

Licensing Sub-Committee  
Portsmouth City Council  
Civic Offices  
Guildhall Square  
Portsmouth  
Hants  
PO1 2AL

## Licensing Service

Civic Offices  
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PO1 2AL

Phone: 023 9283 4604

Our Ref: 17/04444/LAREVI

Date: 2 January 2018

Dear Members of the Licensing Sub-Committee

### **Re: Licensing Act 2003 - Application for the review of a premises licence S2 Snooker Club 223 Kingston Road Portsmouth Hants PO2 7EG**

I refer to the recent application by the Chief Officer of Police for the review of a premises licence in respect of S2 Snooker Club, 223 Kingston Road, Portsmouth, PO2 7EG.

On behalf of the Licensing Authority, I would wish to make formal representations in relation to the application on the following grounds:

- The prevention of crime and disorder;
- Public safety;
- Prevention of public nuisance; and
- The protection of children from harm.

The Licensing Authority has grave concerns relating to:

- a) The lack of overall management and supervision of these premises;
- b) Incidents of violence, crime and disorder;
- c) Long standing evidence of non-compliance with conditions attached to the premises licence.

The Licensing Authority has undertaken a number of inspections in relation to these premises and I have set out below the history of the Licensing Authority's involvement:

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| 24 December 2013 | Application for the transfer of the premises licence to <b>Mr Chin To Lam</b> from Mr Tak Ho Chan. The transfer was granted on 14 January 2014.              |
| 24 December 2013 | Application to vary the designated premises supervisor to <b>Mr Chin To Lam</b> from Liu Lai Chan. The variation of DPS was also granted on 14 January 2014. |

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| <p>27 December 2013</p> | <p>PC Pete Rackham met with the manager of the premises - Ms Bridget Wong - in respect of the new DPS and how the venue was intended to be operated. Ms Wong advised the following:</p> <ul style="list-style-type: none"> <li>• Does not want discos at the venue - Unless a pre booked function for members or Chinese New Year;</li> <li>• Wants to open until 0400 hours in order to serve hot food and drinks to customers. However does not want to serve alcohol from 0100 hours;</li> <li>• Wants to keep karaoke/snooker tables until 0400;</li> <li>• Wants to be able to show sport on the TV system;</li> <li>• Wants to provide spa treatments;</li> <li>• Wants to turn the venue into a members only venue - members details retained on a computer system and provide a members card. Any guests would be required to sign in with details provided;</li> <li>• Improvement to CCTV at the venue;</li> <li>• Provision of a CCTV entry system where customers have to be buzzed into the venue;</li> <li>• Removal of the scannet/doorstaff requirement.</li> </ul> |
| <p>24 January 2014</p>  | <p>Application for a minor variation to the premises licence received from <b>Mr Lam</b> in respect of the following changes:</p> <ul style="list-style-type: none"> <li>• Removal and amendment of conditions attached to the premises licence;</li> <li>• Changes to the layout of the premises;</li> <li>• Provision of late night refreshment every day from 23:00 until 04:00 hours;</li> <li>• Sound proofing and provision of regulated entertainment from 01:00 until 04:00 hours every day.</li> </ul> <p>Minor variation granted on 8 February 2014.</p>  |
| <p>12 March 2015</p>    | <p>Application for the variation of the premises licence received from <b>Mr Lam</b> in respect of the following changes:</p> <ul style="list-style-type: none"> <li>• Extend the sale by retail of alcohol from 01:00 until 04:00 hours every day;</li> <li>• Extend the licensed area of the club to include the front foyer.</li> </ul>  |

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| <p>13 March 2015<br/>(22:00 hours)</p> | <p>Compliance visit to premises by Licensing Enforcement Officers. Summary of findings as follows:</p> <ul style="list-style-type: none"> <li>• Licence summary on display;</li> <li>• Premises licence taken down from frames;</li> <li>• DPS Chin To Lam was contacted and en route to premises;</li> <li>• All sales of alcohol authorised by DPS and signed;</li> <li>• CCTV up and running, 16 cameras in total, footage kept for 60 days;</li> <li>• All documentation to hand as requested apart from info concerning gaming machines;</li> <li>• All guests that were present and entered the club had signed in. Established that there was a charge of £5 to become a member.</li> </ul>         |
| <p>10 April 2015</p>                   | <p>Application for the variation of the premises licence granted subject to amendment to application to include conditions as agreed with the Police.</p>  |
| <p>18 August 2015</p>                  | <p>Complaint from a member of the public concerning:</p> <ul style="list-style-type: none"> <li>• Noise caused by persons attending the premises in the early hours of the morning;</li> <li>• Allegations of substance abuse immediately outside the door of premises relating to the use of marijuana, nitrous oxide canisters (dozens of empty canisters littering the area around the venue door as well as little plastic bags).</li> </ul>   |
| <p>26 August 2015</p>                  | <p>Another complaint from a member of the public concerning:</p> <ul style="list-style-type: none"> <li>• Nuisance caused by persons attending the premises;</li> <li>• Patrons only using the rear entrance to the premises which is accessed by an alley leading to a private car park;</li> <li>• Front entrance hardly ever utilized;</li> <li>• Customers gathering outside in the parking area making a lot of noise, urinating against walls and cars;</li> <li>• Litter problems with bottles being left in the alleyway as well as drug paraphernalia (small silver canisters) in the car park;</li> <li>• Customers appear very young and look underage in terms of drinking alcohol.</li> </ul> |

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| <p>2 September 2015</p>                   | <p>Further complaint from a member of the public concerning:</p> <ul style="list-style-type: none"> <li>• Loud music emanating from the premises;</li> <li>• Shouting/fighting/substance abuse/vandalism and trespassing by drunk customers loitering outside the rear of the premises;</li> <li>• Nuisance ongoing and frequent between 20:00 and 03:00 hours every weekend since the beginning of the summer when the club increased its opening hours to 04:00 hours.</li> <li>• Concerns for personal safety when having to confront customers climbing fire escapes or walking past the entrance to the premises.</li> </ul>   |
| <p>4 September 2015<br/>(21:00 hours)</p> | <p>Licensing visit with regard to complaints made about alleged drug dealing in the car park at the rear of the venue.</p>  |
| <p>16 October 2015<br/>(22:24 hours)</p>  | <p>Visit to premises by Licensing enforcement team. Issues arising from the visit as follows:</p> <ul style="list-style-type: none"> <li>• Main entrance is at the rear of the premises via the car park;</li> <li>• A lot of rubbish dumped in the rear car park;</li> <li>• Group of young males outside the premises;</li> <li>• Residential properties opposite;</li> <li>• No door staff and unfettered entry to club area;</li> <li>• A lot of young male and females present on the premises;</li> <li>• Door staff not present.</li> </ul> <p>DPS arrived at premises and also discussed licence with Ms Bridget Wong. Concerns raised in relation to:</p> <ul style="list-style-type: none"> <li>• No SIA staff;</li> <li>• Poor record keeping</li> <li>• No alcohol sales authorisations;</li> <li>• Poor fire safety with locked EXIT door and trailing wires above snooker tables;</li> <li>• Potentially evidence of drug taking - lots of visits to the toilets by young males;</li> <li>• Persons seen "slumped" either on snooker tables or outside in recovery position;</li> <li>• No SIA body worn video apparent;</li> <li>• Potential for late night/early morning noise;</li> <li>• Weak DPS and poor management skills evident;</li> <li>• Police and Fire Authorities informed of visit and concerns arising.</li> </ul> |

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| <p>5 November 2015</p> | <p>Formal meeting arranged by Police and Licensing Authority with premises licence holder and manager to discuss management issues relating to the premises licence and non-compliance with conditions.</p> <p>Mr Lam accepted that standards had slipped of recent and the following examples of non-compliance with the licensing objectives were noted:</p> <ul style="list-style-type: none"><li>• Apparent drug taking in the toilets with associated evidence of drugs and drug paraphernalia both inside and outside the premises;</li><li>• No definitive authorisations to sell alcohol evident;</li><li>• Evidence of poor and fragmented record keeping so far as this related to member and guest recording, door staff attendance and recording, refusals recording together with written policies for the ejection of customers and other matters prescribed by conditions of the licence;</li><li>• Evidence of poor door steward attendance at the premises and the lack of radio net communications and body worn video for SIA staff;</li><li>• Evidence of a "weak" management style in permitting persons to drink to excess and failure to carry out robust due diligence checks;</li><li>• The provision of loud and intrusive music in the general trading area (not the karaoke lounges) contrary to the licence conditions.</li></ul> <p>Mr Lam expressed a desire to work with the Police and accepted that the breaches evidence could have resulted in either the review of the licence, prosecution, or both. Mr Lam advised that he had implemented the following measures to combat concerns of the Police and Licensing Authority:</p> <ul style="list-style-type: none"><li>• The regular use of SIA door staff from KY Events to include more proactive drug checks both at the door and in the toilet area(s);</li><li>• Regular staff training;</li><li>• All duty registers, membership details and policies to be kept on the premises and made immediately available at the request of the Police;</li><li>• No guests will be permitted entry to the premises anymore;</li><li>• At least 4 staff will be on duty at all times;</li></ul> |
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| <p>5 November 2015<br/>(Continued)</p> | <ul style="list-style-type: none"> <li>• Background music will only be played in the main trading area;</li> <li>• The existing north west corner (car park) entrance will NOT be used as the main entrance and this will now be the main entrance onto Kingston Road;</li> <li>• Smoking will be allowed on the frontage in Kingston Road only.</li> </ul> |
| <p>9 November 2015</p>                 | <p>Application for a minor variation to the premises licence received from <b>Mr Lam</b> in accordance with the discussions with the Police and Licensing Authority on 5 November 2015.</p>   |
| <p>24 November 2015</p>                | <p>Minor variation application granted to amend conditions attached to the licence.</p>   |

Having regard to the above history of the premises; the comprehensive evidence submitted by the Chief Officer of Police in relation to serious incidents occurring at these premises leading to the review of the premises licence; and continued breaches of the conditions attached to the licence, (as recently as November 2017), the Licensing Authority is currently considering instigating legal proceedings in accordance with section 136 of the Licensing Act 2003.

Taking all the relevant factors into account, it would appear that these premises are trading irresponsibly and failing to promote the licensing objectives referred to above when providing licensable activities.

Therefore, it is requested that the Licensing Sub-Committee should give consideration to taking robust action to tackle the continued problems at the premises and, in accordance with paragraph 11.23 of the statutory guidance, determine that it is appropriate and proportionate to revoke the licence.

Yours sincerely



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**Licensing Manager**

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