

**MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE held
at Surrey Heath House, Camberley
on 30 June 2011**

+ Cllr Mrs Vivienne Chapman

+ Cllr Ian Sams

+ Cllr Bruce Mansell

+ Present

In attendance: Cllr Lexie Kemp (as substitute)
Cllrs Surinder Gandhum, Beverley Harding, Charlotte Morley,
Joanne Potter and Valerie White (Members of the Licensing
Committee).

Legal Adviser to the Sub-Committee Mrs Amardip Healy (Legal Services Manager)

Democratic Services Officer Mr Andrew Crawford

Surrey Heath Borough Council as Licensing Authority Miss Jessica Harris (Licensing Officer)
Miss Leena Gurung (Licensing Assistant)

Applicant – Surrey Police Mr R Carnie
Mr Spencer Hilliard (Solicitor on behalf of Surrey
Police)

Surrey Police Witnesses Inspector Martin Jones
Inspector Craig Knight
PS Sandra Carlier
PC Jason Pill

Licence Holders –Greene King Pubs Andrew Woods (Solicitor)
Mr Scott Straker (Business and Development
Manager)
Miranda Northern (Designated Premises
Supervisor and House Manager – Kings Arms

Interested Parties Mrs Glyn Carpenter – Bagshot Business
Association

01/LS Election of Chairman

**RESOLVED, that Councillor Bruce Mansell be elected as
Chairman for the meeting.**

PART I
(public)

02/LS Hungry Horse Kings Arms, 42 High Street, Bagshot

The Sub-Committee considered a review application submitted by Surrey Police under Section 51(1) of the Licensing Act 2003 in respect of the Hungry Horse Kings Arms Pub, 42 High Street, Bagshot. The licensable activities authorised by the Premises Licence are the supply of alcohol on and off the premises, performance of live recorded music indoors and the playing of recorded music indoors.

Surrey Police contended that the carrying on of licensable activities at the premises had lead to the following licensing objectives being seriously undermined:

- i) The prevention of crime and disorder
- ii) Protection of public safety
- iii) Prevention of public nuisance

Mr Hilliard, representing Surrey Police, advised the Sub Committee that there had been discussions Greene King Retailing Ltd prior to the meeting, with regards to the Authority's concerns. Both parties had agreed that the addition of the following conditions, if implemented, would meet the concerns raised:

1. Remove all discos and karaoke evenings from the licence, with the licensee permitted to have one live entertainment event per month, though not on a Friday evening.
2. The Designated Premises Supervisor shall be SIA trained to the level of Door Supervisor.
3. There shall be a personal licence holder working at the premises at all times when the premises are open to the public.
4. There shall be appropriate digital CCTV equipment and a sufficient number of cameras shall be maintained at the premises to record colour images that are clear enough to allow police to use them to investigate any crimes committed in those areas scanned by the cameras. The areas covered by the cameras shall cover both sides of any public entrances to the premises and all areas and corridors within the premises open to the public. These areas are to include the beer garden and the front of the premises.
5. No persons other than the police, the licence holder, manager or acting manager shall have access to the CCTV recording equipment and recordings that have been made with the equipment. Images from all cameras shall be recording at all times when the public are present on the premises.

6. Recordings made on the CCTV system shall be kept for a period of at least 30 days.
7. Notices stating that CCTV is in operation shall be displayed throughout the premises.
8. Frequent inspections of toilet areas within the premises shall be undertaken for the purposes of reducing the risk of drug and substance abuse and criminal offences. A written log shall be maintained, showing date and time of visits and the person carrying out the visits.

The Sub-Committee heard evidence from police witnesses to events on the evening of 29 April 2011, which led to the issue of a closure order for that evening, particularly in relation to the following:

- (i) Large numbers of heavily intoxicated individuals in the street outside of, garden of and the interior of the pub.
- (ii) An under-aged person smoking in the gents' toilet.
- (iii) Intoxicated persons acting aggressively.
- (iv) A person having been attacked with a glass bottle.
- (v) Broken glasses and bottles outside the pub, on the High Street.
- (vi) Insufficient bar staff, leading to long queues and individuals either bringing their own alcohol or purchasing alcohol in the adjoining supermarket for consumption on the Pub premises.
- (vii) The duty manager reporting that the designated premises supervisor was both drunk and not present in the licensed area of the building.

Additionally, Members noted concerns about drug usage and possible dealing on the premises, raised with and addressed by the police, by a previous designated premises supervisor.

Mrs Glyn Carpenter, representing the Bagshot Business Association, raised concerns about the numbers of intoxicated people on the High Street, broken glass and bottles in the road and high levels of disorder. She queried why plastic glasses had not been used on such an occasion.

Mr Woods of Walker Morris, representing Greene King Retailing Ltd, accepted the statements made by Surrey Police and the interested party. He reported on measures taken both at regional level and in the management of the premises, to address the issues raised, including:

- (i) The recruitment of a couple who were experienced designated premises supervisors.

- (ii) Training for all permanent staff.
- (iii) Introduction of CCTV.
- (iv) Closing of an access to the pub garden.
- (v) Frequent and unannounced inspections.
- (vi) Measures to make drug usage in the toilet areas significantly more difficult.
- (vii) Regular meetings between the pub management, Greene Kings area management and Surrey Police

After being addressed by the applicants, interested parties and Licence Holders, the Sub- Committee retired to consider its decision.

The Sub-Committee confirmed that they were satisfied that, on the balance of probability, the matters raised by the applicants could be addressed by adopting the agreement put by the parties to the Sub-Committee, with some amendments and the imposition of additional conditions. Members emphasised concerns that there needed to be a system of monitoring and management to ensure that the concerns of the nature raised by the applicants did not arise in the future.

RESOLVED that the following additional conditions/amendments be imposed on the licence for the Hungry Horse Kings Arms:

- (i) The Designated Premises Supervisor shall be SIA trained to the level for an SIA registered Door Supervisor;**
- (ii) There shall be a personal licence holder working at the premises at all times when the premises are open to the public;**
- (iii) There shall be appropriate digital CCTV equipment to a standard acceptable to Surrey Police, installed, working and maintained at the premises. The system must have a sufficient number of cameras to ensure that the premises are adequately covered for the purposes of surveillance and must include all areas, such as the Beer Gardens to the rear and front of the premises and corridors within the premises;**
- (iv) No persons other than the Police, the Licensing Authority, the Premises licence holder or Designated Premises Supervisor shall have access to the CCTV recording equipment or recordings made with such equipment. The CCTV system shall be in operation and recording whenever the premises are open to the public;**

- (v) Recordings made on the CCTV system shall be retained for a period of at least 30 days of recording;**
- (vi) Notices stating that CCTV is in operation shall be displayed throughout the premises;**
- (vii) A management plan to be implemented to ensure a system of frequent inspections of toilet areas within the premises will occur and are recorded in a written log. Such log to show dates times and details of the person who inspected and what was found.**
- (viii) No form of public entertainment that consists of , or is in the nature of, Karaoke or discos shall be allowed at the premises; and**
- (ix) Only one live entertainment event shall be permitted at the premises in any calendar month and any such event will not occur on a Friday. Seven days advance notice shall be given to the Licensing Authority and the Police.**

CHAIRMAN

Note 1: The hearing commenced at 10.00. The Sub Committee retired at 11.50 to re-convene at 12.30. The hearing concluded at 12.45.