

STEVENAGE BOROUGH COUNCIL

**LICENSING COMMITTEE
MINUTES**

Date: Tuesday, 19 October 2021

Time: 10.30am

Place: Council Chamber

Present: Councillors: Maureen McKay (Chair), Margaret Notley, Rob Broom, Claire Parris and Graham Snell

Start / End Start Time: 10.30am
Time: End Time: 12.40pm

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were submitted on behalf of Councillors Doug Bainbridge, Adrian Brown, Jody Hanafin, Liz Harrington, Lizzy Kelly, Graham Lawrence, Andy McGuinness, Lin Marin-Haugh and Loraine Rossati.

There were no declarations of interest.

2 MINUTES

It was **RESOLVED** that the Minutes of the meeting of the Licensing Committee held on 16 August 2021 be approved as a correct record and signed by the Chair.

3 LICENSING APPLICATIONS - PROCEDURE

The Procedure for the hearing of Licensing Applications was noted.

4 APPLICATION TO REVIEW A PREMISES LICENCE - IBIS HOTEL, THE FORUM, DANESTRETE, STEVENAGE

The Chair welcomed all parties to the meeting and all those present introduced themselves.

The Commercial and Licensing Manager presented a report outlining details of an application made by Hertfordshire Constabulary for a review of the premises licence for the Ibis Hotel, The Forum, Danestrete, Stevenage. The application was made in connection with the Licensing Objective of the prevention of crime and disorder and the protection of children from harm. The application followed a number of incidents that had occurred at the Hotel including potential child abuse and the inadequacy of the provision of CCTV coverage which had hindered the investigation of these incidents.

The Licensing Authority had also recommended changes to the premises license conditions as a result of the incidents, the lack of CCTV provision and the lack of an

incident log and refusals log on the premises.

The Chair thanked the Licensing Officer and invited representations from the Police and Responsible Authority.

Gillian Ackroyd, Licensing Officer Stevenage Police, DS Katie Northway (on behalf of DC Afolabi) and PC Sarah Lane, addressed the Committee and read out their statements in relation to their enquiries conducted at the Ibis Hotel.

The Committee noted that there had been constructive partnership working since the visit to the Hotel on 4 August 2021 when the failure of the CCTV system was identified along with the lack of an Incident Log and Refusals Log. However, a recent visit to the Hotel by the Stevenage Borough Council Licensing Officer and the Police had confirmed that a new CCTV system had been installed and an Incident log and Refusals Book established.

In response to questions from Members, it was confirmed that the new CCTV system covered all public areas in the Hotel, with monitors in the office in the reception area and downloads from the system could be done on site. The Hotel Manager had been trained in the use of the system and additional training was being rolled out to other staff members.

The Chair then invited Julia Palmer, representing the Hotel to address the Committee. Ms Palmer confirmed the Company's willingness to work in partnership with the Stevenage Borough Council Licensing Team and with the Police. She raised the following points:

- A new CCTV system had been installed and appropriate training would be given to staff;
- Support and assistance would be given to ensure that Child Sexual Exploitation (CSE) training and awareness was rolled out to staff members including high level training for the Hotel Manager;
- With the exception of 4 hours in the afternoon 2 members of staff would be on shift;
- The Company had agreed to give up the right to off sales;
- The conditions related to CCTV, incident logs, training and Challenge 25 would now cover the whole site.

In response to further questions from Members, it was confirmed that effectively all Hotel staff would receive a level of CSE training, with the Hotel manager receiving high level training through the BII (British Institute of Innkeepers) which was the main body overseeing the industry. The age verification process, Challenge 25 would be applied to all areas of the business including accommodation booking, not just licensable activities.

After all parties had been given the opportunity to sum up their cases, the Chair asked the applicant, objectors and Licensing Officers to leave the meeting whilst the Committee considered the evidence presented.

During their deliberations, members expressed concern regarding the level of CSE

and Safeguarding training, safe staff practices and lone working and the extent of the anti-social behaviour in and around the Hotel which also impacted on the wider community.

Following due consideration, all parties were invited back into the meeting.

The Chair advised all those present that the Committee remained extremely concerned to ensure that all those visiting, staying at, and working at the hotel were kept safe.

The Committee noted that a revised set of licensing conditions had been discussed and proposed, and that it had been invited to consider the substitution of these conditions for those currently in place, including the removal of the Hotel's Licence for Off-sales.

The Committee also sought assurances on the following issues:

1. **Safeguarding and CSE Training** – The Committee stressed its concerns about the need to keep children in the Borough safe. The Committee noted that the Hotel is working with colleagues in the Police to undertake Halo training. The Committee requested to receive written confirmation from the Hotel that the training is complete and a schedule setting out when refresher training will be undertaken. The Committee also invited the Hotel to liaise with the Hertfordshire Safeguarding Children's Partnership and establish what wider safeguarding training should be provided.
2. **Safe Staffing and Whistleblowing** – The Committee was concerned to hear that some Members of staff felt unsafe at work and were concerned that this might impact on their ability and willingness to challenge those visiting the Hotel.

Accordingly, the Committee would be grateful to receive written assurance on:

- The Hotel's Safe Staff and Lone Working Policy; and
 - The Hotel's Whistleblowing Policy.
3. **Cumulative Impact Assessment** – The Committee was concerned to read about the extent of anti-social behaviour and potentially criminal behaviour in and around the Hotel. The Committee was concerned to ensure that this issue is investigated and any wider community impact caused by the night time economy is understood. Stevenage Borough Council officers were requested to undertake a cumulative impact assessment (in accordance with the Guidance issued under Section 182 of the 2003 Act) and to report to this Committee in due course.
 4. **Monitoring Implementation of Licence Conditions** – The Committee requested that the Council's Licensing Officer takes reasonable steps to attend the Hotel and report back to the Committee in due course on the implementation of the CCTV system, the Incident Log and the Refusal log.

Decision of the Licensing Committee

The Committee **RESOLVED** that it was proportionate and reasonable to amend the current licence conditions in accordance with the following conditions:

1. Alcohol shall not be sold except during the permitted hours shown in Part J – the sale by retail of alcohol for consumption ON the premises only.
2. The above restrictions do not prohibit :
 - a) The consumption of alcohol on the premises during the first twenty minutes after the above hours
 - b) The taking of alcohol from the premises (unless the alcohol is supplied or taken in an open vessel) during the first twenty minutes after the above hours
 - c) The consumption of alcohol on the premises by persons taking meals there during the first thirty minutes after the above hours, if the alcohol was supplied for consumption ancillary to those meals.
 - d) The consumption of alcohol on the premises by or the taking sale or supply of alcohol to any person residing in the licensed premises.
 - e) the sale or supply of alcohol to any canteen or mess being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of HM naval military or air forces.
 - f) The sale of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by the resident or the consumption of alcohol by persons so supplied.
 - g) The supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence or the consumption of liquor so supplied.
 - h) The provision of authorised licensable activities during the approved hours and on the agreed conditions in the Forum, the first floor function and banqueting suite ('the Function Suite').
3. The premises will be equipped with a CCTV system that covers all the entrances and exits to the Hotel all the public areas of the Hotel including the Function Suite, all the areas that serve Hotel residents and visitors to the Function Suite, and all the corridors and other open areas on the floors where

Hotel residents have their rooms. The quality of the images should be of a standard that is acceptable to the Hertfordshire Constabulary including a full image of the faces of people entering the premises to such a standard that the images can be used for identification purposes. The CCTV will be in operation and recording 24 hours a day.

4. The local Hertfordshire Constabulary licensing officer will be informed by email within 24 hours in the event of the breakdown of the CCTV recording equipment. The equipment is to be repaired and in operation as soon as possible.

5. CCTV images are to be kept for a minimum of 31 days and produced to a Police Officer, Police Licensing Officer, Police and Community Safety Officer, Stevenage Council Licensing Officer or other Stevenage Council authorised officer (an 'authorised officer') within 24 hours of a written request that enables the processor to identify a condition for processing under UK GDPR and Data Protection legislation. The images should be provided in a format that is viewable by the person requesting them. CCTV images will be date and time dated. CCTV images shall be available for immediate viewing on a monitor at the Hotel by all the categories of person mentioned above. There shall be at least one CCTV monitor in the reception or front office of the Hotel for staff to monitor activity within the Hotel. A member of staff who can monitor the CCTV system shall be on duty at all times.

6. An Incident record log shall be maintained (either written or electronically recorded) of the following matters :
 - a) All incidents of crime or disorder that occur at the Hotel or are reported to Hotel staff
 - b) All calls made to Police about situations other than crime and disorder
 - c) All refusals of alcohol sales
 - d) All visits by Police or other Responsible Authority officers
 - e) All evictions of guests or customers
 - f) The times worked by SIA staff including their name and badge number
 - g) Any faults affecting the CCTV system.

This log shall be available for immediate viewing upon request by an authorised officer.

7. A Challenge 25 Policy shall be adopted for alcohol sales. Posters advising customers of the operation of Challenge 25 shall be displayed in prominent places near the till at sales bars. A record of alcohol sale refusals will be kept as detailed in condition 6 and available for viewing as detailed in condition 6.

8. Any member of staff responsible for the sale or supply of alcohol at the premises will receive ongoing training in relation to the legislation governing the sale by retail of alcohol to include under age and proxy sales. A record of such training will be maintained on site and produced to an authorised officer on request.

9. Conditions applicable to the licensed use of the Function Suite ('the facilities') after 23:00.
 - a) The facilities will be limited to invitees or ticket holder only
 - b) The authorisation of customers to use the facilities will be checked before they are allowed access to those facilities
 - c) Details of the organisers of the function/s and the nature of the same will be maintained on site and available for inspection by an authorised officer on request.
 - d) 'An event' will be defined as use of the facilities for ticketed events. In respect of an event the local Hertfordshire Constabulary licensing officer (the 'police licensing officer') will be given 14 days' notice of the event and the DPS will be responsible for ensuring that such details of the event as that officer may require is provided to that officer. This condition will be applied to any TEN given in respect of any such event.
 - e) In respect of an event SIA licensed security staff will be deployed as indicated unless the police licensing officer waives or reduces such requirement on production of a risk assessment at least 14 days prior to the event. SIA licensed security staff will be on duty for 30 minutes prior to the start of the event until 30 minutes after the facilities close. If there is no such waiver the minimum number of security staff will be
 - For an event hosted for 100-200 guests – 2
 - For an event hosted for 201-400 guests – 2 until 23:00 and 3 thereafter
 - For an event hosted for 401-500 guests – 2 until 23:00 and 4 thereafter
 - For an event hosted for 501-620 guests - 2 until 23:00; 3 until 00:00 and 5 thereafter
 - f) If security staff are used on any occasion they shall be required to wear their badge so that it can be clearly seen whilst they are on duty.

- g) The DPS or member of staff aged 18 or over who has been authorised in writing by the DPS will be on duty at the premises throughout any function or event hosted for more than 100 guests.
- h) Except for customers permitted to temporarily leave and then re-enter the premises (to for example smoke) there shall be no new admission to the premises after midnight.
- i) No child under the age of 16 shall be admitted to the facilities at any time for or during an event unless accompanied by a responsible adult.
- j) Notices will be clearly exhibited at the exits requiring customers to leave the premises and the area quickly and quietly and to have regard for any residents in the area.
- k) Windows will be kept closed when musical regulated entertainment is played.
- l) No music or amplified sound shall be generated within the facilities so as to give rise to a statutory nuisance within any private neighbouring dwelling.

The Applicant was advised of their right of appeal to the Magistrates' Court against the above decision within 21 days of the date of the decision (19 October 2021).

5 **URGENT PART 1 BUSINESS**

None.

6 **EXCLUSION OF PUBLIC AND PRESS**

Not required.

7 **URGENT PART II BUSINESS**

None.

CHAIR