

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

- 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 - 14)**

To consider the attached information.

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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

There shall be no admittance or re-admittance to the premises (save for smokers) for a period of one (1) hour prior to the premises closing to the public.

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 checked daily to confirm that it is working.**
- (j) The CCTV system will be maintained bi-annually and details of maintenance will be made available upon request to the council.
- (k) 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.
- (l) 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 15 minutes before the premises close 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.

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