

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I PS 1031 Martin O'Connell on behalf of the Chief Officer of Police

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description The Angel 8 Carrington Street	
Post town Kettering	Post code (if known) NN16 0BY

Name of premises licence holder or club holding club premises certificate (if known) Prospect Brigstock Ltd

Number of premises licence or club premises certificate (if known) 14/00815/LAPNEW
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Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address PS 1031 O'Connell, C/O Campbell Square Police Station, The Mounts, Northampton, NN1 3EL
Telephone number (if any) 03000 111 222 EXT 345164
E-mail address (optional) martin.oconnell@northants.pnn.police.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

On behalf of the Chief Officer of Police Mr Simon Edens, I call for Review of the Premises Licence for The Angel at 8 Carrington Street, Kettering. I call for this review in relation to the licensing objectives of The Prevention of Crime & Disorder and The Protection of Children from Harm.

On the evening of Friday 31st March 2017, in a part of the venue covered by this premises licence known as Bar Seven, an U18s event was held having been advertised through social media. The event was running with pay at the door for entry and was due to run until 23.00hrs. This was not the first of this type of event to be held at the venue so the staff at the venue should have known the risks associated with this type of event.

By 21.00hrs the police were receiving reports of young people under the age of 18 drinking alcohol and intoxicated in the street nearby, including one 16-year-old who was found vomiting on Horsemarket for whom parents had to be contacted. Police conducted a visit to the venue and were informed that in excess of 250 U18s were in the venue with more seen gathering outside wanting access to the event. The DPS Conor Paige was spoken to and admitted to officers that he hadn't anticipated so many people coming to the event. Given that this was the day that the schools broke up for Easter this could have been foreseen.

On the entrance of the venue was one SIA door supervisor was on duty trying to manage the disorderly queue of people trying to enter the venue. Body worn footage of this clearly shows that there was no control over this queuing system with no searching going on to check for alcohol or prohibited articles and people were standing all over the road and food path in a disorderly manner causing disruption to the flow of traffic and potential danger to people stepping into the road. There was no

physical means, ie barriers or cordons, of managing this. There was lots of screaming and shouting going on and to complicate things for the one door supervisor at the door young people who had already gained admittance to the venue were being allowed to come and go outside and then back into the venue as they pleased with little or no supervision of what they may have been taking out or bringing back into the venue.

On the current premises licence are several conditions consistent with the operating schedule and one of these states:

"On the following nights from 20.00hrs to closing time Friday and Saturday the premises will have available sufficient security staff to maintain the crime and disorder objective. The required number of staff will be two to maintain security at the entrances on Carrington Street. Irrespective of the above, if the premises uses any other entrances then two door supervisors will be provided at each of those two entrances to the premises on every Friday and Saturday night from 20.00hrs to closing time.

Door supervisors will wear hi-viz vests/jackets at all times while on the door. The licensee will carry out a written risk assessment for other nights of the week and special events to ensure that the security staff provision is suitable to ensure that the crime & disorder objective is met. (All staff provided to meet this condition will be SIA licensed)"

In relation to this condition it is clear from officer accounts of their attendance and body worn video footage that this condition was being breached. There was only one person with an SIA badge displayed on his arm but with no hi-viz vest or jacket deployed to the entrance being used for this event. The DPS Mr Paige also holds an SIA licence but he was not displaying this despite the fact that he stated he was acting as floating security supervision within the venue.

Having liaised with the DPS and viewed the confusing and disordered situation at the entrance PC Hughes and PC Brown conducted a walk-through of the venue only to find a number of young people inside who were intoxicated and under no further security supervision. The intoxicated young people were removed by police and their welfare managed and advice was given to the DPS about his further management of of the situation.

At 2130hrs police were recalled to the venue via the town centre CCTV radio system who said that the event was having to be shut down early and that the venue could not manage the situation. By the time police got there there was no-one managing the entrance to the venue despite the fact that it had been overrun by young people who were all over the street outside. Confusion and tension was building and the youths gathered were making a lot of noise. Inside the venue one member of security staff was attempting to usher people from the venue into a crowd of around 200 already gathered outside who were all over the road completely disrupting the free flow of traffic, and to any onlooker of reasonable firmness this would have looked very disturbing and potentially frightening.

Several of the young people gathered outside were very disgruntled at having an event they had paid to enter curtailed early and were rushing the entrance in an attempt back in. Meanwhile inside the young people remaining were showing a lot of resistance and argumentative behaviour when being told to leave both by the lone door staff member and the police who were trying to assist him. Once all outside Bar Seven any staff from the venue shut the doors seemingly washing their hands of the confusion left outside on the street with over 200 young people expelled from their venue. Amongst this crowd were a minority of trouble makers who proceeded in goading others to participate in disorder and sheer numbers meant police from

Wellingborough, Corby and Kettering had to attend along with their supervisors and Inspectors. Disturbances and nuisance from this continued in the Carrington Street area spreading to Horsemarket, High Street (specifically McDonalds) and Dryland Street. Bottles were thrown and youths were trying to climb over a police van. One male was arrested for being drunk and disorderly and more could have been arrested for offences committed but the sheer scale of the incident prevented this being practical.

Once the situation was under control PC Brown went and spoke to Conor Paige, the DPS, by way of a debrief. Paige admitted that his planning, management and staffing of the event had been completely insufficient. He decided to shut the event down after there 300 capacity had been reached and 40-50 further youths had managed to breach the rear garden gate and get in too due to lack of staff to cover this eventuality.

It is the view of Northamptonshire Police that a failure in event planning, in having adequate staffing and of complacency by the management to these high risk events has led to significant crime and disorder in Kettering town centre and seriously undermined the protection of children from harm. Managing young persons in what is essentially a night-time economy situation brings extra risk due to vulnerability and the potential for high spirited and misguided adventure by this age group. They will try to sneak alcohol into these events or have it planted somewhere nearby, they will potentially pre-load on alcohol and pre-existing peer rivalries and tensions can easily be aggravated in these situations when youths from all over a wider area come together in unsupervised surroundings. Fortunately we have no reports of serious injury and no serious crime has been committed but to any bystander this situation would have caused harassment, alarm and distress and dis cause a significant amount of stress and disruption to the policing of Kettering and the surrounding areas that night.

To this end it is recommended that this venue is prohibited from holding further U18 events with the following condition added the licence:

“No children under the age of 18 will be allowed to enter or remain on the premises unless for the purposes of attendance at a pre-booked private function and in which case they will be under the supervision of a person age no less than 21-year-old.”

Alternatively:

“No events primarily aimed at U18s will be permitted at this venue.”

If however it is not the decision of the licensing committee to instigate either of these restrictions on the venue and it continues to allow them to hold U18s events then the following police conditions are recommended to be added to the licence:

1. Any U18 events planned at the venue must be notified to the Police Licensing Officer and to Kettering Borough Council at least two weeks in advance with the following information – times and duration of the event; the number of available tickets for entry (both advanced sale tickets and for payment on the door; security arrangements including the numbers and gender ratio of any door staff to be deployed and how they are to be deployed at the venue; details including stage names, real names in full and dates of birth of any outside promoter linked to the event and any DJs/MCs that this promoter is using to provide the entertainment.

2. No U18 event will continue beyond 22.30hrs in line with the Public Spaces Protection Order which prohibits those under 18 being in the town centre after 23.00hrs.

3.All staff employed for the duration of U18 events will wear hi-visibility vests/jackets both at the entrances and whilst deployed inside the venue.

4.At U18 events there will be at least two members of security staff at each entrance being used and at any other exits/entrances which although are not being used could be breached allowing unauthorised entry. In addition to this there shall be at least two other door staff on duty carrying out floating patrols, one covering the garden area at all times.

5.At U18 events once admission is given to a person to the event they will not be re-admitted if they subsequently leave the venue without going through the normal queueing, checking and searching procedures applied at the entrance.

6.At U18 there will be a robust searching policy at these events including any handbags or clutch bags to prevent alcohol or other prohibited items entering the venue. This will include the use of a metal detector wand to assist in the searching for any potential blades or sharp instruments.

7.At U18 events thorough scrutiny including the use of a breath test device will be used at the entry points to identify those people who are intoxicated.

8.At U18 events the queueing system will be robustly controlled using barriers/cordons to maintain an orderly queue outside that does not cause nuisance or obstruction on the highway. This queueing system with security supervision will be in place at least 30 minutes prior to the start of the event.

9.The premises will have a written policy in relation to dealing with vulnerable people associated with the venue. This will include as a minimum – a) a means of contacting any scheme that deal with vulnerable people such as Street Pastors; b) a direct line of communication with the local area CCTV operators; c) documented training for all staff members in dealing with vulnerability and how to spot it within the context of the night-time economy; d) an agreement with a local taxi company(ies) to provide a line a of communication facilitating the removal of vulnerable people to a safe location if the need arises (the choice of company(ies) shall be at the discretion of the venue); e) identification of a safe area inside the venue where vulnerable people can remain until their safety has been insured; f) a nominated member of staff who can be tasked to deal with any vulnerable people within the venue; g) a method of recording the rationale for actions taken when dealing with a person who is deemed as vulnerable.

10.A copy of this vulnerability policy will remain on the premises and be made available to all staff as they need to refer to it and to an officer from a responsible authority at all times upon reasonable request.

11.At U18 events the premises will have a dispersal plan in place which involves staff/door staff encouraging and monitoring the safe and peaceful exit of customers from the venue and the immediate area outside and security staff will be employed for at least 30 minutes after the event closure to monitor and control this.

In making this application for a review of the premises licence at The Angel I have considered the aims and the objectives of The Licensing Act 2003 as outlined at paragraphs 1.2 – 1.5 of the Section 182 guidance; especially that which states:

1.5 “However the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone

involved in licensing work.

They include:

- Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises:"

Not only were the actions or inactions of the management of this venue clearly inadequate to prevent crime and disorder or protect children from harm they also did not take into account the wider community and the nuisance that this event ended up causing especially when a complete lack of preparation and control meant that they had to suddenly abort the event altogether and push the problem elsewhere, namely into the public domain.

I submit this application for your consideration.

Please provide as much information as possible to support the application
(please read guidance note 2)

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to this premises please state what they were and when you made them

Not applicable

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

 P S 1031

Date

5th April 2017

Capacity Northamptonshire Police Licensing Officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.