

**LICENSING PANEL (352)**

**18<sup>TH</sup> JULY 2018 AT 11.30 A.M.**

**PRESENT:** COUNCILLORS: GARRETT, HUSSAIN AND LEWIS

**OFFICERS:** Saffron Long – Licensing Officer  
Angel Fraser - Democracy & Scrutiny Team Leader  
Brenden Delaney – Solicitor, Clerk to the Panel

**15. ELECTION OF CHAIR (REF: 1)**

**Resolved:** That Councillor Hussain be elected Chair of Panel No. 352.

**16. MINUTES (REF: 2.1)**

**Resolved:** That the minutes of the Licensing Panel meeting held on 15<sup>th</sup> June 2018, be agreed as true records and the Chair be authorised to sign them.

**17. APPLICATION FOR APPLICATION FOR GRANT OF PREMISES LICENCE IN RELATIN TO RUBY'S CUISINE UK, 9 CHAPEL STREET, LUTON (REF: 5)**

**PRESENT**

**APPLICANT:** MALUMUENI LUSADISU

**APPLICANT'S  
REPRESENTATIVES:**

**INTERESTED PARTIES: KAREN FEW – LICENSING OFFICER  
(BEDFORDSHIRE POLICE)**

All parties present introduced themselves.

The Solicitor to the Panel explained the procedure at oral hearings before the Council's Licensing Panel.

The Licensing Officer reported on an application received for the grant of premises licence in relation to Ruby's Cuisine UK, 9 Chapel Street, Luton.

The Panel were advised that an application was received on 25<sup>th</sup> May 2018 for the grant of the Premises Licence that would allow the supply of alcohol Monday to Wednesday 07:00 to 04:00 (the following day), Thursday to Saturday 07:00 to 05:30 (the following day) and Sunday 07:00 to 04:30 (the following day).

The Panel was further reminded of the steps the applicant would take to promote the licensing objectives, as set out in the report.

Members of the Panel asked questions to the Licensing Officer in relation to the prevention of public nuisance and were advised the applicant had stated the doors would remain closed to reduce noise levels and would also ensure people did not congregate outside the premises.

There were no questions for the Licensing Officer from the Police Representative or the Applicant.

Mr Malumueni Lusadisu, the applicant addressed the Panel clarifying the reasons behind the early opening hours and the serving of alcohol which was to allow for breakfast to be served with alcohol if requested and would comply with the additional conditions recommended by the Police.

The Panel questioned the Applicant and he responded in the following terms:

- Noise reduction would be reduced by keeping the doors closed after hours and a noise meter had been installed in the building, which also has air conditioning.
- The club would be open for breakfast in which alcohol would be served and was in the process of recruiting extra staff.
- The conditions had been agreed and he understood the consequences if breached. The only condition he had concerned about was attending Pub Watch meeting and would provide a representative if he is unavailable to attend.

The Licensing Officer, Bedfordshire Police had no issues with the application so long as the applicant agreed to the conditions imposed.

Members of the Panel asked questions of the Police representative who responded in accordance to the Licensing Procedure as follows:

- There were other premises within the town centre where alcohol is available early in the morning.
- The Police were fully satisfied with the crime and disorder measures in place and with the proposed opening hours.

In summing up, the Applicant stated that he had held the premises licence for 4 years and during that time there had never been any problems with crime or disorder in the building and takes his licence very seriously.

The Police Representative that they were confident the applicant would abide by the conditions set and would support the application if granted.

The Panel agreed to hold their deliberations in private and those present were asked to leave the room in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

Following deliberations the Panel invited those present back into the room and;

**Resolved:** That having considered the papers before it and the oral representation made by Mr Malumueni Lusadisu, the Applicant and those made by the interested parties the Panel determined to **GRANT** the Premises Licence to Ruby's Cuisine UK, 9 Chapel Street, Luton, subject to the closing time be amended to 5am and licensing conditions appended to these minutes.

**(Note: The meeting ended at 12.09 p.m.)**

## Amended License Conditions.

- The premises shall participate in the collective banning of individuals, in accordance with the LutonSafe banned scheme and a representative shall regularly attend the LutonSafe meetings.
- The venue will ensure that the Nite-Net radio system is used during the hours of LutonSafe and other weekday evenings to:
  - a) receive information from other licensed premises, CCTV operators and Bedfordshire Police;
  - b) transmit details of those who are disruptive / ejected from the licensed premises; and
  - c) maintain contact with CCTV and Bedfordshire police.
- Any weapon or drugs seized shall be placed in a safe or secure area within the premises and the police contacted at the earliest opportunity for the item to be collected.
- A4 size printed drugs notices shall be positioned prominently within the venue. These notices will have wording similar to “ANY PERSON FOUND USING OR IN POSSESSION OF ANY DRUGS WILL BE BANNED FROM THE PREMISES AND REPORTED TO THE POLICE”.
- An incident log shall maintained and kept at the premises and made available on request to the Police or Licensing Authority, which will record :
  - a) All crimes which occur within the venue
  - b) All ejections of patrons
  - c) Any incidents of disorder
  - d) Seizures of drugs or offensive weapons
  - e) Refusal of entry / sale of alcohol due to underage persons
- Any area of the premises accessible by the public (except toilets) must be covered by CCTV which shall be in a working condition and recording at all times when the premises are open to the public. Footage shall be supplied to the Police or Licensing Authority upon request in a format which can be played back on a standard personal computer or standard DVD player (e.g. Memory stick/CD/DVD). Footage shall be retained for at least 28 days.
- The frequency, number, location and times that SIA door supervisors will be deployed at the premises will be discussed and agreed with Bedfordshire Police Licensing officer. The agreement will be in a written format and the premises, Police and Local Authority will retain copies. The premises will only operate in accordance with this agreement and the frequency, number and times of door supervisors cannot be reduced without written authorisation from Bedfordshire Police.
- All door supervisors will wear high visibility jackets whilst on duty wherever they are deployed in the premises

- The premises license holder will ensure that there is an effective system in place to monitor the capacity of the premises and this system is in use at all times that door supervisors on duty
- .The premises shall keep a register of all door supervisors on duty at the premises, which shall be retained for 12 months from the date of the last entry. The register will be in a diary format with consecutively numbered pages throughout recording:
  - The date
  - Name of the door supervisor
  - The door supervisors SIA registration number
  - The door supervisors start and finish time

The Register will be produced for inspection to the Police, Fire and Rescue Service or Licensing Authority on request.

- Staff will be trained as to their responsibilities in the retail sale of alcohol and the measures necessary for compliance with licence conditions. The premises will maintain a record of the training provided which will be made available to the Police or Licensing Authority on request.
- The premises will apply a challenge 25 policy whereby each person who enters the premises, who appears to be 25 years of age or under, will be asked to provide identification to prove they are over 18.

Acceptable forms of identification are a passport, photo driving license or a PASS logo identification card.

- The premises shall complete a risk assessment and supply it to Bedfordshire Police's Licensing Officer at least 28 days before any externally promoted music led event

Amendment that the closing time (as well as the other licensable activities that have been applied for) on Thursday, Friday and Saturday be changed to 5am.  
These conditions have been agreed orally, and will be confirmed by the applicant.