



Dorset
Council

Licensing Sub-Committee

Date: Wednesday, 24 May 2023
Time: 1.00 pm
Venue: Council Chamber, County Hall, Dorchester, DT1 1XJ

Members (Quorum 3)

Susan Cocking, Cathy Lugg and Les Fry

Chief Executive: Matt Prosser, County Hall, Dorchester, Dorset DT1 1XJ

For more information about this agenda please contact Democratic Services
Meeting Contact 01305 224202 elaine.tibble@dorsetcouncil.gov.uk

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Agenda

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Variation of Premises Licence – Supplementary Information in Support of Representation

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Chic Bar & Club, 3-5 Maiden Street, Weymouth

This report is to be considered alongside the formal representation submitted in respect of a Variation Application for a Premises Licence submitted to the Licensing Authority. It is the intention of Dorset Police to avoid any repeat of information previously submitted and to provide both the applicant (or their representative) and members of the Licensing Sub-Committee with additional information, context and evidence in support of the representation. This report is being completed and submitted as soon as practicable for the benefit of all parties. Whilst all details are correct at the time of completion, Dorset Police reserve the right to amend / introduce additional information and evidence in advance of the hearing.

Background

Chic Bar & Club is a premises which enjoys relatively extended operating hours in Weymouth Town Centre. Chic is located on one of the main thoroughfare routes through the Town within the Night Time Economy and is also located within the Cumulative Impact Zone (CIZ) for Weymouth Town Centre.

This premises has been a late night venue for several years under different names and management. Prior to being known as Chic, it was known as Actors and was also owned and run by Mr Panjalizadeh-Marseh during that time. Whilst it was Actors, an Application for Review of a Premises Licence was submitted by Dorset Police in December 2021 and the Licensing sub-committee concluded that the Premises Licence should be Revoked. This decision was appealed by Mr Panjalizadeh-Marseh and the Licence was reinstated in January 2022 with a significant number of new conditions attached. After extensive refurbishment and changes to the operating procedures, the premises reopened in July 2022.

Since the reopening and these new conditions being attached to the Premises Licence, incidents of crime and disorder have reduced significantly. We believe that this is attributed to the conditions agreed between Dorset Council and the Premises Licence Holder during the Appeal proceedings.

Concerns

When the Premises Licence was reinstated, nearly 60 conditions were attached. These were agreed to by Mr Panjalizadeh-Marseh's solicitors acting on his behalf. They cover all four Licensing Objectives but the most pertinent conditions concern search policies, door staff numbers and restrictions around entry/re-entry.

Prior to these conditions being added to the Licence and when it was still operating as Actors, Dorset Police received numerous calls to the premises and response officers could spend entire shifts dealing with the patrons of the establishment. Intelligence around drug use and supply amongst both customers and staff was quantifiable and was ultimately the reason the review was held in the first place.

Since reopening as Chic, it is clear that Mr Panjalizadeh-Marseh has taken note of the severity of incidents at the premises previously and has worked to change the reputation and standards of operating practices within the premises. By complying with the conditions as they were set out, it is no longer the hot spot for crime and disorder it once was. He has changed the staff, management and door staff supplier. The 100% search condition in place seems to be deterring those who once frequented



the premises to take and deal drugs on the scale previously experienced. By scanning the ID of everyone who enters, a record is kept of everyone's attendance which also works to discourage those who perhaps would have got in previously to commit crime.

If these conditions around 100% searching and ID checking were to be reduced, we believe there would be an increase in people causing issues within the premises. Although the other conditions applied to the Licence will have undoubtedly contributed to its recent successes in preventing crime and disorder, it is of the opinion of Dorset Police that the 100% criteria for searches and ID scans have been the biggest deterrent. It is worth noting that prior to these conditions being attached to the Premises Licence, there were written policies around drugs, searches and ID checking but none of them were conditions to be enforced and appeared to be ignored for the most part. It is only since they have been made conditions of the Premises Licence that they can be held accountable for that there has been positive action.

Available Outcomes

To assist the members of the Sub-Committee, Dorset Police make the following submissions in relation to the available outcome options in respect of this Variation Application of a Premises Licence -

Attach Conditions to the Licence

Dorset Police are not in objection to all of the requested variations of conditions. Through consultation with Mr Panjalizadeh-Marseh prior to the submission of the variation, the below decisions were made on Dorset Police's stance to each proposed variation:

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| 3:30am venue closing time | Agreed in principle – This will ensure that Chic can enjoy slightly enhanced operating hours, however, will safeguard against the premises being the latest venue open to customers in that area. Dorset Police are mindful of the Cumulative Impact Policy for Weymouth Town Centre and are of the view that this extension achieves a compromise between the existing hours of operation and the desired hours proposed during the early mediation. |
| Licensing activities to stop at 3am | Agreed in principle – Once again, the cessation of licensable activities 30 minutes prior to the closing time of the premises will ensure that there is a gradual dispersal from the premises at a time that is most likely to sensitive to neighbouring properties. |
| 80% of patrons to be ID scanned and searched | This cannot be agreed by Dorset Police. It will be challenging to determine how to monitor 'which' 80% of the customer base is searched, it will introduce the opportunity for staff/management to allocate the '20%' of people not to be searched as they see fit and will be practically unenforceable. This condition is not appropriate to a Premises Licence and has not implemented elsewhere in Dorset. |
| Two SIA registered security during Sunday – Thursday, three SIA registered security Friday – Saturday when one floor is open, another SIA registered when both floors open | Agreed in principle provided a risk assessment is carried out for additional door supervisors for special events (mentioned below) |
| 2:30am last entry for patrons | Agreed in principle – Once again, ensuring that Chic is not a premises of 'last resort' is crucial to |

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| | ensuring that standards are maintained at this premises. |
| Omit female security to be present at all time | Agreed in principle – Dorset Police have agreed that this should instead be replaced with a condition requiring that a suitably competent female member of staff be available at all times to support SIA staff where no female member of SIA staff is available to conduct the searching of female customers. |
| Security risk assessment to be provided when special events are operated | Agreed in principle in conjunction with above SIA proposal. |

Those that we are happy to agree with in principle are agreed provided all other conditions remain the same, **including the 100% searching and ID checking**. For ease, should the committee decide these agreed conditions were to be granted, we would be happy with the amendments to current conditions/addition of new conditions as below:

| | | |
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| 1.1 | There shall be no entry or re-entry to the premises after 0130hrs. | There shall be no entry or re-entry to the premises after 0230hrs. |
| 1.2 | Appropriate signage shall be clearly displayed at each exit from the premises advising patrons that re-entry to the premises after 0130hrs is prohibited and that this prohibition also applies to people wishing to leave the premises to smoke. | Appropriate signage shall be clearly displayed at each exit from the premises advising patrons that re-entry to the premises after 0230hrs is prohibited and that this prohibition also applies to people wishing to leave the premises to smoke. |
| 2.1 | From 2200hrs until one hour after the end of licensable activities there shall be a minimum of two SIA registered door supervisors at the front door. There shall be in addition a minimum of one further SIA registered door supervisor when the ground floor is in operation; and two further SIA registered door supervisors when the first floor is in operation. | From 2200hrs until one hour after the end of licensable activities; from Sunday – Thursday there shall be a minimum of two SIA registered door supervisors at the front door; on Fridays and Saturdays there shall be a minimum of three SIA registered door supervisors at the front door. There shall be in addition a minimum of one further SIA registered door supervisor per additional floor open. |
| New | | The holder of the licence shall undertake a risk assessment with regard to the deployment of additional SIA registered door supervisors for any special events and then implement the outcome of the risk assessment. A copy of the risk assessment should be made available to an authorised officer of the Licensing Authority or Dorset Police upon request and for a period of up to 12 months. |
| 2.6 | When door supervisors are required to undertake body searches, at least one female door supervisor is available to undertake the searches of female customers. | When door supervisors are required to undertake body searches of female customers and a female door supervisor is not available, a competent female member of staff will be available at the point of entry to undertake the searches of female customers. |
| 3.2 | All persons to be searched from 2200hrs. | TO REMAIN THE SAME |
| 5 | The premises shall install and maintain a computer-based identification entry system. The details of all persons, including staff, are to be passed through the system prior to being permitted entry to the premises. The provision and maintenance of such equipment shall be to the reasonable | TO REMAIN THE SAME |

| | | |
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| | <p>satisfaction of Dorset Police. The details of persons recorded by the system to be made available to Police upon reasonable request for the provision of preventing and detecting crime. The operation of the ID system is to start at 2000hrs.</p> | |
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Should the Sub-Committee decide to include all of the applied for varied conditions, Dorset Police would request that attention is paid as to how a calculation of 80% of patrons would be recorded and how this could be verified.

Rule Out Any of the Licensable Activities Applied For

Within this application, no additional Licensable Activities have been applied for. Therefore, there are no new Licensable Activities to exclude at this time.

Refuse to Specify the Person Nominated as Premises Supervisor

Mr Panjalizadeh-Marseh has not proposed a new Designated Premises Supervisor within this application to replace himself. Although the Premises has had issues in the past, Dorset Police are continuing to work with Mr Panjalizadeh-Marseh and he has been cooperative throughout our interactions.

Reject the Application

It is for the Sub-Committee to determine whether the application should be granted or rejected, wholly or fully. Dorset Police have hopefully produced a balanced summary of our concerns above and will support the decision of the Sub-Committee members.

Conclusion

Dorset Police do not intend to elaborate a great deal on the above during the Sub-Committee hearing, however, we will ensure our availability to answer and queries and provide any further clarification/support/advice to the Sub-Committee as required.

Licensing

Subject: FW: full variation application

To: Gatehouse, Kirsty

Cc: LicensingTeamB [REDACTED]

Subject: full variation application

Dear Kirsty

Thank you for your email, I am deeply concerned about the implementation of the policy requiring all PERSONS to be searched and show ID upon entry to the nightclub. While I understand the importance of security measures in maintaining a safe environment, I believe this policy is both impractical and potentially dangerous.

Firstly, I must highlight the potential for conflict that this policy may cause. In the event of an emergency, such as a medical issue or a physical altercation. Delays in entry due to searches and ID checks may impede the ability of emergency services to access the venue and assist those in need.

Furthermore, I must raise the issue of the practicality of the policy. If the owner and manager of the club are to be body searched, who will conduct these searches? It is not practical for them to search themselves, and so it is unclear how this requirement will be met. This not only puts an unreasonable burden on the staff but also potentially leaves room for errors or oversights.

I will be most grateful if this condition could exempt managements ,staff, maintenance ,performers and especially all authorities .

kind regards

Parviz Panjalizadeh -Maeseh

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Licensing

From: me [REDACTED]
Sent: 21 May 2023 19:09
To: Licensing
Categories: Kathryn

Dear Christine James and Tia Ross

I hope this email finds you well. I am writing to request a meeting to discuss my recent variation application to my license with Dorset Council. I have recently become aware that there has been an objection from Weymouth Town Council regarding my application. I believe that a face-to-face meeting would be beneficial to discuss my application in detail and address any concerns that may have arisen.

I am extremely passionate about my work and have been working hard for the past 8 months with the police and the council to ensure that my business is operating in full compliance with all relevant laws and regulations. I would like to take this opportunity to explain my variation application in detail and how it is in line with my commitment to providing the best service to my customers while ensuring their safety and well-being.

I understand that Weymouth Town Council has concerns regarding my application, and I am keen to discuss these with you or any other responsible person. I am confident that I can address any issues that may have arisen and provide you with the reassurance that my business is operating responsibly and ethically.

Please let me know if it would be possible to arrange a meeting at your earliest convenience. I am available at any time that is suitable for you, and I look forward to discussing this matter with you further.

Thank you for your time and consideration.

Yours sincerely,

Parviz [REDACTED]

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From: me
Date: 18 May 2023 at 20:44:00 BST
To: [REDACTED]
Subject: Variation application

To the licencing department of Dorset council.

I hope this letter finds you well. I am writing to express my wholehearted support for my application to vary the premises license for Chic Bar and Club. I would like to address the objections raised by the Town Council and emphasize my passion for this business and its contribution to our community.

I would like to highlight that I have a close working relationship with our esteemed consultant, Shield Associates, who have provided invaluable guidance in maintaining the highest standards of safety and compliance within my business. I have enclosed their letter of support and application for your attention, which outlines their expertise and confidence in our operations.

Shield Associates has worked closely with me to develop and implement robust security protocols that align with the licensing objectives. Their expertise and industry knowledge have played a vital role in ensuring that my business operates in a manner that is safe, secure, and compliant with all relevant regulations. I have relied on their guidance and recommendations to enhance our security measures and minimize potential risks.

The consultant's letter highlights the meticulous attention to detail that has been applied in designing and implementing our security procedures. It emphasizes our commitment to preventing crime and disorder, ensuring public safety, and mitigating any potential nuisances. Shield Associates' support confirms that the proposed variation to the premises license aligns with best practices and maintains the highest standards of operation.

I would like to acknowledge the concern raised by the Town Council with regard to the four licensing objectives, and I want to assure you that I am fully committed to upholding each of these objectives in my operations. Allow me to address each concern individually:

1. **Prevention of Crime and Disorder:** I understand that the reduction in the frequency of ID checks from 100% to 80% has caused some apprehension.. However, I would like to clarify that this change was made after careful consideration and consultation with local law enforcement agencies. The purpose was to streamline the entry process while still maintaining a high level of security. Rest assured, appropriate measures are in place to identify potential risks and prevent any criminal activity within the premises.
2. **Prevention of Public Nuisance:** I acknowledge that my venue has occasionally operated under temporary events notices for late openings. These events were conducted with utmost care and adherence to the law. Additionally, we

have implemented a bespoke disposal policy to ensure that any waste generated during these events is promptly and responsibly managed. We strive to be good neighbors and contribute positively to the local community.

3. **Public Safety:** The safety of my patrons is of paramount importance to me. To maintain a secure environment, we have implemented stringent security measures, including the use of search wands, pat-downs, and bag searches for almost all customers. We understand that some customers may be assessed based on their young age to ensure compliance with legal requirements. These measures are taken to safeguard the well-being of everyone within the premises.
4. **Prevention of Harm to Children:** While we aim to check the ID of every customer, I would like to propose an exemption for certain individuals, as per the request made by the police. This exemption would apply to managers, staff, security personnel, maintenance workers, performers, paramedics, and other relevant authorities. The intention behind this exemption is to prevent any confusion or delays that could potentially arise from searching the bags of paramedics, compromising their ability to provide immediate medical assistance. The safety and well-being of children will remain a top priority, and we will continue to diligently check the IDs of customers who appear to be underage.

I deeply regret not being present at the local town council committee meeting to explain my proposal in person. It was an unfortunate oversight on my part, and I understand the concerns that may have arisen due to my absence. I assure you that I am fully committed to engaging with the council and relevant authorities in the future to address any concerns and contribute constructively to the licensing process.

I kindly request that the Licensing Committee reconsider the objection and grant the variation of my premises license. I genuinely believe that my business can continue to thrive and positively contribute to the community while upholding the highest standards of safety and compliance.

Thank you for considering my application and for your time and attention to this matter. I remain at your disposal should you require any further information or clarification. I look forward to a favorable resolution that allows me to continue operating my business and serving the community.

Yours sincerely,

Parviz Panjalizadeh-Marseh



Shield Associates

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4th May 2023

To whom it may concern

Shield Associates is a company formed by former senior Metropolitan police officers on 2013. The three Directors all served a minimum of 30 years and were at different times responsible for policing, liaison, partnership working and compliance in relation to licensed premises in the Boroughs of Westminster, Southwark, Sutton, and Kingston-upon-Thames, as well as being involved in the planning and coordination of licensing initiatives and compliance strategies across the Metropolitan Police area.

As a company our aim is to provide independent regulatory support to the Licensing trade, offer problem solving and compliance guidance and support the key objectives of the Licensing Act in reviewing working practices, policies, and procedures to ensure:

- The security and safety of those visiting a venue
- The prevention of crime and disorder
- The prevention of public nuisance
- The protection of young and vulnerable people from harm

We have undertaken comprehensive reviews and audits of licensed premises to ensure compliance and promote responsible management in support of the licensing objectives. As a company, we undertake independent reviews of premises when instructed to do so. We recognise that our duty is to provide an independent, objective report to the licensing committee, bearing in mind the potential impact of the premises and its hours on the licensing objectives.

All issues identified in our reports are true to the best of our knowledge and experience. They were either witnessed or experienced by us or told to us in good faith. The opinions expressed in our reports are honestly held and correct to the best of our judgement. The fee for our reports is not conditional on the outcome of the case in anyway whatsoever.

On Friday 11th February we were instructed by Mr Parviz Mensah to undertake an independent licensing review of the premises, it's policies and training packages to ensure they were supporting the licensing objectives. We visited the venue and spoke to Mr Parvis and members of his team at the premises. We were unable to observe the venue operating as at that time it had been closed due to a review of its licence. We reviewed the policies and helped develop an action plan for the venue with the owner. We created a detailed report for Mr Mensah, setting out our observations and recommendations.

Shield Associates attended the subsequent licensing appeal hearing to provide evidence of our report should it be required. At the hearing Mr Mensah was granted his licence back to re-open the venue with new licensing conditions.

Since the venue re-opened, we have been retained by Mr Mensah to provide ongoing support to the venue should it be required. On 3rd September 2022 we attended the premises following a full refurbishment and re-branding to undertake a further licensing review. The bar was renamed 'Bar Chic' and we completed a report for Mr Mensah setting out our findings. We also undertook training with Mr Mensah and his team at the venue. The training included i) the importance of understanding the licensing objectives, ii) policies in place to support the objectives, iii) tactics to identify and deal with intoxicated patrons and spiking, iv) the law relating to licensed premises and v) general personal safety advice. The premises re-opened and has, as far as we are aware, been operating effectively.

We are still in contact with Mr Mensah and have provided advice occasionally in relation to the ID checks and security protocols. We continue to provide ongoing licensing support to Mr Mensah and his team at Bat Chic.

Yours faithfully

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Director – Shield Associates