

From: Booth, Jackie <Jacqueline.Booth@northyorkshire.police.uk>
Sent: 09 August 2022 08:30
To: [REDACTED]
Cc: NYP Licensing <NYPLicensing@northyorkshire.police.uk>
Subject: Sky Blue- Section 19 Non-Compliance

Good Morning Mr Koay,

Following my visit to Sky Blue yesterday to check compliance with the Section 19 Notice which I issued on 21st June 2022, the below Premise Licence Conditions are still not being adhered to as listed in your Premise Licence authorisation.

Annex 2

2. Documented staff training will be given regarding staff's obligation under the Licensing Act in respect of the:-

- **Retail sale of alcohol**
- **Age verification policy**
- **Conditions attached to the Premises Licence**
- **Permitted Licensable activities**
- **The Licensing objectives and**
- **The Opening Times of the venue.**

Such records shall be kept for a minimum of one year and will be made available immediately upon request from any Responsible Authority.

I have attached a letter which I received from Peninsula dated 15th July 2022 listing current staff members. Yesterday working from the information provided in that letter we established the following staff had not undertaken any training in line with the above condition and there was no staff training records.



You also have a member of staff [REDACTED] listed whom you state has resigned. Please advise when this person resigned.

You also need to update all the current training records in respect of Challenge 25 which is condition 12 on your Premise Licence.

The next condition not complied with is Annex 2, condition 18

18. All copies of relevant documents for members of staff will be retained for a period of 24 months post termination of employment and will be made available to Police, Immigration or Licensing Officers on request.

In relation to [REDACTED] mentioned above if he has resigned you are still required to keep training records for him. Also you have not been able to produce staff rota's for dates that staff members work which would be a relevant document for HR purposes and would in line also with condition 17:-

17. The premises licence holder will operate a full HR management system where all relevant documents are stored for each individual member of staff.

Whilst present yesterday we examined the CCTV system from Saturday 6th August 2022 covering the Karaoke rooms and established Condition 23 was not being complied with:-

23. Where the karaoke rooms are being used there shall be at least one member of staff permanently situated on each floor of the venue on which the room is being used and the member of staff will monitor the rooms that are in use and will enter each room that is occupied no less than every 30 minutes.

Footage was viewed from 21:10hrs until 22:18hrs to ascertain in line with time sheet checks if a member of staff entered the room to check on customers present. Despite time sheets showing the room was checked at 21:20hrs and 21:30hrs no member or staff was seen on the CCTV as per the above to enter the room.

At present the Section 19 Notice issued on 21st June 2022 has not been complied with and unauthorised licensable activities have taken place at the premises which is a criminal offence. Non-compliance with any condition on the Premise Licence whilst the premises are open for licensable activities is a prosecutable offence under Section 136 of the Licensing Act.

As Premise Licence Holder and Designated Premises Supervisor it is your responsibility to manage the premises in line with any authorisation.

It is imperative that you address the breaches immediately as failure to comply could result in a criminal prosecution against you and/or an application to the Magistrates Court under Section 20 of the Criminal Justice and Police Act 2001 for a Closure Order.

I have copied in your legal representative Mr Walker.

A member of the Police licensing team will arrange a further visit to check compliance with the above in the next 7 days.

Kind Regards

Jackie

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Please note my working days are Mon-Thurs 0700x1700

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