15 October 2019

Licensing and Appeals Committee

Licensing Sub-Committee Hearing in respect of an Application for a New Premises Licence – Licensing Act 2003

THE VINE, 104 HIGH STREET, BRENTWOOD CM14 4AP

Report of: *Paul Adams – Joint Licensing Manager*

Wards Affected: *Brentwood South*

This report is: *Public*

1. Executive Summary

1.1 An application has been received for a new premises licence for the provision of Films, Live Music, Recorded Music, Performance of Dance, Anything Similar to that Falling Within Live Music, Recorded Music or Performance of Dance and Supply of Alcohol and Late Night Refreshment in respect of **The Vine, 104 High Street, Brentwood, CM14 4AP.** Two relevant representations have been received. Members are requested to determine the application having regard to the operating schedule, the representations received, the Council's Statement of Licensing Policy and the four Licensing objectives.

2. Recommendation(s)

2.1 That the Sub Committee:

Considers this report and appendices together with any oral submissions at the hearing and determines the application in line with the options open to the sub-committee under the Licensing Act 2003: However, the available options are:

i) To grant the application in full on the terms and conditions contained in the operating schedule along with any applicable mandatory conditions;

ii) To grant the application, modified to such extent as considered appropriate in order to satisfy any relevant representations and to promote the licensing objectives; or

iii) To refuse the application in whole or in part

3. Introduction and Background

3.1 An authorisation is required in respect of any premises where it is intended to conduct one or more of the four licensable activities, these being:

- Sale of alcohol
- Supply of alcohol (in respect of a club)
- Regulated Entertainment
- Provision of Late Night Refreshment

3.2 An appropriate authorisation is either, a premises licence, a club premises certificate or a Temporary Event Notice.

3.3 Licence holders are required, when offering any licensable activity, to ensure that they promote the licensing objectives at all times. The operating schedule of the application contains details of the activities applied for and the control measures that the applicant will have in place in order to promote these objectives. Such measures will, where appropriate, be converted into enforceable conditions on any licence issued.

3.4 The four licensing objectives are;

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety
- Protection of children from harm

3.5 Any representation must be able to demonstrate that on the balance of probability the application in its current form will fail to adequately promote one or more of the licensing objectives. No other matters may be considered.

4. The Application

4.1 This application was received on 19th August 2019 from Mr Matt Bell for 21st Century Licensing on behalf of Mr Andreas Artemi in respect of **The Vine, 104 High Street, Brentwood, CM14 4AP.** A copy of the application is attached at ***Appendix 1.***

4.2 This premise is a bar with a DJ booth. A set of OS Street Maps and images together with the last Premises Licence issued to the venue to better identify the location are attached at ***Appendix 2.***

4.3 This application seeks a new premises licence for the following activities;

Films, Live Music, Recorded Music, Performance of Dance, Anything Similar to that Falling Within Live Music, Recorded Music or Performance of Dance and Supply of Alcohol;
Mon-Weds 1000hrs-0000hrs, Thurs & Sun 1000hrs-0100hrs, Fri & Sat 1000hrs-0200hrs

Late Night Refreshment;
Mon-Weds 2300hrs-0000hrs, Thurs & Sun 2300hrs-0100hrs, Fri & Sat 2300hrs-0200hrs

Additionally, the following non-standard timings are sought;
A Terminal hour 02.00 on Sundays preceding Bank Holiday Mondays and 03.00 on 23rd to 26th (inclusive) and 31st December
(see ***Appendix 1***)

4.4 There have been two valid representations received from the Responsible Authorities.

Dave Leonard, a Brentwood Borough Council Licensing Officer, cannot confidently offer support to an application that has been submitted by the same licence holder seeking the same licensable hours and activities after their premises licence was revoked for serious failings to address and promote the licensing objectives at this same venue at the start of this year. He has concerns that these assurances have no more substance than any of the previous undertakings offered by the same owner and believes that a failure to address these issues will lead to a failure of the promotion of the licensing objectives. This will particularly be the case in respect of crime & disorder and public safety. He refers to the decision notice of the Licensing Sub-Committee to revoke The Vine's premises licence following a review hearing on 30th January 2019 to support his reservations. Mr Leonard's representation is attached at ***Appendix 3.***

Since raising representations a meeting has taken place with the Licensing Authority to discuss the conditions that have been agreed with Essex Police and how the premises will be managed to ensure compliance with any conditions attached to the licence. Whilst Dave Leonard is agreed that the imposition of the agreed conditions will support the promotion of the licensing objectives, but still remains unconvinced that the management of the premises and the conditions of the licence will be sufficient to fully promote the licensing objectives.

4.5 Essex Police Licensing Officer, Mrs Jackie Cooper, also made representation over concerns of the management control of the premises and that it will again be managed by proxy – the same management style that failed so badly before and led to the revocation of its previous licence. Mrs Cooper has concerns that the lesson has not been learned and the premises will be operated & managed in the same way as before. Her representation is attached at ***Appendix 4***.

Together with the Essex Police Licensing Manager, Mr. Gordon Ashford, a subsequent meeting with the applicant did enable both parties to agree on the following 38 proposed recommendations to be incorporated as conditions to be attached to the licence if granted. These conditions will replace any conditions that would arise from the Operating Schedule in section O of the application. At the time of the writing of this report the representation from Essex Police has not been withdrawn.

1) The maximum capacity of the premises shall not exceed 180 people (patrons and staff combined).

2) The licensee shall risk assess the use of polycarbonate drinking vessels for each style of trading session. Where a risk is highlighted polycarbonate glasses shall be used in place of 'regular' stock and all non-polycarbonate will be removed from the bar area during that session. Any risk assessment made will include the provision for taking police advice on local event crowd profiling.

3) No glasses or other drinking vessels shall be allowed to leave the licensed area. In the case of genuine off sales the bottle will be wrapped and bagged.

4) A suitable drugs safe/cabinet shall be fitted and any seized items shall be deposited in it. The safe shall be installed at the main entrance and only the police shall have the access keys. Any seized items shall be placed in a clear bag with a label stating the circumstances of why it is in the safe.

5) During the period in which the premises is open for licensable activities, toilets shall be checked on at least an hourly basis for the purpose:

a) of detecting and deterring the use of controlled drugs and psychoactive substances; and
b) maintaining public safety.

A record of these checks shall be maintained with the date, time, and condition of the toilets and staff member conducting the check.

These records shall be made contemporaneously, retained at the premises for at least 3 months and made available immediately upon demand to police or licensing authority staff.

6) There shall be a personal licence holder on duty on the premises at all times when alcohol is offered for sale.

7) No alcohol may be supplied by an individual unless that individual has the written consent of the Designated Premises Supervisor or other employed Personal Licence Holder.

   A written record of this consent must be retained on the premises at all times when such an individual supplies or proposes to supply alcohol and be made available immediately upon reasonable request of the police or licensing authority.

8) All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to the protection of children from harm (including under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months.

9) Training records shall be kept on the premises (or otherwise be accessible on the premises) for a minimum of 12 months and made immediately available to police, trading standards or licensing authority staff upon reasonable request

10) On those days listed below, where the premises conducts or intends to conduct licensable activity past 23.00 hours, the following numbers of SIA licensed door supervisors must be on duty from 20:00 hours until at least 30 minutes after the premises closes:
    a) 2 on a Thursday (not being a Christmas Eve or New Year's Eve);
    b) 4 on a Friday (not being Christmas Eve or New Year's Eve);
    c) 5 on a Saturday, Christmas Eve and New Year's Eve;

11) Save for exceptional circumstances (which will be recorded in the door supervisors' record) door supervisors employed at the premises shall have:

    a. Undertaken a refresher course in physical intervention skills (provided by a trainer who themselves has been trained by a SIA - endorsed awarding organisation and has a SIA required qualification for trainers);
    b. To have received such training in the last 12 months; and
    c. Proof of a) and b) to be made available to police, SIA or licensing authority staff within 3 working days.

Within one month of the grant of this licence 50% of door supervisors on duty at any one time shall have received the training shown at a) above rising to 100% within two months thereafter.

12) 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 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.

13) Where SIA licensed door supervisors are employed at the premises (either directly or via a third party) a check of the current validity of each door supervisor's licence shall be conducted via the SIA website at the commencement of employment at the premises and monthly thereafter and recorded in a log. This log shall be retained for at least 6 months after the last recorded check and be immediately provided to police, SIA or licensing authority staff upon reasonable request

14) On commencement of initial employment at the venue, each door supervisor shall be briefed by both a head doorman and a management representative which covers use of force, the tone to be set etc. and a record made of who delivered the briefing and to whom. This briefing will be refreshed every six months and similarly recorded

15) At all times when SIA door supervisors are required to be on duty by virtue of a condition of this licence, SIA licensed door supervisors shall supervise any queue to enter the premises that forms outside the premises& the smoking area

16) There shall be no admittance or re-admittance to the premises after 00:30hrs except for patrons using the designated smoking area.

17) Door supervisors will be visible outside the premises for 30 minutes after closing time until all the groups of customers have left the vicinity. The door supervisors will encourage the customers to either move onto other premises or towards the taxi rank.

18) At all times when a door supervisors are required to be on duty by virtue of a condition of this licence, SIA licensed door supervisors will be present to control entry for the purpose of compliance with the capacity limit and to deny entry to individuals who appear drunk or disorderly or both.

19) The outside area shall be cleared of customers no later than 23:00 hours. Between the hours of 23:00 and close the outside area shall be used only as a smoking area which will be supervised by door staff.

20) When employed externally door staff shall wear Hi-Viz reflective jackets or vests. When employed internally they shall be readily identifiable as door staff by way of a uniform agreed by the Premises Licence Holder.

21) The venue shall not directly employ door supervisors, rather any door supervisors deployed at the venue must be employed via a third party contractor who is a member of the SIA Approved Contractor Scheme and where the door supervisors are not self-employed operatives.

22) All door supervisors will wear Body Worn Video Cameras (BWV). Recordings of BWV shall be retained for a minimum of 31 days and be made available to Essex Police or an authorised officer of the licensing authority upon reasonable request.

    These devices will be capable of continuous recording for at least 6 hours and will be used in a continuous recording mode whilst a door supervisor is performing licensable activities.

23) The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:

    i. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;
    ii. CCTV cameras shall cover all public entrances and exits, publicly accessible stairways, the alleyway adjacent to the premises and all areas where the sale of alcohol takes place;
    iii. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of 31 days;
    iv. At all times, whilst the premises is open for licensable activities, there are members of staff able to immediately provide viewable copies of recordings to the police or licensing authority staff upon reasonable request;
    v. 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;
    vi. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant: in the event of any failure this will be recorded immediately.

vii. Signs no smaller than A5 shall be displayed at all entrances/exits informing patrons of the operation of CCTV

24) A qualified first-aider shall be on the premises after 22:00 hours each day when the premises is open for the sale of alcohol. The first aider must have a valid (non-expired) qualification in Emergency First Aid at Work or higher.

Compliance with this requirement may be deferred until 30 days after the issue of this licence at the latest to enable sufficient staff training.

25) Inside the premises, there shall be a minimum of 7 tables and 30 seats available for patrons at all times.

26) A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement and is either a:

- Proof of age card bearing the PASS Hologram;
- Photocard driving licence;
- Passport; or
- Ministry of Defence Identity Card.

27) The premises shall clearly display signs at the each point of sale and in areas where alcohol is displayed advising customers that a 'Challenge 25' policy is in force.

28) A Clubscan/IDSCAN or similar networked electronic validation system shall be operated at the premises. At those times and days when door supervisors are required to be at the premises as a condition of the licence, all persons entering the premises must provide verifiable ID and have their details recorded on the system.

29) A refusals record shall be maintained which details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale.

All entries must be made as soon as practicable and in any event within 4 hours of the refusal and the record must be made immediately available to police, trading standards or licensing authority staff upon reasonable request.

The refusals record shall retained for at least 12 months from the date of the last entry.

30) An incident log shall be kept at the premises, and made immediately available to police or licensing authority staff upon reasonable request.

The log must be completed as soon as is possible and within any case within 4 hours of the occurrence and shall 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) the use of significant force by a door supervisor
(g) any faults in a CCTV system, searching equipment or scanning equipment mandated as a condition of the licence

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

31) The premises shall have in place, and operate a formal drugs policy which 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. 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/practices

A copy of this policy document shall be lodged with the police & licensing authority

32) A suitable noise limiter of a type and specification to the approval of the Licensing Authority shall be installed & operate throughout the performance of live or recorded music at the premises. The electricity supply to all amplification equipment shall at all times be controlled by the noise limiter, which shall be set at a level to be agreed with the Pollution Team.

33) Except when being used for entry or egress by a patron, all external windows and doors shall be kept shut each day between 21:00 & 10:00 the following day

34) Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly.

35) Commercial rubbish bins shall not be used or emptied between 21:00 hours and 07:00 the following day.

36) No music shall be provided to external areas at any time.

37) The smoking area is to be defined by the use of barriers at all times to prevent pavement blockage. The smoking area will have a limit of 20 people at all times and be actively supervised by door staff. Signage will be displayed asking patrons to respect residents regrading noise levels.

38) The premises shall have a written dispersal and door control policy that outlines the procedure for management, door supervisors and staff. The policy shall contain procedures on:
    a) Supervising queues to avoid any unacceptable behaviour;
    b) Door supervisors ensuring no loitering outside the premises;
    c) Procedures on refusing entry or banning those who repeatedly cause a nuisance by noise or rowdy behaviour;
    d) How door staff will prevent overcrowding both inside and outside the premises;
    e) Searching procedures;
    f) Preventing patrons leaving with alcohol;
    g) Providing written statements to Police of any criminal investigation as and when required;

    The dispersal policy shall be submitted to the Police and the Licensing Authority which shall be reviewed annually.

    A copy of the agreed conditions together with the following accepted hours of all licensable activity and opening hours;

All licensable activity will take place:	
Sunday to Thursday	**08:00 – 00:00**
Friday	**08:00 – 02:00**
Saturday	**08:00 – 02:00**
Christmas Eve	**08:00 – 03:00**
New Year's Eve	**08:00 – 03:00**

The opening hours shall be from 0800 to 30 minutes after the end of permitted licensable activities.

Documentation of consultative meetings and the these agreed conditions are also attached at ***Appendix 4.***

5. Reasons for Recommendation

5.1 These are the options available to the Sub-Committee under the Licensing Act 2003.

6. Consultation

6.1 The application has been consulted on in accordance with the requirements of the Licensing Act 2003.

6.2 Officers from the Licensing Authority have made checks on the display of public notices and in a local newspaper and are satisfied that these requirements have been met.

7. Statement of Licensing Policy

7.1 There are no specific issues arising from this application in relation to the Councils' Statement of Licensing Policy.

8. Relevant Sections of the Secretary of State's Guidance

8.1 There are no specific relevant sections.

9. Legal Considerations

9.1 Conditions may be attached to the grant of any licence, the hours or activities may be amended as appropriate, or in some cases the application may be refused. However, any action taken must be appropriate and relevant to promotion of the licensing objectives having considered the full details of the application and representations including testimony from any interested party present at the hearing.

9.2 The justification behind any decision to grant or refuse a licence application or the attachment of conditions, or variation of terms applied for must be recorded and given to the applicant and any person that has made representation.

9.3 There is a right of appeal to Magistrates Court by any person or party aggrieved by any decision made by the Sub-Committee.

Appendices to this report

- Appendix 1 - Application Form
- Appendix 2 - OS Street Plans, Images & previous Premises Licence
- Appendix 3 - Representations from Responsible Authority
  Mr Dave Leonard – BBC Licensing Officer
- Appendix 4 - Representations from Responsible Authority
  Mrs Jackie Cooper - Essex Police Licensing

Report Author Contact Details:

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VINE, 104 HIGH ST, BRENTWOOD CM14 4AP

APPENDIX 1

APPLICATION FORM

Application for a New Premises Licence

Application for a Premises Licence to be granted under the Licensing Act 2003

Please note: You must provide online payment for this licence after completing the form. After clicking the submit button at the end of the form you will be taken to our secure online payment website. You can then make the required payment using either a credit or debit card.

Before completing this form please read the guidance notes:
Premises Licence Application Guidance Notes

You should keep a copy of the completed application for your records, this will be attached (PDF format) to your acknowledgement email which you will receive upon completion of this application. By completing this application online, you will automatically be notifying the Responsible Authorities.

Cost of Licence

The fee you pay for your licence is based on the rateable value of the premises and if the premises is used exclusively or primarily for the supply of alcohol for consumption on the premises. If you do not know what the rateable value of your premises is, you can find this on the Valuation Office Agency website.
What is the Nondomestic rateable value of the premises?: 33001-87000
Cost of licence: £315.00

I/We,

Applicant first name: Andreas

Applicant surname: ARTEMI

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.

Premises Details

Does the premises have a postal address, or would you like to enter ordnance survey map references, or a description of its location?: Yes, it has a postal address
Ordnance survey map reference or description:

Premises Address

Flat number (if any)	
House number/name	104
Road name	High Street
Town	Brentwood
County	Essex

Post Code CM14 4AP
Daytime contact telephone number (if any): 07502121887
Premises email address (optional): matt@21stcenturylicensing.com

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Please state whether you are applying for a Premises Licence as: (a) an individual or individuals
I am: carrying on or proposing to carry on a business which involves the use of premises for licensable activities

Individual Applicants

Title: Mr

First name(s): Andreas

Surname: ARTEMI

Date of birth:

I am 18 years old or older: I am 18 years old or older

Nationality: British

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): 000000000

Applicant Address
Flat number (if any)
House number/name
Road name
Town
County
Post Code
Daytime contact telephone number
Application email address (optional): matt@21stcenturylicensing.com

Second Individual Applicant (if applicable)

Title:

First name(s):

Surname:

Date of birth:

I am 18 years old or older:

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):

Applicant Address

Flat number (if any)

House number/name

Road name

Town

County Essex

Post Code

Daytime contact telephone number:

Application email address (optional):

Other Applicants

Please provide name and registered address of the 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.

Operating Schedule

When do you want the premises licence to start?: 14/09/2019
If you wish the licence to be valid only for a limited period, when do you want it to end?:
General description of the premises (Please read guidance note 1):

Bar

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 section 1 and section 14 of the Licensing Act 2003 and Schedule 1 and Schedule 2 to the Licensing Act 2003)

Provision of regulated entertainment for:

(b) films, (e) live music, (f) recorded music, (g) performances of dance, (h) anything of a similar description to that falling within (e), (f) or (g)

Provision of late night refreshment:
Yes

Supply of alcohol:
Yes

a) Plays

Will the performance of a play take place indoors or outdoors or both? (please read guidance note 2):

Standard Days and Timings (please read guidance note 6)

Day	Start	Finish

Please give further details here (please read guidance note 3):

State any seasonal variations for performing plays (please read guidance note 4):

Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed above, please list (please read guidance note 5):

b) Films

Will the exhibition of films take place indoors or outdoors or both? (please read guidance note 2):
Indoors

Standard Days and Timings (please read guidance note 6)

Day	Start	Finish
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	01:00
Friday	10:00	02:00
Saturday	10:00	02:00
Sunday	10:00	01:00

Please give further details here (please read guidance note 3):

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State any seasonal variations for the exhibition of films (please read guidance note 4):

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Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed above, please list (please read guidance note 5):

Terminal hour 02.00 on Sundays preceding Bank Holiday Mondays and 03.00 on 23rd to 26th (inclusive) and 31st December.

c) Indoor Sporting Events

Standard Days and Timings (please read guidance note 6)

Day	Start	Finish

Please give further details here (please read guidance note 3):

State any seasonal variations for indoor sporting events (please read guidance note 4):

Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed above, please list (please read guidance note 5):

d) Boxing or Wrestling

Will the boxing or wrestling entertainment take place indoors or outdoors or both? (please read guidance note 2):

Standard Days and Timings (please read guidance note 6)

Day	Start	Finish

Please give further details here (please read guidance note 3):

State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4):

Non standard timings. Where you intend to use the premises for boxing or wresting entertainment at different times to those listed above, please list (please read guidance note 5):

e) Live Music

Will the performance of a live music take place indoors or outdoors or both? (please read guidance note 2): Indoors

Standard Days and Timings (please read guidance note 6)

Day	Start	Finish
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	01:00
Friday	10:00	02:00
Saturday	10:00	02:00
Sunday	10:00	01:00

Please give further details here (please read guidance note 3):

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State any seasonal variations for the performance of live music (please read guidance note 4):

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Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed above, please list (please read guidance note 5):

Terminal hour 02.00 on Sundays preceding Bank Holiday Mondays and 03.00 on 23rd to 26th (inclusive) and 31st December

f) Recorded Music

Will the playing of recorded music take place indoors or outdoors or both? (please read guidance note 2): Indoors

Standard Days and Timings (please read guidance note 6)

Day	Start	Finish
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	01:00
Friday	10:00	02:00
Saturday	10:00	02:00
Sunday	10:00	01:00

Please give further details here (please read guidance note 3):

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State any seasonal variations for playing recorded music (please read guidance note 4):

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Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed above, please list (please read guidance note 5):

Terminal hour 02.00 on Sundays preceding Bank Holiday Mondays and 03.00 on 23rd to 26th (inclusive) and 31st December

g) Performances of Dance

Will the performance of dances take place indoors or outdoors or both? (please read guidance note 2): Indoors

Standard Days and Timings (please read guidance note 6)

Day	Start	Finish
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	01:00
Friday	10:00	02:00
Saturday	10:00	02:00
Sunday	10:00	01:00

Please give further details here (please read guidance note 3):

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State any seasonal variations for the performance of dances (please read guidance note 4):

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Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed above, please list (please read guidance note 5):

Terminal hour 02.00 on Sundays preceding Bank Holiday Mondays and 03.00 on 23rd to 26th (inclusive) and 31st December

h) Anything of a Similar Description to that falling within (e) Live Music, (f) Recorded Music or (g) Performance of Dance

Please give a description of the type of entertainment you will be providing:

.

Will this entertainment take place indoors or outdoors or both? (please read guidance note 2): Indoors

Standard Days and Timings (please read guidance note 6)

Day	Start	Finish
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	01:00
Friday	10:00	02:00
Saturday	10:00	02:00
Sunday	10:00	01:00

Please give further details here (please read guidance note 3):

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State any seasonal variations for entertainment of similar description to that falling within (e), (f) or (g) (please read guidance note 4):

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Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed above, please list (please read guidance note 5):

Terminal hour 02.00 on Sundays preceding Bank Holiday Mondays and 03.00 on 23rd to 26th (inclusive) and 31st December

i) Late Night Refreshment

Will the provision of late night refreshment be taking place indoors or outdoors or both? (please read guidance note 2): Indoors

Standard Days and Timings (please read guidance note 6)

Day	Start	Finish
Monday	23:00	00:00
Tuesday	23:00	00:00
Wednesday	23:00	00:00
Thursday	23:00	01:00
Friday	23:00	02:00
Saturday	23:00	02:00
Sunday	23:00	01:00

Please give further details here (please read guidance note 3):

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State any seasonal variations for the provision of late night refreshment (please read guidance note 4):

.

Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed above, please list (please read guidance note 5):

Terminal hour 02.00 on Sundays preceding Bank Holiday Mondays and 03.00 on 23rd to 26th (inclusive) and 31st December

j) Supply of Alcohol

Will the sale of alcohol be for consumption on the premises, of the premises or both? (please read guidance note 7): Both

Standard Days and Timings (please read guidance note 6)

Day	Start	Finish
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	01:00
Friday	10:00	02:00
Saturday	10:00	02:00
Sunday	10:00	01:00

Please give further details here (please read guidance note 3):

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State any seasonal variations for the supply of alcohol (please read guidance note 4):

.

Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed above, please list (please read guidance note 5):

Terminal hour 02.00 on Sundays preceding Bank Holiday Mondays and 03.00 on 23rd to 26th (inclusive) and 31st December

State the name and details of the individual whom you wish to specify on the licence as the designated premises supervisor:

Name: Andreas Artemi

Address

Flat number (if any)

House number/name

Road name

Town

County

Post Code

Personal Licence Number (if known):

Issuing Licensing Authority (if known): Southend

I) Hours Premises are open to the public

Standard Days and Timings (please read guidance note 6)

Day	Start	Finish
Monday	10:00	00:30
Tuesday	10:00	00:30
Wednesday	10:00	00:30
Thursday	10:00	01:30
Friday	10:00	02:30
Saturday	10:00	02:30
Sunday	10:00	01:30

State any seasonal variations (please read guidance note 4):

.

Non standard timings. Where you intend to have the premises to be open to the public at different times to those listed above, please list (please read guidance note 5):

Terminal hour 02.30 on Sundays preceding Bank Holiday Mondays and 03.30 on 23rd to 26th (inclusive) and 31st December

n) Adult Entertainment and Services

Please highlight any adult entertainment or services, activities, or 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 8):

None

---

o) Promoting Licensing Objectives

Describe the steps that you intend to take to promote the four licensing objectives:
a) General – all four licensing objectives (b, c, d, e) (please read guidance note 9):

1) The maximum capacity of the premises shall not exceed 180 people (patrons and staff combined).

2) There shall be a personal licence holder on duty on the premises at all times when alcohol is offered for sale.

3) No alcohol may be supplied by an individual unless that individual has the written consent of the Designated Premises Supervisor or other employed Personal Licence Holder.

A written record of this consent must be retained on the premises at all times when such an individual supplies or proposes to supply alcohol and be made available immediately upon reasonable request of the police or licensing authority.

4) All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to the protection of children from harm (including under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months.

5) Training records shall be kept on the premises (or otherwise be accessible on the premises) for a minimum of 12 months and made immediately available to police, trading standards or licensing authority staff upon reasonable request

6) On any day on which the planned terminal hour for licensable activities is later than midnight the minimum number of door supervisors on duty at any time shall be 2. On any day that the planned terminal hour for licensable activities is 02.00 or later there will be a minimum of 4 door supervisors on duty after 21.00

7) Save for exceptional circumstances (which will be recorded in the door supervisors' record) door supervisors employed at the premises shall have:

a. Undertaken a refresher course in physical intervention skills (provided by a trainer who themselves has been trained by a SIA - endorsed awarding organisation and has a SIA required qualification for trainers);
b. To have received such training in the last 12 months; and
c. Proof of a) and b) to be made available to police, SIA or licensing authority staff within 3 working

days.

Within one month of the grant of this licence 50% of door supervisors on duty at any one time shall have received the training shown at a) above rising to 100% within two months thereafter.

8) 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 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

9) Where SIA licensed door supervisors are employed at the premises (either directly or via a third party) a check of the current validity of each door supervisor's licence shall be conducted via the SIA website at the commencement of employment at the premises and monthly thereafter and recorded in a log. This log shall be retained for at least 6 months after the last recorded check and be immediately provided to police, SIA or licensing authority staff upon reasonable request

10) On commencement of initial employment at the venue, each door supervisor shall be briefed by both a head doorman and a management representative which covers use of force, the tone to be set etc. and a record made of who delivered the briefing and to whom. This briefing will be refreshed every six months and similarly recorded

11) All SIA licensed door supervisors engaged at the premises for the purpose of supervising or controlling queues or customers must wear high visibility jackets/vests/armbands or similar which clearly identify them as such.

12) The premises will only use door supervisors employed by third party organisations who are on the SIA Register of Approved Contractors.

13) All door supervisors supervising the entrance to the premises and the Head Doorman (or person carrying out that function) will wear Body Worn Video Cameras (BWV). Recordings of BWV shall be retained for a minimum of 31 days and be made available to Essex Police or an authorised officer of the licensing authority upon reasonable request.

These devices will be capable of continuous recording for at least 6 hours and will be used in a continuous recording mode whilst a door supervisor is performing licensable activities.

14) The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:

i. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;
ii. CCTV cameras shall cover all public entrances and exits, publicly accessible stairways, the

alleyway adjacent to the premises and all areas where the sale of alcohol takes place;
iii. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of 31 days;
iv. At all times, whilst the premises is open for licensable activities, there are members of staff able to immediately provide viewable copies of recordings to the police or licensing authority staff upon reasonable request;
v. 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;
vi. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant: in the event of any failure this will be recorded immediately.
vii. Signs no smaller than A5 shall be displayed at all entrances/exits informing patrons of the operation of CCTV

15) A qualified first-aider shall be on the premises after 22:00 hours each day when the premises is open for the sale of alcohol. The first aider must have a valid (non-expired) qualification in Emergency First Aid at Work or higher.

Compliance with this requirement may be deferred until xxxxxxx? at the latest to enable sufficient staff training.

16) There shall be a minimum of 7 tables and 30 seats available for patrons at all times

17) A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement and is either a:
• Proof of age card bearing the PASS Hologram;
• Photocard driving licence;
• Passport; or
• Ministry of Defence Identity Card.

18) The premises shall clearly display signs at the each point of sale and in areas where alcohol is displayed advising customers that a 'Challenge 25' policy is in force.

19) Whilst doorstaff are on duty and subject to commercial availability of such devices the premises shall operate a networked electronic document validation system. At such times all patrons shall only be granted access to the premises if they produce identification documents that are verified by the aforementioned system.

20) A refusals record shall be maintained which details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale.

All entries must be made as soon as practicable and the record must be made immediately available to police, trading standards or licensing authority staff upon reasonable request.

The refusals record shall retained for at least 12 months from the date of the last entry.

21) An incident log shall be kept at the premises, and made immediately available to police or licensing authority staff upon reasonable request.
The log must be completed as soon as is possible and within any case within 4 hours of the occurrence and shall 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 a CCTV system, searching equipment or scanning equipment mandated as a condition of the licence}
The incident log shall either be electronic or maintained in a bound document with individually numbered pages and be retained for at least 12 months from the date of the last entry.

22) The premises shall have in place, and operate a formal drugs policy which 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. 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/practices

A copy of this policy document shall be lodged with the police and licensing authority.

23) A suitable noise limiter of a type and specification to the approval of the Licensing Authority shall be installed & operate throughout the performance of live or recorded music at the premises. The electricity supply to all amplification equipment shall at all times be controlled by the noise limiter, which shall be set at a level to be agreed with the Pollution Team.

24) Except when being used for entry or egress by a patron, all external windows and doors shall be kept shut each day between 21:00 and 10:00 the following day.

25) Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly.

26) Commercial rubbish bins shall not be used or emptied between 21:00 hours and 07:00 the following day.

27) No music shall be provided to external areas at any time.

28) Patrons using any smoking area controlled by the premises shall be limited in number to 25 and shall be managed by premises personnel with the aim of minimising noise, disorder and litter. Signage will be displayed asking patrons to respect residents regrading noise levels and encouraging the use of ashtrays provided by the premises.

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

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

b) The prevention of crime and disorder:

see a) above

c) Public safety:

See a) above

d) The prevention of public nuisance:

see a) above

e) The protection of children from harm:

see a) above

Declaration

I agree to submit a plan of the premises: I agree

Alternatively these should be sent by post to:

Licensing, Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex CM15 8AY

Please include the reference number for this form, which will be produced when you submit it.

I will send copies of this application and the plan to the relevant authorities and others where applicable: I agree

I will submit a consent form completed by the individual I wish to be designated premises supervisor, if applicable (available as a separate online form on our website): I agree

I understand that I must now advertise my application: I agree

A copy of the Prescribed Form of Notice is available here:
Public Notice of Application
(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): I agree
I understand that if I do not comply with the above requirements my application will be rejected: I agree

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.

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.

Signature (name): M.D.BELL

Date: 19/08/2019

Capacity: Licensing Consultant - 21st Century Licensing

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.

(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): I agree

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): I agree

Signature (name):

Date: 19/08/2019

Capacity: westcliff-on-sea

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14):

Correspondence name: Matthew Bell

Telephone number: +447502121887

Mobile telephone number:

Correspondence Address

Flat number (if any)	
House number/name	Century House, No 18
Road name	St Georges Park Avenue
Town	westcliff-on-sea

County	Essex
Post Code	SS0 9UF

To receive email confirmation of your application and payment, please provide a correspondence email address: matt@21stcenturylicensing.com

Consent of individual to being specified as premises supervisor

I Andreas Artemi

[full name of prospective premises supervisor]

of

[home address of prospective premises supervisor]

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

New Premises Licence

[type of application]

by

Andreas Artemi

[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for

104, High Street, Brentwood, Essex. CM14 4AP

[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

Andreas ARTEMI

[name of applicant]

concerning the supply of alcohol at

104, High Street, Brentwood, Essex. CM14 4AP

[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

[insert personal licence number, if any]

Personal licence issuing authority

Southend

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed X

Name (please print) Andreas ARTEMI

Date 19th August, 2019

The Vine, 104, High Street, Brentwood

Drugs Policy

Statement of intention

The premises licence holder aspires to operate drug free premises creating an atmosphere that actively discourages drug culture and use.

Overview

This policy relates to drugs not alcohol. Drugs in this policy refers to substances whose possession and use is illegal, including psychoactive substances. This policy does not relate to prescription drugs. Deciding the nature of a substance in the first instance shall be a matter of judgement by management and door supervisors any doubt shall err on the side of being illegal until reasonably proven to the contrary.

A useful source reference document entitled 'Drugs and Pubs: A guide to keeping a drug free pub' produced by The British Beer and Pub Association (details below) will accompany this policy as an appendix. This document provides useful information on topics including;

- Knowing the law – the risks to premises operators
- Identifying drug use – signs and symptoms
- Information of commonly used drugs

It is a requirement that staff should familiarise themselves with this document and that they be given time to do so.

It is illegal to have a suspected controlled substance in your possession however it is possible to do so if you do so only for the purpose of delivering to the police as soon as possible. The operation of a drug safe at the premises (in partnership with the police) is a way that this can be achieved.

Our priorities

1. Preservation of life and well-being
2. Delivering a duty of care to our customers and staff.
3. Prevention of criminal or dangerous behaviours through good management.

Controlling entry to the premises

Any customer displaying the signs of drugs use (see appendix) shall be refused entry

It is a condition of entry to the premises that customers submit to a search for drugs, weapons or other undesirable items.

Signage shall be displayed at the entrances explaining the search requirement.

Any searches conducted carried out by staff must be with the subject's explicit consent which shall be included in the signage.

A refusal to consent to search will be met with a refusal of entry.

Searches shall be;

- Carried out by staff of the same gender as the customer.
- Conducted with proper consideration for the dignity of the customer
- Only be conducted in well-lit conditions within the view of a CCTV camera
- Cursory in nature and be reasonable bearing in mind the items sought.

Customers will be asked to empty pockets rather than subject to an unnecessarily intrusive search.

Bags will be searched.

Anything suspected to be an illegal substance will be handled in accordance with this policy.

Handling suspected drugs

If substances suspected to be illegal drugs are encountered either as part of a search, as a result of premises checking or the activity of customers the staff member involved shall at the time;

1. Alert management to their finding
2. Place the substance in question into a tamper proof bag provided for the purpose completing the detail on that bag (see appendix for an example).
3. Record detail of the person (description if name unknown) or circumstances in which the item was found.
4. Complete a 'Substance slip' (see appendix).
5. Immediately cause the tamper proof bag to be stored in the Drug Safe provided.
6. Cause the 'Substance slip' to be added to the incident records for the trading session before leaving the premises at the end of work.

The premises licence holder is responsible for ensuring an ongoing relationship with the local police licensing officer to ensure that the drug safe is emptied as appropriate and that any drug related information that may be collected is efficiently passed on.

Premises checking

Doorstaff should be assigned formal roles to check areas vulnerable to drug use that are not readily covered by CCTV or supervised by other staff. The frequency of these visits will be at the discretion of the management and (unless otherwise recorded in the daily incident record by the Duty Manager with accompanying justification) shall be a minimum of every 30 minutes. Records of these visits shall be maintained and kept in the daily incident register by the completion of each trading session.

Other tactical options

There are a number of practices that can be considered from time to time as circumstances dictate, some of which are in conjunction with the police. Such tactics are not taken lightly and involve considerable planning and resources. They include;

- The use of drug Itemisers to;
    a. Conduct routine swabbing of the premises to detect the presence of drug activity
    b. Conduct swabbing of staff
    c. Conduct swabbing of customers as a condition of entry

- The use of passive drugs dogs to check the premises

Reference material

British Beer & Pub Association 2018 publication - Link: 'Drugs and Pubs: A guide to keeping a drug free pub

Evidence bag number:.....

Time seized..... Date seized.....

Description of article (tick)

Pill(s) ☐ How many.....Colour.....

Wrap ☐ Powder ☐ Herbal substance ☐

Other ☐ Describe.....continue overleaf.

Circumstances of seizure (tick)

☐ Recovered from a person e.g. in door search (complete part A)

☐ Recovered in premises check (complete part B)

☐ Other (Complete part C)

PART A – recovered from a person

Persons name (if known)..... or Name unknown ☐

Description Male ☐ Female ☐

Apparent ethnic origin

White ☐ Black ☐ Asian ☐ Oriental ☐ Arabic ☐ Unknown ☐

Mixed ☐ (tick relevant boxes)

Apparent age 18-25 ☐ 26-40 ☐ 40+ ☐

Brief description (hair/clothing/distinguishing features

.....

.....

.....

.....continue overleaf

PART B – recovered during premises check (no person involved)

Where found.....continue overleaf.

PART C – Other circumstances not fitting A or B above

Brief relevant details.....continue overleaf

Person completing this form (name).....

Signature.....

Witness (if any).....

The Vine, 104, High Street, Brentwood

Dispersal Policy

Statement of our intent

The premises licence holder is committed to the safe, orderly and effective dispersal of all customers at the end of each trading session.

We seek to promote all the licensing objectives (Licensing Act 2003) and achieve a dispersal that respects others that live and work in the immediate vicinity.

We will make an active contribution to how each trading sessions comes to a conclusion managing how customers leave the premises and immediate vicinity (see glossary) recognising that our management team, door supervisors and bar staff all have an important contribution to make.

Steps to be taken

- About 30 minutes from the end of licensable activities our DJ or the person responsible for background music will consciously start to change the nature of music being played in order to achieve a 'wind-down' rather than a 'wind-up' state of mind in our customers. A sudden stop in music is to be avoided.

- Announcements will be made to inform customers that the end of the session is approaching and reinforce the need to leave with minimum disturbance to nearby residents.

- As the end of the session approaches lighting levels will be slowly raised.

- If they are not already doing so, about 30 minutes from the end of licensable activities our doorstaff will put on high visibility outer clothing to further enhance their status as Capable Guardians (see glossary).

- Door staff will encourage customers to the exit(s) with courtesy and discretion seeking to resolve issues that might delay dispersal as early as possible e.g. the finding of coats or other members of their party.
- Doorstaff shall prevent bottles or drinking vessels being taken from the premises.

- Doorstaff shall discourage customers from re-entering once they have left and should use their best judgement to resolve points of potential conflict in a manner most likely to maintain order.

- Door staff will do what they reasonably can to prevent customers lingering outside in the immediate vicinity of the premises and particularly in the road – staff must keep in mind the safety of everyone (including themselves) from moving traffic.

- Signage will be provided to inform customers of available taxi and private hire services.

- Doorstaff will seek to work with taxi service providers to achieve efficient collection minimising where possible the congestion of the highway and the risks that may present to other users of the highway.

- Customers waiting for taxis shall be actively managed so as not to congest the highway. In the interests of avoid conflict arising doorstaff will act where possible to connect arriving taxis with the correct customer.

- Door staff shall be on-duty outside the premises for 30 minutes after the premises closes to the public (or as required by the premises licence).

- Once customers have left, staff will clear any rubbish from the immediate vicinity that may represent a risk of use in disorder or risk of injury through accident e.g. glassware (or as required by the premises licence).

Sanctions

Customers that fail to comply with the reasonable requests of doorstaff or whose behaviour is likely to undermine the effort of staff to manage dispersal shall be told they risk being barred from returning to the premises. Persons being thus barred will be told clearly the reasons at the time and again if they should attempt to return to the premises on another date. The terms of such barring will be at the discretion of management and duly recorded in the daily incident log

Glossary

The term '*Capable Guardian'* is a name used in accepted crime prevention theory and means people or mechanical devices that by their presence and action deter individuals from offending. In the case of a person like a door supervisors it refers to their ability to act in a protective manner and includes their overt, passive physical presence.

The term '*Immediate vicinity*' of the premises should be assessed by duty management depending on prevailing circumstances at the time. Except in exceptional circumstances door staff should not be encourage either through action or the lack of it to go far from the premises.

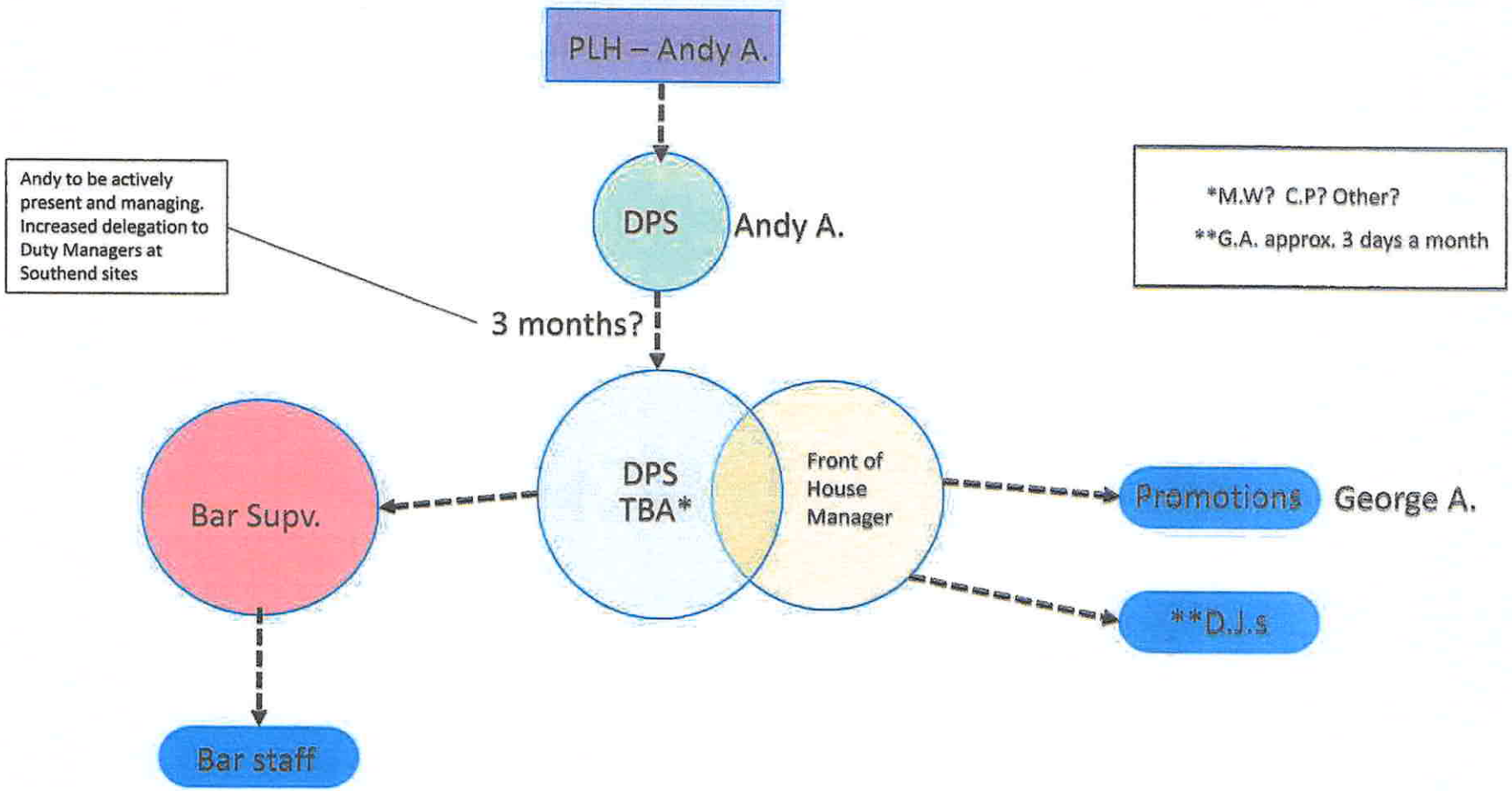
Review

This policy shall be reviewed by management every 12 months. Updates will be reflected in version numbers

Date of initial issue: xxxxxxxxxxxxxxx

Date of next review: xxxxx (12 months later)

104, High Street, Brentwood
Proposed Management Structure



THE VINE, 104 HIGH STREET, BRENTWOOD CM14 4AP

APPENDIX 2

The Vine

Premises Licence issued 6th September 2018

OS Street Maps

Frontage Images

The Vine, 104 High Street, Brentwood

BRENTWOOD BOROUGH COUNCIL

Drawing No. :

Scale at A4 : 1:500

Drawn by : OSJ

Service : ICT

Date : 6th January 2017

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Philip Ruck
Chief Executive
Brentwood Borough Council
Town Hall, Ingrave Road
Brentwood, CM15 8AY
Tel.: (01277) 312500

The Vine, 104 High Street, Brentwood

Drawing No. :

Scale at A4 : 1:1250

Drawn by : OSJ

Service : ICT

Date : 10th January 2017

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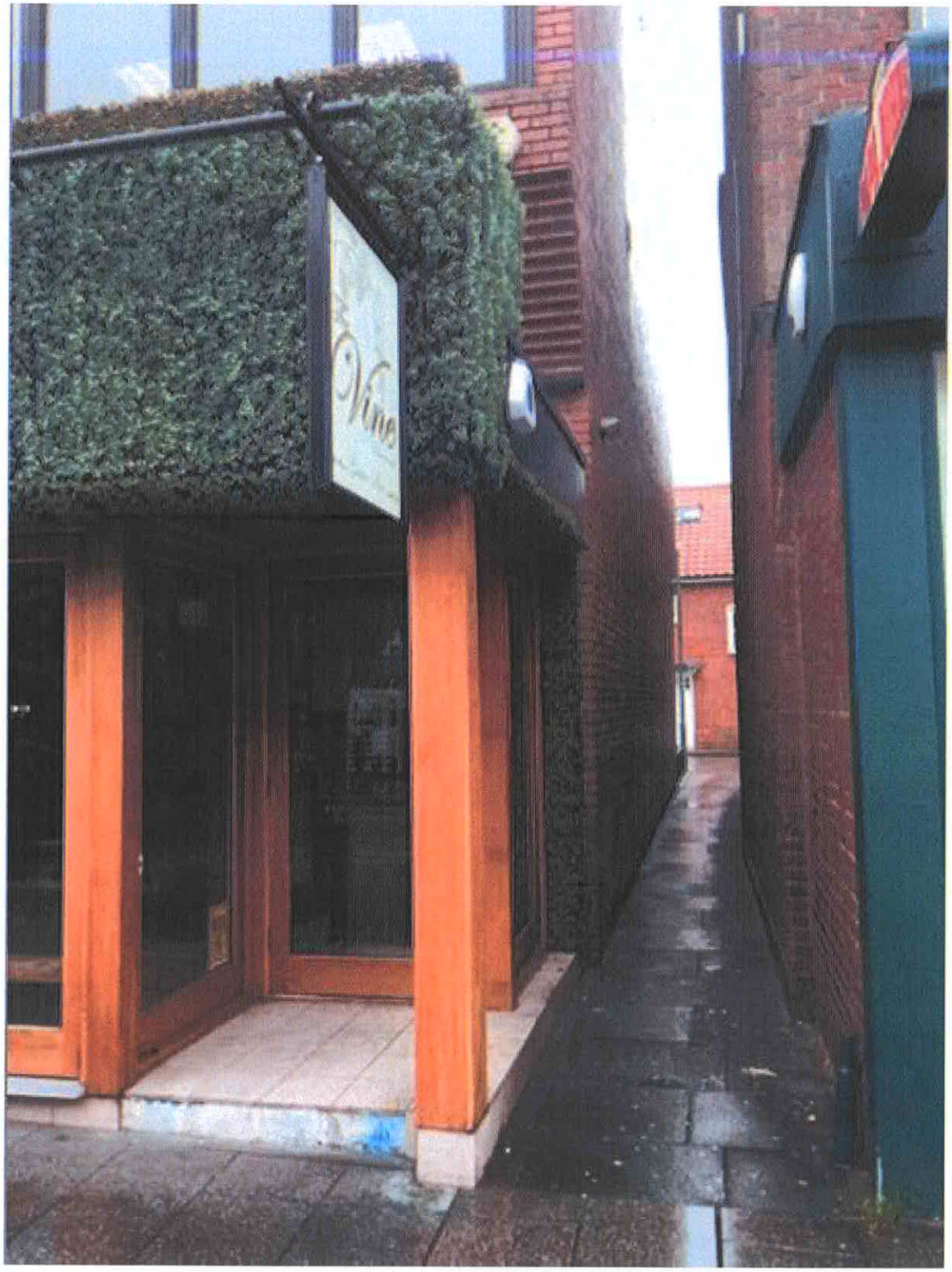
BRENTWOOD BOROUGH COUNCIL

Philip Ruck
Chief Executive
Brentwood Borough Council
Town Hall, Ingrave Road
Brentwood, CM15 8AY
Tel.: (01277) 312500

THE VINE



Premises Licence

Premises Licence Number	**PRM_446**
Application Number	**18/00080/LAVDPS**
Date of Issue	**6th September 2018**

Part 1 – Premises Details

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

The Vine
104 High Street
Brentwood
Essex
CM14 4AP

Telephone number
01277 225399

Where the licence is time limited the dates

Licensable activities authorised by the licence

Entertainment of a similar description to Live Music, Recorded Music
Performance of Dance
Exhibition of a film
Playing of Recorded music
Provision of Late Night Refreshments
Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities

Entertainment of a similar description to Live Music, Recorded Music

Monday	**08:00 - 00:00**
Tuesday	**08:00 - 00:00**
Wednesday	**08:00 - 00:00**
Thursday	**08:00 - 00:00**
Friday	**08:00 - 02:00**
Saturday	**08:00 - 02:00**
Sunday	**08:00 - 00:00**

An additional hour is permitted for the licensable activities on St Patricks Day St Georges Day St Andrews Day St Valentine's Day all Fridays Saturdays and Sundays prior to a Bank Holiday and 23 December and Boxing Day provided that the latest time permitted will be 2am.

An additional hour to the standard and non-standard times will be permitted on the day when British Summer Time commences provided that the latest time permitted will be 2am.

Sale of Alcohol & Regulated Entertainment

Christmas Eve	08:00 - 03:00
New Year's Eve	08:00 - 03:00

Performance of Dance

Monday	08:00 - 00:00
Tuesday	08:00 - 00:00
Wednesday	08:00 - 00:00
Thursday	08:00 - 00:00
Friday	08:00 - 02:00
Saturday	08:00 - 02:00
Sunday	08:00 - 00:00

An additional hour is permitted for the licensable activities on St Patricks Day St Georges Day St Andrews Day St Valentine's Day all Fridays Saturdays and Sundays prior to a Bank Holiday and 23 December and Boxing Day provided that the latest time permitted will be 2am.

An additional hour to the standard and non-standard times will be permitted on the day when British Summer Time commences provided that the latest time permitted will be 2am.

Sale of Alcohol & Regulated Entertainment

Christmas Eve	08:00 - 03:00
New Year's Eve	08:00 - 03:00

Exhibition of a film

Monday	08:00 - 00:00
Tuesday	08:00 - 00:00
Wednesday	08:00 - 00:00
Thursday	08:00 - 00:00
Friday	08:00 - 02:00
Saturday	08:00 - 02:00
Sunday	08:00 - 00:00

An additional hour is permitted for the licensable activities on St Patricks Day St Georges Day St Andrews Day St Valentine's Day all Fridays Saturdays and Sundays prior to a Bank Holiday and 23 December and Boxing Day provided that the latest time permitted will be 2am.

An additional hour to the standard and non-standard times will be permitted on the day when British Summer Time commences provided that the latest time permitted will be 2am.

Sale of Alcohol & Regulated Entertainment

Christmas Eve	08:00 - 03:00
New Year's Eve	08:00 - 03:00

Playing of Recorded music

Monday	08:00 - 00:00
Tuesday	08:00 - 00:00
Wednesday	08:00 - 00:00
Thursday	08:00 - 00:00
Friday	08:00 - 02:00
Saturday	08:00 - 02:00
Sunday	08:00 - 00:00

An additional hour is permitted for the licensable activities on St Patricks Day St Georges Day St Andrews Day St Valentine's Day all Fridays Saturdays and Sundays prior to a Bank Holiday and 23 December and Boxing Day provided that the latest time permitted will be 2am.
An additional hour to the standard and non-standard times will be permitted on the day when British Summer Time commences provided that the latest time permitted will be 2am.

Sale of Alcohol & Regulated Entertainment

Christmas Eve	08:00 - 03:00
New Year's Eve	08:00 - 03:00

Provision of Late Night Refreshments

Monday	23:00 - 00:00
Tuesday	23:00 - 00:00
Wednesday	23:00 - 00:00
Thursday	23:00 - 00:00
Friday	23:00 - 02:00
Saturday	23:00 - 02:00
Sunday	23:00 - 00:00

An additional hour is permitted for the licensable activities on St Patricks Day St Georges Day St Andrews Day St Valentine's Day all Fridays Saturdays and Sundays prior to a Bank Holiday and 23 December and Boxing Day provided that the latest time permitted will be 2am.
An additional hour to the standard and non-standard times will be permitted on the day when British Summer Time commences provided that the latest time permitted will be 2am.

Sale of Alcohol & Regulated Entertainment

Christmas Eve	08:00 - 03:00
New Year's Eve	08:00 - 03:00

Sale by Retail of Alcohol

Monday	**10:00 - 00:00**
Tuesday	**10:00 - 00:00**
Wednesday	**10:00 - 00:00**
Thursday	**10:00 - 00:00**
Friday	**10:00 - 02:00**
Saturday	**10:00 - 02:00**
Sunday	**10:00 - 00:00**

An additional hour is permitted for the licensable activities on St Patricks Day St Georges Day St Andrews Day St Valentine's Day all Fridays Saturdays and Sundays prior to a Bank Holiday and 23 December and Boxing Day provided that the latest time permitted will be 2am.

An additional hour to the standard and non-standard times will be permitted on the day when British Summer Time commences provided that the latest time permitted will be 2am.

Sale of Alcohol & Regulated Entertainment

Christmas Eve	**08:00 - 03:00**
New Year's Eve	**08:00 - 03:00**

The opening hours of the premises

Monday	**08:00 - 00:30**
Tuesday	**08:00 - 00:30**
Wednesday	**08:00 - 00:30**
Thursday	**08:00 - 00:30**
Friday	**08:00 - 02:30**
Saturday	**08:00 - 02:30**
Sunday	**08:00 - 00:30**
Christmas Eve	**08:00 - 03:30**
New Year's Eve	**08:00 - 03:30**

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

Alcohol is supplied for consumption both on and off the Premise

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence **Mr Andreas Artemi**
Registered number of holder, for example company number, charity number (where applicable)
Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol **George Andreas Artemi**
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:** **Licensing Authority: Southend On Sea Borough Council**

Annex 1 – Mandatory conditions

1 No supply of alcohol may be made under this licence
a) At a time when there is no designated supervisor in respect of it 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 made under this licence must be made or authorised by a person who holds a personal licence.

3 (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.

4 (A). 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.

(B).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 where-

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

(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) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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 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,

(ii) 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."

8 Only individuals licensed by the Security Industry Authority may be used at the premises to guard against:
a) Unauthorised access or occupation (eg through door supervision), or
b) Outbreaks of disorder, or
c) Damage

9 The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendations made
a) By the British Board of Film Classification (BBFC) where the film has been classified by that Board, or
b) By the Licensing Authority where no classification certificate has been granted by the BBFC, or, where the licensing authority has notified the licence holder that section 20 (3) (b) (74 (3)9b) for clubs) of the Licensing Act 2003 applies to the film.

Annex 2 – Conditions consistent with the Operating Schedule

1 Staff will be trained in the responsible retailing of alcohol and will receive regular updates through staff briefings. Records will be retained and will be available to authorised officers and Police Constables upon request.

2 The premises shall install and maintain a comprehensive CCTV system covering the internal and external of the premises It will also cover all entry and exit points enabling full frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open to the public & during all times when customers remain on the premises. All recordings will be kept in an unedited format for a period of not less than 28 days with time and date stamping. Recording shall be made available immediately upon lawful request of Essex Police or other Responsible Authority. Download or export of CCTV should be in the native format with the native player.

3 A member of management who is conversant with the operation of the CCTV system shall be available within 1 hour travelling time when the premises are open. This person shall be able to provide a police constable or authorised member of the Licensing Authority copies of recent CCTV images with the absolute minimum of delay when requested, subject to the provisions of the Data Protection Act or subsequent relevant legislation.

4 An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and 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, searching equipment or scanning equipment;
g) any visit by a relevant authority or emergency service.

5 A refusals register will be maintained.

6 The premises shall have a written dispersal and door control policy that outlines the procedure for management, door supervisors and staff. The policy shall contain procedures on:

a) Supervising queues to avoid any unacceptable behaviour;
b) Door supervisors ensuring no loitering outside the premises;
c) Procedures on refusing entry or banning those who repeatedly cause a nuisance by noise or rowdy behaviour;
d) How door staff will prevent overcrowding both inside and outside the premises;
e) Searching procedures;
f) Preventing patrons leaving with alcohol;
g) Providing written statements to Police of any criminal investigation as and when required;

h) Monitoring system to be implemented with regards to re-entry e.g. wrist bands or ultra violet marking.
The dispersal policy shall be submitted to the Police and the Licensing Authority which shall be reviewed annually.

7 When door supervisors are required a minimum of 2 SIA licensed door supervisors shall be on duty. A bound Door Supervisors register shall be kept. Door Supervisors shall sign to record their start and finish times along with their full name and SIA badge number.

8 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.

9 Door supervisors, when on duty, are to actively manage the smoking area and queuing area (should one be require at any time) to minimise noise nuisance. The door supervisors will also actively manage noise nuisance from departing patrons

10 There shall be no admittance or re-admittance to the premises after 00:00hrs except for patrons using the designated smoking area.

11 When employed externally Door staff shall wear Hi-Viz reflective jackets or vests. When employed internally they shall be readily identifiable as door staff by way of a uniform agreed by the Premises Licence Holder.

12 Door staff shall be employed when activities surpass Midnight and on duty from 20:00 until at least 30 mins after closing.

13 Door supervisors will be visible outside the premises for 15 minutes after closing time until all the groups of customers have left the vicinity. The door supervisors will encourage the customers to either move onto other premises or towards the taxi rank.

14 The outside area shall be cleared of customers no later than 23:00. Between the hours of 23:00 and close the outside area shall be used only as a smoking area which will be supervised by door staff

15 The licensee shall risk assess the use of polycarbonate drinking vessels for each style of trading session. Where a risk is highlighted polycarbonate glasses shall be used in place of 'regular' stock and all non-polycarbonate will be removed from the bar area during that session. Any risk assessment made will include the provision for taking Police advice on local event crowd profiling.

16 No glasses or other drinking vessels shall be allowed to leave the premises. In the case of genuine off sales the bottle will be wrapped and bagged.

17 The premises will adopt Essex Police handling of illicit substance guidance and staff trained accordingly. Random searches will be made in accordance with the guidance.

18 Toilets will be checked two-hourly at times the licence is authorised for licensable activities; this will support public safety and due diligence around drugs.

19 Within 6 weeks of the premises licence being granted, the licensee shall fit a two-door sound lobby to the front aspect of the premises to the following specification;

(1) The structure must be of good construction and the materials used shall address, as best as possible, medium and low frequency sound. These works shall include the walls, doors and the ceiling/roof of the structure
(2) Any windows or doors shall be of sound construction and glass areas be double glazed.
(3) Self closers shall be fitted to both the external and internal doors of the lobby. Both doors shall open outward towards the street.

20 A suitable noise limiter of a type and specification to the approval of the Licensing Authority shall be installed & operate throughout the performance of live or recorded music at the premises. The electricity supply to all amplification equipment shall at all times be controlled by the noise limiter, which shall be set at a level to be agreed with the Pollution Team.

21 A progressive wind down over the last half hour of the trading session. During this period the music will be of a quieter nature and a lower BPM. Lighting levels throughout the premises will be gradually increased over the same period.

22 The licence holder shall participate in the Town link Communication System

23 The licence holder will actively engage with the local pub watch and behave or be banned scheme.

24 Challenge 25 with acceptable forms of ID by way of PASS accredited proof of age cards, passport, driving licence only being accepted.

25 The front doors to the premises will be closed except for access and egress between 21.00 and 08.00 (and from 20.00 when 'intense' music is provided).

26 The rear fire doors will be closed except for access & egress between 18.00-08.00

27 The smoking area is to be defined by the use of barriers at all times to prevent pavement blockage. The smoking area will have a limit of 20 people after 1am and be actively supervised by door staff. Signs are to be displayed next to ashtrays asking patrons to use the ashtrays provided.

28 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.

29 Ashtrays will be provided for the benefit of customers using the outside areas. These must be emptied throughout the evening if required and/or the start of the business of the following day.

30 A notice shall be displayed at the entrance/exit of the premises to remind customers to leave the premises quietly and respect our neighbours.

31 At the end of the trading hours, the outside of the premises is to be swept and left clear of litter.

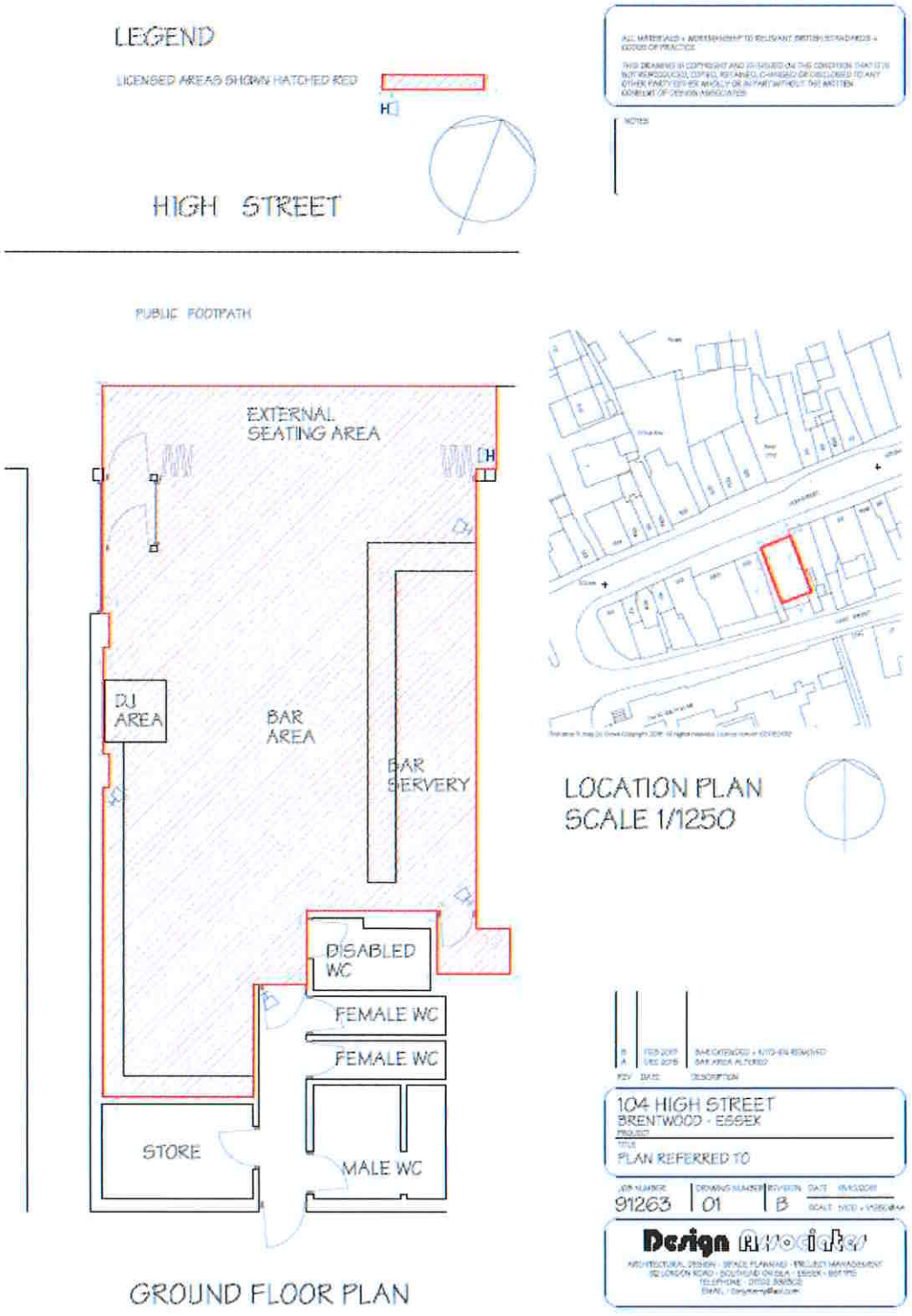
32 When the outside area is in use for the consumption of alcohol there will always be the minimum of three tables and twelve chairs in situ.

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

1 **All bottles and glassware will be disposed of by the applicant after 10am the following day.**

Annex 4 – Plans

This licence is issued subject to the following attached plans:
104 High Street Brentwood / Job No.91263/01 B dated 15/10/2015



Premises Licence Summary

Premises Licence Number	**PRM_446**
Application Number	**18/00080/LAVDPS**
Date of Issue	**6th September 2018**

Part 1 – Premises Details

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

The Vine
104 High Street
Brentwood
Essex
CM14 4AP

Telephone number
01277 225399

Where the licence is time limited the dates

Licensable activities authorised by the licence

Entertainment of a similar description to Live Music, Recorded Music
Performance of Dance
Exhibition of a film
Playing of Recorded music
Provision of Late Night Refreshments
Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities

Entertainment of a similar description to Live Music, Recorded Music

Monday	**08:00 - 00:00**
Tuesday	**08:00 - 00:00**
Wednesday	**08:00 - 00:00**
Thursday	**08:00 - 00:00**
Friday	**08:00 - 02:00**
Saturday	**08:00 - 02:00**
Sunday	**08:00 - 00:00**

An additional hour is permitted for the licensable activities on St Patricks Day St Georges Day St Andrews Day St Valentine's Day all Fridays Saturdays and Sundays prior to a Bank Holiday and 23 December and Boxing Day provided that the latest time permitted will be 2am.
An additional hour to the standard and non-standard times will be permitted on the day when British Summer Time commences provided that the latest time permitted will be 2am.

Sale of Alcohol & Regulated Entertainment

Christmas Eve	08:00 - 03:00
New Year's Eve	08:00 - 03:00

Performance of Dance

Monday	08:00 - 00:00
Tuesday	08:00 - 00:00
Wednesday	08:00 - 00:00
Thursday	08:00 - 00:00
Friday	08:00 - 02:00
Saturday	08:00 - 02:00
Sunday	08:00 - 00:00

An additional hour is permitted for the licensable activities on St Patricks Day St Georges Day St Andrews Day St Valentine's Day all Fridays Saturdays and Sundays prior to a Bank Holiday and 23 December and Boxing Day provided that the latest time permitted will be 2am.
An additional hour to the standard and non-standard times will be permitted on the day when British Summer Time commences provided that the latest time permitted will be 2am.

Sale of Alcohol & Regulated Entertainment

Christmas Eve	08:00 - 03:00
New Year's Eve	08:00 - 03:00

Exhibition of a film

Monday	08:00 - 00:00
Tuesday	08:00 - 00:00
Wednesday	08:00 - 00:00
Thursday	08:00 - 00:00
Friday	08:00 - 02:00
Saturday	08:00 - 02:00
Sunday	08:00 - 00:00

An additional hour is permitted for the licensable activities on St Patricks Day St Georges Day St Andrews Day St Valentine's Day all Fridays Saturdays and Sundays prior to a Bank Holiday and 23 December and Boxing Day provided that the latest time permitted will be 2am.

An additional hour to the standard and non-standard times will be permitted on the day when British Summer Time commences provided that the latest time permitted will be 2am.

Sale of Alcohol & Regulated Entertainment

Christmas Eve	**08:00 - 03:00**
New Year's Eve	**08:00 - 03:00**

Playing of Recorded music

Monday	**08:00 - 00:00**
Tuesday	**08:00 - 00:00**
Wednesday	**08:00 - 00:00**
Thursday	**08:00 - 00:00**
Friday	**08:00 - 02:00**
Saturday	**08:00 - 02:00**
Sunday	**08:00 - 00:00**

An additional hour is permitted for the licensable activities on St Patricks Day St Georges Day St Andrews Day St Valentine's Day all Fridays Saturdays and Sundays prior to a Bank Holiday and 23 December and Boxing Day provided that the latest time permitted will be 2am.
An additional hour to the standard and non-standard times will be permitted on the day when British Summer Time commences provided that the latest time permitted will be 2am.

Sale of Alcohol & Regulated Entertainment

Christmas Eve	**08:00 - 03:00**
New Year's Eve	**08:00 - 03:00**

Provision of Late Night Refreshments

Monday	**23:00 - 00:00**
Tuesday	**23:00 - 00:00**
Wednesday	**23:00 - 00:00**
Thursday	**23:00 - 00:00**
Friday	**23:00 - 02:00**
Saturday	**23:00 - 02:00**
Sunday	**23:00 - 00:00**

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Sale of Alcohol & Regulated Entertainment

Christmas Eve	**08:00 - 03:00**
New Year's Eve	**08:00 - 03:00**

Sale by Retail of Alcohol

Monday	**10:00 - 00:00**
Tuesday	**10:00 - 00:00**
Wednesday	**10:00 - 00:00**
Thursday	**10:00 - 00:00**
Friday	**10:00 - 02:00**
Saturday	**10:00 - 02:00**
Sunday	**10:00 - 00:00**

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An additional hour to the standard and non-standard times will be permitted on the day when British Summer Time commences provided that the latest time permitted will be 2am.

Sale of Alcohol & Regulated Entertainment

Christmas Eve	**08:00 - 03:00**
New Year's Eve	**08:00 - 03:00**

The opening hours of the premises

Monday	**08:00 - 00:30**
Tuesday	**08:00 - 00:30**
Wednesday	**08:00 - 00:30**
Thursday	**08:00 - 00:30**
Friday	**08:00 - 02:30**
Saturday	**08:00 - 02:30**
Sunday	**08:00 - 00:30**
Christmas Eve	**08:00 - 03:30**
New Year's Eve	**08:00 - 03:30**

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

Alcohol is supplied for consumption both on and off the Premise

Part 2

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

Mr Andreas Artemi

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

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

Mr George Andreas Artemi

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:
Licensing Authority: Southend On Sea Borough Council

VINE, 104 HIGH ST, BRENTWOOD CM14 4AP

APPENDIX 3

REPRESENTATION

Responsible Authority

Dave Leonard

Brentwood Borough Council

Licensing Officer

&

Summary Hearing Decision Notice

9th January 2019

Review Hearing Decision Notice

30th January 2019

BRENTWOOD
BOROUGH COUNCIL

Wednesday, 21st August 2019

Paul Adams
Joint Licensing Manager,
Brentwood Borough Council
Ingrave Road
Brentwood
Essex CM15 8AY

Dear Mr Adams,

THE VINE, 104 HIGH STREET, BRENTWOOD CM14 4AP

Application For a New Premises Licence

Representation by a Responsible Authority (Licensing)

I wish to make a representation against the Application for a new Premises Licence at The Vine, 104 High Street, Brentwood CM14 4AP made by Mr. Andreas Artemi. I make this representation as a Responsible Authority (Licensing) in my capacity as the Brentwood Borough Council Licensing Officer as permitted by virtue of the Licensing Act 2003.

I wish to make representation against this application as ***the applicant has not satisfactorily addressed the additional steps they intend to take to promote the four licensing objectives.***

I am aware that the applicant has been involved in positive discussions with the Police in recent times and this has been reflected in the twenty-nine undertakings being offered in the operating schedule (*Section O - Promoting Licensing Objectives*). It is my contention that the additional assurances and policies now being offered in writing have no more substance than any of the previous undertakings offered by the same owner and subsequently not complied with.

Please see attached a copy of the decision notice of the Licensing Sub-Committee to revoke The Vine's premises licence following a review hearing on 30th January 2019.

I cannot confidently offer support to an application that has been submitted by the same proprietor seeking the same licensable hours and activities barely six months after their premises licence was revoked for serious failings to address and promote the licensing objectives. I would like to hear what additional measures and training has been taken and what additional safeguards have been put in place to prevent a repeat of those previous failings.

A failure to address these issues will, undoubtedly,lead to a failure of the promotion of the licensing objectives. This will particularly be the case in respect of crime & disorder and public safety.

It is my contention that this can only be determined by presenting the application in its entirety, openly and transparently, before a Licensing Sub-Committee.

If I can be of any further assistance please do not hesitate to contact me in the Licensing Office at Brentwood Borough Council Warley Depot on **01277 312523**.

Kind regards,

Dave Leonard | Licensing Officer

T: 01277 312523 | www.brentwood.gov.uk | dave.leonard@brentwood.gov.uk

We write further to an application by Essex Police for a summary review of the premises licence for The Vine, 104 High Street, Brentwood CM14 4AP made to Brentwood Borough Council.

The application was brought before the licensing sub-committee for determination on 9th January 2019 following representations from Essex Police.

The sub-committee first heard from the licensing officer who outlined his report.

On 7th January 2019 an application for a summary review of the premises license was received by the Council from Essex Police. It related to an incident at the Vine on 25th December 2018 wherein a male was assaulted by a member of door staff at the premises and as a result of the injuries received as a result of the assault the male subsequently died in hospital leading to a homicide investigation.

The sub-committee then heard from Essex Police who described the incident as involving an altercation between the victim and his girlfriend followed by the doorman intervening by taking his arm fully back and punching the victim in the face. The victim then fell to the floor hitting the back of his head on the road. He then passed out. The Police produced photographs to show the incident taking place. A crowd then gathered and attempted to pick the victim up from the road. The door staff are then seen to take the victim to an alleyway in an attempt to conceal the incident. Shortly thereafter the victim was taken to Queens Hospital but discharged himself. However the following day he was returned to the hospital and treated. Shortly thereafter he passed away. The view held by the Police was that the actions of the member of the door staff was disproportionate to any apparent threat that might have been present and appeared to be unprovoked.

The Police then outlined that there had been other previous incidents at the premises which undermined the crime and disorder objective. The culmination of these incidents lead to a form of management breakdown which in turn lead to a lack of control over door staff. The previous year the Police had attended the premises, spoken to staff and found that there was a lack of understanding of the licensing conditions. A number of important conditions such as door staff keeping a log of incidents were found not to have been complied with. Condition 6 to the premises license relating to dispersal and door control policy had also been found not to have been complied with. Condition 7 relating to a minimum of 2 door staff at any time was also found not to have been complied with.

The Police described an incident that took place on 3rd December 2018 during which the DPS was assaulted and his sister bitten by a patron. The Police attended the incident to investigate but the DPS and sister refused to provide evidence to substantiate a prosecution. There was a complete disregard for the crime by the DPS and his sister.

In another incident a female patron was ejected from the premises . Before she was ejected she sought to see the ID of the relevant door staff who refused to provide it. The matter was reported to the Police. It is a criminal offence for door staff to refuse to show their ID so the incident was very serious.

A condition of the license required first aid trained staff to be available at the premises at all times but there was no first aid provided to the victim at any time during the incident.

The legal representative for the licensee then addressed the Committee. It was a family business with the licensee's son and daughter involved in the business. The door staff were from an agency named PDJ Ltd who had provided door staff for the past 20 years for the business. Never before had there been an issue and the business had always cooperated with the Police. For example condition 7 required 2 door staff at any time and yet often 5 were on duty. In addition ID scanners had been introduced to the premises when there was no requirement to have them.There was a drug box when there was no requirement for it as well as plastic cups being provided. In addition outside chairs and tables were removed when there was no requirement to remove them.

As for the 3rd December 2018 incident statements had not been given because of a fear of reprisals. Although there was no denying that the incident was serious it was a one-off. Suspension of the license would not address the issues.

The Legal Advisor then addressed the Committee and stated that the High Court decision relating to a pub in Newham, "William the Conqueror" made it clear that even a one-off incident on its own could constitute serious conduct for these purposes. There did not have to be a pattern of sustained criminal behaviour for there to be serious crime sufficient to trigger a summary review.

Committee then retired to consider its decision.

The Committee felt that the incident constituted an extremely serious offence and that that incident alone was enough to lead to a suspension of the premises license as it undermined the crime and disorder objective to a considerable degree. In this matter it had been shown to the Committee's satisfaction that there had been a number of prior incidents that undermined this objective. There was a lack of management which lead to a lack of control of door staff leading to the incident. The Committee were also of the view that the care procedure following the incident was very deficient to the point of non-existence. In these circumstances the crime and disorder objective had been completely undermined leaving the Committee no alternative but to suspend the premises license with immediate effect.

The hearing then re-convened and the Legal Advisor enunciated the Committee decision that the premises license be suspended with immediate effect outlining the reasons as stated in the previous paragraph.

BRENTWOOD
BOROUGH COUNCIL

Andreas Artemi

Date: 1st February 2019
Our Ref: 19/00002/LAPRE

Dear Mr Artemi

RE: The Vine, 104 High Street, Brentwood, Essex, CM14 4AP,

Please find attached the decision notice in relation to the hearing on the .

You have **21 days** from the date of this letter to make an appeal against the decision. Any appeal must be made in writing to the Clerk to the Justices, Essex Magistrates' Court Service, Osprey House, Hedgerows business Park, Springfield, Chelmsford, CM2 5PF.

If you have any questions about this, or would like to discuss it further, please contact me on the below number.

Yours sincerely

P. Adams

Paul Adams
Joint Licensing Manager

Review of Premises Licence of the Vine, 104 High Street, Brentwood, CM14 4AP

Application by the Essex Police

Decision of Licensing Sub-Committee following hearing on 30 January 2019

Introduction

1. The committee considered an application for summary review by the Essex Police in respect of the premises licence of the Vine, 104 High Street, Brentwood, CM14 4AP.
2. The committee gave oral reasons for its decision to revoke the licence and to continue the interim step of suspension at the hearing on 30/1/2019 but indicated that written reasons would follow. These are those written reasons.
3. The committee was addressed by the responsible authority, the police, the premises licence holder and one member of the public, Mr Michael Going. Another member of the public, Michael Brown, made representations but did not attend the committee.
4. It was decided by the licensing authority that it was in the public interest for members of the public to be excluded from the entirety of the hearing. It was decided that it was in the public interest for Mr Going (who, having made relevant representations was a "party" but who could be treated as a member of the public by virtue of Regulation 14(3) of the 2005 Regulations) to be excluded from part of the hearing during which the committee was shown CCTV evidence of an incident which took place in the early hours of 25/12/2018. These decisions were made on the basis that it was in the public interest to avoid any risk of any criminal proceedings being prejudiced.

Evidence and submissions

5. The committee heard from Mr Cannon on behalf of the Police. The committee were shown CCTV evidence of the incident on 25/12/2018. Mr Cannon's submissions were in summary as follows:
    a. The incident on 25/12/2018 was not a one-off incident but part of a series when the management had to be reminded of their responsibilities under the conditions.
    b. On 25/12/2018, none of the doormen were wearing high visibility vests and the incident was not written in the log book. Those were breaches of condition and similar breaches had been raised in the past.
    c. In an incident on 3rd December 2018, the DPS and his sister were assaulted. They declined to comment on that assault to the police which was a breach of condition.

d. Since the incident, the venue management had been reactive rather than proactive in terms of conditions. The police, for example, proposed additional conditions, rather than the premises licence holder.
e. While the conditions proposed by the license holder would be an improvement, there were a number of ongoing concerns.
f. While the police agreed with the decision to replace the DPS, there was a concern on the part of the police as to how much control it would have over the appointment of the DPS .
g. The police questioned the fundamental competence of the management of the business to operate the premises in accordance with the licensing objectives.

6. The police considered that the incident was so serious that it was proper for the committee to come to a decision about revocation. The police had sufficient concerns about the measures proposed by the licence holder that the committee could not have full confidence that the licensing objectives would be fulfilled. If the committee was not minded to revoke the licence, then the position of the police was that the licence should be suspended and a number of conditions imposed on the premises. The police suggested that the hours should be curtailed. Otherwise, the conditions were effectively agreed as between the police and the licence holder.
7. Mr Leonard made representations on behalf of the responsible authority. He acknowledged that the George and Mariana Artemi were personable and had been cooperative. However, he outlined a number of previous breaches of the conditions which had not been properly addressed by the management of the venue as set out in Appendix 4 of his statement. These incidents included failures on the part of bar staff to assist customers when allegations of criminal activity were reported to them (e.g. on 20th April 2017, 1st November 2017), failures to record incidents in the log book (e.g. on 24th July 2017, 1st November 2017, 3rd December 2018, 25th December 2018), irresponsible management of the premises so as to cause disturbance and inconvenience (e.g. 4th April 2018, 10th May 2018, 24th June 2018), failures on the part of door staff to display their SIA badge (e.g. 29th August 2018) and a failure to provide statements to police in relation to an alleged assault (on 3rd December 2018).
8. Mr Kolvin QC then made representations on behalf of the licence holder. Mr Kolvin QC expressed condolences on behalf of the Artemi family to the friends and family of the victim of the incident on 25/12/2018 which the committee noted and understood.
9. In light of what happened on 25/12/2018, the premises were closed after New Year voluntarily and after 9/1/2019 compulsorily. The premises would not re-open until transformed as an operation including the appointment of a new capable, experienced and robust DPS approved by the authorities, a new door company with approved contractor standard accreditation, comprehensive training for all staff going beyond the police suggestion, a documented set of operational policies that would be required to be enforced in accordance with the licence and a thorough set of operating conditions to a high standard to which a criminal liability would be attached. The conditions would be policed by a DPS that would properly observe the compliance rules and a periodic independent audit of the premises to be in compliance with the conditions would be carried out by an independent consultant.

10. The proposals represented the highest standards. If the premises are not run to those standards, it was accepted that the premises would be brought back before the committee and the premises would be closed. The purpose of the review was forward looking and regulatory and not backward looking. The measures are an appropriate response to the identified failures of management. The ultimate sanction of revocation was not appropriate or proportionate in this case.
11. Mr Kolvin QC set out the background to the premises including the involvement of Mr Artemi, who had run premises without issue for over 23 years. The venue was popular and attracted a reasonably smart set. Although it had had some incidents representative of a small venue catering to that age group, there have been no previous reviews here or threats of previous reviews.
12. The Artemis had gone over and above what was required of them by the licence in terms of number of door staff, ID scan and a drugs safe.
13. The incidents at the premises referred to by Mr Leonard were addressed. As for the incident 20th April 2017, the CCTV was available for the police to see which confirmed that no criminal activity had taken place. As to the incident on 29th August 2018, the victim of the assault in question had been cared for by Mr Artemi at the venue. She had decided to leave and was unfortunately then attacked again. As for the incident on 3rd December, the police were able to view the CCTV and all of the suspects had been logged in the ID scan. Whatever the rights and wrongs of the decision not to give statements to the police, it was an understandable decision.
14. Compliance slipped when Mr Artemi was less involved. He should have handed the role as DPS to someone other than George. That was a mistake. Mr Artemi realises that and accepts that the responsibility is his. That accounted for most of the breaches identified by the police.
15. As to the incident on 25/12/2018, the doorman had been interviewed and there were no known issues. He had had 10 years' experience. His day job was in the ambulance service and he is first aid trained. The doorman had clearly just lost control. He knew that he had done wrong because he removed his badge, he didn't phone the police or ambulance, he didn't inform the management or fill out an incident record. The doorman did not do what he had been asked to do. There was no pattern of violent behaviour by the door team. There was no reason for the management to be concerned about the doormen. This was an assault by a doorman leading to tragic consequences. Inside the venue, Marianna was told about the incident and saw the aftermath. She saw that a member of staff who had worked in the army for 12 years and was the qualified medic was caring for the man. Marianna asked if the police and ambulance had been called and was told that they had. She went inside to get a bottle of water for him. The man got up and walked to the ambulance and the police left. What she ought to have done was to ensure that an incident report was completed. The DPS should have been informed and investigating what had happened. That was poor management and a breach of the licence. That was a severe lesson that had been learned.
16. The suspension of the licence has enabled a stock take. The licence holder did not apply to lift that suspension and trade on as was his statutory right. That showed insight. He took advice and an investigation was carried out. Some new conditions were added to those proposed by the police.

17. Mr Kolvin QC then took the committee through all of the proposed conditions contained in Tab 7. As to the DPS, it was explained that the applicant would be happy with a condition that requires the prior approval from the police for any DPS. He explained that the proposed door company was "Absolute Security t/a SSG" for which details were provided in the papers. Mr Kolvin QC explained that all the staff were to be trained to the highest standards, for which details were provided in the papers.
18. As to the suggestion that the hours should be reduced, that would result in the closure of the venue because the venue was a late venue and would not be competitive with other neighbouring venues. Further, the remedy needed to reflect the cause of the problem. The incidents of concern were not the result of the opening hours. It would be disproportionate to impose that reduction. The conditions will ensure that the venue is appropriate managed post-midnight.
19. So far as suspension is concerned, the premises had been closed for three weeks and would have to be closed for a further period until the conditions are complied with. It was explained that it would take at least 4 weeks to put the required measures in place. There has in any event been a deterrence on the part of the Artemis who have learned their lesson.
20. As to revocation, it was submitted that if you could avoid closing a business and putting people out of work that should be avoided if the premises can be properly run. This is a first review. The Guidance gave examples of where revocation might be appropriate on first review at paragraph 11.28 and it was not appropriate here.
21. The committee asked some questions in relation to the process for training and the number and turnover of staff. It was explained that training was readily available and that the pool of staff was about 12 who worked on a rotational basis. They had mostly been with the premises for the past 18 months. It was explained that the premises would still be sustainable even with the additional measures proposed. The committee was concerned that the risk assessment contained errors and it was explained that the risk assessment was just a template and that no risk assessment had yet been carried out for the Vine.
22. When questioned, Mr Artemi explained that his record at his other venues was "A1".
23. As to the decision to close voluntarily on 1st/2nd January, that was because it was clear before New Year that the victim had died. They venue had sold tickets for New Year and were concerned about cancelling that event.
24. The committee expressed concern about the Artemi family continuing to run the club where there have been management failures. How was one person going to remedy the issues? It was explained that Mr Artemi was experienced in running a venue and that the DPS would be a very important role. Mr Artemi explained that one of the reasons why the administration had gone downhill is that he was not involved. He would be involved on a regular basis and there would be a senior manager. The manager would be given full authority to manage.
25. Michael Going who was a frequent customer of the Vine then made representations and explained that the Vine was a well run venue where he felt safe. He would go with family, friends and colleagues. He had never experienced trouble in the venue and that he would not drink in other venues on the High Street.
26. Mr Leonard did not have any closing comment to make.

27. Mr Cannon on the part of the police made a closing submission. He said that where there had been serious management failings such as had been candidly admitted on the part of the licence holder and where there had been a death, the starting point was revocation. The committee was asked to take a leap of faith about the DPS who was not known at this time. The question of the management structure was apt. Mr Artemi will pay the wages. Both the children will be hands on and we don't know who the DPS is and run the premises in a way which they have not been run in the past. If the committee was persuaded not to revoke, the hours should be pulled back by one hour to 1AM. As to suspension, if this is last chance saloon for the Artemis, then it was appropriate to impose a deterrent in this case. While it is right that the premises won't be open for a while, it is nonetheless appropriate to impose a suspension.
28. Mr Kolvin QC made a closing submission on the part of the licence holder. He explained that the Vine was a stylish venue where there has been management laxity. Mr Artemi's record was excellent. The most important thing to look for is insight. They have been candid, honest, reflective. Where there is fault, fault has been accepted. Can he be trusted to run these premises? The answer is yes. It is not right that the starting point here is revocation. The breaches that were accepted were not the cause of what happened on 25/12/2018. What happened then was a doorman that just lost it. The whole point in relation to the DPS was that we have to bring forward a DPS and you have to approve them. No leap of faith is required. It is exactly what is contemplated by the statute. You should start with the lowest penalty and ratchet up, not start with the most serious allegation and ratchet down. The hours of trade had nothing to do with the breaches. As to the suspension, the deterrent effect has already been felt.

Reasons

29. The committee considered the application carefully and taken into account all the evidence and submissions made to it. The committee considered that the prevention of public nuisance and the prevention of crime and disorder were engaged by this application.
30. The committee considered all the options proposed, and agreed that revocation should be an option of last resort which should only be imposed if what was proposed would not adequately remedy the issues identified. The committee therefore started their consideration by asking whether the variation of the conditions as effectively agreed between the licence holder, police and responsible authority would be appropriate in these circumstances.
31. The committee was particularly concerned about the repeated breaches of condition of the licence, which in its view were serious and which resulted from serious management failings. The committee was concerned that where there had been breaches of condition, those breaches had not been remedied on subsequent occasions. The committee considered that, irrespective of the role of the doorman, there were serious breaches of condition which took place on 25/12/2018 including the failure of door staff to wear high visibility jackets and the failure to record the incident in the log which were the responsibility of the management. Whether or not some of the management responses to incidents were understandable from a

personal point of view, the committee felt that they demonstrated that George and Mariana were not sufficiently experienced and demonstrated that they were not capable (at least currently) of managing the premises appropriately. Those failures were, in the committee's view, very serious failures.

32. The committee considered carefully whether the measures that were now proposed by way of conditions would ensure that the premises would be managed in accordance with the licensing objectives.
33. Ultimately, the committee did not have sufficient confidence that the premises would be operated in accordance with the proposed conditions so as to further the licensing objectives under the proposed management structure, even with the appointment of an experienced designated premises supervisor. The identity of the DPS was currently unknown and so no assessment of whether he/she would be likely to be able to work successfully with the management was possible. However robust and independent, the DPS would be answerable to Mr Artemi and to some extent likely to be answerable to Mariana and George. The committee did not have confidence that Mariana and George, who would continue to be heavily involved in the day to day management of the premises, were sufficiently experienced to manage the premises appropriately. Although it was proposed that Mr Artemi would be more involved than he had been previously, the committee noted that he was not proposing to be present at the premises full-time or to manage them himself. It was also noted that he had exercised some management oversight during the preceding 18 months during which there had continued to be management failures at the premises.
34. For these reasons, the committee did not have sufficient confidence that the variation of the conditions would appropriately remedy the issues identified. The committee did not feel, given its concern about the proposed operation of the premises in the future that a period of suspension was appropriate. Therefore, it was considered that the revocation of the licence was proportionate in the circumstances.
35. As to the interim steps, the committee heard representations from the parties and concluded that in light of the above conclusions that it would not be appropriate to allow the premises to re-open pending an appeal and that it would be proportionate for the suspension to continue pending any appeal.
36. This decision can be appealed to the magistrates' court within 21 days of the date of notification.

THE LICENSING SUB-COMMITTEE

31 January 2019

VINE, 104 HIGH ST, BRENTWOOD CM14 4AP

APPENDIX 4

REPRESENTATION

Responsible Authority

Mrs Jackie Cooper

Essex Police

Licensing Officer

&

Agreed Recommendations

Mr P Adams
Licensing Department
Brentwood Borough Council
Town Hall
Ingrave Road
Brentwood
CM15 8AY

ESSEX POLICE
Protecting and serving Essex

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

12th September 2019

Dear Mr Adams,

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

In respect of a premises licence application for The Vine, 104 High Street, Brentwood CM14 4AP, Essex Police make representations under the licensing objectives of; Prevention of Crime & Disorder and Public Safety and object to the grant of a premises licence.

The applicant, Mr Andreas Artemi previously held a premises licence for The Vine, 104 High Street, Brentwood. This premises licence was subject of a Section 53 Summary Review applied for by Essex Police following an incident just after midnight, in the early hours of Christmas Day 2018 when a patron died.

As a result of this summary review application, interim steps were imposed suspending the premises licence until a hearing of the licensing sub-committee on the 30th January 2019; where it was subsequently revoked.

At the review hearing the sub-committee were shown CCTV footage involving a confrontation between a door supervisor and a patron. The patron received fatal injuries. The sub-committee was particularly concerned about repeated breaches of conditions of the premises licence, which in its view were serious and were also concerned about management failings which included the supervision and direction of door supervisors. These observations are recorded within the appropriate decision notice.

Essex Police sought revocation of the licence but proffered the sub-committee with a number of 'minimum proposals and conditions' should they feel revocation was not proportionate. However the sub-committee did not have sufficient confidence that these additional conditions and proposals would appropriately remedy the issues identified and so revoked the licence.

The evidence Essex Police produced in support of the review is as relevant to this application as it was to the review. It is barely eight months since the revocation of the premises licence and Mr Artemi is making a new application advocating himself as both the premises licence holder and the designated premises supervisor (DPS) and despite police entreaties is refusing to use a different door supervision company from that used at the venue previously.

Mr Matt Bell of 21st Century Licensing first made contact with Essex Police licensing in early June to discuss the application being submitted. Essex Police replied to 21st Century with a discussion document, which included proposed operating hours of the premises along with a number of suggested conditions as a minimum requirement (a copy of this document is enclosed).

These are somewhat similar to the aforementioned minimum suggested outcomes and conditions proffered at the summary review. The proposals included a requirement that the pre-existing door supervision company was not used and that to protect the public from harm that only a SIA accredited door supervision company should be used (such companies go through an enhanced system of 'vetting' with requirements for various levels of training and professionalism to be evidenced).

The submitted application does mirror some of the suggestions made by Essex Police but still seeks to extend the proposed trading hours and utilise a non SIA accredited door supervision company.

Regarding crime and disorder Mr Artemi proposes to employ the same door supervisor company he employed in the past. This is despite Essex Police requesting he only use an SIA accredited company. Mr Artemi has resisted all attempts by the police to dissuade him from employing the same security company which he employed on the night of the fatal incident at the Vine, Brentwood; a company he employs at his Southend venue and where door supervisors have been the subject of assault allegations.

The applicant wishes to actually extend the opening hours of the premises from the hours previously granted before revocation. At the review hearing Essex Police explained how this was a 'destination' venue which caused problems then and will cause further problems with extended opening.

A key concern of the sub-committee when it chose to revoke the pre-existing licence was the lack of management control with the delegation of key matters having been given to poorly equipped managers. This was acknowledged by Mr Artemi but despite this he effectively proposes to do the same again.

To counter police and council concerns he is proposing to oversee the management and operation of the premises as the DPS; yet he is already the DPS at two similar premises in

Southend, both of which have been recently updated with significant financial outlay and which Mr Artemi manages on a daily basis.

Essex Police has inexplicable concerns that this will again be management by proxy of the Vine, Brentwood – the same management style which failed so badly before. It was due to the lack of overall management that led to the revocation of the premises licence following the death of a patron last Christmas.

Essex Police considers that lessons have not been learned and the premises will be operated and managed in exactly the same way as before, save with an intent to open longer hours.

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 Sub-Committee will be meeting to hear this application so that a representative of the Chief Officer of Police can attend.

Yours sincerely,

J Cooper

Mrs Jackie Cooper MBII
Essex Police Licensing Officer
Brentwood & Thurrock

Enc. Discussion Document dated 11th June 2019

104, High Street, Brentwood

Licensable Activity

All licensable activity will take place:

Sunday to Thursday	**08:00 – 00:00**
Friday	**08:00 – 02:00**
Saturday	**08:00 – 02:00**
Christmas Eve	**08:00 – 03:00**
New Year's Eve	**08:00 – 03:00**

The opening hours shall be from 0800 to 30 minutes after the end of permitted licensable activities.

Proposed Conditions

1) The maximum capacity of the premises shall not exceed 180 people (patrons and staff combined).

2) The licensee shall risk assess the use of polycarbonate drinking vessels for each style of trading session. Where a risk is highlighted polycarbonate glasses shall be used in place of 'regular' stock and all non-polycarbonate will be removed from the bar area during that session. Any risk assessment made will include the provision for taking police advice on local event crowd profiling.

3) No glasses or other drinking vessels shall be allowed to leave the licensed area. In the case of genuine off sales the bottle will be wrapped and bagged.

4) A suitable drugs safe/cabinet shall be fitted and any seized items shall be deposited in it. The safe shall be installed at the main entrance and only the police shall have the access keys. Any seized items shall be placed in a clear bag with a label stating the circumstances of why it is in the safe.

5) During the period in which the premises is open for licensable activities, toilets shall be checked on at least an hourly basis for the purpose:

   a) of detecting and deterring the use of controlled drugs and psychoactive substances; and
   b) maintaining public safety.

A record of these checks shall be maintained with the date, time, and condition of the toilets and staff member conducting the check.

These records shall be made contemporaneously, retained at the premises for at least 3 months and made available immediately upon demand to police or licensing authority staff.

6) There shall be a personal licence holder on duty on the premises at all times when alcohol is offered for sale.

7) No alcohol may be supplied by an individual unless that individual has the written consent of the Designated Premises Supervisor or other employed Personal Licence Holder.

   A written record of this consent must be retained on the premises at all times when such an individual supplies or proposes to supply alcohol and be made available immediately upon reasonable request of the police or licensing authority.

8) All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to the protection of children from harm (including under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months.

9) Training records shall be kept on the premises (or otherwise be accessible on the premises) for a minimum of 12 months and made immediately available to police, trading standards or licensing authority staff upon reasonable request

10) On those days listed below, where the premises conducts or intends to conduct licensable activity past 23.00 hours, the following numbers of SIA licensed door supervisors must be on duty from 20:00 hours until at least 30 minutes after the premises closes:
    a) 2 on a Thursday (not being a Christmas Eve or New Year's Eve);
    b) 4 on a Friday (not being Christmas Eve or New Year's Eve);
    c) 5 on a Saturday, Christmas Eve and New Year's Eve;

11) Save for exceptional circumstances (which will be recorded in the door supervisors' record) door supervisors employed at the premises shall have:

    a. Undertaken a refresher course in physical intervention skills (provided by a trainer who themselves has been trained by a SIA - endorsed awarding organisation and has a SIA required qualification for trainers);
    b. To have received such training in the last 12 months; and
    c. Proof of a) and b) to be made available to police, SIA or licensing authority staff within 3 working days.

Within one month of the grant of this licence 50% of door supervisors on duty at any one time shall have received the training shown at a) above rising to 100% within two months thereafter.

12) 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 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.

13) Where SIA licensed door supervisors are employed at the premises (either directly or via a third party) a check of the current validity of each door supervisor's licence shall be conducted via the SIA website at the commencement of employment at the premises and monthly thereafter and recorded in a log. This log shall be retained for at least 6 months after the last recorded check and be immediately provided to police, SIA or licensing authority staff upon reasonable request

14) On commencement of initial employment at the venue, each door supervisor shall be briefed by both a head doorman and a management representative which covers use of force, the tone to be set etc. and a record made of who delivered the briefing and to whom. This briefing will be refreshed every six months and similarly recorded

15) At all times when SIA door supervisors are required to be on duty by virtue of a condition of this licence, SIA licensed door supervisors shall supervise any queue to enter the premises that forms outside the premises and the smoking area.

16) There shall be no admittance or re-admittance to the premises after 00:30hrs except for patrons using the designated smoking area.

17) Door supervisors will be visible outside the premises for 30 minutes after closing time until all the groups of customers have left the vicinity. The door supervisors will encourage the customers to either move onto other premises or towards the taxi rank.

18) At all times when a door supervisors are required to be on duty by virtue of a condition of this licence, SIA licensed door supervisors will be present to control entry for the purpose of compliance with the capacity limit and to deny entry to individuals who appear drunk or disorderly or both.

19) The outside area shall be cleared of customers no later than 23:00 hours. Between the hours of 23:00 and close the outside area shall be used only as a smoking area which will be supervised by door staff.

20) When employed externally door staff shall wear Hi-Viz reflective jackets or vests. When employed internally they shall be readily identifiable as door staff by way of a uniform agreed by the Premises Licence Holder.

21) The venue shall not directly employ door supervisors, rather any door supervisors deployed at the venue must be employed via a third party contractor who is a member of the SIA Approved Contractor Scheme and where the door supervisors are not self-employed operatives.

22) All door supervisors will wear Body Worn Video Cameras (BWV). Recordings of BWV shall be retained for a minimum of 31 days and be made available to Essex Police or an authorised officer of the licensing authority upon reasonable request.

    These devices will be capable of continuous recording for at least 6 hours and will be used in a continuous recording mode whilst a door supervisor is performing licensable activities.

23) The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:

    i. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;
    ii. CCTV cameras shall cover all public entrances and exits, publicly accessible stairways, the alleyway adjacent to the premises and all areas where the sale of alcohol takes place;
    iii. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of 31 days;
    iv. At all times, whilst the premises is open for licensable activities, there are members of staff able to immediately provide viewable copies of recordings to the police or licensing authority staff upon reasonable request;
    v. 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;
    vi. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant: in the event of any failure this will be recorded immediately.
    vii. Signs no smaller than A5 shall be displayed at all entrances/exits informing patrons of the operation of CCTV

24) A qualified first-aider shall be on the premises after 22:00 hours each day when the premises is open for the sale of alcohol. The first aider must have a valid (non-expired) qualification in Emergency First Aid at Work or higher.

Compliance with this requirement may be deferred until 30 days after the issue of this licence at the latest to enable sufficient staff training.

25) Inside the premises, there shall be a minimum of 7 tables and 30 seats available for patrons at all times.

26) A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement and is either a:

- Proof of age card bearing the PASS Hologram;
- Photocard driving licence;
- Passport; or
- Ministry of Defence Identity Card.

27) The premises shall clearly display signs at the each point of sale and in areas where alcohol is displayed advising customers that a 'Challenge 25' policy is in force.

28) A Clubscan/IDSCAN or similar networked electronic validation system shall be operated at the premises. At those times and days when door supervisors are required to be at the premises as a condition of the licence, all persons entering the premises must provide verifiable ID and have their details recorded on the system.

29) A refusals record shall be maintained which details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale.

All entries must be made as soon as practicable and in any event within 4 hours of the refusal and the record must be made immediately available to police, trading standards or licensing authority staff upon reasonable request.

The refusals record shall retained for at least 12 months from the date of the last entry.

30) An incident log shall be kept at the premises, and made immediately available to police or licensing authority staff upon reasonable request.

The log must be completed as soon as is possible and within any case within 4 hours of the occurrence and shall 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) the use of significant force by a door supervisor

(g) any faults in a CCTV system, searching equipment or scanning equipment mandated as a condition of the licence

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

31) The premises shall have in place, and operate a formal drugs policy which 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. 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/practices

A copy of this policy document shall be lodged with the police and licensing authority.

32) A suitable noise limiter of a type and specification to the approval of the Licensing Authority shall be installed & operate throughout the performance of live or recorded music at the premises. The electricity supply to all amplification equipment shall at all times be controlled by the noise limiter, which shall be set at a level to be agreed with the Pollution Team.

33) Except when being used for entry or egress by a patron, all external windows and doors shall be kept shut each day between 21:00 and 10:00 the following day.

34) Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly.

35) Commercial rubbish bins shall not be used or emptied between 21:00 hours and 07:00 the following day.

36) No music shall be provided to external areas at any time.

37) The smoking area is to be defined by the use of barriers at all times to prevent pavement blockage. The smoking area will have a limit of 20 people at all times and be actively supervised by door staff. Signage will be displayed asking patrons to respect residents regrading noise levels.

38) The premises shall have a written dispersal and door control policy that outlines the procedure for management, door supervisors and staff. The policy shall contain procedures on:
    a) Supervising queues to avoid any unacceptable behaviour;
    b) Door supervisors ensuring no loitering outside the premises;
    c) Procedures on refusing entry or banning those who repeatedly cause a nuisance by noise or rowdy behaviour;
    d) How door staff will prevent overcrowding both inside and outside the premises;
    e) Searching procedures;
    f) Preventing patrons leaving with alcohol;
    g) Providing written statements to Police of any criminal investigation as and when required;

The dispersal policy shall be submitted to the Police and the Licensing Authority which shall be reviewed annually.