



Licensing Sub-Committee Monday, 29th July, 2019

You are invited to attend the next meeting of **Licensing Sub-Committee**, which will be held at:

**Council Chamber, Civic Offices, High Street, Epping
on Monday, 29th July, 2019
at 10.00 am .**

**Georgina Blakemore
Chief Executive**

**Democratic Services
Officer**

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

Members:

Councillors R Morgan (Chairman), I Hadley, C P Pond and P Stalker

PLEASE NOTE THE START TIME OF THE MEETING

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

(Director of Governance) To declare interests in any item on this agenda.

3. PROCEDURE FOR THE CONDUCT OF BUSINESS (Pages 3 - 8)

4. LICENSING ACT 2003- APPLICATION FOR A PREMISES LICENCE FOR PLAY HOUSE AND ESSEX ROOF GARDEN, 195-199 COTTIS LANE, EPPING, ESSEX, CM16 4BL (Pages 9 - 196)

To consider the attached report.

5. EXCLUSION OF PUBLIC AND PRESS

Exclusion: To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Paragraph Number	Information
-----------------------	----------------	--------------------------------	--------------------

Nil

Nil

Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Background Papers: Article 17 - Access to Information, Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information and in respect of executive reports, the advice of any political advisor.

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

Licensing Committee - Terms of Reference

- (1) The full Committee shall comprise 15 Councillors appointed by the Council at its annual meeting, including a Chairman and Vice-Chairman.
- (2) For the functions set out in Appendix 1, and the legislation listed in Appendix 2, a Subcommittee consisting of no more than any three Councillors drawn from the members of the full Committee shall be formed. Any such Subcommittee shall include, by rota, one of the six Licensing Subcommittee Chairmen appointed at each Annual Council meeting.
- (3) The Quorum for the Committee is set out in the Rules set out in Part 4 of this Constitution save that no business shall be transacted unless either the Chairman or Vice-Chairman of the Committee is present.
- (4) The Committee and Subcommittees shall have full authority to hear and determine licensing applications.
- (5) The Committee and Subcommittees shall be further empowered to determine appeals made against the decisions of the Director of Neighbourhoods taken under delegated authority on licensing applications. (See Council delegation schedule for more details)
- (6) The Committee shall at all times carry out its duties solely within the policy from time to time determined by the Council and shall conduct its proceedings in accordance with the requirements set out in Appendix 3 (Conduct of Business by Licensing Committee and Subcommittees).
- (7) The Licensing Committee shall take no part in the production or revision of the statement of licensing policy made under Section 5 of the Licensing Act 2003, however, they may determine policy under the legislation listed in Appendix 2 to this Article.
- (8) To be responsible for the consideration and approval of Designation Orders under Section 13 of the Criminal Justice and Police Act 2001 (Exercise of Controls over the consumption of alcohol in Public Places).

LICENSING ACT 2003 – LIST OF FUNCTIONS AND DELEGATED AUTHORITY

Matter to be dealt with	Full Committee	Subcommittee	Officers
Application for personal licence		If a police objection	If no objection made
Application for personal licence with unspent convictions		All cases	
Application for premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application for provisional statement		If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor		If a police objection	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a police objection	All other cases
Applications for interim Authorities		If a police objection	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint is irrelevant frivolous vexatious etc			All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases	
Determination of a police objection to a temporary event notice		All cases	
All policy matters except the formulation of the statement of licensing policy	All cases		

LIST OF STATUTORY POWERS

Those functions pertaining to licensing and registration and permits and consents contained in the following legislation and any regulations, orders, byelaws or other subsidiary legislation made under the above Acts:

Animal Boarding Establishments Act 1963
Breeding & Sale of Dogs (Welfare) Act 1999
Breeding of Dogs Act 1973
Breeding of Dogs Act 1991
Caravan Sites & Control of Development Act 1960
Caravan Sites Act 1968
Dangerous Wild Animals Act 1976
Gambling Act 2005
Guard Dogs Act 1975
House to House Collections Act 1939
Licensing Act 2003
Local Government (Miscellaneous Provisions) Act 1976
Local Government (Miscellaneous Provisions) Act 1982
Pet Animals Act 1951
Pet Animals Act 1951 (Amendment) Act 1983
Riding Establishments Acts 1964 & 1970
Scrap Metal Dealers Act 1964
Scrap Metal Dealers Act 2013
The Game Act 1831
Town Police Clauses Act 1847
Town Police Clauses Act 1889
Zoo Licensing Act 1981

PART A – CONDUCT OF BUSINESS BY LICENSING COMMITTEE AND SUBCOMMITTEES

All references to committee in this annex shall be taken to infer a reference to the associated subcommittees.

1. General Conduct

- 1.1 All hearings of the Licensing Committee under the Licensing Act 2003, are to be held in accordance with the Personal Licences, Hearings, Premises Licences and Club Premises Certificates, and Licensing Register Regulations, made under the Licensing Act 2003.
- 1.2 The Council's Constitution shall regulate the conduct of and debate at meetings.
- 1.3 In the case of hearings under the Licensing Act 2003, the Committee shall only consider those matters relevant to the licensing objectives as set out in the Licensing Act 2003 and the statement of licensing policy adopted by the Council.

2. Declarations of Interest

- 2.1 Members of the Committee are subject to the Council's Code of Conduct.

3. Participation in the Hearing

- 3.1 Debate shall be restricted to members of the Licensing Committee. Where a local ward member, not being a member of the Committee, wishes to participate in the hearing, they may do so only with the permission of the Chairman and their participation shall be subject to the same rules as are applied to any other witnesses to the application.
- 3.2 In hearings other than those under the Licensing Act 2003, where a ward member is a member of the Committee, and wishes to object to the application, the member shall give 14 days' notice of their intention, and shall play no part in the decision-making process of the Committee. In hearings under the Licensing Act 2003, those named as responsible authorities and interested parties in the Act may only make representations within the time limits set out in the relevant statutory provisions.
- 3.3 All persons participating in the hearing shall be made aware of the limitations or scope of statements that will be acceptable and, in particular, that statements should be factual or a fair statement on a matter of public interest.
- 3.4 In the case of any hearing pursuant to the summary review procedure under the Violent Crime Reduction Act 2006, the membership of any Subcommittee adjudicating on such a review shall comprise any three members drawn from the Licensing Committee subject to the proviso that no member should serve more than one hearing.

4. Attendance of the Public

- 4.1 The Council's Constitution and relevant statutory provisions relating to the admission or exclusion of the public shall apply to all meetings of the Licensing Committee.

5. Natural Justice

- 5.1 There are two elements to natural justice:

(a) Fairness

- (i) All persons affected by the decision or in the case of matters associated with the Licensing Act 2003, those named as responsible authorities and interested parties in the Act, will be allowed a hearing before a decision is made.
- (ii) Only objectors who can show clearly that they are affected by a decision shall be afforded the right to be heard or, in the case of hearings under the Licensing Act 2003, only those named in the Act as responsible authorities or interested parties.
- (iii) All information shall be made available, where possible in advance, to the applicant and the Committee.
- (iv) All members of the Committee shall be present throughout the hearing of a particular application. Where a member arrives late or leaves during a hearing of a particular application, that member shall play no part in the decision-making process. Where an application is adjourned it shall be continued by the same members only, and no others.
- (v) The Committee shall have discretion in respect of 'late' objections. Such objections shall be clearly marked on the agenda as such and the Committee shall decide on their acceptability. The applicant shall be advised of any late objections. In the case of representations made in relation to the Licensing Act 2003 applications, these shall only be accepted in accordance with the relevant statutory provisions.

(b) Prevention of Bias

- (i) The rules on the declarations of interest shall be firmly applied.
- (ii) If the Committee moves into private session to consider its decision, it shall be accompanied only by its advising officers, none of whom shall have taken a substantive part in the hearing, and shall play no substantive part in the decision-making process.

6. General Procedures for Hearings

- 6.1 The following procedural requirements shall be followed at all times:

- (a) There shall be no recommendation from officers on the agenda;
- (b) The Committee shall be supplied with copies of all relevant documentation and the process and order of procedure shall be as follows:

- (i) The Chairman will open the meeting and introduce persons as appropriate asking applicants and representatives to identify themselves.
- (ii) The Chairman will outline the procedure to be followed.
- (iii) The Lead Officer will outline the matter in hand.
- (iv) The applicant or representative will present his/her case, with or without witnesses, and be questioned by members or any objectors/persons making representations present.
- (v) Any objectors/persons making representations may then present their objections/representation, with or without witnesses, and be questioned by members or the applicant/s or their representative.
- (vi) The objectors/persons making representations may make a final statement (without introducing new issues).
- (vii) Finally, the applicant has the right to make a final statement (without introducing new issues).
- (viii) All evidence/disclosures are to be made in the presence of all persons, unless someone voluntarily excuses themselves from the proceedings.
- (ix) Committee members shall restrict themselves to questions and not discussion or comment.
- (x) The applicant, objectors/persons making representations shall be allowed to ask officers questions of a technical/factual nature at any time during the proceedings.
- (xi) An adjournment should be granted where to do otherwise would deny a fair hearing.
- (xii) The Committee may resolve to decide upon the application in private session, however, if it becomes necessary to recall anyone for additional information, everyone shall be invited to return to the Hearing.
- (xiii) The decision shall be given in the presence of all parties that wish to be present and confirmed in writing as soon as possible thereafter. If legal advice is given to members this advice will be repeated in summary form.

Report to the Licensing Sub-Committee

Date of meeting: Monday 29 July 2019

Subject: Licensing Act 2003- Application for a Premises Licence for Play House and Essex Roof Garden, 195-199 Cottis Lane, Epping, Essex, CM16 4BL



**Epping Forest
District Council**

Responsible Officer: Debbie Houghton, Licensing Officer 01992 564336

Democratic Services Officer: R Perrin

Decisions Required:

To consider an application for a Premises Licence under the Licensing Act 2003.

Report:

Application

1. An application has been made by CK Entertainments Ltd, Playhouse, Cottis Lane, Epping, Essex, CM16 4BL for a new premises licence at 195-199 Cottis Lane, Epping, Essex, CM16 4BL.

The application is for the following licensing activities: -

The Provision of Live Music

Thursday to Saturday 23.00 – 03.30, Sunday 23.00 – 00.30

(Non-standard timings New Year's Eve from 11.00 – 03.30 on New Year's Day)

(Sundays before bank holidays 23.00 – 03.00 the following day)

The Provision of Recorded Music

Thursday to Saturday 23.00 – 03.30, Sunday 23.00 – 00.30

(Non-standard timings New Year's Eve from 11.00 – 03.30 on New Year's Day)

(Sundays before bank holidays 23.00 – 03.30 the day following)

The Performance of Dance

Thursday to Saturday 23.00 – 03.30, Sunday 23.00- 00.30

(Non-standard timings New Year's Eve from 11.00 – 03.30 on New Year's Day)

(Sundays before bank holidays 23.00 – 03.30 the day following)

Anything of a similar description to that of above

Thursday to Saturday 23.00 – 03.30, Sunday 23.00 – 00.30

(Non-standard timings New Year's Eve from 11.00 – 03.30 on New Year's Day)

(Sundays before bank holidays 23.00 – 03.30 the day following)

Late Night Refreshment

Monday to Wednesday 23.00 – 00.00, Thursday to Saturday 23.00 – 03.30, Sunday 23.00 – 00.30

(Non-standard timings New Year's Eve from 11.00 – 03.30 on New Year's Day)

(Sundays before bank holidays 23.00 – 03.30 the day following)

The Sale by Retail of Alcohol

Sunday to Wednesday 11.00 – 00.00, Thursday to Saturday 11.00 – 03.00

On the premises only

(Non-standard timings New Year's Eve from 11.00 – 03.30 on New Year's Day)

(Sundays before bank holidays .00 – 03.00 the day following)

Opening Hours of the Premises

Sunday to Wednesday 11.00 – 00.30, Thursday to Saturday 11.00 – 03.30

(Non-standard timings New Year's Eve from 11.00 – 03.30 on New Year's Day)

(Sundays before bank holidays 11.00 – 03.30 the day following)

2. The application was received on the 4th June 2019.

The Operating Schedule sets out conditions which will be attached to the licence if this application is granted.

3. When considering an application for a licence the licensing authority must have regard to steps that are appropriate to promote of the licensing objectives.

These are—

- (a) the prevention of crime and disorder;
- (b) public safety;
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm.

4. It must also have regard to its Statement of Licensing Policy and any guidance issued by the Secretary of State.

Consultation

5. The Responsible Authorities have all received a copy of the application, it was also advertised at the premises and in a local newspaper. A copy of the Blue Notice is attached to this report.

6. All residences and businesses within 150 meters radius of the premises were individually consulted.

7. The authority has received 12 representations of objections from Essex Police, Environment and Neighbourhoods, Epping Town Council, 2 from the local ward Councillors, and 7 from local residents. Please see emails and copies of letters attached to this report.

8. There were also 12 representations from local businesses and residents in support of the application, copies of the representations are attached to this report.

9. The Objections relate to the Prevention of Crime and disorder, Prevention of Public Nuisance, and Public Safety and The Protection of Children from Harm.

- On the 4th January 2019 in accordance with Section 53b of the Licensing Act 2003 the Licensing Authority after reading a Summary Review submitted by Essex Police made a decision to take interim steps to suspend the previous premises licence with immediate effect until a review hearing as it was deemed there was a danger of further serious crime and serious disorder.

- A licensing Sub Committee hearing met on the 29th January 2019 to determine the Summary Review.

- The decision of the Licensing Sub Committee was to revoke the premises Licence of Club 195.

- The decision minutes from the hearing on the 29th January 2019 are attached with this report.

Guidance Issued by the Secretary of State

10. The Licensing Act 2003 provides that the licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182.

11. Sections 2.15 to 2.21 of the Guidance are relevant to this application

Options

In determining this application, the Sub-Committee may take any of the following steps as it considers necessary for the promotion of the licensing objectives, namely:

- (a) to grant the licence as applied for subject to the conditions mentioned in the Operating Schedule modified as the Sub-Committee considers necessary for the promotion of the licensing objectives; and the mandatory conditions specified in the Licensing Act 2003, or
- (b) to exclude from the scope of the licence any licensable activities to which the application relates, or
- (c) refuse to specify a person as the premises supervisor, or
- (d) reject the application

Determination

The Sub-committee is asked to determine the application having regard to

- (a) the content of this report and representations
- (b) any additional information obtained from the hearing
- (c) the Council's statement of licensing policy
- (d) Guidance issued by the Secretary of State, and
- (e) the steps appropriate to promote the licensing objectives.

Appeal

If any party is aggrieved with the decision they can appeal to Magistrates court. The appeal period is 21 days from notification of the decision.

Background Papers Used in Preparing This Report:

- The Licensing Act 2003
<http://www.legislation.gov.uk/ukpga/2003/17/contents?view=plain>
- The Secretary of State's Guidance issued under Section 182 Licensing Act 2003
- Epping Forest District Council's statement of licensing policy.
<http://www.eppingforestdc.gov.uk>

Attached documents

- Application for a Premises Licence.
- Plan of the premises
- Public Notice
- Map of the area
- Copies of representations of objections and support in the form of email or letter
- Copy of previous Premises Licence
- Copies of minutes for the Summary Review from Licensing Sub Committee of 29th January 2019
- Copy of Directors on Companies House for CK Entertainments Ltd.

This page is intentionally left blank

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We CK Entertainments Ltd

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
Play House & Essex Roof Gardens 195 – 199 Cottis Lane			
Post town	Epping	Postcode	CM16 4BL

Telephone number at premises (if any)	None
Non-domestic rateable value of premises	£34,250

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **Please tick as appropriate**

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i as a limited company/~~limited liability~~ partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - iii as an unincorporated association or please complete section (B)
 - iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable) [INTENTIONALLY BLANK]

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev) <input type="checkbox"/>	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable) [INTENTIONALLY BLANK]

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/> Please tick yes	
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name CK Entertainments Ltd
Address Registered office: Playhouse, Cottis Lane, Epping, Essex CM16 4BL Correspondence to (please): TLT LLP, 20 Gresham Street, London EC2V 7JE FAO: Luke Elford
Registered number (where applicable) 11951826
Description of applicant (for example, partnership, company, unincorporated association etc.) Company

Telephone number (if any) c/o 0333 006 1358 / 07799414692
E-mail address (optional) luke.elford@titsolicitors.com

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
A S	A P	┘┘┘┘

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
┘┘	┘┘	┘┘┘┘

Please give a general description of the premises (please read guidance note 1)

Nightclub and garden terrace

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?
(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

- Provision of regulated entertainment (please read guidance note 2)
- Please tick all that apply
- a) plays (if ticking yes, fill in box A)
 - b) films (if ticking yes, fill in box B)
 - c) indoor sporting events (if ticking yes, fill in box C)
 - d) boxing or wrestling entertainment (if ticking yes, fill in box D)
 - e) live music (if ticking yes, fill in box E)
 - f) recorded music (if ticking yes, fill in box F)
 - g) performances of dance (if ticking yes, fill in box G)
 - h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)



Supply of alcohol (if ticking yes, fill in box J)



In all cases complete boxes K, L and M

A [INTENTIONALLY BLANK]

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 5)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

B [INTENTIONALLY BLANK]

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

C [INTENTIONALLY BLANK]

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D [INTENTIONALLY BLANK]

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon		00:30	<u>Please give further details here</u> (please read guidance note 4) Live music within the nightclub element of the premises		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5) None		
Thur		23:00			
Fri		03:30	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
		23:00			
Sat		03:30	New Year's Eve from 11:00 until 03:30 on New Year's Day		
		23:00			
Sun		03:30	Sundays before bank holidays 23:00 – 03:00 the day following		
		23:00			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Recorded music within the nightclub element of the premises		
Mon		00:30			
			State any seasonal variations for the playing of recorded music (please read guidance note 5) None		
Tue					
			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6) New Year's Eve from 11:00 until 03:30 on New Year's Day Sundays before bank holidays 23:00 – 03:30 the day following		
Wed					
Thur					
	23:00				
Fri		03:30			
	23:00				
Sat		03:30			
	23:00				
Sun		03:30			
	23:00				

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon		00:30	Please give further details here (please read guidance note 4) Performances of dance as part of the nightclub element of the premises		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5) None		
Thur		23:00			
Fri		03:30	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
		23:00			
Sat		03:30	New Year's Eve from 11:00 until 03:30 on New Year's Day		
		23:00			
Sun		03:30	Sundays before bank holidays 23:00 – 03:30 the day following		
		23:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing Anything similar to live music, recorded music or performances of dance but not treated by the licensing authority as strictly falling within those categories		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon		00:30		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4) Anything similar to live music, recorded music and performances of dance as part of the nightclub element of the premises		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
	23:00				
Fri		03:30	None		
	23:00				
Sat		03:30	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
	23:00				
Sun		03:30	New Year's Eve from 11:00 until 03:30 on New Year's Day		
	23:00		Sundays before bank holidays 23:00 – 03:30 the day following		

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) Late night refreshment in the form of teas and coffees only.		
Mon		00:30			
	23:00	00:00			
Tue	23:00	00:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) None		
Wed	23:00	00:00			
Thur	23:00				
Fri		03:30	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6) New Year's Eve from 11:00 until 03:30 on New Year's Day		
	23:00				
Sat		03:30			
	23:00		Sundays before bank holidays 23:00 – 03:30 the day following		
Sun		03:30			
	23:00				

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	11:00	00:00	None		
Tue	11:00	00:00			
Wed	11:00	00:00			
Thur	11:00		Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri		03:00	New Year's Eve from 11:00 until 03:30 on New Year's Day		
	11:00				
Sat		03:00	Sundays before bank holidays 11:00 – 03:00 the day following		
	11:00				
Sun		03:00			
	11:00	00:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name James Hoffelner	
Date of birth	██████████
Address ██████████	
Postcode	██████████
Personal licence number (if known) ██████████	
Issuing licensing authority (if known) ██████████	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
			None
Day	Start	Finish	
Mon		00:30	
	11:00		
Tue		00:30	
	11:00		
Wed		00:30	
	11:00		
Thur		00:30	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
	11:00		
Fri		03:30	New Year's Eve from 11:00 until 03:30 on New Year's Day
	11:00		Sundays before bank holidays 11:00 – 03:30 the day following
Sat		03:30	
	11:00		
Sun		03:30	
	11:00		

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

Please refer to the applicant's schedule of suggested conditions

b) The prevention of crime and disorder

Please refer to the applicant's schedule of suggested conditions

c) Public safety

Please refer to the applicant's schedule of suggested conditions

d) The prevention of public nuisance

Please refer to the applicant's schedule of suggested conditions

e) The protection of children from harm

Please refer to the applicant's schedule of suggested conditions

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- ~~{Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships} I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).~~


IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her
--------------------	--

	proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	31/5/19
Capacity	Solicitors for the Applicant

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Luke Elford TLT LLP 20 Gresham Street			
Post town	London	Postcode	EC2V 7JE
Telephone number (if any)	0333 006 1358 / 07799414692		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) luke.elford@tltsolicitors.com			

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

General – all licensing objectives

AT ALL TIMES

There shall be a personal licence holder on duty at the premises from 17:00 until close 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 premises licence holder will ensure that all staff are trained commensurate with their roles at the premises in:

- 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.

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
- Security
- Drugs
- Weapons
- 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 covering all public areas (except toilets) 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 weekly to confirm that it is working and a record of that check made. In the event that the CCTV system is not working as it should the Premises Licence Holder will notify the Police Licensing Team accordingly.
- (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;
- (f) any faults in the CCTV system or searching equipment or scanning equipment;
- (g) any refusal of the sale of alcohol; and
- (h) any visit by a relevant authority, Police Service, Ambulance Service or Fire Brigade.

The log must be completed as soon as possible and within any case within 24 hours of the occurrence.

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.

WHEN NIGHTCLUB ELEMENT OPEN TO MEMBERS OF THE PUBLIC

In addition to the 2 x SIA licensed door supervisors employed from 21:00 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 21:00 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 each 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 and a note of a person they entered with (whose ID shall have been scanned) 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 21:00 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 15 minutes before the premises closes 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.

Public Safety

AT ALL TIMES

All external emergency exit doors shall be fitted with sensor alarms and visible indicators to alert staff when the doors have been opened.

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 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.

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

DPS CONSENT FORM

Consent of Individual to being specified as premises supervisor

James-Carl Hoffelner
(full name of prospective premises supervisor)

of



(home address of prospective premises supervisor)



(place of birth)



(nationality)

Hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

To vary a premises licence to specify an individual as the DPS
(type of application)

By

CK Entertainments Ltd
(name of applicant)

Relating to premises licence N/A
(number of existing licence, if any)

For
Play House and Essex Roof Gardens
195 – 199 Cottis Lane
Epping
Essex CM16 4BL
(name and address of premises to which the application relates)

And any premises licence to be granted or varied in respect of this application made by

CK Entertainments LTD
(name of applicant)

Concerning the supply of alcohol at
Play House and Essex Roof Gardens
195 – 199 Cottis Lane
Epping
Essex CM16 4BL
(name and address of premises to which application relates)

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal Licence Number

[REDACTED]

(insert personal licence number, if any)

Personal Licensing issuing Authority

[REDACTED]

(insert name and address and telephone number of personal licence issuing authority, if any)

Signed

Name (please print)

[REDACTED]
James-Carl Hoffe/hof

Date

Friday, 24 May 2019

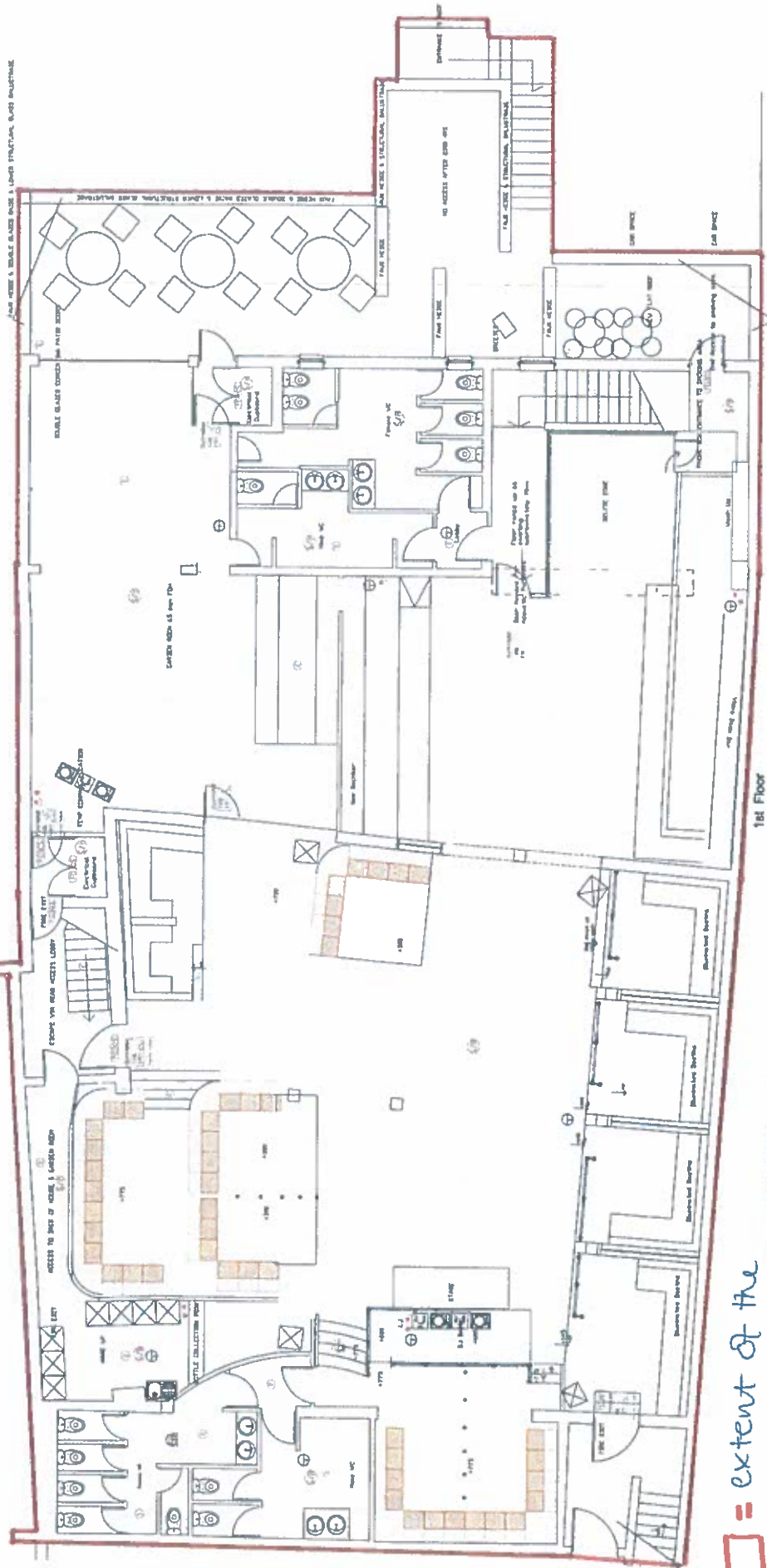
Please forward all correspondence associated with this application to:

Licensing – DPS Change
TLT Solicitors
One Redcliff Street
Bristol
BS1 6TP

Fax No: 03330 061492

Please note: If you are sending this form electronically you must also send the hard copy to Solicitors to complete the DPS change.

PLAYHOUSE + ESSEX ROOF GARDEN



= extent of the licensed premises



1. Licensable activities may take place anywhere within the red line.
2. The locations of any fire safety equipment are indicative only and subject to change in accordance with the requirements of the fire officer or following a fire risk assessment.
3. Any detail not required by the Regulations is indicative only and subject to change at any time.

PROJECT TITLE	Club 195 - Epping	DATE	19th Mar '19
DRAWING NUMBER	733502E	DESIGNER	S CUMMINGS
PROPOSED PLAN - REV F		CHECKED BY	
CLEAR		APPROVED BY	
DRAWN BY PROJECT MANAGER PROJECT ENGINEER PROJECT ARCHITECT PROJECT SURVEYOR PROJECT PHOTOGRAPHER PROJECT VIDEOGRAPHER PROJECT AUDIOGRAPHER PROJECT TRANSLATOR PROJECT INTERPRETER PROJECT TRANSCRIBER PROJECT TYPEWRITER PROJECT COPYER PROJECT BINDER PROJECT DELIVERER		PROJECT NUMBER PROJECT DATE PROJECT LOCATION PROJECT CLIENT PROJECT CONTACT PROJECT PHONE PROJECT EMAIL PROJECT WEBSITE PROJECT ADDRESS PROJECT COUNTRY PROJECT STATE PROJECT CITY PROJECT ZIP PROJECT FAX PROJECT PAGER PROJECT MOBILE PROJECT SOCIAL MEDIA	

Notice is hereby given that CK Entertainments Ltd has applied in respect of the Playhouse & Essex Roof Gardens 195 - 199 Cottis Lane Epping CM16 4BL for the grant of a new premises licence under the Licensing Act 2003 to permit the following:

- **Live Music & Recorded Music:** Thursday to Saturday from 23:00 to 03:30 and Sunday from 23:00 to 00:30;
- **Performance of dance:** Thursday to Saturday from 23:00 to 03:30 and Sunday from 23:00 to 00:30;
- **Anything similar to the above:** Thursday to Saturday from 23:00 to 03:30 and Sunday from 23:00 to 00:30;
- **Late Night Refreshment:** Monday to Wednesday from 23:00 to 00:00, Thursday to Saturday from 23:00 to 03:30 and Sunday from 23:00 to 00:30;
- **Supply of alcohol:** Monday to Wednesday from 11:00 to 00:00, Thursday to Saturday from 11:00 to 03:00 and Sunday from 11:00 to 00:00.
- **Proposed opening times:** Monday to Wednesday from 11:00 to 00:30, Thursday to Saturday from 11:00 to 03:30 and Sunday from 11:00 to 00:30.

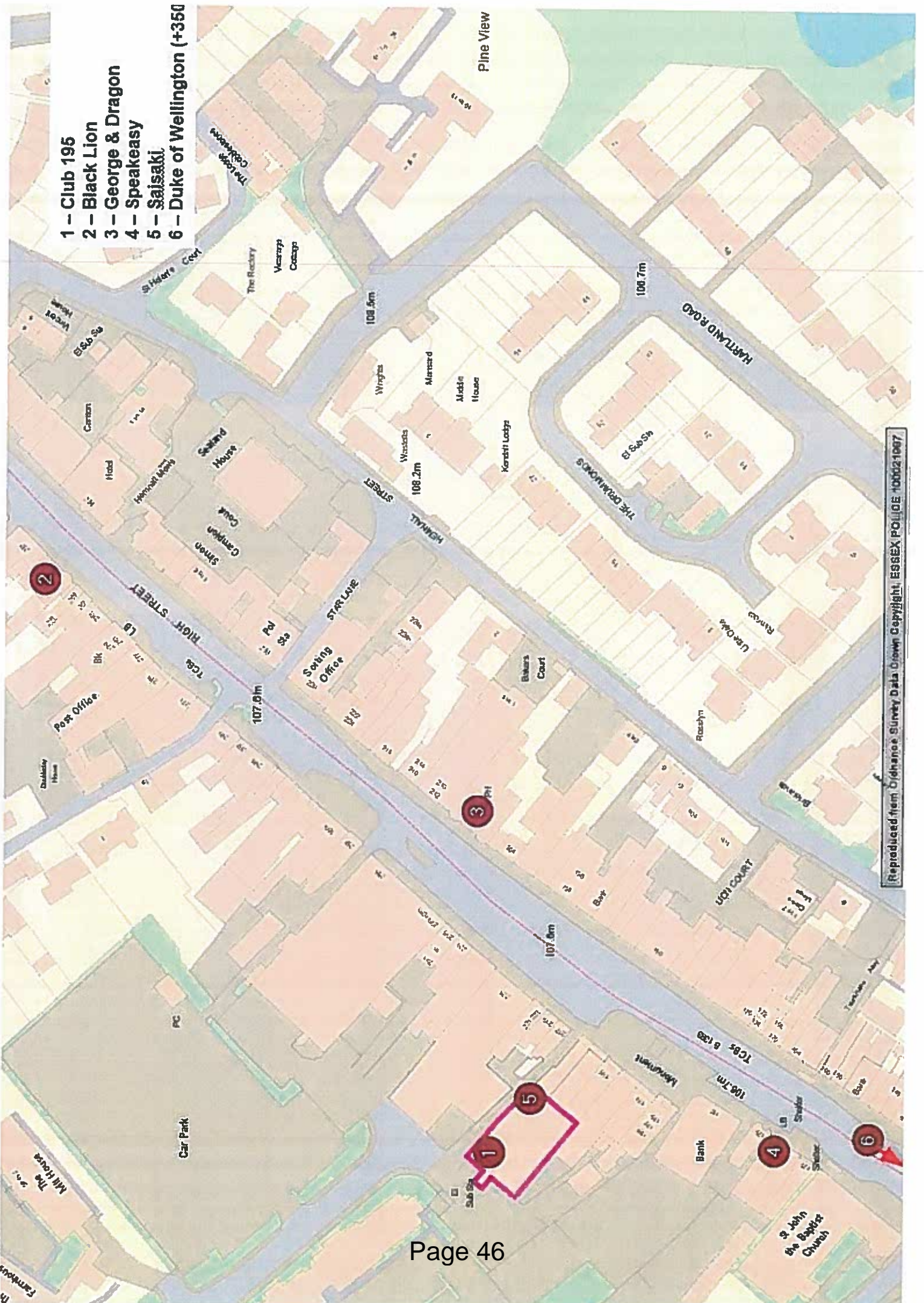
Please refer to the application for the full list of non-standard timings and conditions proposed.

Representations to this application must be made in writing, by the end of 2 July 2019, to the Epping Forest District Council Licensing Authority at Civic Offices, High Street, Epping, CM16 4BZ where the register of licensing applications can be inspected during office hours and/or at <http://www.eppingforestdc.gov.uk>.

It is an offence to knowingly or recklessly make a false statement in connection with this application. Persons will be liable on summary conviction to an unlimited fine.

TLT Solicitors, One Redcliff Street, Bristol, BS1 6TP

- 1 – Club 196
- 2 – Black Lion
- 3 – George & Dragon
- 4 – Speakeasy
- 5 – Sajsaki
- 6 – Duke of Wellington (+350)



Reproduced from Ordnance Survey Data Crown Copyright, ESSEX POLICE 100021007

Mrs K Tuckey
Licensing Department
Epping Forest District Council
Civic Offices
High Street
Epping
CM16 4BZ



Essex Police
Licensing Department
Braintree Police Station
Blyths Meadow
Braintree
CM7 3DJ

25th June 2019

Dear Mrs Tuckey,

OBJECTION TO APPLICATION FOR A PREMISES LICENCE (LICENSING ACT 2003)

In respect of a premises licence application for 'Play House & Essex Roof Gardens' Essex Police make representations under the licensing objectives of; prevention of crime & disorder and prevention or public nuisance.

The location of this premises previously traded as Club 195, a licensed premises whereby the premises licence holder was a company called KAC Entertainment Ltd; the directors of which were; and remain to be David KING and Scott CUMMINS. David KING was also the designated premises supervisor.

This licence was subject to a section 53 summary review, applied for by Essex Police following serious crime and serious disorder in the early hours of 1st January 2019.

As a result of this summary review interim steps were imposed; suspending the premises licence; and subsequently being revoked at a licensing sub-committee hearing on 29th January 2019.

The evidence Essex Police produced in support of the review is as relevant to this application as it was to the review. The premises operated predominantly on a Saturday evening into Sunday morning. Essex Police evidenced that on these nights there were numerous occasions where crime, disorder and public nuisance occurred at and within the vicinity of the premises; and those which occurred on a Sunday morning after 02:00hrs when no other premises were open deducing that it was reasonable to assume those involved were directly linked to Club 195 by way of patronage or association to.

Since the suspension and subsequent revocation there has been **NO** reported crime, disorder or public nuisance within the same geographical area and time scales.

At the review hearing the sub-committee made their decision which included:

'The lack of confidence in the management in how they have implemented their policies and procedures' and

'The lack of faith in management being able to successfully implement additional conditions.'

This application for a new premises licence is made by CK Entertainments Ltd of which the directors are David KING and Scott CUMMINS who are equal shareholders; as shown on the Certificate of Incorporation filed with Companies House.

Essex Police therefore submit that there is no change of management and so the lack of confidence remains.

The application seeks to have a night club element in the existing building on a Thursday, Friday and Saturday evening until 03:30hrs the following morning; as well as other specified days; thus tripling the number of days the night club will operate. In addition to this the applicant proposes a 'Roof Garden' seven nights a week.

The operating schedule provided is indifferent to the premises licence reviewed, and the days of operation significantly increased.

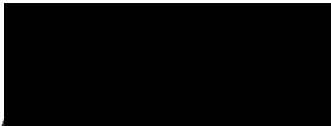
With this in mind Essex Police believe that on the balance of probabilities there will be an increase in crime, disorder and public nuisance.

Finally enquiries made with Epping Forest District Council Planning Department confirm that planning permission does not exist for the proposed 'Roof Garden' and use of it for the stated purposes within the application would constitute a criminal offence.

The Chief Officer of Police hereby objects to the proposed application and proposes to adduce further documentary and other material ahead of the hearing date in accordance with the statutory guidance and the relevant Hearing Regulations.

Please advise me of when the Licensing Panel will be meeting to hear this so representatives of the Chief Officer of Police can be in attendance.

Yours sincerely,



Mr Peter Jones MIOL, MBII
Essex Police Licensing Officer
Epping Forest | Harlow

CC. CK Entertainments Ltd c/o Luke Elford, TLT Solicitors
(by email – Luke.Elford@TLTSolicitors.com)

To: Corporate Support Services
Licensing Section
Kim Tuckey

From: Community & Partnerships Directorate
Richard Thomason
Environment & Neighbourhoods Officer

Date: Date: 01 July 2019

Our ref: WK/201918054



Epping Forest District Council

Licensing Act 2003
Play House and Essex Roof Garden, Cottis Lane, Epping, Essex, CM16 4BL

I refer to an application made under the Licensing Act 2003 regarding the above mentioned premises that I received on 20 June 2019

I would like to make the following representations with regard to the Licensing objective – Prevention of Public Nuisance, as detailed in the attached letter to the applicant dated 28 June 2019

I have visited the site and stood at the top of the building's rear fire escape, situated within the area of the proposed Roof Garden. The elevation affords a clear line of sight to the neighbouring properties along St John's Road. The nearest residential boundary is approximately 60m from the Roof Garden.

Set back from the main road, background noise within the locality is low during evening hours and I am concerned that loud voices and laughter of people on the Roof Garden will carry to the neighbouring properties.

As such, I object to this application regarding the use of the Roof Garden in the late evening/early morning due to the impact of people noise on nearby noise sensitive premises.

If the Licencing Panel are minded to grant the application, I would recommend that the following condition is added to the Operating Schedule:

The Roof Garden is closed at 22:00 hours to all patrons. Smokers are to be directed to another external smoking area at street level.

Reason: To ensure that people noise from the Essex Roof Garden does not cause a public nuisance.

If you wish to discuss any of my comments please contact me on 01992 564391.

Richard Thomason
Environment & Neighbourhoods Officer

Debbie Houghton

From: Geraldine Vallis <gvallis@eppingtowncouncil.gov.uk>
Sent: 28 June 2019 13:57
To: Debbie Houghton
Cc: Beverley Rumsey; Doreen Kennedy
Subject: CK Entertainments Ltd (formerly Club 195) new application for a premises licence
Attachments: CK Entertainments Ltd (Club 195).pdf

Importance: High

CAUTION: This Message originated outside of Epping Forest District Council. Do not click links or open attachments unless you recognise the sender and know the contents is safe.

Hi Debbie

Consultation – Application for New Premises Licence at 195-199 Cottis Lane CM16 4BL (formerly Club 295) – CK Entertainments Ltd

Thank you for the letter regarding the consultation on 195-199 Cottis Lane CM16 4BL.

Following our Planning Committee meeting last Tuesday when this consultation was discussed with our Members, Epping Town Council would like to make a representation objection against the application under the Licensing Act 2003 on the grounds of the licensing objectives regarding the prevention of crime and disorder and the prevention of public nuisance.

The reasons for this representation objection are that the hours have increased on its proposal, and it would not be appropriate in a semi-residential area. The Committee noted that the previous application for these premises was withdrawn by the Police and Licensing Committee.

Hope this is okay, please let me know.

Many thanks

Kind Regards

Geraldine

Geraldine Vallis
Planning & Events Officer
Epping Town Council
Epping Hall | St Johns Road | Epping | CM16 5JU | Tel: 01992 579444
www.eppingtowncouncil.gov.uk
Follow us on twitter: @eppingtown
My work days are Tues, Weds Thurs Fri 9am to 5pm

Email disclaimer

By contacting Epping Town Council you agree that your contact details may be held and processed for the purpose of corresponding.

The content of this email is confidential and intended for the recipient specified in the message only. This should not be shared with any third party, without written consent of the sender. If you receive anything in error from us, please let us know so this can be rectified.

You may request access to the information we hold on you and you may request to be removed as a contact at any time by emailing: info@eppingtowncouncil.gov.uk

To view Epping Town Council's Privacy Notice please visit: www.eppingtowncouncil.gov.uk

We take email security as a high priority and endeavour to keep our systems virus free. The sender does not accept liability for any damage inflicted by viewing the content of this email.

From: Debbie Houghton <doughton@eppingforestdc.gov.uk>

Sent: 04 June 2019 16:54

Subject: CK Entertainments Ltd (formerly Club 195) new application for a premises licence

Good afternoon,

An application has come in online from CK Entertainments Ltd for a new premises licence at 195-199 Cottis Lane Epping Essex CM16 4BL (formerly Club 195) the application is attached,

The Consultation period for this application starts 5th June 2019 and ends 2nd July 2019, any comments or representations need to be submitted within this time scale period, the application is for the following,

Live Music Thursday to Saturday 23.00 – 03.30, Sunday 23.00 – 00.30
(New Years Eve, 11.00 – 03.30 New Years Day, Sundays before a bank holiday 23.00 – 03.00 the following day)

Recorded Music Thursday to Saturday 23.00 – 03.30, Sunday 23.00 – 00.30
(New Years Eve, 11.00 – 03.30 New Years Day, Sundays before a bank holiday 23.00 – 03.00 the following day)

Performance of Dance Thursday to Saturday 23.00 – 03.30, Sunday 23.00 – 00.30
(New Years Eve, 11.00 – 03.30 New Years Day, Sundays before a bank holiday 23.00 – 03.00 the following day)

Anything of a Similar Description to that above Thursday to Saturday 23.00 – 03.30, Sunday 23.00 – 00.30
(New Years Eve, 11.00 – 03.30 New Years Day, Sundays before a bank holiday 23.00 – 03.00 the following day)

Late Night Refreshment Thursday to Saturday 23.00 – 03.30, Sunday 23.00 – 00.30, Monday to Wednesday 23.00 – 00.00,
(New Years Eve, 11.00 – 03.30 New Years Day, Sundays before a bank holiday 23.00 – 03.00 the following day)

The Sale by Retail of Alcohol, Thursday to Saturday 11.00 – 03.00, Sunday to Wednesday 11.00 – 00.00
(New Years Eve, 11.00 – 03.30 New Years Day, Sundays before a bank holiday 23.00 – 03.00 the following day)

Opening Times of the Premises, Thursday to Saturday 11.00 – 03.30, Sunday to Wednesday 11.00 – 00.30
(New Years Eve, 11.00 – 03.30 New Years Day, Sundays before a bank holiday 23.00 – 03.00 the following day)

Regards
Debbie

Miss Debbie Houghton
Licensing Officer

Neighbourhoods Directorate

Tel: 01992 564336

E-mail: dhoughton@eppingforestdc.gov.uk



DISCLAIMER

This email is for the use of the intended recipients only. Any opinion or advice it contains is that of the sender and does not bind the authority in any way. If you have received it in error, please notify the sender immediately and then delete the message. If you are not the intended recipient you must not use, disclose, copy or distribute this email. We have taken precautions to minimise the risk of transmitting software viruses, but we advise that you carry out your own virus checks on an attachment to this message. We cannot accept liability for any loss or damage caused by software viruses.

Internet email is not a secure communication medium, and we advise that you observe this lack of security when emailing us.

Epping Forest District Council

Postmaster@Eppingforestdc.gov.uk

Debbie Houghton

From: Mr les burrows [REDACTED]
Sent: 24 June 2019 15:09
To: Debbie Houghton
Cc: CHRIS WHITBREAD; Holly Whitbread
Subject: Re: CK Entertainments Ltd (formerly Club 195) new application for a premises licence

CAUTION: This Message originated outside of Epping Forest District Council. Do not click links or open attachments unless you recognise the sender and know the contents is safe.

Thank you for the email Debbie.

This application should be refused on the grounds of public safety, if the club is allowed to operate there will be a need to be a police presence particularly at closing time.

There is a history of fights and arguments breaking out when the club shuts and its clientele wait for the taxis.

If it were to open there needs to be airport style scanning devices for knives etc at all entrances including the smoking area where they can exit and then re-enter.

Also the closing hour is much too late as this is partly a residential area with apartments nearby.

Regards
Les Burrows

Councillor for Epping Forest District Council (Epping St Johns and Thornwood ward)

Houghton
<dhoughton@eppingforestdc.gov.uk> wrote:

Good afternoon,

An application has come in online from CK Entertainments Ltd for a new premises licence at 195-199 Cottis Lane Epping Essex CM16 4BL (formerly Club 195) the application is attached,

The Consultation period for this application starts 5th June 2019 and ends 2nd July 2019, any comments or representations need to be submitted within this time scale period, the application is for the following,

Live Music Thursday to Saturday 23.00 – 03.30, Sunday 23.00 – 00.30

(New Years Eve, 11.00 – 03.30 New Years Day, Sundays before a bank holiday 23.00 – 03.00 the following day)

Recorded Music Thursday to Saturday 23.00 – 03.30, Sunday 23.00 – 00.30

(New Years Eve, 11.00 – 03.30 New Years Day, Sundays before a bank holiday 23.00 – 03.00 the following day)

Performance of Dance Thursday to Saturday 23.00 – 03.30, Sunday 23.00 – 00.30

(New Years Eve, 11.00 – 03.30 New Years Day, Sundays before a bank holiday 23.00 – 03.00 the following day)

Anything of a Similar Description to that above Thursday to Saturday 23.00 – 03.30, Sunday 23.00 – 00.30

(New Years Eve, 11.00 – 03.30 New Years Day, Sundays before a bank holiday 23.00 – 03.00 the following day)

Late Night Refreshment Thursday to Saturday 23.00 – 03.30, Sunday 23.00 – 00.30, Monday to Wednesday 23.00 – 00.00,

(New Years Eve, 11.00 – 03.30 New Years Day, Sundays before a bank holiday 23.00 – 03.00 the following day)

The Sale by Retail of Alcohol, Thursday to Saturday 11.00 – 03.00, Sunday to Wednesday 11.00 – 00.00

(New Years Eve, 11.00 – 03.30 New Years Day, Sundays before a bank holiday 23.00 – 03.00 the following day)

Opening Times of the Premises, Thursday to Saturday 11.00 – 03.30, Sunday to Wednesday 11.00 – 00.30

(New Years Eve, 11.00 – 03.30 New Years Day, Sundays before a bank holiday 23.00 – 03.00 the following day)

Regards

Debbie

Miss Debbie Houghton

Licensing Officer

Neighbourhoods Directorate

Tel: 01992 564336

E-mail: dhoughton@eppingforestdc.gov.uk



DISCLAIMER

This email is for the use of the intended recipients only. Any opinion or advice it contains is that of the sender and does not bind the authority in any way. If you have received it in error, please notify the sender immediately and then delete the message. If you are not the intended recipient you must not use, disclose, copy or distribute this email. We have taken precautions to minimise the risk of transmitting software viruses, but we advise that you carry out your own virus checks on an attachment to this message. We cannot accept liability for any loss or damage caused by software viruses.

Internet email is not a secure communication medium, and we advise that you observe this lack of security when emailing us.

Epping Forest District Council
Postmaster@Eppingforestdc.gov.uk

Debbie Houghton

From: Handan Ibrahim
Sent: 03 July 2019 07:12
To: Licensing
Cc: Debbie Houghton
Subject: FW: License application ref, WK/201918146 (Play House and Essex Roof Garden, 195-199 Cottis Lane, Epping)

Debbie I believe this is yours

From: Jon Whitehouse [REDACTED] On Behalf Of Jon Whitehouse
Sent: 02 July 2019 23:59
To: Licensing <Licensing@eppingforestdc.gov.uk>
Subject: License application ref, WK/201918146 (Play House and Essex Roof Garden, 195-199 Cottis Lane, Epping)

Thank you for writing to me about the above licensing application. As well as being a resident in the vicinity of the premises I am also a district councillor representing the Epping Hemnall ward. This ward includes the south-eastern side of the High Street including a significant number of residential flats above shops opposite and close to the premises.

I object to the application on the basis of:

1. The prevention of crime and disorder

Previous experience has demonstrated that nightclubs in this location are extremely difficult to operate without being the source of crime and disorder. When the review of the previous Club 195 took place the police presented compelling evidence of a history of crime and disorder associated with the premises. This was despite the imposition on the club of very onerous and detailed conditions.

The current application is for times and activities very similar to those operated by the previous club. The council lost confidence in the ability of the previous operators to run the club safely and without incidents. There is nothing to suggest that circumstances have changed sufficiently to enable the council to have more confidence in CK Properties to operate without problems.

2. The prevention of public nuisance

Noise and disturbance from the smoking area, any roof garden, and from patrons leaving the club can be clearly audible at nearby residential properties including St Johns Road. This goes beyond what can normally be expected in a residential area even close to the town centre.

Kind regards

Jon Whitehouse

--

Jon Whitehouse
[REDACTED] St John's Road
Epping [REDACTED]
M. [REDACTED]

Governance Directorate
Civic Offices
High Street
Epping
Essex CM16 4BZ

█ St Johns Road
Epping
Essex
█

June 30, 2019

Dear Sir/Madam

OBJECTION

Ref: CK Entertainments Ltd – play house and Essex roof garden: Cottis Lane, Epping

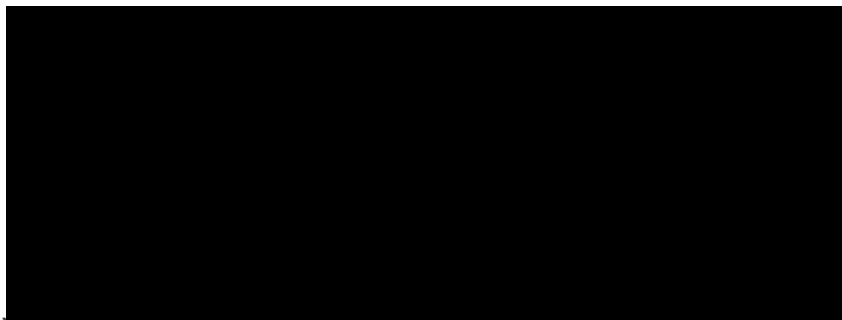
I would like to lodge my objection to a licence being renewed to CK Entertainments Ltd for the re-opening of the 195 Club in Cottis Lane, Epping.

As a resident of St Johns Road, I am concerned at the possible noise levels, the type of clientele the club may attract, the litter left in the streets and more importantly, a resurgence of the violence we have witnessed when the Club was previously trading.

The concern regarding violence is further exacerbated by the fact that there is no longer a police station in Epping.

Epping is a market town housing many young families. In my view the Town is not suited to this kind of business venture.

Yours faithfully



Joy E Moon (Miss)
█ St Johns Road

E: █
T: █
M: █

EPPING FOREST DISTRICT COUNCIL
02 JUL 2019

St. John's Road
Epping
Essex

29 June 2019

Licence Application
Play House and Essex Roof Garden
195-199 Cottis Lane, Epping, CM16 4NL

Dear Sir,

We are writing this representation regarding the licence application made on the address above.

The prevention of crime and disorder

There have been a number of incidents outside the club over the years including stabbing and other fights. We feel that re-opening the club as a Play House and Essex Roof Garden with late night/early morning opening may well increase the likelihood of these incidents happening again.

The prevention of public nuisance

When the club was open previously we could hear the music from our house. As the licence application specifically states "Nightclub and Garden Terrace" any use of the Garden Terrace will cause a public nuisance.

Again, when the club was previously open we would be woken up in the early hours by people shouting, screaming and swearing as they left the club. As members of the public, we are worried that this will start again should the club be given their licence.

Yours sincerely,


Clive and Elizabeth Hall

Epping Forest District Council
Licensing Unit Civic Offices
High St
Epping
Essex
CM16 4BZ

11th June 2019

Dear Sir/Madam,

**Representation against Playhouse & Essex Roof Garden, 195-199 Cottis Lane
Epping CM16 4BL**

I manage a housing scheme for the elderly situated in Bakers Lane quite close to the proposed nightclub and garden terrace. Bakers Villas is composed of 48 flats and bungalows with an age range of residents from newly retired to almost 100 and incorporating 50-60 residents at any time and I am representing those residents.

The grounds that I wish to make a representation are for the prevention of public nuisance.

Primarily the biggest nuisance to the residents will be noise. There have been night clubs in that spot sporadically for some years and noise has always been a problem, mainly when patrons are leaving the club and loitering around the area waiting for lifts or whatever. The noise continues after closure as staff dispose of bottles loudly in the bottle bank in the Cottis Lane car park. There is also a carrying level of noise of the music while the club is in operation. Our real concern is that 'roof garden terrace' insinuates an open air section that will undoubtedly make the noise of music and patrons carry even more easily to adjoining areas.

Secondly, our site is used as a 'short-cut' to the roads behind Bakers Lane when the club closes and that puts our vulnerable residents at risk of crime and harm. A few years ago a patron leaving the existing club smashed and broke through our rear entrance leaving a trail of blood over the corridors and dining facilities as he was running away from being beaten by a group leaving the club. Violence spilling out onto the front and back of the existing clubs has been a problem on almost a weekly basis when the clubs are in operation followed by the sound of sirens.

To be quite clear, the residents are opposed to any night club being so close to their homes and the many homes close by but feel that this proposal will be exacerbated by the open garden terrace where it will be difficult to contain the noise of music and patrons.

Yours faithfully


/ Suzanne Pitts
Clerk to the Society (CEO)

*The Mill House, 23 Bakers Lane,
Epping, Essex CM16 5DQ
Tel: 01992 575951 Fax: 01992 561163
E-mail: bbs@bakersbenevolent.co.uk
www.bakersbenevolent.co.uk*

President: The Hon. Mrs Rank
Clerk to the Society: Mrs S. Pitts BSc(Hons)Cert. EoLC

Charity Registration No 211307
Housing Corporation Registration A 1072

Bury Rd
Epping Essex

21/6/19

Epping Forest District Council Licensing Unit
Civic Offices,
High Street
Epping Essex
CM164BZ

Club 195 License Application, Cottis Lane, Epping

Dear Sirs

We wish to object to the application, for these reasons:

- Historically clubs in that location have drawn clients from beyond our District – visitors feel they have liberty to behave in a way they might not near home, yet they pose a burden on the local infrastructure eg police
- There has been an abysmal record of broken windows, litter, vomit to be seen on the following morning – nuisance and expense to the local community, particularly to shops at the top of the Lane.
- In the past clubs have failed to police or monitor the behaviour of clients beyond the club doors – and so many anti-social offences have occurred in the Lane and the High Street. The crime figures attributable to past clubs in the Lane have been infamous, including several of significant violence, one of which resulted in half the High Street being closed for several days – again, inconvenience and cost to all concerned, and damage to the reputation of the town.
- The hours for alcohol sales in the application run up to 3am. This is not the type of activity consistent with the town's oft-stated image as a "small market town" (ref EFDC & ETC documents). If a licence were to be given, perhaps it might be restricted to more sensible hours, such as those expected from local pubs. The noise and activities of some of the early - morning revellers must make the lives of nearby residents literally intolerable.
- As well as the alcohol related problems, there have been other substances commonly in use at past venues; the evidence of which was to be found in adjacent lanes, alleys, car parks and backyards. This had improved since the last closure – so why risk going back?
- In the past, the owners of the various clubs have been reluctant to engage in any local community activity – such as sponsoring charity events, indicating a somewhat selfish attitude.
- Lastly many of the visitors come in by minibus and stretched limos, which in the past have had the habit of waiting with their engines running, contributing to air pollution; which is already an issue in the District.

We therefore urge the Council to ideally refuse the application, especially if it being made by the previous operator; or make acceptance temporary and provisional, subject to limited hours and a commitment by the operators to seriously address the issues raised by such an application.

Faithfully

Mr R K & Dr D M Lowry

From:
J Potton
[REDACTED] St Johns road
Epping
Essex
[REDACTED]

To: Epping Forest District Council

Dated: 1st July 2019

Representations under the Licensing Act 2003

Date of application: 4th June 2019
Applicant name: CK Entertainments Ltd
Address of premises: Play House and Essex Roof Garden, 195-199 Cottis Lane, Epping,
Essex, Cm16 4BL

I would like to make representations against the application on the following grounds:

The prevention of public nuisance

I strongly object on the following basis. The noise carries from the premises directly through to our home. The noise from any outside garden would most definitely carry into our home and disturb us throughout the night. Previously when the club has been open we are kept awake through the night long after the club had closed in the early hours. We can clearly hear the music and people shouting, laughing, screaming, swearing and singing etc. right through to long after the club has closed. Our children are kept awake long after their bedtime, into the early hours of the morning. This obviously affects their education as they are then tired in school. My daughter has epilepsy and by keep being woken up and having broken sleep caused seizures. This sort of harmful behaviour should not be allowed to be forced onto children.

My husband works six days a week including weekends and has to be up by 5.30. If the club stays open until 3.30 on any night then he would get no sleep at all as the noise carries on after the club has closed with people leaving the club, walking around the streets laughing, arguing, drunkenly shouting, swearing and screaming etc. There are also car doors slamming and cars screeching for long after the club has shut. Being subject to this behaviour and noise even after 9.00 pm is unacceptable when people need to get for work and school the next day. We can hear the tube late at night so you can imagine how loud and unbearable the noise from the night club is.

The protection of children from harm.

I strongly object on the following basis. The noise carries from the premises directly through to our home. The noise from any outside garden would most definitely carry into our home and disturb us throughout the night. Previously when the club has been open we are kept awake through the night long after the club had closed in the early hours. We can clearly hear the music and people shouting, laughing, screaming, swearing and singing etc. right through to long after the club has closed. Our children are kept awake long after their bedtime, into the early hours of the morning. This obviously affects their education as they are then tired in school. My daughter has epilepsy and by keep being woken up and having broken sleep caused seizures. This sort of harmful behaviour should not be allowed to be forced onto children.

The prevention of crime and disorder

The management of the previous club on the premises – which happen to be the same management for proposed club now – always distanced themselves from any trouble in the local area by saying that it was nothing to do with them. They refused to accept responsibility. Since the club lost its license (with the same management) and closed there has been practically zero crime and disorder in the early hours of the morning. The management actively entice people from all of the country to their club, and they appear to have absolutely no respect for the local community. If the club wasn't open then these people would not be wondering around Epping at 4.00 am, as has been shown since it has been closed. As it is the same management you would have to presume that all of the reasons why the premises lost its license would still exist as the management wouldn't accept any responsibility for its actions before.

Public safety

The management of the previous club on the premises – which happen to be the same management for proposed club now – always distanced themselves from any trouble in the local area by saying that it was nothing to do with them. They refused to accept responsibility. Since the club lost its license (with the same management) and closed there has been practically zero crime and disorder in the early hours of the morning. The management actively entice people from all of the country to their club, and they appear to have absolutely no respect for the local community. If the club wasn't open then these people would not be wondering around Epping at 4.00 am, as has been shown since it has been closed. As it is the same management you would have to presume that all of the reasons why the premises lost its license would still exist as the management wouldn't accept any responsibility for its actions before.

J Potton



Governance Directorate
Civic Offices
High Street
Epping
Essex CM16 4BZ

Rayfield
Epping
Essex

02 JUL 2019

1st July 2019

Dear Sir/Madam

OBJECTION

Ref: CK Entertainments Ltd – play house and Essex roof garden: Cottis Lane, Epping

I would like to lodge my objection to a licence being renewed to CK Entertainments Ltd for the re-opening of the 195 Club in Cottis Lane, Epping.

When the Club was previously open for just one evening the noise, violence and litter was unacceptable, opening for even more days and longer hours would just exacerbate these problems.

Epping is a not suitable for such a Club and has no call for one, this Club caters mainly for non-Epping residents and therefore should locate in an area where their clientelle reside rather than bring them into our quiet market town.

Since they lost their previous licence the difference in violence, litter and noise on Saturday nights has been staggering.

Allowing this Club to have a licence even for one night would be extremely detrimental to the residents of Epping, I really hope the Club will not be given any sort of licence ever again.

Yours faithfully

Jacqui Mortimer

E:

T:



**PLAY HOUSE & ESSEX
ROOF GARDEN**

**REPRESENTATIONS IN
SUPPORT
OF
APPLICATION**

Play House & Essex Roof Garden

Schedule of supporting representations

#	Name/Business
1	Councillor Tracey Thomas
2	Ms Lucy Ager
3	Ms Martine Altman/Speakeasy Bar
4	Ms Shefali Begum/Subway franchisee
5	Mr Jamie Hampton/Toni&Guy
6	Mr Hali Dogun/Poppy's Charcoal Grill
7	Ms Amber Thomas
8	Mr Paul Nelson/Sadlers Taxi Group/Elite Taxis
9	Mr Paul Coe
10	Mr Tony Church & Ms Hilary Nicholls
11	Mr Stewart Bowles

CLLR CLLR TRACEY THOMAS

Spring Pond Meadow, Hook End, |

28th June 2019

To Whom It May Concern:

As a former chairman of the licensing sub-committee at Epping Forest District Council, I am submitting this letter in favour of the application of Playhouse and rooftop gardens in Epping.

In the last 10 years I have attended the previous club (known as Club195) and have enjoyed many nights there, feeling safe both inside and outside of the club. I have felt the team have always made sure that their clients are having an enjoyable night whilst also taking good care of security. For example having an ID scan process upon entry and being meticulous about its use. They have always had a lot of security staff within the club monitoring all areas so I have always felt very safe there.

On occasions they have also assisted my friends and I in getting a cab from a local company safely.

I feel that the area could benefit from having a new place to attend in the evenings as apart from restaurants, Epping doesn't have any nightlife.

Yours faithfully,

Cllr Tracey Thomas

LUCY AGER



**MOWBRAY CLOSE
EPPING
ESSEX**

**RECIPIENT NAME
REF: PLAYHOUSE APPLICATION**

1st June 2019

To whom it may concern

I am writing to express my support for the application of Play House, at the former Club 195 venue.

I live in Epping and have used the venue for many years and it has been a big part of mine and my friends social lives.

As there is little else in the way of venues in Epping, we now find ourselves going into London for our nights out. This of course means that we no longer use the restaurants or bars in Epping beforehand, but take our business out of the local area and into Central London.

During our many visits to Club 195, me and my friends have always been made to feel very welcome and have always found it to be a safe and welcoming environment.

I know from speaking to other people in the area, local businesses, school Mum's etc., that there are a lot of people who feel exactly the same way that I do and that we would all benefit from these premises being reinstated.

We would urge you to look at their application with this in mind and take these factors into consideration when finalising your

decision.

Yours faithfully,

Lucy Ager

Speakeasy Bar
Licensing Dept.

175 High Street
EFDC

Epping
Civic Offices

Essex
Epping

CM16 4BI
Essex

22nd June 2019
CM16 4BZ

Dear Sir

Further to the license application for Play House and the Epping Roof Garden.

My name is Martine Altman and I am the manager of Speakeasy Bar in Epping.

Since the closure of Club 195 in January 2019 we have seen a down turn in our business. Most of our local customers and Club 195 customers begin their evening with us before moving on to Club 195. We have always worked very well and very close with Club 195 and hope that we will have the same relationship with the new venue.

There has been a late night venue in Epping in the same location as Club 195 for as long as 40 years. Epping needs a late night venue and as a local long living resident of Epping in have spent many happy times at the venue as well have a lot of my friends.

I talk to local people on a daily basis and I know how much that they all miss the venue and now have to travel long distances for a later night.

Having a good safe run late night venue adds value to Epping making the bars, pubs and restaurants busy and offering a vibrant high Street.

I really hope that the committee considers my letter of support and grant Play House and the Epping Roof Garden a license.

Yours Faithfully

Martine Altman

Manager

Subway

146 High Street

Epping

Essex

CM16 4AG

To whom it may concern

My name is Shefali Begum I am owner and manager of Subway Epping and am writing to you to support the license application for Playhouse.

Since Club 195 has been shut my business has suffered on Saturday nights we are now considering closing due to the lack of business.

I have always had a good relationship with the customers of 195 they are nice good people who never cause us any aggravation. Also the staff and doormen are very helpful and use my shop.

Epping has definitely lost something since Club 195 has been closed. In my opinion Epping needs a night club for all the local customers that use my shop they now don't have any where to go late at night.

Thank You

Shefali Begum

Toni & Guy
191, High Street
Epping.
Essex
CM16 4BL
20th June 2019

Dear Sir

I am the manager of Toni & Guy Epping.

I wish to express my support of the Play House and Epping Roof Garden application for a license to sell alcohol.

I have been the manager for 16 years around the time that Club 195 opened. During this time i watched Club 195 grow into a successful night club and become a destination for party goers who could enjoy a good safe night out. The club also brought a lot of business to the high street. I know from our local customers they would be in my salon excited about attending the club during that weekend.

The disappointment in our customers since the closure of club 195 has been over whelming. I know talking to other businesses that the closure has affected us all.

I have known both David King and Scott Cummins since i have been working in Epping and attended Club 195 numerous times. I have always found them to be professional and their attention to detail is second to none. It was a shame that Club 195 lost its license due to a few idiotic individuals but i fully understand the council's decision.

It is without doubt that Epping should have a late night venue for people to be able to enjoy themselves safely and after seeing the new plans for the new venue i know that Playhouse and the Epping Roof Garden is the exact venue that we need.

Yours Faithfully

Jamie Hampton
Salon Manager

Poppy's Charcoal Grill

142, High Street,

Epping

Essex

CM16 4AG

17/06/19

Ref Club 195 License application

Dear Sir

I write giving my support to the license application for Play House and Epping Roof Garden.

There has been a night club in Epping for as long as I have traded in Epping. The night club has always added value to my business and other restaurants and bars in the immediate area. I have seen a down turn in my business since the previous club has been closed.

I have never had any reason not to serve any nightclub customers they have always acted sensibly, friendly and respectful in my business.

I am hopeful that the license is granted as Epping needs a thriving night time economy for all restaurants, bars and takes away services.

Kind Regards

Hali Dogun

Dear Sirs,

I am writing in regards to the closure of Club 195 in Epping. Since the club has been closed, mine and my friends nights out have not been the same.

There are no good clubs like this one in the area or even close that are fun, plays good music until 3am and that invites a wide range of people of all different ages.

The owners are warm and welcoming, they look after their customers the best they can and have always made me and my friends feel safe and looked after.

The cab fair all the way from Epping to the closest clubs are between £30 - £60 which is a lot of money to spend before the night has even started for one way, when I had a club on my front doorstep that I could get an £8 cab from.

When myself and my friends go to clubs like Faces in Ilford, we do not feel safe due to the type of area and people that live there, then if you go in the opposite direction to Chelmsford, Brentwood or Romford we equally don't feel safe because we do not know anyone in the vicinity.

I think it should be taken into consideration the safety risks other young girls and boys like myself and my friends are put into by having to travel half an hour to an hour journey to visit a nightclub with the possibility of getting stuck and possibly taken advantage of whereas we had somewhere to go which was well run and close to home.

We understand the obvious reason the club has been closed, however the incident occurred six months ago and was really and truly out of anyone's control. The incident could have happened on the street, outside the club or anywhere at all. If someone has the intent to harm someone else as violently as they did then it will happen wherever the individual choses to attack. Because of this one selfish act from one person to another it has caused a very large amount of people to stop visiting this popular, well-known club.

As a community of young people from this area we strongly believe this decision which has been in place for the last six months needs to be looked at and reconsidered. The harsh truth of the matter is the UK crime rate has and never will be good regardless of what clubs, pubs or bars are open and in the long run it is just making more and more people have to go to new areas where they are not and do not feel safe to be in just to have a good night out after a long week at work.

Yours sincerely

Amber Thomas

**Sadlers Taxis Ltd
4 Station Road
Epping
Essex**

To Whom It May Concern

2nd July 2019

Dear Sirs

Re Licensing for Club 195

I write to present my support of the license application of Play House and The Epping Roof Garden.

I have been an Epping Forest resident for 55 years and have enjoyed all that Epping Forest has to offer. In my younger days I enjoyed frequenting the nightclubs in the area such as Epping Forest Country Club, Charlie Chan's and Club 195 when it was known as Illusions, Billy Jeans and La Taverna.

I now employ nearly 120 taxi drivers within the Epping Forest District and have been finding business within the night time hours more and more difficult due to the closure of pubs, bars and nightclubs.

Prior to owning a taxi company for over 25 years I was a nightclub owner, licensee and promoter of large scale events so I do understand the pressures of operating a nightclub. I have operated nightclubs where there has been licensing issues, I have had to evacuate a large scale event due to poor weather and I have also won "London Club of the Year" twice so I do understand the responsibilities of the council, police and night club owners and whilst I am supporting the new licence application I do suggest that they all need to work closely with each other to minimise the risk of future incidents.

There has been a night club at that venue for over 40 years which has always added value to the district.

Rather than closing the nightclub down I would like to suggest the following


- Grant the licence until 2am. Anything past this adds more chance of problems and anything earlier than this makes it hard to attract customers.
- Music Policy- The main thing that determines what type of clientele frequents a modern nightclub is the music policy. Whilst there is always a risk of minor problems in any nightclub by carefully marketing to clientele offering either House, Trance, 70s/80s, Over 30s, Disco, Live Bands or alternative music generally reduces the chance of problems over R & B, Rap, Grime etc. So I suggest the venue owners guarantee the authorities they will maintain a high standard at all times.
- Security Staff- Even the best security will not be able to stop trouble either inside or outside the venue if the promoters attract a problem clientele but if a nice clientele are

attracted and a professional security team are employed this will make a big difference.

I ask the authorities to grant the new license application and thus help save the night time economy in Epping rather than lose a valuable local business. I am happy to give any further advice independently to the applicants, authorities or the licensing committee if so requested.

Kind regards

Paul Nelson


Sadlers Taxi Group
Sadlers Taxis- Loughton
Elite Taxis-Epping
Advance Taxis-Sawbridgeworth

Tempest Mead
North Weald
Epping

28th June 2019
Ref: PJC/playhouse

To Whom it May Concern

License Application for the Playhouse and Epping Roof Gardens

Dear Sirs/Madam,

With reference to the above, I would like to add a letter of support for the aforementioned application.

As background, I have lived in North Weald for over 15 years, having originally grown up in the East End of London. After the birth of my daughter we decided to move to a more rural, safer environment. Since moving I really enjoyed living in the area and I commend the council on its environmental goals and aspirations, which being in the water business is fundamentally within my ethos.

From a business standpoint I own, hold shares or on the executive board of the following companies globally:

1. Aquarion - Switzerland
2. H+E Water - Germany
3. H+E Asia - Singapore, Malaysia, Philippines
4. H+E UK
5. Gemwater - Milan
6. Helipad Company

Apart from General Management activities I am largely responsible for developing the commercial platform of each of the businesses, to ensure success developing sales and networks for the above is extremely important. For my companies this involves a great deal of entertaining and client visits to the UK.

Through Club 195 I have personally known Scott Cummins and David King since I moved to the area. From which I have built up a very good, close working relationship, having used their services for the past 15 years.

They have the upmost integrity and provide an added value in the field of services, in entertainment for Epping, where I frequently attended Club 195 with clients. In my opinion it's vitally important to have a local safe environment to entertain company guests, especially from overseas, offering something different.

I can provide references of clients who have visited Epping and can provide testimony of their good experiences of Club 195. Scott and David have made all of my clients extremely welcome in a safe, entertaining environment. They are both a credit to the area.

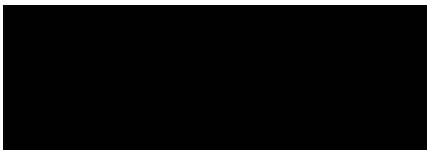
Since the venue closed, I have been entertaining clients in London, away from Epping. This in my opinion is detrimental to other businesses, the community and revenue generation, they are not benefiting from any pre-venue dining or cultural experiences of having people from overseas in the local community.

Unfortunately from going into London we are taking away the local feeling I enjoy giving my clients. They always go the city and are always looking for something different and having the full package locally is a distinct advantage for my companies and surrounding businesses.

The new proposed Playhouse and Epping Roof Gardens is an essential asset to my business and the area. Differentiating yourself is key to success and giving my client base the same as everybody else is not a competitive advantage, hence having a local venue, different and outside London is a must.

Please kindly support this application and do not hesitate to contact me if you have any questions. Given the importance of this new venture to my companies, network and future business I would be more than happy to meet the council in person to discuss in detail.

Yours faithfully,

A large black rectangular redaction box covering the signature area.

Paul J Coe

Lion Court
Hernall Street
Epping
Essex

Epping Forest District Council

Licensing Unit.

Civic Offices

High Street

Epping

Essex

CM16 4BZ

By Hand

28th June 2019

Dear Sirs,

Re:- Application for Premises Licence – Applicant Name: CK Entertainments Ltd

Address: Play House and Essex Roof Garden, 195-199 Cottis Lane, Epping, Essex CM16 4BL

Further to your letter of 5th June last, I am writing on behalf of myself and my Fiancee, Hilary Nicholls, in support of the new Licence application.

We have lived until recently at 205 High Street, Epping and have now moved across the road to the above address. We were the closest and potentially the most affected residents of the previous Club. We were above Toni & Guys Hairdressers and W H Smith's and we were on the first floor directly in front of the Club. Even our entrance was a common fire exit with the Club.

We had no difficulties or major disturbances with the Club and never felt in danger from it, even in the early hours of the morning. The doormen were very efficient within their own geographic limits. Although we are aware of only one incident within the Club, this was due to the perpetrator entering via a rear entrance whilst the doormen were distracted. This would be resolved by tighter security and 'airport-style' scanners to prevent any weapons being taken into the Club. I understand this has been offered.

In the past, when the doormen were allowed to patrol the Piazza on the High Street after closing times, there were very few incidents and all of a minor nature.

Another aspect is the monitoring of the minicabs and taxis that collect after closing times, as it seems unregulated, or at least, unpoliced, and this causes arguments.

However, I believe Epping benefits from such a premises, subject to the above additional measures. It brings employment and diversity to the town and some much needed recreation for the youth of Epping and it's surrounds. Having lived next to the previous Club for over four and a half years, we never experienced any problems or fears and would thoroughly support this application.

Should you require any further information, please contact me on [REDACTED]

Yours faithfully

[REDACTED]
Tony Church

For and on behalf of myself (A J Church) and Hilary Nicholls

21/06/19

Mr S Bowles

████████ Cottage

Off Garnon Mead

Coopersale

████████

To Licensing Dept EFDC

I write in reference to the license application of Play House and Epping Roof Garden to give my full support.

I have been a resident of EFDC for over 20 years and in the last 15 years have been a regular customer of Club 195, which I have always found to be a very well run venue.

A large part of my business is corporate entertainment. Over the past 15 years I have entertained many of my clients in the pubs and restaurants in Epping before moving on to finish our evening at Club 195. Since the closure of the venue I now entertain my clients in areas such as Brentwood, Chelmsford and London, as these areas can offer us food, drink and a late night venue, taking business away from Epping High Street.

This saddens me as I have seen over the last 6 months Epping's night time economy rapidly deteriorate.

The sooner that a late night venue returns to Epping the better, as it will help support all of Epping's night time economy.

Stewart Bowles

21st June 2019

Mrs K Bowles
[REDACTED] Cottage
Off Garnon Mead
Coopersale
[REDACTED]

Epping Forest District Council

This letter is in support of the application regarding the Playhouse and Epping Roof Garden, 195-199 Cottis Lane, Epping.

I have been going to this licenced premises for the past 15 years and have had many great nights there. The atmosphere is always amazing and the staff are very polite.

I have a son who will be 18 in less than 18 months and I would much prefer him to attend a local club for many reasons, for example, I know the venue and very easy to get home, less cost to him getting a taxi home, supporting local businesses.

[REDACTED]

Mrs K Bowles

PREMISES LICENCE

Part A



Neighbourhoods

Premises licence number:

LN/210005029

Part 1 – Premises details:

Postal address of premises, or if none, ordnance survey map reference or description:

Club 195

195-199 Cottis Lane

Post Town: Epping

Post code: CM16 4BL

Telephone number:

Where the licence is time limited the dates: N/A

Licensable activities authorised by the licence:

Performance of Plays
Exhibition of Films
Indoor Sporting Events
Live Music
Recorded Music
Performances of Dance
Provision of Entertainment Facilities for Making Music and Dancing
Late Night Refreshment
Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:

Monday – Sunday 08.00 – 03.00

The opening hours of the premises:

Monday – Sunday 08.00 – 03.30

Non Standard days –1 extra hour opening as per point 33 of the Licence Conditions

Where the licence authorises supplies of alcohol whether these are on and / or off supplies:

On and off

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence:

KAC Entertainment LTD, Lawford House, Albert Place, London, N3 1QA.

Registered number of holder, for example company number, charity number (where applicable):

Company No. 10591345

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

David King
[REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

[REDACTED]
Epping Forest District Council

Mandatory Conditions

All Premises Licence authorising supply of alcohol

The licence is granted subject to the Mandatory conditions for sale of alcohol as set out in the Licensing Act 2003 as amended by the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 and Order 2014.

1. No supply of alcohol may be made under the Premises Licence –
 - (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
 - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.

3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a

period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-

(a) a holographic mark or

(b) an ultraviolet feature.

6. The responsible person shall ensure that –

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1 –
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) “permitted price” is the price found by applying the formula –
$$P = D + (D \times V)$$
Where –
 - (i) P is the permitted price
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –

- (i) The holder of the premises licence
 - (ii) The designated premises supervisor (if any) in respect of such a licence, or

 - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

If the Premises Licence allows Exhibition of Films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.

3. Where

(a) The film classification body is not specified in the licence, or

(b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

4. In this section "children" means any person aged under 18; and

"film classification body" means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

**If the Premises Licence has conditions in respect of Door Supervision
except theatres, cinemas, bingo halls and casinos**

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- (b) be entitled to carry out that activity by virtue of section 4 of the Act.

2. But nothing in subsection (1) requires such a condition to be imposed:

- (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
- (b) in respect of premises in relation to:
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3. For the purposes of this section:

- (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and
- (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Annex 2 – Conditions consistent with the Operating Schedule:

The Prevention of Crime and Disorder.

1. The Premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of an Essex Constabulary Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
2. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.
3. All CCTV recordings shall be stored for a minimum period of 30 days with date and time stamping. Recordings shall be made available following the reasonable request of Police or authorised officer throughout the preceding 30 day period.
4. 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 is open to the public.
5. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
6. The Designated Premises Supervisor and/or responsible person shall be on the premises every Thursday, Friday and Saturday from 20.00 until closing, when licensable activities are being carried on.
7. A responsible person is a person who has been granted a personal licence by a licensing authority and who has been authorised in writing by the designated premises supervisor to supervise the premises in his/her absence.
8. The police service shall be provided with the telephone number of either the designated premises supervisor and/or the responsible person.
9. Reasonable and adequate staff training to be carried out and properly documented in relation to: (i) dealing with incidents and prevention of crime and disorder; (ii) sale of alcohol (to underage, persons over 18 purchasing for underage, drunks etc) prior to being allowed to sell alcohol.
10. All training records are to be retained for 12 months and made available to police and local licensing officers upon reasonable request.
11. Refresher training to be satisfactorily completed every six months as documented above.
12. A minimum of 2 SIA door staff or 1 SIA door staff per 75 customers, or part thereof, whichever is the greater, to be deployed whenever the premises is trading and open to the public or any such number as agreed in writing between the premises licence holder and an officer of, or above the rank of Inspector from Essex Police.
13. The Premises Licence Holder shall maintain an alcohol policy.

14. 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)
15. Four out of every ten persons entering or re-entering the premises shall be subject to a search by an SIA trained member of staff during the times they are required to be on duty.
16. No person found with, or using, a weapon or illegal drugs may enter or remain on the premises.
17. Any person who refuses to be searched must be refused entry.
18. All searches must be carried out in full view of a CCTV camera.
19. The management shall instruct security staff and other staff members to assist police or local authority officers with any enquiries they make in the execution of their duties.
20. The Designated Premises Supervisor will actively seek to be a member of any active local Pubwatch and attend Pubwatch meetings on a regular basis.
21. The Premises Licence Holder shall participate and support the 'banned from one, banned from all' principle in respect of disorderly conduct, as promoted by Pubwatch.
22. All SIA staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility jackets or vests.
23. 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.*
24. The Premises Licence Holder shall inform patrons by way of an announcement after 03.00 hours for the need to respect the needs of local residents and leave the area quietly.
25. 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.
26. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the Police, which will record the following:
 - (i) all crimes reported to the venue,
 - (ii) all ejections of patrons,
 - (iii) any complaints received,
 - (iv) seizures of drugs or offensive weapons,
 - (v) any visit by a relevant authority or emergency service
27. A proof of age scheme, challenge 25, shall be operated at the premises where only photographic identification is acceptable. The only acceptable forms of photographic identification are
 - (i) Passport;

- (ii) Driving Licence;
- (iii) Accredited proof of age card displaying the PASS hologram;
- (iv) Any approved proof of age scheme recognised by Essex Police

28. 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.
29. Only suitable toughened, plastic or polycarbonate drinking vessels will be permitted to be used at the premises.
30. All beverages supplied/sold for consumption on the premises will be supplied in glass 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.
31. When the premises are open, trading to the public and the smoking area is open, a minimum of one doorman will be permanently positioned so as to continually supervise the smoking area.
32. Licensable activities may be carried out on New Years Eve from the end of permitted hours until the start of permitted hours the following day (or, if there are no permitted hours on the following day, midnight on 31 December).
33. All licensable activities shall be extended by one hour on the following days:
- (i) Thursday, Friday, Saturday and Sunday of Easter weekend.
 - (ii) Friday, Saturday and Sunday of the two May Bank Holidays, the August bank Holiday, Christmas Eve and Boxing Day.
 - (iii) Burns Night, Valentines Day, St David's Day, St Patricks Day, St Georges Day, St Andrew' Day and Halloween, if that day is not followed by a normal working day.
 - (iv) New year's Eve from the end of permitted hours until the start of the permitted hours on the following day.
34. Should any indoor sporting events take place on the premises, the police services shall be informed.
35. The Premises Licence Holder shall provide free drinking water on reasonable request.
36. Should the Premises Licence Holder organise and event for persons under the age of 18, the premises shall have in place the following practices;
- (i) An admission policy; and
 - (ii) A code of conduct for staff; and
 - (iii) Child Protection Policy
37. No less than two weeks notice will be given to Essex Police where any outside promoter is to be used at the premises, and the details of the promoter to be given to Essex police.
38. A minimum of two SIA registered staff will remain outside the front of the premises until at least 15 minutes after the last customer has left the premises and 15 minutes before closing time on any night the premises is open for licensable activities.
39. The front of the premises is defined as the curtilage of the premises.
40. There shall be no off sales of alcohol, except for alcohol which is consumed in the defined smoking area at the rear of the premises *and no drinks to be permitted to be taken outside the curtilage of the premises*

41. The Premises are not to open until conditions 1-4 are met

42. 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 a SIA required qualification for trainers). Such training must have been received within the last 12 months.

43. Where SIA licensed 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 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 supervisor's work duty period

This record shall be retained on the premises for 31 days and be immediately provided to police or licensing authority staff upon reasonable request.

Public Safety

N/A

Prevention of Public nuisance

The Protection of children from harm

N/A

Annexe 3 – Conditions attached after a hearing by the licensing authority:

Licensing Sub-Committee Thursday 18th February 2010

Conditions 23 & 40 amended (shown in italics in Annex 2)

Conditions 42 – 43 Attached by Essex Police on a Minor Variation 1.5.18

Annexe 4 – Plans:

Plans held at Epping Forest District Council

Minor Variation 19.7.2013

Plan drawing number 7335/06A dated June 2013

**PREMISES LICENCE
SUMMARY**

Part B



Premises licence number:

LN/210005029

Premises details:

Postal address of premises, or if none, ordnance survey map reference or description:

Club 195

195-199 Cottis Lane

Post Town: Epping

Post code: CM16 4BL

Telephone number:

Where the licence is time limited the dates: N/A

Licensable activities authorised by the licence:

**Performance of Plays, Exhibition of Films, Indoor Sporting Events, Live Music, Recorded Music,
Performances of Dance, Provision of Facilities for Making Music and Dancing, Late Night Refreshment, Supply of Alcohol**

The times the licence authorises the carrying out of licensable activities:

Monday – Sunday 08.00 – 03.00

The opening hours of the premises:

Monday – Sunday 08.00 -003.30

Non Standard days – 1 extra hour opening as per point 33 of the Licence Conditions

Where the licence authorises supplies of alcohol whether these are on and / or off supplies:

On and Off



Neighbourhoods

Name, (registered) address, of holder of premises licence:

KAC Entertainment Ltd, Lawford House, Albert Place, London, N3 1QA

Registered number of holder, for example company number, charity number (where applicable):

Company No. 10591345

Name of designated premises supervisor where the premises licence authorises the supply of alcohol:

David King

State whether access to the premises by children is restricted or prohibited:

Restricted

Dated: 18th May 2018

Assistant Director of Neighbourhoods

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Licensing Sub-Committee **Date:** 29 January 2019

Place: Council Chamber, Civic Offices, **Time:** 10.00 am - 1.56 pm
High Street, Epping

Members Present: P Keska (Chairman), J Jennings, S Neville and M Sartin

Other Councillors:

Apologies:

Officers Present: A Hendry (Senior Democratic Services Officer), K Tuckey (Licensing Manager), D Houghton (Licensing Compliance Officer), J Nolan (Service Director (Commercial & Regulatory Services)), R Ferriera (Assistant Solicitor) and S Devine (Service Manager Regulatory)

36. DECLARATIONS OF INTEREST

There were no declarations of interest made pursuant to the Members Code of Conduct.

37. PROCEDURE FOR THE CONDUCT OF BUSINESS

The Sub-Committee noted the agreed procedure for the conduct of business and the terms of reference.

38. FULL SUMMARY REVIEW OF PREMISES LICENCE - CLUB 195, COTTIS LANE, EPPING, ESSEX, CM16 4BL

The three Councillors that presided over this item were Councillors P Keska, S Neville and M Sartin.

The Chairman introduced the Members and Officers present and outlined the procedure that would be followed for the determination of the summary review. The Chairman welcomed the participants and requested that they introduce themselves to the Sub-Committee. In attendance on behalf of the applicant was P Jones (Essex Police Licensing Officer), R Hanstock (Counsel for Essex Police) and G Ashford (Licensing Manager for Essex Police). On behalf of the License premises were R Bhowse (Counsel), S Panesar (Solicitor), N Wood, M Younger, S Pembury (Sentra Solutions Ltd.), S Cummings and D King (the premises DPS) (Directors of KAC Entertainment Limited). Also in attendance was Councillor N Avey, Town Mayor of Epping Town Council.

The Chairman mentioned that he had been approached by a Town Councillor who had wished to speak at today's hearing. However having taken advice from officers he had agreed that the request had come in after the consultation period and was therefore inadmissible.

(a) The Application before the Sub-Committee

The Licensing Compliance Officer, D Houghton, explained that this hearing was to hear an application for a summary review brought by Essex Police for Club 195, Cottis Lane, Epping, CM16 4BL. This was made on 4th January 2019 in accordance with Section 53B of the Licensing Act 2003. The Licensing Authority after reading Essex Police's review application made the decision to implement the following interim step to take affect immediately: "To suspend the Premises Licence until the Review hearing as there was a danger of further serious crime and serious disorder."

The application for the full review was advertised in accordance with the legislation inviting representations from Responsible Authorities and Interested Parties.

(b) Presentation of the Applicant's Case

Mr Hanstock, on behalf of the Police said that they had called this review because of crime and disorder matters arising from Club 195. They were asking revocation of the licence in this case as evidence justified these steps and was not to be taken lightly.

He outlined the incidents that took place on 1st January 2019 in or around Club 195, when a man got stabbed on the dance floor inside the club; this incident was not covered by CCTV. The person who carried out this assault had entered illegally as the club had failed to secure that entrance. No staff had witnessed the incident. In the Companies submission, paragraphs 43 to 46 there was no acceptance of responsibility here, even after reflection. This was wilful blindness and reinforced the Police's position.

Other later incidents had also occurred outside the premises that night, at 03.03hrs, a male was being knocked unconscious, losing teeth and sustaining a punctured lip. Thirteen police officers attended and a GBH investigation was on-going. There was also large scale disorder happening at the same time out on the streets spilling out from Cottis Lane onto the High Street. This was at a time when no other establishment was open in that area and showed a pattern of disturbance happening at this time over the preceding year. Again there had been no acceptance of responsibility for this by the management.

CCTV footage from this incident would be shown to the meeting and there were statements covering this in the document pack.

Similar incidents happened on 23, 22 and 2 December, 14 October, 15 April, 4 March and 4 February 2018. All these incidents (and others) were documented in their document pack.

He noted that the Police had used a stepped approach in their handling of these incidents and referred the meeting to the Police letter dated 14 February 2018 which was a final warning letter which set out breaches in conditions and resulting recommended variations in their conditions. Since this warning letter, the incidents had continued and things did not get better. Finally, revocation of the licence was the only step left.

The Licensee had said that the door company should not be removed and this was a choice for the licensee as the Police does not direct them to any particular company and did not recommend any company.

Since the suspension of their licence there had been no reported incidents of disorder in the High Street.

The case for suspension of the licence was clear and this proved the case for revocation. There was case law for this (case of East Lindsey District Council v Abu Hanif (2016)), and this would be a clear message that this Sub-committee would not stand for this type of behaviour

Following this submission CCTV footage was shown to the attendees at the meeting showing incidents during the mornings of 1st January 2019, 23rd, 22nd and 2nd December 2018 as illustrative of the incidents occurring on the High Street and Cottis Lane.

(c) Questions for the Applicant from the Premises Holder

There were no questions to the applicant.

(d) Questions for the Applicant from the Sub-Committee

The Sub-Committee asked about the differences of the high-viz tops worn by the Police and the door security people as in the CCTV footage it was confusing telling one from the other. The Sub-Committee were told that the door staff had longer fluorescent bands on their tabard and the Police had thinner bands on their jackets.

(e) Presentation of the Premises Holder's Case

Mr Bhoose opened by saying he did not understand why the Sub-committee had suspended the licence after the 1st January 2019 incident. This was not indicative of what happened at the Club and was a one-off incident.

The problem was with the dispersal policy and they were seeking to put more door supervisors into Cottis Lane and the High Street. With the further conditions that have been offered this would ensure that the Licensing conditions would be satisfied and would create a safer club. If you were satisfied we would welcome changes in conditions to the licence. There was no need to reduce opening times or revoke the licence. Revocation would cause the loss of 28 jobs in this area.

This is a well run premises which has been there for 15 years, but has had a few recent issues. It should be recognised the role the Club has played in the economy of the town. The Police have relied on incidents that have happened over the last year.

Mr Bhoose then asked the Sub-Committee to consider the plan of the inside of the Club, showing a plan of the first floor and indicating the steps up to the flat. It also showed the main entrance, the smoking area towards the rear car park surrounded by 3 foot metal fencing. There was a small gap at the end of the fencing, used to escort people from the club. A supervisor was constantly stationed at the door supervising patrons who go in up the stairs into the club.

The club opens only one evening a week, on a Saturday and had been operating like this for the last 3 years. They currently have plans for refurbishment.

Mr Cummings and Mr King were experienced licensees and it was Mr King who set up 'Pubwatch' in the area. In their documents bundle there were letters from the business community in the area supporting them. He also noted that this was not a residential area, but he also had a letter of support from the nearest resident, Councillor Church.

His clients' focus was on running a safe and successful nightclub. They would operate with a minimum of 7 door supervisors and a maximum of 16, in excess of

what was required. They wanted to run a safe and comfortable club. At the front door would be stationed 3 door staff supervising two queues and carrying out searches. Inside they would scan the documents/IDs of the people before they go in.

The Door company has been operating here for 11 years and he noted that the Police had recommended them to other venues and say that they do not have a problem with this company and state in their documents that they have, at times, been helped by the security people.

My clients will search everyone who enters the premises, not just the recommended 4 out of 10. Every night staff will remove any bottles from the high street to keep their patrons safe. This is over and above what they need to do.

There has been no violence in the Club except for this recent incident on new year's day when a group did evade the security and got in through the smoking area. The supervisors acted appropriately and split up the people arguing. They did not know at the time that there had been a stabbing. The victim had been given first aid and an ambulance called.

It should be noted that the CCTV is a state of the art system and complies with the Essex Police Standards.

The Licensee also proposed that in addition to the security officer stationed at the smoking area an additional member of staff will be stationed there. They also propose to put in new 6 foot high fencing around the smoking area and operate a system of wrist bands when going out to smoke. Because of these additional measures he was confident that there would be no repetition of this type of incident.

As for dispersal at closing time. It was unfair to blame his clients for everything that went on outside. They needed a more robust presence in Cottis Lane and the High Street. At present there was no condition for this and they go further than asked for.

Near the end of the night the DJ would play softer music and by 2am put it to a background level; at 3am the door supervisors would encourage clients to leave. Once the club is empty they would go out onto the High Street to marshal people into the taxis. From 1.30am 2 door supervisors would be outside patrolling Cottis lane and the High Street, their sole function being to patrol area and disperse people. From 2am there will be 2 supervisors at the front door, 3 inside and the others outside helping dispersal. There can be up to 11 door supervisors patrolling and they were satisfied that this would more than meet the concerns of the Police and ensure that problems did not reoccur.

The new conditions, listed in their documents, would be more than satisfactory and there would be no need for revocation of the licence. He quickly went through the proposed police conditions noting that police's proposed metal detecting arch was, in their view, unnecessary as no customers had sought to come in with metal implements and their proposed search was quicker and as efficient. Given this they would accept all the conditions except condition 7.

They did not agree to the amending of closing times to earlier as they thought it was unnecessary because of the counter measures they had proposed to put in place. Also 5 other premises in that area close at 1 to 1.30am and this would increase the amount of people and stress in the area at that time. They would also cease to be a destination venue and would not be financially viable.

It was also unclear why the Police want them to close for 3 months. They have been closed for 3 weeks already and it would take time to implement any new procedures.

(f) Questions to the Premises Holder from the Sub-Committee

The Sub-committee noted that their trading hours were from 22.00 to 03.00 and their capacity was 653 persons, what was the average number of people that attended the club? They were told that it was between 250 and 325.

Following on from this they asked when the management would put on extra staff? They were told that they would monitor ticket sales during the week and by Friday would know how many door staff would be needed.

The Sub-committee then asked what were the various roles of the staff in the club. They were told that the majority were bar staff / glass collectors, with reception staff and waitresses and were all appropriately trained.

They were then asked if any food was served and were told that no food was provided.

The Sub-committee noted that the recent incident happened when some people came in through the smoking area. How many ways were there for getting into the club? They were told that there were 5 exits, all manned. The front ones had 2 or 3 persons stationed there, 1 by the staircase and between 1 and 2 for each other exit.

The Sub-committee asked what was 'Clubscan', as it was mentioned in the documentation. They were told that 'Clubscan' was an automatic system used to check IDs; it was used as a deterrent and the police used it as an audit tool.

Asked if they had female door staff they said that they did, they always had at least one female member of the door staff to conduct female searches.

The Sub-Committee asked if drinks were served in glass or plastic containers. They were told that they used plastic glasses, but they could buy cans, but not bottles.

The Sub-Committee then asked how frequently were their policies revisited and were told that they were reviewed regularly with occasional small changes being made, but no major ones.

The Sub-Committee then asked about the incident in February 2018 when there were some inappropriate staff occurrences. They were told that this was a bad incident with bricks being thrown at the doormen, who then handled it inappropriately.

The Sub-committee then asked what was the gender balance of the patrons, did males dominate? They replied that generally they liked to have 65% female there and have at time refused admission to males if this proportion was not being met.

(g) Questions from the Applicant to the Premises Holder

The applicant's counsel noted that the club had been open for 14 years and had a review in 2009 when the previous licence had been revoked and then Mr King took it over. Mr King agreed that he had taken over after this.

The applicant asked was it right that after numerous incidents the venue is to open Friday and Saturday nights. Mr King said this was a long term plan once

refurbishment took place and they would review the nights they were to open. There were no plans for the near future.

The applicant's counsel noted that Mr King was involved with another premises in Chingford where at a recent review 2 conditions had been added; one that Sentra not be used and secondly that Mr King be there on Friday and Saturday nights. Mr King replied that he would employ a new DPS here to free him up.

The applicant noted that the premises holder's policies were all dated 2009, with no new or renewed ones. Under their dispersal policy the third to last bullet point that starts 'it is acknowledged that a degree of cooperation...' how did this provide any assurance to the Sub-committee. Also under their fire notice and procedures they refer to a draft notice on responsibility of summoning the fire brigade but this notice was not included in the bundle. The drugs policy page refers to another venue and the CCTV policy on its second page is the only places where lighting is referred to and does nothing to address the concerns raised by the police and their drunkenness policy seems to be taken from another venue.

Mr King replied that the policies were reviewed in 2009 and some have since been changed and reviewed, they have not been cut and pasted from elsewhere. The dispersal policy referred to the 'Pubwatch' scheme and there was a system in place we use to evacuate the premises. We also have regular checks made by our CCTV company. Unfortunately the area where this incident happened was not covered by our CCTV. And the drunkenness policy was drawn up for the club. The Counsel for the premises holders added that they would be reviewing all their policies in conjunction with the police.

The applicant's counsel noted that the dispersal policy referring to the door staff patrolling Cottis Lane, these policies were to be reviewed. But, the updated policies that the Club worked under were needed here at this committee but, despite the time they have been closed they could have updated it then. The Counsel for the premises holders said that they would need amending but it did have an existing dispersal policy and it will be reviewed.

The Sub-Committee asked Mr King to tell them about 'Pubwatch' and the use of walkie-talkies with different venues and when did it stop. Mr King said that other venues did not want to continue this scheme and people stopped coming or responding to them.

(h) Statement of the Objector

Councillor N Avey spoke on behalf of Epping Town Council. He relied on their written objection reproduced in the paperwork it was a straight forward matter supported by a number of residents. This type of establishment will always attract 'bad' people. Epping was a small market town and not the place for a night club.

(i) Closing Statement from the Premises Holder

Mr Bhoose had nothing further to add to his statement.

(j) Closing Statement from the Applicant

Mr Hanstock had nothing further to add to his statement.

(k) Consideration of the Summary Review by the Sub-Committee

The Sub-Committee withdrew from the meeting to consider the application in private. During their deliberations the Sub-committee received the following advice from the officers present:

1. Article 1 of the first protocol of Human Rights Act 1988 that every person is entitled to the peaceful enjoyment of his possessions (in this case the Licence). No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
2. That any decision made in respect of the premises licence for Club 195, Cottis Lane, Epping, Essex CM16 4BL must be necessary and proportionate.

RESOLVED:

1. The decision of this sub-committee is that the premises licence for Club 195, Cottis Lane Epping is revoked.
2. This decision was arrived at in the light of the evidence presented at the hearing, namely:
 - The repeated and very serious crime and disorder associated with the premises.
 - The lack of confidence in the management in how they have implemented their current policies and procedures.
 - The lack of confidence that the DPS had proper control of the premises.
 - The lack of faith in management being able to successfully implement additional conditions.
3. That the interim step i.e. the suspension imposed on 4th January 2019, under Section 53 (B) of the Licensing Act 2003 shall remain in effect until the hearing of the appeal against the revocation (if there is one).
4. The applicant or premises licence holder or any other person who made relevant representations to the application are reminded of their right of appeal to the Magistrates' Court within 21 days of the date of the written notification of this decision.
5. The decision will not have effect until after the end of the period given for appealing against the decision, or if the decision is appealed against, the time the appeal is disposed of. The suspension shall remain in effect until the time for appealing the review has expired and any appeal has been determined

CHAIRMAN

Companies House

Companies House does not verify the accuracy of the information filed
Search for companies or officers

CK ENTERTAINMENTS LTD

Company number 11951826

- [Officers](#)
- [Persons with significant control \(https://beta.companieshouse.gov.uk/company/11951826/persons-with-significant-control\)](https://beta.companieshouse.gov.uk/company/11951826/persons-with-significant-control)

Filter officers

<input type="checkbox"/>	Current officers
--------------------------	------------------

2 officers / 0 resignations

CUMMINS, Scott Anthony

Correspondence address Rear Of 195-199, High Street, Epping, United Kingdom, CM16 4BL

Role Active Director

Date of birth December 1971

Appointed on 17 April 2019

Nationality British

Country of residence United Kingdom

Occupation Director

KING, David Ernest

Correspondence address Rear Of 195-199, High Street, Epping, Essex, United Kingdom, CM16 4BL

Role Active Director

Date of birth June 1967

Appointed on 17 April 2019

Nationality British

Country of residence United Kingdom

Occupation Director

[Is there anything wrong with this page?](#)

This page is intentionally left blank



Premises Licence Application June 2019

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

Supplementary documentary information in support of objection.

CONTENTS

1.0	Outline of Circumstances Leading to Objection	page 3
2.0	Background and events leading to Summary Review	page 6
3.0	Statutory Guidance (s182 LA 2003)	page 7
4.0	Outcome Sought	page 8
DOCUMENT 1	CK Entertainment Incorporation Certificate Extract	page 9
DOCUMENT 2	Companies House Extract – KAC Entertainment Ltd	page 15
DOCUMENT 3	Club 195 – Summary Review Hearing Decision Notice	page 16
DOCUMENT 4	Number 152 Ltd Incorporation Certificate Extract	page 18
DOCUMENT 5	Essex House Premises Licence	page 24
DOCUMENT 6	Statement of PC Willcox, Metropolitan Police	page 33
DOCUMENT 7	Club 195, Epping Premises Licence	page 38
APPENDIX A	Club 195 Review Supplemental Evidence	page 48
APPENDIX B	Recommendations (<i>only if granted</i>)	page 83

1.0 Outline of circumstances leading to the objection to the grant of a Premises Licence

- 1.1 The grounds for objection are that the location sought to be licensed was previously licensed at Club 195. Which in January 2019 was subject of a summary review following serious crime and disorder. This licence was suspended by way of interim steps; and subsequently revoked at a licensing sub-committee hearing on 29th January 2019.
- 1.2 The evidence Essex Police produced in support of the summary review is as relevant to this application for a premises licence as it was to the summary review. The premises operated predominantly on a Saturday evening into Sunday morning. Essex Police evidenced that on these nights there were at least twenty incidents in 2018 including New Years' Day 2019 where crime, disorder and public nuisance occurred at and within the vicinity of the premises.]
- 1.3 Of those twenty; twelve occurred within the immediate vicinity on a Sunday morning after 02:00hrs when no other premises were open deducing that it was reasonable to assume those involved were directly linked to Club 195 by way of patronage or association to.
- 1.4 Since the suspension and subsequent revocation there have been **NO** reported incidents of crime, disorder or public nuisance within the same geographical area and time scales.
- 1.5 The application seeks a premises licence for:
 - Live Music, Recorded Music, Performance of Dance, and Anything Similar
Thursday, Friday, Saturday 2300-0330 and
Sunday 2300-0030 with Sunday before Bank Holidays to 0300
 - Late Night Refreshment
Monday, Tuesday, Wednesday 2300-0000
Thursday, Friday, Saturday 2300-0330 and
Sunday 2300-0030 with Sunday before Bank Holidays to 0330
 - Sale of Alcohol
Monday, Tuesday, Wednesday 1100-0000
Thursday, Friday, Saturday 1100-0300 and
Sunday 2300-0000 with Sunday before Bank Holidays to 0330
- 1.6 Whilst the previous revoked Premises Licence for Club 195 permitted these activities Monday to Sunday 0800-0330; they were never used. As mentioned in 1.2 the premises operated predominantly of a Saturday evening into Sunday morning.
- 1.7 The application not only seeks to be licensed daily, it is intended to be used daily with weekday evenings having a roof garden; and a nightclub on a Thursday to Saturday. This nightclub element seeks a later licence than that which was previously permitted which further increases the likelihood of crime, disorder and public nuisance.
- 1.8 In the High Court case of Luminar Leisure Ltd v Wakefield Magistrates' Court [2008] EWHC 1002 (Admin) it was determined that it was open to a court (and thus a sub-committee) to take into account evidence of crime and disorder in areas beyond the operator's control and that it could be reasonable to conclude that a premises would give rise to such problems and thereby undermine the licensing objectives and that it could be a proportionate response to refuse the licence rather than impose conditions on it.

- 1.9 As such the crime and disorder that took place when Club 195 was in operation; and the subsequent lack of crime and disorder since its closure; it is reasonable to extrapolate the Crime and Disorder that took place one night a week to take place seven nights a week should a new licence be granted.
- 1.10 This applicant for this Premises Licence is CK ENTERTAINMENTS LTD; the directors of this company are Mr David KING and Mr Scott CUMMINS. They are the sole shareholders with equal number of shares. **DOCUMENT 1** is an extract from the Certificate of Incorporation given at Companies House on 17th April 2019.
- 1.11 Mr David KING and Mr Scott CUMMINS are also directors of KAC ENTERTAINMENT LTD. This company being the Premises Licence holder for the aforementioned revoked Premises Licence issued to Club 195. **DOCUMENT 2** is taken from Companies House website in respect of KAC ENTERTAINMENT LTD.
- 1.12 At the review hearing the sub-committee made their decision which included:

‘The lack of confidence in the management in how they have implemented their policies and procedures’ and

‘The lack of faith in management being able to successfully implement additional conditions.’

DOCUMENT 3 is a copy of the decision notice of the sub-committee from 29th January 2019.

- 1.13 As there is no change to the top level management Essex Police submit that there is no change of management and so the lack of confidence remains.
- 1.14 In fact one area of concern at the review which remains is dispersal. It was clear that patrons were leaving the premises and remaining in the area leading to crime, disorder and public nuisance. Epping is a Market Town with residential premises surrounding the premises. Public Transport links are good during the day however there is little if not any at the times the premises proposes to close.
- 1.15 The applicant has placed within their application a reference to the premises licence holder devising and maintaining a number of policies; one of these being a dispersal policy, however no such policy has been provided in any format; draft or otherwise.
- 1.16 Having checked the Transport for London website it is clear that the last train from Epping would not be usable if one was to start at the premises until closing.
Monday to Thursday the last train is 0036 which terminates at Loughton. Should a traveller wish to travel further then the last train would be 0017 or 2345 dependant on their final destination.
Friday and Saturday the last train from Epping is 0133; after which there is a night tube service from Loughton.
Sunday the last train is 0026 which terminates at Loughton. Should a traveller wish to travel further then the last train would be 2257.
- 1.17 Similarly there are a number of buses that run through Epping but again these cease at or around 2000 during the week and earlier on a Saturday and Sunday.

- 1.18 Therefore the only way that patrons can disperse the area is via private vehicles, private hire vehicles and hackney carriages. There are two main operators in Epping; Lawlor and Sadlers. Whilst hackney carriages can ply for hire; having spoken to the operators in the area they close their Epping offices at 0130 and 0200 respectfully; and so calling and booking is not available after those times; meaning that once again High Street, Epping is likely to see a throng of intoxicated persons and a return of crime, disorder and public nuisance in the early hours of the morning.
- 1.19 It is difficult to envisage or entertain how any dispersal policy can of will deal with potentially in excess of 600 people in these circumstances.
- 1.20 It is also worth bringing to light that this is not the only licensed premises operated by Mr David KING and Mr Scott CUMMINS. They are also directors of Number 152 Ltd; an extract from the Certificate of Incorporation given at Companies House on 18th May 2015 is shown as **DOCUMENT 4**.
- 1.21 Number 152 Ltd is the Premises Licence Holder for Essex House, 152-154 Station Road, London, E4 6AN. A copy of the Premises Licence for this location is shown at **DOCUMENT 5**. This premises licence was shared with Essex Police on 29th January 2019; and so know it was correct as of that date.
- 1.22 Essex House is primarily a wine bar which operates as a night club at weekends in Chingford. This area is policed by the Metropolitan Police and is in the London Borough of Waltham Forest.
- 1.23 Essex House originally opened in December 2015 with a licence to 0100 licence and closed by 0200. After approximately eighteen months of trading Essex House was granted a variation to extend their licensable activities to 0200 and closing at 0220; which they started using in October 2016. Between December 2016 and April 2017 Essex House had a number of incidents; which culminated in a summary review of that premises licence in April 2017; and that at the final hearing of that review in May 2017 the terminal hour of Essex House was reduced to 0100 hours; and conditions were imposed.
- 1.24 **DOCUMENT 6** is a copy of a statement of Metropolitan Police Constable Donna WILLCOX which details the history of Essex House whilst under the control of Number 152 Ltd and its directors Mr David KING and Mr Scott CUMMINS.
- 1.25 This statement formed part of the Metropolitan evidence in support of their Summary Review for Essex House as mentioned in **1.12**.

2.0 Background and events leading to the Summary Review

2.1 On 1st January 2019 at 01:21hrs emergency services were called to Club 195 following an argument at the bar which resulted in a 19 year old male being stabbed on the dance floor within the premises suffering a deep two inch wide wound to the side of his body. He was conveyed by ambulance to hospital to receive medical treatment. 16 police officers attended and carried out extensive searches for the suspects and weapons. CCTV from within Club 195 was viewed by officers, which did not capture the incident due to the location within the premises having insufficient camera coverage and lighting.

Police were informed by Club 195 that CCTV footage from the premises showed the suspects enter via a back door and not the main entrance, bypassing all entry requirements set out as conditions of the premises licence at the time; searching requirements (condition 15), and proof of age (condition 27); which was supported by using ID scan technology. This security lapse compromised public safety, allowing weapons to enter the premises.

2.2 At 03:30 on 1st January 2019; the same trading day; a second incident was reported outside the premises. A male was knocked unconscious, losing teeth, and sustaining a punctured lip. 13 police officers attended. In immediate response Police stopped a minibus with 9 persons on board; identified by witnesses as being involved in the disorder leading to the assault.

2.3 As a result of these serious and shocking violent incidents. Essex Police took the necessary step of applying for a summary review, as authorised by Supt Craig Saunders.

2.4 Within the text of the supplementary review submission Essex Police evidenced eight incidents where violence and disorderly behaviour could directly attributable to Club 195 throughout 2018. It further evidenced a document of twelve incidents that occurred within the vicinity of Club 195 and Essex Police felt were attributable to Club 195 by the fact they occurred within a time frame when they were the only premises open; or recently closed. Of these twelve incidents eleven involved elements of violence.

2.5 **DOCUMENT 7** is a copy of the Premises Licence for Club 195 that was reviewed and revoked.

2.6 **APPENDIX A** is a copy of the supplementary evidence Essex Police provided in support of the review; and would ask the sub-committee to also consider this evidence when considering this new application.

3.0 Statutory Guidance (s182 LA 2003)

3.1 Whilst this is an objection to a grant of a Premises Licence, Essex Police believes that part of the guidance relating to reviews is appropriate in considering whether allowing this licence to be granted would undermine the licensing objective of preventing crime and disorder. In particular;

a) Paragraph 11.26

It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.

b) Paragraph 11.23

(...) However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence (our emphasis).

3.2 Furthermore, case law provides additional guidance on balancing financial considerations and the need to promote the licensing objectives, viz:

a) In the case of R (on application of Hope and Glory Public House Ltd) v City of Westminster Magistrates' Court and Others (2011) EWCA Civ 312, Lord Justice Toulson said:

"Licensing decisions often involve weighing a variety of competing considerations: the demand for licensed establishments, the economic benefit to the proprietor and to the locality by drawing in visitors and stimulating the demand, the effect on law and order, the impact on the lives of those who live and work in the vicinity, and so on. Sometimes a licensing decision may involve narrower questions, such as whether noise, noxious smells or litter coming from premises amount to a public nuisance. Although such questions are in a sense questions of fact, they are not questions of the 'heads or tails' variety. They involve an evaluation of what is to be regarded as reasonably acceptable in the particular location. In any case, deciding what (if any) conditions should be attached to a licence as necessary and proportionate to the promotion of the statutory licensing objectives is essentially a matter of judgment rather than a matter of pure fact."

The decision is important because it illustrates that licensed premises, and the activities that take place in those premises, exist in a dynamic environment and should not be looked at entirely in isolation. The effect on a range of factors such as crime and the quality of life for residents and visitors must be considered and not just the narrow consideration of the premises itself.

b) In the case of East Lindsey District Council v Abu Hanif (t/a Zara's Restaurant)(2016) Mr Justice Jay said:

The prevention of crime and disorder requires a prospective consideration of what is warranted in the public interest, having regard to the twin considerations of prevention and deterrence.

3.3 In the High Court case of *Luminar Leisure Ltd v Wakefield Magistrates' Court* [2008] EWHC 1002 (Admin) where it was determined that it was open to a court (and thus a sub-committee) to take into account evidence of crime and disorder in areas beyond the operator's control, that it could be reasonable to conclude that a premises would give rise to such problems and thereby undermine the licensing objectives and that it could be a proportionate response to refuse the licence rather than impose conditions on it.

4.0 Outcome Sought

4.1 Essex Police invites the licensing sub-committee to refuse the grant of this premises licence, which is the only step sufficient to safeguard the public from harm and prevent crime and disorder.

4.2 Essex Police as part of the earlier mentioned summary review offered a 'no revoke option' to the sub-committee. This was a set of recommendations that Essex Police sought the sub-committee to consider in the event they felt the licence should not be revoked. The applicant has offered a number of these as part of their proposed operating schedule either as Essex Police recommended or edited by them.

4.3 Should the sub-committee grant the premises licence; and wish to consider additional measures in which to promote the licensing objectives; then Essex Police would ask the committee to consider its additional recommendations at **APPENDIX B**.



**CERTIFICATE OF INCORPORATION
OF A
PRIVATE LIMITED COMPANY**

Company Number **11951826**

The Registrar of Companies for England and Wales, hereby certifies that

CK ENTERTAINMENTS LTD

is this day incorporated under the Companies Act 2006 as a private company, that the company is limited by shares, and the situation of its registered office is in England and Wales

Given at Companies House, Cardiff, on **17th April 2019**



* N11951826K *



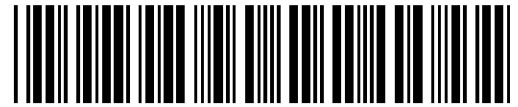
Companies House



THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES



Application to register a company



Received for filing in Electronic Format on the: **16/04/2019**

X83HG0JU

Company Name in full: **CK ENTERTAINMENTS LTD**

Company Type: **Private company limited by shares**

Situation of Registered Office: **England and Wales**

Proposed Registered Office Address: **PLAYHOUSE COTTIS LANE
COTTIS LANE
EPPING
ESSEX
ENGLAND CM164BL**

Sic Codes: **56302**

I wish to entirely adopt the following model articles:

Private (Ltd by Shares)

Proposed Officers

Company Director **1**

Type: **Person**

Full Forename(s): **MR DAVID ERNEST**

Surname: **KING**

Service Address: **REAR OF 195-199 HIGH STREET**
EPPING
ESSEX
UNITED KINGDOM CM16 4BL

Country/State Usually **UNITED KINGDOM**
Resident:

Date of Birth: ****/06/1967** *Nationality:* **BRITISH**

Occupation: **DIRECTOR**

The subscribers confirm that the person named has consented to act as a director.

Statement of Capital (Share Capital)

<i>Class of Shares:</i>	ORDINARY	<i>Number allotted</i>	2
<i>Currency:</i>	GBP	<i>Aggregate nominal value:</i>	2
<i>Prescribed particulars</i>			

ORDINARY SHARES HAVE FULL RIGHTS IN THE COMPANY WITH RESPECT TO VOTING, DIVIDENDS AND DISTRIBUTIONS.

Statement of Capital (Totals)

<i>Currency:</i>	GBP	<i>Total number of shares:</i>	2
		<i>Total aggregate nominal value:</i>	2
		<i>Total aggregate unpaid:</i>	0

Initial Shareholdings

Name: **DAVID ERNEST KING**

Address **REAR OF 195-199 HIGH
STREET
EPPING
ESSEX
UNITED KINGDOM
CM16 4BL**

Class of Shares: **ORDINARY**

Number of shares: **1**

Currency: **GBP**

*Nominal value of each
share:* **1**

Amount unpaid: **0**

Amount paid: **1**

Name: **SCOTT CUMMINS**

Address **REAR OF 195-199 HIGH
STREET
EPPING
UNITED KINGDOM
CM16 4BL**

Class of Shares: **ORDINARY**

Number of shares: **1**

Currency: **GBP**

*Nominal value of each
share:* **1**

Amount unpaid: **0**

Amount paid: **1**



Companies House does not verify the accuracy of the information filed

[Sign In / Register](#)

Search for a company or officer



KAC ENTERTAINMENT LTD

Company number **10591345**

Follow this company

File for this company

Overview

Filing history

People

Officers

Persons with significant control

Filter officers

Current officers

3 officers / 1 resignation

CUMMINS, Scott Anthony

Correspondence address

3rd Floor Lawford House, Albert Place, London, United Kingdom, N3 1QARole **ACTIVE****Director**

Date of birth

December 1971

Appointed on

4 December 2018

Nationality

British

Country of residence

United Kingdom

Occupation

**AdminIstrator Of
Nightclubs**

KING, David Ernest

Correspondence address

3rd Floor Lawford House, Albert Place, London, United Kingdom, N3 1QARole **ACTIVE****Director**

Date of birth

June 1967

Appointed on

4 December 2018

Nationality

British

Country of residence

United Kingdom

Occupation

Nightclub AdminIstrator

30th January 2019

 **Epping Forest
District Council**
www.eppingforestdc.gov.uk
Neighbourhoods Directorate

Rainer Hughes
182 Hutton Road
Shenfield
Essex
CM15 8NR

Civic Offices High Street
Epping Essex CM16 4BZ

Telephone: 01992 564608
DX: 40409 Epping

Director of Neighbourhoods
and Deputy Chief Executive
Derek Macnab

Enquiries to:

Dhoughton 01992 564336
email:
dhoughton@eppingforestdc.gov.uk

Dear Sirs,

**KAC Entertainment Ltd, Re: Club 195 Cottis Lane, Epping, Essex, CM16 4BL- Summary
Review from Essex Police.**

I am writing to formally inform you of the decision of the Licensing Sub-Committee held on 29th January 2019

The application has been treated on its own merits, and this Sub-Committee has taken its decision based upon:

- The application for a summary licence review
- The certificate under S53A of the Licensing Act 2003
- The policy of the Licensing Authority
- Guidance issued
- The licensing objectives

1.

Article 1 of the First Protocol of the Human Rights Act 1988 that every person is entitled to the peaceful enjoyment of his possessions,(in this case the Licence). No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

2. That any decision made in respect of the premises licence, Club 195, Cottis Lane, Epping, Essex CM16 4BL must be necessary and proportionate.

The decision of this sub-committee is that the premises licence for Club 195, Cottis Lane Epping is revoked.

This decision was arrived at in the light of the evidence presented at the hearing, namely:

- The repeated and very serious crime and disorder associated with the premises.
- The lack of confidence in the management in how they have implemented their current policies and procedures.
- The lack of confidence that the DPS has proper control of the premises.
- The lack of faith in management being able to successfully implement additional conditions.

That the interim step i.e. the suspension imposed on 4th January 2019, under Section 53 (B) of the Licensing Act 2003 shall remain in effect until the hearing of the appeal against the revocation (if there is one).

The applicant or premises licence holder or any other person who made relevant representations to the application are reminded of their right of appeal to the Magistrates' Court within 21 days of the date of the written notification of this decision.

The decision will not have effect until after the end of the period given for appealing against the decision, or if the decision is appealed against, the time the appeal is disposed of. The suspension shall remain in effect until the time for appealing the review has expired and any appeal has been determined

A handwritten signature in black ink, appearing to be 'DH' with a flourish.

Debbie Houghton
Licensing Officer

File Copy



**CERTIFICATE OF INCORPORATION
OF A
PRIVATE LIMITED COMPANY**

Company Number **9595613**

The Registrar of Companies for England and Wales, hereby certifies that

NUMBER 152 LTD

is this day incorporated under the Companies Act 2006 as a private company, that the company is limited by shares, and the situation of its registered office is in England and Wales

Given at Companies House, Cardiff, on **18th May 2015**



N09595613P

The above information was communicated by electronic means and authenticated by the Registrar of Companies under section 1115 of the Companies Act 2006





Companies House

IN01(ef)

Application to register a company

Received for filing in Electronic Format on the: 15/05/2015



X47HGKCX

*Company Name
in full:* **NUMBER 152 LTD**

Company Type: **Private limited by shares**

*Situation of Registered
Office:* **England and Wales**

*Proposed Register
Office Address:* **LAWFORD HOUSE ALBERT PLACE
LONDON
UNITED KINGDOM
N3 1QA**

I wish to partially adopt the following model articles: **Private (Ltd by Shares)**

Company Director 1

Type: **Person**

Full forename(s): **DAVID**

Surname: **KING**

Former names:

Service Address: **LAWFORD HOUSE ALBERT PLACE
LONDON
UNITED KINGDOM
N3 1QA**

Country/State Usually Resident: **UNITED KINGDOM**

Date of Birth: **20/06/1967** *Nationality:* **BRITISH**

Occupation: **NIGHTCLUB ADMINISTRATOR**

Consented to Act: **Y** *Date authorised:* **18/05/2015** *Authenticated:* **YES**

Company Director 2

Type: **Person**
Full forename(s): **SCOTT ANTHONY**

Surname: **CUMMINS**

Former names:

Service Address: **LAWFORD HOUSE ALBERT PLACE
LONDON
UNITED KINGDOM
N3 1QA**

Country/State Usually Resident: **UNITED KINGDOM**

Date of Birth: **16/12/1971** *Nationality:* **BRITISH**

Occupation: **NIGHTCLUB ADMINISTRATOR**

Consented to Act: **Y** *Date authorised:* **18/05/2015** *Authenticated:* **YES**

Statement of Capital (Share Capital)

Class of shares	"A" ORDINARY	<i>Number allotted</i>	1
		<i>Aggregate nominal value</i>	1
<i>Currency</i>	GBP	<i>Amount paid per share</i>	0
		<i>Amount unpaid per share</i>	1

Prescribed particulars

THE "A" ORDINARY SHARES WILL HAVE FULL RIGHTS IN THE COMPANY WITH REGARD TO VOTING, DIVIDEND AND CAPITAL DISTRIBUTION. A DIVIDEND MAY BE PAID IN RESPECT OF THIS CLASS OF SHARE TO THE EXCLUSION OF ANY OTHER CLASS OF SHARE CURRENTLY IN ISSUE. WHERE A DIVIDEND IS DECLARED IN RESPECT OF ALL CLASSES OF SHARE THE COMPANY MAY, BY ORDINARY RESOLUTION, DIFFERENTIATE BETWEEN THIS AND ANY OR ALL OTHER CLASSES AS TO THE AMOUNT OR PERCENTAGE OF DIVIDEND PAYABLE, BUT BY DEFAULT THE SHARES IN THIS CLASS SHALL BE DEEMED TO RANK PARI PASSU WITH ANY OTHER SHARE CLASS CURRENTLY IN ISSUE, UNLESS THE RIGHTS ATTACHED TO SUCH OTHER CLASS SPECIFY OTHERWISE.

Class of shares	"B" ORDINARY	<i>Number allotted</i>	1
		<i>Aggregate nominal value</i>	1
<i>Currency</i>	GBP	<i>Amount paid per share</i>	0
		<i>Amount unpaid per share</i>	1

Prescribed particulars

THE "B" ORDINARY SHARES WILL HAVE FULL RIGHTS IN THE COMPANY WITH REGARD TO VOTING, DIVIDEND AND CAPITAL DISTRIBUTION. A DIVIDEND MAY BE PAID IN RESPECT OF THIS CLASS OF SHARE TO THE EXCLUSION OF ANY OTHER CLASS OF SHARE CURRENTLY IN ISSUE. WHERE A DIVIDEND IS DECLARED IN RESPECT OF ALL CLASSES OF SHARE THE COMPANY MAY, BY ORDINARY RESOLUTION, DIFFERENTIATE BETWEEN THIS AND ANY OR ALL OTHER CLASSES AS TO THE AMOUNT OR PERCENTAGE OF DIVIDEND PAYABLE, BUT BY DEFAULT THE SHARES IN THIS CLASS SHALL BE DEEMED TO RANK PARI PASSU WITH ANY OTHER SHARE CLASS CURRENTLY IN ISSUE, UNLESS THE RIGHTS ATTACHED TO SUCH OTHER CLASS SPECIFY OTHERWISE.

Statement of Capital (Totals)

<i>Currency</i>	GBP	<i>Total number of shares</i>	2
		<i>Total aggregate nominal value</i>	2

Initial Shareholdings

Name: DAVID KING

Address: LAWFORD HOUSE ALBERT PLACE *Class of share:* "A" ORDINARY
LONDON
UNITED KINGDOM
N3 1QA

Number of shares: 1

Currency: GBP

*Nominal value of
each share:* 1

Amount unpaid: 1

Amount paid: 0

Name: SCOTT CUMMINS

Address: LAWFORD HOUSE ALBERT PLACE *Class of share:* "B" ORDINARY
LONDON
UNITED KINGDOM
N3 1QA

Number of shares: 1

Currency: GBP

*Nominal value of
each share:* 1

Amount unpaid: 1

Amount paid: 0

Part A

**Licensing Act 2003: Premises Licence
London Borough of Waltham Forest**

Premises licence number
Part 1 - Premises details

C08504152-/1

Postal address of premises, or if none, ordnance survey map reference or description:

152-154 Station Road
London
E4 6AN

Telephone number: 020 8542 1828

Where the licence is time limited the dates:

N/A

Licensable activities authorised by the licence:

Provision of Regulated Entertainment, (meaning live music, recorded music),
Provision of entertainment facilities, (meaning making music), Late Night Refreshment
and Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:

Live Music and Provision of Facilities for Making Music

Sunday – Thursday from 19:00 to 01:00
Friday & Saturday 19:00 to 02:00

Recorded Music

Sunday – Thursday from 09:00 to 01:00
Friday & Saturday 09:00 to 02:00

Late Night Refreshment

Sunday – Thursday from 23:00 to 01:00
Friday & Saturday 23:00 to 02:00

Supply of Alcohol

Sunday – Thursday from 09:00 to 01:00
Friday & Saturday 09:00 to 02:00

The Opening Hours of the Premises

Sunday – Thursday from 09:00 to 01:30
Friday & Saturday 09:00 to 02:30

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies:

For consumption ON the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Number 152 Limited
Lawford House
Albert Place
London
N3 1QA

Registered number of holder, for example company number, charity number (where applicable):

09595613

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Mr David King

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

LN/210004981 – Epping Forest District Council

Authorised Signature:

Date:

Annex 1 - Mandatory conditions

Supply of alcohol:

1. No supply of alcohol may be made under the premises licence-

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Door supervision:

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:

(a) Be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

(b) Be entitled to carry out that activity by virtue of section 4 of the Act.

2. But nothing in subsection 1. Requires such a condition to be imposed:

(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or

(b) in respect of premises in relation to:

(i) Any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising films or under a gaming licence, or

(ii) Any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act.

3. For the purposes of this section:

(a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act,

(b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Age verification policy:

1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

2. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

(a) a holographic mark, or

(b) an ultraviolet feature.

Permitted price:

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) “permitted price” is the price found by applying the formula

$$P = D + (D \times V)$$

where

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence

(i) the holder of the premises licence.

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

The following conditions apply where the licence or certificate authorises “on” or “on and off” sales

Irresponsible drinks promotions:

1. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

2. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

3. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Alcoholic drink measures:

1. The responsible person must ensure that;

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Annex 2 - Conditions consistent with the operating Schedule

Prevention of Crime & Disorder:

CCTV:

- A CCTV system shall be installed and shall operate and record images at all times that the premises are open to the public. All entry and exit points will be covered enabling frontal identification of every person entering the premises in any light condition.
- The premises licence holder shall ensure that all CCTV recordings shall be stored for a minimum period of 14 days with date and time stamping. Recordings shall be made available following the reasonable request of Police or Local Authority. Images shall be provided as soon as reasonably practicable, but no more than 24 hours after the request.
- The premises licence holder shall ensure that 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 premise is open to the public.
- There shall be "CCTV in Operation" signs prominently displayed at the premises.

SIA:

- The premises licence holder shall ensure that all door staff shall comply with SIA requirements relating to the wearing of SIA registration badges and availability of registration documents and/or identification for inspection.
- A minimum of two SIA registered door supervisors shall be provided to keep order at the premises at any time that live music or DJs are operating from 21:00 hours to close of business, on Friday and Saturday nights and any night an event is booked.
- At closing time, when door supervisors are on duty, suitable numbers will be deployed to ensure compliance with the Dispersal Policy and to take all reasonable steps to ensure customers disperse quickly and do not congregate.
- On Friday and Saturday nights a dedicated SIA approved Street Marshall will be deployed to patrol between Essex House and the Station House at the corner of Connaught avenue between the hours of midnight (24:00) and 02:30 when the premises remains open for the sale of alcohol after 01:00 hours. The main responsibilities of the Street Marshall will be as follows:
 - (i) Spotting any potential crime or anti-social behavior; and notifying the management, door team or the Police where appropriate;
 - (ii) Using his or her best endeavours to ensure people leave the immediate vicinity of Essex House safely and in accordance with the premises' Dispersal Vulnerable Persons Policies.
- The premises licence holder shall have a Vulnerable Person's Policy in place, a copy of which is attached to this licence. Amendments will be sent to the police and licensing authority within 7 days of any amendment;
- Conditions 1, 2 and 3 above will have effect until midnight (24:00), 18th September 2017 only unless the police and the premises licence holder both confirm in writing otherwise.

- The premises licence holder shall ensure that an incident log shall be kept at the premises, and made available on request to an authorized officer of the Council or the Police, which will record the following: (i) any complaints received; (ii) Seizures of drugs or offensive weapons; (iii) violence by any person against another; (iv) any other criminal incidents; (v) any visit by a relevant authority or emergency service.
- The premises licence holder shall have and implement a written search policy to prevent customers or staff bringing illegal drugs, weapons or other illegal items on the premises at any time.
- The premises licence holder shall ensure that reasonable and adequate staff training shall be carried out and properly documented in relation to: (i) dealing with incidents and prevention of crime and disorder; (ii) sale of alcohol (to underage, persons over 18 admitted purchasing for underage, drunks etc.) prior to being allowed to sell alcohol.
- The premises licence holder shall instruct all staff to co-operate and comply with all reasonable requests of Police Officers investigating incidents of crime and disorder associated with the premises.
- The premises licence holder shall ensure that refresher training shall be satisfactorily completed every six months for all staff and documented as above.
- The premises licence holder shall ensure that all doors and windows remain closed at all times during the provision of regulated entertainment save for access, egress and in the event of an emergency.
- The premises licence holder shall ensure that 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.
- Clubscan installed, maintained and used at the premises on Fridays and Saturdays from 21:00 hours onwards and all Sunday's preceding bank holidays from 21:00 hours onwards.
- All customers entering the premises must provide suitable photo identification recognised by clubscan, which shall be entered and stored on the clubscan system.
- Clubscan data to be provided to the police or licensing authority within 24 Hours of such a request being made.

Prevention of Public Nuisance:

- Doors to the front of the premises shall be closed during regulated entertainment except for the entrance/egress of staff and patrons after 8pm.
- Prominent, clear notices shall be displayed requesting that customers respect the needs of local residents and leave the premises and the area quietly.
- The premises will have a Dispersal Policy in place.
- Any bands/DJs/musicians playing live music at the premises were to use the premises' amplification system and speakers.

Public Safety:

- A fire resisting door to kitchen will be installed to provide safe passage to rear exit
- First Aid material will be kept on the premises

Protection of Children From Harm:

- Children will only be permitted in the premises if accompanied by an adult
- Children will not be permitted within six feet of the bar counter

Annex 3 - Conditions attached after a hearing by the licensing authority

Decision from hearing on the 18th May 2017:

- The DPS will be physically present at the premises each Friday and Saturday night, save only for unavoidable emergencies and notified leave to the police with reasonable and timely notice.
- The previous door companies of Sentra Security Ltd or Sentra Solutions Ltd are not to be used again.

Decision from hearing on the 03rd March 2018:

The conditions below shall no longer have effect after 9th July 2018 unless the Police and Premises Licence Holder agree otherwise in writing:-

- At closing time, when door supervisors are on duty, suitable numbers will be deployed to ensure compliance with the Dispersal Policy and to take all reasonable steps to ensure customers disperse quickly and do not congregate.
- On Friday and Saturday nights a dedicated SIA approved Street Marshall will be deployed to patrol between Essex House and the Station House at the corner of Connaught avenue between the hours of midnight (24:00) and 02:30 when the premises remains open for the sale of alcohol after 01:00 hours.

The main responsibilities of the Street Marshall will be as follows:

- (i) Spotting any potential crime or anti-social behavior; and notifying the management, door team or the Police where appropriate;
 - (ii) Using his or her best endeavours to ensure people leave the immediate vicinity of Essex House safely and in accordance with the premises' Dispersal Vulnerable Persons Policies.
- The premises licence holder shall have a Vulnerable Person's Policy in place, a copy of which is attached to this licence. Amendments will be sent to the police and licensing authority within 7 days of any amendment.

Annex 4 - Plans

See Attached

RESTRICTED (when complete)

MG11C

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: PC Donna Willcox

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of 5 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: *Donna Willcox* Date: 5/5/17

I am PC 304JC Donna Willcox and have been employed by the Metropolitan Police as a Police Constable for 19 years. I am currently serving as a Licensing Officer in the London Borough of Waltham Forest and have been in post for 7 years.

The following statement sets out the circumstances in relation to Essex House 152 -154 Station Road, Chingford E4 6AN, whereby police instigated a Summary Licence Review under section 53A of the Licensing Act 2003, on the 20th April 2017.

Essex House is primarily a wine bar and operates as a club at weekends. It sits within a parade of shops on Station Road E4 and is directly opposite the main bus terminus. The Licensee is shown as Number 152 Limited (C08504152-1) and is owned by Mr David King and his business partner Mr Scott Cummins. Mr King is named as the Designated Premises Supervisor.

The venue opened in December 2015 and had various licensable activities between the hours of 0900 - 0100 hrs with a 2am close. On the 12th August 2016, police received an application by Essex House requesting a variation to extend their licensable hours from 1am to 2am and with close of business finishing at 2.20am daily. Prior to the application being submitted Mr David King had approached the Licensing unit to see if there were any concerns about the venue extending their hours. Mr King was advised that police had not received any reports of crime associated with the premises. The Metropolitan Police did not make representations.

The venue began operating with its extended hours in October 2016. From December 2016 until the present day there have been a number of incidents of crime and disorder. I will explain these in more detail later on but first I will describe the incident which led to the summary review.

On Monday 17th April 2017 at 1.16am, police were called to Essex House by the victim of an assault (Cad 520 refers). The victim alleged that he had been assaulted by bouncers. Police arrived and spoke with those concerned. The victim stated that he had been approached by suspect 1 and was offered drugs inside the club. The victim declined the offer and walked towards his group of friends. The suspect continued to speak with the victim and put his arm around him. Looking at the footage it was clear that the situation was about to turn sour. Then the suspect holds the back of the victim's neck with his hand when suspect 2 suddenly punches him to the floor. The victim is then stamped on the head by suspect 1.

As the victim is on the floor he is then picked up by his arms and legs by the SIA door staff known as "Wadi" and "Chevez" and dragged to the rear of the premises. The victim states as he approached the alleyway he could feel his Rolex watch being forcibly removed. He tried to hold on to the clasp but felt it release whilst in the alleyway. Victim sustained a 1 1/2 inch gash to the back of his head and a black eye. The incident was declared as a crime scene as the victim sustained GBH injuries. The victim was taken to hospital with a continuity officer. The crime scene was closed at 5.25 hrs and the victim left A&E early that morning.

Further viewing of the CCTV shows both door staff engaging with the suspects prior to the assault. They are also seen next to the victim's party prior to the assault. Both Wadi and Chevez are seen to be drinking and

Witness Signature: *Donna Willcox*

Signature Witnessed by Signature:

Continuation of Statement of:

chatting with customers. Both door staff are seen to be very close to a female customer. At one point Chevez is seen to pick her up and take her to the rear of the premises.

A hearing was held on Friday 21st April 2017 at 2pm. Police requested a suspension of the premises licence immediately due to the serious allegation of robbery which implicated the door staff. One of the door staff had been cautioned and interviewed shortly after the incident. He stated that the venue was over capacity, was short of door staff and that the head doorman and manager were allowing bullies into the venue.

At the hearing the sub-committee decided to suspend the licence pending a full review hearing.

On 25th April 2017, police received notification that Essex House had made representations against the suspension of the licence and a hearing was held at Walthamstow Town Hall E17. Prior to the hearing Police had discussions with Essex House and their legal team. A number of measures were agreed in order that the venue could reopen with restrictions, pending the full review hearing.

These were the removal of the existing door company, a reduction of one hour for licensable activity and Mr David King (DPS) to be on site for each Friday and Saturday evening from 9pm and any Sunday before a bank holiday.

Please see below a summary of offences that have occurred at Essex House since they extended their opening times.

**1, Tuesday 13th December 2016 – 2240 hrs
Cad 9503 – Violence against a person**

Police were called by the manager Anna Hadja stating there was heated argument, fight pending. According to the operator she was very distressed and there was a disturbance heard and fighting in the background. A short while later police attended and no assault was reported and the male left on advice of police.

**2. Sunday 25th December 2016 – 0210 - 0230 hrs
Cris 4925895/16 - GBH
Cad 763**

Police were called to 20-30 youths fighting in the middle of Station Road E4. LBWF CCTV control stated there were multiple fights going on with multiple punches being thrown. Police found a male with GBH injuries. We viewed the CCTV footage and although it is not clear where all parties came from some of them could be viewed leaving Essex House.

**3. Tuesday 27th December 2016 - 0213 hrs
Cad 722 – Complaint**

Caller is a resident in Station Road stating that Essex House has been the cause of disturbances in the last few days and is concerned that there will be further problems on New Year's Eve

**4. Monday 2nd January 2017 - 0154 hrs
Cad 522 – Violence against the person**

Door staff from Essex House called Police stating that there were 15 males and females fighting inside the venue.

**5. Sunday 15th January 2017 – 0135 hrs
CRIS 4901010/17 – Crime Related incident
Cad 684**

Police were driving past the venue and asked for more units as it looked like it was kicking off outside Essex House. It appears there was a fight between two males that the door staff broke up. No one wished to substantiate any offences and the reporting officer noted that the door man was not very forthcoming about what had happened.

Witness Signature: *[Handwritten Signature]*

Signature Witnessed by Signature:

Continuation of Statement of:

On 24th January police had a meeting with David King at Essex House to discuss the incidents above. Mr King explained that he didn't see it as an issue but mentioned that his door team were of poor quality and he was looking to make some changes. His Head door man at the time had left and was looking to replace him with a capable male called Gary.

**6. Saturday 28th January 2017 – 0205 hrs
CRIS 4901880/17 – Robbery
Cad 937**

Victim was followed outside the venue by suspects. He was punched to the ground and his Rolex watch was removed from his wrist. Victim did not want to substantiate the allegation.

**7. Sunday 29th January 2017 – 0130 hrs
CRIS 4901953/17 – ABH
Cads 780, 813 & 815**

Police were called to the venue by a witness stating there were 30 people fighting outside Essex House. The victim alleged that a member of door staff had assaulted him in the club. Door staff and manager of club stated there was a fight outside the venue and they attempted to split the parties involved.

As a result of these incidents police went to Essex House to view footage with David King, we also viewed LBWF Council CCTV footage. As a result of this I wrote a letter to David King on the 9th February 2017 explaining my concerns. I asked for a number of issues to be addressed with regard to CCTV, Security and Training. These are detailed in full, in the letter attached.


**8. Sunday 12th February 2017 – 0128 hrs
CRIS 4902987/17– ABH
Cad 763**

A female alleged that she was assaulted by a female and grabbed by her hair and elbowed in the face. Victim was then also pushed by a male suspect who was with the female suspect.

**9. Sunday 26th February 2017 –0115 hrs
CRIS 4903965/17 – GBH W/Intent
Cad 693**

Police were informed by the LAS that the 19 year old male had been assaulted and was unconscious. Victim stated that two male suspects videoed their female friends on the dance floor using their mobile phones. The two male suspects were removed from the bar. When the victim left the bar with his friends to get a cab home he was pushed to the floor and kicked in the head 3-4 times by the suspect. Victim had fits up to six times hitting his head on the floor several times. He appeared to have a broken nose but refused treatment from the LAS. He stood up in front of police and LAS and had another fit and collapsed before being placed in the recovery position. When he awoke, he became aggressive before eventually agreeing to go in the ambulance to Whipp's Cross Hospital. He continued to be aggressive in hospital and eventually had a CT Scan which showed he had no life changing injuries.

Police held a meeting at Chingford Police Station on the 1st March 2017 with Mr King and his solicitor Mr Andy Grimsey, from Poppleston Allen. Due to the escalation of crime associated with the premises myself and PC Matt Brown, the other licensing officer, outlined our concerns and went through each incident that had been recorded as a result of Essex House since December 2016. We pointed out that most of the incidents were occurring between 1am – 2am. Mr King stated that the venue was getting busy on Friday and Saturday nights but could not pin point exactly what the issues were. Police were inclined to look at a reduction in hours either by means of a minor variation or review. However, we were also willing to look at other possibilities as we identified that the majority of incidents involved patrons under the age of 21. Mr King was given the opportunity to go away with his solicitor and discuss the issues raised and it was decided that we would reconvene at Essex House on the 7th March 2017.

Witness Signature: 

Signature Witnessed by Signature:

Continuation of Statement of:

On the 7th March a meeting was held at Essex House. Mr King and his solicitor Mr Grimsey were present and both stated that they had discussed the matter and were looking to offer the following conditions to the licence. A minor variation was submitted and here is a summary:

- SIA/Street Marshall to be deployed between midnight and 0230 hrs on Friday and Saturday nights between Essex House and Station House E4.
- Amendment to existing door supervisor condition
- Vulnerable Persons policy
- No 18 or 19 year old to be allowed entry to the premises on Friday and Saturday night from 2000 hrs or remain on premises.

Police were prepared to give Essex House the opportunity to put the measures above in place in the hope that this would reduce crime and disorder.

10. Saturday 25th March 2017 2300 hrs – Sunday 26th March 0400 hrs
CRIS 4906233/17 – Crime related incident
Cad 8809 27th March 2017

Police were called after victim had stated that she had been to Essex House. During her time there she believes she had her drink spiked. Victim states she woke up at 4am in a front garden of an unknown address. Her friend works in a private surgery and believed her drink had also been spiked. She did a urine sample where there were traces of Rohypnol.

11. Sunday 26th March 2017 – 0345 hrs
CRIS 4906438/17 – Criminal Damage

A suspect is seen approaching the front of Essex House and throws a stone through the window. This was outside licensable hours and Mr King has no idea why this happened.

12. Sunday 9th April 2017 – 2331 hrs
Cads 9914 and 9946- Violence against the Person

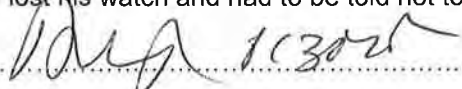
The first Cad is from LBWF control room which states he sees a bouncer punch a male in the head. The second cad three minutes later states there are lots of boys and girls fighting before police arrive. The officers results the calls as a disturbance outside Essex House after a number of patrons were ejected from the premises. One search was carried out but no offences were alleged by anyone.

13. Sunday 16th April 2017 - 0005 hrs
CRIS 4907754/17 – ABH
CAD 3035 17th April 2017

Victim was dancing with her friend when she was suddenly punched on the back of the head in an unprovoked assault by the suspect and she fell to the floor. The suspect carried on punching the victim in the head and started pulling her hair. She was picked up off the floor by a bouncer, taken out of the premises via the rear alleyway and in her words left there. No first aid was offered and no call was made to police.

14. Sunday 16th April – 0100 - 0115 hrs
CRIS 4907538/17 –ABH
Cad 454

Police were called to a fight at the location. Officers were met by victim and 5 friends who were arguing amongst each other. Officers report that they were heavily intoxicated and stumbling over each over. Victim had a bruised left eye and stated he had been hit by an unknown male inside the club. Another male complained that he had lost his watch and had to be told not to return to the venue and to call the venue

Witness Signature: 

Signature Witnessed by Signature:.....

Continuation of Statement of:
tomorrow morning to see if anyone had handed it in. The victim left the scene unwilling to substantiate the allegation.

15. CRIMINT JCRT00390568

An off duty police officer overheard a conversation in a Chingford gym where two males said Essex House was expected to be very busy on the 16th April 2017 and was the place to go for gear and girls. One of them said he had reservations about going as his brother was stabbed there the week before and a large fight broke out.

**16. Monday 17th April 2017 – 0100 hrs
Cris 4907601/17 – Robbery
Cad 520**

This is the incident that led to the summary review and is detailed earlier in this statement.

CCTV Footage attached

Conclusion

The Police Licensing Unit acknowledges the current owner's willingness to work with police. However, we are concerned that since the increase in hours at the premises the venue has gone from no crime to 11 recorded incidents of crime and disorder in just under 4 months. The vast majority of crimes have occurred on a Saturday night when Mr King operates at his other club called 195 in Epping. In the most recent incident (Robbery – CRIS 4907601/17) police have viewed the CCTV and noted that the timings were out by one hour. The Club Scan was not used for a significant period of time. During which one of the suspects for the robbery enters the premises. He is not challenged for identification. The club scan is also not showing the correct time and appears to be out by approximately 8 hours. There have been a number of incidents where the venue have not called police. This is particularly notable

Police highlighted at the summary review hearing on the 21st April 2017, that we were concerned about the door company Sentra Solutions as two SIA door staff had been implicated in the Robbery. The investigation is still ongoing and police would request that they are not used at Essex House.

There have also been further reports of crime that have not been recorded on the Cris system. A number of Cads and an intelligence report are detailed above.

Police seek the following:

- A reduction of permitted hours for licensable activities to 1am daily.
- A New Door Company to be in place.
- Police are seeking the DPS to be on premises Friday and Saturday nights

Witness Signature:



Signature Witnessed by Signature:

PREMISES LICENCE**Part A**

Premises licence number:

LN/210005029

Part 1 – Premises details:

Postal address of premises, or if none, ordnance survey map reference or description:

Club 195
195-199 Cottis Lane

Post Town: Epping Post code: CM16 4BL

Telephone number:

Where the licence is time limited the dates: N/A

Licensable activities authorised by the licence:

Performance of Plays
 Exhibition of Films
 Indoor Sporting Events
 Live Music
 Recorded Music
 Performances of Dance
 Provision of Entertainment Facilities for Making Music and Dancing
 Late Night Refreshment
 Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:

Monday – Sunday 08.00 – 03.00

The opening hours of the premises:

Monday – Sunday 08.00 – 03.30
 Non Standard days –1 extra hour opening as per point 33 of the Licence Conditions

Where the licence authorises supplies of alcohol whether these are on and / or off supplies: On and off

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises
 licence: KAC Entertainment LTD, Lawford House, Albert Place, London, N3 1QA.

Registered number of holder, for example company number, charity number (where applicable):
 Company No. 10591345

Name, address and telephone number of designated premises supervisor where the premises licence
 authorises the supply of alcohol:

David King

Personal licence number and issuing authority of personal licence held by designated premises
 supervisor where the premises licence authorises for the supply of alcohol:
 LN/210004981 Epping Forest District Council

Mandatory Conditions

All Premises Licence authorising supply of alcohol

The licence is granted subject to the Mandatory conditions for sale of alcohol as set out in the Licensing Act 2003 as amended by the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 and Order 2014.

1. No supply of alcohol may be made under the Premises Licence –
 - (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
 - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.
3.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
 - (a) a holographic mark or
 - (b) an ultraviolet feature.

6. The responsible person shall ensure that –
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1 –
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) “permitted price” is the price found by applying the formula –

$$P = D + (D \times V)$$
 Where –
 - (i) P is the permitted price
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
 - (i) The holder of the premises licence
 - (ii) The designated premises supervisor (if any) in respect of such a licence, or
 - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
 - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

If the Premises Licence allows Exhibition of Films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.

3. Where

(a) The film classification body is not specified in the licence, or

(b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

4. In this section “children” means any person aged under 18; and “film classification body” means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

If the Premises Licence has conditions in respect of Door Supervision except theatres, cinemas, bingo halls and casinos

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:

(a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

(b) be entitled to carry out that activity by virtue of section 4 of the Act.

2. But nothing in subsection (1) requires such a condition to be imposed:

(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or

(b) in respect of premises in relation to:

(i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

(ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3. For the purposes of this section:

(a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and

(b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Annex 2 – Conditions consistent with the Operating Schedule:

The Prevention of Crime and Disorder.

1. The Premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of an Essex Constabulary Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
2. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.
3. All CCTV recordings shall be stored for a minimum period of 30 days with date and time stamping. Recordings shall be made available following the reasonable request of Police or authorised officer throughout the preceding 30 day period.
4. 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 is open to the public.
5. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
6. The Designated Premises Supervisor and/or responsible person shall be on the premises every Thursday, Friday and Saturday from 20.00 until closing, when licensable activities are being carried on.
7. A responsible person is a person who has been granted a personal licence by a licensing authority and who has been authorised in writing by the designated premises supervisor to supervise the premises in his/her absence.
8. The police service shall be provided with the telephone number of either the designated premises supervisor and/or the responsible person.
9. Reasonable and adequate staff training to be carried out and properly documented in relation to: (i) dealing with incidents and prevention of crime and disorder; (ii) sale of alcohol (to underage, persons over 18 purchasing for underage, drunks etc) prior to being allowed to sell alcohol.
10. All training records are to be retained for 12 months and made available to police and local licensing officers upon reasonable request.
11. Refresher training to be satisfactorily completed every six months as documented above.
12. A minimum of 2 SIA door staff or 1 SIA door staff per 75 customers, or part thereof, whichever is the greater, to be deployed whenever the premises is trading and open to the public or any such number as agreed in writing between the premises licence holder and an officer of, or above the rank of Inspector from Essex Police.
13. The Premises Licence Holder shall maintain an alcohol policy.
14. 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)

15. Four out of every ten persons entering or re-entering the premises shall be subject to a search by an SIA trained member of staff during the times they are required to be on duty.
16. No person found with, or using, a weapon or illegal drugs may enter or remain on the premises.
17. Any person who refuses to be searched must be refused entry.
18. All searches must be carried out in full view of a CCTV camera.
19. The management shall instruct security staff and other staff members to assist police or local authority officers with any enquiries they make in the execution of their duties.
20. The Designated Premises Supervisor will actively seek to be a member of any active local Pubwatch and attend Pubwatch meetings on a regular basis.
21. The Premises Licence Holder shall participate and support the 'banned from one, banned from all' principle in respect of disorderly conduct, as promoted by Pubwatch.
22. All SIA staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility jackets or vests.
23. 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.*
24. The Premises Licence Holder shall inform patrons by way of an announcement after 03.00 hours for the need to respect the needs of local residents and leave the area quietly.
25. 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.
26. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the Police, which will record the following:
 - (i) all crimes reported to the venue,
 - (ii) all ejections of patrons,
 - (iii) any complaints received,
 - (iv) seizures of drugs or offensive weapons,
 - (v) any visit by a relevant authority or emergency service
27. A proof of age scheme, challenge 25, shall be operated at the premises where only photographic identification is acceptable. The only acceptable forms of photographic identification are
 - (i) Passport;
 - (ii) Driving Licence;
 - (iii) Accredited proof of age card displaying the PASS hologram;
 - (iv) Any approved proof of age scheme recognised by Essex Police
28. 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.
29. Only suitable toughened, plastic or polycarbonate drinking vessels will be permitted to be used at the premises.
30. All beverages supplied/sold for consumption on the premises will be supplied in glass 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.

31. When the premises are open, trading to the public and the smoking area is open, a minimum of one doorperson will be permanently positioned so as to continually supervise the smoking area.
32. Licensable activities may be carried out on New Years Eve from the end of permitted hours until the start of permitted hours the following day (or, if there are no permitted hours on the following day, midnight on 31 December).
33. All licensable activities shall be extended by one hour on the following days:
 - (i) Thursday, Friday, Saturday and Sunday of Easter weekend.
 - (ii) Friday, Saturday and Sunday of the two May Bank Holidays, the August bank Holiday, Christmas Eve and Boxing Day.
 - (iii) Burns Night, Valentines Day, St David's Day, St Patricks Day, St Georges Day, St Andrew' Day and Halloween, if that day is not followed by a normal working day.
 - (iv) New year's Eve from the end of permitted hours until the start of the permitted hours on the following day.
34. Should any indoor sporting events take place on the premises, the police services shall be informed.
35. The Premises Licence Holder shall provide free drinking water on reasonable request.
36. Should the Premises Licence Holder organise and event for persons under the age of 18, the premises shall have in place the following practices;
 - (i) An admission policy; and
 - (ii) A code of conduct for staff; and
 - (iii) Child Protection Policy
37. No less than two weeks notice will be given to Essex Police where any outside promoter is to be used at the premises, and the details of the promoter to be given to Essex police.
38. A minimum of two SIA registered staff will remain outside the front of the premises until at least 15 minutes after the last customer has left the premises and 15 minutes before closing time on any night the premises is open for licensable activities.
39. The front of the premises is defined as the curtilage of the premises.
40. There shall be no off sales of alcohol, except for alcohol which is consumed in the defined smoking area at the rear of the premises *and no drinks to be permitted to be taken outside the curtilage of the premises.*
41. The Premises are not to open until conditions 1-4 are met
42. 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 a SIA required qualification for trainers). Such training must have been received within the last 12 months.
43. Where SIA licensed 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 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 supervisor's work duty period

This record shall be retained on the premises for 31 days and be immediately provided to police or licensing authority staff upon reasonable request.

Public Safety

N/A

Prevention of Public nuisance

N/A

The Protection of children from harm

N/A

Annexe 3 – Conditions attached after a hearing by the licensing authority:

Licensing Sub-Committee Thursday 18th February 2010

Conditions 23 & 40 amended (shown in italics in Annex 2)

Conditions 42 – 43 Attached by Essex Police on a Minor Variation 1.5.18

Annexe 4 – Plans:

Plans held at Epping Forest District Council

Minor Variation 19.7.2013

Plan drawing number 7335/06A dated June 2013



Premises Licence Summary Review

Club 195

195-199 Cottis Lane, Epping, CM16 4BL

Supplementary documentary information in support of summary review.



CONTENTS

Review Application	page 3
1.0 Outline of Circumstances Leading to Review	page 6
2.0 Reasons for Review	page 10
3.0 Outcome Sought	page 10
4.0 Review of Interim Steps	page 12
Document 1. Statement of PC JACKSON for 01/01/2019	page 13
Document 2. Statement of PC WEST for 01/01/2019	page 15
Document 3. Statement of S/PC SPILLMAN for 22/12/2018	page 17
Document 4. Statement of victim for 14/10/2018	page 19
Document 5. Statement of APS KEITH for 04/03/2018	page 21
Document 6. Statement of PS WARD for 04/03/2018	page 23
Document 7. Statement of PC BRADFORD for 04/03/2018	page 26
Document 8. Warning Letter sent to Club 195	page 28
Document 9. Other Licensed Premises List	page 30
Document 10. Incidents within vicinity apportionable to Club 195	page 31
Document 11. How to open & play CCTV	page 32
Document 12. Summary of CCTV	page 34

Application for summary licence review



Epping Forest District Council
Civic Offices, 323 High Street, Epping, CM16 4BZ

Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing the form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. **Use additional sheets if necessary.**

I Peter JONES (7706) Licensing Officer [on behalf of] the chief officer of police for the Essex Police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details:

Postal address of premises, or if none or not known, ordnance survey map reference or description:

Club 195
195-199 Cottis Lane

Post town: Epping

Post code (if known): CM16 4BL

2. Premises licence details:

Name of premises licence holder (if known): KAC Entertainment Limited

Number of premises licence holder (if known): LN/210005029

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)

4. Details of association of the above premises with serious crime, serious disorder or both:
[Please read guidance note 2]

On 1st January 2019 at 01:21hrs an incident was reported whereby a male patron was on the dance floor when he was stabbed once to the side of his body causing a deep and 2 inch wide knife wound. Door supervisors intervened and removed the offender and the group he was with but did not detain any of them. The matter is being investigated as a wounding with intent. A knife was recovered nearby.

On 1st January 2019 at 03:30hrs police were called to a large fight within the vicinity of Club 195. Police located an unconscious, with teeth missing, and a punctured lip. At the time of this incident no other licensed premises within the vicinity were open. This was captured on council CCTV; enquiries continue.

On 1st January 2019 at 03:02hrs a male reported being attacked by a male with a belt in the vicinity of the club and the victim stated he believed the offender to be a member of door staff. Enquiries continue.

On 23rd December 2018 at 03:06hrs Essex Police received a report of 50 people fighting. CCTV footage confirms this was a large scale fight involving persons who had left Club 195, the fight spilled on to the High Street and into the roadway.

On 23rd December 2018 CCTV footage shows a group of males leaving Club 195; one attacking others with a belt. CCTV shows this group had earlier entered in an orderly fashion with no confrontation with the door staff, but later staff reported the group had 'forced' their way in.

On 22nd December 2018 at 02:12hrs Essex Police received a report of 50 males fighting in the vicinity of Club 195. There were also reports a Stanley Blade had been seen. At the time Club 195 were the only licensed premises open. Attending officers witnessed a male assault another male.

On 2nd December 2018 at 03:33hrs there was a report of a disturbance in the vicinity of Club 195. This led to a male being assaulted during which he saw a knife. Another male was hit to the eye with a belt causing it to burst and permanent loss of vision. The victim confirms they had been at Club 195.

On 14th October 2018 at 03:08hrs within the vicinity of Club 195, Essex Police received a report of males hitting females. Police attended and persons responsible were arrested. It was confirmed that the victim and suspects had been in Club 195.

Club 195 is open until 03:30hrs and there have been a large number of other incidents that have occurred when other licensed premises are not open and within reasonable proximity to the premises. Therefore it is a reasonable assumption that these persons had been patrons of the venue. These incidents will be expanded on at the hearing.

It is noteworthy that there was an incident on 4th February 2018 where door staff employed at Club 195 were viewed on CCTV using excessive force. Essex Police at that time came close to invoking review procedures but in accordance with the statutory guidance sought to work with the venue instead. Consequently, under threat of review the premises licence holder subsequently applied for a minor variation to increase the conditions around door supervision.

Those additional conditions were 1) that any door supervisor employed at the premises must have received refresher training within the last 12 months; and 2) that a legible door staff register be maintained.

These incidents demonstrate that the licensing objective 'Prevention of Crime & Disorder' is being severely undermined and that it is necessary to protect the public by taking immediate action by way of this application for a summary review of the premises licence.

At the full hearing Essex Police will be asking for the licence to be revoked.

Ahead of this hearing Essex Police would ask that the below interim step is imposed:

The immediate suspension of the premises licence.

Essex Police considers that immediate suspension is the only means of securing the safety of the general public (and patrons in particular) given the large scale disturbances and serious assaults emanating from what is the only licensed premises in the High Street open at these times.

Should, however members of the licensing sub-committee fail to be convinced that this is the only reasonable and appropriate step to promote the licensing objectives; Essex Police would reluctantly suggest alternative (and much less effective) interim steps such as:

Suspension of the licence until the following additional or modified conditions can be complied with:

A reduction in the terminal hour to 01:00;

All persons entering must pass through a full body metal detecting arch;

All persons entering are subjected to a full body search (including bags);

The number of door supervisors be increased to a minimum of 15;

At all times at least 2 door supervisors shall be permanently engaged in crowd dispersal duties in Cottis Lane and 50 metres either side;

An effective dispersal policy shall be written and agreed with Essex Police and the Licensing Authority and operated; and

An alcometer shall be used to test all persons entering the premises for prior intoxication.

Signature of applicant: P. Jones

Date: 04/01/2019

Capacity: Licensing Officer

5. Contact details for matters concerning this application:

Address: Essex Police Licensing Department
Braintree Police Station
Blyths Meadow
Braintree
CM7 3DJ

Telephone number(s): 01245 452035

Email: Licensing.Applications@essex.pnn.police.uk

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both. Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose. Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

1.0 Outline of the Circumstances leading to the Summary Review Application

- 1.1 On 1st January 2019 at 01:21hrs emergency services were called to Club 195 following an argument at the bar which resulted in a 19 year old male being stabbed on the dance floor within the premises suffering a deep two inch wide wound to the side of his body. He was conveyed by ambulance to hospital to receive medical treatment. 16 police officers attended and carried out extensive searches for the suspects and weapons. CCTV from within Club 195 was viewed by officers, which did not capture the incident due to the location within the premises having insufficient camera coverage and lighting. A GBH investigation is on-going.

Since applying for summary review; Police were informed by Club 195 that CCTV footage from the premises shows the suspects enter via a back door and not the main entrance, bypassing all entry requirements set out as conditions of the premises licence; searching requirements (condition 15), and proof of age (condition 27); which is supported by using ID scan technology. This security lapse compromised public safety, allowing weapons to enter the premises.

- 1.2 At 03:30 on 1st January 2018 a second incident was reported outside the premises. A male was knocked unconscious, losing teeth, and sustaining a punctured lip. 13 police officers attended. In immediate response Police stopped a minibus with 9 persons on board; identified by witnesses as being involved in the disorder leading to the assault. A GBH investigation is on-going. **(CCTV footage will be made available ahead of the hearing)**

DOCUMENT 1 is a statement from PC JACKSON in which details her attendance to this incident, and how she encountered an unconscious male; and the large number of people surrounding him. PC JACKSON then describes males being verbally aggressive and threatening to each other and how she intervened to prevent violence several times

DOCUMENT 2 is statement from PC WEST where she describes 'crowds of people spilling out onto the High Street from Cottis Lane', and how she saw a large group of 20 people pushing, shoving, shouting, swinging their arms and lashing out; causing PC WEST to believe a fight would occur. She also recalls being directed to an injured male lying in the road with blood pooling on the floor by his face; and having to move crowds of people away.

- 1.3 As a result of these serious and shocking violent incidents. Essex Police took the necessary step of applying for a summary review, as authorised by Supt Craig Saunders.
- 1.4 When faced with emergent situations such as this episode of violent crime and disorder, Essex Police has numerous powers at their disposal to deal with them. Such as powers of closure under section 76 of the Anti-Social Behaviour, Crime & Policing Act 2014. Given the time of these occurrences and the crowd dispersal following police attendance of these incidents it was deemed that use of powers under the Licensing Act 2003 were more appropriate, and a course of action leading to a decision made by the Licensing Sub-Committee should be enabled.

There has been no rash judgement here, or overreaction by Police in the call for review. Below, incidents collated on the appended table are discussed. The purpose of including these is to show the increasing frequency of violent offences and crime and disorder

associated with and emanating from the premises, despite engagement with the venue and its management in line with suggested good practice and Section 182 guidance for the Licensing Act 2003.

The positive outcome of preventative measures taken in an attempt to reduce incidents following violence in the first quarter of 2018 were short lived and by the latter part of the year assaults and disorder had increased in frequency, culminating in the devastating violence of what began as a celebration of New Year's Eve.

Application for review with a view to revocation of the licence sits comfortably with Essex Police's duty to uphold the licensing objectives, with a primary emphasis on the reduction of crime and disorder and ensuring the safety of the public within the night time economy.

1.5 Further incidents in support of Essex Polices application for review

These further incidents are directly attributable to Club 195

- a) 23 December 2018 03:06 Large disturbance. Approximately 50 persons fighting outside of Club 195. As a result of the large number of people involved attending Police Officers called for assistance. A total of 12 police officers were required to subdue the disturbance and manage the dispersal of people. CCTV footage shows the large and growing number of people becoming involved in disorder and it continuing into the road causing an obstruction to traffic forcing vehicles into oncoming traffic. **(CCTV footage will be made available ahead of the hearing)**
- b) 22 December 2018 02:12 Approximately 50 males fighting in the vicinity of Club 195. 31 Police officers attended to deal with the disorder. Report includes sighting of a bladed weapon. CCTV shows a large number of males involved leave Club 195 and as they reach the High Street, at the junction with Cottis Lane begin to fight. **(CCTV footage will be made available ahead of the hearing)**

DOCUMENT 3 is a statement from S/PC SPILLMAN describes being present as a large fight started involving a group of over 40 males; and that he had to request additional police officers to attend due to the size of the group.

- c) 2 December 2018 03:33 Disturbance outside Club 195. One male being assaulted (ABH) . Another male suffered GBH injuries having been hit to the eye with a belt causing it to burst and permanent loss of vision. CCTV shows aftermath of incident. **(CCTV footage will be made available ahead of the hearing)**
- d) 14 October 2018 03:08 16 police officers attend an incident of disorder and assault; where a male has assaulted (and subsequently arrested for) a male and a female outside Made Salon, which is on the corner of High Street at its junction with Cottis Lane. The male was punched to the back of the head and punched the female to the face.

DOCUMENT 4 is the female victims statement where she suggests she received unwanted attention from the suspect earlier inside Club 195, and how after leaving the suspect followed them out and attacked them both.

- e) 15 April 2018 01:09 Club 195 reported a coach of approximately 49 people attended the premises and assaulted door staff. 10 police officers attended. One confirmed assault on door staff member who had been punched to the face causing a bruised right cheek. The member of door staff was unhelpful and would not make complaint, undermining the prevention of crime and disorder licensing objective. It would be expected that any premises staff would be supportive of prosecution in line with this.

Condition 19 of the premises licence states that the management shall instruct security staff to assist police with enquiries; and would suggest that includes providing statements.

- f) 4 March 2018 03:03hrs Approximately 50 persons fighting in Cottis Lane and on the High Street at the junction with Cottis Lane. 2 officers initially attended and requested support. 10 officers subsequently attended. 2 Police Officers were assaulted, one struck to the head, and the second elbowed to the face, both causing ABH injuries. A second incident reported from the same evening states a female was assaulted by females in the venue punching her to her face and body and pulling her hair (ABH injuries). The same victim made allegations against door staff of pulling her by her feet and hands, then took her to the stairs holding her arm behind her back and then pushed her down the stairs.

DOCUMENT 5 is a statement from APS KEITH explaining there had been a fight within Club 195 reported to him and that on his arrival he encountered 80 people outside, and saw 20-30 people pushing each other intent on fighting. He describes 'multiple pockets of disturbances' causing him to request additional police officers to attend and there were 100 people fighting in the High Street. He then details how he was assaulted whilst trying to restrain a fighting male; and the continued verbal abuse he received.

DOCUMENT 6 is a statement from PS WARD who attended the incident after APS KEITH requested additional police officers. He describes that on his arrival there were 100 people in the High Street at the junction with Cottis Lane; and that he became aware of a fight where 3 males were grappling and punching each other; with a further ten trying to break it up. PS WARD describes how encountered a topless male being held back; but trying to fight. The male was aggressive and shouting. PS WARD details how when trying to take hold of this male he was elbowed to the face; and his continued interactions with the male.

DOCUMENT 7 is a statement from PC BRADFORD who came across a disturbance occurring and how Cottis Lane became crowded as Club 195 emptied. He describes the atmosphere as 'incredibly tense', with widespread disorder and fighting. PC BRADFORD states he had to use force to push a number of males away to prevent fighting; and having to detain a fighting male.

- g) 4 February 2018 02:59 Male victim after leaving the premises was lifted & thrown to ground, and then kicked to the head and body several times by two males. Male charged with GBH with intent.

h) 4 February 2018 01:52 Group of males ejected from Club 195. After which the males threatened door staff and threw bottles at them. Allegations made against door staff. CCTV viewed at the time showed the males being removed from the premises, and the bottles being thrown. It then goes on to show door staff using unreasonable and excessive force, including punching and kicking the males. It also shows a member of door staff attempt to leave the premises with what appears to be a metal bar; before being ushered back inside by colleagues.

1.6 It is noteworthy that following the incident on 4th February 2018 where door staff employed at Club 195 were viewed on CCTV using excessive force. Essex Police Licensing Team visited Club 195 and met the management and security company. At that time Essex Police came close to invoking review procedures but in accordance with the statutory guidance sought to work with the venue instead and issued a warning letter as shown in **(DOCUMENT 8)**

Consequently, under threat of review the premises licence holder applied for a minor variation to increase the conditions around door supervision.

Those additional conditions were (1) that any door supervisor employed at the premises must have received refresher training within the last 12 months; and (2) that a legible door staff register be maintained.

1.7 For in excess of twelve months Club 195 has predominately operated on a Saturday Evening into Sunday morning only until 03:30.

Whilst other licensed establishments exist within Epping; they are all closed by 01:30 on a Sunday morning. **DOCUMENT 9** is a list of other licensed premises within the proximity of Club 195 with their closing times as stated on their premises licence. The exception to the list is Saisaki; who although may remain open until 02:00 advertise a closing time of 01:00 as seen in the screen shot from a Google search on **DOCUMENT 9**.

1.8 It is therefore reasonable to summarise that incidents occurring within the vicinity of Club 195 on a Sunday morning after 02:00 are apportionable to Club 195 and their patrons. **DOCUMENT 10** details a number of incidents within the past twelve months that meet this criteria.

1.9 **DOCUMENT 11** is instructions on how to open and play the CCTV being provided.

1.10 **DOCUMENT 12** is a snapshot of times that are relevant within the CCTV being provided as referred to in 1.2 and 1.5 above.

2.0 Reasons for Review

- 2.1 As evidenced there have been a number of incidents in 2018 which are both directly attributable to Club 195 and their patrons, and incidents which are related to Club 195 by way of association and the only premises operating or closing at the time. The majority of these incidents are large scale disorder, clearly an attraction for some of the large groups of males drawn to this premises for this purpose.
- 2.2 Essex Police have engaged with the premises when it has become aware of serious incidents management have failed to deal with the issues occurring as a direct result of them attracting large groups of people to the area.
- 2.3 These incidents are not small, individual fights. They are large scale disorder; where groups of 20- 50 people at a time are actively engaging in disorderly conduct and violence, the management of which is entirely reliant upon Police resources.
- 2.4 Club 195 as a result of its hours, and the type of entertainment available is a 'destination venue' and as such attracts customers not only from the local area, but also from further afield. These incidents of large scale disorder and crime directly undermine the prevention of crime and disorder, prevention of public nuisance and public safety objectives of the Licensing Act 2003 and severely so. Application for revocation of this licence is an appropriate step to prevent further harm.

3.0 Outcome Sought

- 3.1 The incident occurring in the early hours of New Years' Day is a serious incident with the potential for life threatening injuries to occur. Security was breached when persons were able to gain entry to the premises via an unmanned, unlocked and unalarmed entrance, putting a large number of people; customers and staff; at risk.
- 3.2 Essex Police invites the licensing sub-committee to revoke this premises licence, which is the only step sufficient to safeguard the public from harm and prevent crime and disorder associated with the premises.
- 3.3 Essex Police anticipate that the premises will argue that revocation is inappropriate because of the financial impact this will have. However given the circumstances leading to this review Essex Police would contend that though a relevant consideration it should be discounted.

3.4 The Guidance issued under section 182 of the Act provides useful guidance in this respect, viz:

a) Paragraph 11.26

It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.

b) Paragraph 11.23

(...) However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence (our emphasis).

3.5 Furthermore, as regards revocation, case law provides additional guidance on balancing financial considerations and the need to promote the licensing objectives, viz:

a) In the case of R (on application of Hope and Glory Public House Ltd) v City of Westminster Magistrates' Court and Others (2011) EWCA Civ 312, Lord Justice Toulson said:

"Licensing decisions often involve weighing a variety of competing considerations: the demand for licensed establishments, the economic benefit to the proprietor and to the locality by drawing in visitors and stimulating the demand, the effect on law and order, the impact on the lives of those who live and work in the vicinity, and so on. Sometimes a licensing decision may involve narrower questions, such as whether noise, noxious smells or litter coming from premises amount to a public nuisance. Although such questions are in a sense questions of fact, they are not questions of the 'heads or tails' variety. They involve an evaluation of what is to be regarded as reasonably acceptable in the particular location. In any case, deciding what (if any) conditions should be attached to a licence as necessary and proportionate to the promotion of the statutory licensing objectives is essentially a matter of judgment rather than a matter of pure fact."

The decision is important because it illustrates that licensed premises, and the activities that take place in those premises, exist in a dynamic environment and should not be looked at entirely in isolation. The effect on a range of factors such as crime and the quality of life for residents and visitors must be considered and not just the narrow consideration of the premises itself.

b) In the case of East Lindsey District Council v Abu Hanif (t/a Zara's Restaurant)(2016) Mr Justice Jay said:

The prevention of crime and disorder requires a prospective consideration of what is warranted in the public interest, having regard to the twin considerations of prevention and deterrence.

- c) In the case of R (Bassetlaw District Council) v Worksop Magistrates' Court; [2008] WLR (D) 350, Mr Justice Slade

"On the determination under s 52 Licensing Act 2003 of an application for review of a premises licence in circumstances involving criminal conduct connected with the licensed premises, consideration must be given to what was necessary to promote the objective of crime prevention, and to the needs of the wider community, and not be limited to guidance and remedial action and to the needs of the licence-holders" (para 32.1).

"(...) wider considerations come into play and the furtherance of the licensing objective engaged includes the prevention of crime. In those circumstances, deterrence, in my judgment, is an appropriate objective and one contemplated by the guidance issued by the Secretary of State" (para 32.1)

"However, in my judgment deterrence is an appropriate consideration when the paragraphs specifically directed to dealing with reviews where there has been activity in connection with crime are applicable" (para 33.1).

4.0 Review of Interim Steps

- 4.1 Essex Police draws the sub-committee's attention to paragraph 12.29 & 12.30 of the Guidance which relates to the review of the interim steps imposed by the sub-committee following the police's application for a summary review.

Should the sub-committee decide to revoke the licence or take any other step (other than no action or a formal warning); Essex Police believes that to ensure there are appropriate and proportionate safeguards in place at all times it is appropriate for the promotion of the licensing objectives for the previously imposed interim steps (i.e. suspension) remain in place until the appeal period has expired and any appeal is exhausted or successful.

WITNESS STATEMENT

Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN [] [] [] []

Statement of: Emma Jackson

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Constable 78931

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: [Redacted] (witness) Date: 01st January 2019

On TUESDAY 1st JANUARY 2019 I was on duty with PC 1397 ARNOLD between 18:00 and 06:30hrs, based out of LOUGHTON POLICE STATION in a marked police vehicle. I was answering to call sign WN345.

At approximately 01:45hrs, I arrived in EPPING, ESSEX from WALTHAM ABBEY, ESSEX in response to incident EP-20190101-0187. This was the stabbing that took place inside Club 195 on COTTIS LANE, EPPING. I attended in order to provide further support to existing units at scene, and to provide a high visibility presence for reassurance purposes and to prevent any further disorder. For a while I remained near to Club 195's entrance, where I noticed door staff were having an issue with a number of males who had been ejected. Following this, I got into the marked vehicle and remained in the area on patrol surrounding the HIGH STREET, EPPING, anticipating possible disorder following Club 195 closing. I was aware this was going to be earlier than usual as a result of the stabbing.

At approximately 03:15hrs, I was near to HEMNALL STREET, EPPING in the marked vehicle, when I heard over the radio from my colleague PC 1474 COOK that more units were required on the HIGH STREET. On arrival, I looked to my left and saw a male lying in the road on the opposite side to where the HIGH STREET joins COTTIS LANE, and put this out over the radio. When I approached, I noticed the male was unconscious, and bleeding from his face. He also had blood on his clothing. Shortly after I approached the male, I saw him regain consciousness.

Signature: [Redacted] Signature witnessed by:

He was surrounded by a large group of people. Leaving other colleagues with the male, I stepped away and requested an ambulance over the radio. I remained with the male until an ambulance crew arrived. He was unable/not wishing to speak with me whilst we waited for the ambulance. Following this, I began to try and identify any witnesses to the incident, and recorded details of a couple of the victim's friends in my pocket notebook. Following the male being taken into the back of an ambulance, I assisted PC 75711 HARRISON and PC 78919 HALES in setting up a scene to guard. My response to this incident was recorded on my bodyworn video camera at the time, and later saved as evidence.

Following my involvement with the above victim, I reunited with my colleague PC 1397 ARNOLD. By this point I noticed there were large numbers of people on the HIGH STREET that had come from Club 195 as it was closing. My attention was drawn to two groups of people in which a black male and a male with blonde hair tied into a pony tail within the different groups were being extremely verbally aggressive to one another. I believed this was being fuelled partly by alcohol. They were making threats to one another and I feared that should there not be an intervention, there would be a physical assault. I tried to get between the two groups to separate them and requested they both leave the area. The black male was also verbally aggressive towards myself. I achieved some separation in the first instance, but the groups did not leave immediately and I found myself intervening on another few occasions between the two males in different locations on the HIGH STREET. At one point, PC 76165 DIDCOCK was also assisting me with dealing with the two males. He requested I try and flag down a taxi so that one of the groups could be permanently dispersed from the area. I approached a taxi driver and explained the situation, stating it was in everyone's best interests to separate the parties and requested his assistance in picking up the group. The taxi driver did not appear to be very willing to take the group, and was slow to approach the black male's group location. The group moved on towards another taxi and eventually the black male and his group were placed inside following the black male being informed of arrest in the near future if his behaviour continued.

Due to the volume of people and the disorder on the HIGH STREET, Club 195's security left the venue to support police on the HIGH STREET. I remained visible on the HIGH STREET until the majority of people had dispersed.



Signature: 

Signature witnessed by:

WITNESS STATEMENT

Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

--	--	--	--

Statement of: Karen WEST

Age if under 18: 0'18 (if over 18 insert 'over 18') Occupation: Police Constable 3463

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature:..... [Redacted] (witness) Date: 8th January 2019

On Tuesday 1st January 2019, I was on duty in full Police uniform in company with PC 1474 COOK. We were in a marked Police vehicle and my designated call sign was WN342.

Approximately 3.30am on this day, we were on mobile patrol in Star Lane next to the junction of High Street, Epping. Club 195 was open for New Years Eve celebrations, so we were waiting nearby in case of any incidents of disorder. I was aware there had already been one incident that night where a patron at the club had been stabbed on the dancefloor, so we were anticipating there could be further trouble when the club closed. Whilst waiting in our car, a taxi driver stopped and notified us of a fight on the High Street. He was pointing in the direction of Cottis Lane and where the public would be exiting Club 195. It was now closing time for the club and we were anticipating a few hundred club goers to be out in the street.

As I ran towards Cottis Lane, I could see crowds of people spilling out onto the High Street from Cottis Lane. I pressed the front of my bodyworn video to begin recording. Unfortunately, I did not realise until later that my camera had not been switched on to record properly. I saw a large group of approximately 20 people, pushing, shoving and shouting at each other in the parking area outside the row of shops where Boots the Chemist is situated. I began to run towards this group in order to break up any pockets of fighting. Tensions appeared to be high between them all and from their behaviour – swinging their arms about, lashing out at each other and the way they were all screaming at each other, I believed there would be a fight. As I got closer,

Signature: [Redacted] Signature witnessed by:

someone pointed out to me a male who was lying on the floor in the road. This was on the opposite side of the road a bit further up. I changed direction and began running toward this male as he was not moving and I feared he had been seriously injured. As I got closer, I could see there was blood pooling on the floor by this male's face. I could see he was blinking and breathing, but other than this, he was not moving or responding to anyone around him. I moved the crowds of people away from the male on the floor to give him some space, however tensions were still quite high and they were making our job quite difficult.

Although there were some pre-booked minibuses waiting for passengers, there did not appear to be many regular taxis waiting to take people away from the area. This resulted in quite a few people hanging around in the area for longer than necessary and caused other pockets of disorder to break out nearby. Subway the sandwich shop was also open and this added to the reason why so many people were still hanging around. As the people spilling out onto the High Street began to slowly disperse, a friend of the victim pointed out a mini bus that they believed may have contained a suspect involved in the assault. More Police units had arrived by now so I left the High Street in order to stop the mini bus.

These are my original notes made at Loughton Police Station on Monday 14th January 2019 at 12:15 hours.

[Redacted]

Signature: [Redacted] ..

Signature witnessed by:

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

--	--	--	--

Statement of: SC Daniel Spillman 77530

Age if under 18: over 18 (if over 18 insert 'over 18')

Occupation: Special Constable

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: D. Spillman (witness) Date: 12/01/2019

I am the above named person and this statement refers to a time when I was on foot patrol in EPPING HIGH STREET with A/S/Sgt COLLINS 75191, when a large fight broke out between a group of over 40 males (EP-20181222-0140).

At 0208 hours on SATURDAY 22nd DECEMBER 2018, while on foot patrol with A/S/Sgt COLLINS 75191 in full uniform outside STARBUCKS, EPPING HIGH STREET, EPPING, a large fight broke out between a group of over 40 males at the corner of COTTIS LANE and the HIGH STREET, next to STARBUCKS. This disturbance continued from this location to the middle of the HIGH STREET. There were also other members of the public in the vicinity, the majority of which had come from COTTIS LANE.

A/S/Sgt COLLINS and I immediately requested more units given the size of the group, and upon arrival of these units within a couple of minutes, officers split up the crowd to stop the fighting. Certain males continued to engage in verbal arguments with one another, and officers continued to split these groups up to avert any further physical fights breaking out.

At approximately 0215, I noticed two other officers pursuing a young male who was running away from them. I intercepted the male outside NEXT, EPPING, and my colleague arrested the male. Upon questioning the male of his activities that evening, he explained he was previously at CLUB 195 with relatives and friends. The male was subsequently de-arrested.

Signature: Signature witnessed by:

I have typed this statement upon request for information about this incident, at 1400 hours on 12.01.2019 at LOUGHTON POLICE STATION.

D. Spillman

Signature: Signature witnessed by:

OFFICIAL

WITNESS STATEMENT

Criminal Procedure Rules, r.16.2; Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B

URN:

Statement of:

Age if under 18:

over 18 (if over 18 insert 'over 18')

Occupation:

Housewife

This statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature:

Date:

14/10/2018

Tick if witness evidence is visually recorded

(supply witness details on last page)

On SATURDAY 13TH OCTOBER into SUNDAY 14TH OCTOBER 2018, I was on a night out in ESSEX. I was out with my husband and his friends to celebrate a 30th birthday. We had attended a pub in LOUGHTON but as we had been enjoying our evening we decided to go to a club in EPPING called 195.

In this statement I shall be referring to the following people:

My husband's name is . is friend from work.

During the course of this night out I was assaulted by a male. I do not know this male but he had approached me in the club when I was dancing, he tried to hold my hand. I had just said 'NO THANK YOU' and he took it well and just backed off. I would describe this male as a man, I would say around 5'8, build, cropped hair around a number two. I would describe his facial features as a nosed and lips. He was wearing jeans and trainers and a black jumper. I will be referring to him as THE MALE.

I remember that at 02:58, it was decided that we should leave. We exited the club and headed towards the HIGHROAD with a view to order an Uber Taxi.

We were standing by a bin outside MADE|SALON, which is on EPPING HIGHROAD and my husband's friends were having a cigarette. THE MALE came out of 195 and punched in the back of the neck.

It was completely random, just out of the blue. reacted very calmly to this, he just said 'THE GUY IS AN IDIOT, LET'S JUST LEAVE IT'. I then turned around and said to THE MALE 'WHY DID YOU HIT MY FRIEND'

Signature:

Signature Witnessed By:

THE MALE made no verbal response, he just hit me to my face. His used his right arm to punch me to left side of my face. I was shocked. I have never been in a situation like this, I have a 3 month old baby at home. He hit me as hard as he could.

After he punched me I was in shock. I just stood there flabbergasted. From this point a load of strangers reacted. I recall shouts of 'WHAT ARE YOU DOING, YOU JUST PUNCHED A WOMAN IN THE FACE' from a young lady getting into a taxi.

After THE MALE hit me he took his jumper off, exposing his bare chest. He started running away. I did not call the police. The bouncers from 195 witnessed it they ran after him.

I remained in the area. This happened all outside the salon I have mentioned in the statement.

I am exhibiting a photo of my face as EB-01. - PHOTO OF MY FACE. This was taken by the police officer in the car. I may be able to provide further photos as more swelling or bruising comes up.

I feel I would recognise this male again. This sort of thing has never to me before. He was in view for around 20 seconds, it was a dark as it was night time but it had street lights. There were no obstructions in my view.

I support police prosecution and happy to go to court if needed. I had been drinking over the course of the evening. On a scale of 1 to 10, 10 being hopelessly drunk I would say I am a 5. I clearly recall the details of what happened. I was not so intoxicated that I was not in control of my actions.

Sent from my Samsung Galaxy smartphone.



OFFICIAL

MG11 (Interactive)

WITNESS STATEMENT

Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN [] [] [] []

Statement of: Benjamin KEITH

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Constable

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: [Redacted] (witness) Date: 04/03/2018

On SUNDAY 4TH MARCH 2018 I was on duty in full uniform on mobile patrol in company with PC 76015 BRADFORD. We were in a marked police vehicle at the rear of 195 HIGH STREET EPPING. Whilst at the location a female came over to us stating there had been a "fight" inside the nightclub. As soon as the female came over to us a group of other females came over shouting in the direction of the first female. Several males then got involved some diffusing the situation and others escalating it. Multiple people were shouting at each other. There were approximately 80 people outside of the nightclub in the alleyway between the HIGH STREET and the car park behind.

I saw a disturbance involving approximately 20-30 people all pushing each other and it looked to me as if there were 2 large groups intent on fighting each other. I got between the 2 groups with door staff from CLUB 195 assisting I did this to deescalate the situation and to prevent any persons assaulting each other.

Multiple pockets of disturbances then occurred in and around myself and PC BRADFORD were attempting to deal with all of these. We called for further units to attend the location. There were approximately 100 people in or around the HIGH ROAD and fighting was sporadically happening around me. I saw a male in a white shirt fighting with others and I took hold of him to stop him from fighting, I was restraining him by holding him to his upper chest and under his arms and ended up with the male against the bonnet of a white taxi that was stopped where the alleyway meets HIGH ROAD EPPING. I was telling the male "CALM DOWN, STOP STRUGGLING" the force I was using was used to prevent harm coming to any other person or

Signature: [Redacted] Signature witnessed by:

to police and I used the minimal force I deemed necessary in the situation. As I was holding the male on the bonnet of the taxi I glanced to my left and saw a male I now know to be [REDACTED]. I saw him raise his left hand and with the palm of his hand he struck me hard to the right hand side of my head connecting with my temple. I felt pain immediately but was unable to defend myself due to holding the other male on the car bonnet. By the time the male on the bonnet had calmed down [REDACTED] had disappeared. [REDACTED] purposely reached over several people who were against the car and there is no doubt in my mind that the strike was intended and he knew I was a police officer as I was in full uniform and acting lawfully as a police officer.

Approximately 5 minutes later after dealing with more pockets of fighting on HIGH ROAD EPPING I saw APS SELBY holding onto [REDACTED]. I recognised him immediately as the male that assaulted me 5 minutes previously and at 0320 I arrested [REDACTED] for assault on police, I cautioned him to which he made no relevant reply and assisted with APS SELBY getting the handcuffs on [REDACTED]. [REDACTED] was extremely aggressive towards me shouting "FUCK YOU PUSSYHOLE" and other things [REDACTED] was refusing to walk towards the car so minimal force was used pulling his arm to get him to walk to the car. As we got to the police car [REDACTED] said "YEA I SLAPPED YOU, ILL SLAP YOU AGAIN PUSSY".

[REDACTED] was put into the police car and then APS SELBY conveyed [REDACTED] to custody at HARLOW.

I am 100% certain that the male that hit me to the temple is [REDACTED] I recognised him immediately and I saw him hit me.

After [REDACTED] had left to be conveyed to custody there were multiple fights breaking out over the HIGH ROAD EPPING and at each used only the force I deemed necessary and reasonable in the circumstances.

The current time is 0608 and I have pain to the right side of my head from this assault. I have looked in the mirror and cannot currently see any visible injury.

I recorded from half way through the arrest on my BWV and have uploaded this electronically and this is under reference BWV-1146543.

These are my original notes made as soon as practicable at LOUGHTON POLICE STATION. [REDACTED]

Signature: [REDACTED]

Signature witnessed by:

WITNESS STATEMENT

Criminal Procedure Rules, r 16.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Case reference: 42/MZ/2247/18

Statement Of: Sgt 42 74278 Ward

Age if under 18: N/A

Occupation: Police Officer

This statement is true to the best of my knowledge and belief and I make it knowing that, if tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Date: 04/03/2018

Statement:

I am a Police officer attached to Loughton Police station. At 0303hrs I was on duty in full uniform working under the call sign of [REDACTED].

At this time APS 75834 KEITH called up to say that there was a large scale disturbance involving around 50 persons at Club 195. Club 195 is a large night club which is just off EPPING HIGH ROAD, ESSEX. APS KEITH stated he and PC 76015 BRADFORD could not control the large group and he anticipated a large scale fight was about to take place. Along with 4 other double crewed units from Loughton and Harlow Police station I made my way to the location in a marked vehicle in the company of PC 74767 O'BRIEN.

At 0320hrs I drove onto EPPING HIGH ROAD I could see approximately around 100 people on the HIGH ROAD near to the alleyway that contains the night club. At first there was no sign of any disturbance or fights, I could see 3 marked vehicles parked up but did not see officers at first. As I drove parallel to the night club PC O'BRIEN shouted out that there was a fight behind us. I got out the marked vehicle and by this time PC O'BRIEN had already gone off some distance ahead of me. To my right I observed near to a shop front around 25 feet away what appeared to be 3 males grappling and throwing punches at each other with each other, with another 10 persons around also physically either trying to pull them apart or break it up. There was police officers involved trying to deal this fight but there was that many persons around I could not see who or what was going on. In a matter of seconds my sight was drawn to a male who I now know to [REDACTED]. [REDACTED] is a male of [REDACTED] appearance, around [REDACTED] tall, [REDACTED] build with [REDACTED] hair. He was not wearing any clothing on his upper body, blue jeans and black trainers.

██████████ was being held back by numerous members of public, including a person who I believe was a member of door staff. ██████████ was being pushed and pulled back away from the fight I had just observed and was clearly try to get involved. His body language was aggressive he was shouting angrily and his body was tensed, my initial thoughts were that he was going to join in on the fight and I did not want him becoming involved when officers were already struggling to control what was taking place. I approached ██████████ and began to pull him backwards with other members of public trying to get some distance between him and the fight. ██████████ was shouting but I cannot recall what was being said, there was a lot of shouting and disturbance generally in the area. ██████████ then made another break for the fight and I grabbed hold of him around the waist and began pulling him backwards intending to stop his progress. Whilst doing this ██████████ has thrown his elbows behind deliberately one at a time in what I believe was an attempt for him to get free of my grip. His right elbow did not make contact but his left elbow caught me to the left side of my lip.

After a few seconds of struggling to get away ██████████ turned to face me. I cannot remember his exact words but he was shouting for me to get off him and shouting that he had not done anything. I tried to speak to him telling him to remain where he was and to calm down however he was too aggressive to reason with. ██████████ tried to back away from me, towards the fight still, but I had hold of his right wrist now. ██████████ eventually focused on me, still shouting "GET OFF ME, WHAT HAVE I DONE?" I told him that he had just elbowed me in the face and his responded to one of his friends nearby stating "HE'S TRYING TO SAY I ELBOWED HIM". ██████████ called me a LIAR and again tried to break my grip on his wrist. He then deliberately pushed me with his other hand, with an open palm to the chest. This made me take a foot step back, I believe it was just an attempt for me to lose my grip form him but was still a clear it was an intentional push. For about 30 seconds I tried to calm ██████████ down however he was still shouting aggressively and throughout other members of the public were either trying to get him to calm down whilst others, who I believe were his friends were trying to pull him away from me and telling me to leave him alone.

I could hear other disturbances takin place around me and intermittently would see an officer. It was not however until PC BRADFORD assisted me with another doorman in guiding ██████████ towards a nearby wall would I describe as having any control over ██████████. I explained to PC BRADFORD what had taken place at which time he arrested ██████████ for assault on a police officer. PC BRADFORD went to handcuff ██████████ who in return tried to hold back his wrists from being placed in the cuffs, tensing up and we had to forcefully guide them in. ██████████ was handcuffed into the front stack position. ██████████ was brought to my vehicle where he was sat in the rear. In the back of the Police car his attitude did not change he

was shouting and clenching his fists, ordering us not to touch him, even to put his seatbelt on. As we sat in the car I saw multiple fights continuing with groups of twenty involved to the point where Police officers were difficult to pick out from the crowd. As officer managed to deal with one another would start up meters away.

As soon as we got [REDACTED]'s seat belt on we drove away from the location in order to get him to custody as soon as possible. On the journey back he continued to be as aggressive as ever, calling us "CUNTS" and at one point intimating to PC BRADFORD he would challenge him to a fight outside of work. Towards the end of a 15 minute journey [REDACTED] started to calm down. He told us that if he had elbowed me he did not realise I was a police officer. As we arrived in custody [REDACTED] calmed down further although still often had his fists clenched and banged his fist or his head against the wall in anger from time to time. Whilst in the holding cell [REDACTED] apologised for hurting me albeit he still tried to justify his actions on that of others around who had started the incident and put him in that situation. [REDACTED] detention was authorised by PS STREETS at Harlow Police Custody.

To clarify the incident last for about 10 minutes whilst I was on scene. I cannot say whether [REDACTED] was intoxicated but he did not smell of intoxicating liquor and his words were not slurred however his behaviour violent and erratic. I fully accept that [REDACTED] may not have realised it was a police officer restraining him at the point of elbowing me however his behaviour left me no option then to restrain him as he was aggressive and trying to involve himself in the fight already taking place. I am of the opinion if he had got to them he would have joined in or started another fight of his own. His elbow was deliberate and he was clearly trying to use force to get free from my grip. At the time of pushing me he certainly knew I was a police officer and showed no regard for this. As a result of this incident I have suffered a bloody cut to my lip.

These are my original notes made at Loughton Police station on computer terminal [REDACTED] at 0635hrs

WITNESS STATEMENT

Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

--	--	--	--

Statement of: Joseph [REDACTED] BRADFORD

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Constable 76015

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature:..... [REDACTED] (witness) Date: 4th March 2018

On Sunday 4th March 2018 I had been on duty in full uniform and in company with APS 75834 KEITH, attached to call-sign [REDACTED]. I had been on a planned tour of duty that began at 2200hrs the previous day, Saturday 3rd March 2018.

Around 0230hrs I had been on high visibility patrols around HIGH STREET, EPPING near to CLUB 195. A short time later around the back of this club, near to COTTIS LANE and the alleyway that leads between the club entrance and the HIGH STREET. I became aware of small areas of disturbance that were occurring at this location and as such I exited the police vehicle in order to provide a police presence and deter individuals and groups from fighting. This was around 0250hrs and as the club began to empty, more member of public began to crowd around in this alleyway outside and into the HIGH STREET. The atmosphere was incredibly tense and disorder became widespread very quickly, with obvious areas of fighting between many people.

At this point APS KEITH requested more units to the area, and I personally had to use force to push a number of males away from the area and prevent fighting and injuries. I cannot recall how many this would have been, and on one occasion due to another fight breaking out I detained an IC3 male on the floor due to aggression and a fight between himself and others. I had activated my BWV camera from the moment I exited the police vehicle initially.

Signature: .. [REDACTED] .. Signature witnessed by:

At this time, I was aware of other police units that had arrived and were providing assistance to prevent fights from taking place, with again widespread disorder continuing on the HIGH STREET area.

Around 0310hrs I became aware that A/INSP 74278 WARD had hold of an angry male that had been involved in some kind of altercation whilst I had been detaining an early mentioned person on the floor. The male being detained by A/INSP WARD was incredibly angry and was shouting. I could also see at this point A/INSP WARD had an injury to his lip. I recall he informed me that the male being detained by him had elbowed him in the face and had caused the injury.

At this point, 0318hrs, I placed him in handcuffs and explained he was being arrested for assault on a police officer. He began to scream "WHAT FOR, WHAT FOR?" and actively resisting me putting the handcuffs on. As I placed the cuffs in a front stack position, I then pulled him away from a group of people near to him in order to place him safely in the police vehicle. I took hold of his arm as I did this and walked him to the police vehicle. At this time, once in the car I cautioned him, to which I cannot recall his specific reply, other than shouting and swearing, stating he had not done anything. He was still very angry. I did also explain during the journey to custody that due to his behaviour he would be interviewed in relation to this incident. I now know this male to be [REDACTED]

I have also taken a photograph of A/INSP WARD's injury which consisted of a bloodied lip. My BWV camera footage is also available if required and I can exhibit both these items as the following:

- JSB/01: Injury photograph of A/INSP WARD'S lip
- JSB/02: Footage of incident including arrest, [REDACTED]
- JSB/03: Footage of incident including arrest, [REDACTED]

I then transported him to HARLOW police station, arriving at 0334hrs, where his detention was authorised by the sergeant. These are my original notes made at 0503hrs. [REDACTED]

Signature: [REDACTED]

Signature witnessed by:



KAC Entertainment Ltd
Lawford House
Albert Place
London
N3 1QA



Loughton Police Station
158 High Road
Loughton
Essex
IG10 4BE

14th February 2018

LICENSING ACT 2003 – FINAL WRITTEN WARNING LETTER

Dear Sir / Madam,

On Friday 9th February 2018 I attended Club 195, Epping and met with Mr David KING in his capacity as the Designated Premises Supervisor, and Mr Steven PENBERTHY, from Sentra Solutions Limited. Also present was Mr Gordon ASHFORD, Licensing Manager for Essex Police.

This meeting was to discuss a number of failings by door supervisors and management on Saturday 3rd February 2018, which include violence, weapons and breaches of the Premises Licence. All of which I detail below.

1. A male operating as a Door Supervisor whom is not registered to do so with the Security Industry Authority (SIA).
2. A number of SIA registered Door Supervisors failing to display their badges, which is a condition of being issued said badge, and by failing to do so commit a criminal offence.
3. No door supervisors were wearing high visibility jackets or vests. A breach of Premises Licence Condition 22 which states 'All SIA staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility jackets or vests.'
4. Door Supervisors using excessive force, which includes punching and kicking members of the public.
5. Door Supervisor exiting premises armed with a weapon; namely a pole the size of a baseball bat.
6. Poor recording of Door Supervisors on duty, in that the log book was not being used to record the full name of individuals and the actual records were illegible.
7. Persons under the age of 18 being permitted entry to the premises. Despite a Challenge 25 condition in place and strict over 18s policy at the premises.
8. Alcohol service to tables was not being strictly monitored, and allowed service to drunks, and unrestricted drinking.

It was clearly impressed upon Mr KING that consideration was being given to applying for a Review, or Summary Review of the Premises Licence unless immediate steps were taken to address the above, and in particular that the unlicensed door supervisor, and the two door supervisors using excessive force would no longer be employed at the premises. Furthermore, that the details of these individuals be provided to Essex Police along with a copy of the ID Scan records for the day.

I further recommend that the premises seek a minor variation to the premises licence to add the following conditions to it.

- 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 a SIA required qualification for trainers). Such training must have been received within the last 12 months.
- Where SIA licensed door supervisors are used at the premises a record shall be maintained (on the premises) which is legible and details:
 - i. The day and date when door supervisors were deployed;
 - ii. The full name and SIA registration number of each door supervisor on duty at the premises; and
 - iii. The start and finish time of each door supervisor's worked duty period.This record shall be retained on the premises for 31 days and be immediately provided to police or licensing authority staff upon reasonable request.

Essex Police acknowledges that when spoken to about the incidents its security company immediately undertook to suspend two door supervisors from working whilst the matter was investigated and that Mr King undertook to likewise suspend the staff member operating unlawfully as a door supervisor.

Nevertheless the occurrences on the night were unacceptable and it would appear management were not in control of the behaviour of its door supervisor team. Our concerns are expressed above and we recommend adoption of the additional conditions we have outlined, to allay our concerns.

Essex Police will always seek to work with licensed premises to improve their adherence to the licensing objectives and by speaking directly with premises management we have sought to achieve this on this occasion. However, should further concerns arise Essex Police may have recourse to its powers under the Licensing Act 2003 to submit a review application.

If a further incident arises which involves the unlawful use of violence by door supervisors then it is likely Essex Police will apply for a summary (or expedited) review and ask the local licensing authority to suspend the premises licence until a full review hearing can be undertaken.

Yours faithfully



Mr Peter Jones MIOL, ABII
Essex Police Licensing Officer
West LPA

Cc. Mr David KING – Designated Premises Supervisor
Mrs K TUCKEY – Licensing Manager, Epping Forest District Council

DOCUMENT 9

High Street Premises in close proximity	Closing Time Sunday Morning
Black Lion, 293 High Street	01:00
Duke of Wellington, 36 High Street	01:30
Speak Easy, 175 High Street	01:00
George & Dragon, 206 High Street	01:30
Saisaki, Cottis Lane	02:00

The screenshot shows a Google search for "Saisaki, Epping". The search results include several links to restaurant websites like Quandoo, TripAdvisor, and Just Eat. On the right side, there is a detailed information card for "Saisaki Restaurant".

Saisaki Restaurant Information:

- Address:** 199 Cottis Lane, Epping CM16 4BL
- Hours:**
 - Wednesday: 5–10:30pm
 - Thursday: 5–10:30pm
 - Friday: 12pm–1am
 - Saturday: 12pm–1am
 - Sunday: 12–9pm
 - Monday: Closed
 - Tuesday: 5–10:30pm
- Reservations:** sai-saki.com, quandoo.co.uk
- Order:** just-eat.co.uk
- Phone:** 01992 561680
- Rating:** 4.2 stars (51 Google reviews)

Incidents within vicinity apportionable to Club 195

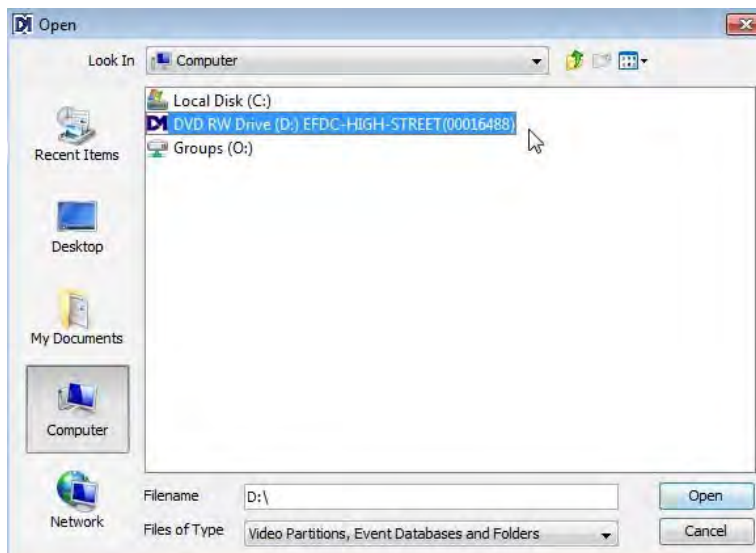
	Time	Date	Details
a)	03:32	28/10/2018	Police attended a fight on High Street, Epping at the junction with Cottis Lane. As police arrived males ran off and two males were located on the floor one of whom was in and out of consciousness with a lump on his head, and was taken by ambulance to hospital. The second male walked away from police.
b)	02:31	02/09/2018	Police received a report of 15-20 people fighting outside Starbucks, High Street which is on the corner of Cottis Lane. With a vehicle purposefully driving at people. One male received grazes to his right hip.
c)	02:50	19/08/2018	2 seperate reports were received of a fight outside Club 195, one of these stated a belt was being used as a weapon. Police attended and dispersed all parties. CCTV viewed at the time showed two groups of males confronting each other in Cottis Lane. before continuing to fight on the High Street at junction with Cottis Lane.
d)	02:52	12/08/2018	Fight outside Club 195. When police arrived, there was no fighting, and door staff at Club 195 stated they had closed at 02:30hrs. One member of door staff said a group of lads has a lump of wood, but had since left the area. Police carried out a search of the area and located some smashed glass outside Club 195. CCTV viewed at the time showed fighting on the High Street at it's junction with Cottis Lane.
e)	02:34	29/07/2018	Reports were received of a fight involving 6 males & females where one person has been thrown on the floor. Police attended and confirmed a fight had occurred.
f)	04:31	25/03/2018	Police attended a report of 30 people fighting in the road outside Club 195 where bottles being used as weapons. Officers located male victim of assault with minor injuries.
g)	03:02	25/02/2018	Reports were received of a group of males fighting outside Club 195 and people getting their heads kicked in. Police attended, and spoke to door staff who stated 2 groups having words with each other, but no fight.
h)	04:14	28/01/2018	Subway which is in on High Street, Epping approximately 100 metres from the junction of Cottis Lane 5-7 males were kicking the front door of the store. Caller ran, and was chased. These males were also kicking the bus shelter.
i)	02:35	21/01/2018	Male was involved in an altercation outside Club 195. During the altercation he sustained facial injuries and a puncture wound to his back which needed stitches, possibly caused by a screwdriver.
j)	03:15	14/01/2018	Male was outside Club 195 waiting for a taxi with friends. A male came over and punched him in the face, the suspects friends came over and continued to attack him. The victim believes the suspects had been inside Club 195 during the evening and had seen pictures of the suspect on the Club 195 social media page. The assault caused the victim to have bruising and swelling on his eye, cheek and severe bruising on his neck and back. The victim was in A&E for five hours and had a week off of work. The only contact the victim had with the suspect was in the club, the suspect approached the victim and asked him to stop speaking to a group of three girls, the victim said 'sorry are you with them?' The suspect replied 'no, but give everyone else a chance'.
k)	04:25	01/01/2018	Taxi driver outside Club 195 has 6 males in his cab refusing to leave making racist comments towards him.
l)	04:21	01/01/2018	Staff at Subway which is in on High Street, Epping approximately 100 metres from the junction of Cottis Lane report a large fight in the High Street outside. When police arrived, there was a lot of shouting and 10 persons (2 groups of 5) appeared to know each other; some had blood on their face & clothing.

How to play the CCTV

1. Open the disc drive.
2. Open the 'PLAYER' folder
3. Open the 'VIDEOPLAYER' application
4. After a short time the following window will open – this is the player.



5. Click 'File' and select 'Open Video'
6. Locate the disc drive and open the disc.



7. Now open the 'DLOAD' folder.

Followed by the 'EVENTS' folder.

Then 'EFDC-HIGH-STREET' folder.

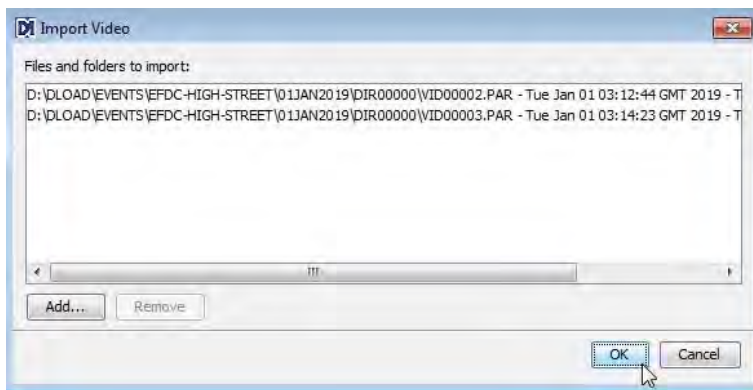
You will then get a list of dates – this relate to the incident dates for which CCTV has been provided; and you will need to return to this point to open each individual date.

8. Open the folder for the date you wish to view.

9. Open 'DIR00000' folder.

10. Select all the 'VID.....' files and click 'Open'.

11. You will then be presented with the Import Video window. On which you should click 'OK'



12. When the CCTV starts to play you will be able to select which camera to view



When you have finished watching one date you can return to step 5 and follow the instructions again to view a different date.

WHAT CCTV SHOWS**DISC 1 – 01 January 2019**

Camera 8 – at start of footage shows dispersal issues with a large number of people coming out of Club 195 and hanging around.

Camera 9 03:12:14 – 03:12:53 picks up males who have walked away from Club 195 arguing, and additional people become involved.

Camera 5 03:12:53 – 03:13:08 shows the males move from Cottis Lane into the High Street. They appear from behind the Christmas tree and disorder spills into the road, with lots of pushing, shoving and fighting. One male from the group is seen to fall into the road.

Camera 3:3 03:13:08 – 03:14:32 – show the large group continue to fight, with attempts from security to separate them. Another male is knocked to the floor at the front of the shot and is straddled by security for protection. Fighting continues around the male on the floor and a further male appearing to be unconscious and help up by another comes into view in front of the black car. The group begins to disperse and the second male who was on the floor gets up. The latter male is limp and cannot be stood up by friends. He is laid on the floor and a group gathers round him.

DISC 1 – 23 December 2018

Camera 5 03:02:57 – 03:05:29 – shows several people in the top right corner of the footage hanging around near to parked cars in the bays on the High Street at the junction to Cottis Lane. The group grows in size and spills onto the road into coming traffic. The carriageway is completely blocked at a point, forcing traffic to cross to the other side round an island. At 03:04:09 males fighting can be seen to the left of the Christmas tree. The majority of the group are then moved on to the pavement and disorder continues. Police are present throughout

Camera 9 03:08:04 – 03:08:39 – shows at the top of Cottis Lane where it joins High Street one male physically restraining another to prevent disorder. Security and police are present and attempting to separate parties.

DISC 1 – 22 December 2018

Camera 8 02:03:54 – 02:04:14 – shows males leaving Club 195 and walk along Cottis Lane towards High Street.

Camera 9 02:04:14 – 02:04:56 – picks these males up as they continue onto the High Street behaving disorderly.

Camera 5 02:04:56 – 02:05:38 – continues to show these males, and a large fight near to the memorial, which is on the High Street at the junction with Cottis Lane. Before moving out of camera view.

Camera 5 02:09:30 – 02:09:50 – shows fighting between approximately 8 males near to the memorial, which is on the High Street at the junction with Cottis Lane

Camera 5 02:17:17 – 02:18:13 – depicts a large group of males in the centre of the shot in front of the Christmas tree fighting. The male in the light shirt that is seen to throw several punches is taken to the floor by police. Police then disperse the group

DISC 2 – 02 December 2018

Camera 8 03:10:11 – 03:11:32 – shows a tall male with cropped hair wearing a white top, black jeans with a side stripe and a belt in Cottis Lane. He walks back towards Club 195 and hangs around with some other individuals in the immediate area outside the club, before stepping inside the venue at 03:11:32.

03:22:17 – 03:25:07: Camera 5 – shows around 10 minutes later, the same male shown earlier believed to be involved in disorder on the High Street. This can be seen to the back left of the memorial. It begins with a tall male in a white top hoisting up some dark coloured trousers. 03:23:10 captures the beginning of the disorderly behaviour, with some pushing and shoving seen. The male in the white top appears to make contact with another person's face, and surrounding individuals react to this against the male in the white top. At 03:23:50 the male in the white top ducks towards an individual opposite him, and appears to have something in his hand. Further aggressive body language continues within the group, including further pushing and shoving. At 03:24:08 the male in the white top is pushed against the shutters of the Salon and retaliates. Punches are visible and disorder continues between several individuals to the left of the Christmas tree. The group disperses around 03:25:07.



**Play House & Essex Roof Garden
Recommendations - (only if licence is granted)**

Essex Police recognises that the Licensing Committee has available a variety of outcome options which it may determine upon and it would be remiss if it did not proffer its view should the sub – committee decide to grant the licence.

Should the licence be granted; to ensure there are appropriate and proportionate safeguards in place at all times Essex Police considers, at the minimum, it is appropriate for the promotion of the licensing objectives for the following steps to be taken.

- **A**
Amending the hours of opening and of licensable activity (see overleaf for Essex Police’s proposition); **AND**
- **B**
Imposing additional licence conditions or amending those offered by the applicant (see overleaf for what Essex Police considers may be suitable conditions etc.).

A

Variation of licensing & opening hours

Proposed Revised Hours of Licensable Activity

To be amended so that licensable activities may only take place between:

Sunday to Thursday	1100 – 0000
Friday & Saturday	1100 – 0100

Proposed Revised Opening Hours

That opening hours extend only to 30 minutes after the relevant terminal hour for licensable activities.

B

Additions/amendments to conditions if granted

1. In respect of the offered CCTV conditions Essex Police If the licence is granted, recommends a 'daily' check of the CCTV system and not weekly as proposed.
2. The condition regarding an incident log should also specify the recording drugs or offensive weapons found or abandoned. Not just those that have been seized.
3. The incident log should be completed within 4 hours of the occurrence and not 24 hours as proposed.
4. That on all occasions door staff are required there should be a minimum of two (2) SIA licensed door supervisors from 2000 and not 2100 as proposed.
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 premise son 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/practiceA copy of this policy document shall be logged with the police and licensing authority.
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. 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.
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 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.
8. 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)
9. No person found with, or using a weapon or illegal drugs may enter or remain on the premises.
10. Only suitable toughened, plastic or polycarbonate drinking vessels will be permitted to be used at the premises.
11. 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.

This page is intentionally left blank