



Licensing Sub-Committee

Date: Friday, 2 October 2020
Time: 10.00 am
Venue: A link to the meeting can be found on the front page of the agenda.

Membership: (Quorum 3)

Councillors Jon Andrews, Emma Parker and Susan Cocking

Chief Executive: Matt Prosser, South Walks House, South Walks Road, Dorchester, Dorset DT1 1UZ (Sat Nav DT1 1EE)

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A G E N D A

Page No.

8 SUPPLEMENT - HARDYES REPRESENTATION

3 - 18

Hardys Submissions: Review hearing 2 October 2020

Background

Hardys has been in the punch estate since before the inception of the licensing Act 2003, which came into force in 2005.

It has, for as long as can be remembered, traded with music as an integral part of the offer.

As noted in the hearing papers, the extension of hours was granted to the premises in 2012 following an agreement with the police to add 4 conditions and without any residential representations.

There is no real history of noise nuisance or crime and disorder associated with the premises disclosed in the hearing papers from prior to lockdown.

The current DPS, Glenn Chadwick, has been at the premises since November 2019. He traded the premises successfully and without any complaints until the national covid lockdown in March 2020. A short CV can be found appended to this document.

In his time at the premises, Glenn has sought to work with officers whenever they have approached him. In particular, when complaints were made, Glenn worked in a timely manner to ensure that matters were addressed. Details included below.

We are not aware of any previous review of the premises licence or other enforcement action taken against the premises and none is disclosed in the papers. Indeed, the police note in their report that despite an increase in incidents- responses to this will be provided later in the document- this would not be sufficient for them to have considered taking action in this case themselves.

Trading between November 2019 and March 2020

In the period between Glenn taking over and lockdown, the premises traded well, with an increasing customer base who came to the premises for regulated entertainment, especially live music, and the convivial and friendly atmosphere. There were no complaints or issues with trading.

Customers are from a mixed age groups mainly over 21 to 50+, but with older and younger customers. As one would expect, the premises attracts a slightly younger demographic at weekends but because of the nature of the offer and the availability of cheaper drinks elsewhere, it tends not to attract 18 to 21's who wanted to come out and 'get it down their necks'. Whilst all customers are welcome, they are expected to comply with Glenn and his team's strict management of them. The lack of incidents and complaints demonstrates that this was very successfully achieved.

During lockdown

Glenn, his wife and 4 staff lived at the premises during lockdown. He used the time to carry out works on the premises, spending somewhere in the region of £8,000 on improvements. A substantial part of the improvement was to the garden area in anticipation that re-opening may well only be permitted for premises that could host customers outside, as had been the case in a number of countries opening up from lockdown ahead of the UK.

During lockdown, Glenn and the other residents living in the premises used the garden for barbeques and their own celebrations, which were nothing to do with the operation of the premises as a licensed premises.

One activity that was permitted under the covid regulations was rehearsals. Glenn allowed local bands to use the premises to rehearse- ensuring proper social distancing between band members was observed. These rehearsals were live-streamed and put onto the internet and proved to be very popular. The bands were able to use their rehearsals as a means of raising money during a time where otherwise they had no income coming in at all. This was a practice that was used by

musicians, comedians and others in the creative arts space to try to survive given that they are largely self-employed and therefore could not benefit from the furlough scheme.

Re-opening from 4 July 2020

As this committee will be aware, the Government made noises announcing the likely re-opening of premises from the 4th July, but the Regulations and then Guidance came out very late in the day (3rd July for the Regulations). This proved to be a particularly difficult time for all premises re-opening. For the previous few weeks, premises had been looking to get 'covid ready' using just the guidance to try to ensure that they were able to legally open. Glenn took this particularly seriously and you will note from the reports by the responsible authorities that from re-opening, both inspections at the premises and when meeting, Glenn was able to demonstrate that he had ensured that his measures were to be commended. Customers coming into the premises commented on this, with some stating that his measures were the best in the town. We refer you to the representations in support of the premises at Appendix 5 of the review documents.

It is fair to say that Hardys has been one of the most successful premises trading in Dorchester since re-opening on the 4th July. This is in large part due to the measures Glenn and his team have put in place to make the premises feel welcoming and covid secure.

Trading in Dorchester following re-opening on 4 July until recent imposition of 10pm closing across England

There are a number of factors that the committee need to take into account when assessing the operation of Hardys following re-opening that are material to the complaints. These can be expressed as follows:

- Both nightclubs in Dorchester Buzz and Jagos were unable to re-open due to the Regulations
- Increased use of the taxi rank immediately outside the premises
- Increased use of the taxi offices, of which 3 are situated in close proximity to Hardys
- Late night food offers closing early
- Hardys being the latest opening premises in town
- Increased use of the garden following re-opening

Closure of the nightclubs

This has been a key factor in the complaints that have led to the review. Prior to lockdown, customers coming to Hardys would disperse quickly up to Buzz and Jagos. This made dispersal much simpler for the premises management.

Increased use of the taxi rank and taxi offices outside the premises

This is also a direct result of the closure of the nightclubs. Prior to lockdown, taxis would tend to congregate outside the clubs where there was more business. Since their closure, this has led to a significant increase in the numbers of taxis outside the premises. This, of course, means that customers from around Dorchester now congregate at the rank and use the three offices. At peak times, such as when Weatherspoon closes at 1am, this leads to customers waiting, often outside Hardys when closed, or when Hardys is open, they tend to wait outside Iceland. They sometimes have glasses and bottles with them from whatever premises they were drinking at previously, which get left outside and near to Hardys. We will show later that a significant number of occasions complained about in the review application actually relate to people waiting for taxis, and not from customers of Hardys.

It is also worth mentioning the car park opposite is used 24 hours a day and as such people coming to and from the car park will pass by Hardys and may also be the cause of noise or disruption.

Closure of late night food offering

The early closure of the take aways, many of which are centred around Buzz, Jagos and Weatherspoon, also means that there is no staggering of those people looking to get taxis home, thus they tend to congregate in larger numbers and have to wait longer for taxis.

Hardys being the latest opening premises in town

The direct result of this is clear: customers from other premises closing that would ordinarily go to the clubs are looking to come to Hardys. To deal with this, Glenn imposed a last new entry time of 1am. This was to dissuade customers who come to the premises looking to come in late from hanging around. Often they come with glasses and bottles that they have taken from wherever they have been previously and this is left to Glenn and his team to sort out.

It is worth noting that Hardys has been stopping all licensable activities at the latest at 2am since Glenn took the premises on, with all customers out and dispersed by 2.20 at the latest. This has also been the case post lockdown. One of the measures being discussed prior to the new 10pm closing times was to open later to try to achieve a longer dispersal away from the premises and relieve pressure at the taxi ranks. However, events overtook a trial of this approach.

All of the above has contributed to more people congregating around Hardys and for longer. The fact that Hardys is now the latest premises in town and the proximity of the taxis has resulted in the complaints that have been made in the review application. Glenn have made every effort to manage customers away from the premises, but given the fact that customers now must wait for taxis in close proximity to the premises and remembering that these are not necessarily Hardys customers, we believe is the cause of the complaints raised in the review. We are not saying that Hardys customers do not contribute to this, but we are making the point that the confluence of circumstances has led to a situation that as it relates to licensing law should be recognised as not Glenn or Hardys' making.

Glenn has committed to working hard with his team during this period to try to resolve matters. The 10pm closure obviously means that this has been taken out of his hands. It should be noted and must be taken into consideration that the considerable work Glenn and his team do is proven to work in ensuring a quick and timely dispersal of customers in normal trading circumstances. The Covid crisis has been responsible for a number of knock on effects that have affected all leisure businesses and those that serve the customers of these businesses and that these effects, when considered against this past record, have been responsible for the complaints by the parties bringing the review.

A new dispersal policy setting out those measures to be undertaken during this time and until 'normality' is restored is appended to this document. Please note that Glenn and his team are very careful to ensure that glasses are not removed from the premises when customers leave. Whilst they cannot guarantee that customers are not able to occasionally sneak a glass past, this is a rare occurrence. We remind you of the evidence of glasses from other premises that Glenn regularly needs to clear away.

Independent and unannounced observations made by Jason McKeon on behalf of Punch Taverns made on the 14 August support the comments made above in relation to the reasons for the sudden increase in activity around Hardys later at night post lock down.

Increased use of the garden

One of the effects of the Covid crisis has been an intentional drive by Government to push leisure businesses outside. The health benefits of this are clearly understood and do not need rehearsing here. The work undertaken to improve the garden space that was underused previously was a direct result of what was widely understood in the industry to be one of the clear messages on re-opening: Where you can- keep customers outside.

This has, no doubt, caused the complaints from the neighbour to the rear of the premises. However, one needs to recognise that we are in the middle of a unique situation in this regard.

Simply closing a garden at a set time when there are social distancing measures in place is a potential recipe for disaster. Given the Government's commitment to keeping people outdoors, restricting the business too much could mean a significant and major hit to the businesses already strained resources. Of course, with colder weather approaching and therefore windows more likely to be closed, we anticipate that this will not be such an issue for the next six months or so.

However, that being said, Glenn and his team have been working hard to ensure that as little disturbance as possible is caused to neighbours to the rear. For instance, it was identified with the assistance of Jane Williams that music outbreak from customers coming and going through the rear door was a source of music nuisance. Following receipt of her letter on the 1st September, a barrier was built to the side of the stage using noise deadening rock-wool sandwiched between boarding to act as a physical barrier preventing music outbreak. This was done on the 2 September. Jane visited on the 3rd September and met with Glenn. She expressed to him that she was very happy with the measure taken and the speed with which it had been undertaken.

A follow-up visit is detailed in her report where she states that all was satisfactory. You will note that there are no complaints noted about music outbreak from the premises in the review papers following this work.

In terms of customers in the garden, there has never before been any restriction (or complaints) on customer use. Glenn had introduced a system, prior to the 10pm lockdown, whereby customers were not permitted to have drinks served or taken outside after 11pm. Customers already with drinks in the garden were permitted to finish them before having to leave if there is no room in the premises for them due to restricted capacity. With no new drinks permitted outside after 11pm, this means that customer noise diminishes thereafter until there are only smokers from approximately 11.30. From then, only smokers are permitted to use the garden and they cannot take drinks with them. This has been monitored on Friday and Saturday nights by a dedicated member of door staff and has been working well and without causing problems in terms of trying to manage customer expectations.

A new garden management policy is appended to this document.

Comments on the review application

You will note from above that we say there is proof that the premises was not solely responsible for the noise complained of in the review hearing. This is for the following reason: On a majority of the nights in question, the premises was closed long before the times complained of. Below is a compendium of the times of the complaints and the times Hardys closed:

CCTV stills can be provided to any officer wishing to verify what is stated below.

Allegation

- Friday 4th July - noise until 2am - early hours of the 5th

Evidence

- The pub closed @ midnight, CCTV shows the pub was empty & lights off @ 0045 onwards plus outside was clear

Allegation

- Friday 10th July - noise until 2am - early hours of the 11th

Evidence

- The pub closed @ midnight, CCTV shows the pub was empty & lights off @ 0045 onwards plus outside was clear

Allegation

- Saturday 11th July - noise until 1am - early hours of the 12th

Evidence

- The pub closed @ midnight, CCTV shows the pub was closed and empty 0015hrs onwards and outside was clear

Allegation

- Friday 17th July - early hours of the 18th- noise until 3.15 plus men fighting in the middle of the road

Evidence

- The pub closed @ 2am, CCTV shows the pub was empty & lights off @ 0215 onwards plus outside was clear
- CCTV from outside camera watched back. From 3am, to 3.45am - no evidence seen to suggest a fight observed.

Allegation

- Saturday 18th - noise until 2am - early hours of the 19th

Evidence

- The pub closed @ midnight, CCTV shows the pub was empty & lights off @ 0045 onwards plus outside was clear

Allegation

- Friday 24th July - early hours of the 25th - noise until 0345am again fighting and police involved

Evidence

- The pub closed @ 1am CCTV shows the pub was empty & lights off @ 0145 onwards plus outside was clear

Allegation

- Saturday 25th - early hours of the 26th noise until 2am and fouling in the alleyway leading to our property entrance.

Evidence

- The pub closed @ 1am CCTV shows the pub was empty @ 0131 & lights off @ 0137 onwards plus outside was clear
- Upon viewing the external CCTV between 0100 and 0200 - no persons walked down this alleyway

Allegation

- Friday 31st - early hours of the 1st - noise until 0215

- The pub closed @ midnight, CCTV shows the pub was empty & lights off @ 0045 onwards plus outside was clear

- At 0150hrs police attend an incident unrelated to the premises, they go down the opposite alleyway in pursuit of someone - this lasts well beyond 0210

Allegation

- Saturday 1st August - early hours of the 2nd - noise until 0245 plus fouling in the alleyway which leads to our property plus loitering around the entrance

Evidence

- Pub closed at 0200, CCTC shows the pub empty at 0212 hours lights off @ 0235 hrs
- The door team evidence actively attempting to move customers on and are present until 0250
- No evidence on CCTV of fouling - we viewed 0200 - 0257 hrs - this alleyway was clear at these times however taxi drivers were stopping and chatting here.

Allegation

- Friday 7th - early hours of the 8th - noise until 2am

Evidence

- The pub was open until 2am
- The beer garden was cleared by the door team @ 0140hrs

Allegation

- Saturday 8th August - early hours of the 9th - noise until 0245 and loitering in the alleyway

Evidence

- Pub closed and cleared at 2am / garden was cleared at 0148 hours
- Customers loitering however door team clearing and all left at at 0225 - screen shot shows staff leaving to get a taxi.

You will note that on the times the premises opened to 2am, there was no discernible difference in terms of the complaints made in the review to those where the premises was closed. If anything, the presence of door supervisors at the premises assists in controlling non-customers congregating and waiting for taxis. At least that way, there is an 'authority presence' to keep an eye on those people waiting.

What is very clear from the evidence is that a significant number of occasions where complaints are detailed cannot be reasonably associated with Hardys, its customers or its management.

Until such time that matters return to 'normal' it will not be possible to see whether there needs to be further action taken against the premises, given that it would be disproportionate to suggest that the premises must be held responsible for the noise experienced by the residents on the basis of the evidence provided.

Comments on Kathryn Miller's representations

Intoxicated young lady

This was the opening day for pubs after 3+ months closed and clearly the couple had been out all day, albeit not in Hardys. The young lady crouched down by the alley and the young man was refused entry for intoxication. When Glenn and his doorman realised she was not responding, they called an ambulance and were told that it had already been called. The music heard outside the front of the premises that night was because there was a lot of coming and going to try to assist the young lady by Glenn and his staff and the double doors being held open. Usually there is no music outbreak to the front because of the double doors. In addition, Glenn stayed with the young until secured in the ambulance.

At the time, the actions of Glenn and his staff was praised by the police and ambulance teams on the scene.

It is worth pointing out that in the past Glenn has paid for taxis himself to ensure that vulnerable people get home safely. Safety of his customers is something he takes very seriously.

Music at the premises

We want to highlight this in regard to how Glenn has acted responsible throughout. In anticipation of music being allowed inside (announced by the Government) Glenn arranged for a band to play. When he met with the officers to discuss his covid mitigation measures for the performance and music going forward, it was clear that he had done everything that could be expected for the event to go ahead and the officers agreed. The Government then postponed indoor live music and Glenn cancelled the event.

We have highlighted this, along with the work undertaken following Jane William's letter of the 1st September, as examples of the proactive approach Glenn has taken to managing his premises.

Comments on police representations

Whilst the police have noted 4 incidents associated with the premises in their representation, they do note themselves that this would not be enough to trigger any formal action.

Judging the 4 incidents in light of the evidence above, we say:

16 July: abusive male was managed effectively at the premises with no escalation into violence or large scale disorder.

19 July: Glenn holds up his hands and admits that he could have dealt with the resident better when she came to complain. It is something he has learned from and will not happen again. Whilst there was some measure of provocation from the complainant, Glenn should have, and will in future, not rise to the bait.

1st August: male had been asked to leave by the manager, which demonstrates proactive management.

3rd August: person had left the premises and the alleged assailant was outside. There is no evidence the shot glass came from the premises, see comments above about glasses from other premises. Again proactive management prevented an escalation of the situation.

Further information relating to incidents has been provided by John Bean, which Glenn comments on as follows:

'22nd August 2020 at 02.01hrs – disturbance started inside Hardys and then spilled out into the street where the victim was punched to the face causing injury by a named offender. It was reported that about 30 people were involved and security guards were trying to disperse them. The informant was asked to call in the incident and at the time was inside the premises. On the arrival of officers there was at that time no fighting but there was a large rowdy crowd. The group eventually dispersed.'

Glenn's Response: There was nothing happening inside the pub. At closing time a group of lads left the pub as another group was coming down the road from top of town and there had been an argument between these groups that we later found out had been going on all week over an incident that happened the week before- nothing to do with the pub. When the argument started between the groups myself and the door staff went out to try and move the groups on even though it was across the road outside Iceland's. There was a lad assaulted by another and we did what we could to calm it down at which point a passing patrol car stopped and took charge of the incident and were happy that we had done all we could to calm things down

'23rd August 2020 at 02.01hrs – report that approximately 10 males and females were fighting and that the 'bouncers' were trying to control this but were struggling. Town centre CCTV noted several groups at the location but no fighting and subsequently monitored the area.'

Glenn's response: Incident started in the pub over racist remarks and all parties were removed from the pub. There was verbal abuse outside and attempted fighting but our intervention stopped it escalating.

'29th August 2020 at 02.28hrs – report (called in by a member of the public) of unconscious male having been assaulted outside Iceland on Trinity Street. On arrival of officers they encountered about twenty 18 to 20 year old males and females in the area but no signs of disturbance. The landlord of Hardys (where the majority were thought to be drinking) Glenn Chadwick, stated that he saw from the pub window a white male wearing a white t-shirt approach the victim and punch him once to the face that was completely unprovoked. The aggrieved was taken to hospital and kept in overnight due to his drunkenness but did not wish to make a complaint.'

Glenn's response: This incident happened after the pub was shut and this group had been hanging around Iceland's long before. I became aware of the disturbance outside Iceland's and I videoed the events on my tablet and when police turned up made them aware of the footage this incident was not related to anything that had happened in the pub that night and have no knowledge of the events leading up to the assault it was myself that called the police when I saw how hard the young man went down and hit his head he was out cold and felt I should do something asap.

'12th September 2020 at 00.24hrs – report made by a female that she had been assaulted by the landlord. Police attended the premises and reviewed the CCTV which showed the reporting person and her sister becoming involved in a verbal altercation with two other females in the pub. The following are the details from the attending officer:-

'The landlord (Glenn Chadwick) has intervened and escorted the females from the pub. The CCTV clearly shows that no offences have taken place in relation to the females being assaulted by the landlord. The landlord can be seen escorting one female from the pub and shows her on the pavement with no other persons near her and she has fallen to the ground and can be seen laying on the floor. The CCTV is of good quality and has been reviewed and at no point has any assault taken place. The landlord has used reasonable force to remove a heavily intoxicated female out on to the pavement outside of the pub. He has not assaulted her in anyway. I have attended the premises and spoken with the landlord. He is not making any allegations of offences in relation to the females and the reporting person will be advised that no assault has been captured on CCTV from the moment the landlord has intervened. If anything the reporting person and her sister were the main troublemakers and the CCTV exonerates the landlord of any offences. He has had no interaction with the females prior to them being removed from the public house. There are a number of independent witnesses who if required can corroborate the landlords account of the incident.'

Glenn's response: I acted within the guidelines and did nothing wrong as backed up by cctv and reporting officer.

'13th September 2020 at 01.37hrs – report from a person who has walked passed the premises and has seen that the pub is 'ridiculously busy' and thinks it needs some attendance as this is not okay. Concerned regrading Covid.'

Glenn's response: At that time of the morning the pub was at capacity and we had a queue of people outside the pub waiting to come in. We do not let them wait under the residential property. We told them that we were not letting anyone else in as we were closing at 2am and moved the groups on apologising that they were unable to get in due to current restrictions covid guidelines. From the perspective of someone passing it would have looked being busy due to groups outside the pub. At no point did we go over our limited numbers.

'22nd September 2020 – First Dorchester pubwatch meeting since March and although invited neither the DPS or a representative of the premises attended.'

Glenn's response: I was not advised when the next meeting was to be held. I had been told I would get an invite as when it was raised, the police were not sure as to when it was. I was not sent any information on this meeting or any other. Attending was first mooted at the meeting I had with licensing police and EHO held in the pub over putting live music on. A full evaluation of my risk assessments and policies were discussed and was agreed I had everything in place to carry out live performances. In relation to that pubwatch meeting, I was away on holiday at this time and if I had been aware would have asked a member of staff to attend.

Representation of Jane Williams and witness statement of Frances Evans

We have dealt with the resolution of the noise complaints relating to music outbreak and noise from the garden above. We note Janes visit of 18th September indicated noise from the garden (music and customer noise) was not intrusive. On that basis, we suggest that the measures that had been put in place prior to the 10pm lockdown were having their desired effect. To impose stricter measures in those circumstances and given there has been no allegation of disturbance since the new measures were put in place on 2 September, would, we submit be disproportionate in the circumstances.

Any allegations of drug taking are strongly refuted. If any customers are found or suspected of taking drugs, they are removed from the premises. Anyone suspected of dealing drugs will be held (if possible) and the police called.

We have dealt with covid in detail and submit that there has never been an issue raised about the premises not acting in accordance with the regulations and guidance.

Conclusion

All inspections at the premises demonstrate Glenn's commitment to ensuring the promotion of the licensing objectives and desire to work with officers. Incidents are proactively dealt with and it is shown, tend not to escalate because of good management and interaction with the parties. Incidents outside the premises but not associated with the premises, where witnessed, have been proactively dealt with to try to assist the police and other authorities as detailed above. Other allegations have been proven to be demonstrably false.

Where there are issues, Glenn has always held his hands up and sought to work with officers to improve his management. The erection of the screen the day after the letter of the 1st September is a prime example of this.

Glenn and his team have taken a very proactive approach to managing the premises during what has been a very difficult time for everyone. They will continue to work with all parties to seek to ensure that the premises operates to promote the licensing objectives. With the current restrictions in place for 10pm closing one needs to consider the period of trading prior to lockdown where there was no incidents and no noise issues as indicative of operating in normal times, and the period between 2 September and the 10pm measures introduced towards the end of September as indicative of the improvements made that should be able to be re-introduced if the 10pm restriction is relaxed, but before 'normal' trading in the town, including the nightclubs is restored.

Proposed conditions

The premises licence holder, in conjunction with Glenn, propose the following conditions are added to the premises licence as a means of bolstering conditions already there and demonstrating Glenn's commitment to operating the premises in a manner that promotes the licensing objectives:

1. No new drinks allowed outside in the yard after 23:00 hours. Customers finishing drinks will be allowed to remain until finished and will then be required to move inside. The only new customers allowed outside after 23:00 will be smokers who will not be permitted to take their drinks with them. Signage will be displayed in the yard and on the exits to the yard used by customers informing them of the content of this condition.
2. An external area management plan will be drawn up and implemented at the premises. Copies will be made available to the responsible authorities on request.
3. A dispersal policy will be drawn up and implemented at the premises. Copies will be made available to the responsible authorities on request.
4. A complaints and incident log book will be maintained at the premises. Any complaints from residents or customers and any incident at the premises will be logged, including the nature of the incident/ complaint, the date and time of the incident/ complaint, the person making the entry in the log and any action taken. The log will be made available to the responsible authorities on request.
5. For the duration of Covid restrictions being in place relating to the operation of licensed premises (where the restrictions do not require earlier closing than stated on the licence), the premises will operate a 1am last entry time for new customers. This condition will

automatically cease to have effect from the ending of all covid restrictions applying to licensed premises in England.

Glenn Chadwick CV

- 1. Ex HM Forces (Army) trained working in officers and Sargent mess**
- 2. Worked various pubs clubs and late-night venues across the country**
- 3. Worked for 7 years as head doorman to a local Dorchester night club running door staff and bar staff**
- 4. Ran a local pub during festival season at Lolworth estates**
- 5. Worked in a local care home as maintenance manager responsible for all risk assessments and regulations for the home**
- 6. Trained in first aid, Covid awareness, and social skills associated with hospitality.**
- 7. Ran local large music festivals and been involved in SAG meetings**

Garden management policy

Measures taken for supervision and management of guests outside in the garden

This plan will be revisited in light of the current closure of the premises at 10pm, however, the general requirements surrounding monitoring and ensuring good customer behaviour will remain in place.

This plan must also be read in conjunction with the covid risk assessment for managing customers at the premises.

Supervision

The terrace is to the rear of the premises and is overlooked by residential property.

When the Terrace is in use, staff will be designated to ensure that guest's behaviour is monitored on a regular basis to prevent unacceptable behaviour and/ or disorder.

Guests acting unreasonably will be reminded that as a courtesy to other guests that noise must be kept to a reasonable level.

If the guests persist, the Duty Manager should be informed

If required, The Duty Manager should again ask the guests to reduce the noise to a reasonable level or they will be asked to leave the Terrace.

Notices will be displayed in the garden reminding customers of the need to be respectful of the residents.

During normal opening hours

On Friday and Saturday nights from 9pm a dedicated member of door staff will be stationed to monitor customers in the garden.

From 11pm customers will not be permitted to take new drinks outside and staff will not serve new drinks to customers outside. Those customers with drinks already in the garden will be allowed to finish them and must then move inside (subject to there being room inside for them) or leave via the alley. Notices will be displayed to this effect on the exit to the garden and in the garden.

Dealing with complaints

In the event of any complaint being received this will be dealt with immediately by a member of the Management team and the details recorded in writing. An incident and complaints record book will be collated and a record will be kept at all times. This will be regularly reviewed by the Management team to identify any reoccurring incidents. All management team will be effectively trained on how to deal with complaints and accurate record keeping.

Staff

All staff members required to undertake duties in relation to this management plan will be asked to read a copy of this plan and a copy will be available to staff during their shifts if needed.

**SIGNED BY ALL MEMBERS OF STAFF AND DOOR STAFF RESPONSIBLE FOR
IMPLEMENTING THE POLICY TO SAY THEY HAVE READ AND UNDERSTOOD IT**

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Dispersal policy

This policy is to be used at the end of trading at the premises to ensure that customers leave the area quickly and quietly.

It is important to recognise that customers can cause a disturbance to residents in the local vicinity and that that it is the responsibility of the management to minimise this.

Door supervisors are to work with management to ensure that dispersal is as quick and quiet as can be achieved.

The later the premises closes, the more care needs to be taken to prevent disturbance- in particular when people may be asleep.

Door staff will:

- Try to ensure customers book taxis early to avoid having to wait around. Door supervisors to recommend this to customers arriving after midnight.
- Politely ask customers who congregate outside to move on quickly and quietly- although it is recognised that with the 3 taxi companies close by and the taxi rank immediately outside there will be people gathering who may not be customers or may be waiting for taxis. If they are being particularly noisy, then advise them residents are sleeping.
- Patrol the area immediately outside the premises for up to 30 minutes after closing to ensure that all customers have properly dispersed.
- Report any incidents to the manager for recording in the incident log.

Queuing

This policy is to be used at any time that customers queue to enter the premises.

It is important to recognise that customers can cause a disturbance to residents in the local vicinity when queuing if there is no management of the queue

Door supervisors are to work with management to ensure that when customers queue, they do so in an orderly manner.

Currently, we are operating a covid risk assessment that limits customer numbers inside the premises. This policy will dictate how many people can and cannot enter. Further, it is likely that there will be more customers queuing than usual.

If there are people waiting outside, door supervisors must ensure the following:

- Customers queue to the right of the premises (looking at it from in front) to ensure that they are kept away from any residential property
- Customers are not drinking alcohol in the queue
- If there is likely to be a long wait, customers are told this is the case
- Customers acting in a way that might cause a nuisance are reminded to respect our neighbours or they will not be permitted entry
- Any customers that will not be let in (for whatever reason) are notified early to prevent confrontation after having waited
- Particular attention is to be paid to customers who have already been into the premises, have left and then are coming back, in case they have been purchasing drugs.

On nights that are expected to be particularly busy, such as New Year's Eve or special events, the manager will issue additional instructions as needed to ensure that the queue is properly managed.

It will be the manager's responsibility to:

- Ensure all door staff have read and understand this policy
- Make sufficient staffing provision to ensure that this policy is complied with
- Ensure that any residential complaints are acted upon and recorded in a complaints book
- Work with the police and council licensing team to ensure that best practise is used in dispersing customers
- Periodically revisit this policy and update it as necessary

SIGNED BY ALL MEMBERS OF DOOR STAFF TO SAY THEY HAVE READ AND UNDERSTOOD THIS POLICY

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