

HEARING BEFORE THE LICENSING SUB COMMITTEE
BCP COUNCIL 17th JANUARY 2024 at 10:00 hours
APPLICATION FOR REVIEW CLUB PREMISES CERTIFICATE

Chief Officer of Dorset Police
Drug and Alcohol Harm Reduction Team **(Applicant)**
Bournemouth Police Station
5 Madeira Road, Bournemouth

Dorset BH1 1QQ

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Highcliffe SSC Committee **(Respondent)**
Highcliffe Sports and Social Club,
387 Lymington Road, Highcliffe, Christchurch BH23 5EG

Skeleton Argument

On behalf of the Respondent

Bill Donne, Silver Fox Licensing Consultants

1.0 SUMMARY OF THE APPLICATION

This is an application for the Review of a Club Premises Certificate from Dorset Police on the grounds of two of the licensing objectives, 1) the Prevention of Crime and Disorder, and 2) Public Safety. The police have based their review on two incidents of assault and one of a noise complaint and have stated that the management of the Club are unsupportive of the police investigations. The Committee reject these claims and will state that they were supportive of the police providing CCTV footage and intelligence to identify the offenders.

The Police also claim that the Club was operating outside of the authorisations and the spirit of a member's club. This allegation is again refuted.

There are no representations in support of the Police application and the Licensing Authority has received numerous representations in support of the management of the club, how it is run, and the contribution it makes to the community.

2.0 BACKGROUND

The Highcliffe Sports and Social Club and is a community facility that was established in 1903 and has the benefit of a Club Premises Certificate (CPC). The authorisation of the CPC includes the supply of alcohol and entertainment.

In accordance with the Club rules the premises are managed by the Committee for the benefit of members. Officers on the Committee include Jenny Share, the Club Secretary and the day-to-day management of the premises is carried out by Ms Mary White.

Under the Licensing Act 2003 there is no requirement to specify a Designated Premises Supervisor on the CPC.

Under the terms of a CPC applicants for membership have to wait for a period of 48 hours between signing up and their membership going live. Members can sign in non-members of the club as guests for that session.

3.0 RESPONSE TO POLICE ALLEGATIONS

Sunday 11th December 2022-Assault

The party finished just before midnight and most patrons had left the premises. The DJ was packed most of his equipment and was stowing it in his car. He returned to collect the remainder of his possessions when he was assaulted by three young men who had been at the party. The DJ was concussed and was in a prone position on the floor of the lobby. An off-duty paramedic attended the injured male and gave directions.

Ms White, the manager assisted the paramedic in taking the person to a recovery area. The DJ was adamant that he did not require medical treatment nor did he wish to inform the police. Ms White accepts that she should have called the police immediately notwithstanding the views of the victim.

As requested by the police Ms White did provide CCTV footage and identified the alleged offenders involved in the incident. Ms White did decline to provide a written statement as she did not actually witness the assault. However, on reflection Ms White now understands that her statement may have helped the police with their enquiries into the incident.

15th December 2022

On the visit by a Police Officer claim that the management routinely allow glasses to be taken outside of the premises. The licensing plans lodged with the Licensing Authority show that the licensing area of the premises extend to the curtilage of the property by the Highway and therefore not in breach of the CPC.

11th March 2023

Police and Environmental Protection officers visited the premises following an alleged noise complaint. The Officers were informed that there had been a member's function held in the upstairs room where someone had opened the windows. This situation had been rectified by the management in order to prevent a breakout of noise.

The HSSC management have not received details of the training package from South West Trading Standards.

7th May 2023 Fight at Christening Celebration on premises.

A Christening party was booked for a member and guests. The party members were becoming rowdy and the manager asked the guests to leave which they did. There was an altercation between a guest and another member which erupted in a brawl. Members quelled the situation and the police were called. By the time the police arrived the patrons had left the premises. CCTV footage was provided to the police. We understand that there were no arrests and no one required medical treatment.

The management did not consider that there was a need at the time for Security personnel to be on duty for what was a family Christening party.

Visit 10th June 2023 Highcliffe Food and Music Festival

Police Officer Busfield visited the premises at 08:00 hours and spoke to the Club's vice president as he was stowing cardboard waste into the Grundon bin outside of the premises. He lives next door to the social club and was in fact still in his pyjamas. He denies being aggressive to the Officer. The management accept that non-members cannot enter the club unless they are signed in by a member.

19th August 2023 Incident-Intoxication

Ms White, the Manager out of the County at the time of the alleged incident. She received a call from a member of staff to say that a club member had arrived at the premises whilst intoxicated. She informed the member of staff to refuse service and ask him to leave, which he did. The member has since apologised for his behaviour. When contacted by the Police in relation to this incident, she could not assist with the enquiries being that she was on annual leave and not witness to this incident.

9th September 2023 Wrestling Event communication.

A communication was received regarding a planned Wrestling Event. Following advice from the Licensing Team, that this event was not permitted as a TEN had not been submitted in time, the Club immediately cancelled the event and emailed the Licensing Team to inform them of this and that no further similar events would be held at the premises.

October 2023 Alleged assault associated with the premises

Club are unaware of any assault at the premises nor any Dorset Police involvement.

4.0 RECOMMENDATION

The conditions on the CPC are outdated and it is recommended to LSC that they consider that the non-mandatory conditions are removed in their entirety and replaced with those in Appendix 1.

Appendix 1

Proposed conditions:

1.0 LICENSING OBJECTIVES

- a) All members of staff working in the bar and restaurant area will be trained in how to promote the four licensing objectives.

2.0 CCTV

- a) The premises shall install and maintain a digital CCTV
- b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
- c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.
- d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
- e) A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open.
- f) Viewing of recordings shall be made available immediately upon the request of Police or authorised Council officer throughout the entire 31 day period
- g) This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data within seventy-two hours of a request in writing.

3.0 INCIDENT REPORTS

- a) An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police.
- b) It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.

4.0 STAFF TRAINING

Staff shall receive training on:

- h) The premises age verification policy
- i) The law relating to under age sales
- j) The procedure for validating documents produced as proof of age
- k) Proxy purchasing
- l) The Standard Operating Procedures for the seizures of drugs and weapons
- m) Staff shall be trained in conflict management and refusals of sale
- n) Their training will be recorded and kept on record for a period of twelve months and will be available for inspection on request from a police constable or a proper officer from the Council.
- o) Refresher training for front of house staff will be provided every six months

6.0 RISK ASSESSMENTS

- a) There shall be risk assessments for Health and Safety in place and reviewed annually or sooner if required.
- b) There shall be a specified named first aider.

7.0 NOISE PREVENTION

- a) No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- b) Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses, and to leave the area quietly
- c) Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

8.0 CHALLENGE 25

- 1) A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised holographic photograph identification cards:
 - a) driving licence
 - b) passport
 - c) proof of age card with the PASS Hologram.
 - d) Staff shall be trained in the five point and FLARE checklist to identify fraudulent cards.
 - e) Staff training on checking proof of age procedures will be recorded and kept on file.

9.0 REFUSALS LOG

- a) A record shall be kept detailing all refused sales of alcohol and shall include the date and time of the refused sale and the name of the staff member who refused the sale.
- b) The record shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises is open