

**MINUTES OF A MEETING OF THE  
LICENSING SUB-COMMITTEE held at  
Surrey Heath House, Camberley on 23  
September 2011**

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+ Cllr Rodney Bates  
+ Cllr Ian Sams

+ Cllr Bruce Mansell

+ Present

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

Legal Adviser to the Sub-  
Committee

Mr Leo Charalambides (Counsel on behalf of Surrey  
Heath Borough Council as Licensing Authority)

Democratic Services Officer

Ms Rachel Whillis

Surrey Heath Borough Council  
as Licensing Authority

Miss Jessica Harris (Licensing Officer)  
Miss Leena Gurung (Licensing Assistant)

Applicant – Surrey Police

Mr Rab Carnie (Police Licensing Officer)  
Mr Spencer Hilliard (Counsel on behalf of Surrey  
Police)

Licence Holders –Greene King  
Pubs

Juan Lopez (Counsel on behalf of Greene King  
Pubs)  
Mr Scott Straker (Area Manager)  
Matt Gordon (Designated Premises Supervisor–  
Kings Arms)  
Mrs Sarah Gordon  
Mike Gore (Greene King Risk Assessment Manager)

**09/LS Election of Chairman**

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

**PART I  
(public)**

**10/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 Licensing Officer presented her report to the Sub-Committee. The Police had submitted the review application following an incident at the premises on 9 July 2011. The premises had previously been reviewed and a determination had been made by the Licensing Sub-Committee on 30 June 2011. It was noted that the Sub-Committee's decision on 30 June 2011 was currently subject to an appeal.

Mr Hilliard, representing Surrey Police, and Mr Carnie, the Police Licensing Officer, addressed the Sub-Committee. They detailed the serious assault which had occurred on the premises on 9 July 2011, which had resulted in part of the victim's nose being bitten off. It was advised that the Police had originally been informed that it had occurred 2 miles away in Portsmouth Road, Camberley.

Mr Carnie expressed concerns about the failure of the premise's management to report the incident to the Police, which had in his opinion hindered the subsequent criminal investigation, particularly in relation to the loss of any forensic evidence. He suggested that this failure had demonstrated that poor management continued at the premises after the hearing on 30 June. CCTV footage showed that although no member of staff had been present in the front beer garden during the incident, a member of staff had entered the area shortly afterwards.

Mr Lopez, on behalf of Greene King Pubs, addressed the Sub-Committee. He emphasised that the incident on 9 July 2011 was a "freakish" incident which was a one-off occurrence and could not be prevented by the imposition of any managerial measures. He contended that any hindering of the investigation had been caused by the victim, who had driven away from the premises and had subsequently chosen not to assist with the investigation.

Mr Lopez reported that the management change at the premises had been wholesale. The CCTV for the exterior of the premises had been improved and extended to cover the entire exterior and the Police had confirmed that CCTV provision was satisfactory. Mr and Mrs Gordon - the new DPS and his wife – had recently taken up post at The Kings Arms. The couple had extensive experience of premises management. It was advised that the financial focus for the premises was now family based and food led. In addition, the clientele understood to be involved in the incident were now dissuaded from entering the premises.

Mr Straker, the Area Manager for Greene King Pubs, outlined the improvement to the management and monitoring of the premises since the hearing on 30 June 2011. He informed the Sub-Committee of the robust training programme in place for employees and advised that an additional 5 members of staff had since become personal licence holders.

Mr Carnie provided positive feedback from the Police's recent contacts with the premises and indicated that he was confident the Police could work effectively with the new management team. In particular it was noted that drug testing and screening at the premises had improved since December 2010.

The Sub-Committee was invited by Mr Lopez to impose the same conditions adopted by the Sub-Committee on 30 June 2011, with the exception of the condition concerning the requirement for the premises to have 2 personal licence holders on the premises whilst it was open to the public, the condition that was subject to appeal.

The Sub-Committee discussed the Police's submission that, in order to reduce crime and disorder issues, the Sub-Committee should impose a condition that a minimum of 4 SIA doormen be on duty every Friday and Saturday from 20:00 to closing time, and on any occasion when the premises had entertainment from the start of the entertainment until the premises closed.

In addition to the documents submitted prior to the meeting, the Sub-Committee viewed the plans for the premises, the CVs of Mr and Mrs Gordon and photographs of the injuries sustained by the victim of the incident on 9 July 2011.

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

The Sub-Committee recognised the efforts demonstrated by Greene King and more recently the Gordons, since the previous review and noted the positive feedback by the Police. However, it maintained concerns that management and staff could only obtain momentary observations of the exterior of the premises and accepted the Police's submission that the incident could have been dealt with more speedily if management had been able to witness the event.

**RESOLVED that the following 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 a SIA registered door supervisor;**
- ii. there shall be one SIA Registered Door Supervisor (other than the DPS) on duty at the premises with responsibility for supervising the main entrance and external areas on (i) Friday and Saturday from 20:00 until closing time and (ii) on each occasion during which the premises provides live entertainment from the start of such entertainment until closing time;**
- iii. there shall be one personal licence holder on duty at the premises at all times during which licensable activities are taking place;**
- iv. 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 sufficient number of cameras to ensure 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;**
- v. no persons other than the Police, the Licensing Authority, the Premises Licence Holder or DPS shall have access to the CCTV Recording equipment or the recordings made from such equipment. The CCTV system will be in operation and recording whenever the premises are open to the public;**
- vi. recordings made on the CCTV System shall be retained for a period of at least 30 days of recording'**
- vii. notices stating that CCTV is in operation shall be displayed throughout the premises;**
- viii. 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 date, time and details of the person who inspected and what was found;**
- ix. no form of public entertainment that consists of, or is in the nature of, Karaoke or discos will be allowed at the premises; and**

- x. **only one live entertainment event will be permitted at the premises in any calendar month and any such event will not occur on a Friday. Seven days advance notice of such events will be given to the Licensing Authority and the Police.**

## **CHAIRMAN**

Note 1: The hearing commenced at 10.00. The meeting was adjourned for 5 minutes whilst matters of procedure were clarified. The Sub Committee retired at 12.30 to re-convene at 14.35. The hearing concluded at 14.50.

Note 2: In accordance with the Members' Code of Conduct, Cllr Rodney Bates declared a personal interest when shown a picture of the victim in that he recognised him as being a family member of a Labour Party officer. However, he was not a friend of the victim and had no prior knowledge of this incident and therefore did not believe that bias applied. The Council's Legal Adviser then asked Counsels for the Police and Greene King whether there had any comments to make on that basis and both agreed that they would be happy for Cllr Bates to continue.