

DECISION RECORD OF A MEETING OF THE LICENSING ACT 2003 SUB-COMMITTEE (A) HELD HYBRID IN THE COUNCIL CHAMBER - CIVIC OFFICES, ANGEL STREET, BRIDGEND, CF31 4WB ON THURSDAY, 5 OCTOBER 2023 AT 12:30

Present

Councillor M Lewis – Chairperson

MJ Kearn

J Llewellyn-Hopkins

Officers:

Julie Ellams

Democratic Services Officer - Committees

Stephen Griffiths

Democratic Services Officer - Committees

Andrea Lee

Senior Lawyer

Michael Pitman

Technical Support Officer – Democratic Services

Yvonne Witchell

Team Manager Licensing

Title of Report	Licensing Act 2003 Section 51: Application to Review Premises Licence, Eden, 33 Market Street Bridgend, CF31 1LJ
Decision Made	<p>The Sub-Committee must in its decision-making promote the statutory licensing objectives and in particular, the prevention of crime and disorder and public safety. The Sub-Committee have taken into consideration the Licensing Act 2003, the statutory guidance issued under the Act and the Council's statement of Licensing Policy.</p> <p>The Sub-Committee have determined that Licence holders have breached their licensing conditions which relates to CCTV which has undermined the prevention of crime and disorder and public safety.</p> <p>The Sub-Committee have heard that Mr and Mrs Rasul have accepted that their behaviour has fallen short</p>

of what is expected from them as Licence holders but have put in place several matters to rectify the situation such as overhauling the cameras and putting in place training the family on downloading the images. However, the Sub-Committee have determined that this does not go far enough to ensure compliance with the licensing condition and the licensing objectives.

The Sub-Committee have determined that every member of staff at the premises must be trained on downloading the CCTV images, in order that if Police attend the premises and require the footage then every member of staff should be able to produce them on demand. The premise licence holder must produce a log that contains the names of all the members of staff who have been trained and this must be produced to the Licensing Department of the Council and the Licensing department of the Police before the 14-day period has elapsed.

The Sub-Committee have determined that they will suspend the Licence for a period of 14 days to ensure that during that period all members of staff are trained on downloading the images and the log of the training and the names of staff who have been trained are produced to the Police and the Licensing Department of the Council. Also, during this period, the Licence holders must produce the names of every member of staff who holds keys to the premises and produce that list to the Police and the Licensing Department of the Council.

The Sub-Committee have also determined that the CCTV condition on the Licence requires amendment to ensure that the licensing objectives are met, and the condition is amended as follows: -

CCTV will be provided in the form of a recordable system capable of providing pictures of evidential quality and in particular facial recognition. Cameras will encompass all access to and exits from the premises including fire exits and all areas, with the exception of the toilets to which public have access. The equipment will be maintained in good working order. The System will continually record whilst the premises is open for licensable activities and during all times when customers remain at the premises. Recordings will be timed and kept in date for a period of 28 days and will be handed to a Police officer within 72 hours upon lawful demand. The designated premises supervisor will ensure that at all times all members of staff on duty must be trained in the use of the CCTV equipment and be able to produce recordings in a recordable format either to USB or to disc or via the NICE system used by South Wales Police, upon lawful demand by a Police officer or Local Authority officer. The Premises will also maintain a log containing the names of the members of staff who have been trained on downloading the CCTV system together with the date the staff were trained. All new members of staff must be trained within 21 days of commencing employment at the premises. The recording equipment will be kept in a secure environment under the control of the DPS or another responsible named individual. An operational daily log will be maintained indicating that the system has been checked and is compliant. In the event of any failings of the system actions taken to rectify such failings will be recorded. If there is a technical failure of the CCTV equipment the DPS will report such a failure to the Police.

Date Decision Made	5 October 2023
Personal or Prejudicial Interests Disclosed	None