



# LICENSING SUB COMMITTEE

**Monday, 24th November, 2014**

**10.30 am**

**Town Hall, Watford**

**Please note the start time of this meeting**

Publication date: 21 November 2014

**CONTACT**

If you require further information or you would like a copy of this agenda in another format, e.g. large print, please contact Jodie Kloss/Alan Garside in Democracy and Governance on 01923 278376 or by email to [legalanddemocratic@watford.gov.uk](mailto:legalanddemocratic@watford.gov.uk) .

Welcome to this meeting. We hope you find these notes useful.

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# **COMMITTEE MEMBERSHIP**

Councillors I Brown, J Brown, J Connal, K Crout, G Derbyshire, K Hastrick, P Jeffree, H Lynch, M Mills, G Saffery, D Scudder, S Williams, M Hofman, A Khan and B Mauthoor

*The Sub-Committee to comprise 3 members from those listed above.*

## **AGENDA**

### **PART A - OPEN TO THE PUBLIC**

- 1. COMMITTEE MEMBERSHIP/ ELECTION OF A CHAIR**
- 2. DISCLOSURE OF INTERESTS (IF ANY)**
- 3. APPLICATION FOR TEMPORARY EVENT NOTICE: OCEANA, 127 THE PARADE, WATFORD, WD17 1NA (Pages 1 - 24)**

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## PART A

**Report to:** Licensing Sub-Committee  
**Date of meeting:** 24 November 2014  
**Report of:** Head of Community and Customer Services  
**Title:** Temporary Event Notice  
Disco, Oceana, 127 The Parade, High Street, Watford WD17 1NA  
14/01503/TENPER

### 1.0 SUMMARY

1.1 A Temporary Event Notice (TEN) has been given by Mr Alex O'Reilly in respect of an event to be held within the Disco bar at Oceana, 127 The Parade, High Street, Watford, on 21 December 2014. An objection notice has been received from the Police with regards to this TEN.

### 2.0 RECOMMENDATIONS

2.1 That the Licensing Sub-Committee determines whether or not to issue a counter-notice in respect of the TEN for 21 December 2014 for the premises, to the premises user and to the Police, giving its reasons.

### Contact Officer:

For further information on this report please contact: Austen Young Licensing Officer telephone 01923 278474: email: [austen.young@watford.gov.uk](mailto:austen.young@watford.gov.uk)

**Report approved by: Alan Gough, Head of Community and Customer Services**

### 3.0 APPLICATION

#### 3.1 Type of authorisation applied for

Temporary Event Notice (TEN) for Oceana, 127 The Parade, High Street – specifically the area within the premises known as Disco.

#### 3.2 Proposed premises user

Alex O'Reilly

#### 3.3 Description of event (reproduced directly from the TEN)

Extended trading hours

All other premises licence conditions will be observed for the duration of this TEN

#### 3.4 Maximum number of people allowed to attend the event at one time

499 (this figure includes any staff, organisers, and performers, as well as members of the public)

#### 3.5 Licensable activities

Licensable activity	Applied for
Sale by retail of alcohol	✓
Supply of alcohol by or on behalf of a club	X
Provision of regulated entertainment	✓
Provision of late night refreshment	✓

#### 3.6 Hours:

Reference	Day	Times
14/01503/TENPER	Sunday 21/12/2014	03:00 – 06:00

The TEN states that the venue will close at 06:30 to allow 30 minutes drinking up time.

### 4.0 RESPONSIBLE AUTHORITIES

#### 4.1 Police

The Police have made objections to the TEN in their role as a responsible authority. The objections are on the grounds that the licensing objective of the prevention of crime and disorder would be undermined. The objections are attached at appendix 1.

#### 4.2 Environmental Health

No objections

### 5.0 CONDITIONS

- 5.1 (1) A copy of the TEN must be prominently displayed on the premises or in the custody of the premises user or a nominated deputy, and must be produced on demand to an authorised officer.
- (2) Where the relevant licensable activities include the supply of alcohol, all such supplies are to be made by or under the authority of the premises user.
- (3) The premises user is subject to the other general enforcement provisions in the Licensing Act 2003, such as not allowing unauthorised licensable activities to take place.
- (4) The Police and authorised officers have the power to enter premises where a TEN is in force to assess the impact of the notice on the crime prevention objective.
- (5) The Police have powers to close premises instantly that are disorderly, likely to become disorderly or are causing nuisance as a result of noise from the premises.
- (6) There are no powers for the licensing authority to modify the dates or hours given in the notice.

5.2 The Sub-Committee may choose to attach one or more of the conditions from an existing premises licence where:

1. an objection notice has been received from a relevant person and not been withdrawn; and
2. the Licensing Sub-Committee has chosen not to issue a counter notice.

Paragraph 7.28 of the statutory guidance also provides information on this matter.

5.3 This option is open to the Sub-Committee in this case as the proposed premises are part of a larger premises which does hold a premises licence. The existing licence is attached at appendix 2.

## 6.0 TEMPORARY EVENT NOTICES

- 6.1 (1) Temporary event notices must be applied for no less than 10 days in advance of the proposed event. Notices given with between five and nine days' notice are still valid but are considered 'late temporary events notices'.
- (2) No more than 499 people (including visitors, staff, stewards etc) may be present at any one time in premises covered by a TEN.
- (3) Licensable activities under a TEN may not last for more than 168 hours at a time. There must be a break of at least 24 hours between two TENs.

- (4) A personal licence holder may give a maximum of fifty TENs in any one calendar year (including 10 late TENs). A non-personal licence holder may give up to five TENs in a calendar year (including two late TENs).
- (5) No more than 12 TENs may be given in any one calendar year for any particular premises, and the maximum aggregate number of days must not exceed 21 days in a calendar year.
- (6) A TEN given by an “associate” (such as a spouse or employee) is counted towards these limits.
- (7) If the Sub-Committee agrees that the relevant licensing objective/s would be undermined as a result of the TEN, it can issue a counter notice to the proposed premises user and to the relevant parties giving its reasons.
- (8) If the Sub-Committee does not agree that the relevant licensing objective/s would be undermined as a result of the TEN, it must issue a notice to the proposed premises user and to the relevant parties giving its reasons, identifying where appropriate whether any conditions from an existing premises licence or club premises certificate are to be in force during the event.
- (9) There is a right of appeal to the Magistrates’ Court by either the Police or the proposed premises user within 21 days of being notified of the decision of the licensing authority, providing it is no later than five working days before the day on which the proposed event is to take place.

## **7.0 OFFICERS’ OBSERVATIONS**

- 7.1 Officers advise that, although the Sub-Committee do have the power to impose one or more of the conditions from the existing Premises Licence for Oceana upon this TEN, the premises user has already voluntarily indicated within the TEN that they intend to observe all existing licence conditions.
- 7.2 The Police’s objections are concerned with the ability to provide Police resources to manage this event and the public who are in attendance, and the impact that this event would have upon the town centre’s dispersal, with limited transport options being available at 6am specifically being mentioned.
- 7.3 The Police are also concerned about how allowing this TEN would set a precedent for other such TENs, from this venue or other venues. The Sub-Committee are reminded that each case must be considered on its own merits, and therefore can not take into account whether allowing this TEN will result in further requests for such hours.
- 7.4 Officers did arrange for the both the Police and the premises user to meet prior to this hearing to discuss the TEN and the submitted objections. The meeting was useful in that it allowed both parties to discuss the event and how it would



be managed informally, outside of a hearing, as well as to discuss general concerns regarding the TEN. However, as neither the TEN nor the objections were withdrawn at the end of this meeting, a hearing is still required to determine whether this TEN should be allowed or not.

- 7.5 Officers advise that the licensing authority's Statement of Licensing Policy states that, where objections are received against a premises which falls within the Town Centre as defined by Policy LP3, as this premises does, that the TEN will be considered on its own merits.
- 7.6 The Committee is reminded of their duty under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the authority's responsibility to co-operate in the reduction of crime and disorder in the Borough.
- 7.7 The Committee is reminded that the Human Rights Act 1998 guarantees the right to a fair hearing for all parties in the determination of their civil rights. The Act also provides for the protection of property, which may include licences in existence, and the protection of private and family life.
- 7.8 The officers' observations and the comments regarding the representations are in no way meant to bind Members. They are for guidance only and Members may attach whatever weight they see fit.

#### Appendices

Appendix 1 – Police objections

Appendix 2 – existing premises licence

#### Background Papers

The following background papers were used in the preparation of this report. If you wish to inspect or take copies of the background papers, please contact the officer named on the front page of the report.

Licensing Act 2003

Amended guidance issued under section 182 of the Licensing Act 2003  
(Home Office October 2014)

Licensing Act (Hearings) Regulations 2005

Watford Borough Council Statement of Licensing Policy 2013 - 2018  
(November 2013)

#### File Reference

Oceana

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**WATFORD LICENSING AUTHORITY**  
**Licensing Act 2003.**

**REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES**

**Responsible Authority** (please delete as applicable):  
Police - On behalf of The Chief Constable

<b>Your Name</b>	Jo Tomkins
<b>Job Title</b>	Licence Enforcement Officer
<b>Postal and email address</b>	Community Safety Unit, Watford Police Station, Watford, Herts WD17 1DD
<b>Contact telephone number</b>	01923 472938

<b>Name of the premises you are making a representation about</b>	Oceana
<b>Address of the premises you are making a representation about</b>	127 The Parade, Watford WD17 1NA

<b><i>Which of the four licensing Objectives does your representation relate to?</i></b>	<b><i>Yes Or No</i></b>	<b><i>Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary</i></b>
<b>To prevent crime and disorder</b>  <b>Public Safety</b>  <b>To prevent public nuisance</b>	Yes	<p>An application for a Temporary Event Notice has been received for Sunday 21<sup>st</sup> Dec 2014 (effectively Saturday night in Sunday morning) for Oceana Nightclub.</p> <p>The hours requested are 03:00 to 06:00 to allow 30 minutes drinking up time for 'Disco only, includes any relevant entrance/exit points', closing at 06:30.</p> <p>The law relating to TENS applications means that the number of people in the venue is limited to 499 persons. The disco capacity is 555, however the TEN supersedes this and the capacity stands at 499.</p> <p>This application falls far beyond what would normally be considered acceptable and is outside of the Licencing Objectives for the Council.</p> <p>An extension such as this is unusual in our eyes, and if widely advertised it may possibly attract a greater number of customers to the club. Therefore, causing a knock on effect to controlling the dispersal of the increased members of the public from The Town Centre.</p> <p>Hertfordshire Constabulary currently provide considerable police resources to preventing crime and disorder in the town centre on Friday and Saturday evenings as well as specific events and some Mondays and an extension would mean we have to</p>

		<p>provide additional resources to manage those exiting the club.</p> <p>It should be noted that as other venues are shut the management of persons leaving the area are directly related to Oceana. There would therefore be a considerable impact on policing dedicated to managing persons exiting one venue in the Town Centre.</p> <p>We also have to consider services which support the Night Time Economy (NTE). Good dispersal from an NTE is vital to prevent disorder.</p> <p>The limited transports options on a Sunday morning would potentially hinder the dispersal of persons away from the Town Centre and there are concerns that ASB and crime and disorder could increase. Taxis offer a reduced service after 5am which may cause a potential problem in relation to dispersal from Oceana and them congregating in the area.</p> <p>If this was granted it would set a dangerous precedence during the Christmas period further impacting on crime and disorder should further applications be made or other venues should they decide to make similar applications.</p> <p>In summary we feel if this were to be granted it would be detrimental to policing in Watford and the community in its entirety.</p> <p>This therefore raises strong concerns of how this would impact the wider community in terms of increased Anti-Social Behaviour, Crime and Disorder.</p> <p>The Constabulary have concerns regarding this application and accordingly on behalf of the Chief Constable I represent against it.</p>
<b>To protect children from harm</b>	No	

<p><b>Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.</b></p>	
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Signed: J. Tomkins

Date: 13/11/14

Please return this form along with any additional sheets to: Watford Licensing Authority, Town Hall, Watford, Herts WD17 3EX, or email to [envhealth@watford.gov.uk](mailto:envhealth@watford.gov.uk)

**This form must be returned within the Statutory Period. For more details please check with the Licensing Unit on 01923 278503**

**Licensing Act 2003  
Schedule 12  
Part A**

Regulation 33,34

**Premises Licence**

Premises Licence Number

14/00444/LAPRE

**Part 1 – Premises Details**

**Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code**

Oceana  
127 The Parade  
High Street  
Watford  
WD17 1NA

**Telephone number**      01923 239848

**Where the licence is time limited the dates**

From 16.05.2014

**Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities**

<b>Monday</b>	On-premises alcohol sales only	10:00 – 03:00
	Off-premises alcohol sales only	10:00 – 22:00
	Performance of recorded music	10:00 – 03:30
	Performance of live music	10:00 – 03:00
	Exhibition of a film	10:00 – 03:00
	Performance of dance	10:00 – 03:00
	Late night refreshment	23:00 – 04:00
<b>Tuesday and Wednesday</b>	On-premises alcohol sales only	10:00 – 02:00
	Off-premises alcohol sales only	10:00 – 22:00
	Performance of recorded music	10:00 – 03:00
	Performance of live music	10:00 – 03:00
	Exhibition of a film	10:00 – 03:00
	Performance of dance	10:00 – 03:00
<b>Thursday, Friday and Saturday</b>	Late night refreshment	23:00 – 03:00
	On-premises alcohol sales only	10:00 – 03:00

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	Off-premises alcohol sales only	10:00 – 22:00
	Performance of recorded music	10:00 – 03:30
	Performance of live music	10:00 – 03:00
	Exhibition of a film	10:00 – 03:00
	Performance of dance	10:00 – 03:00
	Late night refreshment	23:00 – 04:00
<b>Sunday</b>	On-premises alcohol sales only	10:00 – 00:30
	Off-premises alcohol sales only	10:00 – 22:00
	Performance of recorded music	10:00 – 00:30
	Performance of live music	10:00 – 00:30
	Exhibition of a film	10:00 – 00:30
	Performance of dance	10:00 – 00:30
	Late night refreshment	23:00 – 01:30
<b>Sunday before a Bank Holiday</b>	On-premises alcohol sales only	10:00 – 03:00
	Off-premises alcohol sales only	10:00 – 22:00
	Performance of recorded music	10:00 – 03:30
	Performance of live music	10:00 – 03:30
	Exhibition of a film	10:00 – 03:00
	Performance of dance	10:00 – 03:30
	Late night refreshment	23:00 – 04:00
<b>Halloween (31 October) and Christmas Eve if a Tuesday or Wednesday</b>	On-premises alcohol sales only	10:00 – 03:00
	Off-premises alcohol sales only	10:00 – 22:00
	Performance of recorded music	10:00 – 03:30
	Performance of live music	10:00 – 03:30
	Exhibition of a film	10:00 – 03:00
	Performance of dance	10:00 – 03:30
	Late night refreshment	23:00 – 04:00
An additional hour to the standard and non-standard times on the day when British Summer Time commences for all licensable activities except off sales of alcohol.		
From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day for all licensable activities except off sales of alcohol.		

<b>The opening hours of the premises</b>	
Monday	10:00 - 04:00
Tuesday	10:00 - 03:00
Wednesday	10:00 - 03:00
Thursday, Friday and Saturday	10:00 - 04:00
Sunday	10:00 - 01:30
Christmas Eve and Halloween (31 October) if a Tuesday or Wednesday	10:00 - 04:00
Sunday before a Bank Holiday	10:00 – 04:00

<b>Where the licence authorises supplies of alcohol whether these are on and / or off supplies</b>
Supply of alcohol for consumption both on and off the premises

**Part 2**

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

The Luminar Group Ltd  
Deltic Avenue  
Rooksley  
Milton Keynes  
MK13 8LW

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

Registered Business Number            07870512

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

Alex O'Reilly  
[Address redacted for this report]

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

Personal Licence Number: 2005/00261/2015  
Licensing Authority:            Eastleigh Borough Council

## Annex 1 – Mandatory conditions

- 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 Any individual employed on the premises to conduct a security activity (within the meaning of section paragraph 2(1)(a) of schedule 2 to the Private Security Industry Act 2001) must be licensed by the Security Industry Authority.
- 4 The admission of children under 18 to any film exhibition must be restricted in accordance with any recommendation made by the film classification body specified in section 4, Video Recordings Act 1984 unless the licensing authority notifies the holder of the premises licence that recommendations made by the licensing authority must be followed instead.
- 5 (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).
- 6 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 7 (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.

8 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.

9 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.

For the purposes of this condition -

- (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.

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- 10 Where the permitted price 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.
- 11 (1) Sub-paragraph (2) applies where the permitted price 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.

## Annex 2 – Conditions consistent with the Operating Schedule

- 1 The last admission time to be premises will be 02:00.
- 2 A photographic membership system will be introduced at the premises.
- 3 Polycarbonate glasses will be used throughout the venue other than in the VIP areas. If there are any injuries caused by glass this condition will be revised.
- 4 SIA licensed staff to be provided to marshal passengers at the taxi rank in Albert Road South.
- 5 The premises will be an active member of PubWatch.
- 6 A PubWatch radio will be used to keep in contact with other premises in Watford. The radio to be kept in good working order, monitored by a responsible member of staff and used to report incidents of crime and disorder to the Police.
- 7 No person who is the subject of a court banning order or who is restricted access through a PubWatch scheme will be allowed in the premises provided the details of such person have been provided to the premises by the police.
- 8 Any customer who behaves inappropriately will be barred from the premises and their details passed to PubWatch.
- 9 The premises licence holder will co-operate with the responsible authorities in relation to dealing with the issues of drugs on the premises.
- 10 CCTV shall be provided on the premises and kept in good working order. Recordings from internal CCTV cameras to be retained for a period of 30 days and from external cameras for a period of 7 days. A notice shall be displayed at the entrances to the premises that CCTV is in operation. A monitor on which the CCTV is recording will be installed in the reception area.
- 11 28 days notice shall be given to the Police for any events held which are organised by outside promoters.
- 12 The premises licence holder shall ensure that the noise limiter (where fitted) is used and maintained as set up by a qualified sound engineer.
- 13 The premises holder shall adopt a bespoke dispersal policy for the premises (to be finalised prior to opening).
- 14 Noise or vibration from within the premises or from any plant machinery or equipment shall not emanate from the premises so as to cause a nuisance to any residential dwelling.
- 15 The ground floor bar area will be made available for late night refreshment up until the premises close for teas, coffees and hot food.
- 16 The premises licence holder will champion a designated driver scheme.
- 17 All staff to be trained in relevant legislation and trained to ensure that no person under the age of 18 years will be sold alcohol and any person who looks under 18 years of age to provide acceptable identification of their age. Acceptable forms of ID include photographic driving licence, passports or proof of age cards with PASS hologram.
- 18 All staff who work behind the bar will be fully trained to ensure that no person who is drunk or disorderly or who appears to be under the age of 18 years is served with intoxicating liquor, such training to be repeated every 6 months.

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- 19 Signs will be displayed throughout the venue stating that alcohol will not be served to anyone under 18 years of age.
- 20 A risk assessment will be carried out to determine the number of door staff who shall be on duty.
- 21 A register of door staff will be maintained indicating the number of door staff on duty, their identity and the times they were on duty.
- 22 All door supervisors will be registered with the SIA and wear their name badges at all times.
- 23 Any female customer who needs to be searched will be searched by a female door supervisor or a female member of staff.
- 24 Random searching will take place of those people suspected of carrying drugs or offensive weapons.
- 25 Agreement will be reached with the Police about the storage of such drugs or weapons recovered from customers and their delivery to the Police.
- 26 Consumption of alcohol will be restricted to the external area shown edged in green on the plan (PROPOSED GROUND FLOOR PLAN).
- 27 No person will be allowed to leave the premises with any bottle or glass, except into the area shown edged in green on the plan (PROPOSED GROUND FLOOR PLAN).
- 28 Tables will be cleared of all bottles and glasses on a regular basis.
- 29 An incident book will be kept at the premises in which will be recorded all incidents of crime and disorder. This book will be reviewed by senior management in association with the designated premises supervisor.
- 30 The premises shall not open to the public until all of the responsible authorities have visited the premises and confirmed the premises are safe to open.
- 31 The premises shall not open to the public until all the relevant safety certificates have been provided to the responsible authorities.
- 32 An accurate record shall be kept of the number of persons admitted to each part of the premises.
- 33 There shall be a suitable number of adequately trained staff to prevent overcrowding in parts of the premises, to keep exit routes clear and to ensure the safe evacuation of people from the premises. In the event of an emergency and such staff will be issued with specific duties.
- 34 All escape doors and escape routes will be checked before the premises open for trading to the public and a record of the check shall be maintained.
- 35 All electrical installations will be inspected by a competent person before the expiry of the current electrical certificate and the certificate issued will be the current standard form certificate issued by a competent person's professional body.
- 36 If any work is undertaken to the electrical installation it will be inspected, tested and certified by a competent person as soon as possible.
- 37 All electrical socket outlets provided for entertainers portable equipment must be protected by a residual current device which is part of the fixed wiring, such RCDs to have a rated residual operating current not exceeding 30 milliamps and maximum operating time of 30 milliseconds. The RCDs must be tested before the sockets are used for entertainers.

- 38 At least one first-aider trained to deal with problems associated with alcohol and drugs will be on duty when the premises are open for licensable activities.
- 39 No lasers or pyrotechnics will be used with the prior approval of the Licensing Authority.
- 40 No demonstrations of hypnotism without the prior approval of the Licensing Authority.
- 41 An adequate supply of free drinking water shall be provided for all customers.
- 42 Risk Assessments (including a fire risk assessment) will be carried out and following such Risk Assessment an action Plan will be prepared and any additional action required will be implemented. This will be reviewed annually.
- 43 The gates at the foot of the two rear emergency exit staircases that discharge from the second floor level onto the car park access road shall be kept locked back in the open position the whole time the premises are open to the public.
- 44 The premises licence holder shall maintain suitable and sufficient sound attenuation throughout the whole of the building.
- 45 The premises will use polycarbonate drinking vessels and PET (PolyEthylene Terephthalate) bottles, where PET bottles are not commercially available drinks will be decanted into polycarbonate drinking vessels. The exception to this will be bottles of champagne, wine and spirits.
- 46 The consumption of alcohol outside of the premises shall be restricted to any area which is covered by a valid pavement licence issued in respect of the premises, and any other areas as agreed with the licensing authority.
- 47 No person shall be allowed to leave the premises with any bottle or glass except to enter any area which is covered by a valid pavement licence issued in respect of the premises, and any other areas as agreed with the licensing authority.

### **Annex 3 – Conditions attached after a hearing**

#### **Condition attached by the licensing authority on 22 January 2008**

- 1 The smoking area on the roof, with regard to sound attenuation, is constructed to the satisfaction of the Environmental Health department in order to minimise public nuisance.

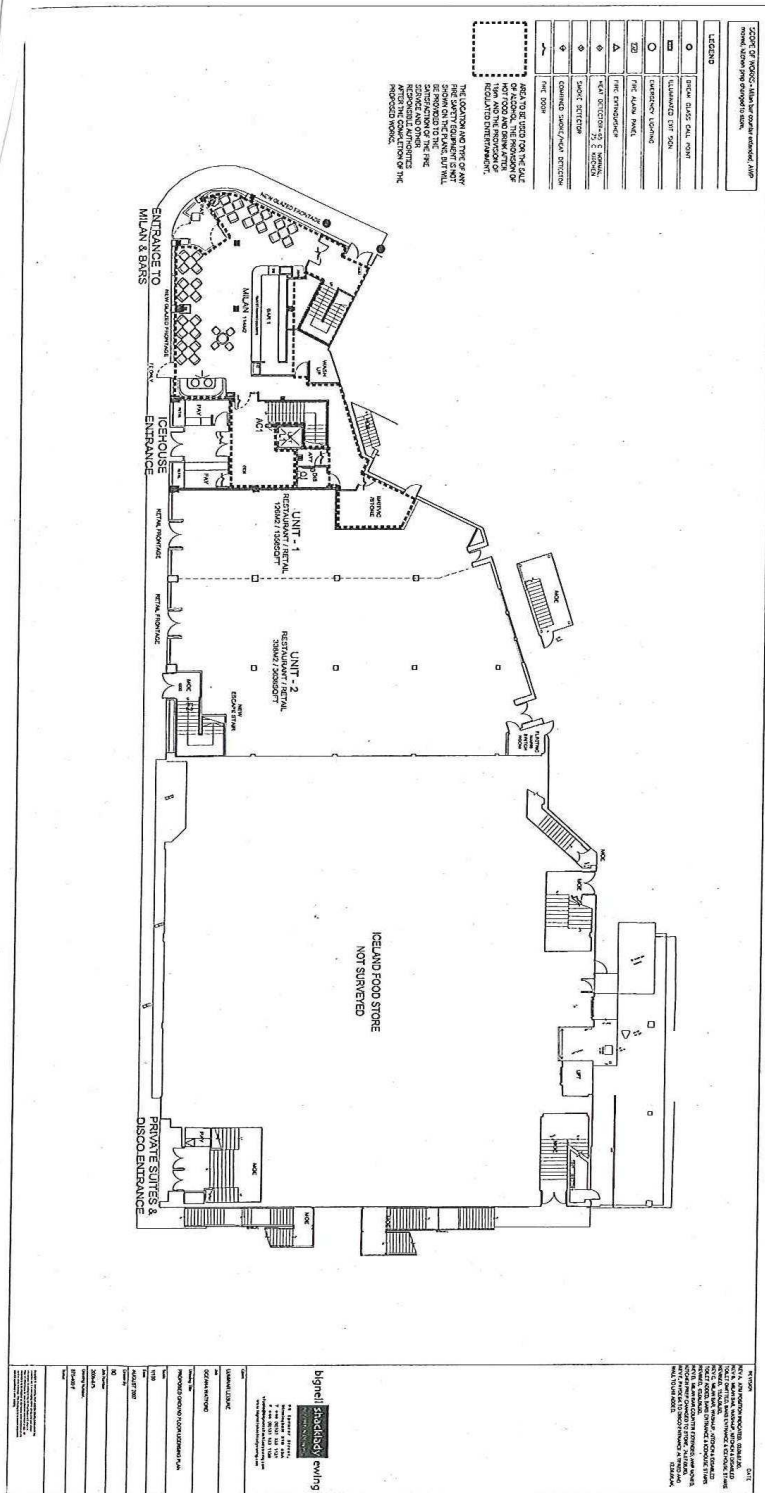
#### **Conditions attached by the licensing authority on 4 August 2008**

- 2 The last admission to Milan Bar from the main entrance to be 01:00 am
- 3 The applicant to hold quarterly meetings with Central Town Residents Association.

#### **Conditions attached by the licensing authority on 20 January 2014**

- 4 (1) This condition applies when the premises are open on a
  - (i) Sunday before a Bank Holiday
  - (ii) 31 October (Halloween) or Christmas Eve which fall on a Tuesday or Wednesday
- (2) All litter to include discarded flyers, cigarettes, fast food packaging and any other litter, whether caused by the venue or not, to be cleared from the area delineated below, such waste to be disposed of as trade waste by the premises.
- (3) The area to be cleaned is:
  - (i) the entire footway on the western side of Albert Road South between The Parade and Beechen Grove
  - (ii) the boundary to Elm Court fronting Albert Road South and Beechen Grove
  - (iii) the footway on The Parade between the frontage to Oceana and the pond, a distance of approximately 10 metres.

Annex 4 – Plans

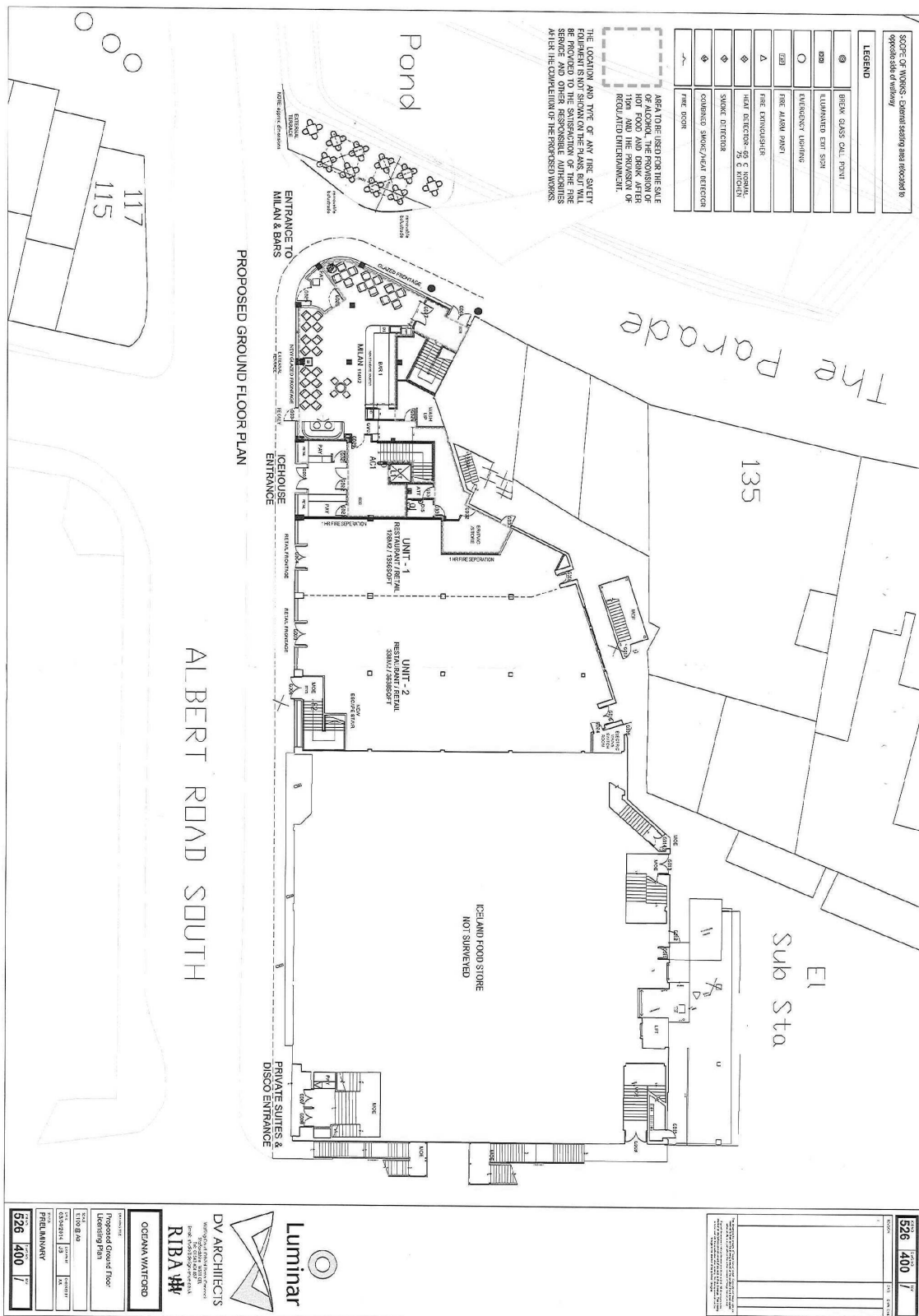












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