

CITY OF
WOLVERHAMPTON
COUNCIL

Statutory Licensing Sub-Committee

Thursday, 17 November 2022

Dear Councillor

STATUTORY LICENSING SUB-COMMITTEE - THURSDAY, 17TH NOVEMBER, 2022

I am now able to enclose, for consideration at next Thursday, 17th November, 2022 meeting of the Statutory Licensing Sub-Committee, the following document that was unavailable when the agenda was printed.

Agenda No Item

- 3 **Licensing Act 2003 - Application for a new Premises Licence in respect of Diamond, 2 Skinner Street, Wolverhampton, WV1 4LD (Pages 3 - 10)**

If you have any queries about this meeting, please contact Democratic Services:

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Councillor Philip Page
Chair of Licensing Committee
City of Wolverhampton Council
St. Peter's Square
Wolverhampton
WV1 1SH

10 November 2022

Councillor Page,

Licensing Act (2003) - New Premises Licence Application - Diamond, 2 Skinner Street, Wolverhampton, WV1 4LD - PRE1498

I write on behalf of the Licensing Authority as a Responsible Authority to advise that I have mediated with the applicant on the conditions that have also undergone mediation with Environmental Health and West Midlands Police. This set of conditions supersedes the others included in the agenda pack and application.

Should the Sub-Committee be inclined to grant the application, I kindly request that the below modified conditions be considered for inclusion on the licence:

Modifications to the operating schedule

The prevention of crime and disorder

The Premises Licence holder will train all staff in the main principles of the Licensing Act 2003, notably the promotion of the four licensing objectives, and the specific conditions of this premises licence before being their first shift when the premises is open to the public. Training will also cover underage and proxy sales, Challenge 25, personal safety, conflict management, recognising signs of drunkenness, how to refuse service, the premises' duty of care, company policies and reporting procedures, action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services.

All staff will receive refresher training every six months about their responsibilities under the Licensing Act 2003 and training records will be available to police and authorised officers on reasonable request.

The Designated Premises Supervisor shall co-operate with reasonable requests made by authorised officers of responsible authorities under the Licensing Act 2003 to ensure the licensing objectives are not undermined. The premises licence holder or the designed premises supervisor will regularly attend pub-watch meets and be part of the Link radio system.

The premises will ensure that they have at least one fully functional link radio at all times when the premises is open for licensable activity.

The premises licence holder and/or Designated Premises Supervisor (DPS) shall carry out reviews of security incidents at the premises. Such reviews shall be documented and conducted at least quarterly and include details of any remedial action identified and implemented. Copies of the security review shall be made available upon inspection by a responsible authority, police officer, or authorised officer.

A full site check, including internal and external areas, is to be completed both before and after opening for business, looking for any weapons, illegal substances or insecure areas.

The designated queuing area shall be enclosed within appropriate barriers to ensure that the footway is kept clear. Any queue to enter the premises that forms outside the premises shall be kept orderly and supervised by licensed door supervisors to ensure that there is no public nuisance or obstruction to the public highway.

Queuing outside the premises shall be restricted to a designated area located at the front of the premises.

Any person who appears to be intoxicated or who is behaving in a disorderly manner will not be allowed entry to the premises
A Clubscan/IDSCAN or similar system shall be operated at the premises. All persons entering the premises must provide verifiable ID and record their details on the system. This will be made available for inspection by any Responsible Authority, upon reasonable request
The premises licence holder shall ensure that the provision of door supervisors at the premises is appropriate to ensure the safe control of the premises and shall review this on a regular basis and upon request from WMP.

All security and any staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high-visibility jackets or vests.

A minimum of 2 Security Industry Authority SIA-licensed door supervisors shall be on duty at the entrance of the premises at all times while it is open for business. They shall use body cameras when working.

Door supervisors shall be employed at the ratio of 2 door supervisor for every 100 customers (or part thereof). Clickers shall be used to monitor and maintain capacity levels.

At least 1 female door supervisor(s) shall be on duty at the premises at such times as door supervisors are required to be provided.

When the premises are carrying on licensable activities after 22:00 hours, at least 2 registered door supervisors are to be on duty at each door used for entry or exit. A minimum of 2 SIA-licensed door supervisors shall be on duty at the exit from the premises to ensure orderly dispersal from 00:00 hours until the area immediately

outside the premises is clear of customers at the close of business for a period of no less than 30 minutes after close.

Any door supervisors on duty at the premises must be supplied by an SIA- Approved Contractor Scheme company.

All door supervisors shall be briefed on their responsibilities and relevant company operating procedures before they commence duty.

A door staff log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to WMP or an authorised officer of the licensing authority, which will record the following incidents including pertinent details: the times on duty, names and the licence numbers, of all licensed door supervisors employed by the premises

Knife arch: A knife arch will be in place on all entrance points and will be used as a condition of entry into the venue. This knife arch and any knife wands will be maintained in good working order and if it breaks, West Midlands Police are to be informed and action taken to repair at the earliest opportunity

A Colour CCTV system will be in place which covers entry/exit points of the premises and all areas where alcohol/money is served/taken, all areas where the public have access, all area where searching is taking place and the immediate vicinity outside the premises. The system will be installed and maintained in working order at the premises during all times when licensable activities are authorised by the licence. The system's recorded images and video will be of court-evidential high quality, indicate the correct date and time and be kept for at least 31 days unedited. At least one designated member of staff will be trained to use the CCTV system and be available to provide downloads upon request or, in any case, within 24 hours. Images and video will be downloadable in a suitable format and provided to any officer of a responsible authority upon request. Signs will display that CCTV is in operation.

A monitor shall be mounted on the wall at the premises where it is clearly visible to all members of the public.

The monitor shall show the live CCTV footage being recorded.

Equipment MUST be maintained in good working order, be correctly time and date stamped, recordings MUST be kept in date order, numbered sequentially and kept for a period of 31 days and handed to Police on demand.

The premises licence holder/ designated premises supervisor must ensure that they or an appointed member of staff is capable and competent at downloading CCTV footage in a recordable format EITHER DISC or USB to the Police/Local Authority on demand.

The Recording equipment and tapes/discs shall be kept in a secure environment under the control of the DPS or other responsible named individual.

An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings actions taken are to be recorded.

In the event of technical failure of the CCTV equipment the Event Supervisor MUST report the failure to the Police Licensing immediately.

Only persons entitled to work in the UK may be employed at the premises, with employment records kept, which will be made available for inspection by the police or responsible authorities without delay at their request.

Incidents log: An electronic or written incidents log will be maintained at the premises with a record of all incidents of crime and disorder reported to or by the premises; all ejections of patrons with details of the individual(s) if known; any complaints received; seizures of drugs, offensive weapons, fraudulent ID or other items; any faults in the CCTV system, searching equipment or scanning equipment; any visit by a relevant authority or emergency service; any items found during the full site check. The incidents log will be produced to an officer of a responsible authority upon request. Where a crime is believed to have been committed, the incident will be reported to the West Midlands Police. The incidents log will be kept for at least 12 months and will be produced to an officer of a responsible authority upon request.

The premises must have a written drugs policy which all staff at the premises shall receive regular training on and written records of such training will be maintained. Signs informing patrons of a zero-tolerance policy to all drugs shall be placed at key locations, including all entrance areas, toilets and the bar area. There shall be a lockable 'drugs box' at the premises to which no member of staff, except the DPS and/or a single designated role-holder at business, shall have access. All controlled drugs (or items suspected to be) found at the premises must be placed in this box as soon as practicable. Whenever this box is emptied, all its contents must be given to West Midlands Police for appropriate disposal.

No search no entry Policy and provide signage at the entry points to inform patrons

Alcohol must be purchased on site; customers are not allowed to bring their own alcohol for consumption onto the premises.

The previous premises licence holder, Mr Paramjit Singh, will have no involvement with the operation nor management of the business.

Public Safety

Regular inspections of the premises will take place to identify any hazards that are likely to put staff and customers at risk from harm. The findings of these inspections should be documented, and hazards should be dealt with within a time scale based on risk assessment.

All exit routes and public areas shall be kept unobstructed, shall have non-slippery and even surfaces, shall be free of trip hazards and shall be clearly signed.

The provision for a smoking area will not be at the front of the venue. Any smoking area will be enclosed and no alcohol taken outdoors.

No accumulation of combustible rubbish, dirt, surplus material or stored goods shall be permitted to remain in any part of the premises except in an appropriate place and of such quantities so as not to cause a nuisance, obstruction or other safety hazard.

Drinks shall be served in containers made from polycarbonate.

Regular checks and maintenance shall be carried out on all equipment, electrical installations, emergency lighting and fire alarms and equipment to ensure their continued safe operation. A written record of these checks shall be kept and made available to an authorised officer of the licensing authority.

All staff to be trained in order to carry out a safe evacuation of the premises in an emergency and training to be implemented on an annual basis. A record of this training to be kept on the premises and be made available to any responsible authority upon request.

The premises licence holder shall ensure that a suitable fire risk assessment and emergency plan is in place at all times.

The edges of the treads of steps and stairways shall be conspicuously displayed.

A minimum of one qualified first aider shall be onsite when licensable activities are taking place and that adequate records are maintained in relation to the supply of any first aid treatment..

An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.

The DPS will obtain the Level 3 Award for Designated Premises Supervisors Awarding within 6 months of becoming DPS.

The DPS or a Personal Licence Holder will be working on the premise at all times licensable activity takes place.

The designated premises supervisor shall ensure that tables are cleared of all bottles and glasses on a regular basis during trading hours to avoid an accumulation of glassware.

A dedicated area shall be provided for the purpose of providing care to patrons who are in need of assistance through injury or intoxication or awaiting collection. In cases where patrons refuse all offer of assistance, all steps taken by staff at the premise shall be recorded, to evidence what efforts were made to ensure the safety of the individual concerned.

The Prevention of Public Nuisance

Noise and disturbance from the premises or users of the premises must not negatively impact on the nearest noise sensitive properties.

Provide containers to collect any litter created by patrons smoking outside the premises and ensure any smoking litter is removed on a regular basis.

Noise from patrons using any external areas to queue or to smoke, shall be effectively managed to ensure no disturbance is caused at the nearest noise sensitive properties.

Signs requesting patrons to use external areas quietly and to leave the premises quietly shall be placed at all exits.

Deliveries to the premises and collections from the premises shall be made at times that do not cause a noise nuisance to nearby residents.

An A4 Public Space Protection Order (PSPO) notice, provided by the Licensing Authority will be displayed prominently on the premises.

Apart from normal entrance and egress all external windows and doors shall be kept shut at all times when regulated entertainment is being provided and in any case from 23:00 until close.

Entertainment shall be held internally only; no music or speakers shall be provided to external areas of the premises.

Patrons smoking outside the premises shall be monitored regularly to ensure the potential for noise nuisance is controlled.

Clear and legible notices shall be prominently displayed at any area used for smoking requesting customers to respect the needs of local residents and use the area quietly.

Arrangements shall be put in place to ensure that waste collection contractors do not collect refuse between 19:00 and 07:00.

Between the hours of 21:00 and 08:00 no waste/glass bottles shall be moved or deposited outside. All refuse and bottles shall be disposed of in bins quietly so as not to disturb neighbours or local residents.

The premises licence holder will keep a dispersals policy and ensure that all staff are fully trained in all aspects of the policy.

Alcohol must not be sold less than 15 minutes before the premises' scheduled closing time.

The Protection of Children from Harm

The Challenge 25 scheme will be operated to ensure that any person who appears to be under the age of 25 will provide documented proof that they are over 18 years of

age. Proof of age will only comprise a passport, photocard driving licence, an EU/EEA national ID card or a card bearing the PASS hologram.

An electronic or written refusals log will be maintained at the premises with a record of all refusals of admission or service, including the sale of alcohol. The refusals log will include the basis of a refusal; the person making the decision to refuse; the date and time of refusal. The refusals log will be kept for at least 12 months and will be produced to an officer of a responsible authority upon request.

Such records shall be collected by staff and produced to the police or an authorised person (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Wolverhampton Council.

Children under the age of 18 will not be permitted on the premises.

Staff will be required to complete our training manual on the responsible sale of alcohol as well as the licensing law and our policies prior to being able to work at the event.

I shall be in attendance at the sub-committee, should you have any further questions.

Yours sincerely,



Greg Bickerdike
Licensing Manager
Responsible Authority for the Licensing Authority

Direct: 

Email: 

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