

Please provide as much information as possible to support the application:

The subject of this report is a 15 yr old female who was born in May 1996. Her name has been excluded from the report and statement, instead it has been replaced with "-----".

Late in the evening of Friday the 8th July 2011 ----- left her address without her parent's permission or knowledge. She headed into town and decided to try and get an alcoholic drink. She was declined service at both MU MU and at Ye Olde Thirsty Pig as she didn't have any identification. She then went into the Pilot, in Upper Stone Street. There she didn't try to obtain anything alcoholic but simply settled on a diet coke. At the venue she spoke to several other customers one of whom asked her if she was going on to Lashings. ----- believes that this customer (a significantly older male) was called Ken, he was wearing a Lashing's shirt and so she believed he worked there. She therefore thought that he might be able to get her an alcoholic drink and so agreed. ----- arrived at the venue with Ken around 02:00hrs and entered without being asked for any identification. They went to the bar and Ken asked ----- what she wished to drink, she asked for a vodka & coke. He purchased this for her along with a beer for himself. ----- was standing at the bar when the drinks were purchased and they were delivered to the bar area immediately in front of the two of them. ----- consumed her drink at the bar. After a short while Ken left her at the bar and he went out to talk to the doorman. ----- in fact believed that Ken was also a doorman as he spent much of his time at the door.

A group of young males came into the bar and ----- started talking to some of them. During the evening she bought herself several more drinks, on each occasion she ordered and paid for the drink at the bar. At one point ----- recalls asking for "The strongest drink you've got", although most of the time she just ordered a vodka and coke.

----- is unaware of how many drinks she ordered/consumed but calculates that she spent around £24 at the premises. She left the premises with one of the young men she was speaking to and states that as she walked out she realised that she was drunk as she was staggering around.

The next night ----- again went into town without her parent's permission or knowledge. She went to Lashings on her own. She ordered a vodka and coke and was served with the drink, however when she tried to use her card to pay, it was declined and so the drink was retained by the venue. Because of this ----- left the venue and went down to the Pilot. There she drank water and spoke to the customers she had met the previous night including Ken. He again asked if she was going to Lashings and she agreed. They walked back up to the Lashings and outside the venue ----- spoke to the doorman. She went inside the venue with the doorman who bought her a drink. In fact the bar still had her previously ordered drink, so she didn't even have to re-order, the bar staff simply put the same drink back in front of her.

The doorman spent much of his time talking to ----- but would go outside on occasions. During one of these times a significantly older male approached ----- whilst she was at the bar and started talking to her about dancing. He then offered to buy her a drink, ----- asked for and was given a Sambuka. ----- later went into the back garden area and there she spoke to some young men one of whom bought her another Sambuka which she drunk. ----- left with one of these males, she doesn't know what time it was but states that it was starting to get light, again she was drunk.

On Tuesday the 12th July 2011 ----- left her house and went to the Pilot, she still didn't have any money and so ordered a glass of water. The usual customers were in the venue and so they all started chatting. Ken was there and again asked if she was going to Lashings, she said that she was. She walked up with Ken arriving there between midnight and 01:00hrs on the 13th July 2011. Ken bought her a Whiskey & Coke and himself a beer. The bar maid put both the drinks in front of the two of them. ----- consumed her drink at the bar. A short while latter Ken asked her to step outside and there he said to her that it was going to look strange if he kept buying her drinks and so in fact gave her £10 so that she could appear to buy her own drinks. ----- returned to the bar and bought herself another whiskey & coke, paying for it with the money Ken had given her.

----- later bought herself a "Sex on the beach" cocktail.

There was an older male in the premises whom ----- describes as of Turkish appearance, he was dancing a lot and she would occasionally dance with him. He then bought her a "Cosmopolitan" cocktail which she also drank.

Some time later a group of young people came into the venue and ----- started talking to them. They offered her a lift home which she accepted, however she didn't remember much about the journey home as she was drunk. She does believe that she was sick somewhere.

After these incidents -----'s parents became aware of what she had been doing and so contacted the Police.

Other enquiries conducted.

As a result of the information given to the Police, Mr John Tobin the DPS of Lashing was spoken to:

Mr Tobin saw the girl on all three nights in question, he has stated that he thought she was 18 or 19 yrs old, but he admits that he never checked. Mr Tobin stated that the reason he didn't check on her ID was because she was with one of their regular customers "Ken". He trusts Ken not to bring an underage person to the venue. Mr Tobin stated that he never got the impression that she was drunk.

CCTV was requested from the premises but Mr Tobin stated this had stopped working the previous week and so was not available.

Mr Tobin was spoken to about staff training and he stated that he runs some form of staff training almost every night. (This was questioned and Mr Tobin repeated that he runs staff training, or some form of staff input most nights)

The doorman as referred to by -----, is Ben Nunes, who was also spoken to. (He is not SIA trained)

He describes himself as the staff supervisor, he states that he was not present for the first incident or the last one but was there on the middle night. He stated that the girl attended the premises early on and recovered her jacket which she had left there the previous night. She tried to buy a drink but her card was rejected so she left.

She returned some time later with Ken but was upset and claiming that she had been thrown out of her house. She talked of being at university and studying law. He thought she sounded quite knowledgeable and so believed that she was at university. He did buy her a drink, in fact the drink that had earlier been withheld. He didn't think she looked under 18. He stated that part of the reason that he never challenged her was because he knew she had been in the previous day as she recovered her jacket from the premises, plus she was with a trustworthy customer.

One of the customers who took ----- home on the last night is Georgie Owens she was also spoken to. She states that ----- approached her and her friends, ----- was being overtly friendly with one of her friends but he was not interested and left. She never saw ----- purchase any drink. Owens who is herself 19 believed ----- was over 20 due to her make up and clothing which made her look older.

Owens stated that ----- was drunk but not too bad and she described it as "Walking was a challenge but she could still talk" in fact ----- directed them home without problems. Owens stated that ----- was sick in the toilets of Lashings.

As can be seen a 15 yr old female has managed to get herself accepted as one of the regulars at the venue, simply because she arrived with another regular customer.

This was not simply a case of a member of staff, slipping up and serving a juvenile. This was a system failure at every level, she was seen and accepted by:

The Bar Staff,
The Security Staff (Staff Supervisor)
And
The DPS.

All of whom accepted that there was nothing wrong with the situation in front of them because she arrived with another customer. There is no suggestion that this "other customer" has any training or knowledge on the law re licensing but none the less, no checking was carried out.

This type of failing should not occur at the Bar level, but inevitably it can, however surely it should be picked up by a "staff supervisor" who presumably has more responsibility and after that how does a DPS have this attitude, this person after all has ultimate responsibility.

It should be remembered that this wasn't just one serving of a drink in front of these people, the girl involved had enough drink inside the premises to become drunk on three separate nights. The system failed each time it was tested.

There is also another worry here. The young female involved states that she left the premises drunk on all three nights. This is partially substantiated by Georgie Owens who stated that she was sick in the toilets on the last occasion. The DPS stated that he never got the impression that she was drunk. He is the person in charge, he should be able to spot when someone is drunk.

Because of what has occurred, the Police request that the Licensing Committee consider the following.

A suspension of the licence for 1 month. This was a total break down of the system that operates at the venue, no one in that system thought to check. The premises need time to reflect on their failings and need to be left in no doubt that further failings can not be allowed to occur. It is important to send the correct message which is not that another failing will be punished but that we can not have another failing.

The Police also seek the following conditions to be added to the Licence.

- 1) 2 x SIA qualified door staff on duty between 21:00hrs and the end of trading each day.
- 2) The Challenge 25 Scheme to be implemented at the premises
- 3) Signage informing customers that Challenge 25 is in operation to be displayed in the premises in particular at the entrance and by the till.
- 4) CCTV to be fitted to a standard agreed to by the Police that complies with the CCTV Code of Practice (2008 edition), produced by the Information Commissioners Office, with all public areas, including all access and egress points covered.
- 5) The CCTV system will be maintained and serviced on a regular basis and records kept to that effect.
- 6) CCTV shall be operational at all times that members of the public and or staff, are on the premises.
- 7) Images will be retained for a period of at least one calendar month by what ever means the licence holder deems appropriate.
- 8) The Police or Local Authority will have access to these images at any reasonable time and in any case within 48 hours of the request for the image being made.
- 9) The Police or Local Authority will be allowed to take a recording by way of tape, CD Rom, DVD, memory stick or any other appropriate means of the image within 48 hours of the initial request being made by either the Police or Local Authority.

- 10) The DPS and all staff supervisors to undertake the BIIAB Level 1 Award in Responsible Alcohol Retailing.
- 11) A personal licence holder will be present at all times that the premises are trading for the sale of alcohol.
- 12) A written refusals book will be kept at the premises and all staff fully trained in it's use. The book will be bound and clearly marked. The following information will be recorded in this book:-
 - (i) Time of refusal
 - (ii) Item refused
 - (iii) Name or description of the person refused
 - (iv) Reason for refusal
 - (v) Name of the staff member making the refusal
- 13) The refusal book will be made available for inspection to any Police Officer, Local Authority Licensing Officer or Trading Standards Officer at any reasonable time.