

TONBRIDGE AND MALLING BOROUGH COUNCIL

LICENSING AND APPEALS PANEL

Thursday, 30th April, 2015

Present: Cllr C Brown (Chairman), Cllr O C Baldock and Cllr M A Coffin

Together with the representatives of the Licensing Authority, Police Sgt. G Brimson and Ms E Shaw on behalf of Kent Police and Mr K Roberts, Designated Premises Supervisor.

An apology for absence was received from Councillor Mrs J A Anderson

PART 1 - PUBLIC

LA 15/36 DECLARATIONS OF INTEREST

There were no declarations of interest made in accordance with the Code of Conduct.

LA 15/37 EXCLUSION OF PRESS AND PUBLIC

The Chairman moved, it was seconded and

RESOLVED: That as public discussion would disclose exempt information, the following matters be considered in private.

PART 2 - PRIVATE

DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PARAGRAPH 3, PART 3 OF THE CONSTITUTION

LA 15/38 LICENSING ACT 2003 - SUMMARY REVIEW OF A PREMISES LICENCE

(Reason: LGA 1972 Sch 12A Para 1 – Information relating to an individual)

Further to the meeting of the Licensing and Appeals Committee, sitting as a Panel, held on 17 April 2015 regarding a request received from Kent Police for a Summary Review of Premises Licence Number 12/00153/PREM, the report of the Director of Central Services and Monitoring Officer reviewed the interim steps placed on the Premises Licence for the Windmill Inn, 292 Rochester Road, Burham.

The Panel heard from the representative of Kent Police, which had sought the Summary Review following an incident at the premises on

11 April 2015. The Panel also heard from the Designated Premises Supervisor and had regard to the policy considerations set out at paragraph 1.4 of the report of the Director of Central Services and Monitoring Officer and to the Home Office Guidance in respect of Section 53A of the Licensing Act 2003, set out in Annex 5 of his report. Having had regard to the representations, both written and oral, the Panel considered that it would be appropriate to vary the licence subject to the imposition of suitable additional conditions in order to promote the licensing objectives.

The Panel, therefore

RESOLVED: That the conditions of the Premises Licence be modified as follows:-

1. CCTV to be fitted to a standard agreed by the police that complies with the current CCTV Code of Practice produced by the Information Commissioners Office, with all public areas including beer garden, access and egress points and the external front area of the premises being covered;
2. CCTV to be working at all times that staff or members of the public are on the premises;
3. The CCTV system to be maintained and serviced on a regular basis and records kept to that effect. Images to be retained for a minimum of 31 days and made available to Police or Local Authority Officers upon request;
4. Staff to be fully trained in the CCTV system and there to be at least one member of staff on duty during trading hours who is able to provide a recording of any incident at the request of the Police or Local Authority;
5. Signs to be displayed at entrances and exits advising customers that CCTV is in operation at the premises;
6. Signs to be displayed at exits requesting customers to leave the premises quietly and in an orderly manner having due regard to residents;
7. No glasses or glass bottles to be removed from the premises and beer garden. Off sales to be provided in closed plastic or similar vessels;
8. Suitable and sufficient staff training records are to be kept and open for inspection at any time by the Police, Trading Standards or Licensing Authority;

9. A logbook to be kept detailing all incidents and complaints that occur or are received at the premises. This will be a bound book which will detail the following:
 - The day, date and time of the incident or complaint
 - The member of staff making the entry
 - All members of staff involved in the incident
 - Details of any persons injured and injuries sustained
 - Any other details thought relevant
 - The DPS will check and sign the logbook on a weekly basis
10. All customers shall be required to vacate the premises within 30 minutes of the end of hours for the sale of alcohol.

The meeting ended at 2.07 pm
having commenced at 1.45 pm