

Licensing Sub-Committee – Meeting held on Monday, 2nd October, 2023.

Present:- Councillors Satti (Chair), Nazir and Stedmond

Officers Present:- Mr Cryan (Legal), Mrs Kauser (Democratic Services)
and Ms Sagar (Licensing)

PART 1

9. Declarations of Interest

Councillor Satti stated that he had, a number of years ago, worked for a company that had operated from the same location as the premises being reviewed. Councillor Satti remained and participated in the meeting.

10. Guidance on Predetermination/ Predisposition - To Note

Members confirmed that they had read and understood the guidance on predetermination and predisposition.

11. Minutes of the Last Meeting held on 25th July 2023

Resolved – That the minutes of the meeting held on 25th July 2023 be approved as a correct record.

12. Review of Premises Licence - Baylis House, Stoke Poges Lane, Slough

Following introductions and confirmation that all parties had received a copy of the paperwork, the Chair outlined the procedure for the hearing.

Introduction by the Licensing Officer

The Senior Licensing Officer, introduced the report to the Sub-Committee. An application for a review of the premise licence had been submitted by Thames Valley Police (TVP) following a breach of the premises licence in June 2023. It was outlined that a member of staff had shown a female guest (who was a minor) and an older man to a room on the premises and had failed to ask any questions about the age of the young female guest or for identity documents. The female guest was then alleged to have been sexually assaulted at the premises.

It was brought to Members attention that the report incorrectly referred to the Statement of Licensing Policy for 2014-19 and that this should read 2019-24.

Representations by Responsible Authority – Thames Valley Police

Ms Pearmain advised the Sub-Committee that a review was being sought because TVP believed that the licensing objectives relating to the prevention of crime and disorder, public safety and protection of children from harm were

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not being met. It was explained that training on Child Sexual Exploitation had been carried out with staff at the premises.

Ms Pearmain accepted that management had taken the matter seriously and had indicated that they agreed all conditions proposed by TVP as set out in the report. It was requested that Sub-Committee Members also suspend the premises licence until a licensing inspection had been carried out by the Licensing Authority and TVP to confirm that the additional conditions had been implemented to their satisfaction. It was also requested that the premises be issued with a "yellow card" as a warning that if a further review was necessary and matters had not improved the Premises Licence may be revoked.

Inspector Jonathan Stanley set out details of the incident which took place on 24th June 2023 and expressed disappointment that staff had not been vigilant especially after having been given training on Child Sexual Exploitation at the premises.

Questions to Responsible Authority

In response to whether there had been any previous incidents at the premises, Members were informed that although there had been in 2013/14, a different management team was now in place. It was noted that whilst staff members had had relevant training it was essential that management worked closely with staff to ensure that the Challenge 25 Policy was being rigorously implemented.

Representations on behalf of Premises Licence Holder

The Premises Licence Holder was represented by Mr Panchal at the hearing. Mr Panchal said that he appreciated the work done by TVP and the officers in this case and that the version of events that had been put forward were not disputed.

In mitigation he explained that the booking had been made through the website Booking.com which meant that staff had been less vigilant in dealing with this than would normally be the case. The senior member of staff who was responsible for the mistake had been sacked. Mr Panchal confirmed that all the proposed conditions by TVP, as set out in the report, had been agreed.

Questions to Representative of the Premises Licence Holder

A Member asked what measures had been taken to safeguard patrons, especially vulnerable individuals and minors, to ensure that an incident of this nature never occurred again. Mr Panchal stated that the senior member of staff on duty when the incident occurred had been immediately sacked and that all staff and management had completed refresher training. All additional conditions as proposed by TVP were fully accepted.

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Closing remarks

The Licensing Officer summarised the options available to the Sub-Committee.

In summary Ms Pearmain requested the Sub-Committee to suspend the premises licence as there had been a serious breach of the licence conditions which had led to a sexual assault of a minor at the premises. It was submitted that the additional conditions as set out in the report be added to the premises licence. The importance of collaborative work between all parties was emphasized to ensure licensing objectives were not undermined.

In closing, Mr Panchal stated that it was absolutely crucial that such an incident did not happen again. Assurance was given that that full training would be provided and all additional conditions would be implemented as soon as possible to ensure best practices were in place.

Decision

In making its decision, the Sub-Committee considered Section 51 of the Licensing Act 2003, the Guidance issued pursuant to section 182 of the Licensing Act 2003, the Council's Statement of Licensing Policy 2019-2024, all the evidence before it and all the oral submission as well as the steps that were appropriate to promote the four licensing objectives. The Sub-Committee noted that there had been a failure by a member of the Premises staff to verify the age or identity of a hotel guest which resulted in a breach of the licensing objective regarding the protection of children from harm.

Members noted that the statutory guidance stated at paragraph 11.27 that there was certain criminal activity that may arise in connection with licenced premises which should be treated particularly seriously and one of the examples given was, where premises are used "by organised groups of paedophiles to groom children". Therefore, the Sub-Committee was aware of the seriousness of the matter and the importance given to this issue in the statutory guidance.

The Sub-Committee therefore considered that it was necessary to modify the conditions of the Premises licence by adding the following agreed conditions to Annex 3 of the Premises licence:

- An ID Scanning system will be employed at the premises and will be utilised for all customers staying at the hotel.
- A written safeguarding policy to be in place and for this policy to include Child Sexual Exploitation and Vulnerability Awareness Training, which can be provided by the Thames Valley Police Licensing Officer if required.
- Child Sexual Exploitation Refresher Training must be provided to all members of staff on an annual basis and logged in the training records. These training records should be kept on site for one year and made available to Thames Valley Police or the Local Authority Licensing Officers, if requested.

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- The Designated Premises Supervisor will be a member of the Hotel Watch scheme and attend Hotel Watch scheme meetings.

The Sub-Committee also decided that the Premises licence be suspended until such time as agreed conditions had been implemented and a full licensing inspection has been completed by Thames Valley Police and Slough Borough Council.

In addition, the Sub-Committee issued a 'Yellow Card' to the Premises as a warning that if a further review was necessary and matters had not improved the Premises Licence may be revoked. A 'Yellow card' to be clearly and visibly displayed at the Premises for a period of 12 months detailing the imposition of new conditions on the Premises Licence and that this warning had been given.

Chair

(Note: The Meeting opened at 10.40am and closed at 11.45am)