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TRETHOWANS

Law. As it should be.

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By email only

5 August 2021

Dear PC Swallow

**Application for Review of Premises Licence re: The Exchange,
9 Southgate Street, Winchester, SO23 9DZ : Hearing 10am 13 August 2021**

Good afternoon. I represent Mr Clark in respect of the application you have made for Review of the premises licence.

Whilst Mr Clark's recollection and understanding of some of the issues you raise do not agree with your accounts, he does accept that in the very exceptional situation he found himself due to the pandemic after 21 years in the trade as tenant licensee of this pub, he fell short of some of the administrative standards expected. He had already taken positive measures to address some of these issues prior to instructing me, and has readily and willingly agreed to a complete overhaul of his compliance protocols to demonstrate his ongoing promotion of the licensing objectives.

In particular, he accepts your suggestion that clarity and accountability be accepted by him by the imposition of conditions on the premises licence. I would respectfully suggest that one new set of conditions, including those to which you make specific reference in your application, be considered by the committee, so that they are in a format which is easy to understand by all those concerned.

Those proposed draft conditions are attached. Please feel free to discuss any alterations you may wish to see to those. Mr Clark most certainly had no intention of appearing dismissive of advice given, and apologises if he gave that impression. He wishes to work with all responsible authorities in promoting the licensing objectives, including you and your colleagues, and it will be noted that your suggestions have indeed been taken on board.

Kind regards

Yours sincerely


Julia Palmer
Consultant - Licensing Team
For and on behalf of Trethowans LLP

Cc licensing@winchester.gov.uk

The Exchange, 9 Southgate Street, Winchester

PROPOSED CONDITIONS

To supplement and replace those currently at Annex 2

All licensing objectives

1. The Premises Licence Holder shall ensure that a training package is in place in order for all staff involved in the sale or supply of alcohol to be sufficiently trained in licensing matters proportionate to their role to be made aware of their responsibilities. Particular attention should be paid to underage sales/ID verification and the refusal of alcohol sales to a drunk person. Staff will additionally be trained in the zero tolerance policies operated by the Premises Licence holder in respect of disorderly behaviour from customers, anti-social behaviour and drug abuse. Staff will sign a document to acknowledge that they have completed this training and have understood their responsibilities in this respect.

Prevention of Crime and Disorder

1. The Premises Licence Holder shall ensure that a refusals book/incident book or log is maintained at the premises. These records shall be maintained for a minimum of one year and be made available to the Police and other responsible authorities on request.
2. The Premises Licence Holder shall ensure that the CCTV system is (so far as reasonably practicable) recording when licensable activity is taking place. Images must be of a standard to enable subject identification and footage must be retained for a minimum of 31 days and made available to the Police in an appropriate format on request (subject to the Data Protection legislation in force at the time). Camera coverage will include the main entrance and exit and a minimum of two cameras inside the bar and two in the pub garden.
3. Every effort will be made to prevent customers leaving the premises with open bottles cans or glasses.
4. The Designated Premises Supervisor will carry out a Risk Assessment each day and record results in respect of the need for SIA security personnel to assist with controls. If deemed necessary, they will be employed at the ratio of 1:100 customers expected (or part thereof). A log will be maintained giving

details of the security engaged (including their name and Licence number) which will be made available to the Police on request, and the security personnel will wear a body camera when on duty.

5. Security duties will include controlling any queues to enter; maintaining order within and immediately outside the premises (including the pub garden) and encouraging a swift and orderly dispersal of customers at the end of the evening. If no security are deployed, these duties will be carried out by the duty manager and the staff on site.
6. To further the zero tolerance drug policy, the Premises Licence Holder will ensure that regular toilet checks are carried out and recorded in the incident book.
7. A Dispersal Policy to clear customers as quickly and quietly as possible from the premises and the area promptly at closing times will be implemented.

Public Safety

1. The Premises Licence Holder will ensure that entrances to the bar, bar area, toilets and garden are well lit and maintained.
2. The Premises Licence Holder will ensure that the walkways on the garden decking are coated with textured non-slip oil every year prior to the winter season.
3. The Premises Licence Holder will ensure that a log book is kept of emergency lighting and smoke detector checks.

Prevention of Public Nuisance

1. The Premises Licence Holder shall ensure that signage requesting customers to leave quietly and have respect for neighbours is displayed at all exits to the premises. If necessary, staff will additionally remind customers of this requirement
2. A telephone number shall be made available for local residents to contact the premises in the case of noise nuisance or anti-social behaviour by persons

associated with the premises. A record of all calls shall be entered in the incident book together with details of the action taken.

3. Speakers in the pub garden will be switched off at 10.30pm.

Protection of Children from Harm

1. There will be a Challenge 25 age verification policy operating at the premises. Challenge 25 means that the Premises Licence Holder shall ensure that staff are trained to ask for identification of proof of age from any individual who visually appears to be under 25 years of age and who is seeking to purchase or be supplied with alcohol at the premises.

Acceptable identification for the purposes of age verification will include a photo card driving licence a passport or photograph identification bearing the 'PASS' logo and the persons date of birth

If a person seeking alcohol is unable to produce acceptable identification no sale or supply of alcohol will be made to or for that person

'Challenge 25' posters shall be displayed in prominent positions at the premises

2. The Premises Licence Holder will operate a policy that customers under the age of 18 are not allowed on the premises when licensable activities are taking place unless accompanied by their parent or guardian.
3. The Premises Licence Holder will ensure that all under 18s leave the premises by 7pm or by the end of the 5.30pm kick off match on a Saturday.