above.
- **Certificate:** This is a formal note which identifies the licensed premises and includes a signed statement by a senior officer that he believes the premises is associated with serious crime, serious disorder or both. **This form is not prescribed in legislation. However, a sample form which forces may wish to adopt is attached at annex A to this guidance.**
- **Serious crime:** The tests to determine the kinds of conduct that amount to serious crime are set out in section 81(2) and (3) (a) and (b) of the Regulation of Investigatory Powers Act 2000. Those tests are that the conduct:
 - (a) constitutes an offence for which a person who is 21 years of age or over with no previous convictions could reasonably be expected to be sentenced to imprisonment for 3 years or more; and
 - (b) involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.
- **Serious disorder:** There is no definitive list of behaviours that constitute serious disorder, and the matter is one for judgment by the local police. The phrase should be given its plain, ordinary meaning, as is the case under section 12 of the Public Order Act 1986 in which it is also used.
- **The application for a summary or expedited review:** this is an application made by, or on behalf of, the Chief Officer of Police under section 53A of the

2003 Act. The application must be made in the form which is set out in Schedule 8A to the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 (SI 2005/42). The completed application must be accompanied by the certificate issued by a senior officer. The form which must be used is reproduced in annex B of this guidance.

2.4 In deciding whether to sign a certificate, the senior officer will want to consider the following (as applicable):

- The track record of the licensed premises concerned and whether the police have previously had cause to give advice about serious criminal or disorderly conduct (or the likelihood of such conduct) attributable to activities taking place on the premises – it is not expected that this power will be used as a first response to a problem.
- The nature of the likely crime and/or disorder – is the potential incident sufficiently serious to warrant using this power?
- Should an alternative power be deployed? Is the incident sufficiently serious to warrant use of the powers in sections 161 to 165 of the 2003 Act to close the premises? Or could the police trigger a standard licence review to address the problem? Alternatively, could expedited reviews be used in conjunction with other powers (for example, modifying licence conditions following the use of a closure power).
- What added value will use of the expedited process bring? How would any interim steps that the licensing authority might take effectively address the problem?

2.5 It is recommended that these points are addressed in the chief officer's application to the licensing authority. In particular, it is important to explain why other powers or actions are not considered to be appropriate. It is up to the police to decide whether to include this information in the certificate or in section 4 of the application for summary review. The police will also have an opportunity later to make representations in relation to the full review.

2.6 In triggering the process, the police will wish to take into account the fact that an intended use of the power is to tackle the use of dangerous weapons and the violence they fuel. For example, in appropriate circumstances the police might want to make representations to the licensing authority suggesting that they modify the conditions of the premises licence to require searches of customers for offensive weapons upon entry. Under the powers in sections 53A to 53C, this could be done on an interim basis pending a full hearing of the issues within the prescribed 28-day timeframe.

2.7 Similarly, the power could, **where appropriate**, be used to reduce the risk of injury caused by glass by requiring the adoption of a safer alternative (but see paragraphs 3.6 and 3.7 below).

2.8 However, it should continue to be borne in mind that these are selective measures. It is not the aim to require all licensed premises to undertake these searches or use toughened glass. Rather, the policy aim is to provide a selective

tool, to be used proportionately, to limit this condition to those pubs that are at risk either because police intelligence shows there is a risk of knives/guns being carried or because crime and disorder has occurred on the premises.

3. The Licensing Authority and the interim steps

3.1 Within 48 hours of receipt of the chief officer's application, the licensing authority must give the premises licence holder and responsible authorities a copy of the application for review and a copy of the certificate, and must also consider whether it is necessary to take interim steps. When calculating the 48 hour period any non-working day can be disregarded.¹

3.2 The licensing authority may want to consult the police about the steps that it thinks are appropriate, pending the determination of the review, to address the immediate problems with the premises, in particular the likelihood of serious crime and/or serious disorder. The licensing authority may consider the interim steps without the holder of the premises licence having been given an opportunity to make representations. This does not, of course, mean that the licensing authority *cannot* afford such an opportunity if it thinks it appropriate and feasible to do so in all the circumstances.

3.3 The determination of interim steps is not a matter that may be delegated to an officer of the licensing authority. The relevant decisions are likely to be taken by a licensing sub-committee. It should also be noted that there is no requirement for a formal hearing in order to take interim steps. This means that the relevant sub committee members can communicate by telephone or other remote means in order to reach a decision. A written record should always be produced as soon as possible after a decision is reached.

3.4 The interim steps that the licensing authority must consider taking are:

- the modification of the conditions of the premises licence;
- the exclusion of the sale of alcohol by retail from the scope of the licence;
- the removal of the designated premises supervisor from the licence; and
- the suspension of the licence.

Modification of the conditions of the premises licence can include the alteration or modification of existing conditions or addition of any new conditions, including those that restrict the times at which licensable activities authorised by the licence can take place. Further examples of possible licensing conditions, including those aimed at tackling crime and disorder, can be found in the amended guidance issued under section 182 of the 2003 Act (available at:

www.homeoffice.gov.uk/publications/alcohol-drugs/alcohol/guidance-section-182-licensing).

3.5 If the licensing authority decides to take steps at the interim stage:

¹ This means that, for example, if the application was received at 3pm on a Friday, the 48 hour period would cover the remaining 9 hours on that Friday and the remaining 39 hours starting on the Monday morning (provided it was not a bank holiday). In this case the licensing authority would have to decide on interim steps by 3pm on the Tuesday.

- the decision takes effect immediately, or as soon after it as the licensing authority directs; but
- the licensing authority must give immediate notice of its decision and its reasons for doing so to the holder of the premises licence and the chief officer of police who made the application. The 2003 Act does not specify that the immediate notice has to be in writing. However, in an individual case the licensing authority may consider that the need for immediate communication at least initially requires a non-written approach, such as a telephone call. This may happen when, for example, the authority decides that the decision should have immediate effect. In such a case, the decision and the reasons for it should be explained clearly and in full to the licence-holder (or someone who may properly act for the licence-holder), and the call followed up as soon as possible with a written version of the decision and the reasons (for example, by email or fax) which is identical to, or not significantly different from, the version given by telephone.

3.6 The licensing authority, in deciding when its decision on interim steps should take effect, should consider the practical implications of compliance in relation to the premises. For example to comply with a modification of the conditions of a licence that requires employment of door supervisors, those running the premises may need some time to recruit appropriately qualified and accredited staff.

3.7 In addition, very careful consideration needs to be given to interim steps which would require significant cost or permanent or semi-permanent adjustments to premises which would be difficult to remove if the outcome of the subsequent full review was to withdraw or modify those steps. For example, making structural changes, installing additional CCTV or replacing all glassware with safer alternatives may be valid steps, but might be disproportionate if they are not likely to be deemed necessary following the full review (or any subsequent appeal). The focus for interim steps should be on the immediate measures that are necessary to prevent serious crime or serious disorder occurring. In some circumstances, it might be better to seek suspension of the licence pending the full review, rather than imposing a range of costly conditions or permanent adjustments.

4. Making representations against the interim steps

4.1 The premises licence holder may make representations against the interim steps taken by the licensing authority. There is no time limit for the premises licence holder to make representations on the interim steps, although in practice this would at some point be superseded by the full review which would have to be completed within 28 days of the application being received by the licensing authority. On receipt of such representations, the licensing authority must (if the representations are not withdrawn) hold a hearing within 48 hours of their receipt. When calculating the 48 hour period, any non-working day can be disregarded.

4.2 The licensing authority must give advance notice of the hearing to the premises licence holder and the chief officer of police. Given that these measures are designed to deal with serious crime and serious disorder on an interim basis only, the process is designed to avoid delay and, as such, significant portions of the Licensing Act 2003 (Hearings) Regulations 2005 (SI 2005/44) (which set out the usual processes governing the conduct of licensing authority hearings) do not apply in order to streamline the hearing process. One result of this is that licensing authority cannot adjourn the hearing to a later date if the licence holder fails to attend

at the scheduled time, as is the case under the normal review procedure. And as is the case with that procedure, the licence holder does not have to be present for the hearing to take place. In addition, there is no timescale for notifying the licence holder of the hearing under the modified process, providing the notification takes place before the hearing is held. However, it is imperative that the licence holder be given as much notice as is possible in the circumstances to afford the holder a maximum practicable opportunity to prepare for and attend the hearing. Licensing authorities should bear in mind that the usual principles of public law decision-making will apply to interim determinations, in a form that has regard to the statutory context of an expedited process.

4.3 At the hearing the licensing authority must:

- consider whether the interim steps are appropriate for the promotion of the licensing objectives; and
- determine whether to withdraw or modify the steps taken.

4.4 When considering the case the licensing authority must take into account:

- the senior officer's certificate that accompanied the application;
- the chief officer's representations (if any); and
- any representations made by the premises licence holder.

4.5 There is no right of appeal to a magistrates' court against the licensing authority's decision at this stage.

5. The review of the premises licence

5.1 The licensing authority must hold a review of the premises licence within 28 days after the day of receipt of the chief officer's application. This must take place even if the chief officer asks to withdraw his application or representations. At the hearing, the licensing authority must:

- consider what steps it considers appropriate for the promotion of the licensing objectives; and
- decide which interim steps (if there are any) cease to have effect altogether or become the subject of any steps which it considers are appropriate when making its determination on the review.

5.2 The steps the licensing authority can take are:

- the modification of the conditions of the premises licence;
- the exclusion of a licensable activity from the scope of the licence;
- the removal of the designated premises supervisor from the licence;
- the suspension of the licence for a period not exceeding 3 months; and
- the revocation of the licence.

Modification of the conditions of the premises licence can include the alteration or modification of existing conditions or addition of any new conditions, including those that restrict the times at which licensable activities authorised by the licence can take place. Further examples of possible licensing conditions, including those aimed at tackling crime and disorder, can be found in the amended guidance under section 182 of the 2003 Act.

5.3 The licensing authority must:

- advertise the review inviting representations from any persons for no less than seven consecutive days, by notice as described in regulation 38 of the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 (SI 2005/42) and, if applicable, on the licensing authority's website (see regulation 38(1)(b) of the above). The relevant notices should be published on the day after the day of receipt of the chief officer's application.
- advertise that any representations made by the premises licence holder, responsible authority and any other persons should be submitted to the licensing authority within 10 working days of the advertisement of the review appearing.
- give formal notice of the hearing no later than five working days before the day or first day on which the hearing is to be held to the premises licence holder and to every responsible authority².

5.4 A party shall give to the authority a notice no later than two working days before the day or the first day on which the hearing is to be held stating –

- whether he intends to attend or be represented at the hearing;
- whether he considers a hearing to be unnecessary.
- whether he would like permission for any other person (other than the person he intends to represent him at the hearing) to appear at the hearing and, if so, explain on which points that person will be able to contribute.

5.5 The regulations relating to hearings are set out in the Licensing Act 2003 (Hearings) Regulations 2005 (S.I. 2005/44). They apply to final hearings under the section 53A(2)(b) in a similar way to hearings following closure orders under section 167 of the 2003 Act (it should be emphasised that the truncated version of the hearings regulations described in paragraph 4.2 above applies to interim hearings only). The issues they address include who can make representations and what those representations can be about. It is therefore possible for responsible authorities or any other persons to make representations in relation to any of the licensing objectives, not just crime and disorder. Similarly, where it is in the public interest, the regulations relating to the exclusion of individuals from hearings, or conducting the hearing in private, will apply.

5.6 The licensing authority must take into account any relevant representations made. Relevant representations are those that:

² Responsible authorities are defined under sections 13(4) and 69(4) of the 2003 Act.

- relate to one or more of the licensing objectives;
- have not been withdrawn; and
- are made by the premises licence holder, a responsible authority or any other person (who is not also a responsible authority).

5.7 The licensing authority must notify its decision and the reasons for making it to:

- the holder of the premises licence;
- any person who made relevant representations; and
- the chief officer of police who made the original application.

6. Right of Appeal

6.1 An appeal may be made to the magistrates' court within 21 days of the licence holder being notified of the licensing authority's determination on the review. An appeal may be made by the premises licence holder, the chief officer of police and/or any other person who made relevant representations.

6.2 The decision of the licensing authority, following the review hearing, will not have effect until the end of the period allowed for appeal, or until the disposal of the appeal.

[insert name and address of police force]

Example Form

Annex A

CERTIFICATE UNDER SECTION 53A(1)(b) OF THE LICENSING ACT 2003

I hereby certify that in my opinion the premises described below are associated with serious crime / serious disorder / both serious crime and serious disorder³.

*Premises*⁴:

Premises licence number (if known):

Name of premises supervisor (if known):

I am a ⁵ in the
police force.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case, because⁶:

³ Delete as applicable.

⁴ Include business name and address and any other relevant identifying details.

⁵ Insert rank of officer giving the certificate, which must be superintendent or above.

⁶ Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned.

[Insert name and address of relevant licensing authority and its reference number (optional)]

Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing the form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. **Use additional sheets if necessary.**

I [on behalf of] the chief officer of police for the police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details:

Postal address of premises, or if none or not known, ordnance survey map reference or description:

Post town:

Post code (if known):

2. Premises licence details:

Name of premises licence holder (if known):

Number of premises licence holder (if known):

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm) ☐

4. Details of association of the above premises with serious crime, serious disorder or both:

[Please read guidance note 2]

--

Signature of applicant:

Date:

Capacity:

Contact details for matters concerning this application:

Address:

Telephone number(s):

Email:

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.



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