

# ***Supplementary Committee Agenda***



**Epping Forest  
District Council**

---

## ***Licensing Sub-Committee Monday, 29th July, 2019***

**Place:** Council Chamber, Civic Offices, High Street, Epping

**Time:** 10.00 am

**Democratic Services:** R Perrin, Democratic Services (Direct Line 01992 564532)  
Email: [democraticservices@eppingforestdc.gov.uk](mailto:democraticservices@eppingforestdc.gov.uk)

- LICENSING ACT 2003- APPLICATION FOR A PREMISES LICENCE FOR PLAY HOUSE AND ESSEX ROOF GARDEN, 195-199 COTTIS LANE, EPPING, ESSEX, CM16 4BL (Pages 3 - 150)**

To consider the attached information.

This page is intentionally left blank

**Peter Jones 42007706**

---

**From:** Robert Bell [REDACTED]  
**Sent:** 19 July 2019 15:36  
**To:** Peter Jones 42007706  
**Subject:** Speakeasy bar epping

Dear mr Jones,

Further to our telecon on the 18th July. I confirm that I have not written any letters for or against the proposed license at 195 club cottis lane in the name of my business. Furthermore I am not best pleased that a letter apparently written by a day member of my staff has been taken as an opinion of my business and the fact published in the eff news on line.

Speakeasy has no official opinion on this application.

Regards

Robert bell

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

This page is intentionally left blank

## Licensing Epping and Brentwood

---

**From:** Matthew Phipps <matthew.phipps@TLTsolicitors.com>  
**Sent:** 24 July 2019 14:52  
**To:** EFDC Licensing  
**Cc:** 'Debbie Houghton'; Licensing Epping and Brentwood;  
'RThomason@eppingforestdc.gov.uk'; Andrew Griffin  
**Subject:** Playhouse / 195 - Papers from Applicant  
**Attachments:** JCH Statment\_pdf was removed from this message; PlayHouse DRAFT Policys-2\_docx was removed from this message; Play House - Essex Police - Crime Data Analysis\_docx was removed from this message; Essex Play House Security Protocols V1.2.docx; Play House support agreement\_docx was removed from this message; New Premises Licence Draft Conditions.docx; Play House assessment V1\_2\_docx was removed from this message; Play House Security Protocols V1.1.docx; Play House - Essex Police - Shield MLB review\_docx was removed from this message; 19070882\_Noise Assessment\_PlayHouse\_pdf was removed from this message

Officers

From the Applicant, please find attached:

- A – Statement of James Hoffelner – proposed DPS
- B – Draft Policies and Procedures
- C - Crime Data Analysis – Shield
- D – Playhouse security Protocols – Shield
- E – Playhouse support agreement – Shield
- F – New proposed conditions (Hoffelner)
- G – Crime assessment report – MLB/Nash
- H – Security Protocols – MLB/Nash
- I - Review of MLB crime assessment report
- J- Acoustic report – Richard Vivian

Please can we also be sent a link to the agenda for the committee hearing when that is to hand.

Yours sincerely

Matthew

Matthew Phipps  
Partner  
Head of Licensing England and Wales  
for TLT LLP  
D: +44(0) 0333 00 60201  
F: +44(0) 0333 00 61492  
M: +44(0) 7786 856 510  
[Linkedin](#)  
[www.TLTsolicitors.com](http://www.TLTsolicitors.com)

### Recognised in The Times Best Law Firms 2019.

Please be aware of the increase in cybercrime and fraud.

TLT will not send you information about changes to bank account details by email.

If you receive an email purporting to be from someone at TLT advising you of a change to bank account details it is not genuine. Do not reply to the email or act on any information it may contain. Instead please contact the person dealing with your matter immediately.

TLT accepts no responsibility if you transfer money to a bank account which is not ours.  
Please note we do not accept service by email.

The information in this email is confidential and may be privileged. It is for use by the addressee only. If you are not the addressee or if this email is sent to you in error, please let us know by return and delete the email from your computer. You may not copy it, use its contents or disclose them to another person. No liability is accepted for viruses and it is your responsibility to scan any attachments. TLT LLP, and TLT NI LLP (a separate practice in Northern Ireland) operate under the TLT brand and are together known as 'TLT'. Any reference in this communication or its attachments to 'TLT' is to be construed as a reference to the TLT entity based in the jurisdiction where the advice is being given. TLT LLP is a limited liability partnership registered in England & Wales number OC308658 whose registered office is at One Redcliff Street, Bristol, BS1 6TP. TLT LLP is authorised and regulated by the Solicitors Regulation Authority under ID 406297. In Scotland TLT LLP is a multi national practice regulated by the Law Society of Scotland. TLT (NI) LLP is a limited liability partnership registered in Northern Ireland under ref NC000856 whose registered office is at River House, 48 - 60 High Street, Belfast, BT1 2BE. TLT (NI) LLP is regulated by the Law Society of Northern Ireland under ref 9330.

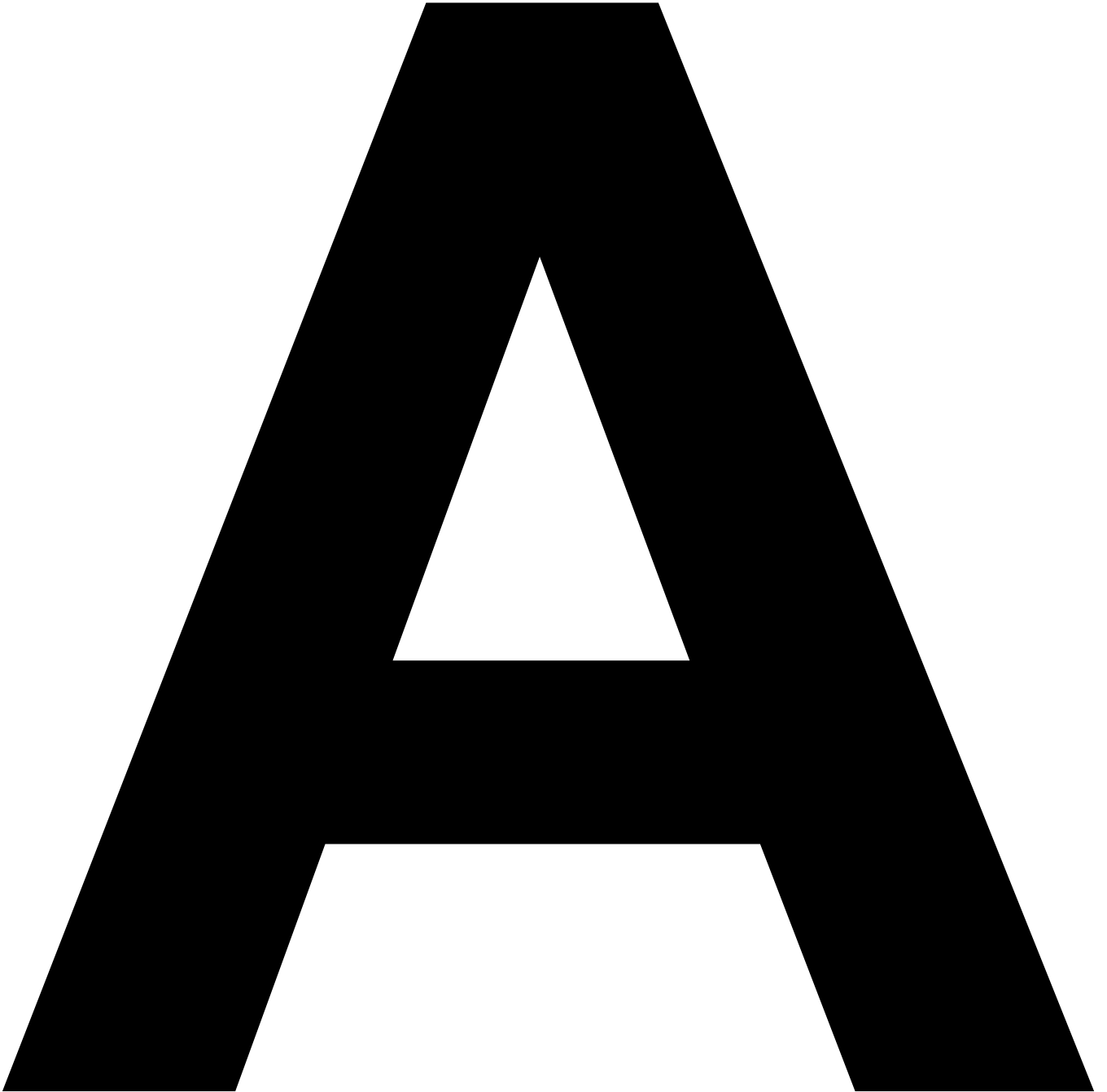
TLT LLP and TLT (NI) LLP are recognised as Data Controllers under data protection legislation. If you would like to find out more about how we use personal data and your rights in relation to your personal data please see read our [privacy notice](#) which is available on our website.

TLT LLP is authorised and regulated by the Financial Conduct Authority under reference number FRN 780419. TLT (NI) LLP is authorised and regulated by the Financial Conduct Authority under reference number 807372. Details of our FCA permissions can be found on the Financial Services Register at <https://register.fca.org.uk>

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---





### **PlayHouse and Epping Roof Gardens**

I am the proposed DPS of “Play House” and “Epping Roof Gardens”. Prior to my proposed appointment, I had had no involvement with the premises nor the owners. I was therefore not involved in, any of the background matters set out in PC Jones’ report.

#### **Experience**

Before entering work, I attended Oxford Brookes University, studying Politics and Political Science. After university, I worked at Conservative Party HQ as Membership Secretary and also worked for the Private Secretary’s Office at Buckingham Palace. I then moved on to work for a design and construction company as a project manager, in charge of up to 30 staff. I went on to manage night clubs.

I have always worked closely and had a good working relationship with stationary bodies some of the clubs I have always worked with difficult premises, these premises have often had reviews, however I have always worked to promote the licensing objectives and ensure that the club operated to the highest of standards.

One notable club “The Scotch of St James” was reviewed by Westminster City Council, however after working with the local authority and the police the club continues to successfully operate. Another venue “Cirque Le Soir” that is in Westminster stress area I was head hunted for after they had been criticised for not reporting incidence, following my appointment we successfully applied for an increase in capacity despite Westminster’s stress area reduction policy.

#### **History**

I have read various accounts of the events that led to the loss of the Premises Licence, whilst I am horrified by those events, I was not involved in them in any way, as they occurred before I first had any involvement with the Company (or previous company) and its business. I had not had any previous contact with Mr King or Mr Cummings prior to my engagement by them.

#### **Revocation**

Following the revocation of the license at Club 195 I was was approached by Mr Cummings and Mr King. They had been introduced to me because of my background and expertise in nightclub management. They explained to me that they wanted to take over the running of the nightclub, and they wanted to have an experienced and competent team in place to assist them with this.

#### **Engagement**

For the avoidance of any doubt, I am not, and never have been a shareholder of the Company.. I am employed by Brabeck Consultancy who charges for my services.

#### **Proposal**

I have visited the premises, met with the directors, reviewed the paperwork, instructed and engaged with legal, environmental and criminal experts across these issues to seek to provide a solution. It’s

● Registered office: 11 Forest Drive Forest Drive, Woodford Green, United Kingdom, IG8 9N





# Brabeck

## CONSULTANCY

not my view that these premises need remain revoked, I believe the proposal, properly managed and delivered, with the expertise now involved can suitably promote the licensing objectives.

### **Directors involvement**

Although when I met with the officer I did not understand him to be opposed to working with the historic Directors, clearly his evidence expresses some concerns and reservations. My engagement is entirely dependent on my being able to deliver a safe, and enjoyable experience, that upholds the licensing objectives. I hope that Play House and Epping Roof Garden become a successful, well respected, and an asset to the town. I only took on the role on the understanding that I am to be given the independence to run the venue in the High standards that I have always aspired to.

However, clearly there is a concern here. Following on from the submissions from PC Jones' received last week, Mr King has resigned as a director (he remains a shareholder) of CK entertainment. This is so that he can concentrate on his other venue "Essex House". It is clear that Mr King was overstretched between the two venues and he will not be involved in the running or operation of "Play House" or "Epping Roof Gardens".

In addition, this also and significantly, it removes any suggestion that he can in any way interfere or direct me toward the operation.

I understand from Mr Cummings that his role at both of his venues has never been operational. He is concerned with the PR of the venue. He will not be operational on any night, that will fall to me and my staff.

### **Police evidence**

PC Jones in report states:

At the review hearing the decision makes comment that they had a *lack of confidence in the management in how they have implemented their policies and procedures' and a lack of faith in management being able to successfully implement additional conditions.'*

I have been headhunted by the owners, to specifically address and attend to this as he learned and accepted that whilst the PR of his venue has kept up with modern times, the operational aspects of the club have not.

Myself and Mr Nash's security company represent a wholesale change in the operational management of the premises. Our combined experience allows the committee to have confidence that things have changed, profoundly, and so the historic concerns no longer apply.

### **External Audit**

Because of the historic problems with the venue, I believe that we must audit ourselves, too. I have also engaged Shield Security to perform an audit of the venue's policies and procedures and they have suggested changes to conditions. I have added these to the attached proposed conditions documents, they are in Green.

Shield Security will be employed to provide independent auditing of all staff (including myself) and Security so that the club remains at the forefront of operational best practice.

● Registered office: 11 Forest Drive Forest Drive, Woodford Green, United Kingdom, IG8 9N



If the committee were so minded these reports could be provided to the Authority. I believe that MLB and Shield Security are both the best companies that we could find. I do not think that we could have better security providers. I attach their experience details below.

## Noise

Following on from the EHO's concerns I commissioned an impact study by Richard Vivian from Big Sky Acoustics. I have seen the Environmental impact study that he has performed, he has come up with a suggested condition to help reduce the potential for noise nuisance, I have added this to the amended proposed conditions."

## Conditions

I have read PC Jones' suggested conditions, some of which I think are positive. His suggestions in part B of his report I have adopted.

I went to see PC Jones along with Luke Elford from TLT for pre-application advice, if he had come up with these suggestions at the time, I do not doubt that I would have adopted them before submitting the application. Certainly I have always worked collaboratively and cooperatively with officers.

## Hours

I do not agree with the suggested changes in timing and ask the licensing sub-committee to grant the original hours applied for as we believe that it is only with these hours that there is a viable business to add to the local community.

## CCTV

4. *In respect of the offered CCTV conditions, if the licence is granted, Essex Police recommends a 'daily' check of the CCTV system and not weekly as proposed.*

In our proposed conditions we did not have a frequency of CCTV checking, I would have insisted that this was done before the start of any operation. I cannot find this in PC Jones' list of suggested conditions, but I have added this to the list of proposed conditions.

## Incident Log

*The condition regarding an incident log should also specify the recording of drugs or offensive weapons found or abandoned, not just those that have been seized.*

Any weapon found or abandoned would have also generated an incident report. I think this is a welcome addition to this condition. I have added this to the amended suggested conditions.

3. *The incident log should be completed within 4 hours of the occurrence and not 24 hours as proposed.*

Whilst I understand the need to have incident reports filled in as soon as possible, it is not practical to remove a Door Supervisor from his/her duties in order to fill in his report (something that can take several hours). As the committee will see, all of our Door Supervisors are equipped with Body-worn Video devices, that record both Audio and Visual. This I would suggest is the "Gold standard" of preserving a correct and accurate record of incidents. In my experience is it better to have the Door Supervisor remain at his duties adding to the protection for the customers on site and fill in the



# Brabeck

CONSULTANCY

incident reports at the end of the night. I can see that 24 hours is excessively long, and I would suggest the condition reads:

The log must be completed as soon as possible and within any case within 12 hours of the occurrence or at the end of the Door Supervisors shift, whichever is sooner.

I have added this to the amended suggested conditions.

4. *That on all occasions, door staff are required and there should be a minimum of two (2) SIA licensed door supervisors from 20:00 and not 21:00 as proposed.*

I understand that PC Jones would like to have Door Supervisors from as early as possible. 21:00 was only put as a time because that is when the "night club" element was due to open. It seems a little excessive to have two Door Supervisors outside of closed venue. However, I can see some benefit to the local area having Door Supervisors about earlier and have changed it in the proposed conditions. However, I would ask the Licensing subcommittee to change it back to 21:00.

5. *The premises shall have in place, and operate, a zero-tolerance policy with regard to the use/possession of controlled drugs and psychoactive substances and advertise the same within the premises on posters and similar means.*

*This policy shall specifically include but not be limited to:*

- i. Searching practices upon entry;*
- ii. Dealing with patrons suspected of using drugs on the premises;*
- iii. Scrutiny of spaces including toilets or outside areas;*
- iv. Clear expectations of staff roles (including the DPS, managers/supervisors and door supervisors);*
- v. Staff training regarding identification of suspicious activity and what action to take;*
- vi. The handling of items suspected to be illegal drugs or psychoactive substances*
- vii. Steps taken to discourage and disrupt drug use on the premises*
- viii. Steps to be taken to inform patrons of the premises drug policy/practice*

*A copy of this policy document shall be logged with the police and licensing authority*

I think this general issue is already covered by the suggested conditions however I have amended the conditions to take on board PC Jones' wording, and I believe enhanced the condition. I would have hoped to discuss the wording with PC Jones before the Licensing subcommittee, as I believe my new version is clearer, however I can also see *merit in PC Jones' version*.

6. *A written dispersal policy will be formulated and provided to the police and licensing authority which amongst other things details:*

- i. How patrons leaving the premises shall be directed away from the premises;*
- ii. How patrons will be informed of the services of taxi and private hire operators;*
- iii. How patrons will be informed of the services of taxi and private hire operators; What staff will be responsible for supervising those leaving the premises and how they will supervise such persons;*
- iv. Any 'wind' down periods;*
- v. Methods to prevent re-entry to the premises;*
- vi. How bottles and glasses will be prevented from being removed from the premises at closing time.*

● Registered office: 11 Forest Drive Forest Drive, Woodford Green, United Kingdom, IG8 9N



# Brabeck

## CONSULTANCY

I believe this is already covered by the suggested conditions; however I have adopted PC Jones' enhancement to this proposed condition.

I also attach all of these policies to this statement. They are produced in draft. I would propose that, if the licence is granted, we sit down with the officers to formally agree their contents. Both myself and Tony Nash have come up with suggested policies these would be amalgamated to give the staff a clear expatiation of what is expected.

7. *All exit doors (other than the main entrance) are to be alarmed so that a visual indication is provided (of doors opening) to those staff working in the main body of the venue and a visual and audible notification is also generated which is capable of being seen/heard by door supervisors working at the main entrance. In addition;*

i. *The rear fire doors are to be alarmed and kept closed at all times except for (1) emergency use; or (2) use by staff to access the cellar and for deliveries.*

ii. *No customers are to use the fire doors as a general exit/entry.*

iii. *Installation of a rear door sensor which activates and records the time of opening and closing of the rear door and transmits the data to a storage device. This storage device is to be capable of downloading relevant data in a useable form. The data must be stored for a minimum of three months. This data is to be provided immediately upon the reasonable request of police or local authority/authorised persons.*

This is an enhancement of a condition already offered. I have amended this in the proposed conditions.

7. *All door staff will comply with SIA requirements relating to the wearing of SIA registration badges and the head doorman shall complete an incident log at the end of every shift, which shall include the following information:*

i. *All crimes reported to the venue*

ii. *All ejections of patrons*

iii. *Any complaints received*

iv. *Seizures of drugs or offensive weapons*

v. *The full name and registration number of any SIA door person who has been involved in dealing with any of the above matters (i-iv).*

Some parts of this condition are already covered in our proposed conditions, the only part of the condition not added (*The full name and registration number of any SIA door person who has been involved in dealing with any of the above matters*) I have added to the proposed conditions.

9. *No person found with or using a weapon or illegal drugs may enter or remain on the premises.* This is already covered by the proposed conditions; however, I had added this condition verbatim.

10. *Only suitable toughened, plastic or polycarbonate drinking vessels will be permitted to be used at the premises. All beverages supplied/sold for consumption on the premises will be supplied in containers as above, or otherwise agreed with the police. However, this shall not apply to beverages supplied/sold in bottles with a volume of 20cl or less, or 70cl or more.*

The proposed condition currently reads:

"From 21:00 until close every Thursday, Friday, Saturday and at any other non-standard timings all drinking vessels used in the premises shall be polycarbonate.



# Brabeck

CONSULTANCY

All drinks in glass bottles are to be decanted into polycarbonate containers or carafes prior to being served, with the exception of champagne bottles or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff shall clear away all empty champagne and spirit bottles promptly from tables. Customers shall not be permitted to leave their table carrying any such glass bottles or to drink directly from the bottle.

Notwithstanding the above, with the written agreement of the police licensing officer, a copy of which shall be kept at the premises, the premises licence holder may use glass drinking vessels for private or pre-booked events."

This seems to me to be a stricter condition, than that which the police are proposing. Whilst I am happy to agree their proposals it appears incumbent to me to point out the anomaly here. I can see merit in removing "From 21:00 until close every Thursday, Friday, Saturday and at any other non-standard timings", thereby making the roof terrace during the day "polycarbonate".

I have not amended the proposed condition, and I will seek to speak to the officer about this condition. However, the venue could operate with either my proposed condition or PC Jones'.

I hope that Play House and Epping Roof Gardens is an asset to the area, bringing an enjoyable asset to Epping,

## Attachments

CV (please redact from Public Facing Documents)  
Policies  
Conditions

Yours sincerely,

**James Hoffelner**  
For and on behalf of Brabeck Consultancy

**B**



## **PlayHouse - CCTV & BWV POLICY**

### **1. Introduction**

1.1 The Company uses Closed Circuit Television (CCTV) and Body Worn Video (BWV) systems in its venue.

1.2 This document along with individual systems Codes of Practice are designed to give clear guidelines on the Company's use of CCTV & BWV and to protect the Company and its CCTV operators from allegations of misuse of the system and to protect staff and the public from any abuse of the CCTV system.

1.3 This policy covers the use of CCTV & BWV equipment and the gathering, storage, use and disposal of visual data. This policy applies to all staff employed by PlayHouse and should be the standard expected from any external agencies or persons who operate CCTV systems on its behalf.

1.4 This document should be read in conjunction with the CCTV & BWV systems Code of Practice and Operational Manual. Failure to comply with these documents could lead to disciplinary action, which may lead to dismissal and in certain circumstances criminal proceedings against the individuals concerned.

### **2. Objectives of Closed-Circuit Television (CCTV) Systems & Body-Worn Video (BWV) deployment**

2.1 It is important that everyone, and especially those charged with operating the CCTV systems on behalf of PlayHouse, understand exactly why each of the systems has been introduced and what the cameras will and will not be used for.

2.2 Each CCTV camera will have its own site or task specific objectives. These will include some or all of the following:

- Protecting the premises, staff and the public;
- Deterring and detecting crime and anti-social behaviour;
- Assisting in the identification of offenders leading to their arrest and successful prosecution or other appropriate action;
- Reducing violent or aggressive behaviour towards staff;
- Reducing fear of crime, anti-social behaviour and aggression;
- Protecting PlayHouse's property and assets;
- Maintaining and enhancing the commercial viability of the company and encouraging continued enjoyment of the premises;



- Assisting in staff disciplinary, grievance, formal complaints and Health and Safety Investigations.

2.3 The systems will not be used for any purpose other than those set out in this document without prior consultation with the Managing Director, DPS, CCTV Manager and where appropriate notification to staff and following consultation with the Trade Unions and also where appropriate, residents who live in the property. Any novel or non-standard use of the CCTV cameras are to require the approval of the shareholders of the company.

2.4 Cameras will be used to monitor the progress of staff. Managers are permitted to use the cameras to observe staff working practices or time keeping and to assist them in the day-to-day management of their staff.

2.5 Individuals will only be monitored if there is a reasonable cause to suspect a criminal offence or a serious breach of discipline, potentially amounting to misconduct has been, or may be, committed and this will only be permitted when it is authorised by the Senior Manager on duty.

2.6 The last objective in this list is covered in more detail below.

### **3. Legislation**

3.1 In addition to Company policies, procedures, guidelines and Codes of Practice, CCTV and its operation are subject to legislation under:

3.1.1 The Data Protection Act 1998 (DPA).

3.1.2 The Human Rights Act 1998 (HRA).

3.1.3 The Freedom of Information Act 2000 (FOIA).

3.1.4 The Regulation of Investigatory Powers Act 2000 (RIPA).

3.1.5 The Protection of Freedoms Act 2012

3.1.6 The Licencing Act 2003

3.1.7 Our Premises Licence

### **4. Responsibility**

4.1 The DPS have overall responsibility for CCTV systems used within the club.

4.2 The day-to-day operational responsibility rests with the designated Duty Manager and their staff who actually operate the CCTV equipment and handle the data.

4.3 The Company's CCTV Manager is responsible for the day-to-day operation of the CCTV system and acts as the central coordinator and point of contact on all issues relating to CCTV.





4.4 The CCTV Manager will be responsible for ensuring all users are kept up to date on legislation and changes in procedures and will review the Company's Policy and Codes of Practice documents annually as well as maintaining a central database of all documents related to the Council's CCTV system.

#### 4.5 The Responsible Officer

Is responsible for:

4.5.1 The day-to-day operation of the CCTV system within their charge and the security and accountability of all equipment and media used by their system. This includes the BWV recording.

4.5.2 Making sure that authorised staff (the Responsible Officer, their operating team, the CCTV Manager and people authorised to view the images) using the CCTV & BWV system are properly trained in the use of the equipment and comply with the Code of Practice and the policies and procedures. They are not to permit any other staff to operate the equipment or view images without authorisation.

4.5.3 Acting as the first point of contact for enquires, complaints and requests for evidence and as the liaison officer for all external and internal contacts.

#### 4.6 CCTV Staff Operating CCTV Systems

4.6.1 Staff operating CCTV systems are responsible for operating the equipment in accordance with requirements set out in current legislation, this policy document, ICO guidelines, confidentiality certificates, Codes of Practice and Operational Manuals.

4.6.2 They must ensure that their training is up to date.

4.6.3 They are responsible for bringing any faults or misuse of the equipment to the Responsible Officer's attention immediately.

### **5. Purchase and Deployment of CCTV Cameras**

5.1 PlayHouse is committed to respecting people's rights to privacy and supports the individual's entitlement to go about their lawful business. This is a primary consideration in the operation of any CCTV system, although there will inevitably be some loss of privacy when CCTV cameras are installed.

5.2 It is crucial that serious consideration is given to the necessity for cameras in a given location, and on the impact on the privacy of individuals using the areas where cameras are to be installed.

5.3 Cameras are not to be installed in such a way that they can look into private space such as houses unless they can be fitted with privacy zones, which block out private areas so that they cannot be viewed or recorded.



5.4 Covert cameras are not normally to be deployed into areas used by staff or the public. Cameras should normally be clearly visible and clearly signed.

5.5 Concealed and unsigned cameras within the venue may, on rare occasions, be deployed in areas of high security where there is no legitimate public access and where staff access is controlled and restricted. Staff who normally work in these areas should where appropriate be informed of the location of these cameras, their purpose and where the monitor is kept.

5.6 PlayHouse will not use CCTV cameras if there are cheaper, less intrusive and more effective methods of dealing with the problem.

5.7 If after looking at all the alternatives it is decided that CCTV is the only suitable solution, a clear operational objective for the system and each camera must be identified, and an assessment on the impact on privacy must be carried out (examples of the forms to help carry out these tasks are at Annexes 'A' and 'B'). A record of these decisions must be retained for inspection and review every year. A copy of these documents should be sent to the Company Managing Director.

5.8 Authorisation for the purchase and installation of CCTV cameras must be obtained from the shareholders after production of a business plan and when appropriate consultation with staff, Trade Union representatives and other stakeholders has taken place.

5.9 How the system will be paid for, its annual revenue costs and how they will be met must also be identified.

5.10 The CCTV Manager will be available to give advice at each stage of the above processes.

5.11 Once a decision is made to purchase CCTV cameras, advice should be sought from the Metropolitan Police Service – Westminster Licensing Team.

5.12 It is a requirement under the Information Commissioners Code of Practice and the new National CCTV Strategy that any equipment purchased is fit for purpose and will meet the objectives set down for the scheme. There is also a clear requirement for all CCTV schemes to have an effective maintenance schedule and Code of Practice. Officers purchasing new CCTV equipment need to ensure that all of these requirements are met.

5.13 \*\*\*\*\* **Cambridge City Council** does not deploy 'Dummy' cameras as these give a false sense of security. Neither can officers purchase cameras that can monitor conversation or be used to talk to individuals as this is seen as an unnecessary invasion of privacy.

5.14 Once new cameras have been installed, a copy of a map or building plan showing the location of the CCTV cameras should be sent to the Council's CCTV Manager for inclusion in the Council's central CCTV library. [Is this a local protocol in Essex?]



## **6. Body Worn Video (BWV)**

### 6.1. What is Body Worn Video?

6.1.1 Any style of camera deployed by the PlayHouse, which is carried or fixed to the uniform of a Door Supervisor and is capable of capturing both video and audio information collectively falls under the category of Body Worn Video.

6.1.2 The equipment has been in use by some Police forces and a Security Company for a number of years but with advancing technology, the devices have become smaller, lighter, more easily carried by Door Supervisors and have far greater capabilities in when and where they can be used. In addition, the actual quality of the captured data is now of a high standard.

6.1.3 The devices themselves are generally mounted on an officer's uniform, whereas some of the early models were mounted on officer's heads or their headwear. The equipment will be used in overt policing activities, in other words by police officers or PCSOs in uniform.

### 6.2 Why use BWV?

6.2.1 The Company has a responsibility to maintain law and order: to protect, staff, customers, members of the public, their property, as well as detecting and aiding in the investigation of crime. Door Supervisors working in licensed premises are involved in interactions with people on a daily basis. Sometimes this may involve physical intervention, which has traditionally led to complaints of excessive force (mainly because the public do not understand the law relating to lawful ejections). Door Supervisors have traditionally recorded such ejections in an incident book. In some instances, the rigour of what has been recorded has been the subject of interpretation and the subject of debate. Equally it may not have presented the best possible primary evidence to support actions taken by the Door Supervisors.

6.2.1 By the introduction of this type of technology, the devices themselves are able to record exactly what happened, what was said and when; in an indisputable format. Their use will be at the discretion of The Door Supervisor and should be:

- Incident specific
- Proportionate
- Legitimate
- Necessary
- Justifiable



6.2.2 As previously mentioned, Door Supervisors have traditionally used Incident Reports to record key information when dealing with a member of the public or capturing initial information at an incident. BWV must be seen as being complementary to any entry being made in the Incident Book and is not a replacement for it.

6.2.3 This equipment may therefore be used to record video and audio information of encounters between the Door Supervisors, the public, customers, local government officers, Police, Ambulance Staff, and Fire Officers after ensuring appropriate safeguards in respect of the necessity, legitimacy and legality are addressed (see later) in respect of:

- The prevention and detection of categories of crime;
- Reduce incidences of public disorder;
- Present evidence to the Police & Crown Prosecution Service to bring successful prosecutions before the courts;
- Work to address issues associated with the transparency of Door Supervisors practices.

6.2.4 In addition, persons, unrelated to any specific interaction between Door Supervisors and any of the categories of persons above, might find their activities captured on a BWV device. To some degree, this is inevitable since a camera lens or microphone is non-discriminatory and captures what is seen or heard. In such circumstances, PlayHouse has adopted a number of safeguards to firstly avoid this where possible, and to then follow a number of arrangements to anonymise any data.

6.2.5 As mentioned earlier, BWV is capable of capturing primary evidence in such a way that it is able to bring a compelling and an indisputable account of the circumstances at that time. This will not replace the needs to capture other types of evidence but will go a considerable way in reducing any ambiguities and should be considered as an additional security aid.

6.2.6 BWV will not be routinely recording and monitoring all activity on a continuous basis. To do so would fundamentally breach the privacy of large swathes of the public who are going about their legitimate lives, as well as the privacy of Door Supervisors going about their work. This cannot be justifiable from the perspective of proportionality and legitimacy.

6.2.7 Added to this is that current technology is incapable of operating in such a way; principally due to a lack of suitable battery life.

### 6.3 General Operating Procedures

6.3.1 PlayHouse Door Supervisors have access to BWV by one method.



6.3.2 Door Supervisors based at PlayHouse will need to 'book out' their BWV from a pool of devices shared among a number of staff members. This is done on the "Nightly Reporting Sheet Security" and is done manually.

6.3.3 Door Supervisors are required to ensure that the device is charged – all previously captured images and audio is automatically removed prior to deployment. The device will then be fixed to the Door Supervisors uniform.

6.3.4 During the course of their normal working, the device remains in an inert state and therefore is not recording any material. To do so, it requires the Door Supervisor to deliberately activate the device to a record mode and where practicable, make a verbal announcement to indicate that the BWV equipment has been activated. This announcement should be present on the recording and if possible, should include:

- The date, time and location;
- The nature of the incident to which the user is deployed; and
- Confirmation to those present that the incident is now being recorded using both video and audio.

6.3.5 If the recording has commenced prior to their arrival at the scene of an incident the Door Supervisor should, as soon as is practicable, announce to those persons present that recording is taking place and that their actions and sounds are being recorded. Announcements should be made using straightforward language that can be easily understood by those present.

6.3.6 At the conclusion of any incident, the record mode on the device is switched off and the captured information is stored.

6.3.7 Unless specific circumstances dictate otherwise, recording must continue uninterrupted from the moment it starts until the conclusion of the incident or the resumption of general duties.

6.3.8 The recording is also likely to continue for a short period after the incident to clearly demonstrate to any subsequent viewer that the incident has concluded, and that the user has resumed other duties or activities.

6.3.9 Where feasible, users should make an announcement that the recording is about to finish. Prior to concluding the recording, the user should make a verbal announcement to indicate the reason for ending the recording. This should state:

- The date, time and location; and
- The reason for concluding the recording.

6.3.10 At the end of period of duty, the Door Supervisors returns the device to the office, they 'dock' it into a dedicated port and this automatically downloads all captured information on to a cloud computer. This information cannot be deleted or altered. This images can then be viewed by the CCTV Manager.



6.3.11 Once completed, the contents on the device are erased and is it ready for reuse. All information captured and downloaded will be retained on a computer. Any material required to support an on-going investigation or prosecution will be retained and must be 'Marked' by the CCTV Manager. All other material will be automatically erased after 30 days. Access to recordings will be controlled and only persons having an operational need to view specific incidents may do so.

Any information shared with the Police or Local Authority for the purpose of assisting in the identification of offenders, and offences, will be strictly controlled in accordance with the Data Protection Act.

## **7. Monitoring**

7.1 CCTV monitors will not be sited in public areas.

7.2 Monitoring of cameras where required will only be carried out by persons authorised by the Responsible Officers.

## **8. Viewing Images and the Provision of Evidence**

8.1 The casual viewing or trawling of images is strictly forbidden. Viewings must only be undertaken for a specific, legitimate purpose.

8.2 The provision of evidence or viewings will normally be requested either by the police, other enforcement agency conducting an investigation into criminal activities, potential; disciplinary matters, complaints, grievance or Health and Safety issues.

8.3 Enforcement agencies, such as the police, have a legal requirement to 'seize' any relevant evidence when investigating a crime and Supervising Officers must comply with their request, but the enforcement agencies are bound by the same rules as everyone else.

8.5 Enforcement agencies are not permitted to trawl the Council's CCTV system on the possibility of detecting a crime. They are required to provide the CCTV Manager with a Crime or Incident number of other such proof, to show that they are conducting a legitimate investigation.

8.6 The release of evidence or permission to view images may only be authorised by the CCTV Manager or in their absence, by the Duty Manager. Where an Enforcement Agency requests copies of an image, one copy is to be made, but there is no requirement for the Responsible Officer to retain or produce any further copies.

8.7 If the matter concerns a member of staff, there will be no automatic right to viewing or releasing images. Viewings will be permitted, and images will only be released to a properly authorised Investigating Officer after they have submitted a formal request to the CCTV Manager.



8.8 The CCTV Manager will then, without delay, pass the CCTV on to the Investigating Officer.

8.9 This process should not take as little time as possible and every effort should be made to pass CCTV on to the Investigating Officer without delay.

8.10 Once authorised, arrangements will be made to enable the Investigating Officer to view the images and, if necessary, be issued with two copies of recorded material on suitable recording media. Note: Only the Investigating Officer is permitted to view the images at this stage.

8.11 The reason for the second disc is that if it is decided to use CCTV images in an employment related hearing, the person being investigated must be given a copy of the images to permit them and their representatives to mount a defence. At the end of the hearing ALL copies of the images are to be collected by HR, held on file and destroyed once the appeals process and any Employment Tribunal processes have been completed.

8.12 Staff who are subject to Company disciplinary, complaints or grievance procedures have the right to request for the footage to be retained if they believe it will support their defence. The process will be exactly the same as that shown above for the Investigating Officer.

8.13 The Company will not permit viewings or release images to people being investigated by an Enforcement Agency or in an internal investigation, which may be handed over to an external agency such as the police.

## **9. Insurance Claims**

9.1 CCTV involvement in insurance claims fall into two categories. First incidents, which may result in claims against PlayHouse and secondly claims involving third parties, normally trips in the street.

9.2 CCTV cameras may be able to assist in incidents that could result in a claim against the company. When a report is received which may result in a claim, the Manager responsible for dealing with the incident should consider whether CCTV covers the area. If so, they should then ask the CCTV Manager to hold images for that period but this must be done within 31 days from the date of the incident. The Manager dealing with the incident should then follow the procedures for viewing and obtaining evidence, which is set out in section 8 above.

9.3 If evidence is issued to the Officer dealing with the incident, they become responsible for the security, safety and integrity of the images. All recorded media must be stored in a secure place with access limited only to those people involved in the subsequent claim. At the end of the waiting period or after any claim has been dealt with, this officer will be responsible for the destruction of the recorded media.





9.4 Requests for assistance from CCTV cameras in third party claims are increasing, especially with regard to trips in the street. Often it is the person involved in the accident who will contact CCTV and ask either if we have any images or if they can come and have a look. Requests of this kind should normally be refused. Instead, members of the public should be advised to contact their insurance company and ask them to write to the CCTV Manager formally, giving as much detail about the incident as possible and requesting assistance. It is also important that it is stressed to the person requesting the information that the letter is received before the over-write period on the recorder. No other action should be taken at this stage.

9.5 If the letter arrives within the recording period, the CCTV Manager should view the images. If the incident was not caught on camera, the insurers or solicitor can be called and informed and the case can be closed. If the letter arrives after the recording period, there will be no relevant images and again, the person requesting the images should be informed.

9.6 If relevant images are found on the recorder, the insurance company/Solicitor should be informed and asked if they want a copy. If they do, then they need to be informed that there will be a fee. The fee should be based on the amount of time spent by staff viewing, copying and processing the images based on the hourly salary rate rounded up to the nearest hour. It should also include post and packaging and the cost of the media supplied. This should then be sent as an invoice to the recipient.

9.7 The images may then be copied and sent to the relevant person accompanied by two copies of a letter reminding them that PlayHouse retains 'copyright' over the images, that they are responsible for the security and destruction of the images and that the images may not be used for any other purpose other than the one they were released for. The details of the media released should be included (i.e. media number) in the letter and they should be asked to sign one copy of the letter confirming they have received the images and accepting the conditions of release. A detailed record of all actions must be maintained. Failure to comply with PlayHouse's conditions of release may result in legal action being taken against the person who signed the acceptance letter.

## **10. Signage**

10.1 All areas where CCTV is in use should be clearly signed to comply with the Data Protection Act. This is to warn people that they are about to enter an area covered by CCTV cameras or to remind them that they are still in an area covered by CCTV. The signs will also act as an additional deterrent. CCTV signs should not be displayed in areas, which do not have CCTV cameras. (A copy of the signs is attached to this document in Annex C.)

10.2 Where 'Covert' cameras have been authorised for deployment, signage will not normally be erected.





## **11. Third Party Access Requests**

11.1 Under the Data Protection Act members of the public have the right to see data organisations hold on them. This data includes visual images captured by CCTV.

11.2 As a general principle, access to this data should not be refused. However we have taken the decision to refuse all requests from members of the public (with obvious exception of the Police, Local Authority's, and the Safer West End partnership). The reason for the refusal is:

- The prevention of further crime: by releasing the CCTV images to a third party the quality of image, and the angle of cameras will be released. Should this information fall into the wrong hands it would have an impact on the systems effectiveness.
- The prevention of terrorism: as above the location of our cameras could have an impact on our ability to detect and deter a potential terrorist action against the club and its customer.
- Other customers right to privacy: it is a disproportionate expense to anonymising all other patrons in the premises; many of whom would not want their data released.

## **12. Recording Systems**

12.1 The majority of the PlayHouse's CCTV recording system is digital, and analogue. However we are currently looking to replace the analogue components with instructions, for the operation has been produced in the CCTV Code of Practice.

12.2 All staff required to operate CCTV equipment are to receive training in the use of the equipment, and must conform to this Policy Document and their systems Code of Practice at all times. Staff who operate the recorders will be required to sign a 'Confidentiality Statement', which prohibits them from making any material available for purposes other than those stated in the Code of Practice. Any other staff having access to the equipment will also sign a Confidentiality Statement. Once signed, the Confidentiality Statement should be placed in the persons Personnel file.

12.3 Except for evidential purposes, images will not be copied in whole or in part.

12.4 Recorded material will not be sold or used for commercial purposes or the provision of entertainment. Images provided to the Police or other enforcement agencies or for internal investigations shall at no time be used for anything other than the purposes for which they were originally released.

12.5 Recording equipment and recording media will be kept in a secure location and no access will be granted to unauthorised staff.



12.6 All images will remain the property and copyright of PlayHouse.

12.7 Each new recording disc/tape must be clearly marked with a unique reference number in indelible ink before it is brought in to operation.

12.8 Each use or issue of a disc or tape will be noted in the CCTV Register. Unused media or media awaiting issue will be held in a secure cabinet in such a way that completeness of the archive is immediately apparent. The CCTV Register will be stored in a secure place.

12.9 All media will be disposed of securely when no longer required.

12.10 All recording protocol should be an 'Open' protocol. This enables the police and other agencies to view evidence on their own systems, without having to pre-load the operating software. This is important because most police computers are unable to download unauthorised software, which means they will be unable to use the CCTV images for their investigations.

12.11 The system will be checked each day and an entry in the OB made to confirm that the system is fully working. Where there is a fault the entry must include evidence of what steps have been taken to remedy such matters. This must include detailed actions taken by specified person(s) on a specified date and time.

### **13. Disciplinary Offences and Security**

13.1 Tampering with or misuse of cameras, monitoring or recording equipment, images or recorded data by staff may be regarded as misconduct, and could lead to disciplinary action, which may result in dismissal or criminal prosecution.

13.2 Any breach of this Policy Document or the CCTV Code of Practice will be regarded as a serious matter. Any members of staff that breach these instructions will be dealt with according to the City Council's disciplinary procedures.

13.3 The responsibility for guaranteeing the security and proper use of the system will rest with the Responsible Officer of the system concerned. These officers will, in the first instance, investigate all breaches or allegations of breaches of security or misuse, and will report his/her findings to their Head of Service and Director.

### **14. Statistics**

14.1 CCTV installation, like any other purchase by any company, is expensive and this needs to be justified. CCTV systems are required to show how effective the cameras are in dealing with the objectives set out for them.



## **15. Inspections/ Visits**

15.1 All CCTV systems in licensed premises may be subject to inspections or visits by a member of the Information Commissioners Office or the Metropolitan Police. In addition, systems may also be subject to visits/inspections by Company Directors, and inspection by the Company lawyer.

15.2 These visits/ inspections are designed purely to ensure that the systems are being run in accordance with current legislation, this Policy Guideline and their own Codes of Practice, as well as offering advice for improvement where required.

## **16. Health and Safety**

16.1 The Responsible Officer is to ensure that staff are made aware of and comply with all policies on Health and Safety.

## **17. Complaints**

17.1 Complaints about the operation of a CCTV system should be addressed initially to the General Manager. Complaints will be dealt with in accordance with PlayHouse's Formal Complaints Procedure.

### **Observations:**

Headings highlighted in Bold. Some minor typos corrected.

5.13 – reference to Cambridge Council needs to be changed

5.14 – Is this an Essex Council requirement?

12.11 – Added. Fault reporting process from your security protocols.

Otherwise detailed and comprehensive policy.



## **PlayHouse – Entrance, Dispersal and Outside Policy**

PlayHouse recognises the importance of ensuring that our customers leave our venue at the end of the night in a safe, controlled and efficient way so as to cause minimum disturbance to other neighbours, and without risk of injury to themselves.

This dispersal and outside the premises policy has been created with the aims of:

- reducing the risk of crime and disorder outside PlayHouse and as customers arrive and leave.
- ensuring there is a minimum of noise and nuisance caused to our neighbours and the general public

This policy has been prepared having regard to the maximum capacity of the venue when it is trading and should the venue trade with a lower capacity or for a specific event the operation will be risk assessed and the policy adapted where needed.

As a responsible venue, PlayHouse, ensures that dispersal of customers is completed by following the steps below:

### **Entry to the venue:**

- A queue system will be used when necessary to control the area immediately outside PlayHouse. During normal trade there will be 2 queues used, one for table bookings and one for guest list. A minimum of 1(2) SIA security will be stationed on any queues.
- Door supervisors outside the premises will wear high viz tabards, which identify the individual as security for the venue.
- Any queue will be supervised by a minimum of 1(2) SIA door supervisor.
- Customers in the queue will be advised on likely waiting times. If waiting times are excessive customers will be asked to leave.
- Any customers and guests causing noise or disturbance or who appeared to be impaired / intoxicated through alcohol or drugs will be refused entry
- A manager will check the queue/ outside area regularly throughout the night.
- A manager will be on duty at the reception area on busy nights.
- The pavement is not to be obstructed.

### **Dispersal of Patrons:**

- Door supervisors will be proactive about dispersal of groups of people outside the venue via communication and engagement.
- Door supervisors will encourage customers to leave the area quickly and quietly via communication and engagement.



- A minimum of 1(2) SIA door supervisor will patrol outside the premises to ensure customers leave the area quietly. Any customers causing noise or disturbance will be asked to be quiet. Those that do not will be refused entry to PlayHouse in the future
- Door supervisors will be proactive about asking drivers of vehicles to lower the volume of any loud music being played via communication and engagement.
- Door supervisors will ask drivers of vehicles to park / idle away from residential houses/accommodation.
- It shall be a condition of the taxi company contract providing cars to the venue that drivers will not honk horns, play music from the cars or cause nuisance or obstruction
- Door supervisors will discourage any guest from obstructing the street via communication and engagement. Those that do will be refused admittance to the Venue.
- Door supervisors will regularly monitor activity outside throughout each night to ensure that there is no crime and disorder, noise or disturbance arising from customers of PlayHouse. A minimum of 1 SIA door supervisor shall be stationed out the front the front of the venue after 8pm until the end of trade on that night and customers have dispersed
- A detailed entry will be made in the incident book of any serious crime and disorder. The duty manager will make a decision as to whether to call police.
- Door supervisors will be vigilant and proactive in preventing crime and disorder. They will assist police to the best of their ability / powers / authority.
- As the premises empties all door supervisors will move outside to assist in dispersal.
- At the end of the night as soon as the bars have stopped serving alcohol a manager is to go to the reception area on the ground floor and monitor any potential noise pollution, having communication with the door supervisors at the front door. It is imperative that all patrons are asked to keep the noise down as they leave the club.
- The ropes and poles on the pavement outside the premises are to be kept to the left-hand side of the entry/exit doors to try and disperse people from congregating in front of the club. A door supervisor is to be stationed at the end of the ropes when customers are dispersing.
- A manager is to stay in reception on the ground floor and contact the SIA door supervisors outside if any larger groups or potentially noisy people are leaving.
- On busy nights, after an operational risk assessment has been carried out, a door supervisor is to patrol along Epping High Street from midnight until the close of trade



- The bars will stop serving drinks at **xx:xx** which allows a reasonable period of drinking up time prior to leaving the Venue. At the end of trading, the service points in each bar will be reduced (after they are cleaned etc) and some of the staff will be reallocated to collect glasses or work in the cloakroom. This will assist customer departure and reduces the potential for people to carry glassware out of the premises.
- Music volume will be lowered gradually over the last 30 minutes to reduce shouting and boisterous behavior when people exit the Venue.
- Lighting levels will be slowly and gradually raised during the last 15 minutes to allow customers time to acclimatise to the brighter surroundings and the need to exit the Venue.
- There are be visible notice positioned in the foyer, requesting exiting customers to leave quietly and to respect neighbours and their properties
- In order to prevent a crush or bad-tempered incident at the cloakroom at the end of the evening one of the Management Team, together with a member of our door supervisor team, will oversee the safe and orderly collection of coats and bags from the cloakroom.
- There will be litter patrols 30 metres either side of the premises
- Customers smoking outside will be directed to the smoking area in line with the Venue's smoking policy.
- Customers are not permitted to leave with bottles or glassware. This policy is supported by a vigilant door team and supervised by the manager on the exit.
- To avoid allegations of drink spiking the Venue will not encourage a public area for the retention of drinks for smokers and if leaving the premises to smoke customers will be encouraged to either drink their drink prior to leaving the Venue or to leave their drink with a trusted friend.
- A dedicated and organised taxi service will be available to customers
- Customers will be supplied with information on transport options available late at night.
- The door supervisor team is to be briefed by management on the local transport links and will be able to offer customers accurate information about where to catch buses, trains and tubes once they leave the premises.
- Any persons found to be in need of additional assistance when leaving the Venue will be escorted politely to the exit doors by the door supervisors or a member of the Management Team to ensure that they can safely leave - where necessary a Minicab will be arranged to take them to their ultimate destination.
- At the end of the night Door Supervisors will not leave the area until all customers have dispersed from Epping High Street.



### **Observations:**

It is very difficult to assess the dispersal policy without seeing the venue and the surrounding area while the venue is operating. What I would suggest is that you increase the SIA presence outside the venue to manage the queues to 2 x SIA.

Also, the entrance and dispersal sections should be distinctly different i.e. One section for the control of those entering or re-entering (is there a re-entry policy or the last time re-entry will be allowed?) the venue and a separate section detailing closing-down dispersal deployments and activity.

You could include a section to say that if/when the venue is operating a full and detailed independent assessment of the dispersal policy and process will be undertaken to assess its effectiveness and suitability.



## **Emergency Response Procedures**

### **1) Emergency Plans – Gas Leak**

- 1) Evacuate as per our Evacuation Procedure
- 2) Security are instructed NOT to use their radios
- 3) The Duty Manager will then phone National Grid on 0800 111 999
- 4) Customers and Staff will only be allowed to reenter until the National Grid engineer has declared it safe.
- 5) At the earliest possible time after the incident, you must complete an Incident Report Form

### **2) Emergency Plans – Bomb Threat**

- 1) Upon receiving a bomb warning, Staff must:
- 2) Remain calm and do not panic,
- 3) Obtain as much information as possible and record this on the Bomb Warning Check-sheet
- 4) Be friendly
- 5) Inform the Senior Manager Immediately  
Should a telephone warning stating that a bomb is in or close to the club be received try and ascertain as much of the following information as possible:
  - Listen to the caller, do not interrupt
  - Write down the message / warning
  - Note the tone of the voice, accent and the gender of the caller
  - If possible, determine the age of the caller, young/old
  - Any background noises that might identify the location of the caller/phone box etc.
  - As soon as the call is over inform the Senior Manager on duty
- 6) The duty manager should inform the security to immediately turn off all radios and the head of security should then verbally pass the message to all staff in the venue using the following message “Code Black” all staff should know what this means.
- 7) All staff and customers are to evacuate following PlayHouse – Evacuation Procedure
- 8) Staff must direct the public to leave the club by a route avoiding any suspected packages/area
- 9) Direct Staff and members of the public to an alternative Assembly Point if the original location is near to the suspect package
- 10) No persons shall be allowed to re-enter the club until given the all clear by the Police
- 11) At the earliest possible time after the incident, you must complete an Incident Report Form





The duty manager must risk assess the threat (for example if it is clearly a young person with giggling heard in the background the threat assessment might be different to an older male with a Middle Eastern accent). Evacuation protocols then kick in once the decision is made. Always call the police if you receive a bomb threat.

### 3) Emergency Plans – CS gas or Pepper spray usage

- 1) Evacuate as per our Evacuation Procedure
- 2) First Aiders should provide first aid to people effected by the CS gas or Pepper spray
- 3) Door Supervisors should attempt to (if it is safe to do so) detain the person (or people) who discharged the CS gas or Pepper spray.
- 4) Any evidence should be preserved as best possible please follow Emergency Plans – Crime Scene Preservation.
- 5) At the earliest possible time after the incident, you must complete an Incident Report Form

### 4) Emergency Plans - Personal Threat

In the event of conflict or a personal threat, Staff must:

- Keep calm and be professional
- Keep reactions to a minimum
- Utilise conflict management techniques
- Alert security if possible
- Maintain distance between yourself and the assailant
- Try to maintain control

Staff must not:

- Be hostile, aggressive or patronizing
- Take abuse personally
- Lose your temper
- Do not take any personal risks

Alert a manger or security as soon as possible and they will deal with the situation

### 5) Emergency Plans – Medical Emergency

- 1) Alert a Door Supervisor that there is a medical emergency
- 2) The Door Supervisor will then Radio saying “Medic Medic” giving the location; Should the matter be life threatening the medic should radio saying “Medic Medic Code Zero” and then giving the location



- 3) The Medic will then assess the causality
- 4) Should it be safe and practical the Medic will then ask Door Supervisors to help move the causality out of the public area, should it not be practical Door Supervisors should do their best to clear other customers from the area.
- 5) The Duty Manager should be with the Medic, should the Duty manager and the medic be the same person another Manager must be present.
- 6) The Duty Manager (or the second manager present should the Duty Manager be dealing with the causality) should if required phone 999.
- 7) The Deputy Head of security will if necessary arrange for the bollards to be removed for the Ambulance so that it can pull up right outside the venue a Key to the bollards can be found in the security cupboard and its location is known to the Head of Security.
- 8) At the earliest possible time after the incident, you must complete an Incident Report Form

## **6) Emergency Plans – Structural Collapse/Flood**

Should a structural failure occur, or if danger is suspected from the buildings structure, the fire alarm shall be activated by breaking the nearest 'break glass' panel.

Customers shall be evacuated from the club using whichever exit doors are unobstructed. Following “PlayHouse – Evacuation Procedure”

## **7) Emergency Plans – Loss of Power**

- 1) Evacuate as per our Evacuation Procedure
- 2) Security are instructed to use their torches to help illuminate the way out, however our emergency lights will come on making the club very bright.
- 3) The Duty Manager will then phone UK Power Networks on 0800 028 0247, he must then inform the directors of the company that the venue has been closed due to loss of power and relay any information that UK Power Networks have passed to him.
- 4) Security will set up barriers like at the start of the night however open the smoking area as an exit.
- 5) Customers will then be invited to cue in the guest list side with their cloakroom tickets and security will retrieve their belongings from the club.
- 6) Our standard dispersal policy will apply
- 7) Security will remain on site until the “normal closing time” of the club to inform anyone arriving that we have had to close due to loss of power.
- 8) The club will be closed when everyone has left the area and the staff dismissed.
- 9) At the earliest possible time after the incident, you must complete an Incident Report Form

## **8) Emergency Plans - Fire**

We have a two stage fire alarm system, this allows time for investigation should the alarm be activated.



- 1) Staff alert: Upon activation of one sensor the alarm will go into pre alarm stage, this will be flashing Yellow lights, this gives staff 3 minutes to investigate the alarm at the panels
- 2) Full alert: Upon activation of two sensors, or one break glass, the alarm will go into full alert, this will shut down off the music. When the fire alarm goes into full alert staff must follow evacuation procedure.

If the staff alert is activated the Duty Manager and Head of Security should go to the Fire Alarm Panel (Located by the kitchen door, and a repeater panel by the front door) they should then attempt to locate the detector that has been activated. If the detector has been activated in error then the alarm should be reset. If they locate a fire or see smoke they should put the alarm into full alert and follow the Evacuation Procedure.

If you discover a fire, any attempt to extinguish it must only be made once the fire alarm has been activated, the Fire Service called and you know which fire extinguisher to use. Do not put your self at risk when attempting to tackle a fire.

## **9) Emergency Plans – Crime Scene Preservation**

Staff need to recognise that a crime scene can be anywhere and at any time, it is reasonable to recognise that literally anyone could be the first person to discover a crime scene.

Your priority is always the preservation of life. If you have to disturb a crime scene to save life or treat a casualty then that is how it is.

If you are able to preserve a crime scene then common characteristics may include:

- 1) Blood stains or spatter (DNA)
- 2) Glass fragments
- 3) Discarded bottles/glasses
- 4) Weapons
- 5) Stolen items
- 6) Evidence of drugs
- 7) Evidence of assaults
- 8) Surfaces that would maintain fingerprints (metal, plastic, shiny surfaces)
- 9) The environment such as water or dust which can damage fingerprints
- 10) Victims and witnesses acting emotionally

If you discover a crime scene you must Lockdown the crime scene – this just means you close the scene off, to help preserve life and help ensure that things that may have value as evidence are not moved removed, destroyed or contaminated.

There are six steps to a Lockdown:

- 1) Create a secure and sterile perimeter – use whatever is available to help create a secure perimeter and help keep the crime scene sterile, there is a “crime scene kit” by the front door this contains evidence bags and barrier



- tape this might be useful to secure the crime scene.
- 2) Deter unauthorised entry – give instructions that no one should enter the crime scene. Where possible station a member of staff at the scene. Remember your safety is important.
  - 3) Establish only one point of entry – identify the most easily accessible point of entry and seal all others. Position yourself at this point. You may be relieved of this position however you should not abandon your post.
  - 4) Log all Personnel – The log keeper must record everyone including police and other agencies, to create a log use anything you have to hand, Mobile phone can be effective for note-taking and can be used to photographs or movies. Remember, all logs have evidential value and become exhibits themselves, therefore their security must be ensured.
  - 5) Prevent scene disturbance – all the above actions will help prevent the disturbance of anything considered to be of evidential value. A common mistake of such a disturbance is staff member cleaning or clearing materials away.
  - 6) Deter the removal of any items – deter the removal of any items from the crime scene, particularly items that have been used in the commission of the crime, such as bottles, knives and may include first-aid equipment.

The aim of the lockdown is to preserve life and the crime scene.

There are three simple rules for scene preservation, do not:

- 1) Add – Try not to add anything
- 2) Alter – Try not to alter anything
- 3) Remove – try not to remove anything

When the police arrive them as much as you have seen and what you have done. It is imperative that you are honest and report if you have moved, altered or added anything.

Steps to follow when discovering a crime scene:

- 1) Lockdown the crime scene
- 2) Alert the Duty Manager and/or the head of security. You will need to get another member of staff to do this if you are involved in the Lockdown.

The Duty Manger will:

- 1) Ensure the crime scene is lockdown correctly
- 2) Ensure that any suspects are correctly detained by Door Staff
- 3) Call the Police
- 4) Consider evacuating the club (normally for serious crimes, Serious Assault, Rape, Murder, Suspect package)
- 5) Locate and help any victims See Emergency Procedure - Medical Emergency

The Head of Security will:

- 1) Take instruction from the Duty manager with regards to the crime scene, Door Staff should normally take over the management of the Crime Scene.



- 2) Organise evacuation of the club (if needed)
- 3) Ensure the safety of and security of any suspects

## 10) Emergency Plans – Disorder in the club

Anyone who sees Disorder in the club should immediately alert a Door Supervisor

- 1) Door Supervisor should then call “Code Red – [Give location]”
- 2) All available Door Supervisors should make their way quickly to the location given NB: The Front Door should never be left unmanned
- 3) The cashier should inform the bus boys that we have a “Code Red” the bus boys MUST stop what they are doing and go to the area involved and clear away as fast as possible any ice bucket and or drinks. You must remove ALL glass from the venue as fast as possible and should take seconds.
- 4) The cashier will inform the light jockey.
- 5) The light jockey will make the club a bit brighter than normal and fix the lights, this is to give the Door Supervisors the ability to see what is going on. At the same time the whole club should not see what is going on as this can lead to people joining in.
- 6) Wherever possible the parties involved in the disorder should be taken out the main area of the club through separate exits.
- 7) Should any crime have been committed (assault is the most likely) people the parties should be held, and the police called, should no crime have been committed they should be ejected and encouraged to leave the area.



## **EJECTIONS POLICY**

On occasion there will be a need to eject people from the venue, examples include:

- Disorderly behaviour in the venue
- Drunkenness
- Rudeness or intimidation to staff
- Abusing other patrons or staff inside or outside the venue
- Aggressive actions towards patrons or staff

If a decision is taken to exclude or eject a person from the venue, staff are not to ask a customer to leave on their own. Staff must always inform the security team if a customer is to be asked to leave to ensure the safety of the subject customer, other customers and all staff.

The first step in removing a customer from the Premises is to talk to them and request them to leave explaining the decision where possible ("Sir/Madam you have been seen to be abusive towards other customers/patrons and/or staff and as such you re being required to leave the venue immediately") .

Only when non-physical intervention has proved insufficient in securing the removal of the subject customer should physical intervention be considered.

Physical intervention may be necessary as an initial response to the actions of a customer where such action is required to protect the physical wellbeing of any customer, patron, member of staff or member of the public

Only when a customer becomes violent and a safe ejection (whether physical or non-physical) is not possible the subject may be restrained and held until the police are able to attend.

Very last option to take people to the floor as this has medical implications with positional asphyxia and likely injuries. Restraint should be standing or sat wherever possible.

Where a violent customer has been ejected and continued to pose a threat to other customers/staff/members of the public the Police are to be called.

Once the customer is off the Premises, they are to be encouraged to leave the area and, where possible, return home. Should the customer refuse to return home the Security Team will assess the situation and the Police may be called?

Where an ejected customer wishes to return home but is unable to do so the Security Team will assess the situation and, if appropriate, call for a mini-cab. In case of a medical emergency Ambulance service may be called.

Any customer ejected for acts of abuse, threats, intimidation, disorderly behaviour or



violence will be refused entry to the Premises for the duration of the licensed hours. Management will consider whether a permanent exclusion from the Premises is appropriate.

Any property belonging to an ejected customer will be made available for collection from the Premises the following day and held in line with the PlayHouse Lost and Found Policy. (Where a customer has been ejected for their own welfare they may, after a period of consideration, be allowed to retrieve their property from the Premises).

All ejections are to be entered into the incident book or in the rejection & ejections book.

Should the ejection be “**non-confrontational**” then security only needs to note it in the rejection & ejection book. If the ejection is “**confrontational**” then a full report in the incident book should be made, and the duty medic or the duty manager must fill in a Use of Force form.

If physical intervention has been used then any SIA team member involved must make a note of the incident to justify the use of force.



## **THEFT POLICY**

All staff are to encourage patrons to use the cloakroom.

All unattended bags should be reported to security or a manager.

Any suspicious activity should be reported to management immediately.

Toilet attendants are stationed to monitor the premises W/C provision. Any behavior indicative of theft (dumping of stolen bags etc.) is to be reported to the Security Team.

If a customer is suspected of theft or handling stolen property, the management should be informed immediately. Only members of the Security Team are to approach and detain any suspect.

Relevant CCTV footage is to be considered and preserved when a theft is reported.

Relevant CCTV footage is to be supplied to the Police upon request subject to applicable laws.





## **LOST & FOUND POLICY**

All items of personal property that are discovered unattended in the Premises are to be reported.

All found items are to be handed in to the cloakroom immediately.

All found items are to be noted in the Lost & Found Register and then reported to the management.

Found items may be searched by a member of the Security Team. All such searches are to be witnessed.

Should a customer report an item as lost a check shall be made of the Lost & Found Register. Where lost property has been potentially identified a member of Management will ensure that the claimant is the owner of the property.

Customers can enquire about lost property by email [lostproperty@PlayHouse.com](mailto:lostproperty@PlayHouse.com), they should be encouraged to do this so there is a paper trail

Lost and Found property will be held on the premises for a period of 3 months after which it will be disposed of.



## **Staff Drug Misuse Policy**

We are committed to providing a safe, healthy and productive environment for all our staff clients and visitors. We are also committed to ensuring that all people working on our premises are fit to carry out their jobs safely and effectively in a working environment that is free from drug misuse both on and off the premises. This is not only important to us from a health and safety perspective, but also from a business perspective as the Club's license is dependent upon it.

All staff (whether employed by us or contracted to work for us) is expected to arrive at work fit to carry out their duties safely without any limitations due to the use or aftereffects of drugs (whether prescribed, over the counter or illegal).

Misuse of drugs can lead to reduced levels of attendance, reduced efficiency and performance, impaired judgment and decision making and increased health and safety risks, not only for the individual but also for others.

Irresponsible behavior (whether that is by reason of drug misuse or otherwise) or the commission of offences could also seriously damage our business, not least of all by resulting in our license being revoked.

For these reasons we are asking all individuals working at all levels within the Club (including security staff contracted to work here) to sign a copy of this letter giving consent to us:

1. Conducting random searches for drugs, including but not limited to, searches of lockers, clothing and bags which are on our premises or on your person; and
2. Carrying out random drug testing that will be conducted by an external provider.

If you are taking any prescription drugs, then it is your duty to inform us of these and of any likely side-effects.

Anyone who is suspect of having taken or suspect of being under the influence of illegal drugs whilst at work will be subject to disciplinary action which is likely to result in summary dismissal. A full investigation and disciplinary hearing will take place before any dismissal is carried out.



### **Age Verification Policy**

The sale of alcohol to a child or young person (that is to say, a person aged under 18) is an offence which may lead to a fine of up to £5,000 and/or a term of imprisonment not exceeding three months. Such a sale will also lead to a review of the premises licence and could result in the licence being suspended or revoked.

PlayHouse Night Club operate an 'age verification policy', in terms of which you must require production of an acceptable proof-of-age document if you are in any doubt as to whether a person seeking to buy alcohol is less than 25 years of age – 'Challenge 25'.

Only the following documents are acceptable for proof-of-age purposes:

- A passport
- A European Union photo card driving licence
- A proof of age card bearing a PASS hologram

If no such document is produced or if you have a suspicion that the document presented is not genuine, or has been tampered with or has been altered, then you must refuse the sale or refuse to authorise the sale.

There is a Scan ID policy at the Playhouse. All ID documents will be scanned in to the club ID Scan system on entry (other than the agreed exceptions)

DRAFT



## **Noise Policy**

Noise at work can cause damage to hearing and high levels can cause deafness. It can also cause tinnitus (irritating ringing in the ear), communication difficulties and stress.

Working in a modern nightclub environment inevitably exposes you to a high sound level.

Experiencing high sound levels on a regular, long-term basis can increase the risk of hearing impairment in later life.

Remember that the amount of time of exposure to loud sound, as well as the volume, defines the potential risk; therefore:

- If at all possible, try to avoid standing directly in front of speakers for any longer than necessary.
- When you take breaks, you must leave the main club and go to a quiet area even if this is only for 10 minutes.
- Earplugs must be worn when you are in the club. If you are having problems with the earplugs provided we would help you find some that suit you. Earplugs are available from the office. PlayHouse stresses that earplugs are not optional, they are part of your PPE at work; failure to wear them will result in you being removed from the club and disciplinary action taken against you.
- Where possible we will rotate staff between quieter areas and noisier areas.
- We do not allow use of the sound system during set up, or clear down. This is designated quiet time.

If you experience problems with your hearing (e.g. tinnitus or a muffling sound) you must report this to your manager.

Further information is available from <http://www.actiononhearingloss.org.uk/get-involved/campaign/protecting-your-hearing/the-campaign.aspx> we encourage all staff to visit this site.



## Play House – Hi-Vis Vests

In order to allow Statuary bodies to quickly identify staff belonging to the club our hi-visibility (Hi-Vis) vests will be as follows:

All will have the club logo on to identify that they belong to the venue.

Door Supervisors – Yellow with Blue middle, Club logo, and text “Door Supervisors”

In addition, Door Supervisors will have epaulets on their shirts and on their hi vis vests.

Head Door Supervisors	Red, with club logo on and “Head Door Supervisor” in text
Deputy Head Door Supervisor	White, with club logo on and “Deputy Head Door Supervisor” in text.
Door Supervisor	Black with club logo on and “Door Supervisor” in text.

Medical Staff – Yellow with Green middle, and text “Medic”

In addition, Medical staff, will have Green epaulets with the club logo and either “Nurse”, “Paramedic”, “EMT” or “Doctor” as appropriate.

Welfare officer – Yellow with Orange middle, club logo and Text “Customer Welfare”  
In addition, Welfare officer, will have Orange epaulets with the club logo and “Welfare officer” in text.

Club Manager – Yellow with Red in the middle, club logo, and text saying “Night Club Manager”

Fire Marshals – Red Hi Vis vests with club logo and “Fire Marshal” in text.

Other Staff – Plain yellow with club logo and “STAFF” in text.



## Door Supervisors Briefing document

### Introduction

This document along with other policies are designed to give clear guidelines on what PlayHouse expects and to protect PlayHouse and its Door Supervisors from allegations of acting inappropriately. This document also serves as protection for our customers.

The primary objective of all the club policies is to support the Licensing objectives:

- Public Safety
- Prevention of Crime and Disorder
- Prevention of Public Nuisance
- Protection of children and vulnerable people from harm

This document should be read in conjunction with the all other company policies, MLB policy documents and the reader should also be mindful of their training and refer to relevant legislation. Failure to comply with these documents, could lead to disciplinary action, which may lead to dismissal and in certain circumstances criminal proceedings against the individuals concerned.

### Objectives and Core Values

It is important that everyone and especially those charged with Security at PlayHouse understand exactly why they are employed and what their specify tasks are. These might include

- Protecting the premises, staff and the public;
- Deterring and detecting crime and anti-social behavior;
- Assisting in the identification of offenders, leading to their arrest and successful prosecution or other appropriate action;
- Reducing violent or aggressive behavior towards staff;
- Reducing fear of crime, anti-social behavior and aggression;
- Protecting PlayHouse's property and assets;
- Maintaining and enhancing the commercial viability of the company and encouraging continued enjoyment of the premises;
- Assisting the management in ensuring the safety of the customers, and staff.



Our core values are:

***Integrity, honesty, respect, professionalism, service, kindness, safety, and fairness***

These should be all security's watchwords and should always be at the forefront of every action you take. No matter how people act towards you *"By example, shall we lead"*.

## **Legislation**

In addition to Company policies, procedures, guidelines and Codes of Practice, Door Supervisors are subject to legislation under:

Human Rights Act 1998

Criminal Justice Act 2003

Licensing Act 2003

Serious Organized Crime and Police Act 2005

Crime and Security Act 2010

Criminal Law Act 1977

The Private Security Industry Act 2001

There will be other legislation that is relevant, and Door Supervisors should keep themselves abreast of any relevant legislation.

## **Other Documents**

Door Supervisors Should read PlayHouse's other policies and documents:

PlayHouse – Dispersal and Outside Policy

PlayHouse – Policy's

PlayHouse – Incident form reporting

PlayHouse – Floor Plan

PlayHouse – Premises License

PlayHouse – Emergency Plans



PlayHouse – Table Menu

PlayHouse – MLB Contact Sheet and Rota

PlayHouse – SMT Contact Information

MLB Briefing Documents and Violence Risk Reduction policy

## **Partnership working**

### **Other Bars**

Our closest Bar is xx MLB security also provide security at this venue, the Head Doorman and the Deputy Head Doorman should “Check in” with the manager and Door Supervisors at xx daily. This way we can keep on top of any problems that might arise before they become bigger than they need to.

Other late night bars within Epping are xx. The Head Door man should also make every attempt to build good working relationship with these venues. He should keep the General Manager regularly informed as to how these relationships are progressing.

### **Essex Police Service**

As with any licensed premises we have to on occasion call on the help of the Essex Police. At all times every courtesy and assistance will be provided. Any passing police officer will be approached by the Head Doorman and asked if they require any assistance – the Head Doorman will also offer refreshments to any passing officers (you are reminded that it is illegal to serve a police officer alcohol whilst on duty).

### **Welfare officer**

The Welfare officer can be reached via the radio and can be called to help with vulnerable people;

### **Epping Council**

Epping Council (WCC) are split into 3 main arms:

Licensing: They are normally plain clothed and come to inspect the premises and make sure we are adhering to our license conditions.

Street: These are the street cleaners and refuse collectors; they will be in hi-visibility jackets.

There are many other sections of the council, however, the three above are the ones





that you will come into contact with most often. Every courtesy must be given to all employees of the council and any assistance they require must be given to them. Remember, the council employees might be a long way from where they are based, so if they ask to use the loo or for a bottle of water this should be given - this goes for all council employees.

### **Risks**

All Door Supervisors work to a “See it, Sort it, Report it” brief, this means no problem should be left for anyone else to sort out.

### **Performers**

Some performers can require extra help from Door Supervisors and require extra safety measures to be put in place. The performer manager will brief security if they require extra assistance or safety measures:

Fire performances require extra supervision, a Door Supervisor will be tasked to stand near the fire performance making sure that people don't get too close, the Door Supervisor supervising will also carry a Co2 Fire extinguisher and a Fire blanket – The Door Supervisor who is tasked with this must also be competent in their use.

### **Dancing at height**

Door Supervisors are to monitor dancing on seating and ensure dancing on tables is stopped if seen. Dancing on the stages by customers is NEVER to be allowed, Door Supervisors should be vigilant and stop any attempts by customers to dance on these platforms.

### **Over Crowding**

The Head doorman must manage the capacity of the venue and count People in/out of the venue. The Head Doorman should inform the Duty Manager every hour of the capacity, this should also be recorded on the “Nightly Reporting Sheet Security”. The Head Doorman must also check with the Performer Manager at the start of the night if there are any special performances that might change the capacity of the venue – should this be the case the Head Doorman will immediately bring it to the attention of the Duty Manager.

### **Glass**

Door Supervisors must monitor the club to ensure no misuse of glass bottles, or dancing with glass bottles takes place.

### **Vulnerable People**

Some customers might be “vulnerable people” PLAYHOUSE has a policy that NO HARM should come to any customer either when they are in the club or when they



are going home. People who are vulnerable you must give every assistance. As every situation is different, no plan for dealing with them will be the same. However, we normally consider the following; giving water, foil blankets, lollypops, calling Street Pastors, using their phone to ring a friend or a relative. In extreme situations we can consider paying for a taxi (you must get management approval).

### **Ice Fountains**

You are required to escort all movement of Ice founts though the club, both lit and unlit. Please be mindful of customers and staff when moving though the venue.

DRAFT



## Licensed Mini-Cab Drivers & Mini-Cab Controller Briefing document

### Introduction

This document along with other policies are designed to give clear guidelines on what PlayHouse expects and to protect PlayHouse and its Licensed Mini-Cab Drivers & Mini-Cab Controller from allegations of acting inappropriately. This document also serves as protection for our customers.

This document should be read in conjunction with the all other company policies, and the reader should also be mindful of their training and refer to relevant legislation. Failure to comply with these documents, could lead to disciplinary action, which may lead to dismissal and in certain circumstances criminal proceedings against the individuals concerned.

### Objectives and Core Values

It is important that everyone understand exactly why they are employed and what their specify tasks are.

- Maintaining and enhancing the commercial viability of the company and encouraging continued enjoyment of the premises;
- Assisting the management in ensuring the safety of the customers, and staff.

Our core values are:

***Charming, Integrity, Respectful, Quick, Uplifting, Entertaining***

Performers are reminded that they are there to entertain customers and should attempt to be as entertaining. All staff are reminded that no matter how people act towards you *“By example, shall we lead”*.

At all times please be engaging to customers, address them with respect (Sir, Madam, Miss or by name) We do not call people “Bro or Mate” even if they are a personal friend when at work everyone is addressed with respect. If you don’t know the answer to what they are asking, DO NOT make it up! Go find a Manager to help! Please remember to look everyone in the eye!



### **Sexual Assault Response Plan/Radio call Sapphire:**

Should you be approached by someone who complains of sexual assault you should immediately alert all members of staff by calling out “Sapphire” on Channel 1.

Should you hear “Sapphire” the following should immediately go into action:

#### **FAST ACTIONS: (This should all be simultaneous)**

- 1) Ensure the victim’s welfare and medical needs are met – female Door Supervisors should look after the victim.
- 2) The Duty Manager will immediately alert the police.
- 3) The Door Supervisors on the Front Door should not allow anyone to leave and the club should go into LOCK DOWN.
- 4) Try NOT to move the victim take them to an area close by that is quiet but then be mindful not to move the victim, consider making the area the first reports the assault a crime scene.
- 5) Take a first account from the victim. – female Door Supervisors should take this and relay it to the Duty Manger/Head Door Supervisor.
- 6) The Head Door Supervisor should then if practical attempt to detain the suspect – Should the Head Doorman need to he should look at the CCTV. If the suspect is identified the Deputy Manager should start downloading any relevant CCTV
- 7) The Deputy Head Door Supervisor should take instruction from the female Door Supervisors as to where the incident took place and he should immediately put in a crime scene (barrier tape in the security room). (The deputy Head Door Supervisor must have completed a Crime Scene Preservation Course)
- 8) All Body Cameras should be activated, and should remain on until you are instructed to turn them off by the Duty Manger.

#### **Victim welfare:**

- 1) Your first priority is to ensure that urgent medical and welfare requirements of the victim are met.
- 2) Ensure police are on way and they know that this is a sexual assault as they will need specialist officers.
- 3) Minimize moving the victim prior to police arriving use seat covers if appropriate, do not allow them to go to the loo.
- 4) Door Supervisors who come in to contact with the victim should be mindful not to come into contact with the suspect as this might have cross-contamination issues.
- 5) Any medical equipment used by Medical staff must be seize and put in evidence bags, eg. blankets, clothing, medical equipment (such as bandages, swabs, cleaning materials, and gloves).



### **Protecting the crime scene:**

- 1) Identify, secure and protect all scenes, including the victim, location(s) and the suspect (if known / present).
- 2) Consider any possible access / exit routes used by victim and suspect, victim release sites, hiding places, vehicles used etc.
- 3) Avoid cross-contamination of evidence; if the suspect or a further scene is identified, a different Door Supervisors should be deployed to deal with this.

### **Appending the suspect**

- 1) Often victims know and identify the suspect.
- 2) Different Door Supervisors should be deployed to the victim and the suspect to prevent cross-contamination of evidence.
- 3) Obtain as much information as possible about the suspect in order to locate them as soon as possible.
- 4) The Duty Manger should download the ID Scan witness list for the night and had this to officers. Where possible identifying the suspects information.

DRAFT



### **Ask for Angela:**

All staff should be aware that in the female toilets we have displayed “Ask for Angela” posters. Should any customer “ask for Angela” this is a code that the woman in a situation that she is uncomfortable with, staff should immediately alert their manager that a customer has “Asked for Angela”. If Doors Supervisors are at the venue the Head Door Supervisor should be alerted on Channel 1 of the radio.

The member of staff or the manager will as discreetly as possible and without causing embarrassment then:

- 1) Offer to take the person asking for help to a part of the venue not in sight of the public or potential threat. (big office, dispense etc. – this should be covered by CCTV).
- 2) Offer to call the person a taxi or assist them in calling a friend/family member to come and collect them.
- 3) Where safe to do so (the person asking for help is out of sight, and the staff consider it safe (call Door Supervisors if available) request the person causing distress leaves the venue.
- 4) Ask the person in distress what it is they want to do? It might be they just want alert staff that things are becoming uncomfortable and might need someone to keep watch whilst they collect possessions from the area where they were seated.
- 5) DO NOT allow the person asking for help to leave the venue in sight of the person causing them distress as this could lead to them being followed out the venue and placed at higher risk.
- 6) If the person causing distress becomes angry or starts hanging about waiting for the person who needed assistance, consider calling the police.



## Incident Reporting Procedure

All incidents and occurrences must be reported as soon as possible.

All incidents and occurrences can be reported on [www.xxx.com](http://www.xxx.com)

The following incidents and occurrences can be reported on the system:

Crime Reported at the venue

Ejection of Patron

Complaint

Seizure of Drugs or Offensive Weapon

Fault with CCTV System of Search Equipment Refusal of Sale of Alcohol

Visit by local Authority or emergency services Fire Extinguisher

Transfer of CCTV Images

Use of Force

## General Incident

All these incidents must be reported on this system, you may wish to make your own notes in a pocket book, below is a "Best practice for using Log Books And Incident Books" should you use a pocket book for making notes you should read this document.

When filling in the online incident and occurrence reporting from on line you must fill in all sections. The form will change depending on your answers.

## Best practice for using Log Books And Incident Books

Best practice in record keeping is the 'gold standard' towards which all Loggists should aim.

Judges expect that Loggists will comply with this standard as do enquiry Chairs and Coroners.

A comprehensive record must be kept of all events, information received, decisions, reasoning behind those decisions and action taken. Each responsible manager should also keep his/her own records, either personally, or assisted by a Loggist.

It is important that a nominated information manager be made responsible for overseeing the keeping and storage of the records and files created during the response and also for ensuring the retention of those records that existed before the emergency incident occurred and immediately afterwards.

Your entries must be **C I A – Clear Intelligible Accurate**.



Relevant information should always be recorded in official Log Books.

Write in permanent black ink. Write legibly. Avoid blue ink.

Your record must be contemporaneous.

Ensure you note dates, times (use the 24 hour clock) places and people concerned.

Record any non verbal communication. Do not put your own interpretation on that non-verbal communication.

Only note down facts. Do not assume anything, give your own comment or give your own opinion.

Entries in the record must be in chronological order.

## **NO**

**E** rasures

**L** eaves must not be torn out of the Log Book

**B** lank spaces – rule them through

**O** verwriting

**W** riting above or below lined area

## **Best practice for using Log Books And Incident Books (Cont...)**

Unused space at end of a page must be ruled through with a diagonal line, initialled by you, dated and timed.

Record all questions and answers in direct speech.

Unused spaces at the end of lines must be ruled out by you with a single line.

Mistakes must be ruled through with a single line and initialled by you.

Any mistake you make which you notice at the time of writing must be ruled through by you with a single line, initialled and the correct word(s) added after the mistake.

Overwriting or writing above the ruled through error must not be made.

## **Correction fluid must not be used in any circumstances**

If you notice a mistake or an omission in the record later, during the debrief, or at any other time, you must tell your senior manager and the mistake must be corrected or the omission made good. Cross reference the mistake (in red ink) to the corrected entry on the next available page using letters from the alphabet, consecutively.





Make clear references to exhibits (such as maps, flip chart pages, etc) and other documents so that it is clear in the record which particular exhibit is being referred to.

Each series of entries must be signed off, dated and timed at their close.

Loggists should sign off their notes at the end of their shift to ensure the integrity of the record.

### **Statement writing:**

All Staff should learn how to write a standard five-part statement and all incident reports should be written in this form. The five-part witness statement is the way in witness' statements are to be prepared so that particular information can be quickly and easily extract from evidence provided without them having to read though an entire account

Five-part statement structure:

#### **Part 1**

This introduces what the statement is about. It will be very brief, one or two sentences only.

#### **Part 2**

Here the main people you will be mentioning are introduced, including yourself. However, you should only introduce the people that they know.

#### **Part 3**

Introduce the place you will be mentioning in the statement. A physical description will be given of each place.

#### **Part 4**

In this part, a detailed chronological account of what occurred is given.

#### **Part 5**

In this part, full details descriptions of people mentioned are given, starting with the suspect. Also include here identification of the suspect, if that occurred, the value of any property damaged or stolen. Cover **ADVOKATE** in this part.

### **ADVOKATE**

**A**mount of time the suspect was under observation.

**D**istance

**V**isibility

**O**bservation impeded? (Obstructions)

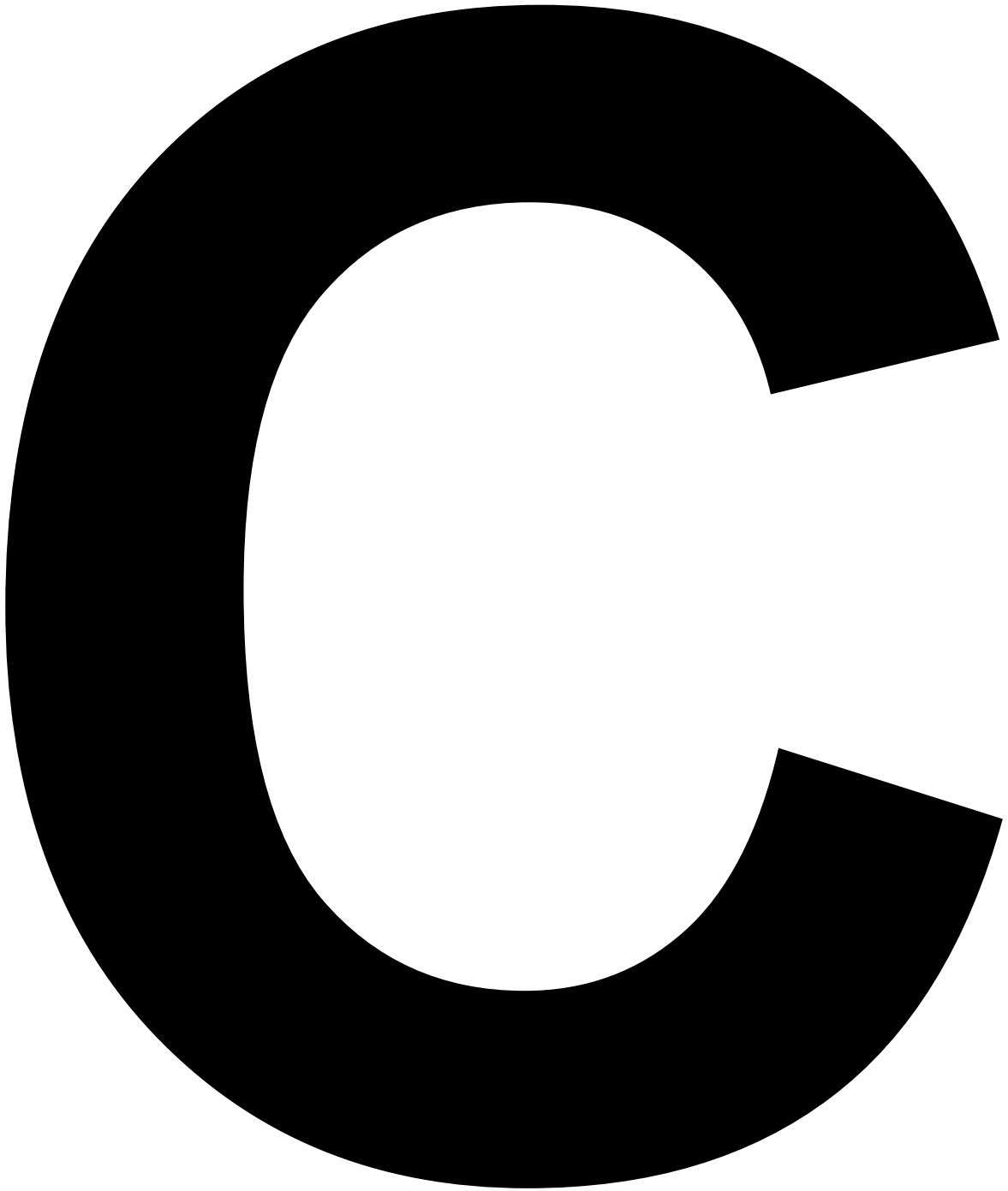
**K**nown or seen before? (and how often?)

**A**ny reason for remembering



Time lapse between observation and identification  
Error or material discrepancy in description?

DRAFT





22 July 2019

## **Licensing Consultancy Assessment Report**

- 1. Essex House – 152 – 154 Station Road, Chingford E4 6AN**
- 2. Club 195 Cottis Lane, Epping, CM16 4BL**

**Author: Ian SMITH – Director Shield Associates MSyl**

**For: James Hoffelner Brabeck Consultancy**

**Reference: SA2018/0124**

### **1. Introduction**

1.1. I retired from the Metropolitan Police Service as a Detective Superintendent in October 2013 after having completed 30 years' exemplary service. During my service I was responsible for investigating all aspects of serious crime across London and the home counties and was a senior investigating officer in the Metropolitan Police homicide command. In my last role prior to my retirement I held the position of the Borough Commander for Kingston – upon – Thames. I had the responsibility for overseeing all policing operations across the borough and especially the management of the night economy which is the largest outside central London.

In this role I developed tactics and strategies to tackle serious crime and anti- social behaviour that occurred within and around night time economy venues. The tactics I used saw significant reductions of violence and anti- social behaviour and are considered best practice, which are still being used by the Metropolitan Police today.

1.2. In September 2013 I formed a security consultancy company with Mr David Gair, former Chief Inspector in the Metropolitan police, a similarly experienced and qualified licensing practitioner and member of the Institute of Licensing. Together, we have carried out numerous licensing impact assessments and compliance visits and have been involved in developing and delivering nationally accredited training sessions at licensed venues across London and the South East of England at a number of licensed establishments including restaurants, pubs, cocktail bars, night clubs and large late-night entertainment venues in relation to crime reduction, anti-social behaviour and awareness of their responsibilities under the Licensing Act.

1.3. I am a member of the Security Institute and Institute of Licensing and as such am qualified to conduct compliance audits and security reviews on licensed premises.

1.4. I am aware of the potential impact of the operation of NTE venues on local communities and have provided reports to licensing committees and courts in relation to a variety of licensing issues on various occasions both as a police officer and as a Director of Shield Associates.

1.5. As a company, our aim is to provide independent regulatory support to the Licensing trade, offer problem solving and compliance guidance and support the key objectives of the Licensing act in reviewing working practices, policies and procedures to ensure:

- The security and safety of those visiting a venue
- The prevention of crime and disorder
- The prevention of public nuisance
- The protection of young & vulnerable people from harm

1.9. As such we have undertaken comprehensive reviews and audits of licensed premises to ensure compliance and responsible management in support of the licensing objectives. We have delivered training to staff at licensed venues, local Pub-Watch schemes, personal licence holders and SIA door security companies.

1.10. As part of our consultancy and training to the night time economy venues we raise awareness of a number of disciplines including licensing objectives, conflict management, personal safety, customer service, effective management and supervision at venues and operational processes within venues. These also include overt and covert licensing visits to ensure venues comply with the licensing objectives.

1.11. As a company, we undertake independent reviews of premises when instructed to do so and as such my duty is to the licensing committee, venue owners and local community when considering the impact of any new licence application or variation to permitted hours' application.

1.12. All issues identified in this report are true to the best of my knowledge and experience. They were either witnessed or experienced by me or told me in good faith. The opinions I have expressed in this report are honest held and correct to the best of my judgement. The fee for this report is not conditional on the outcome of the case in anyway whatsoever.

## **2. Instructions to Shield Associates**

2.1. Shield Associates have been requested to examine crime data that has been supplied by Essex Police in relation to two premises that were owned and controlled by CK Entertainments LTD and offer opinion and possible solutions to the issues identified.

2.2. In addressing the crime data, I have separated both venues and will address each in turn.

## **3. Venue – Essex House – 152 – 154 Station Road, Chingford E4 6AN**

3.1. I have been supplied a bundle of documents which have come from Essex Police. In examination there is very limited detail of the crime data provided. In some cases, there is only a two- line narrative on a report or statement provided by Police, which is difficult to interpret or examine further. More importantly there are no official crime reports of the allegations made (CRIS reports) or computer aided despatch reports (CAD). In my experience the Police would normally provide these after they have been redacted so as to assist any licensing hearing.

3.2. A CRIS report is a crime reporting information system generated report that records the allegation, dates and time of the offence and details the investigation that has taken place with the outcome. A CAD report is a computer-generated report that details Police response to a call for Police not necessarily a crime. It records the date and time the call was made, who the caller was and the type of Police response i.e. an emergency or non- emergency, who attended and the outcome of the call.

3.3. In examining the crime data for Essex House, I have reviewed all the bundle of documents supplied by Essex Police and have concentrated on the crime information contained in the following documents;

- MG11 PC Donna Willcox dated Licensing officer 05.05.2017

3.4. Police report CAD 9503 – 2240hrs 13/12/2016 - This was recorded as a violence against the person and a call for Police assistance.

The manager from the venue called Police as they feared a fight was about to take place on the premises. Police attended and no assault was reported or a fight taking place. A male left the venue on the advice of Police.

From the limited information provided (i.e. a three - line narrative) the manager of the venue was clearly acting correctly and supporting the licensing objectives by calling the Police and preventing crime and disorder.

3.5. Police report Cris 4925895/16 – 02.10hrs 25/12/2016 – This was recorded as a serious assault GBH.

It is alleged that 20 – 30 youths were fighting in the street and punches were thrown leading to GBH type injuries. The Police highlight after reviewing the CCTV it is not clear where all the youths came from but do say some parties left from Essex House venue.

From the limited information provided (i.e. a four - line narrative) it is unclear whether the youths leaving Essex House were the victims or suspects and so puts a different perspective on the actions of Essex house staff. More importantly it would have helped if the redacted Cris report of this incident had been supplied.

3.6. Police report CAD 722 – 02.13hrs 27/12/2016 – This was recorded as a complaint by a local resident that they feared there would be disturbances at Essex House venue on New Year's Eve as there had been recently.

From the information supplied it is difficult to make comment as the resident was raising a concern. There is no other information from Essex Police to highlight any incidents of disorder taking place at this venue on New Year's Eve.

3.7. Police report CAD 522 – 01.54hrs 02/01/2017 -This was recorded as a call from the door staff at Essex House requesting Police assistance as 15 males and females were fighting.

From the limited information provided (i.e. a one - line narrative) the door staff at the venue were clearly acting correctly and supporting the licensing objectives by calling the Police and preventing crime and disorder.

3.8. Police report Cris 4901010/17 – 01.35hrs 15/01/2017 – This was recorded as a crime related incident.

Police observed that a fight had taken place outside Essex House between two men which the door staff had managed to break up.

From the limited information provided (i.e. a three - line narrative) the door staff at the venue were clearly acting correctly and supporting the licensing objectives by preventing crime and disorder. No offences were alleged, and no arrests were made. The Police however highlighted the door staff were unhelpful about what had happened and later spoke with the owner at Essex House. The owner appears to have taken responsibility by indicating he was going to replace the door staff as they were of poor quality and they had already identified a new head of door.

3.9. Police report Cris 4901880/17 – 02.05hrs 28/01/2017 – This was recorded as an allegation of Robbery.

It is alleged the victim left the venue and was punched to the ground by suspects who in turn stole his Rolex watch from his wrist. The victim was unwilling to substantiate the allegation.

From the limited information provided (i.e. a two - line narrative) this could be a genuine crime or a false allegation in order to obtain an insurance pay out. This is based upon a single item of very expensive property and the reluctance of the victim to pursue the allegation. I wrote the Metropolitan Polices false reporting of crime policy in relation to false robbery offences whilst serving in the Metropolitan Police. Again, without having sight of the redacted Cris report it is difficult to explore this further.

3.10. Police report Cris 4901953/17 – 01.30hrs 29/01/2017 – This was recorded as an allegation of ABH.

Police were called to the venue by a witness who said 30 people were fighting outside the venue. The victim alleges a doorman assaulted them inside the venue. Police spoke to the



door staff who acknowledged there was a fight outside the venue and they had separated all the parties involved.

From the limited information provided (i.e. a three - line narrative) it isn't clear whether the doorman were using reasonable force in separating the fighting group and that is how the victim alleges an assault. In addition, it isn't clear if the fight involved patrons inside the venue which then spilled outside. It could be argued the door staff at the venue were acting correctly and supporting the licensing objectives by preventing crime and disorder in separating the fighting parties. More importantly it would have helped if the redacted Cris report of this incident had been supplied, which would have detailed exactly what happened and any outcome.

3.11. Police report Cris 49012987/17 – 01.28hrs 12/02/2017 – This was recorded as an allegation of ABH.

A female alleges she was assaulted by another female who pulled her hair and elbowed her in the face and was then pushed by male who was in company with the female suspect.

From the limited information provided (i.e. a two - line narrative) it isn't clear whether this incident is attributable to Essex House in any way as there is no information of where this assault took place.

3.12. Police report Cris 49033965/17 – 01.15hrs 26/02/2017 – This was recorded as an allegation of a serious assault GBH.

Police were called to the venue by the London Ambulance service stating that a male aged 19 years had been assaulted outside the venue by two men who had kicked and punched him to the point of unconsciousness. This incident appears to have started inside the venue where both suspects were removed due to their behaviour towards the female friends of the victim i.e. using their mobile phones to record them dancing on the dance floor. The victim suffered a fitting episode outside the venue and was removed to hospital where he underwent a CT scan as a precaution. The scan showed no life changing injury.

From the limited information provided (i.e. a nine - line narrative) it isn't clear what actually happened and whether the incident could have been prevented by early intervention from the management and door staff at the venue. It is also unclear where the incident took place as the LAS (London Ambulance service) called Police and not the staff from the venue. There is mention that the suspects were removed from the venue because of their behaviour. If the door staff removed them, they were clearly acting correctly and supporting the licensing objectives by ejecting the suspects and preventing crime and disorder.

3.13. Police report Cris 4906233/17 – 04.00hrs 26/03/2017 - This was recorded as crime related incident.

The victim called Police to allege she was a victim of 'drink spiking' whilst inside the venue and awoke in the front of a garden at an unknown address. The victim stated she provided a urine sample to a friend who works for a private surgery and there were traces of Rohypnol.

From the limited information provided (i.e. a four - line narrative) and no redacted investigation report (Cris) it is impossible to comment on whether the incident took place before the victim entered the venue, during her time at the venue or after leaving the venue. Again, there is no information about the investigation or whether suspects had been identified from CCTV within the venue to corroborate the account of the victim.

3.14. Police report Cris 4906438/17 – 03.45hrs 26/03/2017 - This was recorded as a Criminal damage.

A stone is thrown by a suspect at the window of Essex house.

From the limited information provided (i.e. a two - line narrative) it is clear Essex House is a victim of crime and the incident occurred outside licensing hours whilst the venue was closed. This incident cannot be attributable to Essex House in any way as they are the victim of a crime.

3.15. Police report CAD 9914 and 9946 – 23.31hrs 09/04/2017 - This was recorded as a generated call from the CCTV local authority control room who witness a doorman punch a male in the head. They highlight there is fighting between girls and boys after a number of patrons were ejected from the venue. No offences were disclosed or reported to Police.

From the limited information provided (i.e. a four - line narrative) it is clear a fight has taken place outside the venue after the patrons have been ejected by the door staff. The door staff at the venue were clearly acting correctly and supporting the licensing objectives by ejecting patrons to prevent crime and disorder.

The concern, however, it appears that one of door staff members is witnessed using excessive force by punching a patron outside the venue. Again, no offences have been committed and no arrests seem to have been made.

3.16. Police report Cris 4907754/17 – 00.05hrs 16/04/2017 - This was recorded as an assault ABH.

The victim was inside the venue and describes being punched in the back of the head and having her hair pulled by an unknown suspect. The victim said she was helped off the floor and taken outside the premises via a rear door and left in an alleyway without first aid or Police being called.

From the limited information provided (i.e. a four - line narrative) it is clear the victim has been assaulted. There is a failure of a duty of care by the door staff towards the victim by not rendering first aid and a clear failure of not calling the Police.

3.17. Police report Cris 4907538/17 – 01.15hrs 26/03/2017 - This was recorded as an assault ABH.

Police were called to the venue and were met by a small group of people who were arguing amongst each other. The victim alleged he had been punched in the face causing him to suffer a black eye whilst inside the venue. The Police noticed the group were clearly heavily intoxicated. The victim refused to pursue this allegation.

From the limited information provided (i.e. a five - line narrative) it is clear the victim has been assaulted. There would appear to be failings by the door team and staff to allow drunkenness on the premises and a failure to call the Police.

3.18. Intelligence report – CRIMINT JCRT 00390568 – This report was generated by an off - duty police officer who overheard a conversation that drugs could be bought, and it was a place to get girls. The officer also heard that the person relaying the conversation said his brother had been stabbed in the venue the previous week.

From the limited information provided (i.e. a three - line narrative) it is unclear how useful or reliable this intelligence is. This information could be corroborated by identifying Police reports of the stabbing, Local LAS attending the location, hospital records or reviewing the CCTV for the venue and their incident management logs. From the bundle from Essex Police I cannot see any documented report for a stabbing over this time period.

3.20. Police report Cris 4907601/17 – 01.00hrs 17/04/2017 - This was recorded as a Robbery.

The victim called Police to the venue making an allegation that he had been offered drugs inside the venue and declined the offer. The victim is then assaulted by two suspects who then punch him to the floor and stamp on his head causing a serious injury a 1.5” wound to the back of his head, and a black eye. The victim alleges he is physically removed by the door staff where his Rolex watch is forcibly removed.

The victim is removed to hospital where he is later released the following day.

The door staff member is interviewed and acknowledges the venue was over capacity and the head doorman and owner was allowing bullies to enter the venue. The Police suggest the SIA door staff were involved in the Robbery as they allow a suspect unchallenged onto the premises. They highlight the CCTV timing was out of synchronisation, the club scan system was displaying the incorrect time and the scan entry system was not used for a significant period of time.

From the limited information supplied and the lack of redacted crime report I can only make comment on what the licensing officer has recorded within her statement. There are clear licensing failings on a number of areas by the door team which include failing to adhere to the venues capacity, not using the CCTV and scan entry systems properly and failing to call the Police for this serious incident.

#### **4. Conclusions**

4.1. I have reviewed sixteen incidents from the statement of PC Donna Willcox the licensing officer. The challenge throughout is the lack of detail supplied where I have had to rely upon short two or more narrative statements describing the various crimes and incidents attributable to Essex House licensed venue. The absence of redacted crime reports (Cris reports) and CAD reports have also made this review difficult.

4.2. In the majority of incidents violence has actually occurred it (twelve incidents). One incident is where Essex House is the victim after a window was smashed outside licensing hours, two involve reports of potential violence that may happen, and one incident is potentially a false allegation of crime reported to Police and the other is an allegation of 'drink spiking'.

4.3. It is clear that on the vast majority of the incidents staff and management do try and support the licensing objectives by ejecting unwelcome patrons and call the Police where required. This however is not consistent and on at least one occasion Police have found a door staff member unhelpful.

4.4. It would appear that from these incidents the door company used for these premises have clearly been unsuitable. This is evidenced by the number of fights and the calls for Police assistance.

4.5. During the review there have been operational failings i.e. CCTV timings, scan entry systems not being used properly, unnecessary use of force by the door staff, permitting drunkenness on the venue and lack of care on some occasions for victims that have been assaulted.

4.6. The Police licensing unit acknowledge the willingness of the owner to work with the Police which is positive. However, it is important that not only does the owner need to identify a more professional SIA door company it needs to invest in regular training and overt and covert visits to the venue to ensure that all staff are meeting the licensing objectives.

4.7. I would recommend that the owner address the following areas of concern to ensure these types of incidents are not repeated if the venues licence is granted;

- Identify a suitable SIA company
- Conduct a full security review of the venue and design out crime audit
- Arrange for an environmental visual audit of the local area to identify any potential or local issues that might affect, or be affected by, the venue
- Review all existing policies ensuring they are effective and up to date
- Incorporate new policies i.e. Dispersal and protecting vulnerable persons
- Consider operation structured entry system to the venue (incorporating appropriate ID scan system, metal detecting wands, refusals, proactive search policy and 'behave or be banned' or similar protocols)
- Ensure 'Challenge 25' age restriction policy is fully supported
- Identify training package for all staff which is mandatory and refreshed
- Implement covert and overt licensing visits to test and challenge processes and protocols

## **5. Club 195 Cottis Lane, Epping, CM16 4BL**

5.1. I have been supplied a bundle of documents which have come from Essex Police. As with the documentation relating to the Essex House venue, there is very limited detail of the crime data provided. In some cases, there is only a three - line narrative on a report with detailed statements provided by Police for some of the incidents, which is difficult to interpret or examine further. More importantly there are no redacted crime reports of the allegations made (CRIS reports) or computer aided despatch reports (CAD).

5.2. In examining the crime data for Club 195, I have reviewed all the bundle of documents supplied by Essex Police and have concentrated on the crime information contained in the following documents;

- Document application for Summary review dated 04.01.19 Licensing officer P. Jones
- Police statement MG11 – PC 78931 Emma Jackson dated 01.01.2019
- Police statement MG11 – PC 3463 Karen West dated 08.01.2019
- Police statement MG11 – SC 77530 Daniel Spillman dated 12.01.2019
- Redacted statement MG11 – Female unknown dated 14.10.2018
- Police statement MG11 – PC Benjamin Keith dated 04.03.2019
- Police statement MG11 – SGT 42 74278 Ward dated 04.03.2019
- Police statement MG11 – PC 76015 Joseph Bradford dated 04.03.2019
- Final Written warning letter Essex Police dated 14.02.2018
- Other Licensed premises list – Document 9
- Document titled ‘Incidents within vicinity apportionable to Club 195’ – Document 10
- CCTV summary documents – Incident dates 01.01.2019, 23.12.2018, 22.12.2018, 02.12.2018 – Document 12.

5.3. Police incident No reference number – 01.21hrs 01/01/2019 – This was recorded as an allegation of a serious assault.

It is alleged the victim a 19 year- old male whilst on the dance floor was stabbed once to the side of his body where he suffered a two-inch knife wound. Police highlight the door staff intervened and removed the offender from the group but did not detain any of them. The victim was removed to hospital by ambulance where he was treated for his injury. Police examined the CCTV and discovered the suspects bypassed the entry systems by accessing a back door. They also make comment the CCTV coverage and lighting being poor which has hindered the investigation.

From the information provided (short narrative report no statements and no redacted Cris report available) it is clear there has been significant failing by the door staff in allowing a serious breach of the venues security i.e. to allow persons to carry weapons inside the venue and allow entry without going through the main entrance. There is an additional failing to ensure the CCTV and lighting is sited and working correctly.

The door staff have tried to prevent further disorder by separating the suspects from the victim. There can be no criticism of the door staff in relation of not detaining the suspects as we do not know the full circumstances of the incident. The Police have described a group of people involved and it may have been impossible with the door staff numbers to detain anyone. The most important issue is a knife has been used and the risk in tackling people carrying knives is high and door staff cannot be instructed to tackle persons with knives as they do not carry personal protective equipment like the Police. In these circumstances it is always better to summon the Police. Again, without having sight of the redacted Cris report it is difficult to explore this incident further.

5.4. Police incident No reference number – 03.30hrs 01/01/2019 – This was recorded as an allegation of a serious assault.

It is alleged the male victim was found outside the venue who was unconscious suffering broken and missing teeth and a cut lip. He was conveyed to hospital to receive medical treatment. Local authority CCTV captures a fight within the vicinity of the club.

From the information provided (two short narrative reports and two Police statements of PC Jackson and PC West) it is clear a serious assault has taken place but the location of where it took place is unclear. From the two short narrative reports it highlights the male was found in the vicinity of the venue and another says outside the venue.

From the officer's statements it is clear a large fight was already taking place and they were concerned that the club patrons from Club 195 would soon be leaving the venue.

With the information supplied it is unclear if this fight was connected with Club 195 as there is no documentation i.e. redacted Cris report, CCTV, statements, interviews of suspects or the victim to indicate they had been inside Club 195.

The Police do indicate at this time no other licensed premises were open, but this does not necessarily mean that the trouble is caused by patrons from Club 195. I note from the statement of PC West that another contributory factor of potential trouble is caused by the slow dispersal from the local area in general i.e. lack of available transport and the late opening of late - night refreshment houses such as Subway.

Again, in my experience this causes persons from other venues to remain in the area until they obtain transport and refreshments.

5.5. Police incident No reference number – 03.02hrs – 01/01/2019 – This was recorded as an allegation of a male being assaulted by another male with a belt

A male alleges he was assaulted by another with a belt within the vicinity of Club 195 and believes the suspect to be one of the door staff.

Again, from the limited information (a two- line narrative in a report) it is difficult to comment upon. If it is confirmed a member of the door team used a belt to assault someone this is clearly unacceptable and a breach of their duties. Again, we do not know if this was reported as a crime or if this is connected to the venue in anyway.

5.6. Police incident No reference number – 03.06hrs 23/12/2018 – This was recorded as an allegation of a large fight.

A large fight involving 50 persons fighting outside the venue is reported and 12 police officers are called to manage the disorder.

From reviewing the short report, and the CCTV summary from document 12 it is clear that those involved in the fight had attended Club 195. It appears there is failing of the door staff in who they allow into the venue i.e. groups of young men and their ability to effectively control the dispersal of patrons in an effective way.

5.7. Police incident No reference number – 02.12hrs 22/12/2018 – This was recorded as an allegation of a large fight.

A large fight involving 50 persons fighting in the vicinity of the venue is reported and police officers are called to manage the disorder. During the fight a bladed weapon is seen, and police witness a male assault another male.

From the information available it is clear the patrons that are involved have come from Club 195. There is a clear failing of the door staff with who they allow onto their premises and the way they disperse large groups of people from the venue. It isn't clear however, whether the bladed weapon that is seen has come from the group that has exited Club 195. If it is confirmed that the individual has come from Club 195 there is another failing by the door staff in allowing persons onto their premises with weapons.



Again, from examining SC Spillman's statement it appears this fight is happening outside Starbucks a late-night refreshment house, which is open and this maybe another contributory factor as to why violence is occurring.

5.8. Police incident No reference number – 03.33hrs 02/12/2018 – This was recorded as an allegation of a serious assault.

Male alleges he was assaulted by another male who had a knife. The suspect then assaulted the victim with a belt which caused his eye to burst and have permanent loss of vision. The victim had been in Club 195.

From the limited information available (three - line narrative report and no redacted Cris report) and short CCTV summary from document 12 it is difficult to make comment on any perceived failing of Club 195 as this was a victim of crime who had been inside the venue prior to the assault taking place. The CCTV also records the suspect being inside the venue prior to the assault taking place.

The assault takes place away from the venue and there is no other available information as to whether this assault could have been prevented by staff at the venue or if an incident took place inside the venue which was a contributing factor to the assault.

5.9. Police incident No reference number – 03.08hrs 14/10/2018 – This was recorded as an allegation of an assault.

Police were called to the venue whereby an allegation was made of a male and female who were waiting outside for a taxi. The male was punched in the back of the neck by a male suspect who then punched the female in the face and ran off.

From the short narrative report and reading the redacted statement of the female victim it is clear an assault took place. The door staff ran after the male following the assault and this is a good response from them. The assault took place away from the venue and there was nothing reasonable that the club could have done to prevent this happening.

5.10. Police incident No reference number – 01.09hrs 15/04/2018 This was recorded as an allegation of an assault.

Allegation that a member of the door team was assaulted by a large group of a coach of 49 persons who tried to enter the venue. The door staff member was punched in the cheek which caused bruising. The door staff member refused to make a complaint to the Police.

Again, from the limited information (a six - line narrative in a report) it is difficult to comment about what actually happened. If the door team tried to prevent the large group of people entering the venue, then they are clearly carrying out their duties properly and complying with the licensing objectives in preventing crime and disorder. The fact that a member of the door team is a victim of an assault shouldn't be a negative reflection of the operation of the venue. I would, however, expect the door team to fully support Police action by providing information to prevent crime and disorder i.e. providing statements of incidents.

5.11. Police incident No reference number – 03.03hrs 04/03/2018 This was recorded as an allegation of a large fight.

Police allege that a large fight occurred involving 50 persons. A number of Police officers attended the fight which resulted in two Police officers being assaulted by being elbowed in the face and one being struck in the face. Police also allege that a female victim was assaulted by other females inside the Club 195 who pulled her hair. The victim further alleges she was assaulted by the door team staff as they pushed her downstairs at the venue.

From the information received it is clear from the short narrative along with the statements of Sgt Keith, Sgt Ward and Pc Bradford a large fight was taking place inside Club 195 which then escalated outside of the premises.

The door staff were supporting Police by helping to contain the fighting groups and trying to separate the groups who were fighting. In respect of the door staff in general there seems to be an issue with their admission policy and who they allow into the venue, how they control groups of persons and how they control them at the various dispersal times.

5.12. Police incident No reference number – 01.52 & 02.59hrs 04/02/2018 These two incidents were recorded as an allegation of an ABH assault and a serious assault.

A male victim after leaving the venue was attacked by two males who then proceeded to kick and punch him about the body resulting in serious injuries. A male was later charged with Grievous bodily harm with intent.

The other incident involved a group of males who were ejected by the door staff at the venue who then threaten the door team and start to throw bottles at them. It is alleged by the Police the door staff used excessive force against the ejected males by kicking and punching them. Another male member of the door team is seen to arm themselves with an iron bar before being ushered back into the venue by his colleagues.

From the first incident I cannot comment on whether this is a failing of the Club as I only have had sight of a two - line narrative report which describes this incident. It is unclear if the suspects had been inside the venue prior to the assault on the victim or if could have been prevented in anyway.

In the second incident clearly the door staff are preventing crime and disorder by carrying out ejections of a group of males. However, it is clear that despite the provocation of having bottles thrown at them they react in an unprofessional manner by using unnecessary force and arming themselves with an iron bar.

From reading the Final warning letter dated 14.02.2018 there are clear breaches of the premises licence by this door team on 03.02.2018 i.e. Door supervisors not being registered, failing to display SIA badges, non-wearing of high visibility jackets, using unnecessary force against patrons, ineffective recording of staff on duty and poor operating procedures in relation to access by young people and monitoring alcohol consumption on these premises.

These issues clearly affect the crime and disorder being committed on Club 195 and is a contributory factor to the problems faced by the venue.

## **6. Incidents within vicinity apportionable to Club 195**

6.1. I have had the opportunity to examine the contents of document 10 which lists 12 incidents over a ten-month period which claim to be attributable to Club 195. This is a challenge to interpret as a lot of the information provided consists of very short narratives ranging from two lines in a description to nine lines.

6.2. Again, care must be taken when addressing location types as in some instances the venue could be closed and not operating, yet the crime is wrongly attributable to the venue. Other factors have a bearing on these incidents i.e. where other venues have closed, patrons from these venues remain in the locality long after, to obtain food and to try and seek transport that is in short supply.

6.3. In this document a lot of inferences have been made against Club 195 with little or no enquires made to corroborate the assertions made i.e. CCTV, witness statements indicating suspects or victims had been inside the venue or documented stop and search reports.

6.4. Police incident 1. No reference number – 03.32hrs 28/10/2018 This was recorded as an allegation of a large fight.

Police were called to a fight on the High Street two injured parties had been assaulted one male taken to hospital as he was in and out of consciousness.

From the limited information available ( four - line narrative report and no redacted Cris report). It is difficult to say whether this is attributable to the venue in any way. There are no interviews with the victim as to their movements or any indication if the suspects had come from the venue. There is no CCTV to highlight if the suspects and victim have come from the venue.

6.5. Police incident 2. No reference number – 02.31hrs 02/09/2018 This was recorded as an allegation of a large fight.

Police receive a report of 15 – 20 persons fighting outside Starbucks with a vehicle deliberately driving at people. One male receives an injury to his hip.

From the limited information available ( three - line narrative report and no redacted Cris report). It is difficult to say whether this is attributable to the venue in any way. There are no interviews with the victim as to their movements or any indication if the suspects had come from the venue or any CCTV. Another factor that is becoming more apparent is the availability of Starbucks as a late-night refreshment house and this could be seen as a focal point for crime and disorder.

6.6. Police incident 3. No reference number – 02.31hrs 19/08/2018 This was recorded as an allegation of a large fight outside Club 195.

Police record two separate reports of fighting outside the venue and CCTV highlights two groups of men confronting each other.

From the limited information available ( four - line narrative report and no redacted Cris report). It is difficult to say whether this is attributable to the venue in any way. There is no information available that shows these groups fighting have come from Club 195 or from any other venue.

6.7. Police incident 4. No reference number – 02.52hrs 12/08/2018 This was recorded as a fight outside Club 195.

Police are called to a fight. The door staff informs Police the venue was closed but they saw a young male with a lump of wood who had left. Police noticed smashed glass outside the venue.

From the limited information available ( five - line narrative report and no redacted Cris report) it is difficult to say whether this is attributable to the venue in any way. There is no information available that shows the group fighting have come from Club 195 or from any other venue. There are no interviews or information from the Police with their interaction with the door staff that the suspects had been inside the venue.

6.8. Police incident 5. No reference number – 02.34hrs 29/07/2018. This was recorded as a fight, but no venue or location is supplied.

Police record a fight taking place between 6 males and females. Police attend and confirm a fight had taken place.

From the limited information available ( two - line narrative report and no redacted Cris report). It is difficult to say whether this is attributable to the venue in any way. There is no information available that shows where this fight took place, no location is given at all.

6.8. Police incident 6. No reference number – 04.31hrs 25/03/2018. This was recorded as a fight.

Police were called to a fight outside Club 195 where bottles were being used as weapons. A victim was found with minor injuries.

From the limited information available ( two - line narrative report and no redacted Cris report) It is difficult to say whether this is attributable to the venue in any way. The venue is closed and is not operating. There is no availability of CCTV indicating this group had been inside Club 195 earlier whilst open and there is no information from the Police regarding the interaction with the victim as to what happened.

6.9. Police incident 7. No reference number – 03.02hrs 25/02/2018. This was recorded as a fight outside Club 195.

Police attended the venue as they had received reports of a fight taking place. Door staff spoken to and no fight had happened, and two groups were talking together.

From the limited information available (two - line narrative report). There is no information available that shows any fight taking place at all. No offences are recorded or alleged, and no incident occurred to the detriment of Club 195.

6.10. Police incident 8. No reference number – 04.14hrs 28/01/2018. This was recorded as a criminal damage to Subway and a bus shelter.

Incident of 6 -7 males kicking the front door to Subway and a bus shelter.

From the limited information available (three - line narrative report and no redacted Cris report) it is difficult to say whether this is attributable to the venue in any way. The venue is closed and is not operating. There is no availability of CCTV indicating this group had been inside Club 195 earlier whilst open and there is no information from the Police regarding the outcome of the call to Police. Again, Subway seems to be another focal point for crime and disorder.

6.11. Police incident 9. No reference number – 02.35hrs 21/01/2018. This was recorded as a serious assault.

Male described as having an altercation outside Club 195 where he received facial injuries and a stab wound to his back from a screwdriver.

From the limited information available (three - line narrative report and no redacted Cris report) it is difficult to say whether this is attributable to the venue in any way. There is no information available that shows the victim or suspect being inside the venue or if this assault could have been prevented in anyway if they had had been inside the venue.

6.12. Police incident 10. No reference number – 03.15hrs 14/01/2018. This was recorded as an assault.

Male victim was waiting for a taxi outside the Club 195 with his friends when he was punched and kicked by a number of males resulting in bruising and swelling to his eye, cheek and neck. The victim highlights both he and the suspects had been inside the venue prior to the attack and he was warned by the suspect not to talk to a group of girls.

From the limited information available (nine - line narrative report and no redacted Cris report) it is difficult to say whether this is directly attributable to the venue. It is clear that both the victim and the suspects were inside the venue and had a minor disagreement. There is no information available that shows the door staff could have known or were able to prevent this assault taking place once they had left the venue.

6.13. Police incident 11. No reference number – 04.25hrs 01/01/2018. This was recorded as a racist incident.

Taxi Driver alleges he was racially abused in his cab when they refused to leave. The taxi was outside Club 195.

From the limited information available ( two - line narrative report and no redacted Cris report) this cannot be attributed to the venue in any way as it is closed and not operating. The only connection is the cab taxi is outside Club 195 when he receives racist abuse.

6.14. Police incident 12. No reference number – 04.21hrs 01/01/2018. This was recorded as a large fight.

Police receive a call from staff at Subway that a large fight is occurring between several groups of people. Police on arrival notice some people had blood on their face and clothing.

From the limited information available ( four - line narrative report and no redacted Cris report). it is difficult to say whether this is attributable to the venue in any way. The venue is closed and not operating. There is no information available that shows these suspects being inside the venue or if this fight could have been prevented in anyway if they had had have been inside prior to leaving.

## **7. Conclusions**

7.1. From reviewing the available material from Essex Police there are clear failings from the staff and management at Club 195 in the way they conduct their operations. It is clear that they need enhanced professional support from a reputable SIA company utilising independent licensing practitioner consultants.

7.2. From the various incidents described there needs to be a total effective review of their operational procedures. These include the way they attract patrons and promote visitors to the venue. They need a robust admission policy that is communicated to all staff who are trained regularly and that the process is tested through covert and overt licensing visits.

7.3. There needs to be a security review of the physical internal and external environment which includes designing out crime and disorder along with effective siting of CCTV and lighting.

7.4. An effective dispersal policy needs to be introduced and tested regularly to minimise the likelihood of disorder.

7.5. There are other external factors that have been described as having a contributory affect, on crime and disorder associated with Club 195. These include the difficulty of obtaining transport to leave the area quickly and the availability of late - night refreshment houses like Subway that open late and act as a crime generator by attracting persons in the locality for periods of time after night time venues are closed.

7.6. If Club 195 is to open again I would recommend the following actions be reviewed and implemented;

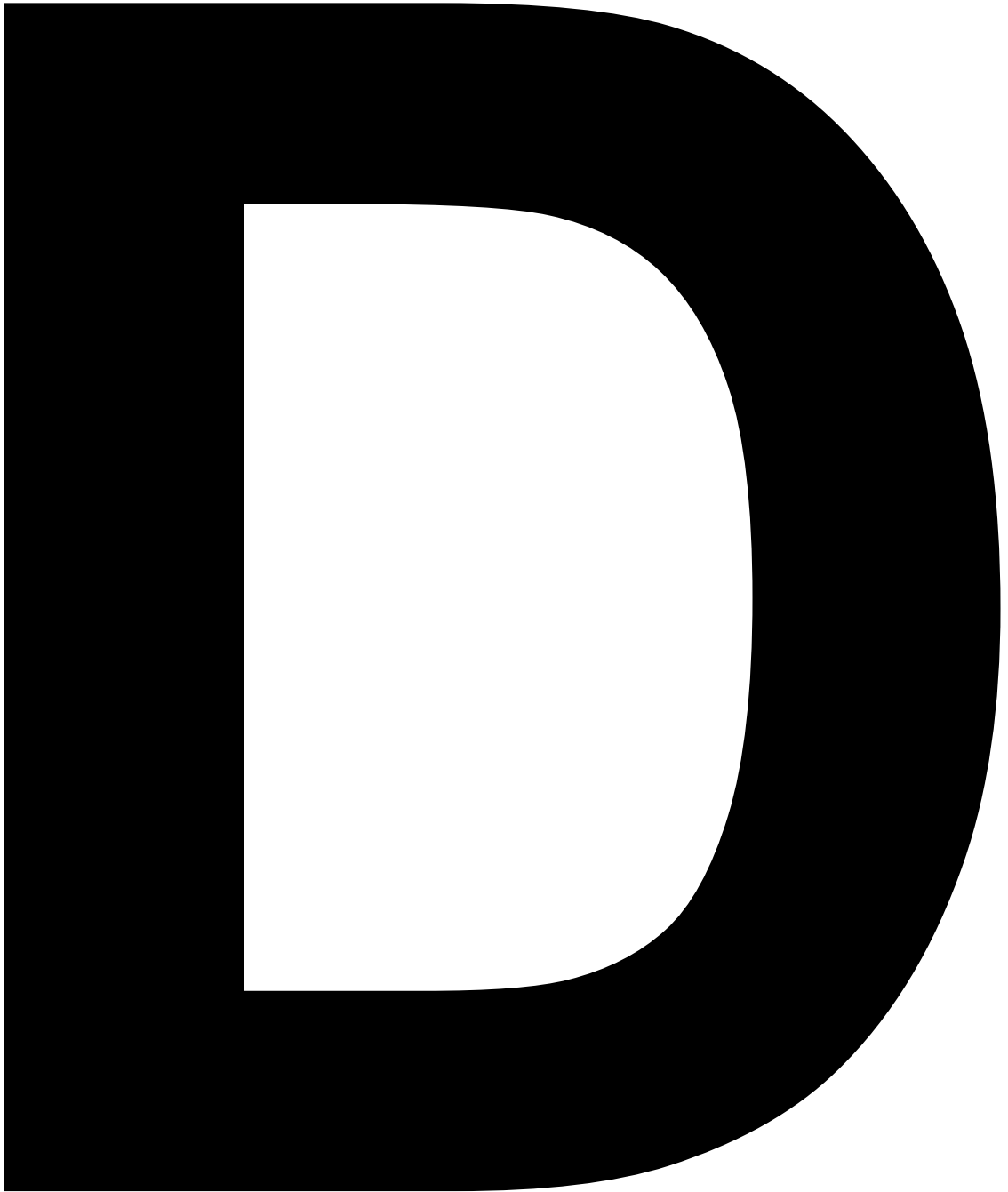
- Urgently Identify a suitable SIA company
- Conduct a full security review of the venue and design out crime audit
- Arrange for an environmental visual audit of the local area to identify any potential or local issues that might affect, or be affected by, the venue
- Review all existing policies ensuring they are effective and up to date
- Incorporate new policies i.e. dispersal and admission
- Consider operation structured entry system to the venue (incorporating appropriate ID scan system, metal detecting wands, refusals, proactive search policy and 'behave or be banned' or similar protocols)
- Ensure 'Challenge 25' age restriction policy is fully supported
- Identify training package for all staff which is mandatory and refreshed
- Implement covert and overt licensing visits to test and challenge processes and protocols

**Ian Smith**  
**Director Shield Associates MSyl**  
**22.07.19**

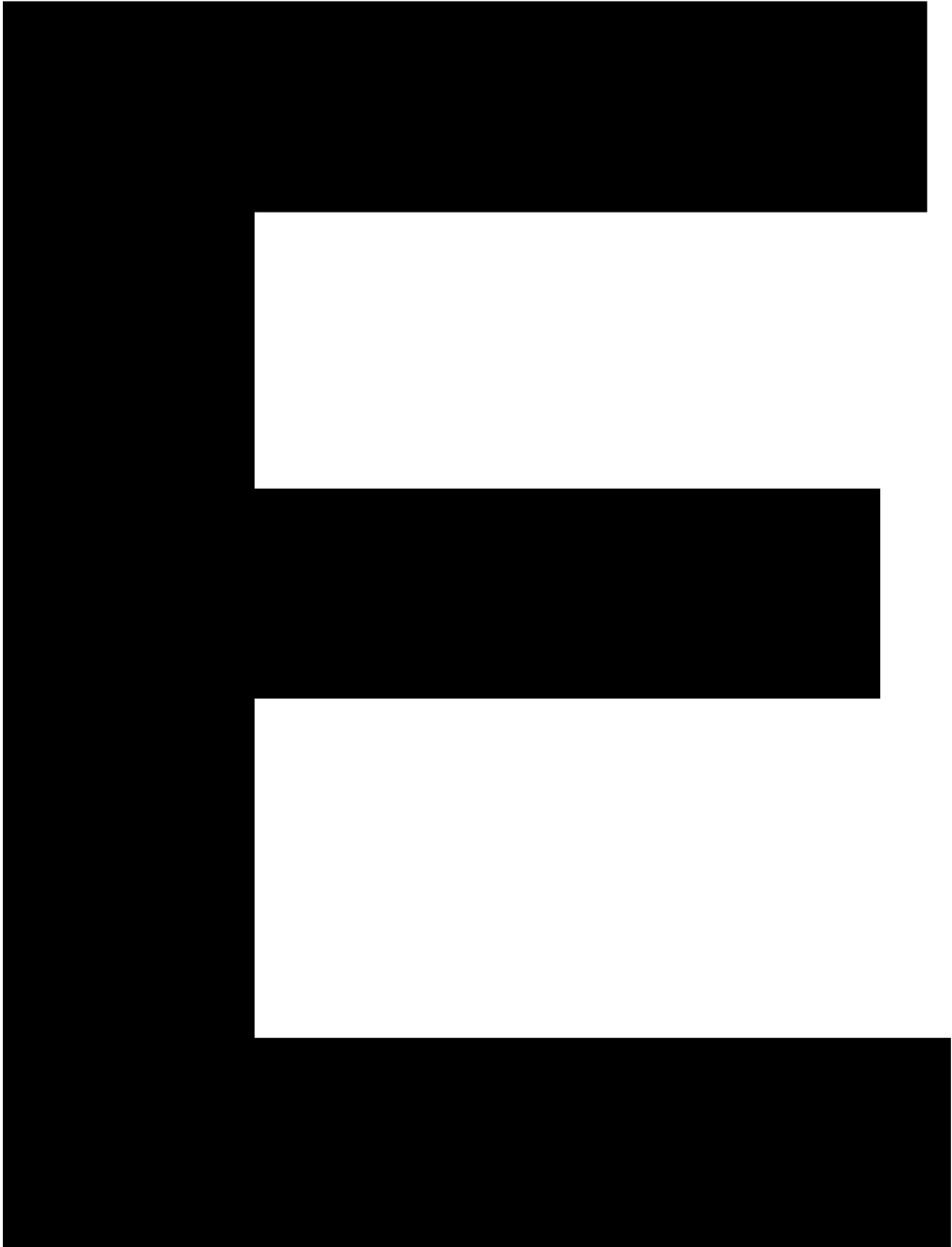








**REMOVED AT  
REQUEST OF  
APPLICANT AS 'H'  
SUPERCEDES IT**





Shield, Portsmouth Road, Cobham, KT11 1HU

[www.shieldassociates.co.uk](http://www.shieldassociates.co.uk)

[info@shieldassociates.co.uk](mailto:info@shieldassociates.co.uk)

0800 044 5884

VAT Registration Number – 181 6205 21

## Licensing Consultation and Ongoing Support

Date: 22/07/2019

**Reference** – SA2019/0124

**Customer Reference** – ‘Play House & Essex Roof Garden’ (formerly Club 195), Cottis Lane, Epping, CM16 4BL – Licensing consultancy, assessment of crime data, policies and procedures, pro-active licensing compliance visits, instructed by James Hoffelner.

**Details of consultation** – Shield Associates will undertake preliminary detailed assessment of crime and disorder data linked to/involving the venue, review suggested processes, policies and procedures, advise on the creation of an action plan to ensure effective compliance with the Licensing Act priorities.

If a licence is granted Shield will undertake a number of overt and covert Licensing compliance visits and, if agreed, a detailed Environmental Visual Audit (EVA) to assess any potential impact on the local area and community. Shield will produce detailed report(s) setting out our findings, observations and any relevant breaches and recommendations.

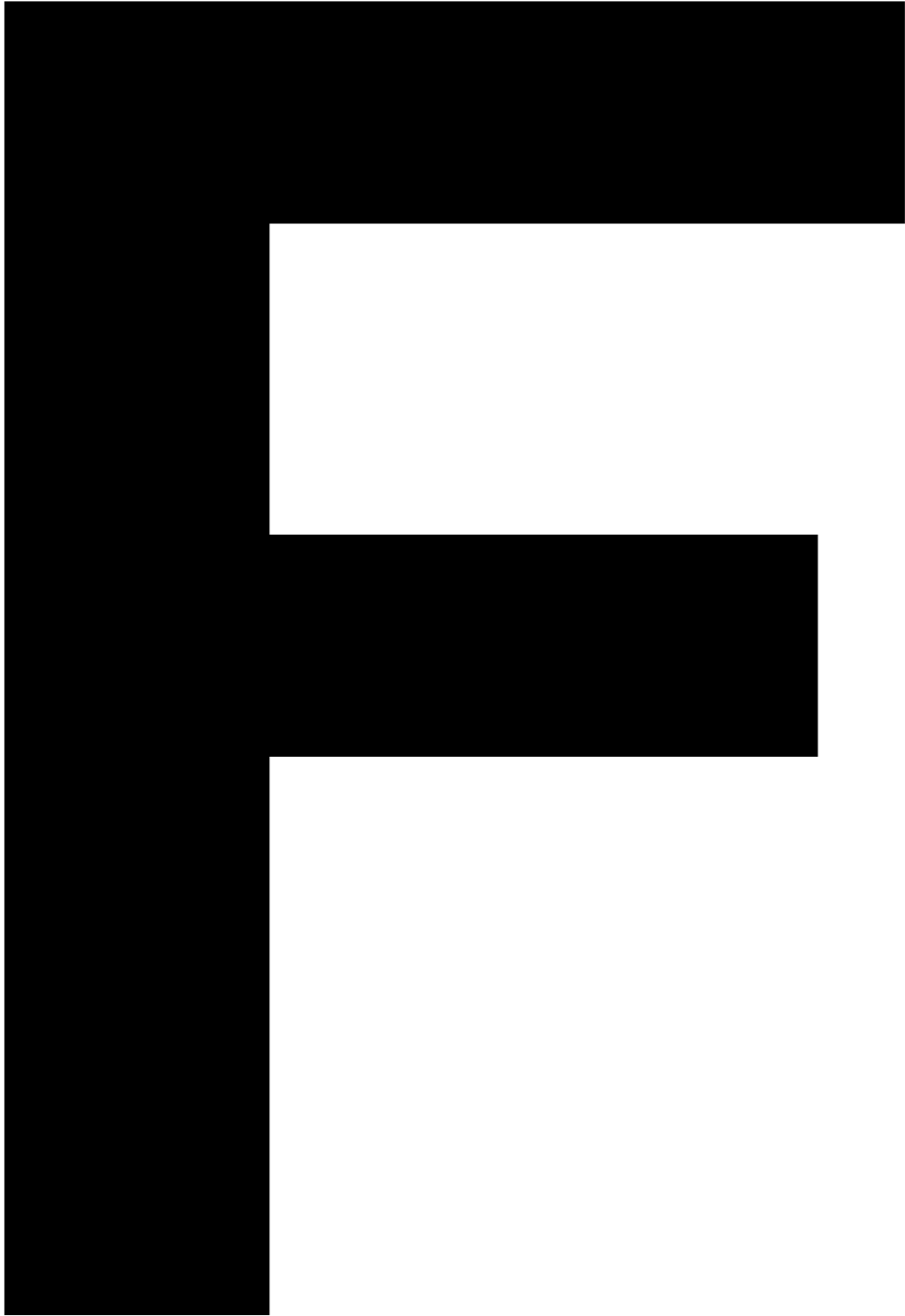
Shield will, upon request, develop bespoke Licensing related training for staff and managers at the venue to support the Licensing objectives and specifically cover:

- The Licensing Act 2003
- Dealing with incidents and the prevention of crime and disorder
- Sale of alcohol (to underage persons, drunks etc.)
- The Premises' policies in respect of drugs, weapons, dispersal etc.

Shield will also provide on-going support if/when asked in relation to specific issues or concerns raised or incidents occurring at or related to the venue.

**David Gair**

**Shield Associates.**



## **Play House, and Essex Roof Garden**

### **Application for a new premises licence**

**195 – 199 Cottis Lane, Epping CM16 4BL**

#### **Applicant's schedule of suggested conditions (Version 2)**

**Amendments in Red (Following PC Jones)**

**Amendments in Blue (Shield Security)**

**Amendments in Green (Big Sky Acoustics)**

#### **General – all licensing objectives**

##### **AT ALL TIMES**

There shall be a personal licence holder on duty at the premises from 17:00 until close daily when the premises are open for licensable activities.

The premises licence holder shall supply a direct telephone number for the designated premises supervisor to the Responsible Authorities.

A direct telephone number for the manager at the premises shall be publicly available at all times when there premises are open for licensable activities. A notice giving this telephone number is to be displayed at the entrances to the premises.

The number of persons permitted in the premises at any one time (excluding staff) shall not exceed (X) persons as follows:

- a) Garden Terrace – X persons
- b) Nightclub – X persons

Non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises

No licensable activities shall take place at the premises until the premises have been assessed as satisfactory by the Police Licensing Officer and Licensing Authority at which time this condition shall be removed from the premises licence by the Licensing Authority.

The consumption of alcohol on the premises shall cease at:

- Monday 00:00 hours
- Tuesday 00:00 hours
- Wednesday 00:00 hours
- Thursday 03:00 the day following
- Friday 03:00 the day following

- Saturday 03:00 the day following
- Sunday 00:00 hours

save that when the premises are operating under non-standard timings e.g. on New Year's Eve, the consumption of alcohol shall cease in line with those non-standard timings.

The premises licence holder will ensure that all staff are trained commensurate with their roles at the premises in:

- The Licensing Act 2003, [responsibilities in supporting the four key objectives](#).
- Dealing with incidents and the prevention of crime and disorder
- Sale of alcohol (to underage persons, drunks etc.)
- The Premises' policies in respect of drugs, weapons, dispersal etc.
- [Forensic awareness](#).
- [Effects of drunkenness and how to prevent drunkenness on premises and support the Licensing objectives](#).

The premises licence holder will ensure that records of staff training are kept and made available to Responsible Authority Officers on request.

The premises licence holder will ensure that refresher training is provided every 6 months.

The premises licence holder will devise and maintain the following policies:

- **Dispersal**  
This policy shall include but not limited to:
  - i. How patrons leaving the premises shall be directed away from the premises;
  - ii. How patrons will be informed of the services of taxi and private hire operators;
  - iii. What staff will be responsible for supervising those leaving the premises and how they will supervise such persons;
  - iii. Any 'wind' down periods;
  - iv. Methods to prevent re-entry to the premises;
  - v. How bottles and glasses will be prevented from being removed from the premises at closing time.
- **Security**  
This policy shall include but not limited to:
  - i. Clear expectations of staff roles (including the DPS, managers/supervisors and door supervisors);
  - ii. Staff training regarding identification of suspicious activity and what action to take;



- Drugs, this shall be a zero-tolerance policy with regard to the use/possession of controlled drugs and psychoactive substances  
Including but not limited to:
  - i. Dealing with patrons suspected of using drugs on the premises;
  - ii. Scrutiny of spaces including toilets or outside areas;
  - iii. The handling of items suspected to be illegal drugs or psychoactive substances.
  - vi. Steps taken to discourage and disrupt drug use on the premises
  - v. Steps to be taken to inform patrons of the premises drug policy/practice
  
- Weapons this shall be a zero-tolerance policy with regard to the use/possession of weapons  
The policy shall Including but not limited to:
  - i. Dealing with patrons suspected of having possession of weapons;
  - ii. Scrutiny of spaces including toilets or outside areas;
  - iii. The handling of items suspected to be weapons;
  - iv. Steps to be taken to inform patrons of the premises weapons policy/practice
  
- Entry:  
Including but not limited to  
Searching practices upon entry;

Copies of each of these policies will be kept at the premises and made available to Responsible Authority Officers on request. A copy of each of these policies will be lodged with the Licensing Authority. In the event that changes are made to any of the policies a further copy will be lodged with the Licensing Authority within 7 days of the changes taking effect.

The premises licence holder shall not trade in breach of planning permission.

## **WHEN NIGHTCLUB ELEMENT OPEN TO MEMBERS OF THE PUBLIC**

No additional conditions

### **The prevention of crime and disorder**

#### **AT ALL TIMES**

The premises shall install and maintain a comprehensive CCTV system as follows:

- (a) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
- (b) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.
- (c) All recordings shall be stored for a minimum period of 31 days with date and time stamping.

- (d) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
- (e) All searches must be recorded on the CCTV system
- (f) There shall be external CCTV (installed and operated) which monitors the queue
- (g) The CCTV system must cover all persons that pass through the search arch when the club is open
- (h) A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
- (i) The CCTV system will be maintained bi-annually and details of maintenance will be made available upon request to the council.
- (j) The licence holder will ensure that at all times there is a sufficient supply of portable media (USB sticks, DVDs or similar) to be provided to the police in the event of copy CCTV footage being requested.
- (k) The recording equipment and data storage devices shall be kept in a secure environment and fitted with security functions (such as passwords) to prevent recordings being tampered with.

Signs must be displayed at all entrances and exits advising customers that CCTV is operating at the premises and shall be a minimum size of 200 x 148 mm and clearly legible at all times when the premises conducts licensable activities.

Where SIA licenced door supervisors are used at the premises a record shall be maintained (on the premises) which is legible and details:

- (a) The day and date when the door supervisors were deployed;
- (b) The full name and SIA registration number of each door supervisor on duty at the premises; and
- (c) The start and finish time of each door supervisors work duty period.

This record shall be retained on the premises for 31 days and be immediately provided to Responsible Authority Officers upon request

Any person employed as a door supervisor at the premises either directly or by way of a third party shall be required to undertake a refresher course in physical intervention skills (provided by a trainer who themselves has been trained by an SIA endorsed awarding organisation and has an SIA required qualification for trainers). Such training must have been received within the last 12 months.

When engaged, all SIA licensed door supervisors shall:

- a) wear their SIA badges;
- b) be equipped with closed circuit radios;

- c) be equipped with "body worn video" camera devices that shall record both sound and images. All recordings shall be stored for a minimum of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon request of the Police or Responsible Authority Officer throughout the preceding 31 day period; and
- d) when stationed outside the premises, wear high visibility jackets or vests.

The premises licence holder shall employ additional SIA licensed door supervisors on a risk-assessed basis.

The premises licence holder will ensure that a minimum of 2 SIA licensed door supervisors are on duty at the premises from 21:00 until 30 minutes after the premises closes to the public.

A log shall be kept at the premises, and made available on request to Responsible Authority Officers, which will record the following:

- (a) all crimes reported to the venue;
- (b) all ejections of patrons;
- (c) any complaints received concerning crime and disorder;
- (d) any incidents of disorder;
- (e) all seizures of drugs or offensive weapons including items found or abandoned);
- (f) any faults in the CCTV system or searching equipment or scanning equipment;
- (g) daily inspection of the CCTV system
- (h) any refusal of the sale of alcohol; and
- (i) any visit by a relevant authority, Police Service, Ambulance Service or Fire Brigade.
- (j) The full name and registration number of any SIA door person who has been involved in dealing with any of the above matters (a to g).

The log must be completed as soon as possible and within any case within 12 hours of the occurrence or at the end of the Door Supervisors shift which ever is sooner.

The log shall either be electronic or maintained in a bound document with individually numbered pages and shall be retained for at least 12 months from the date of the last entry.

In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:

The police (and, where appropriate, the Ambulance Service) are called without delay;

- (a) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
- (b) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and

- (c) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

As soon as possible, and in any event within 1 month from the grant of this licence, the premises shall join the local Pubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available

The Designated Premises Supervisor will actively seek to be a member of any active local Pub Watch and attend pub watch meetings on a regular basis.

The premises Licence Holder shall participate and support the 'banned from one, banned from all' principle in respect of disorderly conduct, as promoted by Pub Watch.

A drugs safe and log system will be employed at the premises to account for the seizure of drugs from customers. The premises management will liaise with police for regular collection of seized drugs.

The management shall instruct security staff and other staff members to assist police or local authority officers with any enquiries they make.

**No person found with or using a weapon or illegal drugs may enter or remain on the premises.**

#### **WHEN NIGHTCLUB ELEMENT OPEN TO MEMBERS OF THE PUBLIC**

**In addition to the 2 x SIA licensed door supervisors employed from 20:00 until 30 minutes after the premises closes to the public the premises licence holder shall employ additional SIA licensed door supervisors as follows:**

- Thursday – at least a further six (6) SIA licensed door supervisors making a total of at least (8) SIA licensed door supervisors from 20:00 until 30 minutes after the premises closes to the public.
- Friday - at least a further six (6) SIA licensed door supervisors making a total of at least (8) SIA licensed door supervisors from 21:00 until 30 minutes after the premises closes to the public.
- Saturday - at least a further six (6) SIA licensed door supervisors making a total of at least (8) SIA licensed door supervisors from 21:00 until 30 minutes after the premises closes to the public.
- Non-standard timings - at least a further six (6) SIA licensed door supervisors making a total of at least (8) SIA licensed door supervisors from 21:00 until 30 minutes after the premises closes to the public.

The premises licence holder shall employ additional SIA licensed door supervisors on a risk-assessed basis.

The premises licence holder shall ensure that at least four (4) SIA licensed door supervisors remain outside the premises for at least 30 minutes after the premises has closed to the public to assist with the dispersal of customers.

No patrons, DJ's, performers, (along with their guests and entourage) or guests of staff shall be admitted (or re-admitted) to the premises after 21:00 unless:

- (a) They have had their ID scanned on entry;
- (b) They have passed through a functioning metal detecting search arch and been physically searched in accordance with the Premises' entry policy which will include a full bag search and;
- (c) The searching will be supplemented by the use of two functional metal detecting wands operated by a male and (so far as reasonably possible) female door supervisor dedicated to that duty either until the end of permitted hours or until there are no further admissions. Where a female Door Supervisor is not available this shall be logged.

Notwithstanding the above patrons, DJs, performers (along with their guests and entourage) or guests of staff may be admitted to the premises if:

- (a) they are attending a private, pre-booked event (when a list of attendees will be kept at the premises for a minimum of 31 days after the event); or
- (b) a biometric scanning systems is in place (where fingerprint scanning is required for all customers) and they have had their ID scanned previously; or
- (c) they are one of a maximum number of 20 guests per night who may be admitted at the manager's discretion without ID being scanned and recorded. A legible record of the 20 guests per night shall be recorded and retained at the premises for inspection by the Responsible Authorities for a minimum period of 31 days. The name of the manager (who must hold a personal licence) authorising entrance without scanning will also be recorded; or
- (d) with the written agreement of the police, a copy of which will be kept at the premises.

The premises licence holder shall not permit entry to any person who refuses to be searched.

The log shall also record

- (a) the hourly capacity of the premises

No less than two weeks' notice will be given to the Police where any outside promoter is to be used at the premises, and the details of the promoter are to be given to the Police.

### **The prevention of public nuisance**

#### **AT ALL TIMES**

No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

All windows and external doors shall be kept closed after 22:00 hours, or at any time when Regulated Entertainment takes place, except for the immediate access and egress of persons.

Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

No collections of waste or recycling materials (including bottles) from the premises shall take place between:

18:30 and 07:30 the day following Monday to Friday  
14:00 and 08:00 the day following on Saturday  
At any time on Sundays or Bank Holidays

The premises licence holder shall not permit the filling of bottle bins between 22:00 and 08:00 the day following Monday to Sunday

The licence holder shall enter into an agreement with a taxi service to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.

No deliveries to the premises shall take place between:

18:30 and 07:30 the day following Monday to Friday  
14:00 and 08:00 the day following on Saturday  
At any time on Sundays or Bank Holidays.

The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

## **WHEN NIGHTCLUB ELEMENT OPEN TO MEMBERS OF THE PUBLIC**

The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway

All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests

An attendant shall be on duty in the cloakroom during the whole time that it is in use.

The premises licence holder shall inform patrons by way of an announcement after 03:15 to respect the needs of local residents and to leave the area quickly and quietly.

Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly and door staff will remind patrons when leaving the premises to do so quietly.

General access to the Garden Room external first floor area shall cease at 23:00hrs when the external area must only be used by smokers. No drinks will be allowed in this area after this time and the maximum number of persons in the area will be controlled.

### **Public Safety**

#### **AT ALL TIMES**

All exit doors (other than the main entrance) are to be alarmed so that a visual indication is provided (of doors opening) to those staff working in the main body of the venue and a visual and audible notification is also generated which is capable of being seen/heard by door supervisors working at the main entrance. In addition;

- i. The rear fire doors are to be alarmed and kept closed at all times except for (1) emergency use; or (2) use by staff to access the cellar and for deliveries.
- ii. No customers are to use the fire doors as a general exit/entry.
- iii. Installation of a rear door sensor which activates and records the time of opening and closing of the rear door and which transmits the data to a storage device. This storage device to be capable of downloading relevant data in a useable form. The data must be stored for a minimum of three months. This data to be provided immediately upon the reasonable request of police or local authority authorised persons.

The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and

mechanical equipment, shall at all material times be maintained in good condition and full working order.

The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.

The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.

### **WHEN NIGHTCLUB ELEMENT OPEN TO MEMBERS OF THE PUBLIC**

From 21:00 until close every Thursday, Friday, Saturday and at any other non-standard timings all drinking vessels used in the premises shall be polycarbonate. All drinks in glass bottles are to be decanted into polycarbonate containers or carafes prior to being served, with the exception of champagne bottles or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff shall clear away all empty champagne and spirit bottles promptly from tables. Customers shall not be permitted to leave their table carrying any such glass bottles or to drink directly from the bottle.

Notwithstanding the above, with the written agreement of the police licensing officer, a copy of which shall be kept at the premises the premises licence holder may use glass drinking vessels for private or pre-booked events.

From 21:00 until close every Thursday, Friday, Saturday and at any other non-standard timings the premises licence holder shall designate at least one (1) staff member as responsible for customer welfare.

From 21:00 until close every Thursday, Friday, Saturday and at any other non-standard timings the premises licence holder shall employ a medic until at least 30 minutes of the premises closes to the public.

### **The protection of children and vulnerable people from harm**

#### **AT ALL TIMES**

A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

### **WHEN NIGHTCLUB ELEMENT OPEN TO MEMBERS OF THE PUBLIC**

Should the premises licence holder organise any event for persons under the age of 18, the premises shall have in place the following practices:

- (a) An admission policy; and



- (b) A code of conduct for staff; and
- (c) Child Protection/Safeguarding policy
- (d) Protection of vulnerable people – Welfare and first aid provision.

The premises licence holder shall designate a member of staff responsible for welfare for the duration of the event.

DRAFT



**Assessment of crime and ASB proposed premises licence application.**  
**Playhouse & Essex Roof Gardens,**  
**195-199 Cottis Lane, Epping, Essex CM16 4BL**

**Company background.**

My Local Bobby Limited (MLB) was founded in March 2017 by Tony Nash (Retired Borough Commander/ Detective Chief Superintendent) and David McKelvey (Retired Detective Chief Inspector) both former officers of The Metropolitan Police.

Mr McKelvey had formed TM-Eye in 2008 and recruited retired experienced detectives to proactively investigate intellectual property offences within the luxury goods market. Initially evidence was passed to Police and Trading Standards who would then undertake criminal prosecutions. As the Comprehensive Spending Review (CSR) brought about cuts to both statutory agencies they were unable to continue this partnership work.

In response TM-Eye commenced Private Criminal Prosecutions (PCP). In 2012 TM-Eye enlisted a number of London based top 500 law companies to work with. To date TM-Eye and its solicitors have completed in excess of 500 PCP cases with a 100% conviction rate.

Another consequence of the CSR has seen a reduction in street-based police and enforcement foot-patrols. These are recognised through academic research notably 'Broken Windows- *Kelling and Wilson*' and 'Optimal Forager Criminal- *Johnson and Bowers*' as a key proactive tactic in reducing crime and ASB whilst raising the confidence levels of residents and businesses in any given area.

In response MLB has established high-visibility security patrols into areas of London, Hertfordshire, Middlesex and Essex.

The range of security services has expanded into close protection, luxury car services, hotel concierge/security, retail security, licensed premises security and residential security teams.

The organisation has now worked with a number of community groups to understand the nature and causes of crime and ASB in their area and advised on, and provided, reduction solutions. This has included working with the owners and managers of licensed premises.

**Assessment of crime and ASB proposed premises licence application.**  
**Playhouse & Essex Roof Gardens,**  
**195-199 Cottis Lane, Epping, Essex CM16 4BL**

**Requirement.**

The organisation has been asked to consider if the proposed licence application for 'Play House and Essex Roof Gardens' 195-199, Cottis Lane, Epping, Essex CM16 4BL would significantly impact on the levels of crime/ ASB in the area and the quality of life for residents and businesses.

The assessment considers this from both a stand-alone and cumulative perspective.

In addition, the objection report along with Appendix A and B prepared by Essex Police has been taken into account.

**Assessment overview.**

The venue is within Epping Forest District Council within the county of Essex.

The immediate surrounding area is predominantly retail but with residential premises in close proximity.

The nearest underground station is 'Epping' on the Central Line. On Friday and Saturday, there is an all-night service running to nearby Loughton.

There are no buses or taxi firms operating during the dispersal periods on the proposed late nights.

CCTV is present in and around the area with some in private premises. It is not known what, if any, is monitored live time or if and how it is linked to the police response function.

The premises has run as Club195 for 15-years. This was closed after two incidents of violence on 1<sup>st</sup> January 2019.

The owners are applying for a premises licence to operate:

- Monday – Thursday: 1100hrs – 0030hrs.
- Friday – Saturday: 1100hrs – 0330hrs.
- Sunday: 1100hrs – 0030hrs.

The supply of alcohol would end 30 minutes before the close of the premises.

The application also seeks to play recorded music and have dance performances Friday to Sunday.

The proposed operation would differ from that of Club 195 in as far as the music would be house music and not RnB. It is felt that this change will attract a different cohort of clients and reduce the geographical pull to the venue and limit any potential conflict between groups from varying parts of London and the home counties unfortunately linked to the RnB scene.

**Assessment of crime and ASB proposed premises licence application.**  
**Playhouse & Essex Roof Gardens,**  
**195-199 Cottis Lane, Epping, Essex CM16 4BL**

**Crime Profile.**

The entire policing neighbourhood has long-standing issues with violence/sexual offences, ASB and vehicle crime. The violence includes reports of domestic violence that cannot be extrapolated from publicly available figures

In the rolling year May 2018 to April 2019 the neighbourhood experienced a rise in total reported offences of approaching 19%.

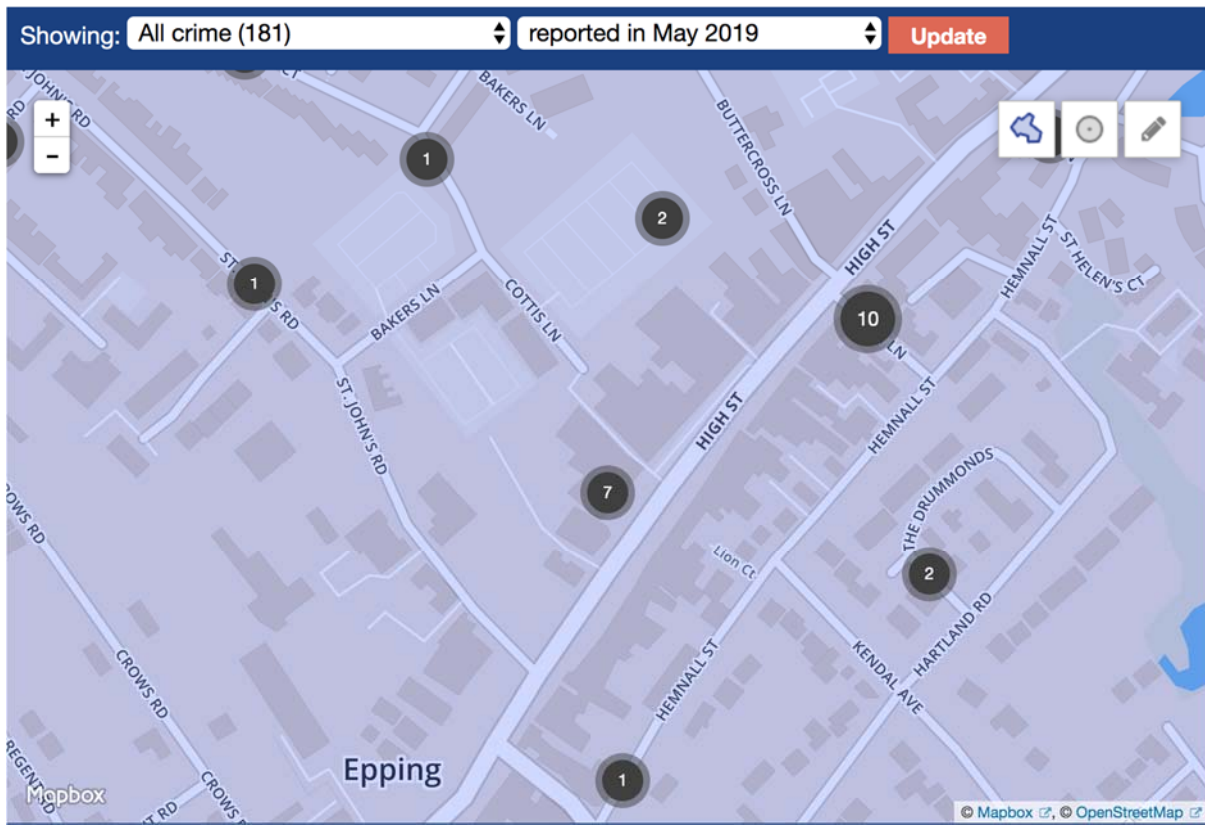
The peak was in January 2019 with a total of 207 reported crimes and a low in April 2019 which had a total of 130 reported crimes. Both are after Clun 195 stopped operating.

In the same period ASB has shown a 7.5% reduction with a high of 49 in July 2018 and a low of 21 in December 2018.

In the same period violence and sexual offences has shown a 47.7% increase with a high of 63 in December 2018 and a low of 21 in June 2018.

The following diagrams are the zoomed in crime maps for the area in and around the premises including Epping High Street covering the period from May 2019 going back to November 2018.

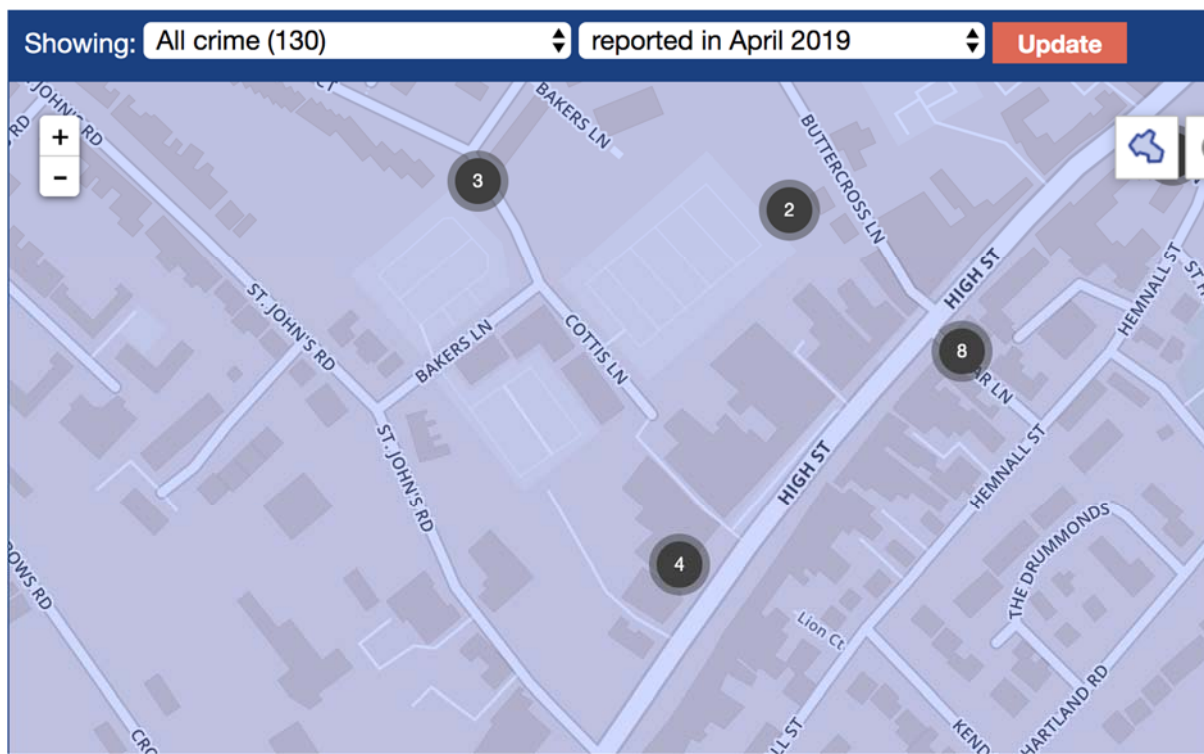
**Assessment of crime and ASB proposed premises licence application.**  
**Playhouse & Essex Roof Gardens,**  
**195-199 Cottis Lane, Epping, Essex CM16 4BL**



**Synopsis: 24 Offences**

**Theft = 2**  
**ASB = 5**  
**Vehicle crime = 1**  
**Public Order = 1**  
**Shoplifting = 7**  
**Drugs = 1**  
**Robbery = 1**  
**Violence = 5**  
**Other crime = 1**

**Assessment of crime and ASB proposed premises licence application.**  
**Playhouse & Essex Roof Gardens,**  
**195-199 Cottis Lane, Epping, Essex CM16 4BL**



**Synopsis: 17 Offences**

**Theft = 1**

**ASB = 5**

**Vehicle crime = 1**

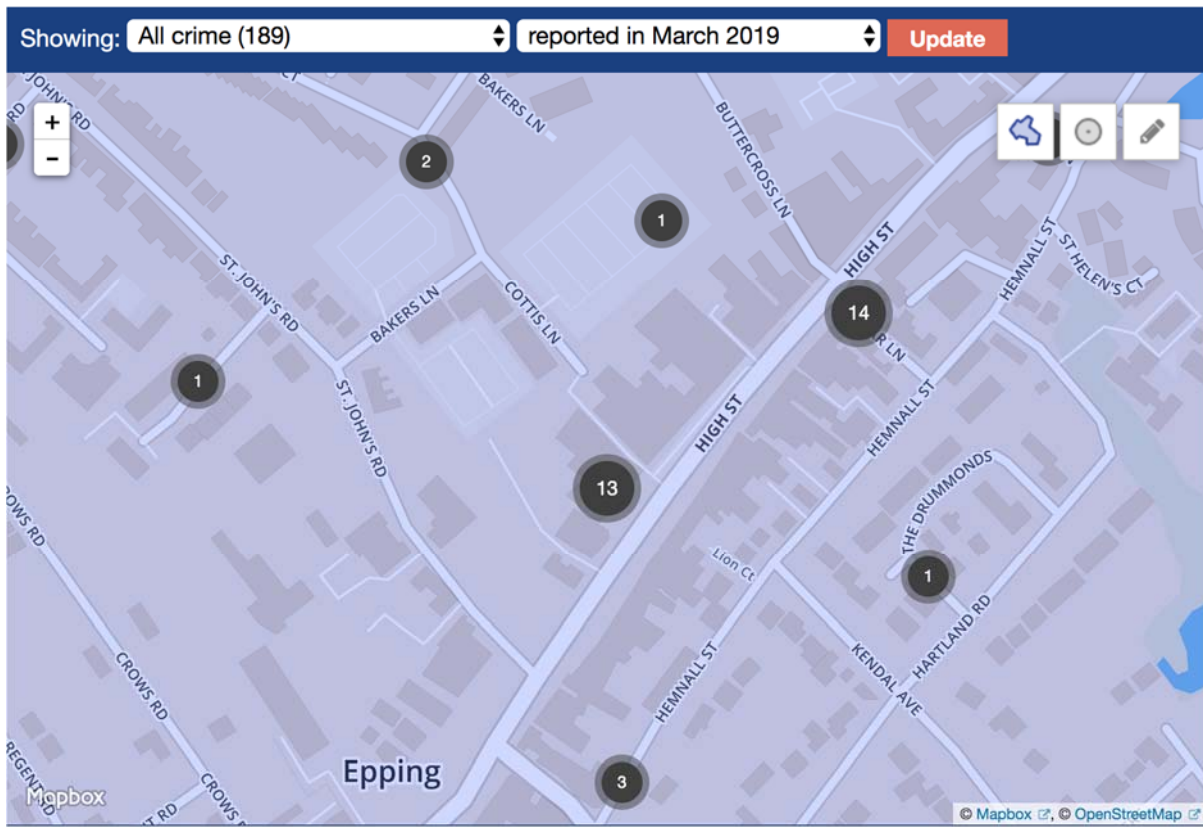
**Shoplifting = 1**

**Burglary = 2**

**Violence = 6**

**Criminal Damage = 1**

**Assessment of crime and ASB proposed premises licence application.**  
**Playhouse & Essex Roof Gardens,**  
**195-199 Cottis Lane, Epping, Essex CM16 4BL**



**Synopsis: 35 Offences**

**Theft = 2**

**ASB = 4**

**Vehicle crime = 4**

**Public Order = 2**

**Shoplifting = 10**

**Theft Person = 1**

**Violence = 7**

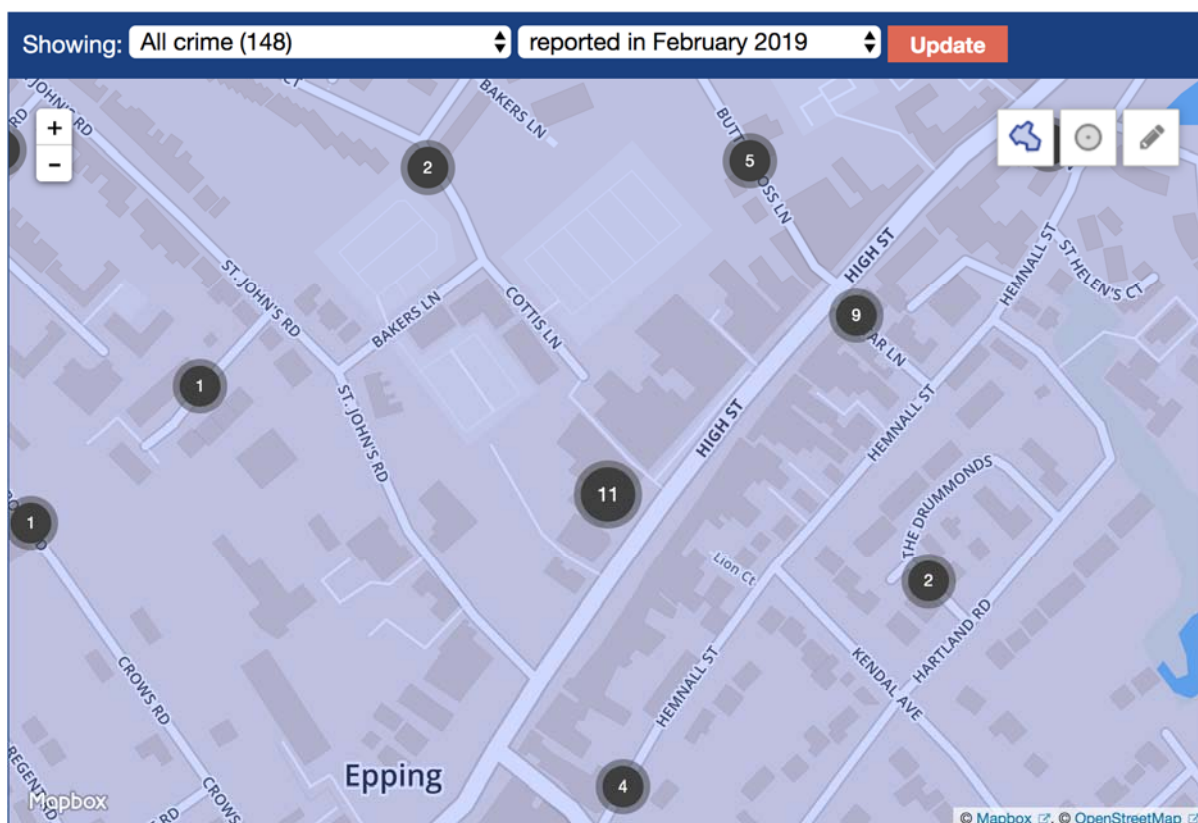
**Criminal Damage = 2**

**Burglary = 2**

**Other crime = 1**



**Assessment of crime and ASB proposed premises licence application.**  
**Playhouse & Essex Roof Gardens,**  
**195-199 Cottis Lane, Epping, Essex CM16 4BL**



**Synopsis: 34 Offences**

**Theft = 1**

**ASB = 5**

**Vehicle crime = 3**

**Public Order = 3**

**Shoplifting = 6**

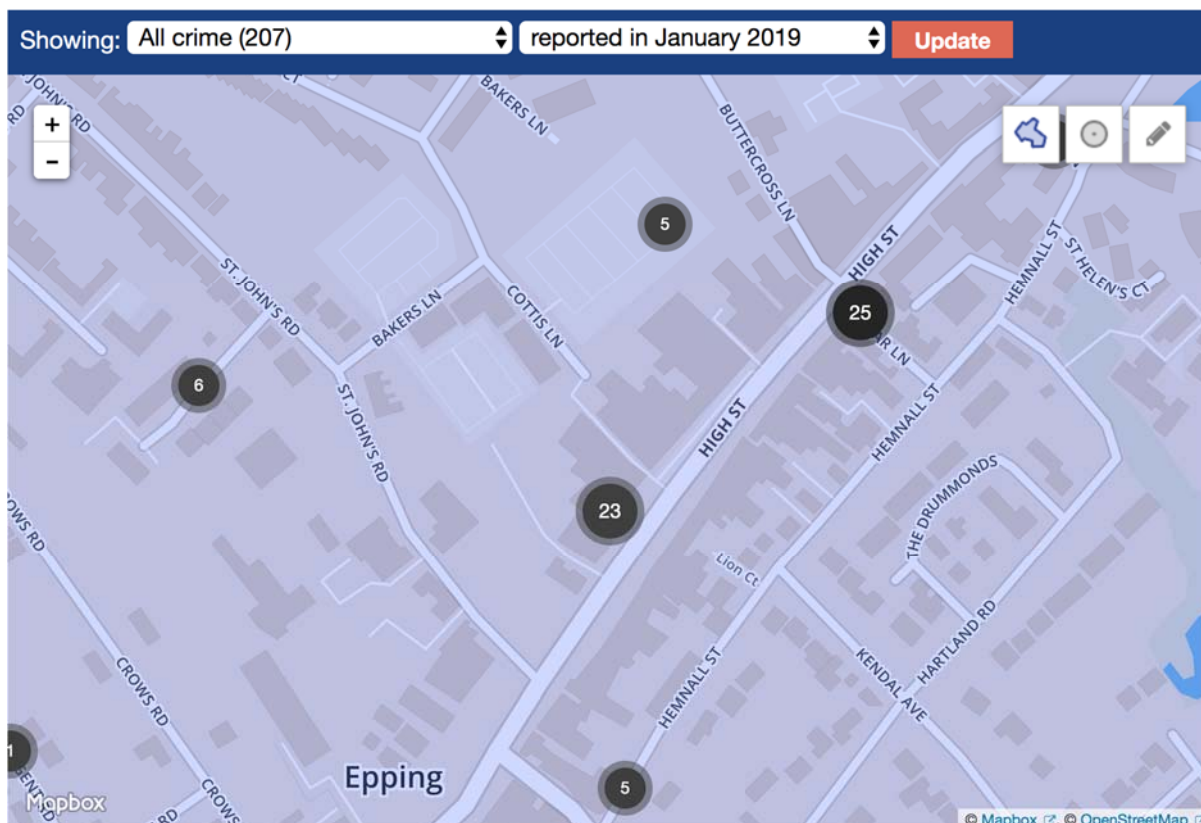
**Violence = 12**

**Other theft = 2**

**Theft Person = 1**

**Criminal Damage = 1**

**Assessment of crime and ASB proposed premises licence application.**  
**Playhouse & Essex Roof Gardens,**  
**195-199 Cottis Lane, Epping, Essex CM16 4BL**



**Synopsis: 64 Offences**

**Theft = 3**

**ASB = 5**

**Public Order = 7**

**Shoplifting = 13**

**Drugs = 12**

**Robbery = 1**

**Violence = 15**

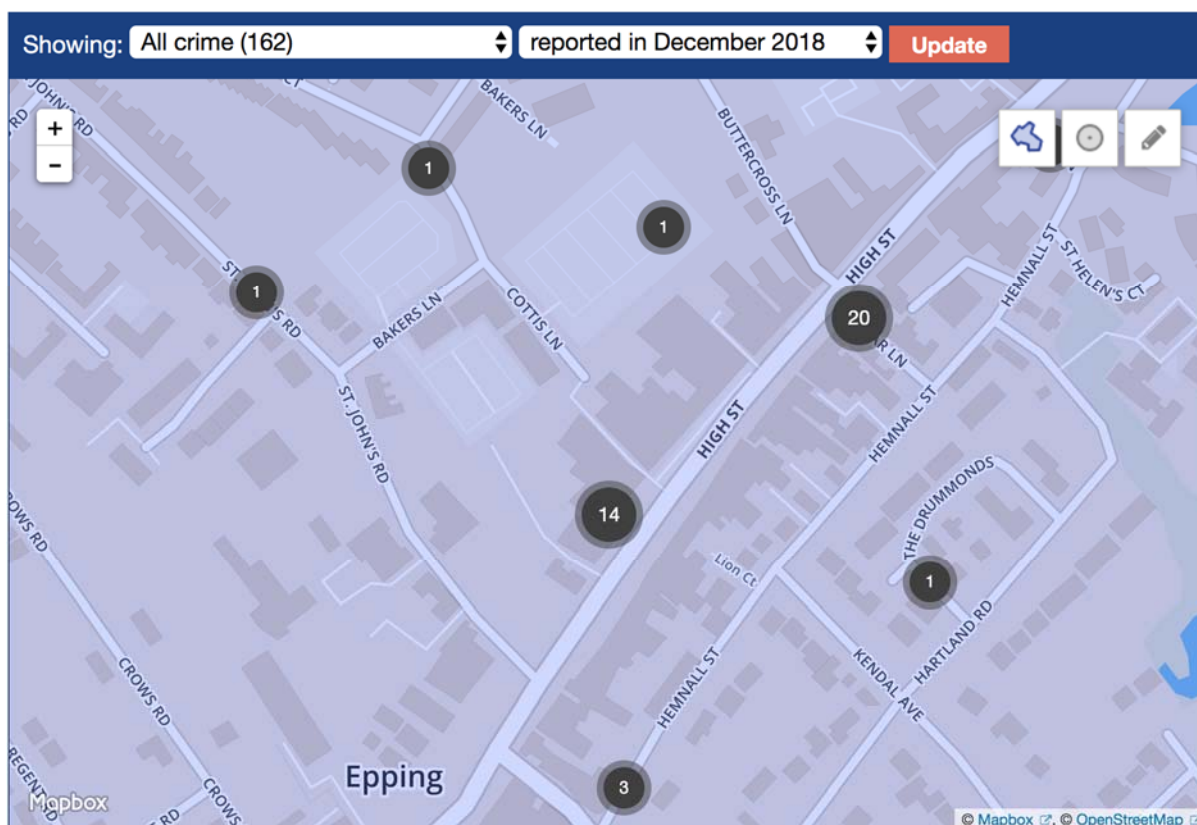
**Criminal Damage = 2**

**Other crime = 3**

**Burglary = 2**

**Theft person = 1**

**Assessment of crime and ASB proposed premises licence application.**  
**Playhouse & Essex Roof Gardens,**  
**195-199 Cottis Lane, Epping, Essex CM16 4BL**



**Synopsis: 41 Offences**

**Theft = 2**

**ASB = 6**

**Vehicle crime = 4**

**Public Order = 2**

**Shoplifting = 7**

**Burglary = 5**

**Theft person = 1**

**Violence = 11**

**Criminal Damage = 2**

**Other crime = 1**

**Assessment of crime and ASB proposed premises licence application.**  
**Playhouse & Essex Roof Gardens,**  
**195-199 Cottis Lane, Epping, Essex CM16 4BL**



**Synopsis: 27 Offences**

**Theft = 5**  
**ASB = 1**  
**Vehicle crime = 1**  
**Public Order = 1**  
**Shoplifting = 4**  
**Drugs = 4**  
**Violence = 6**  
**Other Crime = 2**  
**Burglary = 1**  
**Other crime = 2**

During this period the peak for violent crime within the area immediately around the venue was January 2019 (15 offences).

The peak for ASB and public order offences was also January 2019 (12 offences)

Both peaks are after Club 195 closed.

The Police supplementary information bundle at paragraph 1.9 invites one to infer that since the venue closed there has been no violence or crime and disorder in the area. Surprisingly, and somewhat worrying, this critical point is not supported by any

**Assessment of crime and ASB proposed premises licence application.**  
**Playhouse & Essex Roof Gardens,**  
**195-199 Cottis Lane, Epping, Essex CM16 4BL**

evidential breakdown of incidents from police databases or with reference to the public facing crime mapping.

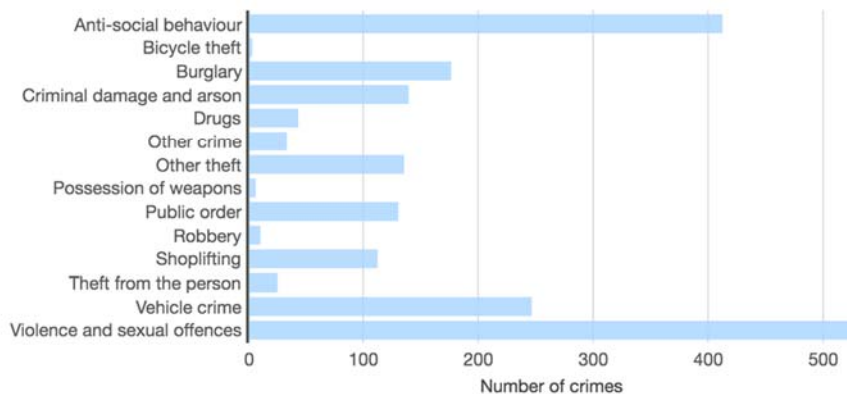
When looking at the public available crime statistics as detailed above this is not a conclusion one could draw.

Of note there were 12 arrests for drugs in January 2019 again after Club 195 closed. It is not known why there was this spike and if it relates to a targeted operation or single / multiple incidents. If this relates to a drugs market it is likely this would have the impact of raising certain crime types including violence. In order to consider this the documentation relating to these arrests and any associated intelligence would need to be analysed. At the time of making this assessment such documentation was not and is unlikely to be made available.

It is accepted that there have been incidents inside, and outside Club 195 as is the case with many licensed venues. However, the closing of the venue does not appear to have had any material impact on the area.

It is important that the owners are co-operative and recognise the importance of working with statutory agencies to ensure any licensed premises is safe for all and contributes where possible to the local community.

**Comparison of crime types in this area between June 2018 and May 2019**



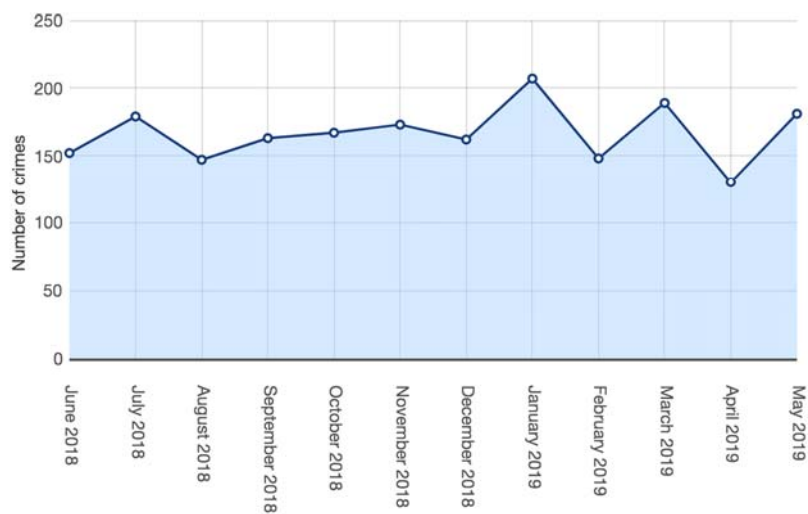


**Assessment of crime and ASB proposed premises licence application.**  
**Playhouse & Essex Roof Gardens,**  
**195-199 Cottis Lane, Epping, Essex CM16 4BL**

Crime type	Total	Percentage
Anti-social behaviour	412	20.62%
Bicycle theft	3	0.15%
Burglary	176	8.81%
Criminal damage and arson	139	6.96%
Drugs	43	2.15%
Other crime	33	1.65%
Other theft	135	6.76%
Possession of weapons	6	0.30%
Public order	130	6.51%
Robbery	10	0.50%
Shoplifting	112	5.61%
Theft from the person	25	1.25%
Vehicle crime	246	12.31%
Violence and sexual offences	528	26.43%

**Crime levels in this area between June 2018 and May 2019**

Showing:



**Assessment of crime and ASB proposed premises licence application.**  
**Playhouse & Essex Roof Gardens,**  
**195-199 Cottis Lane, Epping, Essex CM16 4BL**

<b>Month</b> ↕	<b>Total</b> ↕
May 2019	181
April 2019	130
March 2019	189
February 2019	148
January 2019	207
December 2018	162
November 2018	173
October 2018	167
September 2018	163
August 2018	147
July 2018	179
June 2018	152

In the rolling year May 2018 to April 2019 the neighbourhood has had a rise in crime and ASB approaching 16%.

**Assessment of crime and ASB proposed premises licence application.**  
**Playhouse & Essex Roof Gardens,**  
**195-199 Cottis Lane, Epping, Essex CM16 4BL**

Showing:



Month <input type="text"/>	Total <input type="text"/>
May 2019	40
April 2019	32
March 2019	35
February 2019	30
January 2019	30
December 2018	21
November 2018	30
October 2018	34
September 2018	35
August 2018	33
July 2018	49
June 2018	43



**Assessment of crime and ASB proposed premises licence application.**  
**Playhouse & Essex Roof Gardens,**  
**195-199 Cottis Lane, Epping, Essex CM16 4BL**

Over the twelve-month period the low-point for ASB was December 2018 (21) when the club was operating. Since then the levels have increased.

Showing: Violence and sexual offences



Month <input type="button" value="v"/>	Total <input type="button" value="v"/>
May 2019	44
April 2019	32
March 2019	55
February 2019	47
January 2019	61
December 2018	62
November 2018	48
October 2018	42
September 2018	39
August 2018	27
July 2018	50
June 2018	21

Over the twelve-month period the low-point for violence was June 2018 (21) when the club was operating. The peak was December 2018 and January 2019 (62 and 61 respectively). This covers the final month of operation and the first month the venue

**Assessment of crime and ASB proposed premises licence application.**  
**Playhouse & Essex Roof Gardens,**  
**195-199 Cottis Lane, Epping, Essex CM16 4BL**

was closed. In December 2018 there were 11 crimes of violence in the immediate area to the premises and in January 2019 there were 15 crimes of violence. This means the neighbourhood percentage attributable to the area in and around the premises increased after the closure.

**Conclusion.**

I have considered the current and historic crime / ASB profile against the application.

I have layered this with the history of the venue and the submissions relating to Essex House in Waltham Forest. It is of note that this premises is operating as a licensed-premises, within the terms of the premises licence.

The current proposal for the Cottis Lane club has a different demographic appeal to that of Club 195.

The owners have provisionally recruited James Hoffelner as the new DPS. Mr Hoffelner has a proven track record of managing licensed premises after crime and ASB issues have brought the licence and conditions up for review.

If the licence is granted a new security company will be employed with strict protocols to be adhered to regarding the admission, operational management and dispersal aspects associated to the venue.

To ensure independent scrutiny an independent licencing advisor will run and co-ordinate mystery shopper exercises to ensure that the protocols are adhered to and that the operating procedures are reviewed to develop a culture of continuous improvement.

In my professional experience I believe that the proposal presents a manageable risk to eliminate an increase in crime and ASB levels in terms of a stand-alone licensed premises and in considering the cumulative impact on the area. This is on the proviso that an experienced DPS is retained to run the operation of the venue along with a new security provider who comply fully with the recommended and accompanying protocols.

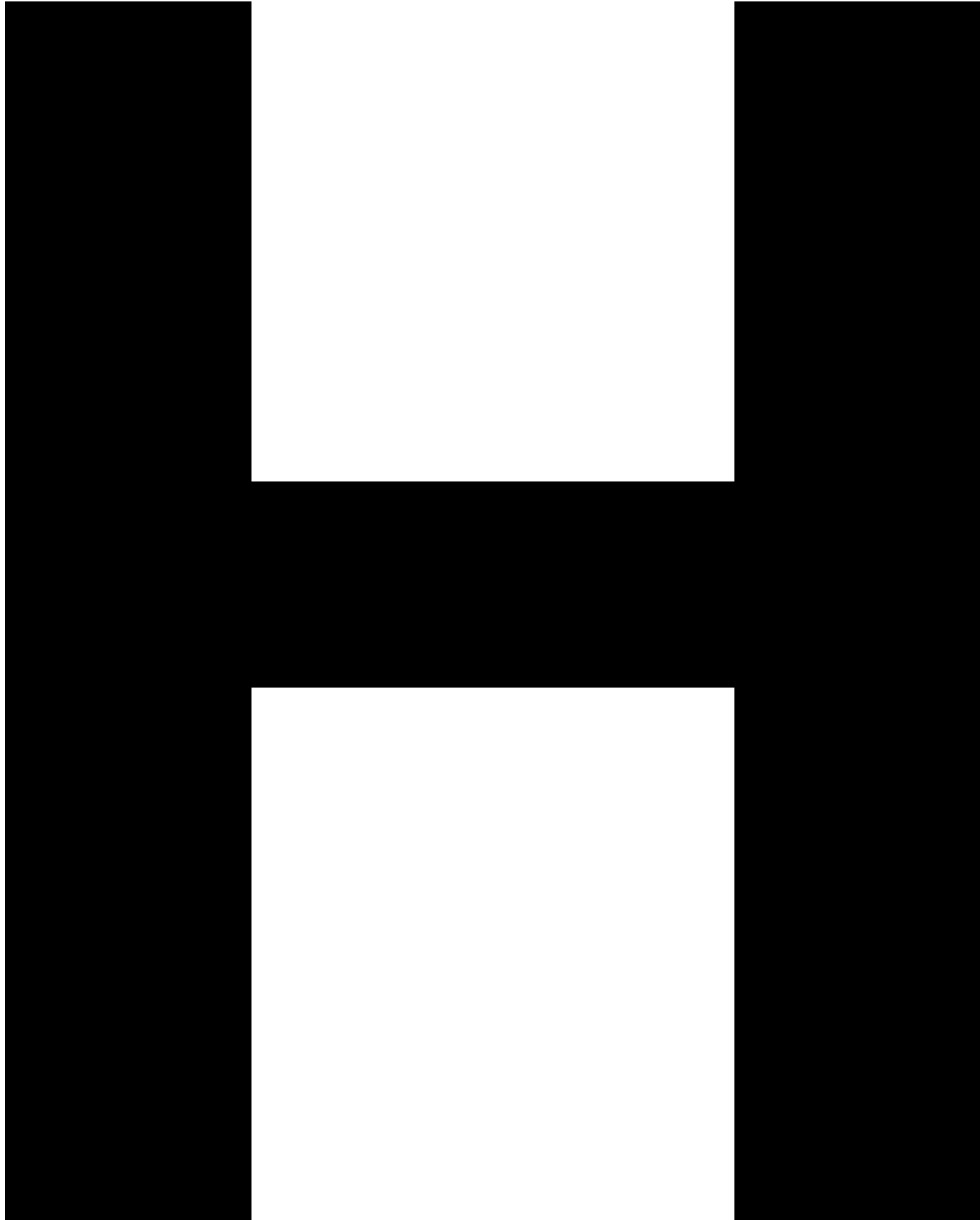
I conclude that the measures set out in the application, along with the security protocols support a conclusion that if granted a 'premises licence' the business would be effectively managed in terms of preventing crime and ASB.

I am equally satisfied that maintaining the quality of life for local residents is at the core of the proposed business.

Submitted

Tony Nash  
Director - MLB

**Assessment of crime and ASB proposed premises licence application.**  
**Playhouse & Essex Roof Gardens,**  
**195-199 Cottis Lane, Epping, Essex CM16 4BL**



# **Security Protocols**

**Play House and Essex Roof  
Gardens,  
195-199, Cottis Lane,  
Epping. CM16 4 BL**

# Security Protocols

This document sets out the security protocols for 'Play House & Essex Roof Gardens, 195-199 Cottis Lane, Epping. CM16 4BL.

## **Aim and objectives:**

- To ensure the venue is managed safely in accordance with legal requirements.
- To ensure the implementation and evolution of robust systems and processes to ensure that licence conditions are, at the very minimum, met.
- To minimise any impact on local residents and businesses.
- To work in partnership with statutory agencies, residents and other businesses to deliver these objectives.

## **How will we deliver against our aims and objectives?**

- Invest in all of our team and contractors so they understand and implement our security protocols as a team.
- Constantly strive to identify best practice and areas for improvement.
- To work with partners, statutory organisations, residents and businesses to effectively deliver against our objectives and contribute to improving the quality of life for all in the area and the local economy.

## **Overview of the business.**

The venue seeks to operate on a two-layer system supported by a comprehensive redesign creating two areas that can be combined into a single space. This would effectively be:

1. A nightclub with two bars and private booths.
2. A cocktail bar with external terrace (Essex Roof Gardens).

The external roof terrace will be the sole designated smoking area. Given that this is internal to the architecture there will be no requirement to exit the actual premises to smoke or vape. The area will have electrically retractable glass screens to minimise any light or noise pollution.

The operation would be formatted as follows:

1. Friday and Saturday hosting house music DJ's (entire venue) with supporting dancers.
2. Sundays will be geared towards family and private hire events.(Cocktail bar and terrace.)
3. Monday to Thursday (Cocktail bar and terrace.)

Recorded music will be played through a speaker system but the noise level will be limited and gradually reduced towards closing time. This will be supported with the raising of light levels and the playing of music of a slower tempo.

# Security Protocols

Attendance will be through group booth bookings in advance (Anticipated 50%), pre-booked tickets (anticipated 40%) and walk-ins (10%).

The proposed opening hours are:

Sunday-Thursday 1100 - 0030

Friday / Saturday 1100 – 0330

The sale of alcohol will stop 30-minutes before closing time.

## **Induction.**

In order to ensure there is a security culture all staff and contractors will be required to complete an induction training session where security protocols will be a key and stand-alone topic.

Areas covered will include admission, conflict management, safeguarding, search, drugs and weapon seizure, dispersal and serious criminal incidents

The training will include an element on forensic awareness.

The induction will be pre-formatted, and version controlled.

Staff who remain on site for in excess of a year will be required to undertake refresher training annually.

HR records will be maintained by the venue owners and all contractors to show the date and version of the training provided.

Where there is any reason to fundamentally adjust the training, all staff will be provided updated training on the relevant issues. Again, the date and references will be recorded on the relevant HR record.

## **Crime and ASB prevention.**

The prevention of crime and anti-social behaviour associated to the venue along with safe operating procedures are the key elements for these protocols.

Initially the venue will deploy two SIA Door Supervisors, one being a female, on the entrance from 20.00 until 30-minutes after the premises has closed.

A minimum additional eight door supervisors, including a head doorman, will be deployed from 20.00 until 30-minutes after the venue is closed each Friday and Saturday.

A minimum additional four door supervisors will be deployed from 20.00 until 30-minutes after the venue is closed Sunday to Thursday.

Private functions will be individually assessed applying the same minimum ratio levels 1:60.

# Security Protocols

In addition a dedicated welfare officer and medic will be employed each Friday/ Saturday on the same time basis. They will proactively seek to identify any person who may be vulnerable so an appropriate intervention can be completed.

The number of door staff will be reviewed 24-hours in advance against the number of pre-sold booths and tickets and maintained to ensure the ratio of at least 1:60.

The number of security staff set out are deemed to be in excess of the anticipated actual need but deliberate to ensure the effective prevention and management of any crime and disorder associated directly or indirectly to the operation of the venue.

The numbers will be reviewed after each 12-week period with any changes or amendments agreed in advance, and in consultation, with the police and licensing authorities.

SIA Door Supervisors will initially be deployed in high-visibility jackets at the point of entry, within the premises, and at dispersal so as to present a deterrent to crime and disorder prior to entry, within the premises and throughout the dispersal.

All door supervisors will have a current SIA Licence on display.

All security staff will be equipped with back-to-back radios and body worn video. The currently plan is to use 'Axon' cameras, as used by Essex Police, along with the supporting 'evidence.com' so imagery can be shared with statutory bodies instantly.

Induction training will have a training input on forensic awareness. The venue will purchase forensic packaging consumables to ensure evidence is retained with integrity and continuity.

At the start of each tour of duty each door supervisor will sign a register to book on duty prior to their daily briefing. This will include their SIA Licence number.

At the conclusion of the shift, and after a debrief, all door supervisors will sign the register to book off duty.

The issue of equipment and booking on/off procedure will be supervised by the head doorman who will report to the DPS.

Door supervisors will continually assess the number of patrons within the venue and report the numbers to the duty manager each hour.

Theft of mobile phones, bags and coats is a notable issue for many licensed premises in London and beyond.

The premises has a dedicated coat room which patrons will be encouraged to use for both coats and bags. It is accepted that not all patrons will want to use this facility. To assist this group all tables will have 'Chelsea Hooks' or similar fitted. All staff will



# Security Protocols

proactively advise patrons who leave valuables on tables, or in a vulnerable position, about the risks.

All property found and apparently lost will be logged onto a register and retained for 14-days. Thereafter it will be disposed of unless the owner is readily identifiable. In such cases the duty manager will direct proportionate and necessary investigation to repatriate the property with the owner.

Where there is a need to detain any offender to hand them over to police a full evidential package will be prepared and overseen by the DPS and head door supervisor.

## **Reporting of incidents.**

All incidents, including complaints against staff, will be fully recorded in an occurrence book and supervised by the shift manager.

Such records will include as a minimum:

- Date and time.
- Exact location.
- Details of staff involved.
- Details on any known witness / victim(s) or their description.
- Details of any known offender(s) or their description.
- Action taken by staff.
- Relevant CCTV cameras and if any downloads have been completed and by whom.
- References to body worn cameras used to record the incident / staff interaction.

Any incident that is deemed serious must be reported to the police immediately. Any minor incident should be brought to the attention of police within 72-hours.

All incidents will be recorded within 12-hours.

A serious incident should be interpreted to be:

- any incident of violence that results in an obvious physical injury
- any other incident that may negatively impact on the licence or its conditions.

## **Drugs / Weapons.**

There will be a zero-tolerance approach to drugs, psychoactive substances and weapons. This fact will be clearly communicated through clear signage at prominent positions within the venue and on the company web-site.

The DPS and all staff shall ensure that they look out for signs of drug taking at the premises. These can include:

- Frequent visits to the toilets
- Visits to the toilets by groups

# Security Protocols

- Excessive sniffing, signs of agitation, excessive pupil dilation or other signs that a customer is acting irrationally
- Smell of cannabis on clothes
- Customers taking over an area of the pub, not drinking and being visited by other people for short periods of time, especially if these people do not buy drinks or stay.

Any person who at the point of entry or within the premises is found to be in possession of any drugs, psychoactive substances or weapons will be refused entry or ejected with the items seized. These cases will all be notified to police within 12-hours.

Where drugs, psychoactive substances or weapons are found unattended, they will be recorded in a register setting out the date, time and exact location they were found.

The management will ensure the periodic swabbing of toilets for the presence of drugs during the hours of operation. This will be a minimum of twice per week. The results along with the date and time will be recorded in the Occurrence Book.

## **Entrance.**

Entrance will only be permitted through the principal entrance for the club unless pre-booked booths when entrance will be via the Roof Terrace. 'Club Scan', 'Face Watch' and a mobile search arch will be used at this access point.

All exit doors, other than the main entrance, will be alarmed so that a visual indication is provided (of doors opening) to those door supervisors working in the main body of the venue and a visual and audible notification is also generated which is capable of being seen/heard by door supervisors working at the main entrance. In addition;

The rear fire doors will be alarmed and kept closed at all times except for

- (1) emergency use; or
- (2) use by staff to access the cellar and for deliveries.

No customers will be permitted to use the fire doors as a general exit/entry. A rear door sensor which activates and records the time of opening and closing of the rear door and which transmits the data to a storage device will be installed. This storage device will be capable of downloading relevant data in a useable form. The data will be stored for a minimum of three months. This data will be provided immediately upon the reasonable request of police or local authority authorised persons.

The nature of the business means that there will be clear peak times for admission.

Fixed locations for door supervisors will include:

# Security Protocols

- Two at each operational point of entry.
- One on the roof terrace.
- One at the cloakroom.
- One near to the DJ booth.
- One to each area selling alcohol.
- These will be supported by both a welfare officer and medic.

When only the Roof-Terrace is in operation entrance will be solely through the Roof Terrace entrance.

At the point of entry door supervisors will adhere to 'Challenge 25'. Only original identification will be accepted. Photographs and images on mobile phones will not be accepted.

Any person who appears to be under the influence of excessive alcohol consumption or drugs will be politely refused entry provided there is no requirement for medical intervention. All rejections will be recorded in a register with the reasons included.

If any person is seen within the venue and judged to have consumed excessive alcohol or any drugs, they will be politely requested to leave the venue provided there is no requirement for medical intervention. All ejections will be recorded in a register with the reasons included and the BWV serial number.

Any person who is aggressive or abusive upon arrival or after entry will immediately be asked to desist in their behaviour and refused entry or required to leave. All such rejections / ejections will be recorded in a register with the reasons included along with the BWV serial number.

Where a decision to refuse entry or ejection is resisted the Duty Manger will be informed and attend.

No entry will be granted an hour before closing time.

The door supervisory team will commence work early enough to maintain public safety and prevent public.

The manner of attending the venue and access control by door supervisors are set out above.

All those attending will be subject to biometric checking on 'Scan Net' which will additionally be supported by 'Face-Watch'- a live time facial recognition system.

Patrons will be required to pass through a search arch before being subject to a physical search including the use of search wands.

Refusal to do either will result in refused admission.

# Security Protocols

If during the course of admission weapons or drugs are found, those in possession will be refused entry. All such property will be seized and logged in a register.

Notwithstanding the above DJ's, performers (along with their guests and entourage) or guests of the owners may be admitted if:

1. They are attending a private, pre-booked, function where they appear on an authorised list for the function. Such lists will be retained for 31-days after the event has closed.
2. They are one of a maximum number of 20 guests per night who may be admitted at the owners' discretion without ID being scanned and recorded. A list, agreed with the DPS, will be available in advance of opening and adhered to. The list will be retained for 31-days after the event has closed.

## **Dispersal.**

The purpose of this section is to set out the procedures and expectations for managing patron dispersal. It further aims to ensure that patron dispersal from the venue is achieved in such a way that does not undermine the Licensing Objectives as set out in the Licensing Act 2003.

All staff have a key role to play in ensuring an orderly and timely exit from the premises. This will start with strict adherence to the time at which the serving of alcohol ceases.

As previously stated, the playing of recorded music will be reduced as closing time approaches. Simultaneously the level of lighting will be increased. Both will signify that closing time is approaching.

Dispersal will be staggered with patrons not in the booths dispersed first with booths dispersed 20-minutes later.

A published phone number will be available for residents to raise issues about noise and behaviour associated to the venue throughout the operating period and for 30-minutes thereafter. The phone will be staffed throughout this period.

All staff will be fully briefed and aware of the nearest train and bus routes to be able to effectively advise leaving patrons where to go.

Details for any local taxi firms prepared to service the area will be available for all patrons at reception. Agreements with taxi providers to set designated pick-up points will be established to encourage the immediate movement away from the premises.

Taxis will be reminded not to use horns when waiting to collect patrons.

Those leaving will be politely reminded to try and keep noise levels down and to respect the peace and privacy of local residents and other businesses.

This will be re-enforced with clear notices displayed at customer exit points and other prominent positions within the venue.

# Security Protocols

Door supervisors will be given dedicated roles for dispersal within and outside the area including the concourse area immediately outside the venue. This will ensure that the adjacent vicinity is included within the dispersal strategy. The specific roles will be allocated at the start of shift briefing and recorded by the head door supervisor.

The roles will include:

- Two door supervisors in the venue to encourage a prompt and orderly exit.
- One door supervisor by the cloakroom.
- Two door supervisors at the exit filtering those that need access to the car from those that do not.
- Four door supervisors and the welfare officer on Epping High Street ensuring an orderly dispersal.
- Two door supervisors in a liveried vehicle driving up and down Epping High Street to ensure any collateral impact from the dispersal is minimised and effectively managed.
- The medic will be deployed as and when required at the control of the head doorman.

## **Evacuation.**

It is imperative that the venue has an evacuation plan that dovetails with that of the centre management.

Evacuation could be required for a myriad of reasons. In order that this is completed as safely as possible all staff must have an input at induction so that they are aware of their roles and where to direct patrons to and any agreed RVP.

Whilst certain evacuations are obvious and require immediate action others may require a degree of decision making. In either case staff must recognise that an evacuation is likely to cause a degree of panic and may result in crush situations at the exit points.

Where staff are required to prepare for an evacuation, opposed to evacuate immediately, the code “ *Can Mr Woods report to the duty manager please*” should be put out over the PA system.

If the potential need is cancelled the code “ *Mr Woods is no longer required*” should be put over the PA system.

If there is a requirement to evacuate a message should be put over the public address system informing all occupants to leave immediately in an orderly fashion and to collect possessions later. The message must specify a pre-determined location to move to.

All staff must encourage people to leave as soon as possible through the nearest and safest exit point and collect their belongings at a later time.

# Security Protocols

The duty manager or head door supervisor must confirm that the premises has been cleared.

In the event of a suspect package or device the minimum cordon distance is 100M and so any RVP must be at least this distance. This area will be included in the induction training.

## CCTV.

The premises will have an upgraded HD CCTV system installed by an approved NSI contractor. Each point of entry will be fully covered with no blackspots to allow effective control of any queues. All bar areas, booths and entrance to WC facilities will also be covered. At present the intention is to install 36 HD, low lux cameras. All cameras will be in operation during trading hours and for 30 minutes thereafter.

The system will be checked each day and an entry in the OB made to confirm that the system is fully working. Where there is a fault the entry must include evidence of what steps have been taken to remedy such matters. This must include detailed actions taken by specified person(s) on a specified date and time.

Imagery will be retained for 35-days as this is seen as proportionate and necessary to the effective and safe management of the business.

Given that imagery is subject to GDPR the company will ensure that a number of key personnel hold valid SIA CCTV licences. At least one will be on duty at any time. Those charged with this role will have the ability to download imagery from the management system onto a storage device to pass to statutory agencies upon a lawful request.

The owners will ensure there are sufficient memory devices on site to enable immediate downloading where required.

All requests for downloads must be supported by a DPA form.

The supply of any imagery will be recorded on a ledger and signed for by the recipient. Where the supply relates to a crime the record must contain the crime reference or CAD number from police and be accompanied by a DPA form.

The supply of footage from body worn video will be managed in a similar manner but due to the systems in place this may take up to 24-hours to download and provide in a viewable format.

Venue management will need to consider CCTV and BWV imagery when debriefing a situation for corporate learning.

The ledger of requests and provision of CCTV imagery will be supervised every week by the DPS.

# Security Protocols

## **Partnership.**

A key element to delivering high-quality security for the venue and immediate area is the effectiveness of working in partnership with other security companies working in the area, other licensed premises and statutory agencies.

The management team or DPS would strive to integrate into existing forums such as pub/business watch schemes and attend neighbourhood panels to understand emerging issues across the broader area and assist in resolving or preventing escalation of problems. The management team recognise that this will also allow for the identification and proliferation of best practice.

In order to support the local community, the company will seek to recruit staff from the locality where possible and appropriate.

## **Continual improvement.**

It is essential to continually identify and seek processes and ways to improve performance and deliver services consistently.

To drive this all shifts will culminate with a debrief to identify opportunities and threats. This will be recorded and actioned on the debrief report. If the issue is not something that can be dealt with locally it will be escalated within the company. This will also be recorded on the handover report.

After any significant incident a structured debrief will be arranged within 72-hours to identify any learning opportunities. Where appropriate third parties will be invited to the meeting. The meeting will be recorded with a final report completed by the person leading on the debrief. This report will include a schedule of learning opportunities that will be actioned by senior management.

## **Conclusion.**

This document provides the framework and security protocols for the safe management of the venue.

The protocols provided they are complied with address all of the issues raised in the police recommendations should the licence be granted with the exception of the 12-hour incident reporting period opposed to 4-hours. This has been recommended as this could remove crucial security asset within the operating hours reducing resilience but allowing the prompt submission of reports.

The contents will form the basis for the security 'assignment instructions' once a final decision as to the granting of a licence and any conditions is concluded.

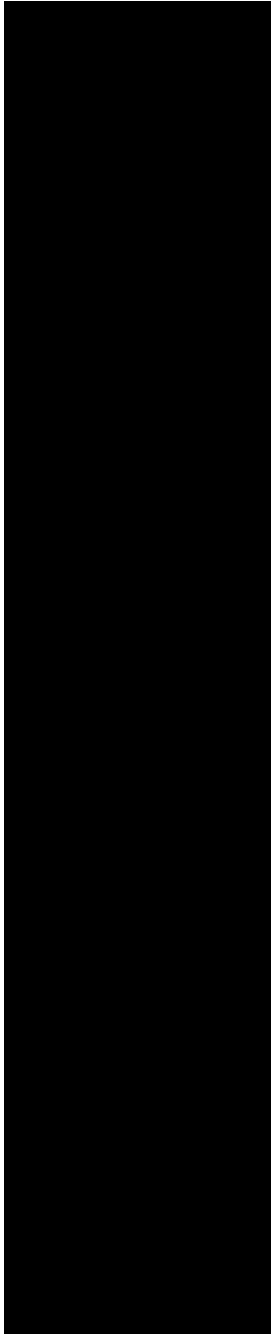
Submitted.

Tony Nash  
Director - MLB

# Security Protocols

DRAFT







22 July 2019

**Licensing Consultancy - Assessment of report by MLB Ltd**

**Author: Ian SMITH – Director Shield Associates MSyl**

**For: James Hoffelner Brabeck Consultancy**

**Reference: SA2018/0124**

**1. Introduction**

1.1. I have been asked to consider the report that has been compiled by Director Tony Nash of MLB Ltd titled V.1.2 July 2019. I had sight of this report this afternoon (22<sup>nd</sup> July 2019). In assessing his report, I have been asked specifically to address the following;

- If the proposed licence application for 'Play House and Essex Roof Gardens' 195-199, Cottis Lane, Epping, Essex CM16 4BL would significantly impact on the levels of crime and anti – social behaviour in the area and would affect the quality of life for residents and local businesses?

1.2. Heading Transport - In the report section titled assessment review mention is made of the lack of transport for the area during the times of dispersal. I would agree with this assessment and this is reflected in the local polices observations. This is widely known for the patrons that attend not only this venue but other operating venues as well. I would suggest that this issue can be solved with owners of the various local transport companies coming together and working out a solution to assist with the dispersal of patrons from all the night time economy venues.

1.3. Heading CCTV - In the assessment mention is made of CCTV both public and private. This doesn't really address the impact on the local residents and business except this would act as a deterrent and would be used as an investigative tool post incident.

As in my previous report to determine the possible impact on the local community or business it will be necessary to conduct a physical environmental visual audit of the local area to identify any potential or local issues that might affect, or be affected by, the venue.

1.4. Heading Crime statistics - Examining the report, I have looked at the observations made in the title Crime profile. In my experience these are the most challenging as the person conducting the analysis is reliant on the numbers of crimes and the crime type in any given location. Without having the official crime report (Cris report) it is difficult to determine if these crimes are attributable to a particular night time economy venue or if they have an impact on the local community or business. It appears that the police have not produced the Cris reports with their evidence and this is crucial in determining whether the crime can be attributable to any particular night time economy venue.

For example, if a Theft is shown one must ask “is it a that theft where two parties are known and reside in the same address?”. One must also ask whether a Drugs possession offence is a self - generated crime report where police execute a search warrant at a residential address and arrest an individual. What might that have to do with the operation of a bar or nightclub in the vicinity? A shoplifting offence in the morning when the night time economy venue is closed.

In the data supplied by MLB Ltd it is of a general nature and importantly does not include the times of the offending. It can be argued these example offences have no bearing on whether a particular venue is open or closed, might disclose a theft but might be completely unrelated.

Again, this is not a criticism of the data produced as it is open source and available to the public, but they have not had sight of the police reports which would go into more detail and these would have to be disclosed by the police.

1.5. In MLB Ltd conclusions I would agree with most of what has been said. Looking to the future the company are currently working with independent licensing consultants who have significant experience in supporting the licensing objectives by providing solutions to the key issues identified.

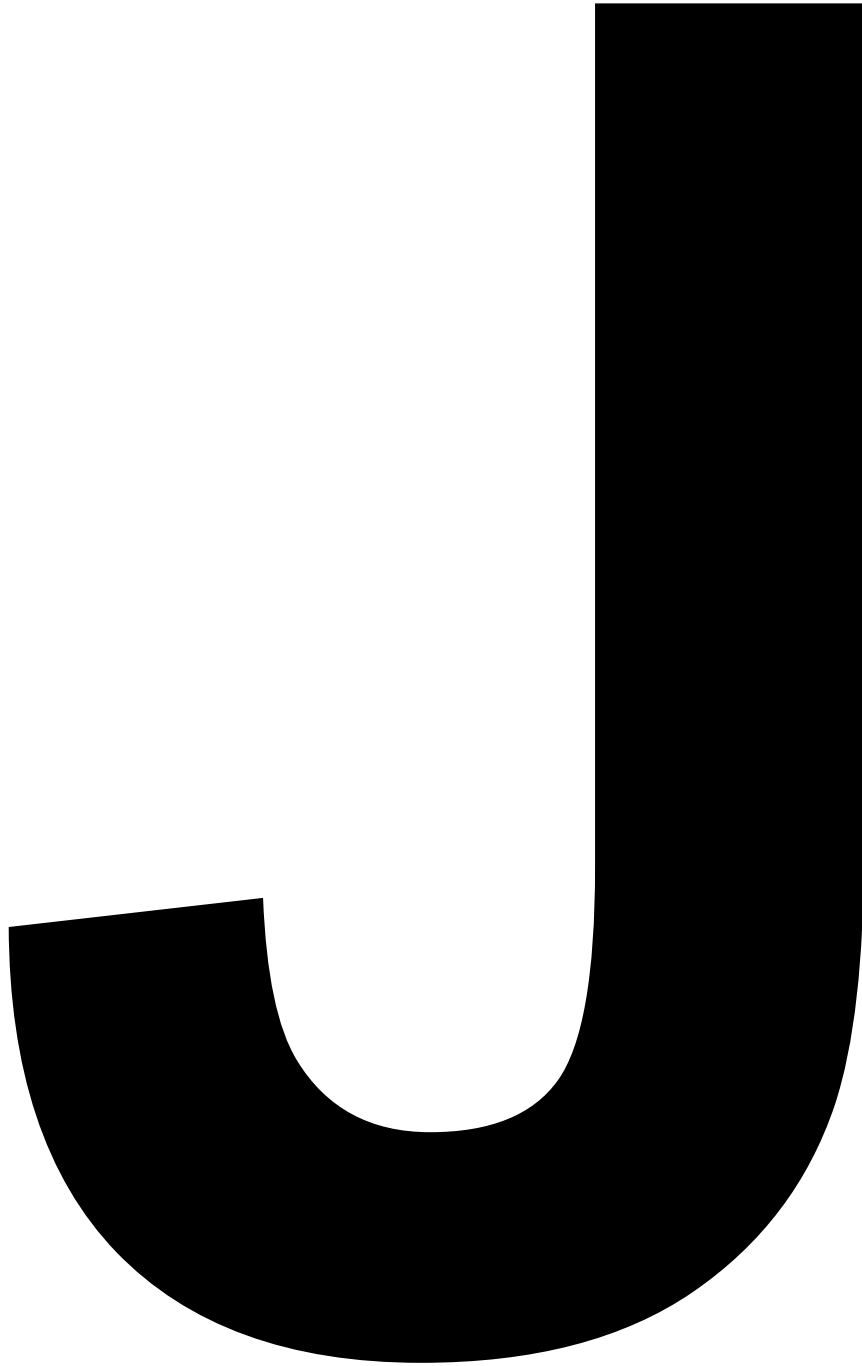
1.6. As in my previous report I would address the following as immediate actions;

- Urgently Identify a suitable SIA company
- Conduct a full security review of the venue and design out crime audit
- Arrange for an environmental visual audit of the local area to identify any potential or local issues that might affect, or be affected by, the venue
- Review all existing policies ensuring they are effective and up to date
- Incorporate new policies i.e. dispersal and admission

- Consider operation structured entry system to the venue (incorporating appropriate ID scan system, metal detecting wands, refusals, proactive search policy and 'behave or be banned' or similar protocols)
- Ensure 'Challenge 25' age restriction policy is fully supported
- Identify training package for all staff which is mandatory and refreshed
- Implement covert and overt licensing visits to test and challenge processes and protocols

**Ian Smith**  
**Director Shield Associates MSyl**  
**22.07.19**







Noise impact assessment  
Play House and Essex Roof Garden  
Cottis Lane, Epping, Essex, CM16 4BL

Prepared by: Richard Vivian, Principal Consultant at Big Sky Acoustics Ltd  
Document Ref: 19070882  
Date: 22<sup>nd</sup> July 2019

**Big Sky Acoustics document control sheet**

Project title:	Noise impact assessment Play House and Essex Roof Garden
Technical report number:	19070882
Submitted to:	Mr James Hoffelner Brabeck Consultancy Limited 11 Forest Drive Woodford Green IG8 9NG
Submitted by:	Richard Vivian Big Sky Acoustics Ltd 46 Frenze Road Diss IP22 4PA 020 7617 7069 info@bigskyacoustics.co.uk
Prepared by:	Richard Vivian BEng(Hons) MIET MIOA MAES MIOL Principal Acoustic Consultant

**Document status and approval schedule**

Revision	Description	Date	Approved
0	Approved for issue	22/07/2019	RV
1	Recommended condition added for garden room	23/07/2019	RV

**DISCLAIMER**

This report was completed by Big Sky Acoustics Ltd on the basis of a defined programme of work and terms and conditions agreed with the Client. The report has been prepared with all reasonable skill, care and diligence within the terms of the contract with the Client and taking into account the project objectives, the agreed scope of works, prevailing site conditions and the degree of manpower and resources allocated to the project. Big Sky Acoustics Ltd accepts no responsibility whatsoever, following the issue of the report, for any matters arising outside the agreed scope of the works. This report is issued in confidence to the Client and Big Sky Acoustics Ltd has no responsibility of whatsoever nature to third parties to whom this report or any part thereof is made known. Any such party relies upon the report at their own risk. Unless specifically assigned or transferred within the terms of the agreement, Big Sky Acoustics Ltd retains all copyright and other intellectual property rights, on and over the report and its contents.

## **Executive summary**

An assessment of the impact of predicted noise from the proposed restyling of a premises off the High Street in Epping has been carried out.

The proposal includes a new garden room area including a relaxed al-fresco space for patrons. No regulated entertainment will take place in this external area. Later at night it is proposed that the area will be supervised and for smokers only thereby reducing the need for smokers to leave the premises at ground floor level.

The garden room external space includes a faux hedge and glass balustrade to obstruct line-of-sight to the surrounding area. The effective acoustic benefit of this type of high mass continuous barrier will be approximately 10-12dB of additional attenuation of any noise from people talking.

The normal commercial operation of licensed premises at this location as proposed will not adversely impact on the licensing objectives if louder activities are contained within the building envelope, and operational policies are put in place to manage patrons in the outside spaces and also to ensure a gradual and managed dispersal from the site.



## Contents

1.0 Qualifications and experience.....	5
2.0 Introduction.....	5
3.0 Site and surrounding area.....	5
4.0 Criteria.....	6
5.0 Balancing planning and licensing noise conditions.....	8
6.0 Predicted noise of patrons using the garden room.....	9
7.0 Recommendations for noise control - remedial works.....	11
8.0 Recommendations for noise control - sound system.....	11
9.0 Recommendations for noise control - operating practices.....	11
10.0 Conclusions.....	11
Appendix A - Terminology.....	13
Appendix B - Site location.....	14
Appendix C - Operational procedures for the control of noise.....	15

## **1.0 Qualifications and experience**

- 1.1 My name is Richard Vivian. I am the founder and Managing Director of Big Sky Acoustics Ltd. Big Sky Acoustics is an independent acoustic consultancy that is engaged by local authorities, private companies, public companies, residents' groups and individuals to provide advice on the assessment and control of noise.
- 1.2 I have a Bachelor of Engineering Degree with Honours from Kingston University, I am a Member of the Institution of Engineering & Technology, the Institute of Acoustics, the Audio Engineering Society and the Institute of Licensing.
- 1.3 I have over twenty-five years of experience in the acoustics industry and have been involved in acoustic measurement and assessment throughout my career. My professional experience has included the assessment of noise in connection with planning, licensing and environmental protection relating to sites throughout the UK. I have given expert evidence in the courts, at planning hearings, at licensing hearings, and at public inquiries on many occasions.

## **2.0 Introduction**

- 2.1 Big Sky Acoustics Ltd was instructed by Mr James Hoffelner of Brabeck Consultancy Limited to carry out an assessment of the impact of noise from the proposed licensable activities at Play House and Essex Roof Garden.
- 2.2 A glossary of acoustical terms used in this report is provided in Appendix A. All sound pressure levels in this report are given in dB re: 20 $\mu$ Pa.

## **3.0 Site and surrounding area**

- 3.1 The location of the site is shown in Appendix B. Play House and Essex Roof Garden is accessed from Cottis Lane just off High Street Epping.
- 3.2 It is important when assessing the impact of noise from a premises in an area that the concept of additional noise associated with the new activity at that premises is taken into account. The incremental change to noise levels caused by the normal commercial operation of the proposed use in an area where there is already established activity could be so small as to be undetectable at residential properties if it is masked by the existing noise in the area.
- 3.3 It is also a consideration that a bona-fide commercial premises in the area can reduce street drinkers, rough sleeping, and litter as the commercial operation seeks to eliminate this type of activity from the immediate area outside the premises for the benefit and safety of their own patrons and employees. This is achieved through good lighting, CCTV coverage, litter removal and a presence of professional personnel who will be able to observe and record all activity in the immediate area.



Figure 1: View from High Street towards application site down Cottis Lane



Figure 2: View back towards High Street

## 4.0 Criteria

### Licensing Act 2003

4.1 Epping Forest District Council has a duty under the Licensing Act 2003 to determine its policy with respect to the exercise of its licensing functions and to

publish a statement of that policy. The current Statement of Licensing Policy (SLP) came into force on 30<sup>th</sup> July 2013.

4.2 The Council fulfils its primary obligation under the Act to promote the four licensing objectives by having policies based on each:

- The prevention of crime and disorder
- Public safety
- The prevent of public nuisance
- The protection of children from harm

4.3 In the section on Public Nuisance the SLP states:

*When considering prevention of public nuisance applicants should consider what measures may be necessary and should take account of the following:*

- *Adoption of best practice guidance (e.g. Good Practice Guide on the Control of Property, Noise, published by the British Beer and Pub Association;*
- *Ensuring customers leave quietly;*
- *Installation of sound proofing.*

### **Other relevant legislation**

4.4 In addition to the protection afforded under the Licensing Act 2003 members of the public are protected from noise that is a nuisance.

4.5 The Environmental Protection Act 1990 part III deals with statutory nuisance which includes noise. This Act allows steps to be taken to investigate any complaints which may then result in the issuing of an abatement notice and a subsequent prosecution of any breach of the notice. A statutory nuisance is a material interference that is prejudicial to health or a nuisance.

4.6 The Clean Neighbourhoods and Environment Act 2005 deals with many of the problems affecting the quality of the local environment and provides local authorities with powers to tackle poor environmental quality and anti-social behaviour in relation to litter, graffiti, waste and noise. A fixed penalty notice can be issued when noise exceeds the permitted level as prescribed under the Noise Act 1996 as amended by the Clean Neighbourhoods and Environment Act 2005. The permitted noise level using A-weighted decibels (the unit environmental noise is usually measured in) is 34dBA if the underlying level of noise is no more than 24dBA, or 10dBA above the underlying level of noise if this is more than 24dBA.

### **British Standard 8233**

4.7 BS8233:2014 states that for steady external noise sources, it is desirable that the internal ambient noise level in dwellings does not exceed the guideline values in the table shown below.

Activity	Location	07:00 to 23:00	23:00 to 07:00
Resting	Living room	35 dB L <sub>Aeq,16hour</sub>	-
Dining	Dining room/area	40 dB L <sub>Aeq,16hour</sub>	-
Sleeping (daytime resting)	Bedroom	35 dB L <sub>Aeq,16hour</sub>	30dB L <sub>Aeq,8hour</sub>

**Figure 3: Indoor ambient noise levels for dwellings (from BS8233 Table 4)**

### **Operational objectives**

4.8 The management team at Brabeck Consultancy Limited is keen to promote good relationships with all commercial and residential neighbours. Therefore, in addition to all statutory obligations, it is a primary operational objective that noise from the normal operation of licensable activities at the Play House and Essex Roof Garden site does not have a detrimental impact on the neighbourhood.

## **5.0 Balancing planning and licensing noise conditions**

- 5.1 The guidance issued under Section 182 of the Licensing Act 2003 is clear in its general principles (Para 1.16) that *"[licence conditions] should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation"*. Therefore if the objective of the prevention of public nuisance is satisfactorily upheld because there already exist tests of nuisance through The Environmental Protection Act 1990; The Noise Act 1996; and The Clean Neighbourhoods and Environment Act 2005, then additional conditions on a premises licence that merely duplicates these statutory requirements should not be necessary according to Home Office guidance.
- 5.2 Similarly planning guidance has, for a long time, stated that additional planning conditions which duplicate the effect of other legislation should not be imposed, and current planning practice guidance is clear that conditions requiring compliance with other regulatory requirements will not meet the test of necessity and may not be relevant to planning.
- 5.3 The pragmatic approach to specifying relevant requirements for noise control conditions would be that more general noise criteria relating to the principle of use of the site are applied under the planning regime; these may include boundary noise conditions or plant operating level limits. More specific requirements relating to licensable activities such as hours of operation or the requirement for noise management procedures are more suitable for implementation and enforcement through the licensing process.

## 6.0 Predicted noise of patrons using the garden room

- 6.1 The British Beer & Pub Association document titled: "Effective Management of Noise from Licensed Premises" provides the following guidance:

### Use of Outside Areas

*This noise source, usually shouting or loud voices, is likely to be especially noticeable at night, when noise levels in the external environment are relatively low. In most circumstances people arriving at and leaving the premises will not cause any disturbance, but it does happen and must be acknowledged. It is not only people that cause a disturbance. Their vehicles can also create noise through stereos, slamming doors, revving engines, the horn or screeching tyres for example. Noise can also arise from beer gardens and play areas.*

### *How to control this type of noise*

- *For new-builds and refurbishments consider the positioning of exits from the building and outside areas such as car parks in relation to noise-sensitive premises.*
- *Where noise-sensitive premises may overlook the frontage of a licensed premise then an alternative exit-route possibly onto a rear or side street may minimise disturbance.*
- *Post notices close to exit doors advising that there are residential properties nearby and asking patrons to leave quickly and quietly.*
- *If music has been playing consider reducing the volume and/or playing slower, more mellow music as the evening draws to a close. This often quietens people down before they leave.*
- *For new-builds access roads, car parks and play areas should be kept as far away as possible from noise sensitive properties.*
- *Natural screening should be used and, where appropriate, screening provided by the premises should be utilised.*

- 6.2 In order to assist in the understanding of actual noise levels produced by people outdoors it is important to understand the effects of the noise source (i.e. people talking) and how that noise level increases as the number of people talking increases.
- 6.3 Referring to data held in our own library; normal conversation is typically in the range of 55-60dBA when measured at 1 metre. In assessing for a worst-case condition then I have considered a group of 30 people are talking in the garden room.
- 6.4 In normal conversation no more than 50% of them would be talking (there will be at least one listener for each talker). If we now consider people to be talking at the upper end of the normal speaking range, and look at a worst case scenarios of half of the people talking concurrently at 60dBA then in order to calculate the total noise level we logarithmically sum 15 sources of 60dB as follows:

$$\Sigma = 10 \log \left( n \times 10^{\left(\frac{60}{10}\right)} \right)$$

where  $n$  is the number of people talking

- 6.5 The formula above gives a value for total sound pressure level for a group of 30 people to be 72dBA<sup>1</sup>.
- 6.6 It is important to remember that this is a worst-case value, when 50% of the people are talking simultaneously and loudly. In reality general lulls in the conversation, smoking, or conversations where there are more than one listener to each talker mean that less than 50% of an average group will be talking simultaneously. I have also observed that groups in close proximity to each other talk with more hushed voices than groups of people spread out when, for example, seated at large tables in a pub beer garden.
- 6.7 72dBA is the predicted noise from a group of 30 people talking loudly outside when measured at 1 metre. Sound is attenuated in air and this effect is noticeable as the listener moves away from the source.
- 6.8 In calculating distance attenuation, the noise of people talking is assumed to be a number of discreet point sources and therefore is attenuated by 6dB with each doubling of distance. So if the noise source is 72dBA at 1 metre then at 2 metres it becomes 66dBA, at 4 metres 60dBA.
- 6.9 Attenuation due to distance is calculated using:
- $$\text{Attenuation} = 20 \log (R2 / R1)$$
- Where R1 = distance from source to measurement position  
R2 = distance from source to receptor position
- 6.10 A separation distance of 60 metres from the noise source to the receptor position has been identified by Mr Richard Thomason, Environments and Neighbourhood Officer, in his representation of 1<sup>st</sup> July 2019. At a distance of 60m the predicted noise from a large group of people talking in the garden room will be 36dBA which is below the urban background noise level measured at a residential location (away from roads). A further attenuation of the noise source is achieved by the insertion of an acoustic barrier that obscures line-of-sight to the receptor position which gives a predicted resultant noise level of 26dBA at the nearest noise-sensitive residential property.
- 6.11 Inside a residential property all external noise sources are attenuated by the glazing, by the distance from the noise source to the window, and by any physical obstruction of clear line of sight to the noise source.
- 6.12 Calculations indicate that the resultant noise level will be significantly below the background noise level at this distance and comfortably in compliance with the relevant standards and guidance.

---

<sup>1</sup> Alternative calculation method according to Growcott, D (Consideration of Patron Noise from Entertainment Venues, Australian Association of Acoustical Consultants Guideline, Australia, 2009) using  $L_{Aeq} = 21 * \log(N) + 43$  gives 74dBA.

## **7.0 Recommendations for noise control - remedial works**

- 7.1 The premises has previously operated with amplified music systems within the building envelope and sound has been adequately contained by the existing structure.
- 7.2 It is recommended that regular maintenance, particularly of door seals, closers to the lobby door systems, windows and air vents, is carried out to ensure noise is contained by the building envelope.

## **8.0 Recommendations for noise control - sound system**

- 8.1 The amplified music equipment consists of high quality British designed and manufactured professional sound system. A comprehensive DSP-based system controller is programmed to provides input compression, gain control, equalisation, time-alignment, crossover points and limiting.
- 8.2 The limiter level is set in software and locked with a password.
- 8.3 It is recommended that the sound equipment is periodically checked to ensure that the maximum operating level is not likely to cause a nuisance at the nearest noise sensitive property. Assessment should be carried out, wherever possible, from the nearest noise sensitive property itself at a time when ambient noise is at its lowest but within normal operating hours of the premises).

## **9.0 Recommendations for noise control - operating practices**

- 9.1 Operational procedures for the control of noise have been prepared for the site: these can be found at Appendix C.
- 9.2 Noise management procedures should be part of the operations manual, be an integral part of all employee training, and be regularly reviewed.
- 9.3 It is recommended that the following condition is added to the premises licence:

**General access to the Garden Room external first floor area shall cease at 23:00hrs when the external area must only be used by smokers. No drinks will be allowed in this area after this time and the maximum number of persons in the area will be controlled.**

## **10.0 Conclusions**

- 10.1 Big Sky Acoustics Ltd was instructed by Mr James Hoffelner of Brabeck Consultancy Limited to carry out an assessment of the impact of noise from the proposed licensable activities at Play House and Essex Roof Garden.
- 10.2 It is my conclusion that this is an established location for an operation of this type.



- 10.3 The building has previously operated with amplified music systems inside the building envelope and sound has been adequately contained by the existing structure.
- 10.4 Best practice operational procedures and trained employees improve customer management of patrons outside the building and assist with controlled dispersal at the end of the evening.
- 10.5 Given the location, style of operation, the updated controls, and a willingness to take on board further controls if necessary, it is my professional opinion that the premises is unlikely to adversely impact on the licensing objectives as the controlled activities should not result in public nuisance.



Richard Vivian BEng(Hons) MIET MIOA MAES MIOL  
Principal Acoustic Consultant, Big Sky Acoustics Ltd

## Appendix A - Terminology

### Sound Pressure Level and the decibel (dB)

A sound wave is a small fluctuation of atmospheric pressure. The human ear responds to these variations in pressure, producing the sensation of hearing. The ear can detect a very wide range of pressure variations. In order to cope with this wide range of pressure variations, a logarithmic scale is used to convert the values into manageable numbers. Although it might seem unusual to use a logarithmic scale to measure a physical phenomenon, it has been found that human hearing also responds to sound in an approximately logarithmic fashion. The dB (decibel) is the logarithmic unit used to describe sound (or noise) levels. The usual range of sound pressure levels is from 0 dB (threshold of hearing) to 140 dB (threshold of pain).

### Frequency and Hertz (Hz)

As well as the loudness of a sound, the frequency content of a sound is also very important. Frequency is a measure of the rate of fluctuation of a sound wave. The unit used is cycles per second, or hertz (Hz). Sometimes large frequency values are written as kilohertz (kHz), where 1 kHz = 1000 Hz. Young people with normal hearing can hear frequencies in the range 20 Hz to 20,000 Hz. However, the upper frequency limit gradually reduces as a person gets older.

### A-weighting

The ear does not respond equally to sound at all frequencies. It is less sensitive to sound at low and very high frequencies, compared with the frequencies in between. Therefore, when measuring a sound made up of different frequencies, it is often useful to 'weight' each frequency appropriately, so that the measurement correlates better with what a person would actually hear. This is usually achieved by using an electronic filter called the 'A' weighting, which is built into sound level meters. Noise levels measured using the 'A' weighting are denoted dBA. A change of 3dBA is the minimum perceptible under normal everyday conditions, and a change of 10dBA corresponds roughly to doubling or halving the loudness of sound.

### C-weighting

The C-weighting curve has a broader spectrum than the A-weighting curve and includes low frequencies (bass) so it can be a more useful indicator of changes to bass levels in amplified music systems.

### Noise Indices

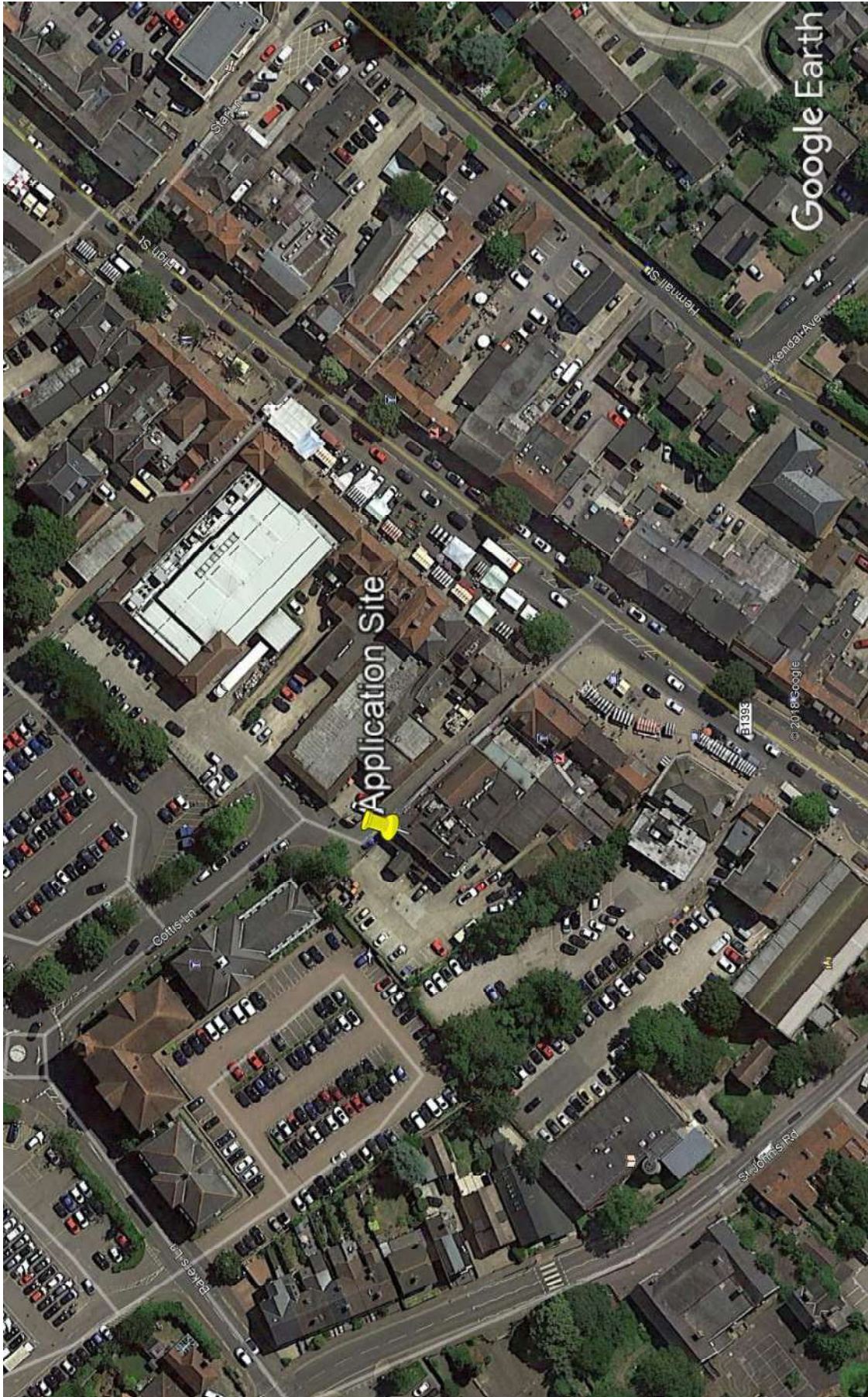
When a noise level is constant and does not fluctuate over time, it can be described adequately by measuring the dB level. However, when the noise level varies with time, the measured dB level will vary as well. In this case it is therefore not possible to represent the noise level with a simple dB value. In order to describe noise where the level is continuously varying, a number of other indices are used. The indices used in this report are described below.

- L<sub>eq</sub>** The equivalent continuous sound pressure level which is normally used to measure intermittent noise. It is defined as the equivalent steady noise level that would contain the same acoustic energy as the varying noise. Because the averaging process used is logarithmic the L<sub>eq</sub> is dominated by the higher noise levels measured.
- L<sub>Aeq</sub>** The A-weighted equivalent continuous sound pressure level. This is increasingly being used as the preferred parameter for all forms of environmental noise.
- L<sub>Ceq</sub>** The C-weighted equivalent continuous sound pressure level includes low frequencies and is used for assessment of amplified music systems.
- L<sub>Amax</sub>** is the maximum A-weighted sound pressure level during the monitoring period. If fast-weighted it is averaged over 125 ms, and if slow-weighted it is averaged over 1 second. Fast weighted measurements are therefore higher for typical time-varying sources than slow-weighted measurements.
- L<sub>A90</sub>** is the A-weighted sound pressure level exceeded for 90% of the time period. The L<sub>A90</sub> is used as a measure of background noise.

### Example noise levels:

Source/Activity	Indicative noise level dBA
Threshold of pain	140
Police siren at 1m	130
Chainsaw at 1m	110
Live music	96-108
Symphony orchestra, 3m	102
Nightclub	94-104
Lawnmower	90
Heavy traffic	82
Vacuum cleaner	75
Ordinary conversation	60
Car at 40 mph at 100m	55
Rural ambient	35
Quiet bedroom	30
Watch ticking	20

## Appendix B - Site location





## **Appendix C - Operational procedures for the control of noise**

### **Measures taken for supervision and management of guests in the Garden Room and front of the premises**

The Garden Room external terrace will be closed to guests from 23:00. After 23:00 only a select group of 20 supervised smokers will be allowed outside to smoke and all others will be directed to the designated area to the front of the premises only. The smoking area will be located directly in front of the pub around the benches.

No glasses will be permitted to be taken outside from 23:00.

#### **Garden Room supervisor**

When the Garden Room external area is in use, staff will be designated to ensure that guest's behaviour is monitored to prevent unnecessary disturbance to residents.

Guests acting unreasonably, such as speaking with raised voices, will be reminded that as a courtesy to neighbours and other guests that noise must be kept to a reasonable level.

If the guests persist, the Duty Manager should be informed

If required, The Duty Manager should again ask the guests to reduce the noise to a reasonable level or they will be asked to leave the Garden Room.

If they continue to make noise, they will be required to leave the Garden Room.

At 23:00 the doors to the external area will be shut to prevent general access by members of the public and only a select group of supervised smokers will be allowed to use the space for smoking only.

#### **Outside the front of the premises**

When the outside area is likely to be busy, in particular Thursday, Friday and Saturday evenings during hot sunny weather, the Duty Manager will appoint a single person to supervise the areas ('the supervisor) from 5pm onwards. The supervisor will be instructed that their sole duty will be the supervision of the outside areas until it closes or unless for any other reason it is empty (such as bad weather forcing all or most guests inside).

The supervisor will be also be responsible for keeping the outside areas tidy of glass, crockery etc.

The supervisor may be given additional roles and responsibilities that are located outside as required.

Guests will be supervised to ensure that they do not encroach on the road or past the last lamp post toward Warner House. Anyone found there is to be asked firmly and politely to move back into the designated area.

Guests acting unreasonably or not moving on request will be reminded that as a courtesy to neighbours and other guests that noise must be kept to a reasonable level.

If the guests persist, the Duty Manager should be informed

If required, The Duty Manager should again ask the guests to reduce the noise to a reasonable level or they will be asked to leave the outside area.

If they continue to make noise, they will be required to leave the outside area.

**Signage and other information to be used to remind guests using the outside areas do so in a way which will not cause a public nuisance to nearby residents**

Signs will be displayed in prominent positions and by the entrances and exits leading to both outside areas to make our guests aware of the consequences of late night noise and to be respectful to the neighbours.

A sign will be displayed on the lamppost before the entrance to Warner House reminding guests not to go past this area.

**Dealing with complaints from residents and ensuring staff comply with the complaint recording condition**

In the event of any complaint being received this will be dealt with immediately by a member of the Management team and the details recorded in writing. A complaints record book will be collated and a record will be kept at all times. This will be regularly reviewed by the Management team to identify any reoccurring incidents. All management team will be effectively trained on how to deal with complaints and accurate record keeping.

All staff members required to undertake duties in relation to this management plan will be asked to read a copy of this plan and a copy will be available to staff during their shifts if needed.

*Play House and Essex Roof Garden Management Team, July 2019*

This page is intentionally left blank