

FEVER AND BOUTIQUE EPSOM - HEARING 25 APRIL 2017

FEVER EVIDENCE

APPENDIX C

Entry Policy	C1
Example ID Scan Biometrics information	C2 - C13
Example ID's return to the Police	C14 - C15
Email Correspondence with the Police & Council	C16 - C33
Email Correspondence with those who made Representations	C34 - C37
Staff Approach to Incidents	C38 - C39
Summary of Incidents	C40 - C45
Comment on Certain Conditions	C46 - C49

FEVER AND BOUTIQUE EPSOM - ENTRY PROCEDURE

- We are able to use the entrance to the Spread Eagle Walk Shopping Centre as the virtual “front door” of the premises and a member of door staff is on duty in position at the entrance.
- The member of door staff will ask for ID from customers coming to the premises and will check the ID for the DOB to ensure that they are over 18 and then check the photo of the ID to ensure it represents the customer presenting it.
- If that member of door staff is not happy with the ID for any reason then a second opinion will be obtained from management or head of security.
- When the customer makes it past the first member of security, they will be greeted by another member of security will conduct a search with males having a pat down and pockets turned out and females having a bag check.
- The customer will then proceed to the ID scanning machine. A member of staff will instruct the customer to hand their ID document over to them and the member of staff will then place it on to the scanner with the customer stood in view of the camera on top of the scanning machine to gain a photo of that customer.
- If the ID scanning machine encounters an alert then this will be reported to management or security.
- An alert could mean several things:-
 - It could be a ban place by Fever and Boutique on the customer, a ban placed on the customer by another operator, upon the ID such as the document being fake or the machine not being able to read the documents correctly.
 - It may be that the customer will also be asked to confirm other information on the ID such as DOB, address and postcode to see how well and quickly the customers replies to these questions.
 - It may be that the customer will be asked to provide other personal ID to confirm identity.

Session Details

Opened by: superadmin @ 10/02/2017 21:48:28

Closed by: superadmin @ 11/02/2017 03:43:07

Duration: 5 Hours, 54 Minutes

Scans: 620

Venue Name: FEVER AND BOUTIQUE EPSOM SCANNET - FLOOR

Company Name: IDscan Biometrics

Terminal Name: DESKTOP-L41KRMJ

Address: United Kingdom, London, E14 9TS,

Contact:

Web Site: www.idscan.co.uk

Email:

Total Scans **620**

Unique Scans **608**

Fingerprint Enrolled **0**

More Than 5 Visits **198**

More Than 10 Visits **87**

Alert **12**

Underage **0**

Expired **2**

Average Age **21.20**

Average Age Male **21.91**

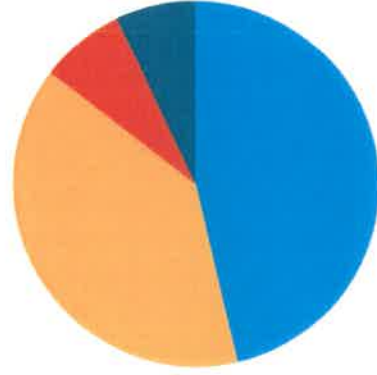
Average Age Female **20.45**

Ave Distance Travelled **14.6666666**

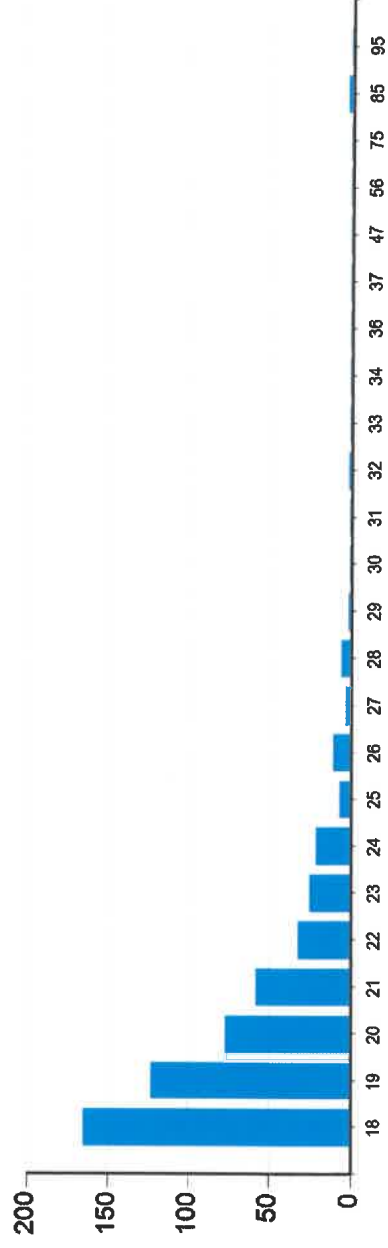
Average Scan Time **20:13**

Birthdays Next 4 Weeks **41**

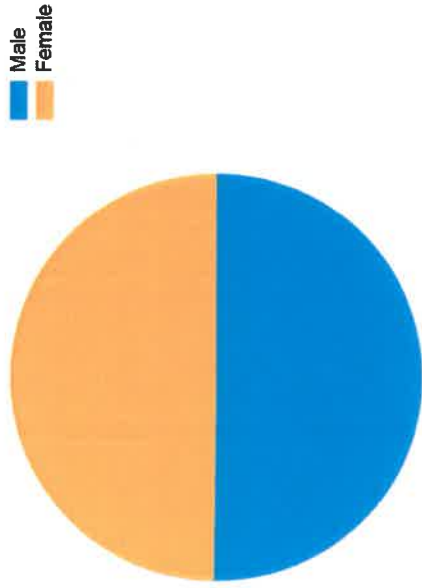
Arrival Time Top 3



Age Count



Male Vs Female



Age

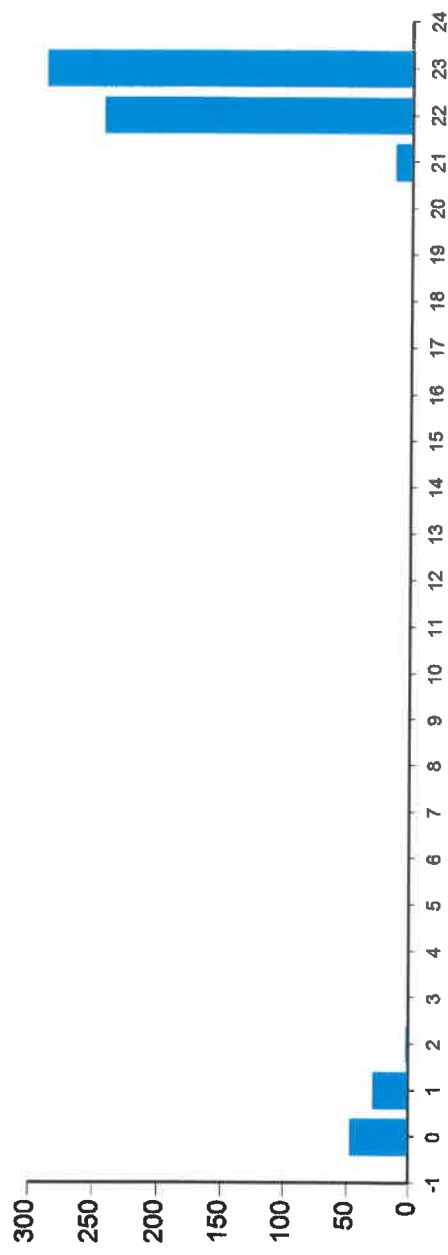


Alert **1.94 %**

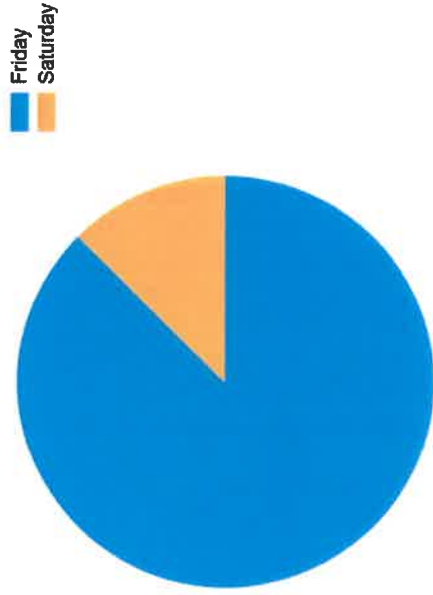
Underage **0.00 %**

Expired **0.32 %**

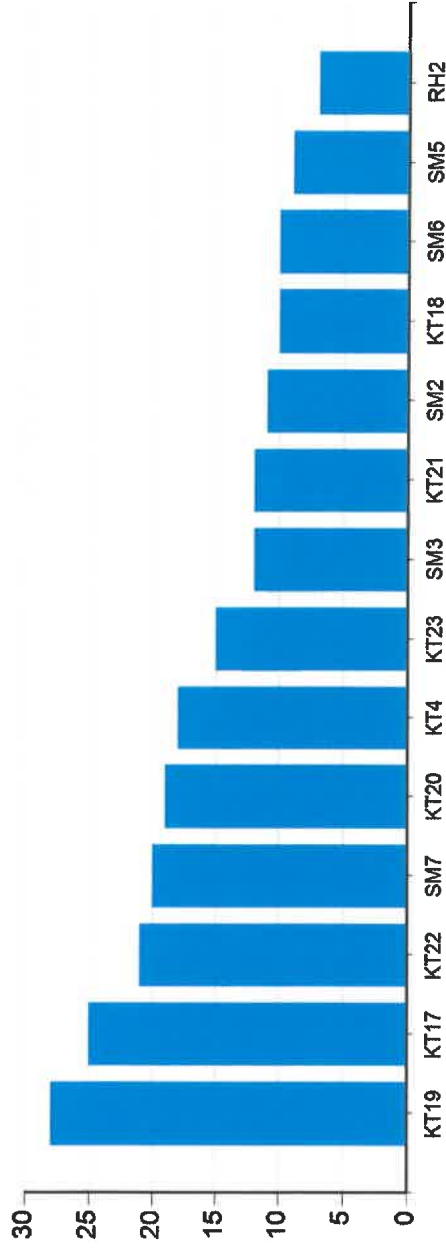
Time of Arrival



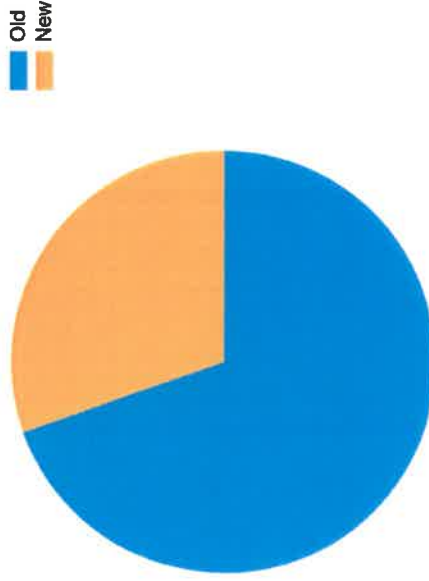
Busiest Days



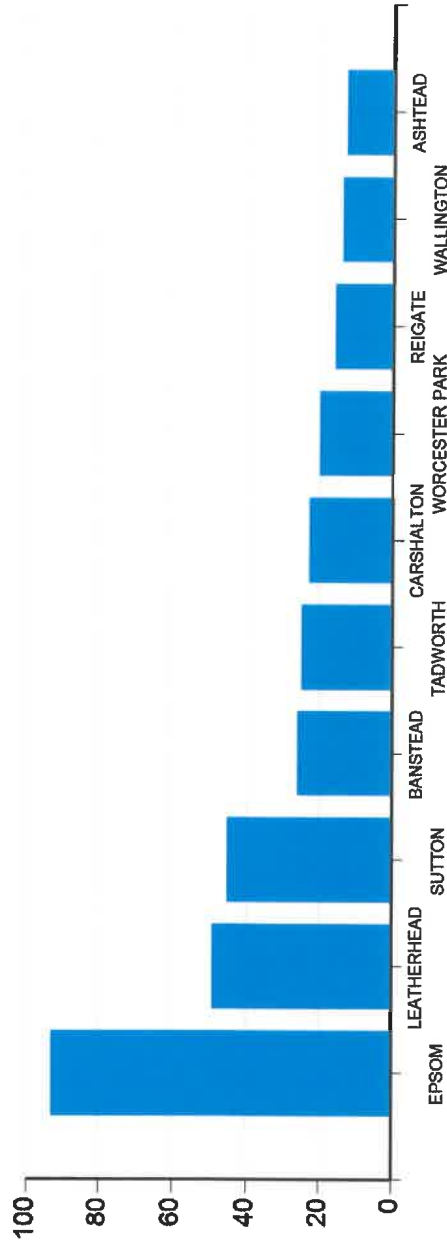
Post/Zip Code Top 15



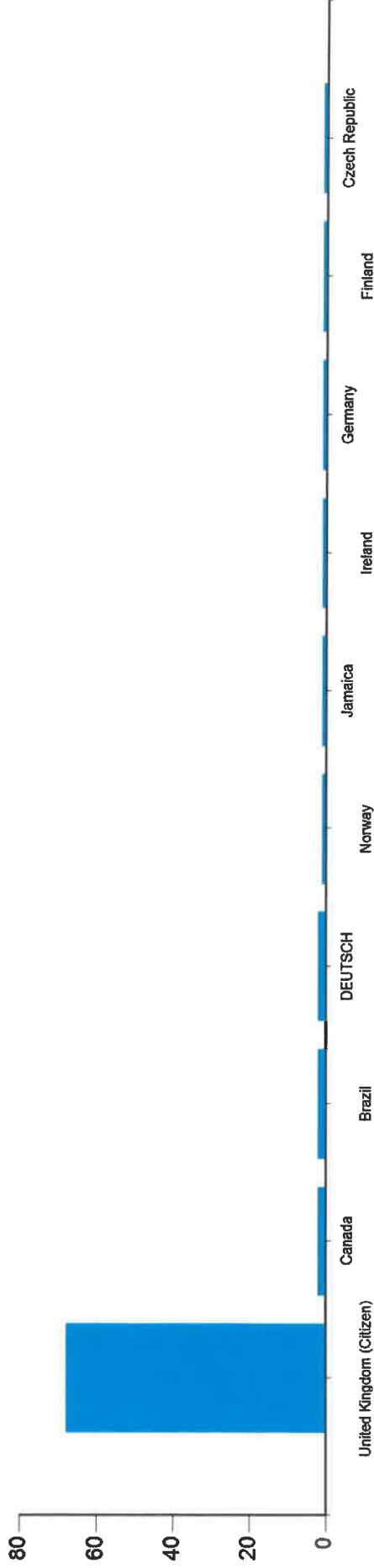
Old Vs New



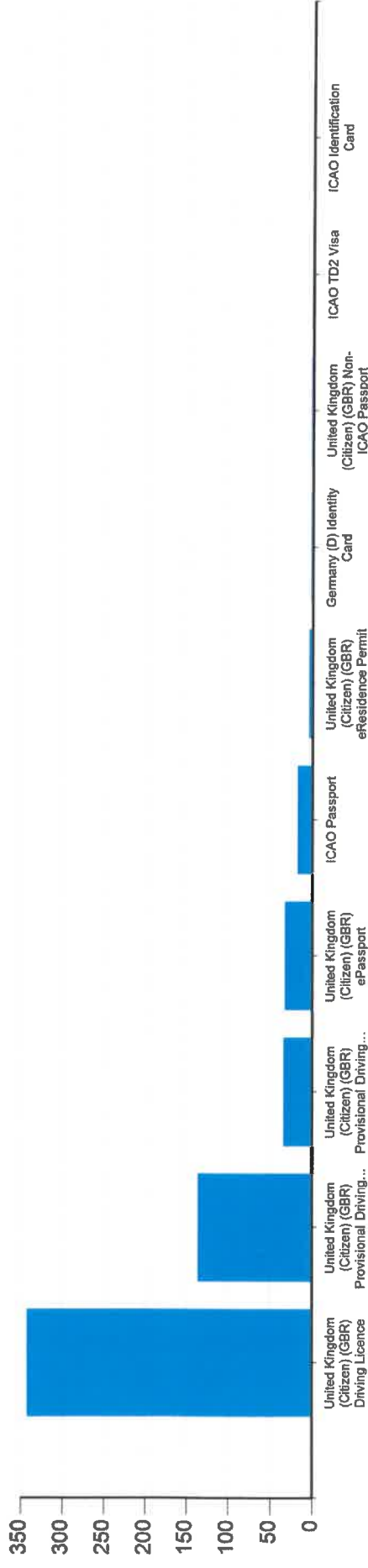
Top 10 Cities



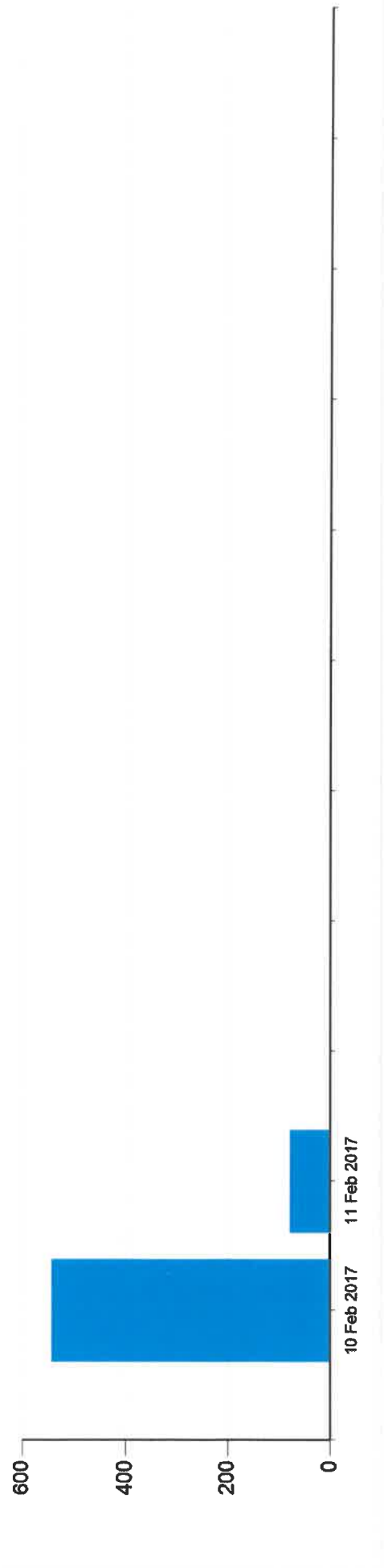
Top 10 Nationalities



Top 10 Documents



Busiest 10 Days



Session Details

Opened by: superadmin @ 17/03/2017 21:34:18

Closed by: superadmin @ 18/03/2017 03:00:49

Duration: 5 Hours, 26 Minutes

Scans: 626

Venue Name: FEVER AND BOUTIQUE EPSOM SCANNET - FLOOR

Company Name: IDscan Biometrics

Terminal Name: DESKTOP-L41KRMJ

Address: United Kingdom, London, E14 9TS,

Contact:

Web Site: www.idscan.co.uk

Email:

Total Scans **626**

Unique Scans **605**

Fingerprint Enrolled **0**

More Than 5 Visits **185**

More Than 10 Visits **78**

Alert **12**

Underage **0**

Expired **3**

Average Age **21.28**

Average Age Male **22.00**

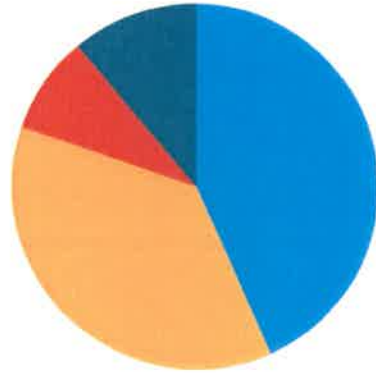
Average Age Female **20.76**

Ave Distance Travelled **15.346153**

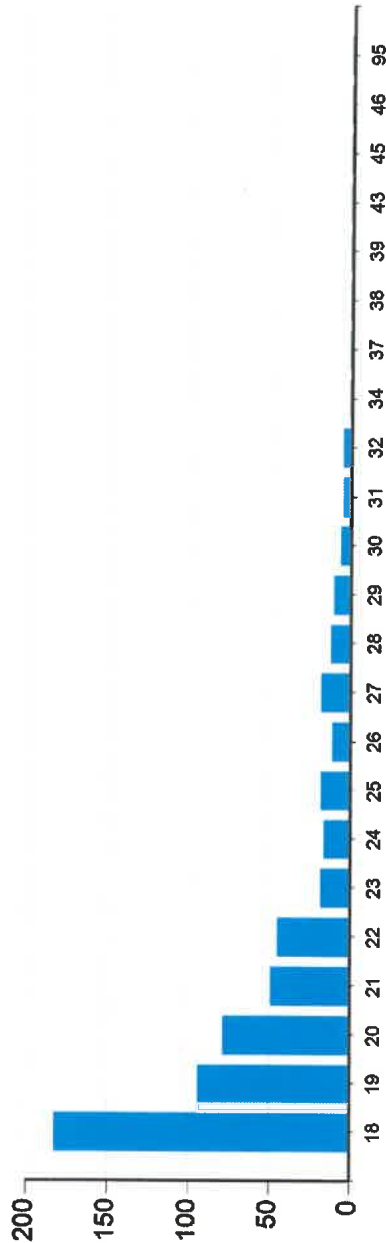
Average Scan Time **20:12**

Birthdays Next 4 Weeks **46**

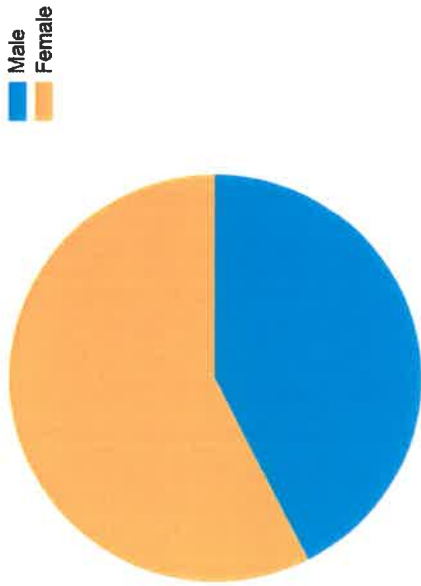
Arrival Time Top 3



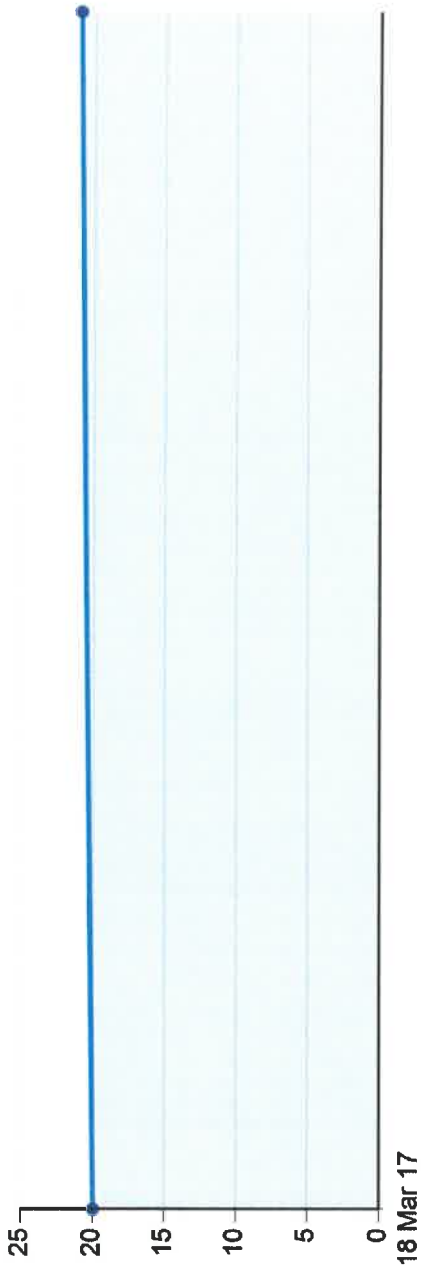
Age Count



Male Vs Female

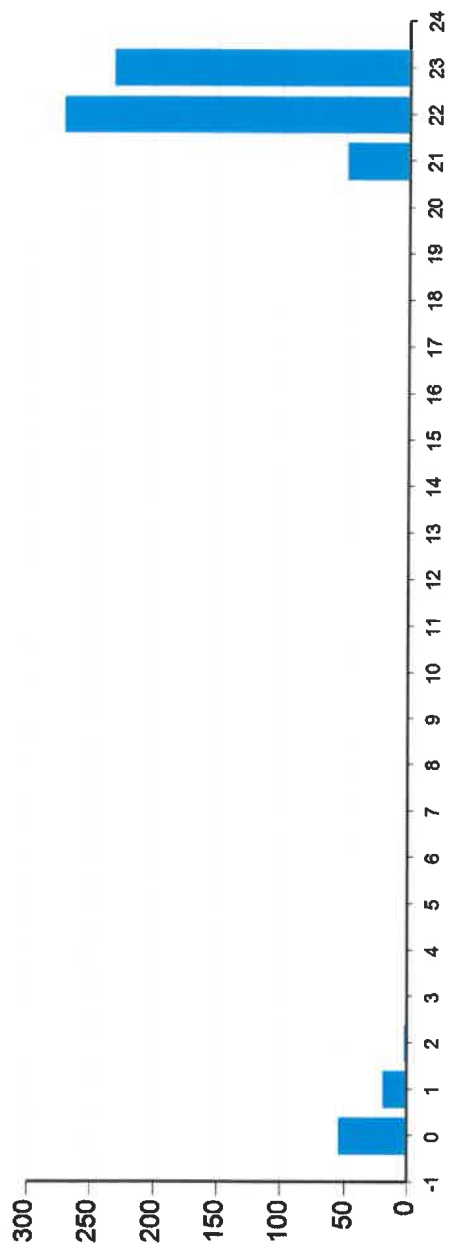


Age

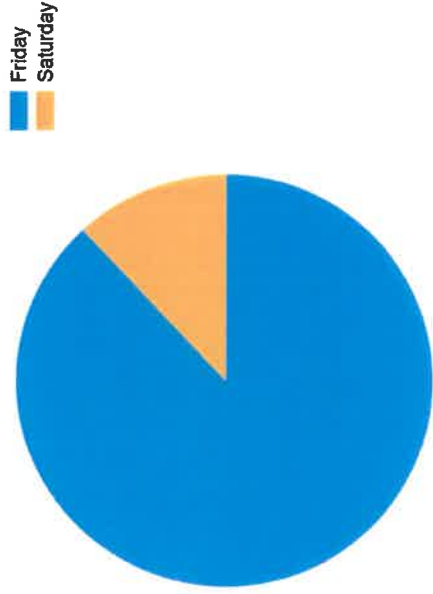


Alert **1.92 %**
Underage **0.00 %**
Expired **0.48 %**

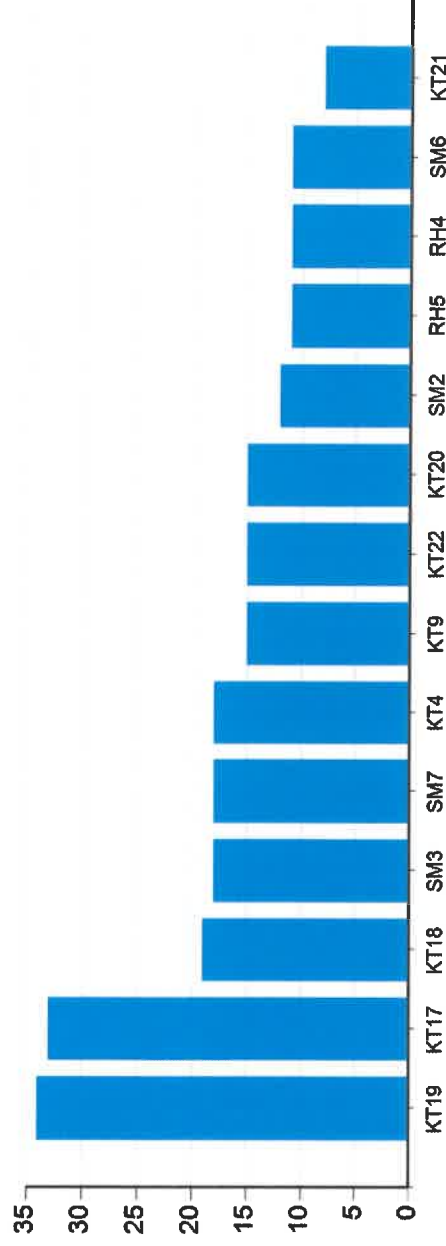
Time of Arrival



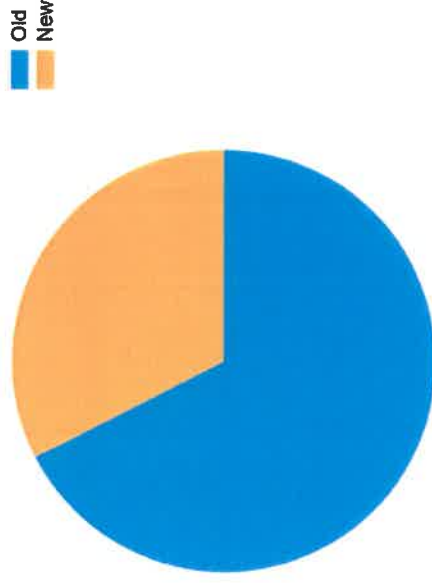
Busiest Days



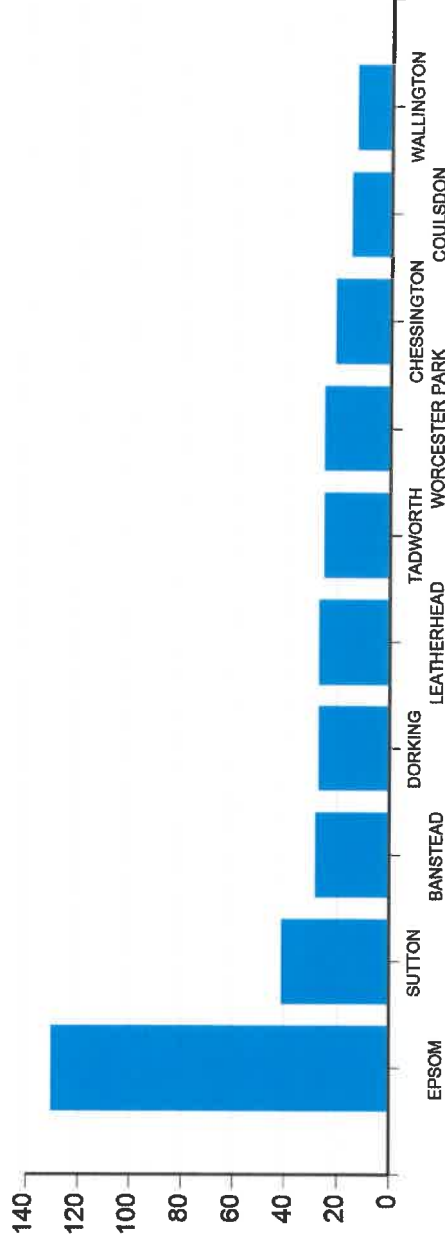
Post/Zip Code Top 15



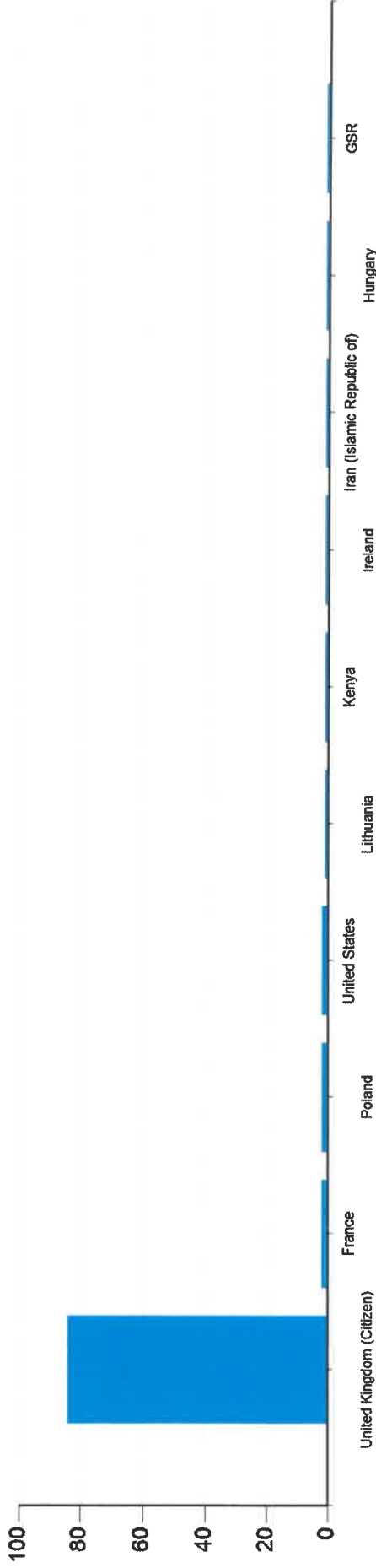
Old Vs New



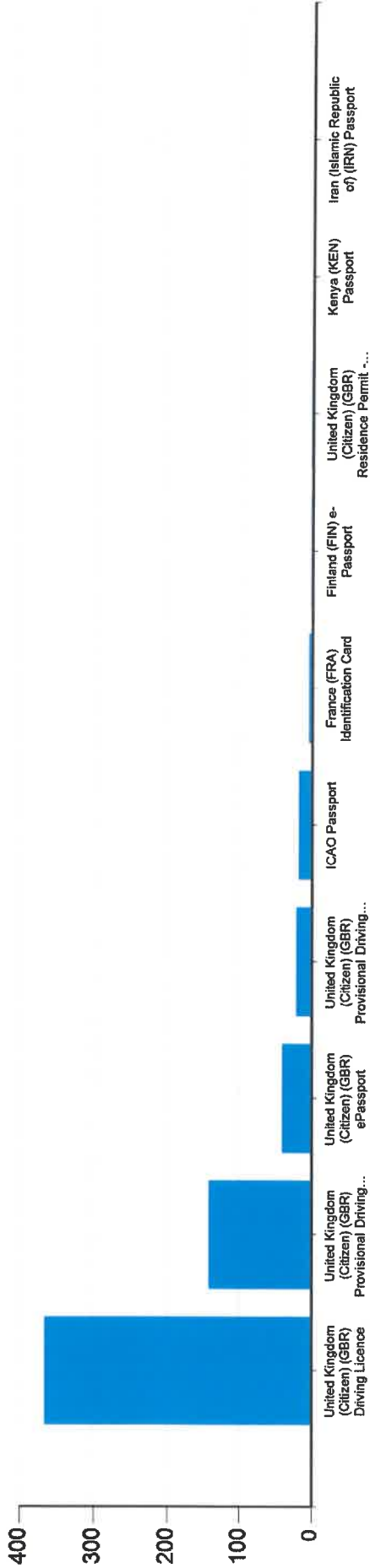
Top 10 Cities



Top 10 Nationalities

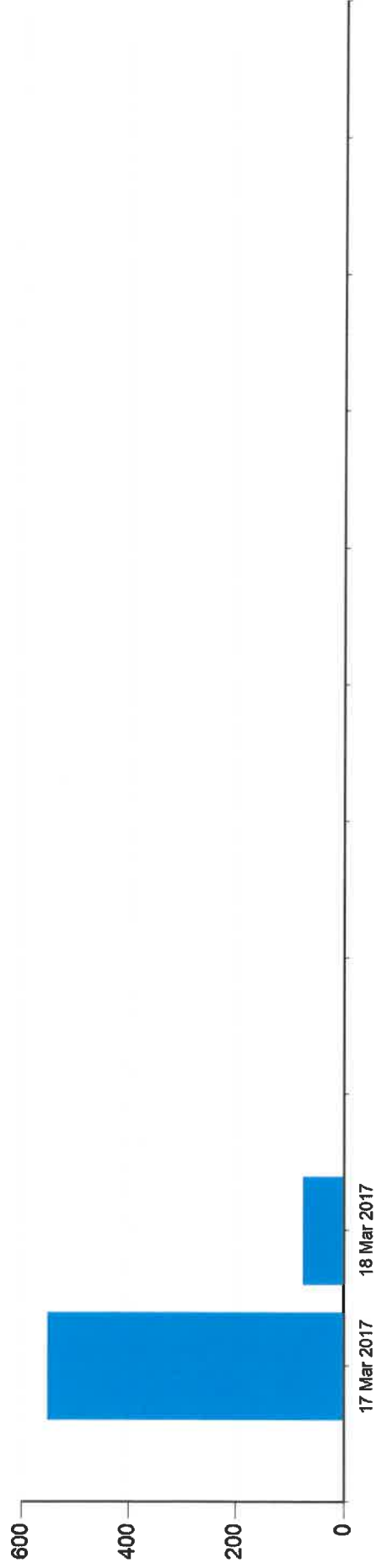


Top 10 Documents



UB

Busiest 10 Days



10/2, 20/2/17 2823 Clk

Carole Collingwood

From: Andrew Woods
Sent: Wednesday, March 1, 2017 20:21
To: Carole Collingwood
Subject: FW: Fever & Boutique Epsom

C
Can you print the e mail thread below , save it to the system and print me a hard copy for the file
Andy

Andrew Woods

Woods Whur 2014 Ltd
Tel: +44 (0)113 234 3055
Mobile: 07738 170138

andrew@woodswhur.co.uk

Devonshire House, 38 York Place, Leeds LS1 2ED.

From: Andy Thornton [mailto:andy@feverepsom.com]
Sent: 1 March 2017 16:08
To: Andrew Woods
Cc: Nigel Blair
Subject: FW: Fever & Boutique Epsom

Andy W,

Please see below the thread of emails starting with me asking for the meeting with Ian.

Thanks

Andy T

From: Andy Thornton <andy@feverepsom.com>
Date: Wednesday, 1 March 2017 at 14:03
To: "Sandwell, Ian 16079" <ian.Sandwell@surrey.pnn.police.uk>
Cc: "Smith, Oliver 3448" <Oliver.Smith@surrey.pnn.police.uk>, Nigel Blair <nigel@feverbars.com>
Subject: Re: Fever & Boutique Epsom

Ian,

Thank you for your reply,
I will meet you at 1pm at the Reigate Police Station on Thursday 9th.

Regards,

Andrew Thornton
Fever & Boutique Epsom

From: "Sandwell, Ian 16079" <ian.Sandwell@surrey.pnn.police.uk>
Date: Wednesday, 1 March 2017 at 08:48
To: Andy Thornton <andy@feverepsom.com>

C17
Cc: "Smith, Oliver 3448" <Oliver.Smith@surrey.pnn.police.uk>

Subject: RE: Fever & Boutique Epsom

Dear Andy,

Thank you for your e mail.

Please can I suggest 1pm on Thursday 9th March at Reigate Police Station ,Reigate Road, Reigate.

Please be advised that on behalf of surrey police I have recently submitted a section 51 review application for 'Fever and Boutique' to the licensing Authority.

Many Thanks

Ian Sandwell
Licensing Enforcement Officer(LEO)
Eastern Community Safety Team
Reigate Police station
Surrey Police

Telephone Surrey 101 Ext-31465

Postal Address : PO Box 101, Guildford, GU1 9PE.

From: Andy Thornton [<mailto:andy@feverepsom.com>]

Sent: 23 February 2017 22:45

To: Sandwell, Ian 16079 <ian.Sandwell@surrey.pnn.police.uk>

Cc: 'Nigel Blair' <nigel@feverbars.com>

Subject: FW: Fever & Boutique Epsom

Ian,

I sent you an email on 10th of February. I wanted to check that you received the email as I have not had a reply.

I was also still hoping we could arrange to have a meeting at your earliest convenience, please just let me know a date and time and I will make myself available.

Regards

Andrew Thornton
Fever & Boutique Epsom

From: Andy Thornton <andy@feverepsom.com>

Date: Friday, 10 February 2017 at 18:09

To: "Sandwell, Ian 16079" <ian.Sandwell@surrey.pnn.police.uk>

Cc: Nigel Blair <nigel@feverbars.com>

Subject: Fever & Boutique Epsom

Ian,

Further to our meeting on the 5th of January, I would like to book in a date with yourself to discuss our initiatives and any feedback.

Please come back to me with a date we can meet within the next 14 days.

Regards

CS

Andrew Thornton
Fever & Boutique Epsom

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

15/1/17.

Clg

Emma Holmes

From: Andrew Woods
Sent: 2 March 2017 13:50
To: Emma Holmes
Subject: FW: Fever and Boutique: Notes from meeting held 5/1/17
Attachments: The Fever Group Dispersal Policy.docx; Response Email For Ian Sandwell Licesning Epsom.docx

Pls print e mail below and attachments

Andrew Woods

Woods Whur 2014 Ltd
Tel: +44 (0)113 234 3055
Mobile: 07738 170138

andrew@woodswhur.co.uk

Devonshire House, 38 York Place, Leeds LS1 2ED.

From: Duncan Squires [mailto:duncan@feverbars.com]
Sent: 15 January 2017 19:59
To: Ian.Sandwell@surrey.pnn.police.uk; ASlaughter@epsom-ewell.gov.uk; RJackson@epsom-ewell.gov.uk; Tom.Arthur@surrey.pnn.police.uk; CScott@epsom-ewell.gcsx.gov.uk; Jacquie.Clark@surrey.pnn.police.uk; Andy Thornton; Andrew Woods; Nigel Blair; Andy Grieve
Cc: Penny.Goodale@surrey.pnn.police.uk; Oliver.Smith@surrey.pnn.police.uk; Jenny.Billin@surrey.pnn.police.uk
Subject: Fever and Boutique: Notes from meeting held 5/1/17

Hello Ian

Please find attached a reply to your previous email and questions.

Please also find attached a copy of our dispersals policy.

Anything else you require the please don't hesitate to give me a call.

Thanks

Duncan Squires

Sales & Marketing Director
Fever | MooMoo | Bierkeller
Tel: 07863 180500



Fever Epsom

The Fever Group Dispersal Policy

The venue recognises the need for a comprehensive and considered dispersal policy to avert potential disorder and disturbance at the end of the night. The following policy outlines the steps necessary to minimise this potential risk and ensure a safe, orderly and quiet egress by customers.

The venue recognises that it has neither authority nor responsibility beyond the immediate vicinity of the licensed premises but also the importance of a managed and orderly end to the night to all in its area, and as such will endeavour to ensure that all customers leave the premises and its immediate vicinity without causing disturbance.

Ensuring that this policy is adhered to is the responsibility of the Duty Manager. Where music, whether recorded or live, is being played, it will be progressively quietened during the final 30 minutes of operation or after alcohol sales cease. Music played during this period will be of a slower tempo and calmer nature than that preceding it. Lighting levels will be progressively raised during the same period.

Customers are forbidden from taking alcohol or glassware off the premises. This will be indicated by staff announcements. If door supervisors are on duty they will have particular responsibility for ensuring that no alcohol or glassware leaves the premises.

Customers will be asked to leave the venue in a quiet and responsible fashion. This will be indicated by both clear signage near relevant exits and staff announcements.

Customers will be encouraged to leave gradually over the course of the permitted drinking up period and not herded out when licensable activity ceases. Any customers found loitering outside the premises will be asked politely to leave quietly. If conflict develops, staff are to contact the authorities.

Details of public transport and taxi services will be available to customers

Cleaning equipment will be kept within reasonable distance of exits to ensure that any urination or litter is cleared as soon as practical

If staff are required to contact the authorities, all incidents will be logged in accordance with the venue's policies and the terms of its licence.

C21

Fever & Boutique Epsom Ltd
5-9, Spread Eagle Walk
High Street, Epsom
KT19 8DN

15 / 01 / 17

Hello Ian

Meeting with the Management Team of 'Fever and Boutique' Night Club Epsom, to discuss concerns in the promotion of the Licensing Objectives Thursday the 5th of January 2017

I am writing to you further to our recent meeting and your meeting notes sent to me last week via of email. I would like to assure you that my company is wholly committed to working in partnership with you and the other responsible authorities so as to promote the Licensing Objectives. We have taken very seriously all of your points and have implemented a number of measures which I am confident will deal with those points. We operate venues throughout the UK and our relationships with the local police and authorities is paramount. I am of course aware of the various enforcement options open to you under the Licensing Act 2003 but I hope that you will allow me the opportunity to implement all measures below so as to deal with your concerns and I will contact you on a regular basis so that you can update me.

As discussed in the meeting we have increased our prices recently. We believe our prices are reasonably priced and in line with competitors. We will conduct a full pricing review on all trading nights on a regular basis.

As discussed our staff are given regular training, however moving forwards now all our staff will sign documentation confirming this has been performed. We have carried out a full team training session on the Friday just gone. The company policy of we serve drinks not drunks is an attached part of an initial training manual for every member of staff also. In addition to this staff are empowered to give free bottles of water to patrons refused more alcohol over the bar.

We currently operate a robust system for ID checking and identifications. This includes challenge 25 and had the use of the ID Scan provided by the police in Epsom from the moment of opening. You raised concerns on how it was possible for underage identification to pass through the ID Scan so I just want to touch on this. Due to extensive use of these machines within our venues we explained that the machine does not perform facial recognition. Should a 17yr old obtain a second driving license from a sister/friend then the ID would be valid and the machine only confirms that this is a legitimate identification. It is then the task of the team to prove the person isn't the owner of the license by means of identification. After the recent meeting we have decided to triple check ID which would involve three phases. 1. The ID scan, 2. Physical checks on ID, 3. Any backup material/bank cards, etc where we suspect the person is under 25. We have always caught underage people trying to gain access and refused them. However in many zones where we operate the police and licensing have requested that we don't seize ID which is possibly used fraudulently, instead we are told to just

refuse them entry and send them on their way. Since the issue we now started seizing ID and in the two weeks leading up to Christmas submitted in excess of 9 legitimate driving licenses and one passport fraudulently being used by underage patrons which the ID scan would not have recognised. These were given to PC Tom Arthur who confirmed we had done this. Tom explained how he is now dealing with these minors trying to access venues within the town through deception. Hopefully with us seizing the IDs this will soon send a strong message to deter the flow. I am lead to believe that no other venue within Epsom is doing this. Andy Thornton will be taking all confiscated ID's to PC Tom Aurther at the monthly pub watch meeting. This venue also operates a strict entry policy and refuses in excess of around 100 Patrons a trading session. This can be for casual dress, large groups of lads and attitude in the queue and has been witnessed by the patrol police. This is a lot higher than any other venue in our chain and a lot stricter than most of our opposition venues.

When a new venue is being prepared a director or owner meets with the relevant licensing departments to discuss changes/improvements to the current licenses. On this occasion Nigel Blair 'Owner' had a positive meeting to introduce the company with Jackie Clarke and Angela Slaughter. During this variations were agreed. One of these was for the use of spirit, wine and champagne bottles to be served to booths as glass bottles are currently fine to be served over the standard bar. Previously the condition to remove PET bottles from standard bar sale and introduce glass had been amended; it was therefore not seen as an issue for this variation to be made. Booth bottle service is a business strategy implicated in all of our sites. As you are aware this is a key part of our business model. Due to some confusion between all parties this appears to not have been auctioned correctly. It was agreed by Rachel Jackson from the council that they were under the impression that this should have been changed also and they don't feel that we operated with any intention of deceit at any point and that this was a genuine confusion.

Since opening we have chaired residents meetings which also involve the parish council to work with local home owners and others affected by our business. These have been really positive. Councillor Axlerod had commented on how we are the only venue to perform this and that he thought it was useful with the community. We also have had two charity events to raise money. One was to support the street pastors.

Since this meeting we have met with our security provider and we have agreed to have more senior support on the site from both our company and the door security company. We appreciate your comments about our good operation of which you witnessed on cctv. We will continue or good practices.

The smoking area has two members of SIA security. One of which is now a senior door supervisor to manage customer care and noise. We are currently in consultations with of sound management team to look at improvements here.

There was a discussion about how a member of staff commented to police on patrol that we'd had 650 customers. It seemed apparent that the police had assumed this meant at one time. Our venue regularly has between 600-700 patrons through the doors but not at any one time. Capacity is clearly set at 500 and rigorously maintained at this or as discussed below depending on movement through the premise. Tally clickers are used on the front door to manage the numbers inside the venue and on every 30min interval these figures are recorded to ensure the numbers are managed

C23

inside the venue correctly. This is a standard operation in all of our businesses and records are filed and available. If the venue should hit capacity we then operate a strict one in one out policy.

We continue to work with the EHO and our noise consultants to improve any noise issues. Residents from the house to the rear have not attended our residents meetings held.

Summary

We have replaced the head doorman

We have arranged a training session from the door security company. Door staff training – next date 18/1/17

We have agreed to seize ID being used fraudulently and submit to PC Tom Arthur at every pub watch meeting.

We have employed a senior doorman for the smoking area.

We operate a free water dispersal. This is available for any patrons leaving our site.

Bar staff are allowed to give patrons free bottles of water over the bar should they be refused alcohol prior to security removing them.

We have now created a managed seating area on exit from the club for any patrons we feel may have had a little too much to drink, feeling unwell or any other issues.

We operate a full bespoke dispersal policy on the streets, witnessed by Councillor Axelrod (Parish Council) and the Police and Crime Commissioner on the lead up to Christmas. They both agreed it was to a high standard as delivered at our residents meeting.

We run a commercial venue and have no externally promoted nights or underage events.

Customers are now allowed to use the front passage of Spread Eagle Walk for use of mobiles to avoid using the smoking area.

We are currently arranging a date for our noise management team to fully assess the rear of the site.

We have now arranged a monthly incident meeting with Specialist Neighbourhood Officer.

We have had meetings with UCA to ensure the venue is student friendly.

We have installed a direct taxi call button to assist with anyone requiring transport home so that they are not waiting on the street. Anyone who has fallen or feeling ill are provided with a free taxi by Fever & Boutique should they require it.

If there is anything further you believe we can do please do not hesitate to contact me

C24

Kind Regards

Duncan Squires

Sales & Marketing Director

Fever Bars

07863 180500

25

Emma Holmes

From: Andrew Woods
Sent: 2 March 2017 13:51
To: Emma Holmes
Subject: FW: Fever and Boutique Epsom
Attachments: Fwd: Fever and Boutique: Notes from meeting held 5/1/17; Premises Licence.pdf

E mail below and attachments

Andrew Woods

Woods Whur 2014 Ltd
Tel: +44 (0)113 234 3055
Mobile: 07738 170138

andrew@woodswhur.co.uk

Devonshire House, 38 York Place, Leeds LS1 2ED.

12/11
Considering a review -
Waiting for a response

From: Carole Collingwood
Sent: 12 January 2017 12:23
To: Andrew Woods; Nigel Blair
Subject: Fever and Boutique Epsom

Andy - please see the email trail below regarding the above. I have also attached the premises licence and the emails with the council from yesterday. There is a condition which states "All draught beers, spirirts, wine and champagne will be served in polycarbonate vessels." Bottles of champagne and wine have been served to customers in bottles and this has been brought to the police's attention after an incident at the venue. The council were suggesting a minor variation of the condition so that bottles could be served but you will see from the the police email below that the police are asking for the current condition to be complied with and they are considering a review of the licence. Could you advise how we should respond under the circumstances.

Carole Collingwood

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055

carole@woodswhur.co.uk

Woods Whur 2014 Limited, Devonshire House, 38 York Place, Leeds LS1 2ED.

From: Rachel Jackson [<mailto:RJackson@epsom-ewell.gov.uk>]
Sent: Thursday, January 12, 2017 11:47
To: Carole Collingwood <carole@woodswhur.co.uk>; nigel@feverbars.com
Cc: ian.sandwell@surrey.pnn.police.uk; Angela Slaughter <ASlaughter@epsom-ewell.gov.uk>; Lisa Rasores <LRasores@epsom-ewell.gov.uk>
Subject: RE: Fever and Boutique

Dear Carole and Nigel

Please see the response from Surrey Police regarding the proposed minor variation. In light of this, I would suggest you give consideration to a proposed re-worded condition which the Police may find acceptable.

In the interim, please ensure that all staff are aware of the conditions on the premises Licence to ensure compliance.

C26

Yours sincerely

Rachel Jackson

Rachel Jackson
Licensing, Grants and HIA Manager
Epsom and Ewell Borough Council
Town Hall
The Parade
Epsom
Surrey
KT18 5BY

Tel: 01372 732449
Web: www.epsom-ewell.gov.uk
Email: rjackson@epsom-ewell.gov.uk
Email: rjackson@epsom-ewell.gcsx.gov.uk

Making Epsom & Ewell an excellent place to live and work



Please do not print this e-mail unless absolutely necessary - SAVE PAPER

From: Sandwell, Ian 16079 [<mailto:Ian.Sandwell@surrey.pnn.police.uk>]
Sent: 12 January 2017 11:37
To: Rachel Jackson
Subject: RE: Fever and Boutique

Dear Rachel,

I thank you for your email. I have read the email from Nigel. Following our meeting on the 5th January 2017 and the reference I made to an incident on the 26th November 2016, where a female was assaulted in the face by a glass champagne type bottle, resulting in the victim sustaining a broken nose, I would have hoped the operator may reconsider this variation to the license.

In light of this assault and in view of further assaults in the premises since our meeting, we are considering review proceedings and I have to object to this proposed variation .

In light of this objection, I would ask the operator is kindly advised to comply with the condition as shown on the current premise license and I await any response from the operator's solicitor.

Many Thanks

Ian

Ian Sandwell
Licensing Enforcement Officer (LEO)

Eastern Community Safety Team
Reigate Police station
Surrey Police

C27

Telephone Surrey 101 Ext-31465

Postal Address : PO Box 101, Guildford, GU1 9PE.

The information contained in this message is confidential and may be legally privileged. The message is intended solely for the addressee(s). If you are not the intended recipient, you are hereby notified that any use, dissemination, or reproduction is strictly prohibited and may be unlawful. If you are not the intended recipient, please contact the sender by return e-mail and destroy all copies of the original message. Visit the Epsom and Ewell Borough Council website at www.epsom-ewell.gov.uk

024

Emma Holmes

From: Nigel Blair <nigel@feverbars.com>
Sent: 11 January 2017 14:07
To: Carole Collingwood; Rachel Jackson
Subject: Fwd: Fever and Boutique: Notes from meeting held 5/1/17

Hi Carole

I am not accepting any additional Eho conditions / changes whatsoever at this stage as we are working tirelessly with them at present

Nigel

Begin forwarded message:

From: Rachel Jackson <RJackson@epsom-ewell.gov.uk>
Date: 11 January 2017 at 13:26:15 GMT
To: 'Carole Collingwood' <carole@woodswhur.co.uk>, 'Nigel Blair' <nigel@feverbars.com>
Cc: Oliver Nelson <ONelson@epsom-ewell.gov.uk>, Charlotte Scott <CScott@epsom-ewell.gov.uk>, Angela Slaughter <ASlaughter@epsom-ewell.gov.uk>
Subject: RE: Fever and Boutique: Notes from meeting held 5/1/17

Hi Carol

There were two conditions on the Licence – Annexe 2 – condition 5 refers to noise levels outside the building, and Annexe 3, condition 17 relating to noise measuring. At the meeting last week I think the latter condition seemed perhaps to be causing not necessarily concern but perhaps confusion/relevance - but I have copied in Charlotte and her manager Oliver Nelson in Environmental Health, who can advise if they would recommend any amendments.

Best wishes

Rachel

From: Carole Collingwood [<mailto:carole@woodswhur.co.uk>]
Sent: 11 January 2017 13:21
To: Rachel Jackson; 'Nigel Blair'
Subject: RE: Fever and Boutique: Notes from meeting held 5/1/17

Rachel

I have noticed that the last line of your email this morning states "I would therefore recommend that a minor variation is submitted immediately, and subject to Charlotte's views, a removal/alteration of the conditions relating to noise be also submitted the same time to avoid confusion." Could you advise what this relates to?

Kind regards

Carole Collingwood

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055

carole@woodswhur.co.uk

Woods Whur 2014 Limited, Devonshire House, 38 York Place, Leeds LS1 2ED.

C29

From: Rachel Jackson [<mailto:RJackson@epsom-ewell.gov.uk>]
Sent: Wednesday, January 11, 2017 12:19
To: 'Nigel Blair' <nigel@feverbars.com>; Carole Collingwood <carole@woodswhur.co.uk>
Subject: RE: Fever and Boutique: Notes from meeting held 5/1/17

Thanks Nigel and Carole

I shall email the Police and check they are happy with the wording, as that will make the variation process much easier for us all.

Best wishes

Rachel

From: Nigel Blair [<mailto:nigel@feverbars.com>]
Sent: 11 January 2017 12:18
To: Rachel Jackson; 'Carole Collingwood'
Subject: RE: Fever and Boutique: Notes from meeting held 5/1/17

Yes that works

From: Rachel Jackson [<mailto:RJackson@epsom-ewell.gov.uk>]
Sent: 11 January 2017 12:16
To: Nigel Blair; 'Carole Collingwood'
Subject: RE: Fever and Boutique: Notes from meeting held 5/1/17

Thanks Nigel, but to cover the spirits sale would you not be better with "All draught beers and spirits will be served in polycarbonate vessels. Bottles of Spirits, Champagne and wine will be served in bottles together with polycarbonate glasses."

Rachel

From: Nigel Blair [<mailto:nigel@feverbars.com>]
Sent: 11 January 2017 12:05
To: Rachel Jackson; 'Carole Collingwood'
Subject: RE: Fever and Boutique: Notes from meeting held 5/1/17

Hi Rachel

A customer buying a bottle of wine or champagne may not have a seated area so I would like them to have this anywhere in the venue. All wine and champagne glasses will be polycarbonate

Kind Regards

Nigel

From: Rachel Jackson [<mailto:RJackson@epsom-ewell.gov.uk>]
Sent: 11 January 2017 11:58
To: 'Carole Collingwood'
Cc: Nigel Blair
Subject: RE: Fever and Boutique: Notes from meeting held 5/1/17

Thanks Carole

I would be happy with this wording, but what about the spirits, which I know are available by the bottle to the private booth bookings?

The original condition which the Police did not oppose was "All drinks shall either be supplied in plastic or aluminium containers/bottles, or shall be decanted into polycarbonate drinking vessels, with the exception of sparkling or still wine and spirit bottles. The glass bottles for sparkling or still wine and spirit bottles shall be taken to and from all tables by a member of staff."

The Police may have concerns if the staff are not taking the bottles to/from the bar – but happy to run this by them if you wish (once you have agreed with Nigel about the spirits side).

Best wishes

Rachel

From: Carole Collingwood [<mailto:carole@woodswhur.co.uk>]
Sent: 11 January 2017 11:15
To: Rachel Jackson
Cc: Nigel Blair
Subject: Fever and Boutique: Notes from meeting held 5/1/17

Dear Rachel

We have been forwarded your email regarding the condition relating to condition 3 of Annex 3 - All draught beers, spirits, wine and champagne will be served in polycarbonate vessels.

We have spoken with Nigel Blair and we would like to amend the condition by way of a minor variation. We should be obliged if you would confirm the following wording would be acceptable "All draught beers and spirits will be served in polycarbonate vessels. Champagne and wine will be served in bottles together with polycarbonate glasses."

Kind regards

Carole Collingwood

Woods Whur 2014 Limited
 Tel: +44 (0)113 234 3055

carole@woodswhur.co.uk
 Woods Whur 2014 Limited, Devonshire House, 38 York Place, Leeds LS1 2ED.

From: Rachel Jackson [<mailto:RJackson@epsom-ewell.gov.uk>]
Sent: 11 January 2017 09:17
To: 'Sandwell, Ian 16079'; Angela Slaughter; Arthur, Tom 2617; 'Charlotte Scott (Secure)'; Clark, Jackie 9143; Andy Thornton; Duncan Squires; Nigel Blair
Cc: Goodale, Penny 1176; Smith, Oliver 3448; Billin, Jenny 16229; Lisa Rasores
Subject: RE: Fever and Boutique: Notes from meeting held 5/1/17

Hello all, and thank you Ian for the notes.

Just to confirm the Licence we referred to dated September 2016 is correct.

In December 2015 a variation application was submitted by Poppleston Allen Solicitors to make two amendments, the first related to the last admission time which (following representations from Councillors) was subsequently withdrawn, the second was to amend the condition relating to

C31

bottles/polycarbonate glasses so as to read "All drinks shall either be supplied in plastic or aluminium containers/bottles, or shall be decanted into polycarbonate drinking vessels, with the exception of sparkling or still wine and spirit bottles. The glass bottles for sparkling or still wine and spirit bottles shall be taken to and from all tables by a member of staff." As there were no valid representations, the licence was subsequently amended.

However, on 28 July 2016 an application to vary the Premises Licence was submitted by Woods Whur Solicitors,, one of the amendments being to replace conditions with the following "all draught beers, spirits, wine and champagne will be served in polycarbonate vessels" – following consultations, the licence was amended and granted on 1 September 2016.

It therefore appears that some confusion occurred, I *assume* perhaps the new solicitors had referred to a previous licence, but as it stands, there was therefore a breach of the licence conditions relating to the customer having a champagne bottle, **however I do not feel this breach was actually intended at all**, due to the fact the Licensing Authority, Police and premises all made reference to the condition being amended at meetings with the company prior to the premises opening.

I would therefore recommend that a minor variation is submitted immediately, and subject to Charlotte's views, a removal/alteration of the conditions relating to noise be also submitted the same time to avoid confusion.

Best wishes

Rachel

Rachel Jackson
Licensing, Grants and HIA Manager
Epsom and Ewell Borough Council
Town Hall
The Parade
Epsom
Surrey
KT18 5BY

Tel: 01372 732449

Web: www.epsom-ewell.gov.uk

Email: rjackson@epsom-ewell.gov.uk

Email: rjackson@epsom-ewell.gcsx.gov.uk

Making Epsom & Ewell an excellent place to live and work



Please do not print this e-mail unless absolutely necessary - SAVE PAPER

From: Sandwell, Ian 16079 [<mailto:Ian.Sandwell@surrey.pnn.police.uk>]

Sent: 10 January 2017 14:47

To: Rachel Jackson; Angela Slaughter; Arthur, Tom 2617; 'Charlotte Scott (Secure)'; Clark, Jacquie 9143; ANDY@FEVEREPSOM.COM

C32

Cc: Goodale, Penny 1176; Smith, Oliver 3448; Billin, Jenny 16229
Subject: Fever and Boutique: Notes from meeting held 5/1/17

Dear All ,

Please find attached the notes I made from the meeting for your information .

Andy

Please can you forward to Andy G, Duncan and Nigel

Many Thanks

Ian

Ian Sandwell
Licensing Enforcement Officer(LEO)
Eastern Community Safety Team
Reigate Police station
Surrey Police

Telephone Surrey 101 Ext-31465

Postal Address : PO Box 101, Guildford, GU1 9PE.

This message has been scanned and no issues discovered.
[Click here](#) to report this email as spam

The information contained in this message is confidential and may be legally privileged. The message is intended solely for the addressee(s). If you are not the intended recipient, you are hereby notified that any use, dissemination, or reproduction is strictly prohibited and may be unlawful. If you are not the intended recipient, please contact the sender by return e-mail and destroy all copies of the original message. Visit the Epsom and Ewell Borough Council website at www.epsom-ewell.gov.uk

This message has been scanned and no issues discovered.
[Click here](#) to report this email as spam

This message has been scanned and no issues discovered.
[Click here](#) to report this email as spam

This message has been scanned and no issues discovered.
[Click here](#) to report this email as spam

33

This message has been scanned and no issues discovered.
Click [here](#) to report this email as spam

C3A

Emma Holmes

From: Andrew Woods
Sent: 29 March 2017 11:14
To: Emma Holmes
Subject: FW: Fever & Boutique Licensing Review
Attachments: Fever & Boutique proposed amendments to licence conditions.docx

Please print the above and below
A

Andrew Woods

Woods Whur 2014 Ltd
Tel: +44 (0)113 234 3055
Mobile: 07738 170138

andrew@woodswhur.co.uk

Devonshire House, 38 York Place, Leeds LS1 2ED.

From: Andrew Woods
Sent: 29 March 2017 11:13
To: Charlotte Scott (CScott@epsom-ewell.gov.uk); Andrew Woods
Subject: FW: Fever & Boutique Licensing Review

Hi Charlotte

Apologies for the delay in coming back to you. I have now been able to visit the site and take instructions.

No issue with the new condition 17 Annex 3 – that is agreed.

My clients have considered the proposed changes to the smoking area and clearly want to work with you to promote the Licensing Objectives and ensure that there is no nuisance. It seems that the use of the rear smoking area may be the problem and we are aware that there is a Premier Inn opening soon as well. We also have concerns that limiting the rear area to 20 may cause different problems with customers queuing inside the premises to use the area, wanting to join friends outside etc etc. There is then the issue of closing the area at 1am and dealing with smokers after 1am!

We believe that it may be better not to use the rear of the premises at all for smoking but to revert to the position that was previously operated with an enclosed smoking area to the immediate left as you walk out the entrance to the shopping arcade. There is a natural area for it and we could place it there so as to avoid any potential conflict at the back.

Would that be acceptable? I am in Epsom on Monday if you would like to meet at the venue and have a look with me –1pm any good?

Look forward to hearing from you.

Andy

Andrew Woods

Woods Whur 2014 Ltd
Tel: +44 (0)113 234 3055
Mobile: 07738 170138

C35

Devonshire House, 38 York Place, Leeds LS1 2ED.

From: Charlotte Scott [<mailto:CScott@epsom-ewell.gov.uk>]
Sent: 15 March 2017 14:17
To: Andrew Woods
Subject: Fever & Boutique Licensing Review

Dear Andrew

I have been provided with your details by Angela Slaughter from the Licensing Team at Epsom & Ewell Borough Council. I understand that you have requested any correspondence or documentation in relation to the licensing hearing to be provided to you.

The Environmental Health Team will be making representations as part of the review. We are proposing to request the removal of Condition 5 in Annex 2 in the licence schedule and amendments to two conditions in the licence schedule. I have attached a copy of a document including the proposed amendments to conditions. If you wish to discuss the proposed conditions please do not hesitate to contact me on the number below.

Angela also said that she will be providing me with any documentation you submit prior to the committee hearing. If I have any questions in relation to the content of these documents I will contact you directly.

Thank you for assistance with this matter.

Regards
Charlotte Scott
Environmental Health Officer
Epsom and Ewell Council
01372732407

The information contained in this message is confidential and may be legally privileged. The message is intended solely for the addressee(s). If you are not the intended recipient, you are hereby notified that any use, dissemination, or reproduction is strictly prohibited and may be unlawful. If you are not the intended recipient, please contact the sender by return e-mail and destroy all copies of the original message. Visit the [psom and Ewell Borough Council website at www.epsom-ewell.gov.uk](http://www.epsom-ewell.gov.uk)

Emma Holmes

C36

From: Andrew Woods
Sent: 29 March 2017 10:53
To: Emma Holmes
Subject: FW: Fever and Boutique Epsom

And this one pls

Andrew Woods

Woods Whur 2014 Ltd
Tel: +44 (0)113 234 3055
Mobile: 07738 170138

andrew@woodswhur.co.uk

Devonshire House, 38 York Place, Leeds LS1 2ED.

From: Andrew Woods
Sent: 29 March 2017 10:44
To: joanne.booth@surreycc.gov.uk; Angela Slaughter (ASlaughter@epsom-ewell.gov.uk); Andrew Woods
Cc: trading.standards@bucksandsurreytradingstandards.gov.uk
Subject: Fever and Boutique Epsom

Hi Joanne/Gareth

I represent Fever and Boutique and have been forwarded your representations by Angela (copied in) with regard to the review application.

I would welcome the opportunity to meet with you to show you the procedures and policies we have in place and to discuss matters generally.

I am in Epsom on Monday and wonder if 12 noon at the premises is convenient?

Regards
Andy

Andrew Woods

Woods Whur 2014 Ltd
Tel: +44 (0)113 234 3055
Mobile: 07738 170138

andrew@woodswhur.co.uk

Devonshire House, 38 York Place, Leeds LS1 2ED.

This email, including any attachments, is confidential and may be legally privileged. If it is received by mistake please let us know and delete from your system - do not read or copy it or disclose its contents to anyone. Any liability (in negligence or otherwise) arising from any third party relying on this email is excluded. Emails are not secure and cannot be guaranteed to be free of errors or viruses. It is your responsibility to scan emails and attachments for viruses before opening them. No responsibility is accepted for emails unconnected with our business. Messages may be monitored for compliance purposes and to protect our business.

The principal office of Woods Whur 2014 Ltd is at Devonshire House, 38 York Place, Leeds LS1 2ED where a list of partners' names is open to inspection. VAT number 187289453: info@woodswhur.co.uk

Woods Whur 2014 Ltd is authorised and regulated by the Solicitors Regulation Authority (the SRA), details of which can be accessed on the SRA website (<http://www.sra.org.uk/solicitors/code-of-conduct.page>) . SRA number: 613288.

37

Emma Holmes

From: Andrew Woods
Sent: 29 March 2017 13:31
To: Emma Holmes
Subject: FW: Fever and Boutique Epsom

Can you print the below pls and put it with the last one you printed
Andrew Woods

Woods Whur 2014 Ltd
Tel: +44 (0)113 234 3055
Mobile: 07738 170138

andrew@woodswhur.co.uk

Devonshire House, 38 York Place, Leeds LS1 2ED.

From: Nigel Blair [mailto:nigel@feverbars.com]
Sent: 29 March 2017 12:59
To: Andrew Woods
Subject: FW: Fever and Boutique Epsom

FYI, will keep you updated

From: Nigel Blair
Sent: 29 March 2017 12:58
To: 'Tony Axelrod'; Tella Wormington
Subject: Fever and Boutique Epsom

Good Afternoon Councillor Axelrod & Councillor Wormington.

I met with you several times in August last year to discuss my plans for my business Fever and Boutique, My solicitor has sent me copies of your representations you have submitted to the council with reference to the Upcoming review, I would like to meet with you to discuss your concerns raised in the representations.

I am in Epsom this Monday the 3rd of April between 12pm and 2pm if you were free ? if this date is not convenient can you let me know a date that is convenient to meet with you both ?

Kind Regards

Nigel Blair

APPROACH OF BAR FEVER STAFF TO INCIDENTS

1. Although this incident took place outside of the venue, the victim had been inside the venue and door supervisors acted quickly to break up the fight.
2. This incident occurred when door supervisors were preventing a member of the public leaving the premises with a bottle.
3. This incident was called into the police by the Designated Premises Supervisor and door staff detained the aggressors.
4. This incident was called into the police by the Designated Premises Supervisor. One of the males involved had been evicted from the club by the door staff and following the eviction the person became aggressive.
5. This incident was called into the police by the Designated Premises Supervisor.
6. The club were not aware of this incident as it was reported the next day.
7. This incident was called into the police by the Designated Premises Supervisor and CCTV captured the incident.
8. This relates to a lost handbag. The club staff looked throughout the club for the handbag but couldn't find it.
9. After the incident, staff took the victim upstairs into a private room and members of staff gave the victim a new shirt to wear and cleaned the victim up. Staff booked a taxi for the victim to take the victim to the Accident and Emergency Department of the Hospital in Epsom.
10. This is a report of door supervisors acting inappropriately. The club completely agrees with this and dismissed all door supervisors.

11. Following the incident, the staff at the club look after the victim and try and persuade the victim to go to hospital but the victim refuses. The victim does however call a friend and staff remain with the victim until the friend picks her up.
12. This incident was reported after the club had closed and was not known to the club at the time.
13. Similarly, this incident was reported to the police after the club had closed and the club were not aware that this incident had occurred.
14. This incident occurred in a taxi outside the club.
15. A meeting with the police.
16. This incident occurred in the toilets and the club ejected and banned those who had been aggressive.
17. This incident was not reported until the following day and the club were not aware of it.
18. Although the police report indicates that this incident occurs when a female had left the club, in fact, the female had been evicted from the club by door staff.
19. CCTV from the club was provided and assisted in detecting the aggressors.
20. This incident was reported to the police by the Designated Premises Supervisor.
21. This incident involves a male who had been ejected from the club and was complaining about being ejected.
22. Another incident involving a male been ejected from the club.
23. A further incident after a male had been ejected from the club.

FEVER AND BOUTIQUE EPSOM - INCIDENTS/SUMMARY

1. Saturday 17 September 2016 02:55

- The victim had left the venue and it is not known if the attackers had anything to do with the club.
- The fight was broken up by door supervisors.
- There had been 780 people through the door but the occupancy had never been exceeded – customers are only let in as other customers leave to ensure that capacity is not exceeded.
- No supporting documentation from the police.

2. Sunday 18 September 2016 03:44

- Allegation of assault by door staff which is clearly unsubstantiated.
- Door staff doing their job and preventing somebody from taking a bottle of vodka from the premises.
- Not clear what the level of intoxication was when the customer obtained the bottle of vodka.

3. Saturday 24 September 2016

- DPS reported an assault himself. Proactive calling of the police.
- Altercation between two groups over a girl.
- Offender detained by door staff.
- Victim and aggressor were friends and the incident happened outside of the club.
- The incident occurred because one man touched the other man's girlfriend's bottom.
- Supporting statements from the police.

4. Saturday 8 October 2016 02:24

- Again the incident was called in by the DPS.
- Door supervisor evicting somebody who had too much to drink.
- Incident occurred off the premises and was an unprovoked attack outside the club.
- The aggressor had been evicted from the club and launched the unprovoked attack away from the club. The aggressor was detained by door staff.

- Supporting police statements.

5. Saturday 22nd October 03.14

- Fight outside the venue reported by both safer Runnymede CCTV operators and the DPS at Fever.
- Police arrived and there was no fighting.

6. 30 October 2016 02:00

- A report at 17:48 the following day by a female alleging an assault at 02:00.
- Swelling on cheek. Club not aware of the incident at the time.
- CCTV operational but no incident detected.
- No supporting statement.

7. 12 November 2016 02:00

- Incident called in by the DPS of Fever of an assault inside the venue.
- CCTV handed over and shows communication between two males.
- Offender was a 17 year old who had been able to gain access with fake/ false ID .

8. Sunday 20 November 2016 03:30

- Handbag reported missing from Fever. Victim was 17 must have used fake/false ID to get into the premises.
- Club could not find the bag after looking for it.

9. Friday 25 November 2016 23:57

- Girl spills a drink accidentally. Male retaliates by pouring drink over her head. Male strike victim with bottle.
- Assistant Manager was dismissed for not complying with entry policy.
- CCTV captures the incident.
- Victim did not want to go to hospital despite club trying to persuade her to go.

- Victims statement states that security and members of staff took her to a private room, cleaned her up and later booked a taxi to take her to A&E in Epsom Hospital.
- Police report refers to a suspected fractured cheek bone. Witnesses statement states that she was told that the cheekbone was not fractured.
- Witness statement confirms that staff at Fever called a taxi to take victim to Epsom General Hospital.
- Although witness statements also says that Fever could do more to make it safe for everyone.
- Supporting police statements.
- Witness was a 17 year old who had used false ID to enter the premises and is believed to be the same 17 year old who claims her handbag was stolen in the previous incident.

10. Friday 2 December 2016

- PS Parish witnesses door supervisors using inappropriate techniques.
- DPS completely agrees with police and dismisses security staff.
- Supporting police statements.

11. Saturday 3 December 2016 02:00

- Victim is a girl who is punched by a man.
- Witness statement states clearly that Staff want the victim to go to A&E but the victim wanted to go home. Victim called a friend who picked her up and took her home.
- CCTV operational but did not pick up the assault.

12. Saturday 3 December

- Female reports an alleged assault in the club.
- Police contact victim. Victim does not wish to provide any information and the matter is closed.

13. 11 December 01:00

- Victim in club. Felt somebody pulling at her shoulder and turned around and had a drink thrown over her. Victim went to speak to the perpetrator who punched her.
- Police statements.

- Victim statements confirms the aggressor is her half-sister, there is a long history between them as she was 13 when she found out that she was her half-sister on her dads side. Not mentioned in Police summary.
- Didn't know that each other were in the club.

14. Sunday 1 January 03.00

- Male detained in the vicinity of Fever and Boutique nightclub.
- Male had been aggressive towards a taxi driver.
- Male assaults police.

15. Thursday 5 January

- Meeting between the police and Fever.

16. 7 January 01:30 (weekend after the meeting)

- Female in the ladies toilet.
- Argument as one lady wanted to go into a cubicle that was being used.
- As a result of the argument, two females punched the victim.
- Victim does not want to support a police prosecution.
- The club ejected the two aggressors and has subsequently banned them.

17. Saturday 7 January 02:45 (Weekend after the meeting)

- Scuffle in the club and the victim reports a bloody nose.
- Victim subsequently declines to support any police case.
- Venue provides CCTV which allows the Police to identify the suspect.

18. Saturday 7 January 03:30 (Weekend after the meeting)

- Police report says a female left the club. In fact she was ejected from the club and was not happy at being ejected.

- PC Linell on duty outside the venue and as he approached the female lashed out and caught his mouth with one of her fingers.

19. Sunday 8 January 02:00 (Weekend after the meeting)

- Police approached by a male who claims he was assaulted.
- CCTV looked at and as a result of the CCTV, a male was identified and interviewed.
- Another male started to chat up his girlfriend and he took him to one side to have a chat.
- He head-butted him and said it was stupid.

20. Saturday 14 January 01:28

- DPS contacts the police to report two females fighting on the dancefloor.
- One female pours a drink over the second female.
- Neither female confirmed any assault to the police but did confirm throwing drinks at each other.

21. Sunday 5 February 03:00

- Door staff eject person from premises.
- Male initially complains of an assault but subsequently does not wish to support any prosecution.

22. Saturday 11 February

- Door staff eject male from venue.
- Outside the venue, male assault another male.
- Police review application, states that there appears to be no organisation from the door staff.
- The Police Officer who is on duty, Robert Tracy does not say this in his statement. He does confirm that door staff detained the aggressor.

23. 18 February 01:16

- Incident outside of the nightclub because the offender had been ejected from the premises.

- Door staff detain male.
- No further action.

24. Drinks promotion on the website at 15:30 on 8 February 2017

- This drinks promotion had been removed from part of the website but had been kept on another part. It has now been removed.

25. Annex C – Duncan Squires Letter

- The letter from Duncan Squires (Fever Group) to Ian Sandwell and sends the proposed Action Plan agreed at the meeting of the 5th January. Despite requests for follow up meetings made by Fever with the Police no meetings took place (The Police did not respond to e mails) and the review proceedings were issued.

PREMISES LICENCE CONDITIONS

(a) ID Scan condition 11

It is a requirement to have an electronic identification scanning system for customers entering the premises. All persons entering the premises shall be scanned with the exception being that any customers who appear to be over the age of 25 can be admitted to the premises without being scanned providing that the name and DOB of customers are recorded and a photographic image of them is obtained. It is not correct therefore to state that every customer has to go through the ID scanner.

This condition is complied with and there is a detailed entry policy which involves 3 stages of process. It is regrettably the case in 2017 that some young people try and use fake/false ID to gain entry to the premises. Any fake/false ID which is noted is retained by the staff and returned to the police. No person under the age of 18 should be admitted to these premises.

(b) Polycarbonate vessels

The condition in Annex 3(3) states that "all draft beers, spirits, wine and champagne will be served in polycarbonate Vessels". The condition used to read "all drinks shall either be supplied in plastic or aluminium containers/bottles, or shall be decanted into polycarbonate drinking vessels with the exception of sparkling or still wine and spirit bottles. The glass bottles for sparkling or still wine and spirit bottles shall be taken to and from tables by a member of staff". This condition was amended in July 2016 to read "all draft beers, spirits, wine and champagne will be served in polycarbonate vessels".

There has been some confusion over this condition as Rachel Jackson sets out in her email of the 11 January at 09:17. "It therefore appears that some confusion occurred, I assume perhaps the new solicitors had referred to a previous licence, but as it stands, there was therefore a breach of the licence conditions relating to the customer having a champagne bottle, however I do not feel this breach was actually intended at all, due to the fact the Licensing Authority, police and premises all made reference to the condition being amended at meetings with the company prior to premises opening".

Fever Group had always made it clear that spirit and champagne bottles would be served to tables but that customers would drink out of polycarbonate vessels. It may be that this condition can be varied with the following add '..... and can remain at tables in the booth areas'. This would allow wine , champagne and spirit bottles to remain with the customers seated in the booth areas. These areas will of course be supervised by members of staff.

(c) Door staff

Annex 3 condition 5: "a minimum of 4 SIA door staff shall be employed at all times the premises is open to the public. An additional member of SIA door staff shall be employed at the premises for each 150 customers (or part thereof) over and above the initial 200 customers. All door staff shall wear high visibility orange or yellow reflective jackets or waistcoats inside and outside the premises".

This condition therefore requires 4 SIA door staff for the first 200 and an additional member of door staff for every 150 customers or part thereof over. If the premises have 500 customers in the premises, the requirement is to have 6 SIA door staff. Since January 2017 a minimum of 12 SIA door staff have been employed at the premises on a Friday and Saturday night.

(d) Policy on injuries etc

There is criticism in the police review application on two occasions for customers not been sent to hospital following head injuries. The Fever Group policy is to send customers to hospital and to call for an ambulance if there is a head injury but if the customer flatly refuses and ambulance, Fever Group cannot be calling ambulances if the customer refuses one. In both cases referred to by the police, there was a duty of care exercise to the customer. The first customer was placed in a taxi by Fever Group staff and sent to the hospital and the second customer called a friend whilst being looked after by Fever Group staff and was picked up by the friend.

There is no specific condition on this point. It is a matter of Fever Group policy that these matters are dealt with seriously and with a duty of care shown to all customers.

(e) Condition 8 Annex 2

Any person who is intoxicated or behaving disorderly being allowed entry to the premises. This condition is complied with and customers are often not admitted to the premises because of their disorderly behaviour and refusal and ejection logs are maintained.

(f) Condition 4 Annex 3

The Challenge 21 condition should be updated to a Challenge 25 Policy.

(g) Condition 17 Annex 3

The Environmental Health Officer requires this condition to be amended to a new condition which states as follow: "throughout the normal opening hours of the premises, patrols of the perimeter of the premises shall be carried out by staff every half an hour. During these patrols, observations/measurements of noise and disturbance shall be made and documented and shall be kept in a written log together with any resulted action taken. Documents shall be made available for inspection by an authorised officer of any responsible authorities.

This new condition is agreed.

(h) Condition 12 Annex 3

The current condition reads "a dedicated smoking area shall be provided at the rear of the premises which will be covered by in house CCTV, copies of recording shall be made available to an officer of the Licensing Authority or police upon demand. This area to be supervised by door staff and for the sole use of patrons from the premise."

EHO request an amendment of this condition to read as follows "a dedicated smoking area to be used only by individual smoking shall be provided at the rear of the premises. The number of people shall be restricted to a maximum of 20 people at any one time. This area will be covered by an in house CCTV and copies of recordings shall be made available to an authorised officer of the Licensing Authority or any responsible authority upon demand. This area shall be supervised

by two door staff and for the sole use of patrons from the premises. The smoking area shall be closed at 1:00am.”

It is clear that the Environmental Health Officer has received complaints regarding noise nuisance connected to the rear smoking area. The premises licence holder accepts that complaints have been made and sees no reason to continue with the rear smoking area. There was a smoking area to the right of the entrance to the Spread Eagle Centre (as you enter the Shopping centre) which was used for many years by the previous operator without issues. It is not part of the public highway but part of the Shopping Centre demise. The premises licence holder suggests this condition is deleted and replaced with a condition that the rear of the premises will not be used at any times by customers for smoking or any other purposes. A smoking area will be provided at the entrance to the Spread Eagle Centre.