

**SUGAR HUT, 93 HIGH ST, BRENTWOOD CM14 4RR**

**APPENDIX 3**  
**REPRESENTATIONS**  
**Responsible Authorities**

*Mrs Jackie Cooper*

*Essex Police Licensing Officer*

*Mr John Fairweather*

*Brentwood Borough Council Environmental Health Officer*

*Mr Dave Leonard*

*Brentwood Borough Council Licensing Officer*







Mr P Adams  
Joint Licensing Manager  
Brentwood Borough Council  
Town Hall  
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Essex Police  
Licensing Department  
Braintree Police Station  
Blyths Meadow  
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16<sup>th</sup> October 2019

Dear Mr Adams,

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

In respect of a Premises Licence application for Sugar Hut Brentwood Limited, 93 High Street, Brentwood CM14 4RR, Essex Police make representations under the licensing objectives of Prevention of Crime & Disorder, Public Safety and the Prevention of Public Nuisance.

Sugar Hut has been one of the main attractions in Brentwood High Street for a number of years. When the Only Way is Essex (TOWIE) was first broadcast; a number of episodes featured on the show were filmed at the premises which resulted in Sugar Hut attracting customers from across the country who were viewers and followers of the TV show, for a 'TOWIE experience'. In fact it saw the launch of 'TOWIE tours' with people coming to Brentwood ending their day at Sugar Hut and with TOWIE continuing on TV screens; the attraction has always remained.

With the attention, the premises attracted from this show and with it having the latest licence in Brentwood; and one of the latest in Essex; it is a destination venue; with people attending after visiting other licensed premises in the area or even from further afield.

Despite this success, the premises closed down in July this year and has remained closed until this application was submitted.

This new application seeks to extend the hours for licensable activities until 2am Monday to Wednesday and 7am Thursday to Sunday.

From public media broadcasts Essex Police is led to believe that the applicant wishes to run a high volume vertical drinking establishment modelled upon his pre-existing Studio 338 premises in Greenwich with a variety of entertainments with the aim of making the venue



“one of the best music venues in the country”. It is proposed that the venue should be open as late as 7am and sell alcohol for 23 hours a day. Studio 338 has advertised itself as having one aim above all else: ‘to bring Ibiza to London’.

Paragraph 10.23 of the Guidance issued under section 182 of the Licensing Act 2003 draws attention to the fact that *“previous research has demonstrated that the environments within such establishments can have a significant bearing on the likelihood of crime and disorder”*

This application is in a locality, which is already subject to crime and disorder in the night time economy and which has recently been in the headlines in respect of a fatal incident outside a licensed venue and a police operation, which uncovered drug dealing in and from licensed premises.

Those headlines have directly led to a number of local venues taking proactive steps, which include the use of identification systems, door supervisors using body worn video cameras and the taking of extensive steps to deter drug misuse.

Paragraph 8.42 of the Guidance issued under section 182 of the Licensing Act 2003 provides that:

*“applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:*

- *the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;*
- *any risk posed to the local area by the applicants’ proposed licensable activities; and*
- *any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi -marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.”*

In the absence of related dialogue with Essex Police, the applicant does not appear to have met this expectation.

## **Crime and Disorder**

The owners are spending a vast amount of money in order to introduce a different and more attractive style and variety of attractions at the venue and to essentially turn the venue into a 24/7 operation with revellers able to enjoy the venue’s attractions until 7am in the morning. Not only will this, because of its attraction and novelty, bring into the High Street patrons not currently attending other High Street venues but the extended opening hours would dictate



that these new and 'poached' customers would remain in the vicinity of the High Street over an extended period of time.

This is not a metropolitan area graced with 24/7 transport links and swarms of taxi and private hire vehicles. Sugar Hut would be the only venue open to such a terminal hour and thus with whatever willingness the applicant may profess - quite simply there will be limited means of dispersal, leading to the likelihood of crime and disorder as patrons congregate outside trying to get home.

This is not only an issue about queuing for taxis, nothing could address the problem of insufficient numbers of taxis and private hire vehicles and might lead to fewer being available for those queuing on the streets as many patrons will live far afield thus denuding the area of taxis etc. for some time if indeed the taxi makes a return trip to the High Street.

There is also a distinct lack of taxi pick up points in the high street and at 7am, taxis will be unable to just park up on the double yellow lines as they currently do.

A local taxi firm quoted:

*"I am sure local businesses will welcome the place to reopen but with it will come issues.*

*Our company closes at 3am at weekends and reopens at 5am and would not want to go 24hr.*

*In the past when the club was open one huge issues was vehicles parking in the high street and when people were coming out they would walk between the parked cars it was a miracle no one was killed"*

For example an extensively researched 1992 Portman Group paper examined why alcohol might lead to more extreme responses to frustration, through primary and secondary cognitive impairment. The researchers carried field research in 5 UK cities and discovered how frustration may be an important factor in explaining violence both within licensed premises and in town and city centres.<sup>i</sup>

Specifically they identified that lack of late-night transportation in many areas is clearly linked to problems of disorder, specifically that violence outside venues may be associated with large numbers of intoxicated people congregating and competing for limited food and transport opportunities.

An interesting quote from this research paper is:

*Most of our respondents, as is evident from the extracts which we have provided, were motivated to 'have a good night out' but to avoid trouble in the process. These young men, however, were easily drawn into disorderly situations simply because they were all milling around in the same place at the same time as 'trouble' occurred. We have numerous examples of small-scale fights developing into what*



*local newspapers have luridly described as 'riots' solely because everybody in the street stopped to watch and, in some cases, vent their frustration by joining in.*

Put quite simply the local infrastructure will be insufficient to cope with an increased number of intoxicated persons coming out of a venue at times when most local taxi drivers would have gone home. A lack of dispersal options poses a significant disorder problem.

This application seeks authority for the venue to be open and selling alcohol as late as 7am and that is of significant concern to the police. It has long been established that certain patterns of drinking behaviour increase the risk of involvement in violence in the night-time economy, with one study consistently finding that both the likelihood of involvement in assaults and the risk of injury from assault increase sharply when drinking more than 8 – 10 units of alcohol in a session.<sup>ii</sup>

For every 1 hour increase in weekly business hours of licensed premises was associated with a greater reported incidence of violence, even in areas that would not be considered to have severe problems with alcohol-fuelled violence.

While an increase in consumption per customer increases the risk of violent incidents, an increase in the number of customers may imply an increase in crowdedness, noise and potential provocations, which are also risk factors for violence in the night-time economy . Another possible explanation is that extended closing hours may delay the time for visiting bars and pubs and allow for longer time to 'pre-drink' in private homes, in which case the customers may be more intoxicated and more likely to be involved in violence in or around bars and pubs . Thus, extended closing hours may lead to an increase in violence rates for several reasons, due to increased drinking either inside the bars or during private 'pre-drinking', or due to other risk factors associated with an increase in the number of bar patrons, or due to combinations of these.<sup>iii</sup>

## **Public Safety**

Longer hours and a diverse customer base has the potential for female patrons in particular becoming heavily intoxicated due to longer hours of operation (either through initial intoxication at the venue or elsewhere before coming to venue) and either becoming isolated and in a vulnerable state encountering sexual predators in or outside the venue and leads to a risk that in such a vulnerable state they take other vehicles for fully licensed taxis and private hire vehicles

Essex County Council have imposed part night lighting in Brentwood, which operates from Midnight six days a week. Although it does not currently affect the high street, it could be a hazard to patrons leaving the area to seek public transport and trains nearby during the dark winter nights.



## **Prevention of Public Nuisance**

Brentwood high street, and the surrounding roads are residential and patrons at the premises will have to pass these properties in order to wait for a taxi pick up or to walk to the train station in order to get home.

This will almost certainly increase public nuisance for residents who live in close proximity to the premises, who are willing to accept the closing times of the other premises and even Sugar Hut, which closed at it latest at 3.30am. This much later terminal hour of 7am may cause distress to their sleeping patterns. This in turn could result in complaints being made to the licensing authority.

Since the closure of Sugar Hut, there has been little or no reported crime, disorder or public nuisance within the geographical area after 3am. This can only be perceived as a good thing for the residents that reside in the locality, as the high street, and the surrounding roads are heavily residential.

## **Dispersal**

Essex Police would ask the sub-committee to consider the High Court case of Luminar Leisure Ltd v Wakefield Magistrates et al ([2008] EWHC 1002 (Admin) which concerned the redevelopment and application for a new licence of a nightclub in Wakefield.

In that case, like this application, concerns were raised over the prospect of further crime and disorder and public safety because of a substantial change to the premises nature and operating schedule and the increase in the number of people attending such a venue in a particular locality: viz. because of the effect which would result in an increase in the number of people attending such a venue would have, generally, on crime and disorder.

In that appeal case, Mr Justice Ousley found that it is open to a tribunal to take into account issues relating to crime and disorder away from the proposed premises beyond the direct control of the licensee, and where there is evidence upon which a tribunal could draw the conclusion that the proposed premises would give rise to crime and disorder then it is a proportionate response to refuse the licence rather than impose conditions.

## **Conclusion**

The Chief Officer of Police for the county of Essex, and the non-metropolitan districts of Southend-on-Sea and Thurrock makes representation against the grant of this licence as he considers that allowing the premises to be used in accordance with the application made would undermine the following licensing objectives:

- The prevention of crime and disorder;
- Public safety; and
- The prevention of public nuisance.



It is the view of the Chief Officer that the application should only be granted with a revised operating schedule, which incorporates a reduction in the times of licensable activity and revised licence conditions.

Should this application in its current form succeed, it would encourage other venues to seek to remain open later and the impact of this should not be discounted, it is a likely occurrence and one which would undoubtedly lead to an increase in alcohol related crime and disorder and public nuisance as well as a reduction in public safety throughout Brentwood town centre area.

Though Initial discussions have taken place with the applicant's representative and these may continue after the latest date for representations; currently Essex Police objects to the grant of this licence as applied for.

Yours sincerely,



Mrs Jackie Cooper MBII  
Essex Police Licensing Officer  
Brentwood & Thurrock

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<sup>i</sup> Marsh, P. and Fox-Kibby, K. (1992). Drinking and Public Disorder. London: The Portman Group.

<sup>ii</sup> Shepherd, J. and Brickley, M. (1996). The relationship between alcohol intoxication, stressors and injury in urban violence. British Journal of Criminology 36 (4): pages 546 – 566.

<sup>iii</sup> Graham K, Bernards S, Osgood DW, Wells S. Bad nights or bad bars? Multi-level analysis of environmental predictors of aggression in late-night large-capacity bars and clubs. Addiction. 2006;101:1569–80.





**Supplementary documentation in respect of the  
police representation against the application by the  
Sugar Hut Ltd for a premises licence.**

**Submitted in furtherance of Paragraph 9.37 of the Guidance issued under  
Section 182 Licensing Act 2003, and Regulation 18 Licensing Act 2003  
(Hearings) Regulations 2005.**

**22nd October 2019**



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## 1.0 INTRODUCTION

- 1.1 This application relates to High Street, Brentwood – a locality which is already subject to crime and disorder in the night time economy and which has recently been in the headlines in respect of a fatal incident outside a licensed venue and a police operation which uncovered drug dealing in and from licensed venues.
- 1.2 Those headlines have directly led to a number of local venues taking proactive steps which include the use of identification systems, door supervisors using body worn video cameras and the taking of extensive steps to deter drugs misuse.
- 1.3 Those venues taking such initiatives to promote the licensing objectives include (amongst others) the Dairyman, Bloc 40, the Slug & Lettuce, O'Neills, the Merchant, the Vine and the Swan, all situated in the High Street.
- 1.4 The licensing authority has with some of these premises incorporated conditions requiring the deployment of pro-active measures as a direct consequence of local issues of significance.
- 1.5 Paragraph 8.42 of the Guidance issued under section 182 of the Licensing Act 2003 provides that:

*"applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:*

  - *the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;*
  - *any risk posed to the local area by the applicants' proposed licensable activities; and*
  - *any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi -marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks."*
- 1.6 It is the Chief Officer of Police's view that the currently applied for hours of licensable activity and the submitted operating schedule point to the applicant having failed to consider the above expectation and this gives rise to significant concern.
- 1.7 The applicant has submitted an application which includes the supply of alcohol to 07.00 a.m. on Friday, Saturday, Sunday and Monday mornings in a premises which is close to residential properties and from which patrons will at the end of a night's carousing have to walk past the houses and flats of Brentwood Council residents.
- 1.8 The volunteered conditions which would form part of the operating schedule seek to limit the deployment of door supervisors to after 23.00 (prior to that any music etc. is not regulated entertainment within a premises selling



alcohol) where other (smaller) venues are conditioned to have as many as 5 door supervisors on duty as a minimum from 20.00 hours when opening past midnight; do not provide for the use of a drugs safe, the use of electronic identification systems or the deployment of body worn cameras to protect the public.

- 1.9 Furthermore, from public media broadcasts the Chief Officer of Police is led to believe that the applicant wishes to run a high volume vertical drinking establishment modelled upon his pre-existing Studio 338 premises in Greenwich with a variety of entertainments with the aim of making the venue "one of the best music venues in the country". Studio 338 has advertised itself as having had one aim above all else: to bring Ibiza to London.
- 1.10 Paragraph 10.23 of the Guidance issued under section 182 of the Licensing Act 2003 draws attention to the fact that "*previous research has demonstrated that the environment within such establishments can have a significant bearing on the likelihood of crime and disorder*".
- 1.11 The Chief Officer of Police for the County of Essex, and the non-metropolitan districts of Southend-on-Sea and Thurrock makes representation against the grant of this licence as he considers that allowing the premises to be used in accordance with the application made would undermine the following licensing objectives:
  - The prevention of crime and disorder;
  - Public safety; and
  - The prevention of public nuisance.
- 1.12 It is his view that licensable activity should not have terminal hours any later than is currently the case of the existing premises licence and if additional hours were to be granted then additional licence conditions as set out at Appendix A should be imposed.

## **2.0 GENERALLY**

- 2.1 Before setting out the Chief Officer's specifics of objection; he would ask the sub-committee to consider the following matters relating to the statutory guidance and decisions of the higher courts.
- 2.2 The applicant's representative will no doubt assert that the Licensing Act 2003 is a 'permissive' piece of legislation, that in the absence of any significant evidence to the contrary the application should be granted: that this is a new licence and a new business and until it has been up and running there is no evidence that can be brought forward that the grant would undermine any of the licensing objectives.
- 2.3 Indeed, the applicant's representative might point to the argument that the licence should be granted because if evidence later emerges that the licensing objectives are being undermined the remedy lies in 'responsible



authorities' or others applying for a review of the licence: that at a review the licence could be revoked, suspended, varied or conditions added.

- 2.4 Such representations would be disingenuous.

Paragraph 1.6 of the Guidance provides that:

*"The legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include: Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises".*

- 2.5 If a licence is granted and licensing objectives are undermined the Guidance issued under section 182 of the Act suggests a 'responsible authority' should take a stepped approach to enforcement, proceeding to review only where matters are not satisfactorily addressed.
- 2.6 Thus a period of months would pass before a review could be called for and a review held. Even then, the outcome of a review is subject to an appeal process and a sub-committee decision has no effect during that process and recent experience shows this can be as much as 9 months or longer after a review hearing before an appeal is heard..
- 2.7 In short – if a licence is granted and the licensing objectives are found to be undermined the licensing aims and objectives may be frustrated for a year or more and all through that time that passes that vital protection to the public and local residents is absent and the harm continues.
- 2.8 In determining the merits of this application, the Act does not require evidence of what has happened – it is instead relevant to consider what might likely happen.
- 2.9 In particular we would draw the sub-committee's attention to the High Court case of *(East Lindsey District Council v Hanif t/a Zara Restaurant [2016] EWHC 1265)* (in which the applicant's representative took a leading role).

The significance of that case is that it reaffirms the principle that 'Responsible Authorities' need not wait for the licensing objectives to actually be undermined before objecting to a licence being granted.

Commenting on the way committees should approach the promotion of the licensing objectives, His Lordship Mr Justice Jay said: (...)

*"(T)he prevention of crime and disorder requires a prospective consideration of what is warranted in the public interest, having regard to the twin considerations of prevention and deterrence".*

- 2.10 We would also invite the sub-committee to consider other legal precedent relevant to its consideration



- 2.11 The case of *Hope and Glory Public House v City of Westminster Magistrates' Court and Others* ((2011) EWCA Civ 312) is relevant in this case. The decision is important because it illustrates that licensed premises, and the activities that take place in those premises, exist in a dynamic environment and should not be looked at entirely in isolation and confirms that this can include the impact that licensable activities have on a range of factors such as crime, the quality of life for residents and visitors to the area, and demand for licensed premises.

It sets out the approach that should be taken when making licensing decisions.

Lord Justice Toulson said:

*"Licensing decisions often involve weighing a variety of competing considerations: the demand for licensed establishments, the economic benefit to the proprietor and to the locality by drawing in visitors and stimulating the demand, the effect on law and order, the impact on the lives who live and work in the vicinity, and so on. Sometimes a licensing decision may involve narrower questions, such as whether noise, noxious smells or litter coming from premises amount to a public nuisance.*

*Although such questions are in a sense questions of fact, they are not questions of the 'heads or tails' variety. They involve an evaluation of what is to be regarded as reasonably acceptable in the particular location. In any case, deciding what (if any) conditions should be attached to a licence as necessary\* and proportionate to the promotion of the statutory licensing objectives is essentially a matter of judgement rather than a matter of pure fact".*

**\*Note:** The latest s182 Guidance (at paragraph 10.4 and elsewhere) has subsequently deleted the reference to necessity and replaced it with 'appropriate'.

- 2.12 The case of *Daniel Thwaites PLC v Wirral Magistrates' Court and Others* ((2008) EWHC 838 (Admin)) is important because it emphasises the important role that Responsible Authorities have in providing information to decision makers to contextualise the issue before them. This case is sometimes misconstrued as requiring decisions to be based on 'real evidence', and that conditions cannot be imposed until problems have actually occurred.

This is wrong. The purpose of the Act is to prevent problems from happening. Decisions can and should be based on well informed common sense. The case recognises that Responsible Authorities are experts in their fields, and that weight should be attached to their representations.

The Honourable Mrs Justice Black said:

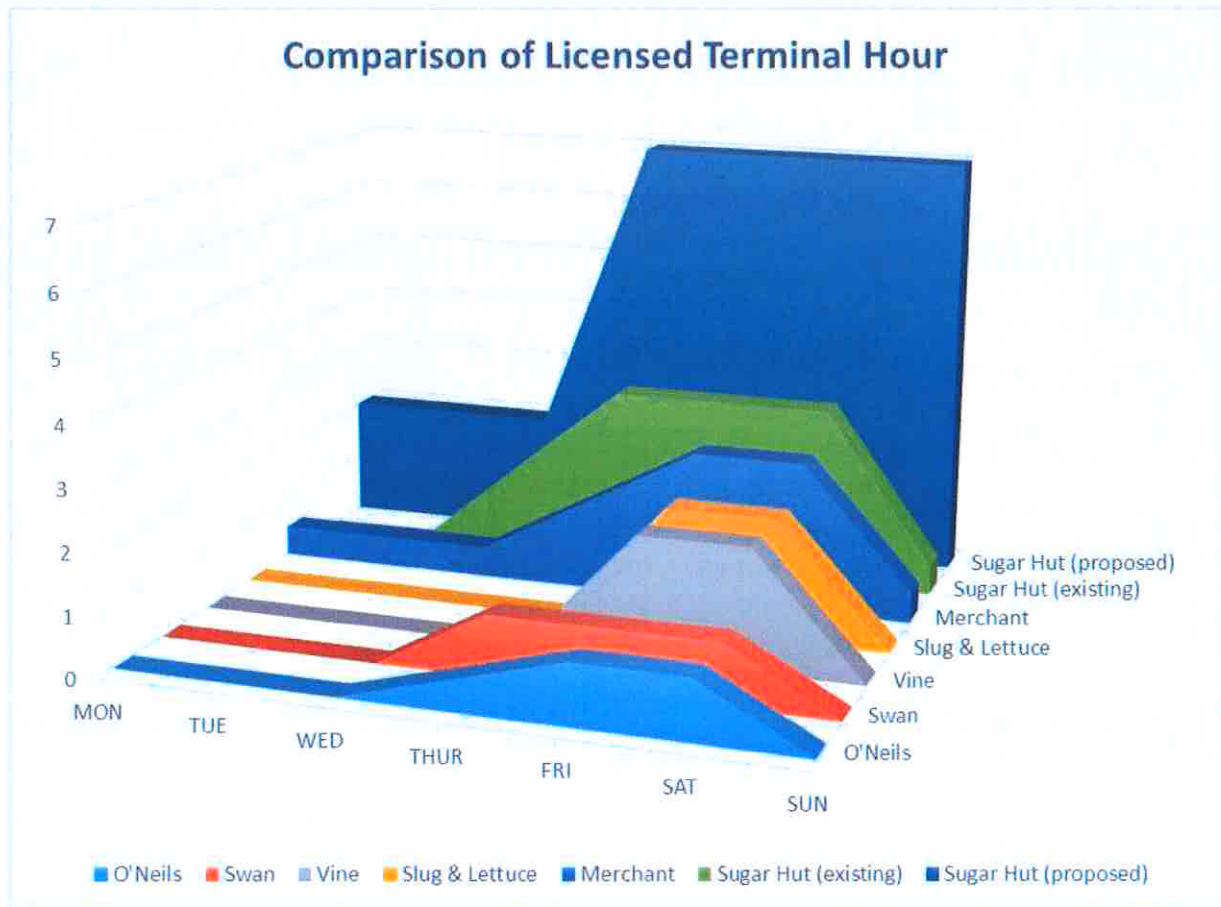


*Drawing on local knowledge, at least the local knowledge of local licensing authorities, is an important feature of the Act's approach. There can be little doubt that local magistrates are also entitled to take into account their own knowledge but, in my judgement, they must measure their own views against the evidence presented to them. In some cases, the evidence presented will require them to adjust their own impression. This is particularly likely to be so where it is given by a Responsible Authority such as the police."*

- 2.13 The premises are not yet trading so the licensing objectives have not yet been undermined; but the Chief Officer believes that it is likely they will be undermined if the licence is granted.
- 2.14 The fact that the premises are proposing to sell alcohol and play music almost 24 hours a day in a residential area means it is likely that there will be nuisance caused to residents through late night noise and anti-social behaviour. Having regard to the existing levels of alcohol-related crime and anti-social behaviour, and the exposure through intoxication to vulnerable situations it is the police view that this and public safety will be worsened if this application is granted.
- 2.15 This is not a premises sat within an industrial estate or similar. Its presence in Brentwood town centre will forever change the dynamics of the night time economy for the worse and if permitted result in a 'race to parity' from similar High Street venues and food vendors eager to cash in.
- 2.16 This seismic disparity between what exists now and what is proposed in terms of the terminal hour of licensed activity may best be illustrated in Figure 1 overleaf. This shows a comparison between the licensable hours of existing premises set against this application.



**Figure 1 Comparison of Licensed Terminal Hours (0 = midnight or earlier) from Brentwood Borough Council Licensing Records**



- 2.17 The applicant's representative may state that the full hours of licensable activity are not envisaged as being used; if so why has the applicant asked for them? The sub-committee are asked to consider, that once granted, the applicant or any successor to him is free to use the premises for all the licensable hours the licence may permit – an assurance given now about how the premises is to be run does not bind either the applicant nor anyone he may subsequently transfer the licence to.
- 2.18 Members of the sub-committee are entitled to use their knowledge of this locality and their common sense in coming to a decision; a decision that needs only to meet the 'balance of probabilities' test and bearing in mind that Parliament has chosen to place responsibility for making such decisions on local authorities.
- 2.19 The Chief Officer now sets out his specific concerns relating to the application and how he considers three of the four licensing objectives will be undermined if the application succeeds.



### **3.0 CUSTOMER BASE AND DISPERSAL**

- 3.1 The applicant may argue that with customers vacating the premises at 7.00 a.m. this will have a positive impact upon dispersal and afford patrons with significant transport options as the working day would have begun.
- 3.2 The reality will be much different. This venue is already permitted to open until 3.00 a.m. and an analysis of reported crime and disorder, whether dispersal related or other, reveals patrons exiting the premises at all times of the night and morning.
- 3.3 The majority of patrons will not remain in the venue until 07.00 a.m. (though many may) and common-sense would suggest those who have spent all their money or are simply too intoxicated will vacate the premises in a similar fashion – at all times when the venue is open.
- 3.4 The anti-social behaviour and violence which currently starts coming to an end around 03.00 a.m. will instead continue throughout the night, disrupting residents and placing additional local burdens upon the police and ambulance services as well as NHS hospital staff, threatening public safety elsewhere and sacrificing additional public sector costs for private gain.
- 3.5 In the case of the Sugar Hut application a large amount of money has been spent in order to introduce a different and more attractive style and variety of attractions at the venue and to essentially turn the venue into a 24/7 operation with revellers able to enjoy the venue's attractions until 7.00 a.m. in the morning. Not only will this, because of its attraction and novelty, bring in to the High Street patrons not currently attending other High Street venues but the extended opening hours would dictate that these new and 'poached' customers would remain in the vicinity of the High Street over an extended period of time. This would include already intoxicated persons leaving other venues and congregating outside the Sugar Hut, many with little chance of getting in and adding to the 'frustration' which is known to lead to violence.
- 3.6 This is not a metropolitan area graced with 24/7 transport links and swarms of taxi and private hire vehicles. The Sugar Hut would be the only venue open to such terminal hours and thus with whatever willingness the applicant may profess – quite simply there will be limited means of dispersal, leading to the likelihood of crime and disorder as patrons congregate outside trying to get home.
- 3.7 The majority of patrons will not be local and able to fairly quickly walk home in an area they are familiar with; instead the majority will be looking to get home either by taxi/private hire vehicle or by train.
- 3.8 The inherent risk to the three identified licensing objectives of dispersal issues was one of the reasons why earlier this year the premises licence of a nightclub was revoked in the Epping Forest District. A single late night venue in a non-metropolitan area is not attractive for taxi drivers to routinely sit outside or for local private hire drivers to remain on duty awaiting a call. This



leads to large crowds gathering for the few passing taxis and arguments when private hire vehicles do stop to pick up a named customer, leading to tension and invariable fights.

- 3.9 This is not only an issue about queuing for taxis, nothing could address the problem of insufficient numbers of taxis and private hire vehicles and might lead to fewer being available for those queuing on the streets as many patrons will live far afield thus denuding the area of taxis etc. for some time if indeed the taxi makes a return trip to the High Street.
- 3.10 Two of the local taxi offices make the point that they close at 03.00 a.m. at a weekend and had no plans to operate 24/7. Financially it is not viable when all trade comes from one venue. It also highlighted that in the past when the club was open one huge issue was vehicles parking in the high street and when the people were coming out of the club (drunk) walk between the parked cars it was a miracle no one was killed.
- 3.11 That long taxi/private hire journeys would be the norm for patrons leaving the premises before 05.00 a.m. is evidenced by a study of the local bus and rail timetables (Brentwood/Shenfield to London route).
- On weekdays and Saturdays the last TfL Overground train departs Brentwood at 11.47 p.m. with the earliest not until 04.47 a.m., and on Sunday's the earliest train is at 06.41 a.m.
  - On weekdays and Saturdays the last Southend Victoria line train departs Shenfield at 11.39 p.m. with the earliest not until 04.38 a.m., and on Sunday's the earliest train is at 06.52 a.m.
  - On weekdays and Saturdays the last Ipswich line train departs Shenfield at 11.36 p.m. with the earliest not until 05.23 a.m., and on Sunday's the earliest train is at 07.07 a.m.
  - The TfL bus service from Brentwood (no. 498) does not begin until 06.10 on weekdays and Saturdays (last one departs at 11.24 p.m.) and 07.19 a.m. on Sundays.
  - First Essex and Go Ahead services start at 06.00 a.m. on weekdays, around 07.15 a.m. Saturdays and 08.15 a.m. Sundays; though most are local services with only one service extending as far as Romford.

See Appendix B

- 3.12 Not only would a lack of significant and immediately available transport away from the venue contribute to noisy and intoxicated persons remaining in the vicinity of the premises between 03.00 a.m. and 07.00 a.m., but the likelihood is that some fast food outlets in vicinity will seek to extend their licensable hours, premises such as Papa John's, Domino's Pizza etc. in the High Street and others won't.
- 3.13 Perversely this would further delay the dispersal of patrons from the High Street and add to both noise nuisance, litter and anti-social behaviour and



increase crime and disorder because of queuing for a smaller number of readily available food outlets.

- 3.14 Essex Police would ask the sub-committee to consider the High Court case of *Luminar Leisure Ltd v Wakefield Magistrates et al* ([2008] EWHC 1002 (Admin)) which concerned the redevelopment and application for a new licence of a nightclub in Wakefield.
- 3.15 In that case, like this application, concerns were raised over the prospect of further crime and disorder and public safety because of a substantial change to the premises nature and operating schedule and the increase in the number of people attending such a venue in a particular locality: viz. because of the effect which would result in an increase in the number of people attending such a venue would have, generally, on crime and disorder.

In this appeal case, Mr Justice Ousley found:

*“That it is open to a tribunal to take into account issues relating to crime and disorder away from the proposed premises beyond the direct control of the licensee, and where there is evidence upon which a tribunal could draw the conclusion that the proposed premises would give rise to crime and disorder then it is a proportionate response to refuse the licence rather than impose conditions.”*

- 3.16 Already, residents complain of the anti-social nature of intoxicated persons passing their properties. Those persons are likely (because of the ‘unique attraction’) to increase in number, create issues over an extended time period (because of extended opening times) and be even more intoxicated (having had access to alcohol for a longer period).
- 3.17 There will be an increase in departing patrons (especially on winter nights) using the roads opposite the venue as toilets; especially near the residential housing in Crown Street and Hart Street; with residential accommodation in Hannover House, High Street also being affected.
- 3.18 Patrons coming by car (may have a sober driver, but drunk passengers) will be accessing the Chatham Way Car Park via Crown Street over a greater extended period than now and disturbing residents living in Western Road which backs on to William Hunter Way car park.
- 3.19 Those patrons that do stay later and wish to go to Brentwood rail station would either make their way down the full extent of Kings Road (which has a significant amount of residential properties) or cut through Crown Street and Primrose Hill and thence into Kings Road, a 15 minute walk for a sober person – so the likelihood is that for a prolonged period residents will suffer from loud drunken behaviour and the use of their gardens as toilets.
- 3.20 It is also likely the Kebab and Burger shop in Kings Road (on the exit route to the train station) will seek to expand its hours of operation causing further residential nuisance as people queue outside and eat their food, disposing their litter as they walk to the station.



- 3.21 These observations concerning alcohol fuelled patrons, lack of immediate access to transport and food outlets is supported by academic research.
- 3.22 For example an extensively researched 1992 Portman Group paper examined why alcohol might lead to more extreme responses to frustration, through primary and secondary cognitive impairment. The researchers carried out field research in 5 UK cities and discovered how frustration may be an important factor in explaining violence both within licensed premises and in town and city centres.<sup>1</sup>
- 3.23 Specifically they identified that lack of late-night transportation in many areas is clearly linked to problems of disorder, specifically that violence outside venues may be associated with large numbers of intoxicated people congregating and competing for limited food and transport opportunities.

An interesting quote from this research paper is:

*Most of our respondents, as is evident from the extracts which we have provided, were motivated to 'have a good night out' but to avoid trouble in the process. These young men, however, were easily drawn into disorderly situations simply because they were all milling around in the same place at the same time as 'trouble' occurred. We have numerous examples of small-scale fights developing into what local newspapers have luridly described as 'riots' solely because everybody in the street stopped to watch and, in some cases, vent their frustration by joining in.*

- 3.24 Quite simply the local infrastructure will be insufficient to cope with an increased number of intoxicated persons coming out of a venue at times when most local taxi drivers would have gone home. A lack of dispersal options poses a significant disorder problem as well as an obvious public safety one.

#### **4.0 INCREASED VULNERABILITY OF PATRONS**

- 4.1 Longer opening hours and the consumption of more alcohol increases the vulnerability of all patrons (male or female) through intoxication and related poor decision making, as well as their response to otherwise benign situations which otherwise would not engender them being involved in violent crime as a victim or offender.
- 4.2 Whilst not exclusively the case, in such circumstances female patrons are likely to be at a greater risk of being sexually assaulted in consequence of becoming isolated from their friends and encountering sexual predators in or outside the venue, leading to a risk that in such a vulnerable state they may mistakenly take other vehicles for fully licensed taxis or private hire vehicles, agreeing to leave with men they don't know or accepting lifts they would otherwise decline or having their drink spiked.
- 4.3 These concerns relating to the public safety are increased because the likelihood is that most patrons will not be familiar with the local area and



because the existing Studio 338 has been criticised for how it deals with vulnerable intoxicated men and women.

- 4.4 With the same owner, and the lack of information to the contrary, the Chief Officer of Police assumes similar door staff teams and practices will be in place locally. Patron Trip Advisor reviews (see Appendix C) of the sister premises raise significant concerns about the attitude to public safety of those employed by the applicant.

*"As soon as I got there the door staff were rude and aggressive. I was clearly in a state that they wouldn't allow me to enter, I'm a 20 year old girl who lives no where near London. I asked for their help yet all the staff did was throw my belongings at me pushing me and told me to go away even though I expressed to them I was vulnerable and had no idea where I was."*

Comment 14<sup>th</sup> August 2019.

*My friend and I attended an event at Studio 338, where I ended up in a very unstable state which resulted in being kicked out. I was given no medical assistance and was left outside passed out. Adding to this the staff were hesitant to actually allow my friend out of the venue which would have left me alone, helpless and vulnerable. I ended up being taken to A&E in an ambulance after my friend grew very concerned for my well being. This could have been prevented if there was sufficient first aid at the venue instead of staff that were rude and unhelpful. Staff were fully aware of my state and did nothing.*

Comment 24<sup>th</sup> June 2019

*First off, the security inside the venue and on the door.*

*They are not there to keep anybody safe, nor is there any health and safety restrictions when it comes to amount of attendees, fire exits so on and so forth. Anybody with a set of eyes can see this venue is monumentally overcrowded and therefore extremely dangerous in any intense or adverse situation.*

*The security team really could not care less, almost as if their job is not to secure the venue but to extort the punters, frequently confiscating substances and offering to sell them back to the patron, or threaten to kick them out (This happened to myself, for context). They are also very prone to sexually harassing patrons on the door by putting their hands physically inside your underwear. If you object to the assault they rip your ticket up and tell you to "get lost", only slightly ruder.*

Comment 7<sup>th</sup> May 2019

- 4.5 Despite these obvious public safety concerns the applicant has not proposed as part of his conditions to hire 'Drink Aware Crews' or ambassadors of any type to assist in identifying and protecting vulnerable patrons, identified any 'safe haven' within the premises for those rendered vulnerable by intoxication



and has made no mention of using “Ask Angela” or other schemes designed to protect women from sexual predators.

- 4.6 It is also a concern that given the existing voluntary Street Pastors scheme terminates at 04.00 a.m. that the applicant has proposed no other support for vulnerable persons leaving his premises (given it would be the only one open after 03.00 a.m.).

## **5.0 THE IMPACT OF EXTENDED HOURS OF ON VIOLENCE ETC.**

- 5.1 Sadly the anticipated café culture and reduction in violence consequent to having non fixed terminal hour for alcohol sales (which was projected to ease related dispersal problems) which the Licensing Act supposedly heralded – has not happened.
- 5.2 Rather, police observation is that alcohol fuelled violence in public spaces has not diminished: rather that the violence continues over a longer period into the morning, placing even greater strain on the emergency services and hospitals.
- 5.3 This application seeks authority for the venue to be open and selling alcohol as late as 07.00 a.m. and that is of significant concern to the police. It has long been established that certain patterns of drinking behaviour increase the risk of involvement in violence in the night-time economy, with one study consistently finding that both the likelihood of involvement in assaults and the risk of injury from assault increase sharply when drinking more than 8 – 10 units of alcohol in a session.<sup>ii</sup>
- 5.4 Other researchers reviewed worldwide research on the correlation between increased opening hours of licensed premises and violence, as well as conducting a statistical survey in New York State, America<sup>iii</sup>.
- 5.5 In this research they examined several studies of extending licensed hours including the extension of weekend licensing hours in Perth, Australia which was followed by increased reports of violent incidents in and around licensed premises on weekends.
- 5.6 Their overall findings were that every 1 hour increase in weekly business hours of licensed premises was associated with a greater reported incidence of violence, even in areas that would not be considered to have severe problems with alcohol-fuelled violence.
- 5.7 That research is supported by further research across 18 Norwegian cities to investigate the effect on violence of small changes in closing hours for on-premises alcohol sales, and to assess whether extended hours were associated with greater reported assault rates: in particular this research showed that in Norway, each additional 1-hour extension to the opening times of premises selling alcohol is associated with a 16% increase in violent crime.<sup>iv</sup>



- 5.8 An unrelated and recent study found that a 1-hour extension of alcohol outlet closing times in some of Amsterdam's nightlife areas was associated with 34% more alcohol-related injuries; in particular it was statistically significant at weekends between 02.00-5.59 a.m., for men aged 25-34 years.<sup>v</sup>
- 5.9 These findings are at one with several findings of the Office of National Statistics for England & Wales and the NHS concerning the link between alcohol, the night time economy and violent crime (including sexual assaults), such as:
- a) In 2014-2016 in England and Wales, alcohol-related violent incidents made up 67% of violent incidents which take place at the weekend and 68% of those which take place during the evening and night.<sup>vi</sup>
  - b) In 2014-2016 in England and Wales, 91% of violent incidents which took place in or near a pub or club were alcohol-related, and 67% of those which took place in public spaces were alcohol-related.
  - c) In 2016/17 in England and Wales, in 35.8% of sexual assault cases the offender was under the influence of alcohol.<sup>vii</sup>
  - d) Although 16-24 year olds are less likely to have drunk alcohol in the past week, when they do drink, they are more likely to drink at high levels<sup>viii</sup>.
- 5.10 While an increase in consumption per customer increases the risk of violent incidents, an increase in the number of customers may imply an increase in crowdedness, noise and potential provocations, which are also risk factors for violence in the night-time economy. Another possible explanation is that extended closing hours may delay the time for visiting bars and pubs and allow for longer time to 'pre-drink' in private homes, in which case the customers may be more intoxicated and more likely to be involved in violence in or around bars and pubs. Thus, extended closing hours may lead to an increase in violence rates for several reasons, due to increased drinking either inside the bars or during private 'pre-drinking', or due to other risk factors associated with an increase in the number of bar patrons, or due to combinations of these.<sup>ix</sup>
- 5.11 The existing Sugar Hut venue, by way of opening longer, already had a higher incidence of crime and disorder (see Appendix D). With the venue seeking to supply alcohol for a further four hours a night – that level of crime and disorder is (with a common sense view) bound to increase.
- 5.12 Whilst at Appendix D the Chief Officer of Police has recorded relevant crimes in 2018 and 2019 at and in the vicinity of the Sugar Hut location, this application is for a new venue with markedly different customer appeal and hours of opening.

The sub-committee are asked to take into account paragraph 9.4 of the Guidance which states:

*"There is no requirement for a responsible authority (...) to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises".*



- 5.12 Assaults requiring admission to hospital are increasing. NHS data showed that hospital admissions for all forms of assault rose by 7% between March 2017 and March 2018 and by March 2019 assaults by bodily force had risen a further 8% in one year. The most at risk age group is in the 20 – 24 age range, closely followed by the 25 – 29 age range. Predominantly the victims are male by a ratio of 6 to 1.<sup>x</sup>
- 5.13 This age demographic is similar to those attracted to the proposed venue and the Chief Officer of Police is concerned that the extended period of alcohol availability together with the intended crowded nature of the venue (see below) will see an increase in assaults.
- 5.14 It is of significant concern that operation of its sister venue encourages 'binge' drinking of alcohol by way of imposing a minimum £20 charge for the use of cards (the most common way in which the under 25's now pay for drinks etc.); thus forcing patrons to purchase several drinks at once even when not wanted. This is commented upon in some Trip Advisor reviews, along with the comment that this forces patrons to drink quickly as they feel at risk of drink spiking (especially females) if they were to leave a drink unattended.
- 5.15 It is also of concern that free potable water (a mandatory condition) appears difficult if not impossible to secure at the sister venue (and thus likely at this venue) further pushing patrons to drink alcohol if dehydrated.

## **6.0 EFFECT OF LEVELS OF INTOXICATION AND A CROWDED VENUE**

- 6.1 The new owners of the premises were quoted as saying:
- "Inside we will be giving Sugar Hut a serious facelift. New sound systems, lighting and a complete renovation will make this incredible space one of the best music venues in the country. Right here in Brentwood."*
- Harwich & Manningtree Standard 9th August 2019
- 6.2 Other advance publicity suggests that artistes currently appearing regularly at its sister venue will be at the Sugar Hut; suggesting a similar style of music, ambience and patrons.
- 6.3 In such a case the intent is to have a crowded space which operates as a large capacity venue used primarily for the vertical consumption of alcohol. As already mentioned, paragraph 10.23 of the Guidance states *"Previous research has demonstrated that the environment within such establishments can have a significant bearing on the likelihood of crime and disorder"*.



- 6.4 This venue proposes to operate in such a style whilst providing extensive hours in which to become intoxicated; this has significant consequences.



Inside of Studio 338 (Sister club).

The above is courtesy of the Go London website at

<https://www.standard.co.uk/go/london/clubbing/studio-338-london-dress-code-capacity-a3997476.html> (Accessed 18th October 2019)

- 6.5 The research mentioned in the Guidance includes research that alcohol has known effects on physical aptitude.

*“Heightened levels of drunkenness lead to a staggering gait, which may lead drinkers who abuse alcohol to generally provoke conflict through colliding with other drinkers’ and that those who react aggressively are impulsive, with little regard for the future consequences of their actions.*

*The view that heavy alcohol consumption leads drinkers to become irritants in the night-time economy, further enhancing their likelihood of victimization, is consistent with the known relationship between the density of licensed premises and violence: as density increases the physical effects of drunkenness become more acute. If alcohol abuse promotes the likelihood of victimization through causing drinkers to become irritants then this suggests that one means of reducing unwanted physical contact would be to either provide more space for drinkers or reduce the density of licensed premises”.<sup>xi</sup>*

- 6.6 Paragraph 10.24 of the Guidance highlights that conditions can be attached to premises licences for the promotion of the prevention of crime and disorder at such premises that require the premises to observe:

- A prescribed capacity;
- An appropriate ratio of tables and chairs to customers based on capacity.



- 6.7 The applicant has not suggested either within his proposals for an operating schedule; nor has he provided details to the Responsible Authorities or the Licensing Authority of his own risk assessment (for the purposes of fire safety only) conducted under Article 43 of the Regulatory Reform (Fire Safety) Order 2005.
- 6.8 In the light of the research above, given the extended hours alcohol will be supplied over and the common sense view of the effect this will have on patrons, a safe capacity should (if the licence is granted) be imposed by the Authority as appropriate for the promotion of public safety and the prevention of disorder
- 6.9 As the premises has previously submitted separate TENs to secure additional hours at the venue (and has stated it has a mechanism to control entry/egress and control the numbers downstairs and upstairs at 499 persons in each) – it is suggested that a capacity limit (including staff and artistes) should be set at 998 persons.

## **7.0 PUBLIC SAFETY AND ACCESS**

- 7.1 As reported by Harwich & Manningtree Standard 9th August 2019, the premises has had “a complete renovation”. Whilst accepting there may be planning matters to consider, the building is an old building with a series of rooms and a complicated access. It appears from the plans and a site visit that only one set of stairs will be in use for patrons to reach the main party area. This poses a significant hindrance to patrons being able to flee any disorder within the upper part of the building.
- 7.2 The main party area will, by its very nature be constrained in size yet the venue will have patrons on two floors, many in ante-rooms. Given the anticipated high ticket price of admission concerns are raised by the prospect that when DJ starts playing, there are likely to be lots of intoxicated persons trying to get in to that area all eager to get what they came to see and hear.
- This will create a surge, which will lead to frustration and that frustration (from the research already presented) is likely to result in violence.
- 7.3 Such frustration caused by the numbers of persons present extends to the availability of toilet facilities. When members of the Responsible Authorities visited the venue, which was then still being renovated, the applicant's representative was keen to say that the toilet facilities formed no part of the plans submitted and could not be taken into account.
- 7.4 The Chief Officer of Police contends that approach is wrong. An insufficient provision of toilet facilities leads to unnecessary queues and in this case queues of intoxicated persons all desperate to ‘spend a penny’. Such ‘bottle traps’ act as a real nexus for jostling, frustration and arguments – matters that frequently lead to disorder, especially where the participants have been able to consume alcohol over a long period of time.



7.5 The police representative was surprised that it appeared that adequate toilet facilities for the number and nature of patrons attending was of no apparent concern and given the millions spent on the refurbishment that there appeared to be no separate facilities for disabled patrons.

7.6 Indeed, there appeared nothing to suggest how disabled patrons would be able to access the first floor where party music was to be played (the premises does not appear to have a lift) or, more importantly, evacuated safely and a lack of proposed seating for any such patrons to use.

## **8.0 MISUSE OF DRUGS AND DRUGS SUPPLY**

8.1 During the spring of 2019, in response to police intelligence and community concerns, Essex Police undertook an operation focused upon drug dealing associated with licensed premises within Brentwood High Street and nearby.

8.2 This uncovered persons using licensed premises as bases from which to run drug supply operations and demonstrated that the misuse of drugs and drug supply was a significant matter within the night time economy. The majority of those arrested for involvement in drugs supply did not reside in Brentwood but instead came from outside the district to meet local demand.

8.3 The Chief Officer of Police is concerned that an all-night venue modelled on Studio 338 is bound to attract a demand for recreational drugs and further increase the incidence of drug taking and drug supply as 'out of town' dealers seek to capitalise on a new customer base.

8.4 As a venue starts to offer more specific DJ nights, one in which someone would attend the venue to see a specific artiste or DJ, rather than people just 'going out for a night out,' it is likely to attract more drugs to the venue, the most popular of which is likely to be cocaine, MDMA (Ecstasy) or similar.

8.5 Many attending a venue such as this will attend because of the type of DJ and the lyrics and music played and use drugs as a 'night out enhancer'. Professor Adam Winstock, Founder and Managing Director of the Global Drugs Survey, recognises that there is a scientific basis in drugs making dance music more enjoyable. "Things like MDMA and hallucinogens alter your appreciation of your music," he says, adding that: "It's a fairly common thing in great dance tracks, and even in the way a DJ will play a set, that it follows a kind of rise and fall, [like the] crescendos of rushing. People are obviously creating that music to mirror that drug experience."<sup>xii</sup>

8.6 It is not a fanciful suggestion to say that the average customer attending a dance venue until 0700 is likely to have had more than just alcohol (a depressant) to keep themselves awake. Epidemiological studies have shown that so-called party people (a global term for people who visit clubs, parties of all kinds, music festivals and dance events) are more experienced with illegal drugs than other groups of young people who "go out".<sup>xiii</sup>

8.7 A 2011 survey reported that respondents who used illegal drugs were 2.5 times more likely to report that they prefer dance music.<sup>xiv</sup>



- 8.8 In July 2018 the Home Office published findings that increased levels of drug use were associated with a higher frequency of visits to pubs, bars and nightclubs. For example, use of any Class A drug in the last year was around 11 times higher among those who had visited a nightclub at least four times in the past month (22.4%) compared with those who had not visited a nightclub (2.1%).<sup>xv</sup>
- 8.9 That same Home Office publication also reported that the use of ecstasy was around 20 times higher among those who had visited a nightclub at least four times in the past month (15.1%) compared with those who had not visited a nightclub in the past month (0.7%).
- 8.10 This is one reason in particular that Essex Police is concerned with a pricing structure of no purchases under £20 on a card and allegations of non-availability of water at the other venue run by the applicants. As well as the perceived 'upsides' to a user, Ecstasy is associated with dehydration and heatstroke (leading to hospital admission and even death) and the immediate availability of a non-alcoholic drink is a necessity in protecting the public from such related harm.

## **9.0 CONCLUSION**

- 9.1 The application for extended alcohol sales at this venue is out of keeping with the venue's location in a residential area, size, likely customer profile (location of residency and likelihood of drug misuse) and available transport links.
- 9.2 Increased crime and disorder and public nuisance will be combined with a reduction in public safety.
- 9.3 As regards the Chief Officer of Police's representations, he would draw your attention to paragraph 9.12 of the Guidance which states:
- (...) The police should usually therefore be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective. However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent.*
- 9.4 As mentioned earlier, other venues have taken significant steps to incorporate safeguards in their operating schedule or have voluntarily agreed to the implementation of such safeguards such as the use of body worn cameras by door supervisors, the provision of drugs safes and use of identity card scanning equipment.
- 9.5 The applicant offers none of these in his proposed conditions – instead matters such as the use of ID scanners are placed in policies (policies that the applicant could change tomorrow).



- 9.6 It is the Chief Officer of Police's view that this application should be refused in its entirety and he would ask you to consider that case law and parts of the Guidance already referred to as well as this extensive submission.
- 9.7 Should the sub-committee determine that the application should in part succeed then it is the Chief Officer's view that:
1. The terminal hour for licensable activity Sunday to Thursday should not exceed that already in place and that on Friday and Saturday this should not exceed 03.30 a.m.;
  2. The police suggested conditions detailed at Appendix A should be imposed as part of the operating schedule.
  3. A 'safe capacity limit' should be imposed.

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<sup>i</sup> Marsh, P. and Fox-Kibby, K. (1992). *Drinking and Public Disorder*. London: The Portman Group.

<sup>ii</sup> Shepherd, J. and Brickley, M. (1996). The relationship between alcohol intoxication, stressors and injury in urban violence. *British Journal of Criminology* 36 (4): pages 546 – 566.

<sup>iii</sup> Alcohol and Alcoholism, Volume 48, Issue 3, May/June 2013, Pages 363–369,

<https://doi.org/10.1093/alcalc/agt003> researchers Timothy P. Schofield and Thomas F. Denson

<sup>iv</sup> The impact of small changes in bar closing hours on violence. The Norwegian experience from 18 cities. Rossow, I. and Norström, T. *Addiction* (Society for the Study of Addiction), (2012) Volume 107, (issue 3), pages 530-537

<sup>v</sup> de Goeij MCM, Veldhuizen EM, Buster MCA, Kunst AE. The impact of extended closing times of alcohol outlets on alcohol-related injuries in the nightlife areas of Amsterdam: a controlled before-and-after evaluation. *Addiction*. (2015) 110 (issue 6), pages 955–64.

<sup>vi</sup> Source: Office for National Statistics (2017). Overview of violent crime and sexual offences.

<sup>vii</sup> Source: ONS (2018). Data on alcohol related incidents, years ending March 2011 to March 2017, Crime Survey for England and Wales.

<sup>viii</sup> NHS Digital (2018). Statistics on Alcohol, England, 2018.

<sup>ix</sup> Graham K, Bernards S, Osgood DW, Wells S. Bad nights or bad bars? Multi-level analysis of environmental predictors of aggression in late-night large-capacity bars and clubs. *Addiction*. 2006;101:1569–80.

<sup>x</sup> The most recent NHS data (September 2019) is found in the NHS Publication "Hospital admitted patient care activity 2018 – 2019, section 'External Cause NHS Digital, Hospital Episode Statistics for England. Admitted Patient Care statistics, 2018-19.

<sup>xi</sup> Alcohol Consumption Predicts Violent Victimization, Impulsive Decision Making Predicts Violence "Simon C. Moore & James Foreman-Peck. *The Open Behavioral Science Journal*, 2009, 3, pages 28-33

<sup>xii</sup> <https://mixmag.net/feature/do-you-have-to-do-drugs-to-enjoy-dance-music> accessed 19.10.2019

<sup>xiii</sup> Winstock AR, Griffiths P, Stewart D. Drugs and the dance music scene: a survey of current drug use patterns among a sample of dance music enthusiasts in the UK. *Drug Alcohol Depend*. 2001;64:9–17. doi: 10.1016/S0376-8716(00)00215-5

<sup>xiv</sup> Havere TA et al, Drug use and nightlife: more than just dance music, *Subst Abuse Treat Prev Policy*. 2011; 6: 18. Published online 2011 Jul 27. doi: 10.1186/1747-597X-6-18

<sup>xv</sup> Drug Misuse: Findings from the 2017/18 Crime Survey for England and Wales. Statistical Bulletin 14/18 July 2018 ISBN: 978-1-78655-690-5



## **APPENDIX A - POLICE PROPOSED OPERATING SCHEDULE**

### **Licensable Activity**

#### **Current Hours**

All licensable activity will take place:

Monday - Tuesday	08:00 – 00:00
Wednesday	08:00 – 01:30
Thursday – Saturday	08:00 – 03:00
Sunday	08:00 – 00:30

#### **Police Proposed Hours**

All licensable activity will take place:

Sunday to Tuesday	08:00 – 00:00
Wednesday	08:00 – 01:30
Thursday	08:00 – 03:00
Friday & Saturday	08:00 – 03:30

**Christmas Eve and New Year's Eve – Sale of alcohol from the end of permitted hours to the start of permitted hours on the following day.**

- 1) 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.

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

- 2) 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.
- 3) A minimum of 2 fully functional metal detection wands will be in use and staff trained in their use. A written record of such training will be kept and made available upon request to an authorised officer of the council or the police.
- 4) 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.
- 5) 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.
- 6) 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
- 7) Each and every door supervisor employed at the premises has:
  - 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); and
  - b) To have received such training in the last 12 months.
- 8) When the premises conducts or intends to conduct licensable activities past midnight the following number of SIA Licensed Door Supervisors must be on duty for at least 30 minutes prior to the start of licensable activity and until at least 30 minutes after the premises closes.



A ratio of at least 1 Door Supervisor per 100 patrons, with an absolute minimum of 4 Door Supervisors being deployed.

Notwithstanding the above; there will be no requirement to have door supervisors on duty before 20.00 hours.

- 9) 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

- 10) 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
- 11) 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.
- 12) 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.
- 13) 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.
- 14) Door supervisors will be visible outside the premises for 30 minutes after closing time until all the groups of customers have left the vicinity.
- 15) 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 be retained for at least 12 months from the date of the last entry.

- 16) 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.

- 17) 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.

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

- 19) 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.

- 20) 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.

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

- 21) 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.

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.

- 22) All drinking vessels used in the premises will be polycarbonate. All drinks in Glass bottles will be decanted into polycarbonate containers prior to being served, with the exception of champagne bottles or bottles of spirits with a minimum size of 70cl. Staff shall clear away all empty champagne and spirit bottles promptly from tables. Customers shall not be permitted to leave their table carrying such glass bottles or to drink directly from the bottle.
- 23) No open vessels, bottles or any other type of container will be allowed outside the premises.
- 24) 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.
- 25) A qualified first-aider shall be on the premises after 23:00 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.

- 26) 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.

- 27) 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.

- 28) The rear courtyard gate shall only be used by patrons in the event of an emergency during the evening and night trade and/or for ejections as per the dispersal effectively of groups where parties must be separated by use of the front and back doors for the purpose of preventing crime and disorder.
- 29) No regulated music to be played after 23:00hrs in the courtyard area.
- 30) The Dps or his representative shall monitor the exterior of the premises from time to time when regulated entertainment is taking place to assess the likelihood of disturbance to residential neighbours. In the event of such noise arising, such steps will be taken to stop such disturbances. Appropriate written records of such monitoring shall be maintained and shall be available for inspection upon reasonable request by the head of environmental health & recreational Open Spaces and/or his agents.
- 31) All amplified sound shall be controlled by computer device at levels to be agreed in writing with the head of environmental health and licensing or his representative for each room and these limits shall be checked regularly and adjusted to ensure continual compliance with the agreed levels. In the absence of this device being operational, alternative noise limiting devices will be required to set the limits.



- 32) Essex Police shall be provided with 30 days' notice when a significant event or artist is at the premises.

This notice shall include full details of the nature of the event and be e-mailed to the central police licensing team (the address of which appears on the Essex Police website)

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

These signs shall be a minimum size of 200mm x 148 mm.

- 34) A 'safe capacity' limit of 499 persons shall apply to each of the two floors of the premises (this limit to include patrons, staff and artistes).



## APPENDIX B – TRAIN TIMETABLES

### Train Timetable (TfL)

#### Shenfield to Liverpool Street

All services shown are operated by TfL Rail

#### Monday to Friday

Shenfield	0444	0512	0529	0544	0559	0614	0624	0634	0644	0654	0701	0710	0719
Brentwood	0447	0515	0532	0547	0602	0617	0627	0637	0647	0657	0704	0713	0722
Harold Wood	0452	0520	0537	0552	0607	0622	0632	0642	0652	0702	0709	0718	0727
Gidea Park	0456	0511	0524	0541	0549	0556	0604	0611	0619	0626	0635	0645	0659
Romford	0458	0513	0526	0543	0551	0558	0606	0613	0621	0628	0638	0641	0648
Chadwell Heath	0502	0517	0530	0547	0555	0602	0610	0617	0625	0632	0642	0645	0652
Goodmayes	0504	0519	0532	0549	0557	0604	0612	0619	0627	0634	0644	0647	0657
Seven Kings	0506	0521	0534	0551	0559	0606	0614	0621	0629	0636	0646	0649	0659
Ilford	0509	0524	0537	0554	0603	0609	0617	0626	0632	0639	0649	0652	0702
Manor Park	0512	0527	0540	0557	0605	0612	0620	0630	0635	0642	0655	0705	0715
Forest Gate	0514	0529	0542	0559	0608	0614	0622	0632	0637	0644	0657	0707	0717
Maryland	0516	0531	0544	0601	0610	0616	0624	0634	0639	0646	0659	0709	0719
Stratford	0519	0534	0547	0604	0612	0619	0627	0637	0642	0649	0655	0702	0705
Liverpool Street	0527	0544	0555	0612	0622	0627	0637	0645	0652	0657	0707	0712	0717

### Train Timetable (Greater Anglia – Ipswich Line)

Witham	↔ d	0500	0529	0548	0600	0605		0618	0631	0638	0647
Hatfield Peverel	d	0504	0533					0622			
Chelmsford	↔ d	0511	0540	0558		0614		0629	0640	0647	
Ingatestone	d	0518	0547					0636			
Shenfield	↔ a	0523	0552			0624		0642	0650		
Romford	a	0532									
Stratford	DLR ↔ a	0542	0607	0623s		0639	0644s	0644s	0658s	0706s	
London Liverpool St	↔ a	0551	0616	0634		0648	0654	0654	0709	0718	0723

### Train Timetable (Greater Anglia – Southend Line)

Wickford	↔ d	0421	0451	0521	0541	0556	0601	0621	0632	
Billericay	↔ d	0427	0457	0527	0547		0607	0627	0639	
Shenfield	↔ a	0438	0508	0535	0555		0615	0635	0645	
Shenfield	↔ d	0438	0508	0524	0535	0553	0555	0615	0625	0635
Romford	d			0532						
Stratford	DLR ↔ a	0458	0527	0542	0549	0607	0610	0631	0639	0649
London Liverpool St	↔ a	0506	0537	0551	0558	0616	0619	0640	0648	0658



## APPENDIX C - TRIP ADVISOR REVIEWS OF STUDIO 338 (Sister premises)

Extraneous material has been edited

1	<p>Came here for "F*ck me it's Freshers" and we were all really excited to go, however they oversold tickets to the MAX because we were queuing for well over an hour. Queue management from staff was poor, loads of people were just pushing in front of people that had been waiting much longer.</p> <p>Date of experience: September 2019</p>
2	<p>I'm gutted, have been looking forward to going to Studio 338 for over a year. Bought a Freshers Ticket with my pals (9 of us) and travelled all the way there only to be queueing for over an hour then to not get in. Everyone was queue jumping and pushing, it was big unsafe crowds rather than queues and was terribly organised.</p> <p>If you were drunk it was great, you could just push in and push everyone over to get to the front, which is what everyone was doing. If you're petite girls like us, you get pushed to the back by the crowds. In the end I decided to make the near 2 hour commute home after queueing for over an hour with my friend, as we kept being pushed to the back. We lost our group of friends due to the unruly crowds and they all managed to get in apart from us, we were separated from our group and it just was appalling to be honest. Once you lose your friends there's no way you will get back to them!</p> <p>Bouncers didn't do much about crowds, I asked one of them how long roughly it would be to get in (cos I wanted to know whether just to go home and give up) and he said 5 mins... 20 mins later we were being pushed further away from the club. It was queueing down a few different streets so they just genuinely must think we are stupid.</p> <p>Date of experience: September 2019</p>
3	<p>Great venue, Great location. Great DJs. But completely average crowd. Sole reason..... the security. I have seen some searches on the way in which have been borderline assault. Likewise I have seen the security march random and relatively sober people out of the club for no apparent reason at all. Meanwhile others stumble around practically legless. No excuse for so many straight men taking their tops off. It is pretty friendly though.....Love the pint glasses of vodka.</p>
4	<p>As soon as I got there the door staff were rude and aggressive. I was clearly in a state that they wouldn't allow me to enter, I'm a 20 year old girl who lives no where near London. I asked for their help yet all the staff did was throw my belongings at me pushing me and told me to go away even though I expressed to them I was vulnerable and had no idea where I was. Emailed the event asking for the issue to be resolved heard nothing back. All I can</p>



	<p>suggest is not to ask the staff for help because they are rude and it's disgusting behaviour from an event that I paid for. would not recommend going not even worth the night out.</p> <p>Date of experience: August 2019</p>
6	<p>Staff are rude and very unhelpful. My friend and I attended an event at Studio 338, where I ended up in a very unstable state which resulted in being kicked out. I was given no medical assistance and was left outside passed out. Adding to this the staff were hesitant to actually allow my friend out of the venue which would have left me alone, helpless and vulnerable. I ended up being taken to A&amp;E in an ambulance after my friend grew very concerned for my well being. This could have been prevented if there was sufficient first aid at the venue instead of staff that were rude and unhelpful. Staff were fully aware of my state and did nothing. I am disgusted by their lack of efficiency and pure laziness.</p> <p>Date of experience: June 2019</p>
7	<p>I have been attending events @ 338 for a number of years, average visit once, maybe twice a year. NEVER AGAIN.</p> <p>I attended the Rinse FM summer party on the 22nd - when walking towards the venue there was a big group of security guards with a sniffer dog, we over heard one of the security guards talking to the others, asking them to film him with the sniffer dog to "Let them know we got dogs.". I thought the purpose of security staff was to keep the patrons safe, not to intimidate them before they've even got to the door.</p> <p>After being subjected to their ridiculous increased bar prices, enough was enough after a few hours and we left. Sad considering the money spent on a ticket etc.</p> <p>This venue has definitely changed over the past few years in terms of security, prices etc. Not the place it once was, unless you like being treated like muck I would avoid.</p> <p>Date of experience: June 2019</p>
8	<p>I have been to pretty much every reputable club in London, and after having returned here for my 3rd (and most certainly final) time, I feel compelled to give a full comprehensive review so that others interested may choose wiser, or at least make an informed decision before you decide to enter.</p> <p>Over the last year they have made some pretty important changes to the way Studio 338 operate, where shall I begin...</p> <p>First off, the security inside the venue and on the door..</p> <p>They are not there to keep anybody safe, nor is there any health and safety</p>



	<p>restrictions when it comes to amount of attendees, fire exits so on and so forth. Anybody with a set of eyes can see this venue is monumentally overcrowded and therefore extremely dangerous in any intense or adverse situation.</p> <p>The security team really could not care less, almost as if their job is not to secure the venue but to extort the punters, frequently confiscating substances and offering to sell them back to the patron, or threaten to kick them out (This happened to myself, for context). They are also very prone to sexually harassing patrons on the door by putting their hands physically inside your underwear. If you object to the assault they rip your ticket up and tell you to "get lost", only slightly ruder.</p> <p>The bar staff....Well, the bar staff are actually quite good and cheerful, but there is an issue when it comes to the price and minimum payment on card. A Gin and Tonic will cost you roughly £11 in a plastic cup with 1 cube of ice (If you're lucky) and the minimum payment on card is £20. All beers are lukewarm and opened at the bar for you, tough luck if you're buying four (Unless you are a professional juggler).</p> <p>All in all, this venue has been extorting it's patrons for way too long, treating humans like cattle with no regard to their well being or safety. Security are consistently intimidating and looking for extra money, detracting from the experience and ruining every bodies night.</p>
9	<p>Me and my friend bought a ticket to enjoy a lovely night with a loud of my friends and the bouncers have stopped us in our tracks. I have watched dozens of people on drugs walk in and it is unacceptable you will hear from em further !</p> <p>Date of experience: July 2019</p>
10	<p>There is a minimum spend of £20 to use card thus forcing you to buy more drinks than you necessarily need. is this venue actually in the 21st century?</p> <p>At one point one of the acts decided to come off stage and into the crowd which I understand is a bit of a nightmare situation for security. However it was handled shockingly bad security would just push anybody close to the artist myself included just because you was at the front and in the artist's proximity.</p> <p>Date of experience: June 2019</p>
11	<p>Humiliating and assaulting security, encouraged by management! It was my first clubbing night in London and they made it my last!!! I am disgusted by this venues security and management!</p> <p>Date of experience: May 2019</p>
12	<p>This review may contain information about traveller safety at this business.</p>



	<p>Heard alot of hype around this place so went with my wife to the Hospitality BBQ. I'm used to going to raves like fabric/lightbox/pickle factory/steelyard and similar venues so am familiar with how members of security staff usually are. The bouncers at 338 think it's appropriate to put their hands inside your underwear while searching for drugs lol? Pretty sure that's illegal and have never experienced it before.</p> <p>The venue was massively over capacity in every room to a dangerous level. The sound systems are awful theirs no bass at all and clarity of sound is awful.</p> <p>Dont really have anything positive to say about the venue.</p> <p>Date of experience: May 2019</p>
13	<p>We had pre-booked tickets for an event at 338 paying £25 a ticket. The 4 of us turned up and were immediately refused entry because there weren't enough girls. We had already paid, this wasn't mentioned during the online booking and we were refused entry rudely after travelling 45mins to attend the event. For me this is absolutely outrageous and ruined a night that had be planned months in advance. I will never attend this venue again and will urge people to avoid it. Appalling, rude and distrusting. Avoid Studio 338 at all costs.</p> <p>Date of experience: April 2019</p>
14	<p>Before I start moaning I just want to say I had a brilliant night at fuse 10th birthday, despite all of the points I will list below. That was simply because the DJ's they get are insane! There is definitely room for improvement.</p> <ul style="list-style-type: none"> <li>- when queuing to get into the venue they have a separate queue for men and women. I was with my boyfriend and best friend (girl), so my bf was in the queue alone. They automatically think he's a drug dealer so he had to be strip searched fully naked in a room!!</li> <li>- the women who patted us down were very thorough touching your boobs, the lot!</li> <li>- cloakroom &amp; bar staff are so rude!!</li> <li>- once you're in you have eyes on you ALL night! Try not to look up at the balcony because you will find it difficult to relax</li> <li>- throughout the night there were at least 10 incidences where huge security men come bashing past you to drag someone out</li> <li>- the security even stand in with the crowd so it puts you on edge and see them right behind you watching</li> <li>- if you stay til the end make sure you collect your coats early as the queue is SO long and not what you need at 7am</li> <li>- not allowed drinks in the toilet so make sure you finish them before going in as I don't think it's safe to leave them outside!</li> <li>- minimum spend is £20 and the cash point in there charges you so make sure you bring cash!</li> </ul> <p>Date of experience: November 2018</p>
15	<p>I have been going to raves for years. Never have I come across such a terrible place!</p>



	<p>Staff are probably the most disgusting I've ever met!</p> <p>You pay hard earned money on a ticket in advance to have a good time and this doesn't make a single difference!</p> <p>If you are not white, or model-like, think Shoreditch style, you aren't getting in!</p> <p>The woman at the door will LITERALLY look you up and down and decide. We are in 2018!!</p> <p>They take all of the ticket sales in advance and then pick and choose who is coming in.</p> <p>Date of experience: August 2018</p>
16	<p>Reviewed 17 June 2018 via mobile</p> <p>This place is an absolute scam, they over sell tickets &amp; turns you away at the door for no valid reason. The place is always overcrowded more than the actual capacity (ILLEGAL) No water available for a place that sells alcohol which is compulsory TO PROVIDE DRINKING WATER, they don't even let you go in to the toilet to refill your bottle, you are obliged to queue for over 40 mins to pay £3 for a small bottle of water which they paid 0.25 cents, over priced drinks, absolutely dreadful painfully slow service at the bar &amp; cloakroom. Rude aggressive, discriminating, bully bouncers.</p>
17	<p>Oversold event, queued for 2 hours with tickets before they closed the doors.</p> <p>More than a hundred people in the queue (with tickets) were not allowed in after they clearly oversold the event and let people in without tickets earlier.</p> <p>The staff were extremely rude and I saw multiple bouncers aggressively pushing guys and girls around unnecessarily.</p> <p>Date of experience: March 2018</p>
18	<p>Long queues to enter the club</p> <p>Long queue to put your coat in</p> <p>Bar staff awful and takes 40 plus mins to get a drink ( we gave up )</p> <p>They shut the water off ! ( disgrace )</p> <p>Be aware that thieves are active in this club</p> <p>Date of experience: March 2018</p>
19	<p>A recent event was very badly organised, tickets sold online and great blurb, but on the day it was soon obvious that they'd massively oversold and underplanned. A huge queue developed outside in cold weather, and eventually they opened the doors and let everybody in - even when it became dangerously overcrowded.</p> <p>Date of experience: December 2017</p>



## APPENDIX D – CRIMES ASSOCIATED WITH VICINITY AND PREMISES

Crime associated with High Street, Brentwood

Brentwood High Street Incident from January 2018

Thursday – Sunday from Midnight onwards

Sugar Hut incidents highlighted

Date	Time	Details	
07/01	03:02	Sus Circs SH	Inc: 0117 – Two males leave the club and drag two drunk females into a vehicle.
21/01	01:26	Disturbance	Inc: 0084 – Female pushed to the ground by doorstaff. Lawful ejection.
04/02	01:13	Fight	Inc: 0050 - Group of males fighting outside a premises.
17/02	00:10	Assault SH	Inc: 0013 - Male refused re-entry to premises assaulted doorstaff and was subsequently arrested.
17/02	00:46	Sus Circs SH	Inc: 0042 - Male left the club and jumped onto the roof of a car.
18/02	00:10	Disturbance	Inc: 0010 – Group of males ejected from premises.
18/02	00:31	ABH	Inc: 0022 – Male assaulted in the bar.
18/02	00:53	Common Ass	Inc: 0055 – Alleged assault by doorstaff.
11/03	00:56	Nuis-Oth SH	Inc: 0044 – Male ejected for smoking inside. Later found after fighting outside.
11/03	02:40	Assault SH	Inc: 0125 – Male assaulted outside. Hit his head on the curb and knocked unconscious.
11/03	03:10	Attn to SH	Inc: 0137 – Car has almost run somebody over outside.
18/03	00:24	Weapon	Inc: 0019 – Dispute in a pub. Male has left and returned with a machete.
24/03	02:01	ABH SH	Inc: 0088 – Male refused entry to the premises. Squared up to door staff and claimed to have been pushed against a wall.
31/03	01:27	Fight SH	Inc: 0067 – Males fighting outside the premises. Two males with head injuries.
21/04	02:18	ABH SH	Inc: 0118 – Suspect unknown has punched the victim to the face and kicked to the body.
22/04	00:09	Drugs SH	Inc: 0012 - Reports of five males being allowed into the premises who smelt of drugs.
05/05	00:20	Disturbance	Inc: 0034 – 4 females fighting outside
10/06	01:18	ABH SH	Inc: 0102 – Female has been hit over the head with a bottle – suspects still inside the club.
16/06	01:13	ABH	Inc: 0093 – Intoxicated male assaulted in the premises.
16/06	03:18	Common Ass SH	Inc: 0216 – Whilst inft was standing outside, 2 cars have driven past and thrown liquid substance at him ,which is now burning.
17/06	03:05	ABH SH	Inc: 0208 – Male has been assault to the head with a metal measuring cup causing a laceration to his head.
01/07	03:17	ABH SH	Inc: 0219 – Victim attacked by a group of males and punched to the face several times. Cut to the bridge of his nose.
07/07	00:32	Common Ass	Inc: 0033 – Male has tried to assault a member of door staff.
14/07	02:19	Common Ass SH	Inc: 0169 – As male left the club, 6 males asked for a fight.
22/07	01:23	Sex Offence SH	Inc: 0128 – Male arrested for sexual assault in the club.



29/07	01:31	Common Ass	Inc: 0130 – Fight outside. Male grabbed around the neck and kicked.
18/08	01:28	GBH	Inc: 0111 – Male has been pulled from behind causing him to fall backwards and hit his head on the floor.
18/08	03:06	Common Ass SH	Inc: 0058 - Doorman has pulled the victim across the floor by his hair.
01/09	01:13	Common Ass SH	Inc: 0096 – Victim refused entry to the club. Doorman has slapped victim to the face after dragging him down an alleyway and punching him.
02/09	00:55	Disturbance	Inc: 0067 – Ejected drunken male has picked up a metal gate and threatened one of the doorman.
09/09	00:26	ABH SH	Inc: 0043 – Intoxicated female, walking bare foot, shoes in hand has approached another female and struck her to the cheek with the shoe.
16/09	01:18	Common Ass SH	Inc: 0112 – Victim and husband dancing when she was assaulted by another male. She was pushed backwards.
16/09	02:49	Common Ass SH	Inc: 0186 – Suspects have thrown items at the victim which missed and then spat at him.
29/09	03:00	Disturbance SH	Inc: 0145 – Door staff reporting a vehicle has just driven at a passer-by on the pavement, appears deliberate.
30/09	00:08	Concern	Inc: 0010 – male has caused damage by pushing over the queue barrier.
06/10	00:15	Common Ass SH	Inc: 0010 – Bouncer has asked the victim to leave. He has pushed the inft and threatened to knock the inft out.
07/10	01:18	Disturbance	Inc: 0088 – Group of males trying to access the premises from back.
14/10	01:51	Domestic	Inc: 0136 – Domestic in the street a male has stopped his vehicle to intervene and punched the victim to the jaw and then left.
14/10	02:26	Drug related	Inc: 0166 – Drug dealing taking place in a vehicle in the high street.
21/10	00:57	ABH SH	Inc: 0062 – Fight outside the club. Suspects unknown has assaulted the victim causing a cut above his eye lid.



**Brentwood High Street Incident from January 2019**  
**Thursday – Sunday from Midnight onwards**  
**Sugar Hut incidents highlighted**

Date	Time	Details	
06/01	00:40	ABH	Inc: 0024 – Suspect has hit the victim to the back of the neck.
19/01	01:00	Common Ass	Inc: 0048 – A member of the doorteam has been hit on the head with a bottle – female arrested.
27/01	01:12	Fight SH	Inc: 0093 – 25 males fighting by the club and Crown Street.
02/02	00:09	ABH	Inc: 0008 – Victim was with two males smoking outside, three males approach and the victim is punched to the head which caused him to fall to the ground unconscious.
17/02	02:43	Hate Crime SH	Inc: 0145 – Male has purchased a bottle of vodka for £1000 and staff will not let him consume inside. He believes this is because of his ethnicity.
17/02	02:54	Public Order SH	Inc: 0160 – After leaving the club victim went to buy a hot dog. Male called him a 'Gay C**t' and told him to walk away.
03/03	02:19	ABH	Inc: 0145 – Suspect punched the victim to the face causing swelling and a punctured top lip.
03/03	03:09	Common Ass SH	Inc: 0173 – Victim states he has been attacked by the bouncers. His friend was locked in a room and he was concerned for his safety.
03/03	03:17	ABH SH	Inc: 0181 – Suspects has thrown 2 glasses into the victims face causing bleeding and a swollen lip.
04/03	00:14	Common Ass	Inc: 0013 – Fight between two females inside the premises.
10/03	02:20	Common Ass	Inc: 0133 – Street fight – group of people beating up a female. One male arrested.
17/03	00:09	Common Ass SH	Inc: 0010 – Female arrested for attacking people in Sugar Hut.
23/03	00:33	Disturbance	Inc: 0039 – Female tried to separate two males fighting following an altercation. Door staff intervened.
24/03	01:12	Fight	Inc: 0063 – Four males having an argument between themselves in the premises.
21/04	02:32	Disturbance SH	Inc: 0148 – Dispute between male and female whereby the male pushed the female into a car.
27/04	02:04	Common Ass	Inc: 0141 – Disturbance inside a premises which has carried on in the high street.
28/04	03:15	Common Ass SH	Inc: 0183 – Male assaulted by 10 other male at the club. Group returned back inside the club.
12/05	02:27	Disturbance SH	Inc: 0117 – Two males have pushed themselves through security followed by another 20. Door staff state they have now left.
25/05	01:31	ABH SH	Inc: 0094 – Male has been assaulted and knocked to the floor. Currently unconscious. Attackers have left the area.
02/06	01:49	Disturbance	Inc: 0131 – Disturbance between doorstaff and Mop being ejected.
15/06	01:50	Fight	Inc: 0121 – Two males fighting – 1 arrested drunk & disorderly.
			<b>SUGAR HUT CLOSED FROM THIS POINT ON</b>



21/07	01:47	Disturbance	Inc: 0161 – Fight outside the premises with people trying to get back into the bar.
28/07	02:22	Fight	Inc: 0176 – 15-20 persons fighting in the road. Dispersed as police intervened.
11/08	01:05	ABH	Inc: 0084 – Male has been beaten up in the high street. All parties left prior to police attendance.
18/08	01:47	Common Ass	Inc: 0143 – One male with a knife and another with a key between his fingers. One male detained by door staff.
26/08	00:20	Disturbance	Inc: 0027 – Two males caused a disturbance in the queue to get into the premises.
29/09	00:34	Common Ass	Inc: 0037 – Doorman has been kicked in the arm by an unknown person.



## APPENDIX E – INFORMATION ON STUDIO 338

Photo and text below from Go London website at

<https://www.standard.co.uk/go/london/clubbing/studio-338-london-dress-code-capacity-a3997476.html>



When Studio 338 first opened back in 2014, it had one aim above all else: to bring Ibiza to London.

At the time, it was the biggest club in the capital, and although it has since been eclipsed in terms of capacity, it's still a faithful ode to the megaclubs that populate the White Isle. Aside from its huge indoor space, Studio 338 also has an outdoor terrace, allowing it to recreate that sunset-to-sunrise experience that Ibiza is known for – as much as that's possible in south-east London.

The focus here is mainly on house and techno, as well as the various combinations of the two genres. It does occasionally deviate from the formula though, throwing in the odd drum 'n' bass or jungle night, too.

It's all about the established dance music brands at Studio 338. Elrow, Abode and Sankeys are all regulars, drawing in the crowds every weekend. In terms of the DJs themselves, the club is known to book the big legacy names — Pete Tong and David Morales, say — alongside a fair few up-and-comers.

Tickets can be quite pricey, but it's about the same you would pay in other similar London clubs (Fabric and Printworks, for example). Early bird tickets usually start at £10, which jumps up to around £25 by the time of the final release.



**APPENDIX F – SUGAR HUT FACEBOOK POST (August 2019)**  
**As reported by Harwich & Manningtree Standard 9<sup>th</sup> August 2019.**

We can now reveal that the team behind Studio 338 are the new owners of the world famous Sugar Hut!

"The venue has been at the heart of nightlife in Essex for many years now and we have a lot of respect for what has been accomplished.

However, the time has come for the next generation to take the reigns (sic) and bring some of the magic back to the Sugar Hut.

"The venue will reopen on November 30 with a very special line up (stay tuned for that) and we will shortly be announcing a whole host of new residencies and special events from some of the worlds best dance music brands.

"Inside we will be giving Sugar Hut a serious facelift. New sound systems, lighting and a complete renovation will make this incredible space one of the best music venues in the country. Right here in Brentwood.

We will not tear the heart out of her, but we will bring her up to date and give her a programme of events which will be the envy of the world.

"We cant wait to start this new adventure with you all.

"Trust me on this..you will never have seen a line up like this in Brentwood before."



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

URN

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Statement of: Craig Saunders

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Police Superintendent 77475

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: [REDACTED] (witness) Date: 05/11/2019

The content of this statement is based on information provided to me in my role as Local Policing Superintendent for West Essex and is to the best of my knowledge accurate. My role as Superintendent of Local Policing for West Essex involves responsibility for Response Policing, Community Policing, and Partnership working for the West Local Policing Area as defined by Essex Police, which includes Brentwood.

I make this statement to offer some context around the impact that the application for extended licensed hours for "The Sugar Hut" would have on the local area if it were approved. Essex Police has worked hard to tackle anti-social behaviour and criminality associated with the night time economy in Brentwood, and in extreme cases this has resulted in temporary license suspensions to allow reviews of conditions to take place.

Earlier in 2019 we conducted a significant operation capturing evidence of drug supply within a number of licensed premises in Brentwood, as a result of the evidence captured we have been working closely with license holders to improve security and detection and it is my view that extending the night time economy as per this proposal would have a detrimental impact on the successes we have had.

A club, as proposed and advertised, would have a significant impact on the local community, resulting in a large number of intoxicated patrons with very limited transportation options

Signature [REDACTED]

Signature witnessed by: .....



navigating their way through the surrounding residential areas. In addition to the anti-social behaviour and nuisance that this would undoubtedly cause, I am of the belief that we would see an increase in drugs use and associated violence that is often associated with venues such as that proposed.

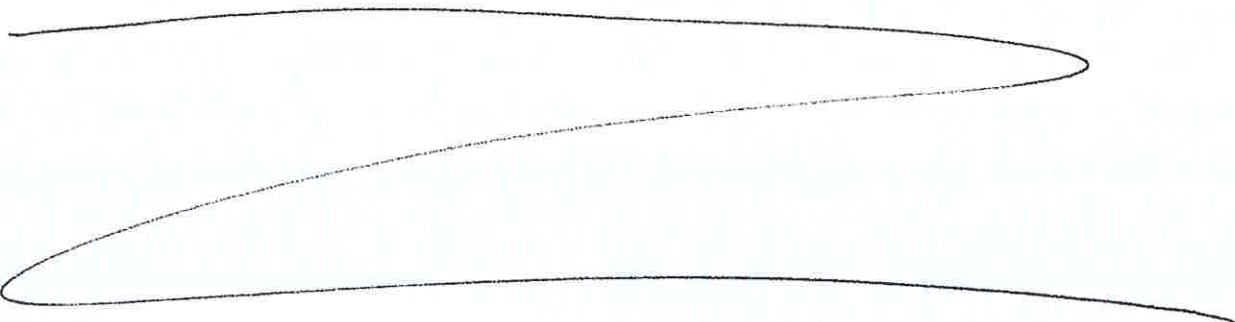
The Brentwood Community Safety Partnership has 4 key priorities that would all be impacted by this proposal:

- Protecting People (including misuse of drugs)
- Protecting Property (including criminal damage)
- Protecting the Community (including anti-social behaviour)
- Protecting the future (including crime prevention)

I am of the belief that the proposed conditions would have a detrimental impact on the significant work that has been taking place and continues to take place to make Brentwood a safe and community focussed town. Brentwood is well known for its vibrant nightlife in Essex and Essex Police, in conjunction with the Community Safety Partnership, endeavours to facilitate a safe night time economy to ensure it is enjoyable for all those who want to experience what is on offer, whilst balancing this with the views and concerns of local residents.

It is my belief that an extended night time economy such as that proposed would tip the balance and would not be welcomed by local residents, it would undoubtedly see an increase in drugs use, violent crime, and anti-social behaviour and our ability to deliver against the Community Safety Partnership Priorities would be significantly impacted.

I respectfully request this impact is taken into full consideration as part of the licence application.



Signature

Signature witnessed by: .....



# MEMO

From John Fairweather

To: Licensing

Our ref 19/001858/LICON

Your ref 19/00094/LAPRE

cc

Date 21st October 2019

Location	93 High Street, Brentwood Town, Brentwood, Essex
Details	<p>Sale and supply of alcohol Monday- Wednesday 08:00 until 02:00 Thursday - Sunday 08:00 until 07:00 hrs</p> <p>Permit performance of dance, exhibition of a film, indoor sporting events, performance of live music, playing of recorded music, other entertainment falling within the Act and the performance of a play on Monday to Wednesday from 08:00 hrs until 02:00 hrs and on Thursday to Sunday from 08:00 hrs until 07:00 hrs.</p> <p>Permit late night refreshments on Monday to Wednesday from 23:00 hrs until 02:00 hrs and on Thursday to Sunday from 23:00 hrs until 05:00 hrs.</p> <p>Allow the premises to be open to members of the public on Monday to Wednesday from 08:00 hrs until 02:00 hrs and on Thursday to Sunday from 08:00 hrs until 07:00 hrs.</p>

I wish to submit a representation on behalf of Environmental Health as a responsible authority. My concern is on the grounds of Public Nuisance

The proposed venue is a departure from the type of venues in Brentwood. It is a nightclub wanting to operate through the night offering headline DJs to attract a particular audience, which will stay until the end of the night/morning.

Advertised events are as follows:

Date		Time
30/11/2019	The Next Generation Party	19:00 - 03:00
07/12/2019	Hot Bed Christmas Party	20:00- 04:00
26/12/2019	Sankeys Boxing Day	20:00 - 03:00

I have attached the descriptions of the events from the internet



The type of offering and the proposed hours of operation will lead to a change in the dynamics of the nighttime economy at the weekend in Brentwood.

#### **Noise from within the venue.**

I am satisfied that with the cooperation of the new owners noise from inside the rooms within the venue can be adequately controlled so as not to disturb nearby residents. I am confident that the manager and their sound engineer will work with the local authority to produce a suitable result.

I welcome the decision not to have any music other than background in the courtyard open to the air.

#### **Noise from Dispersal.**

On popular nights the venue is likely to have between 700 and 1000 people arriving and leaving the premises.

I am confident that the operators have a wealth of experience running this type of nightclub. I am sure they will be able to manage the operation inside and the venue.

My concerns relate to people after they have left the club and making their way home.

On first examination it seems a better option for people to leave at 07:00 hours at the weekend rather than the middle of the night.

Trains are available at 07:00 hours from Brentwood Station.

The shortest route to the station would be Crown Street then either Primrose Hill or Queens Road. Passing residential properties.

The main car park is in William Hunter Way.

The shortest route is via the High Street and Bank Place.

Although only a few minutes' walk it has the potential to create noise and disturbance to residents on the High Street and William Hunter Way and Western Road which abuts the car park.

There is extremely small Taxi Rank in St Thomas Road a short distance along the High Street from the venue. However, to service the nighttime economy, taxis wait in the High Street. Which may create a conflict with morning traffic on the High Street on Saturday and Monday mornings. Less so on a Sunday.

There are of course pre booked cabs. Which may choose to congregate on the High Street or at other locations.



The later closing time will create a different dynamic to the morning activity in the High Street and environs. Particularly on a Sunday morning, at that time when there is little through traffic and no buses.

It is difficult to judge the reaction of residents.

It may be a reasonable tradeoff for the convenience of living in a town centre to expect some noise into the night.

But if this involves being regularly disturbed in the morning at around 07:00 hours. Residents may feel that this is an unreasonable intrusion into their lives.

A handwritten signature in black ink, appearing to read 'John Fairweather'.

**John Fairweather**  
**Environmental Health Officer**







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# Sugar Hut - The Next Generation (reopening party)

Date /

**Saturday**  
30 Nov 2019  
19:00 - 03:00

Venue /

**Sugar Hut**  
93-95 High Street, Brentwood, Essex,  
CM14 4RR  
 United Kingdom

Minimum age /

**18+**

Promoters /

**Sugar Hut**

Members attending /

990

[View members attending](#)



Ticket + booking fee / (?)  
**Why does RA charge a booking fee?** x  
Our booking fee covers the costs of providing our ticketing service.

GBP

We incur charges every time we take a card payment. We have labour and office costs for our developers, who build and maintain RA's website and our event discovery App, the RA Guide. We provide round-the-clock customer and promoter support and infrastructure to ensure you can buy tickets securely and speedily in over 50 countries. We cover all of these costs with one small per-ticket fee.

It goes deeper than that, too. RA is an independent company dedicated to supporting the electronic music community. By buying your tickets through RA, you become a part of that mission.

Early bird	£10.00
1st release	£15.00
2nd release	£20.00

Line-up /

Share



## TBA



Over the years, Sugar Hut has been the beating heart of nightlife in Essex. It has become famous across the world and even starred on national TV on a weekly basis.

It is a beautiful, maze like, listed building with hundreds of years of history, an incredible courtyard and an aura inside which feels like you have arrived home.

In short, it has all the potential and heritage to make it one of the best places to party in this country.

A now the time has come to usher in the 'Next Generation'.

From this point onwards, Sugar Hut is owned and operated by the team behind Studio 338 - and it's probably safe to say that we know a thing or two about throwing a party ;)

You can expect some of the world's best dance music brands, special guests and amazing DJs and artists every week, right here in Brentwood.

Inside we will be installing new, world-class sound and light systems, giving the place a totally fresh look and filling it with love and new ideas - it all starts on November 30th with the 'Next Generation Opening party'.

This will be the biggest thing Brentwood has seen in a very long time... a whole host of special guest DJs from the worlds of House, Techno, Garage, Disco and Hip Hop, plus some big surprises to make this the start of something very special in Essex.

We can't wait to party with you guys!

We have been overwhelmed by the support you have shown us since we announced this and it seems that the opening will be a 'road block' - so get your tickets now before they're all gone!

—

Sugar Hut operates a door picker policy. This is not based on appearance, clothes, background etc... simply your attitude and reasons for wanting to join us. Please do not be offended if we ask you a few questions at the door and please understand that tickets do not guarantee entry.

Sugar Hut is an 18+ venue. You must bring a physical photo ID. We will not accept a photo of your ID on your device, or a paper copy.

Last entry is 12am.

Last updated /

Wed, 16 Oct 2019

Do you have a question about the event?

[Contact the promoter](#)



## Demo Helpdesk Ticketing Tool

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More on Sugar Hut

Featuring Twisted Peach every month with Tristan D  
[View the venue listing](#)







Upcoming events

<b>Sat, 30 Nov 2019</b>  <b>990</b> attending <a href="#">Sugar Hut - The Next Generation (reopening party)</a>	<b>Sat, 7 Dec 2019</b>  <b>95</b> attending <a href="#">Hotbed Essexmas Party</a>	<b>Thu, 26 Dec 2019</b>  <b>249</b> attending <a href="#">Sankeys Boxing Day Special</a>
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02 /

Popular events

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<b>Fri, 25 Oct 2019</b>  <b>1420</b> attending <a href="#">The Hydra - Jon Hopkins Curates with Daniel Avery, Seefeel Perform 'Quique', Kiasmos &amp; More</a> Printworks	<b>Sat, 26 Oct 2019</b>  <b>1403</b> attending <a href="#">Drumcode Halloween 2019</a> Tobacco Dock	<b>Sat, 26 Oct 2019</b>  <b>738</b> attending <a href="#">La Fiesta Halloween Special</a> 93 Feet East	<b>Sun, 27 Oct 2019</b>  <b>1349</b> attending <a href="#">ABODE Halloween Special</a> Studio 338	<b>Sat, 2 Nov 2019</b>  <b>1220</b> attending <a href="#">Gou Talk</a> Printworks	<b>Sat, 2 Nov 2019</b>  <b>987</b> attending <a href="#">Halloween Oldskool Garage Rave</a> Studio 338
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London / Events

## Hotbed Essexmas Party

Date /

**Saturday**  
**7 Dec 2019**  
**16:00 - 04:00**

Venue /

**Sugar Hut**  
**93-95 High Street, Brentwood, Essex,**  
**CM14 4RR**  
 **United Kingdom**

Minimum age /

**18+**

Promoters /

**ABODE**

Members attending /

**95**

[View members attending](#)



Ticket + booking fee / (?)

**Why does RA charge a booking fee?**

Our booking fee covers the costs of providing our ticketing service.

We incur charges every time we take a card payment. We have labour and office costs for our developers, who build and maintain RA's website and our event discovery App, the RA Guide. We provide round-the-clock customer and promoter support and infrastructure to ensure you can buy tickets securely and speedily in over 50 countries. We cover all of these costs with one small per-ticket fee.

It goes deeper than that, too. RA is an independent company dedicated to supporting the electronic music community. By buying your tickets through RA, you become a part of that mission.

GBP

3rd release

£20.00

Line-up /

**Coming soon**

Share





HotBed head to Essex for their Christmas party in the newly renovated Sugar Hut in Brentwood.

Expect huge levels of production, entertainment and house music from start to finish for this one.

Event admin /  
[ABODE](#)  
[Update this event](#)

Do you have a question about the event?  
[Contact the promoter](#)



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## More on Sugar Hut

Featuring Twisted Peach every month with Tristan D

[View the venue listing](#)

### Upcoming events

Sat, 30 Nov 2019



**990** attending  
[Sugar Hut - The Next Generation \(reopening party\)](#)

Sat, 7 Dec 2019



**95** attending  
[Hotbed Essexmas Party](#)

Thu, 26 Dec 2019



**249** attending  
[Sankeys Boxing Day Special](#)

02 /

## Popular events

Fri, 25 Oct 2019



**1422** attending  
[The Hydra - Jon Hopkins Curates with Daniel Avery, Seefeel Perform 'Quique', Kiasmos & More](#)  
 Printworks

Sat, 26 Oct 2019



**1403** attending  
[Drumcode Halloween 2019](#)  
 Tobacco Dock

Sat, 26 Oct 2019



**738** attending  
[La Fiesta Halloween Special](#)  
 93 Feet East

Sun, 27 Oct 2019



**1349** attending  
[ABODE Halloween Special](#)  
 Studio 338

Sat, 2 Nov 2019



**1220** attending  
[Gou Talk](#)  
 Printworks

Sat, 2 Nov 2019



**987** attending  
[Halloween Oldskool Garage Rave](#)  
 Studio 338

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**Sankeys EAST**  
**Boxing Day Special**  
**26.12.19**  
8pm - 3am  
Sugar Hut

**LAST CHANCE**  
**to sign-up!**

  **SUGAR HUT** 

The graphic features a dark background with a Christmas tree and warm lights. A central circular logo with concentric yellow and black rings contains the text 'Sankeys EAST'. A Santa hat is perched on the top of this logo. At the bottom, the 'LAST CHANCE to sign-up!' text is prominently displayed in white and yellow. Logos for 'SUGAR HUT' and 'Sankeys EAST' are positioned at the bottom right.



## **Sankeys Boxing Day Special**

### **Priority Sale 16.10 9am**

**This will sell-out EXTREMELY quickly just like our re-opening party.**

**Sign-up for priority access to tickets!**

#### **SIGN-UP**

**As you may well know, Sankeys are famous for their jaw dropping Ibiza club nights, a Manchester club legacy that will last a life time and most importantly down and dirty rave culture that's found its way into many hearts of ravers across their 25 year reign.**

**Come this December they will be leaving the sweaty dance-floors behind to bring you an epic Christmas party at the brand new Sugar Hut!**

**Prepare yourself to be blown away by 3 rooms stacked with your favourite Sankeys Tech House artists that we know you will love. Garage and Classic House will also find its way onto the dance-floor to make for an extremely special occasion!**

**Sign-up below for priority access to tickets 5 hours before general public.**

**This will sell-out EXTREMELY quickly just like our re-opening party.**



## SIGN-UP

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Our mailing address is:  
93-95, High St, Brentwood, CM14 4RR

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**BRENTWOOD  
BOROUGH COUNCIL**

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

Thursday, 24<sup>th</sup> October 2019

Dear Mr Adams,

**THE SUGAR HUT, 93 HIGH STREET, BRENTWOOD CM14 4RR**

**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 Sugar Hut, 93 High Street, Brentwood CM14 4RR made by Sugar Hut Brentwood Limited. 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 licensing objectives.***

I draw reference to ***Brentwood Borough Council's Statement of Licensing Policy*** to support my reservations;

#### ***Licensing Objectives***

- 18.5 Additional measures may be necessary on an occasional or specific basis such as when a special event (e.g. popular live band) or promotion (e.g. during major sporting occasions) is planned, which is intended to, or likely to attract larger audiences and/or audiences of a different nature, and which can have a significant impact on the achievement of the licensing objectives. **Reference must be made in an applicant's operating schedule, where applicable, to such occasions and the additional measures that are planned in order to achieve the licensing objectives.**
- 18.7 In addition, the occupancy capacity for premises, and events as appropriate, is also considered to be an essential factor in the achievement of the four licensing objectives, (except in respect of premises licensed exclusively for the consumption of food and/or alcohol off the premises). **The Licensing Authority will expect the issue of occupancy capacity to be considered and addressed, where necessary, within an applicant's operating schedule and, in most instances, will agree a maximum occupancy capacity, based on the applicant's assessment within their operating schedule.**



18.10 The agreement to a capacity for premises or events should not be interpreted as a requirement to also provide permanent monitoring arrangements such as door staff, attendance clickers or maintenance of attendance records. The Licensing Authority recognises that the person in charge of the premises can often readily assess the occupancy level of the premises without resort to such measures. **However, where the capacity is likely to be reached (such as on known busy evenings) and particularly where a special event or promotion is planned, the applicant will be expected to detail the additional arrangements that will be put in place to ensure that the capacity of the premises is not exceeded.**

### ***Prevention of Crime & Disorder***

19.3 The promotion of the licensing objective, to prevent crime and disorder, places a responsibility on licence holders to become key partners in achieving this objective. **Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to reduce or prevent crime and disorder on and in the vicinity of their premises, relevant to the individual style and characteristics of their premises and events.**

In respect of the above, the applicant has already intimated that many of the proposed events will be sold out and operating to capacity with highly publicised, high-profile celebrity artists who will be performing in a concert style format together with supporting acts. In most other circumstances, e.g. The Brentwood Centre Festival, these events would require independent Event Management Plans (EMPs) and Risk Assessments (RAs) to be considered on their own merits at a Safety Advisory Group meeting. These meetings not only address what happens at the venue but also the impact the event has on the infrastructure of the surrounding area and the impact it has on the local community.

For example, I note that the current Sugar Hut premises licence states at Annex 2 condition 4; ***"When the premises are used for regulated entertainment, SIA Licensed Door Supervisors shall be employed at a ratio of 1 Door Supervisor per 75 patrons."*** With all due respect to the former owners of the Sugar Hut, it had been a long time since the venue operated to anywhere near to its full capacity and yet the new owners boldly predict sell out evenings and, whilst wishing to considerably extend the licensing hours, they also propose to reduce the door supervisor coverage to a ratio of 1 per 100 patrons. The Sugar Hut is a listed building with an extensive layout of nooks and crannies and atmospheric, low-lit areas that requires pro-active supervision. In line with other high-profile late-night establishments, I would also like to see all door supervisors wearing body worn video cameras with a condition similar to; ***"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."*** One of the foremost recurring complaints received at the Sugar Hut in the past has been by disgruntled customers being ejected and reporting their grievances to the already overstretched police service. The majority of these ejections are conducted properly and lawfully but the police are still required to investigate these time-consuming allegations even when made frivolously or vexatiously. This condition would not only protect the integrity of the door staff when conducting voluntary right of entry searches and



controlled ejections, but it will also deter potentially violent aggressors. It will also assist the police with their enquiries when their resources become stretched into the early hours of the morning.

### ***Prevention of Public Nuisance***

- 22.3 Applicants need to be clear that the Licensing Authority will normally apply stricter conditions, including controls on licensing hours, where licensed premises are in residential areas and where relevant representations have been received. Conversely, premises for which it can be demonstrated have effective measures planned to prevent public nuisance, may be suitable for 24-hour opening.
- 22.6 When addressing the issue of prevention of public nuisance, the applicant must demonstrate that those factors that impact on the likelihood of public nuisance have been considered. These may include:-
- (a) The location of premises and proximity to residential and other noise sensitive premises, such as hospitals, hospices and places of worship. (b) The hours of opening, particularly between 23.00 and 07.00.
  - (c) The nature of activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside premises.
  - (d) The design and layout of premises and in particular the presence of noise limiting features.
  - (e) **The occupancy capacity of the premises.**
  - (f) **The availability of public transport.**
  - (g) **A 'wind down period' between the end of the licensable activities and closure of the premises.**
  - (h) **A last admission time.**

### ***Control Measures Relating to Public Nuisance***

- 22.7 The following examples of control measures are given to assist applicants who may need to take account of them in their operating schedule, having regard to their particular type of premises and/or activities:-
- (a) **Effective and responsible management of premises.**
  - (b) **Appropriate instruction, training and supervision of those employed or engaged to prevent incidents of public nuisance, e.g. to ensure customers leave quietly.**
  - (c) Control of operating hours for all or parts (e.g. garden areas) of premises, including such matters as deliveries and collections.
  - (d) Adoption of best practice guidance (e.g. Good Practice Guide on the Control of Noise from Pubs and Clubs, produced by the Institute of Acoustics, Licensed Property: Noise, published by BBPA).



- (e) Installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices.
- (f) **Management of people, including staff, and traffic (and resulting queues) arriving and leaving premises.**
- (g) **Liaison with public transport providers.**
- (h) Sighting of external lighting, including security lighting.
- (i) Management arrangements for collection and disposal of litter including the provision of appropriate receptacles.
- (j) Clearly showing the name of the premises on all disposable packaging used for takeaway food and/or hot drinks.
- (k) Effective ventilation systems to prevent nuisance from odour.
- (l) Use of specialist equipment such as a High Frequency Deterrent Device known as a 'Mosquito Device' in order to deter and drive away congregations of young persons outside premises.

Sugar Hut Brentwood Limited has presented a 'Sugar Hut Policy Document' to support their operating schedule, but it is my concern that this is merely a 'cut and paste' standard template drawn to satisfy the application. This is reflected on page 5 of their Core Principles where "a log book will be made for all deliveries to the hotel". A major concern to be addressed is the dispersal of customers. We are informed that the customers will remain to see the headline acts - much the same as they would at a concert - suggesting a mass exodus of up to 1000 persons leaving together and yet the Dispersal Policy repeats the promotion of a gradual dispersal process which suggests that there will be people milling around the High Street throughout the course of the night when currently the streets are generally emptier, quieter and trouble-free by around 3.30am.

Studio 338 is a London based operation supported by a city infrastructure. Brentwood is not a city and it is not Ibiza. The town centre continues to become increasingly more residential and this business venture does not appear to recognise the associated issues that the London culture currently struggles with and how the proposed extended hours will impact on this town.

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, public nuisance and public safety.

***I am aware that there are a considerable number of other persons who haven't had the opportunity to have their concerns allayed in the same way that the Responsible Authorities get during the consultation period. It is my contention that this matter 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**