



# LICENSING SUB COMMITTEE

Oceana  
127 The Parade

**Monday, 20th January, 2014**

**10.30 am**

**Town Hall, Watford**

Publication date: 10 January 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 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.

## **ACCESS**

Access to the Town Hall after 5.15 pm is via the entrance to the Customer Service Centre from the visitors' car park.

Visitors may park in the staff car park after 4.00 p.m. and before 7.00 a.m. This is a Pay and Display car park; the current charge is £1.50 per visit.

The Committee Rooms are on the first floor of the Town Hall and a lift is available. Induction loops are available in the Committee Rooms and the Council Chamber.

## **FIRE/EMERGENCY INSTRUCTIONS**

In the event of a fire alarm sounding, vacate the building immediately following the instructions given by the Democratic Services Officer.

- Do not use the lifts
- Do not stop to collect personal belongings
- Go to the assembly point at the Pond and wait for further instructions
- Do not re-enter the building until authorised to do so.

## **MOBILE PHONES**

Please ensure that mobile phones are switched off before the start of the meeting.

## **MINUTES**

Copies of the minutes of this meeting are usually available seven working days following the meeting and can be found on the Council's website [www.watford.gov.uk/meetings](http://www.watford.gov.uk/meetings)

## **RECORDING OF MEETINGS**

An audio recording may be taken at this meeting for administrative purposes only.

# COMMITTEE MEMBERSHIP

Councillors I Brown, J Brown, J Connal, K Crout, G Derbyshire, J Dhindsa, K Hastrick, P Jeffree, H Lynch, M Meerabux, M Mills, G Saffery, D Scudder, L Scudder and M Turmaine

*The Sub-Committee to comprise three councillors 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. VARIATION OF PREMISES LICENCE APPLICATION: OCEANA, 127 THE PARADE, HIGH STREET, WATFORD  
13/01439/LAPRE (Pages 1 - 38)

This report asks the Sub-Committee to consider an application to vary the licence at the above premises following the receipt of representations.

This page is intentionally left blank

## PART A

**Report to:** Licensing Sub-Committee  
**Date of meeting:** 20 January 2014  
**Report of:** Head of Community and Customer Services  
**Title:** Variation of Premises Licence Application:  
Oceana, 127 The Parade, High Street, Watford  
13/01439/LAPRE

### 1.0 **SUMMARY**

1.1 An application has been made by Luminar Ltd to extend the hours and licensable activities for Oceana, 127 The Parade on St David's Day, St Patrick's Day, St George's Day, St. Andrew's Day, Halloween, Christmas Eve and Bank Holiday Sundays (including Easter Sunday). Representations have been received from two interested parties.

### 2.0 **RECOMMENDATIONS**

- 2.1 That the Licensing Sub-Committee determines whether to grant the variation of the premises licence in respect of Oceana, 127 The Parade, High Street, Watford for licensable activities as outlined in the report
- 2.2 That the Licensing Sub-Committee determines whether any other appropriate conditions should be added to the licence in light of the representations that have been made.

**Contact Officer:**

For further information on this report please contact: Parminder Seyan,  
Licensing Officer telephone 01923 278903: email:  
[parminder.seyan@watford.gov.uk](mailto:parminder.seyan@watford.gov.uk)

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

### 3.0 APPLICATION

#### 3.1 Type of authorisation applied for

Variation to premises licence on behalf of Luminar Leisure Ltd.

#### 3.2 Description of premises

The premises are situated in the 'town centre' as defined in Policy LP3. The premises falls within the description of 'Night-clubs' given in policy LP1. The premises are a bar with dancing, music facilities and supplying food during opening hours.

A plan of the premises is attached at appendix 1

A map of the location is attached at appendix 2

#### 3.3 Licensable activities

No additional licensable activities have been requested.

Licensable activity	Permitted now
Plays	✓
Films	✓
Indoor sports events	✓
Boxing or wrestling entertainment	
Live music	✓
Recorded music	✓
Performances of dance	✓
Anything of a similar description to live or recorded music or dance	✓
Provision of late night refreshment	✓
Sale by retail of alcohol for consumption on the premises	✓
Sale by retail of alcohol for consumption off the premises	✓

### 3.4 Hours

The applicant is seeking to extend the hours of opening and for licensable activities on the notable days as follows:

<b>Licensable activity</b>	<b>Current terminal hour</b>	<b>Proposed terminal hour</b>
Exhibition of Film	03:00 Monday – Saturday 03:00 Sunday	03:00
Live Music	03:00 Monday – Saturday 03:00 Sunday	03:30
Recorded Music	03:30 Monday, Thursday, Friday & Saturday;  03:00 Tuesday and Wednesday; 00:30 Sunday	03:30
Performance of dance	03:00 Monday- Saturday 00:30 Sunday	03:30
Sale of alcohol (Consumption on the premises)	03:00 Monday, Thursday, Friday & Saturday; 02:00 Tuesday and Wednesday; 00:30 Sunday	03:00
Late night refreshment	04:00 Monday, Thursday, Friday & Saturday; 03:00 Tuesday and Wednesday; 01:30 Sunday	04:00
Hours open to the public	04:00 Monday, Thursday, Friday & Saturday; 03:00 Tuesday and Wednesday; 01:30 Sunday	04:00

### 3.5 Adult entertainment or activities etc that may give rise to concern in respect of children:

In the event of any such activities taking place, suitable steps would be taken to promote the licensing objectives and avoid any concern in respect of children.

#### 4.0 **BACKGROUND INFORMATION**

The following background information is known about these premises:

##### 4.1 Designated premises supervisor

Alex O'Reilly

##### 4.2 Current licences held

Premises licence 13/01455/LAPRMV from 11 December 2013

##### 4.3 Closing date for representations

23 December 2013

##### 4.4 Public notice published in newspaper

29 November 2013

#### 5.0 **PROMOTION OF LICENSING OBJECTIVES**

##### 5.1 General

A minor variation for the premises was granted on the 11 December 2013. There were no objections to that application. The premises currently has a set of conditions on the licence.

The applicant intends to continue current management practices as the style and operation of the premises will not differ significantly in the future.

All additional steps to promote the four licensing objectives will remain in place. There are no additional steps proposed.

##### 5.2 The prevention of crime and disorder

See 5.1 above

##### 5.3 Public safety

See 5.1 above

##### 5.4 Prevention of public nuisance

See 5.1 above

##### 5.5 The protection of children from harm

See 5.1 above

#### 6.0 **RESPONSIBLE AUTHORITIES**

There have been no representations from Responsible authorities

#### 7.0 **INTERESTED PARTIES**

Two relevant representations have been received from interested parties in relation



to public nuisance and are attached at Appendix 5.

Reference letter	Name	Address	Representative Body (Yes/No)	Relevance to which licensing objective
A	Peter Young, Central Town Residents' Association and Neighbourhood Watch	31 St John's Road Watford	Yes	Public nuisance
B	Mr Laycock	7 Elm Court Albert Road South, Watford	No	Public nuisance

## 8.0 POLICY CONSIDERATIONS

8.1 The following provisions of the Licensing Act 2003 apply to this application:

Section 34 (variation to premises licence)  
Sections 19, 20, 21 (mandatory conditions)

8.2 The following provisions of the Secretary of State's guidance apply to this application:

- Paras 8.41 - 8.45:

These paragraphs explain how steps should be taken to promote the licensing objectives. It is for the Sub-Committee to decide in light of this guidance whether the measures offered by the applicant are adequate and likely to promote the licensing objectives. It is equally important to use the same measure when looking at any steps requested by a party making representation against an application.

- Chapter 10:

This chapter looks at best practice in relation to conditions that may be attached to a premises licence by the Sub-Committee, should they believe that these are necessary to promote the licensing objectives. Any additional conditions requested by the responsible authorities should be considered with reference to this chapter.

8.3 The following paragraphs of the licensing authority's statement of licensing policy apply to this application:

- Policy LP1 (Premises Definitions):

Under this policy the premises is defined as a “Night-Club” – Primarily for the provision of licensable activities at night (typically including music and dancing), where alcohol sales are a strong feature.

- Policy LP2 (Location and Operation of Premises):

This policy sets out the approach to licensing premises when relevant representations are received, notwithstanding that each application is considered on its own merits. The premises which are the subject of this application fall within the Town Centre (as defined in Policy LP3) and as such this policy states that Night-clubs “Will generally be allowed licensable activities to 1am only and until 10:30pm on Sunday (other than for special occasions)”.

- Policy LP3 (Creating a Family Friendly Town Centre):

This is a special policy which applies to this part of the town centre, which is intended to be strictly applied.

Paragraph 1 of LP3 states “When we have received relevant representations to an application for a pub, night-club or bar (as defined in LP1) in this part of the town centre, our starting point will be to refuse the application”.

Paragraph 4 of LP3 states “Where relevant representations have been received, we will consider granting applications which limit the hours of operation to those set out in policy LP2 unless exceptions to LP3 can be shown.

Paragraph 5 of LP3 states “Where relevant representations have been received and exceptions can be shown for applications for public houses and night-clubs, we will consider whether to require waiter/table service for alcohol sales between 9pm and the final time for the sale of alcohol.

Paragraph 6 of LP3 states “Where relevant representations have been received to sell alcohol after 10pm and exceptions can be shown, we will consider whether premises shall be required to install a closed-circuit television system that meets the reasonable requirements of Hertfordshire Constabulary and to have use of a Pub watch radio”.

#### Exceptions to LP3

1. Exceptions will not be made on the grounds that:

- (1) the building design is of a high standard; we would expect that all applicants will want to ensure the highest design standards possible;
- (2) that the applicant is of good character. It is a legal requirement that premises selling alcohol must be under the management of a designated premises supervisor, who must themselves hold a personal licence to sell alcohol;
- (3) the premises are small. Even small premises can contribute to crime, disorder and nuisance.

2. We will consider whether to grant an application, even when relevant representations have been received, if:

- (1) the application contributes to the family-friendly development of the town centre; or
- (2) to effect a real reduction in capacity of alcohol sales; or
- (3) to replace vertical drinking establishment with seated consumption and waiter service.

3. In any case where an applicant wishes an exception to be considered, the responsibility is with them to show why it should be considered and not on our licensing committee to show why an exception should not be made.

- Policy LP8 (Prevention of Public Nuisance)

Under this policy the committee will consider any necessary measures to deal with the potential for public nuisance and/or anti-social behaviour where relevant representations have been received.

- Policy LP11 (Representations against Applications)

This policy recommends the type of information that should be included in a representation. It also explains how representations will be dealt with.

- 8.4 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 cooperate in the reduction of crime and disorder in the Borough.
- 8.5 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.

## 9.0 OFFICERS' OBSERVATIONS

- 9.1 The hours applied for are in excess of those set out in the policy LP1. However, the Sub-Committee will be aware that the licence for Oceana already exceeds the policy hours, as previous Sub-Committees found Oceana an exception to the policy on that occasion. This should not constrain the Sub-Committee in any way, as each application must be considered on its own merits. If the Sub-Committee thinks that it has good reasons to find this application is exceptional enough to depart from policy LP1 and LP3, it may grant the application, subject to any additional conditions that may promote the licensing objectives.
- 9.2 The Sub-Committee should note that there is a condition restricting entry to the premises after 02:00 hours, and this will not be affected by the variation if granted.

- 9.3 Should the Sub-Committee be minded to grant the application, it may consider imposing conditions requiring a litter control plan to be implemented, and consider whether that should only apply during the additional hours being requested. Officers would recommend the following modified condition from the pool of model conditions:

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.

The area to be cleaned is:

- (1) the entire footway on the western side of Albert Road South between The Parade and Beechen Grove,
- (2) the boundary to Elm Court fronting Albert Road South and Beechen Grove
- (3) the footway on The Parade between the frontage to Oceana and the pond, a distance of approximately 10 metres.

- 9.4 There are already conditions in place which address potential noise leakage from the premises and from air conditioning units. The air conditioning units function already and no complaints have been received about them by Environmental Health. It is recommended that these are taken into account when considering this application as, if they do amount to a nuisance, they should be dealt with either as a statutory nuisance, through the existing licence conditions or a review of the licence.

#### 10.0 **Conditions**

The existing licence conditions are set out at appendix 4 including the mandatory conditions relating to the sale of alcohol. Those conditions will be extended to cover any additional hours that the sub-committee thinks appropriate to grant.

#### Appendices

- Appendix 1 - Plan
- Appendix 2 - Location
- Appendix 3 - Representations
- Appendix 4 - Current Premises licence & Conditions
- Appendix 5 - Draft Premises licence

#### Background Papers

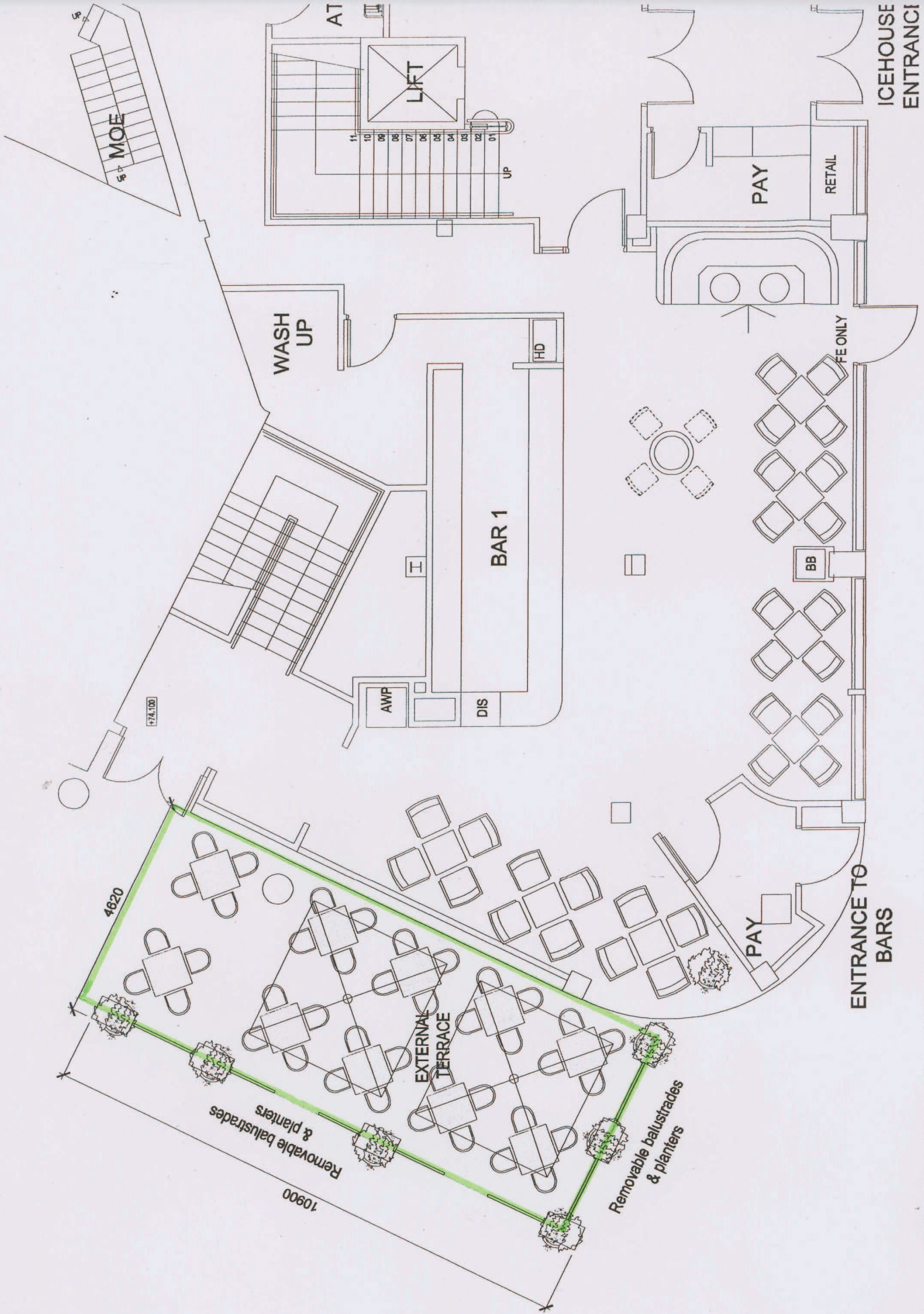
The following background papers were used in the preparation of this report. If you wish to inspect or take copies of the background papers, please contact the officer named on the front page of the report.

Licensing Act 2003

Amended Guidance issued under Section 182 of the Licensing Act 2003-June  
2013  
Licensing Act (Hearings) Regulations 2005  
Watford Borough Council Licensing Policy November 2013 – November 2018

File Reference  
Oceana

This page is intentionally left blank



**PROPOSED GROUND FLOOR PLAN**

This page is intentionally left blank





Date: 06 July 2011  
SLA: Not Set  
Scale: 1:1250

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationary Office © Crown Copyright 2000.  
Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Produced using ESRI (UK)'s MapExplorer 2.0 - <http://www.esriuk.com>

This page is intentionally left blank

**REPRESENTATION FORM FROM INTERESTED PARTIES**

This representation is made by an Interested Party in the vicinity of the premises to be licensed as detailed below

Your name/organisation name/name of body you represent (see note 3)	P G C Young
Organisation name/name of body you represent (if appropriate) (see note 3)	Central Town Residents' Association and Neighbourhood Watch
Postal and email address	31, St John's Road, Watford, Herts., WD17 1QB
Contact telephone number	[REDACTED]

Name of the premises you are making a representation about	Oceana 127, The Parade, High Street, Watford.
Application reference (if known)	
Address of the premises you are making a representation about.	Oceana 127, The Parade, High Street, Watford.

Your representation must relate to one of the four Licensing Objectives (see note 4)

Licensing Objective	Yes Or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder	No	(Covered by prevention of public nuisance)
Public safety	No	(Covered by prevention of public nuisance)
To prevent public nuisance	Yes	Our residents object to any increase in any proposed licensing alteration which would be detrimental to their quality of life. Please see the attached letter for details.
To protect children from harm	No	(Covered by prevention of public nuisance)
Please suggest any 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. **		We have looked to ways of reducing the cumulative effect on residents' quality of life and made proposals to the Pub Watch which have been turned down. Until the balance is redressed, we must very strongly oppose any increase in the total capacity of the bars and clubs

Signed: [REDACTED]

Date: 7<sup>th</sup> December 2013

Please see notes on reverse



**CENTRAL TOWN RESIDENTS' ASSOCIATION  
AND NEIGHBOURHOOD WATCH GROUP 57**

Secretary

[Answerphone]

31, St John's Road,  
Watford,  
Hertfordshire,  
WD17 1QB.

7<sup>th</sup> December 2013

The Licensing Authority,  
Watford Borough Council,

**Applications for an Extensions to their Premises Licence**

1. Extension of recorded music Mon, Thurs, Fri & Sat until 03:30 the following morning
2. Extension of their activities to specific days: Exhibition of a film until 0300, Performance of Live music until 0330, Recorded Music until 0330, Performance of Dance until 0330, Late Night Refreshment until 0400, Supply of Alcohol until 0300, Premises open to the public until 0400 on the following specific days: David's Day, St Patrick's Day, St George's Day, St Andrew's Day, Halloween, Christmas Eve, and all Bank holiday Sunday. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour to the standard and non standard timings on the day when British Summertime commences.

The problems our residents have is concerned with noise and anti-social behaviour caused by the clientele go to and especially from the Café Quarter. The noise can be simply that having been in a noisy environment the people are talking loudly. Extending the hours for music means that emerging clientele will generate a higher level of noise. The hour of peace allows for a quieter emerging clientele.

One of the problems we foresee in the long list of dates requested for longer hours will reduce our enjoyment of a quieter Sunday night. Again the half hour music gap before closure has the same objection as above.

We wish to register our strong objections to these applications.

Yours faithfully,

**P G C Young**  
(for and on behalf of the Central Town Residents' Association  
and Neighbourhood Watch)

**REPRESENTATION FORM**

This representation is made by the following person/organisation/body in relation to the licensing application for the premises detailed below

Your name/organisation name/name of body you represent	RICHARD LAYCOCK
Organisation name/name of body you represent (if appropriate)	
Postal and email address	7 ELM COURT, ALBERT ROAD SOUTH WATFORD WD17 1QQ
Contact telephone number	[REDACTED]

Name of the premises you are making a representation about	OCEANIA
Address of the premises you are making a representation about.	127, The Parade, Watford WD17 1NA

Your representation must relate to one of the four Licensing Objectives (see note 4)

Licensing Objective	Yes Or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder		
Public safety		
To prevent public nuisance	Y	Noise from air conditioning units is intrusive. Staff leaving car park late end of shift, uses doors, accelerating of vehicles. A additional days of noise from disposal of glass waste the following day. Litter from chests awaiting entry
To protect children from harm	N	

Please suggest any 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. (see note 7)	[REDACTED]
---	------------

Signed: [REDACTED]

Date: 05/12/13

Please see notes on reverse



10 DEC 2013

7, Elm Court  
Albert Road South  
Watford  
WD17 1QQ

4<sup>th</sup> December, 2013  
Your Ref: 13/01439/LAPRE

Watford Borough Council  
Town Hall  
Watford  
WD17 3EX

Dear Sir,

**LICENSING ACT 2003**  
**Oceana, 127 The Parade, Watford WD17 1NA**  
**Application to vary a premises licence under the Licensing Act, 2003**


With regards to the enclosed representation form I was seeking some clarification on the terms and definition of notable days.

While I note that specific days are listed in the application my concern would be that this could be extended, especially in a multi-national and multi-ethnic area such as Watford. Many bars may already have events for 4<sup>th</sup> July, Australia Day (26<sup>th</sup> January) and Canada Day (1<sup>st</sup> July) and can foresee enterprising event organizers identifying many similar national holidays or religious festivals as notable dates which they could ask to be added to the list. Is the current list of specific dates mandated by legislation or is it set by local councils/magistrates?

On operational nights we can incur noise pollution from the site's air conditioning units on the roof. Staff leaving car park at end of shift generates noises from voices, car doors and revving/accelerating vehicles. The day following trading we get noise from waste glass being dumped into the skips at rear of premises. Noise is also incurred by my neighbours close to the road when the queues for entry are directed along our boundary away from The Parade (as sometimes happens on 'peak' nights such as New Year's Eve) and litter dumped over the fence (lots of empty vodka bottles from handbags prior to door search – believe this called pre-loading?).

My interpretation of the application would be that they are seeking permission to stay open through the night from New Year's Eve and through to New Year's Day? I suspect the persons stumbling out into the daylight of 1<sup>st</sup> January may not be in the clearest of thinking.

Yours faithfully,

  
Richard Laycock

Email: 

**Licensing Act 2003  
Schedule 12  
Part A**

Regulation 33,34

**Premises Licence**

**Premises Licence Number**

13/01455/LAPRMV

**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 11.12.2013

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

Sale of alcohol (For consumption on the premises)	Monday, Thursday, Friday & Saturday	10:00 - 03:00
	Tuesday & Wednesday	10:00 - 02:00
	Sundays	10:00 - 00:30
Sale of alcohol (For consumption off the premises)	Monday – Sunday	10:00 - 22:00
Exhibition of films	Monday – Saturday	10:00 - 03:00
	Sunday	10:00 - 00:30
Performance of Live Music	Monday – Saturday	10:00 - 03:00
	Sunday	10:00 - 00:30
Recorded Music	Monday, Thursday, Friday & Saturday	10:00 - 03:30
	Tuesday & Wednesday	10:00 - 03:00
	Sunday	10:00 - 00:30

Performance of Dance	Monday – Saturday	10:00 - 03:00
	Sunday	10:00 - 00:30
Late Night Refreshment	Monday, Thursday, Friday & Saturday	23:00 - 04:00
	Tuesday & Wednesday	23:00 - 03:00
	Sunday	23:00 - 01:30

To permit the sale of alcohol for consumption on the premises and provision of regulated entertainment in respect of the whole premises on Sundays preceding a Bank Holiday Monday from 10:00 until 03:00 hours the following morning and to permit the provision of late night refreshment on Sundays preceding a Bank Holiday Monday from 23:00 – 04:00 the following morning.

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.

**The opening hours of the premises**

Monday, Thursday, Friday and Saturday	10:00 - 04:00
Tuesday and Wednesday	10:00 - 03:00
Sunday	10:00 - 01:30

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

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 Limited  
Deltic Avenue  
Rooksley  
Milton Keynes  
MK13 8LW

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

07870512

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

Mr Alex O'Reilly  
6 Oldstead  
Bracknell  
Berks  
RG12 0UE

Tel: 01923 239848

**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 premises 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 (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
  - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - (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;
  - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
    - (i) the outcome of a race, competition or other event or process, or
    - (ii) the likelihood of anything occurring or not occurring;
  - (e) 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.
- 5 The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- 6 The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 7 (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) 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 a holographic mark.

8 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) customers are made aware of the availability of these measures.

## **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.
- 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.

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

**Annex 4 – Plans**

875-400E ground floor

875-401E first floor

875-402D second floor

875-403B third floor

PROPOSED GROUND FLOOR PLAN

This page is intentionally left blank



**Licensing Act 2003  
Schedule 12  
Part A**

Regulation 33,34

**Premises Licence**

Premises Licence Number

13/01439/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 21.01.2014

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

<b>Sale of alcohol</b> (on and off the premises)	Monday, Thursday, Friday & Saturday	10:00 - 03:00
	Tuesday & Wednesday	10:00 - 02:00
	Sundays	10:00 - 00:30
	Special Days* (on premises only)	10:00 - 03:00
<b>Exhibition of films</b>	Monday – Saturday	10:00 - 03:00
	Sunday	10:00 - 00:30
	Special Days*	10:00 - 03:00
<b>Performance of Live Music</b>	Monday – Saturday	10:00 - 03:00
	Sunday	10:00 - 00:30
	Special Days*	10:00 - 03:30
<b>Recorded Music</b>	Monday, Thursday, Friday & Saturday	10:00 - 03:30
	Tuesday & Wednesday	10:00 - 03:00
	Sunday	10:00 - 00:30
	Special Days*	10:00 - 03:30

<b>Performance of Dance</b>	Monday – Saturday	10:00 - 03:00
	Sunday	10:00 - 00:30
	Special Days*	10:00 - 03:30

<b>Late Night Refreshment</b>	Monday, Thursday, Friday & Saturday	23:00 - 04:00
	Tuesday & Wednesday	23:00 - 03:00
	Sunday*	23:00 - 01:30
	Special Days*	23:00 – 04:00

\*St David's Day, St Patrick's Day, St George's Day, St Andrew's Day, Halloween, Christmas Eve and Bank Holiday Sundays (including Easter Sunday)

To permit the sale of alcohol for consumption on the premises and provision of regulated entertainment in respect of the whole premises on Sundays preceding a Bank Holiday Monday from 10:00 until 03:00 hours the following morning and to permit the provision of late night refreshment on Sundays preceding a Bank Holiday Monday from 23:00 – 04:00 the following morning.

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.

To permit the sale of alcohol for consumption on St David's Day, St Patrick's Day, St George's Day, St Andrew's Day, Halloween, Christmas Eve and all Bank Holiday Sundays

**The opening hours of the premises**

Monday, Thursday, Friday and Saturday	10:00 - 04:00
Tuesday and Wednesday	10:00 - 03:00
Sunday	10:00 - 01:30
Special Days*	10:00 – 04:00

\*St David's Day, St Patrick's Day, St George's Day, St Andrew's Day, Halloween, Christmas Eve and Bank Holiday Sundays (including Easter Sunday)

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

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 Limited  
Deltic Avenue  
Rooksley  
Milton Keynes  
MK13 8LW

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

07870512

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

Mr Alex O'Reilly  
6 Oldstead  
Bracknell  
Berks  
RG12 0UE

Tel: 01923 239848

**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 premises 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 (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
  - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - (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;
  - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
    - (i) the outcome of a race, competition or other event or process, or
    - (ii) the likelihood of anything occurring or not occurring;
  - (e) 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.
- 5 The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- 6 The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 7 (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) 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 a holographic mark.

8 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) customers are made aware of the availability of these measures.

DRAFT

## **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.
- 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.

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

DRAFT



**Annex 4 – Plans**

875-400E ground floor

875-401E first floor

875-402D second floor

875-403B third floor

PROPOSED GROUND FLOOR PLAN

DRAFT

This page is intentionally left blank