



Licensing and Regulatory Sub-Committee (Hearing)

Time and Date

10.00 am on Monday, 15th November, 2021

Place

Diamond Rooms 1 and 2 - Council House

Please note that in line with current Government and City Council guidelines in relation to Covid, there will be reduced public access to the meeting to manage numbers attending safely. If you wish to attend in person, please contact the Governance Services Officer indicated at the end of the agenda.

Public Business

1. **Appointment of Chair**
2. **Apologies**
3. **Declarations of Interest**
4. **Licensing Act 2003 - Application for the Review of a Premises Licence**
(Pages 3 - 86)

To consider an application for the review of a Premises Licence in respect of The Oak Inn, 119 Gosford Street, Coventry, CV1 5DL

Note: The applicant and their representative have been invited to attend the hearing.

Persons who have made representations have been invited to attend.

The City Council's Statement of Licensing Policy is available on the Council's website. Alternatively, please contact us if you require a hard copy.

5. **Any Other Business**

To consider any other items of business which the Chair decides to take as a matter of urgency because of the special circumstances involved.

Private Business

Nil

Julie Newman, Director of Law and Governance, Council House Coventry

5th November, 2021

Note: The person to contact about the agenda and documents for this meeting is Usha Patel Tel: 024 7697 2301, Usha.patel@coventry.gov.uk

Membership: Councillors J Birdi, R Thay and C Thomas

Public Access

Please note that in line with current Government and City Council guidelines in relation to Covid, there will be limited public access to the meeting to ensure social distancing. Any member of the public who would like to attend the meeting in person is required to contact the following officers in advance of the meeting regarding arrangements for public attendance. A guide to attending public meeting can be found here:

<https://www.coventry.gov.uk/publicAttendanceMeetings>

Usha Patel/Carolyn Sinclair

Tel: 024 7683 3198/3166

**Email: usha.patel@coventry.gov.uk or
Carolyn.Sinclair@coventry.gov.uk**



Public report Licensing & Regulatory Committee

Licensing & Regulatory Sub-Committee

15 November 2021

Name of Cabinet Member:

Not applicable

Director Approving Submission of the report:

Director of Street Scene and Regulatory Services

Ward(s) affected:

St Michael's

Title: Application for a Premises Licence Review under the Licensing Act 2003

Is this a key decision?

No

Executive Summary:

The purpose of this report is to consider an application for a Review of a Premises Licence submitted by West Midlands Police under the Licensing Act 2003 for Oak Inn, 119 Gosford Street, Coventry, CV1 5DL.

Recommendations:

The Sub-Committee is recommended to consider whether to:

- modify the conditions of licence;
- exclude a licensable activity from taking place on the premises;
- remove the Designated Premises Supervisor (DPS);
- suspend the licence for up to 3 months; or
- revoke the licence.

List of Appendices included:

1. Premises Licence Review Application
2. Representation from John Gaunt Solicitors on behalf of Marston's Plc
3. Representation from Public Health
4. Current Premises Licence
5. Location Plan
6. Hearing Procedure Note
7. Relevant Hearing Briefing Note

Other useful background papers:

Section 182 Licensing Act 2003 Guidance

It is a statutory obligation of the Sub-Committee to take into account the Government's Guidance to the Licensing Act 2003 before reaching a decision.

Statement of Licensing Policy

The Council will have regard to its Statement of Licensing Policy when making a decision on applications made under the Act.

Other Useful documents

None

Has it been or will it be considered by Scrutiny?

Not applicable

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

Not applicable

Report title: Premises Licence Review Application

1. Context (or background)

1.1 The Licensing Act 2003 requires Coventry City Council, as the Licensing Authority, to carry out its various licensing functions so as to promote the following four Licensing Objectives:

- The Prevention of crime & disorder
- The Protection of public safety
- The Prevention of public nuisance
- The Protection of children from harm

1.2 A Premises Licence Review application for Oak Inn was received on 27 September 2021. The application submitted by West Midlands Police is requesting the removal of the DPS and a suspension of the Premises Licence for up to 3 months following an alleged serious sexual offence taking place at the premises on Saturday 4th September 2021. Thereby, undermining two licensing objectives; The Prevention of crime & disorder and The Protection of public safety.

1.3 Two representations have been received. One representation has been received from John Gaunt Solicitors on behalf of Marston's Plc. One representation has been received from Public Health in support of the Review application on the grounds that the licensing objective of the Protection of Public Safety will be undermined (Appendix 2 and 3).

1.4 The Licensing Act 2003 requires the Council to publish a 'Statement of Licensing Policy' which sets out the policies the Council will have regard to and apply to promote the Licensing Objectives when making a decision on applications made under the Act. The Policy will be available at the hearing for reference purposes.

1.5 It is essential that the Sub-Committee takes into account the government's guidance to the Licensing Act before reaching a decision. The applicant, Responsible Authorities, or any other persons, should bring to the Sub-Committee's attention any relevant paragraphs. However, it is suggested good practice for Members of the Sub-Committee to read the relevant paragraph(s) of the guidance prior to the hearing.

2. Options considered and recommended proposal

2.1 There are five courses of action available to the Sub-Committee in relation to this application:

- modify the conditions of the licence;
- exclude a licensable activity from taking place on the premises;
- remove the DPS;
- suspend a licence for up to 3 months; or
- revoke the licence.

2.2 The Committee is recommended to consider this matter on its merits in accordance with statutory requirements and the Council’s licensing policies, where relevant.

3. Results of consultation undertaken

3.1 As prescribed by the Licensing Act 2003, the application has been out for consultation to statutory consultees (Responsible Authorities) and any other persons for 28 days in the form of a notice displayed on the premises.

3.2 Responsible Authorities have received a copy of the application. Please see below responses received:

Responsible Authority	Response Received	Representations	Conditions Agreed
Licensing	No	-	-
Environmental Protection	No	-	-
Fire Safety	No	-	-
Health & Safety	No	-	-
Trading Standards	No	-	-
Planning	No	-	-
Safeguarding Children	Yes	No	-
Public Health	Yes	Yes	-
Secretary of State	Yes	No	-

3.3 A representation has been submitted by John Gaunt Solicitors on behalf of Marston’s Plc (Appendix 2). The representation is presented on the grounds that Marston’s Plc leases the premises to Oak Inn (Coventry) Ltd.

3.4 A representation has been submitted by Public Health (Appendix 3) in support of the Review application on the grounds that allowing the Premises to continue trading currently would undermine the licensing objective of the Protection of Public Safety.

4. Timetable for implementing this decision

4.1 The Appeal period is 21 days beginning on the date that the Appellant(s) receive notification of the decision of the Licensing Authority.

5. Comments from Director of Finance and Director of Law and Governance

5.1 Financial implications

There are no financial implications arising directly from this report. However, there are possible cost implications if an appeal against the decision is made to the Magistrates Court and the decision of the Sub-Committee is not upheld.

5.2 Legal implications

The Licensing Act 2003 sets out how an application, and subsequent hearing, for a Review of a Premises Licence should be conducted. The Sub-Committee must decide, having heard all representations, the outcome of the application taking into account the four Licensing Objectives as well as Statutory guidance and the Council’s own policies.

In accordance with the provisions of the Act, all Interested Parties may appeal against the decision, to a Magistrates’ court within 21 days of receiving notification of the decision.

6. Other implications

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint or Coventry Sustainable Community Strategy

It is the Regulatory Services team's responsibility to ensure that members of the public in Coventry are not put at risk. This contributes to the Council's core aim of ensuring that citizens live longer healthier lives. The business' failure to uphold the Licensing Objectives may have an adverse effect on Public Safety and citizen's quality of life.

6.2 How is risk being managed?

If the application is not handled in line with the Licensing Act 2003, there is a risk of judicial appeals, reviews and associated costs.

6.3 What is the impact on the organisation?

None

6.4 Equalities / EIA

This decision will not affect the service provision and therefore details of the Equalities Impact Assessment are not relevant in this case.

6.5 Implications for (or impact on) climate change and the environment

None

6.6 Implications for partner organisations?

The Council recognises that the licensing function is only one means of promoting delivery of the above objectives and should not therefore be seen as a means for solving all problems within the community. The Council will therefore continue to work with the West Midlands Police, Community Safety Partnership, local people and those involved in child protection (Coventry Safeguarding Children Board) to promote the common objectives as outlined.

6.7 Human Rights Act Implications

None

Report author(s): Rekha Masih
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Enquiries should be directed to the above person.

Contributor/approver name	Title	Service	Date doc sent out	Date response received or approved
Contributors:				
Usha Patel	Governance Services Officer	Law and Governance	27/10/2021	28/10/2021
Debbie Cahalin-Heath	Licensing and Business Compliance Manager	Regulatory Services	02/11/2021	02/11/2021
Davina Blackburn	Strategic Lead of Regulation	Regulatory Services	27/10/2021	28/10/2021
Names of approvers for submission: (officers and members)				
Andrew Walster	Director	StreetScene and Regulatory Services	02/11/2021	04/11/2021
Amy Wright	Solicitor	Law and Governance	27/10/2021	02/11/2021
Cath Crosby	Lead Accountant	Finance	27/10/2021	28/10/2021

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Coventry City Council

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I Philip Horton Licensing & Regulatory Services Officers 60184 of West Midlands Police
(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description The Oak Inn Public House, 119 Gosford Street,	
Post town Coventry	Post code (if known) CV1 5DL

Name of premises licence holder or club holding club premises certificate (if known) The Oak Inn (Coventry) Ltd.
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Number of premises licence or club premises certificate (if known)

Part 2 - Applicant details

I am Philip Horton Licensing & Regulatory Services officer 60184 of West Midlands Police.

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates
(please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Philip Horton Licensing & Regulatory Services Officer 60184 West Midlands Police Coventry Central Police Station Little Park Street Coventry. CV1 2JS
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

This application to review relates to the following licensing objective(s)

- Please tick one or more boxes ✓
- 1) the prevention of crime and disorder
 - 2) public safety
 - 3) the prevention of public nuisance
 - 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 2)

At approximately 03:00hrs on Saturday 4th September 2021, a rape is alleged to have taken place, the location of the alleged offence being inside The Oak Inn licensed premises in Gosford St Coventry.

The victim making the initial emergency telephone call to West Midlands Police from the premises shortly after 04:00hrs.

The subsequent investigation by police has established that the DPS & Premises Licence holder (via his company) Mr Darren Lee failed to take any action in respect of the serious allegation of which he was personally made aware of by the victim, who made a complaint of rape to the door staff and then to him.

Darren Lee was made aware that a serious sexual offence was being alleged and that it had happened upon his premises and involved someone he knew by name, as the suspect had worked at the pub.

He dismissed the allegation, continued to trade and failed to contact the police or other emergency services.

Darren Lee being aware of the allegation and the identity of the suspect encouraged him to leave the scene prior to police arrival.

This behaviour obstructed the direction of the investigation at the initial stage, he undermined the victim and the credibility of her account and did not safeguard her or any witnesses and facilitated the opportunity for the suspect to leave and potentially dispose of forensic evidence.

All of the above actions fall far short of those expected by a responsible licensee and show a clear failure to uphold the licensing principles in respect of Crime & Disorder and Public Safety.

His attitude to the serious allegation made by a female customer and the need for an immediate report to the police completely undermines the relationship a fit and proper licensee should have with the police.

It is not the first time that Mr Lee and the establishment has come to the notice of Licensing Officers but his attitude to a serious offence on his premises reported directly to him about a man who had worked at the pub as security, is so concerning that it undermines the licensing principle of public safety.

In light of the above we formally request the removal of Mr Lee as DPS and suspension of the licence.

Please provide as much information as possible to support the application (please read guidance note 3)

PC 8348 Brown from the Public Protection Unit was tasked with taking a statement from Mr Lee in relation to the report of rape received.

The account provided by Mr Lee is inconsistent with the Body worn camera footage obtained from the door staff.

Mr Lee stated *"During the night, no one came up to me to complain about any sexual allegation, and neither did my staff tell me that anything had happened. I was only made aware that someone had made a complaint about being sexually assaulted when the Police attended."*

This statement made to the officer investigating the rape is false and contradicts body worn video evidence from the night in question.

PC 22600 Crossley has provided a statement, exhibiting a redacted version of a Bodyworn video viewing record (KC/01 a), detailing the sequence of events following the report of a serious sexual offence at The Oak Inn on the 4th September 2021.

Furthermore, it can be demonstrated as detailed below that in general and for some months Darren Lee has failed to resolve the issues with the door staff employed at The Oak Inn, despite several interventions by the various Responsible Authorities. It is also evident that a disproportionate number of incidents of crime and disorder are reported at the premises. So, having considered the option of an Action Plan, I have little confidence that there will be any significant improvement in the management of the venue. Given the serious incident on the 4th September 2021, I am concerned that further such incidents could occur.

The Oak Inn re-opened at the first opportunity at midnight on April 12th 2021, following the closure of all licensed premises during the last period of the Covid lockdown. Since re-opening, a large number of incidents of disorder at the premises have been reported to West Midlands Police. There has been a continual dialogue with Mr Darren Lee in regards to his poor management of the premises. Various RA members have tried to assist in the safe management of this venue and the compliance with the premises licensing conditions.

The majority of the incidents of disorder have occurred in the early hours of the morning and a large proportion of the reports made to WMP, involved the excessive use of force being used by door staff employed to operate in the premises. The premises are currently licensed to sell alcohol from 9am until 6am on Fridays, Saturdays and Sundays.

In May 2021, a meeting between WMP, the Council Licensing Team and Darren Lee took place at the Oak Inn. A variation of licence application was agreed which included the removal of a number of existing conditions and the addition of several further conditions including the requirement of all SIA staff to wear Bodyworn cameras when employed at the premises. Mr Lee was supportive of this intervention by the RA's.

However, Mr Lee has failed to manage premises effectively as the incidents of crime and disorder have continued to occur;

- 1) **On 4/09/2021** – Disorder. CVONE have reported that 3 males have made off in a vehicle having attacked 3 males who have just left The Oak Inn (police incident log 296 4/09/21 and crime numbers 20/1661118/21, 20/1661117/21, 20/1661122/21 relate). Police have attended and transpires that 2 men have been ejected from The Oak for suspected cocaine use and then a third male has left shortly afterwards and attacked a male who has been having an argument with the door staff directly outside the premises. This disorder has resulted in two separate assaults and a criminal damage to a vehicle.

- 2) **On 16/08/2021** – Disorder. (police incident log 169- 16/08/21 relates & crime numbers 20/1160980/21, 20/1660979/21 and 20/1660977/21 refers) Police officers have observed an intoxicated male remonstrating with the door staff outside The Oak Inn. The male was bleeding from the mouth. Whilst attempting to restrain him, the male has kicked two officers. A door supervisor has then reported to officers that the male had assaulted him.
- 3) **On 24/07/21** – Disorder. (police incident log 668- 24/07/21) Emergency call made to the Police reporting that 3 girls are fighting outside The Oak Inn and the door staff have attempted to intervene. On Police arrival, an intoxicated female was pulling the hair of another female. She was subsequently arrested for the offence.
- 4) **On 11/07/21** – Disorder. (police incident 409- 11/07/21) call from CVONE stating that staff at The Oak Inn have reported a vehicle outside of the premises, the occupants of which have been causing issues all evening. An axe was allegedly seen in the vehicle. The occupants of the vehicle were turned away previously and they had a knife on board then. The vehicle could not be located.
- 5) **On 08/07/21** – 3rd party on line report (police incident 3530 08/07/21 and crime number 20/745686/21) a member of the public has reported witnessing a disorder outside The Oak Inn at @ 4am that morning whereby a male who had not been causing any trouble was allegedly punched in the face by a member of the door staff and punched again whilst he was on the floor.
- 6) **On 03/07/21** – 3rd party call (police incident 515- 03/07/21) Male reporting sister being attacked by her friend's boyfriend at the Oak Inn. Officers attended but the female did not make herself known. Two males were being ejected on arrival but they did not appear to be connected to the incident.
- 7) **On 01/07/21**- (Police incident 88 – 01/07/21) Report of male being abusive to door staff. No police attendance as officers all committed. No further calls regarding the incident.
- 8) **On 29/06/21** – (police incident log 404 29/06/21) Male reported being assaulted by door staff after being asked to leave. Ip received an injury to his face but did not want to take the matter any further (police crime report S.20 malicious wounding 20/1237340/21).
- 9) **On 26/06/21** – Disorder. (police incident 3101 26/06/21 and crime report 20/124901/21 for s.47 assault) Door staff have ejected a male who was refusing to leave and consuming a bottle of his own vodka. Male has alleged that a member of the door staff punched him on three occasions, resulting in him sustaining a black eye and a cracked tooth. He did not wish to pursue the matter.
- 10) **On 07/06/2021** – Report from CV ONE of two males acting suspiciously outside the Oak Inn, suspected that one of the males has a knife (Police incident log 399 3/06/2021) No further sightings of the males.
- 11) **On 04/06/2021** – Report from a female caller stating that there was a fight at the Oak Inn. States that she's in the toilets and frightened to leave as people keep coming back to the pub. (police incident log 418 – 04/06/21) Police did not attend.
- 12) **On 31/05/21** – Disorder -Emergency call - report of male unconscious on street and approximately 10 people fighting outside the Oak Inn (Police incident log 100 and crime number for malicious wounding 20/657346/2). On police arrival, a male was

found on the opposite side of the road with injuries and claimed he did not know who was responsible for the assault upon him. He was unwilling to support the investigation.

- 13) **On 21/05/21** – Report of a female being bundled into a car which then driven away. The door staff allegedly failed to intervene. (police incident log 4444 21/05/21 and crime number 20/239496/21 refers) The vehicle could not be located and the door staff stated that they were unaware of such an incident taking place.
- 14) **On 18/05/21** – Disorder. Darren Lee reporting a disorder in progress at The Oak Inn and males were refusing to leave and had attacked the door staff. (police incident log 330 18/05/21 refers and crime number 20/543019/21 refers to a male being lawfully ejected from the Oak Inn with injuries but refused to say how the injuries occurred).
- 15) **On 18/05/21** – Disorder. Report from CV One of two males fighting at The Oak Inn (police incident 263 18/05/21 refers) Police unable to attend as all units committed.
- 16) **On 15/05/21** – Report of an assault by a member of the door staff at The Oak Inn which occurred on the 8/05/21 (police incident log 2286 15/05/21 and crime number 20/788557/21) Caller states she was dragged off the benches for no reason and thrown to the floor.
- 17) **On 08/05/21** – Disorder. Report of a fight at The Oak Inn (Police incident log 521 08/08/21 and crime numbers 20/478255/21 & 20/478260/21.) Two people arrested at the location, following an altercation with door staff. Counter allegations made by arrested persons.
- 18) **On 07/05/21** – Disorder. Report of the door staff from The Oak Inn dragging a female along the floor and ejecting her from the premises. (Police incident number 207-08/05/21 & 5066- 07/05/21 & 4961- 07/05/21 and crime reference number 20/670233/21)
- 19) **On 02/05/21** – Disorder. Report of the door staff at The Oak Inn beating everyone up (Police incident log 3821 -02/05/21 refers and 2 persons alleging that they have been assaulted by the door staff - crime reference numbers 20/517047/21 & 20/517040/21).
- 20) **On 01/05/21** – Report on a male being hit on the head by a bottle which had been thrown at him in The Oak Inn, causing a small cut to his head. (Police incident log 357- 01/05/21 and crime reference number 20/574886/21 refers)
- 21) **On 17/04/21** – 17 year old female alleging that she has been escorted out of The Oak Inn by her arms by the door staff following a dispute over the payment for drinks. (police incident log 396 – 17/04/2021)
 - i) **On 17/04/21** – Police officers received information from the door staff at The Oak that two males had been observed walking towards Fairfax Street with a large knife. Intoxicated male subsequently detained by Police whilst in possession of a knife and arrested. (police incident 615 – 17/04/21 and crime reference number 20/339401/21)
 - ii) **On 17/04/21** – 18 year- old male with head injury alleging that he has been assaulted by the door staff at The Oak Inn (police incident log 554 17/04/21 and 4186 17/04/21 also relates)
 - iii) **On 17/04/21** – Disorder. Three reports of door staff using unreasonable force. No disorder on arrival (police incident logs 4232, 4241 & 4242 - 17/04/21 refers)

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day	Month	Year

If you have made representations before relating to the premises please state what they were and when you made them

N/A

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature



P. HORTON

Date

27th SEPTEMBER 2021

Capacity

LICENSING OFFICER WEST MIDS POLICE

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

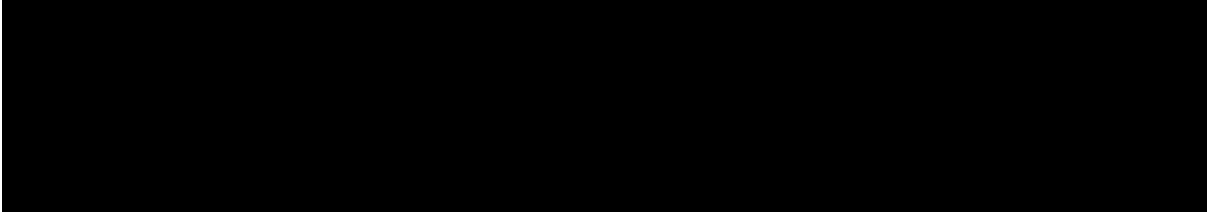
Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

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Subject:

Marstons Representation - Oak Inn 119 Gosford Street,
Coventry CV1 5DL - Premises Licence LN/206000201
(OAK27/6)



Subject: Oak Inn 119 Gosford Street, Coventry CV1 5DL - Premises Licence LN/206000201
(OAK27/6)

Dear Sirs

We act on behalf of Marston's Plc and should be obliged if you would take this email as a representation on behalf of the company in respect of the Review application which has been issued against the aforementioned premises by West Midlands.

As you are aware these premises form part of the Marston's Plc estate, that estate is broken into three distinct sectors and although having a global number of sites in the region of 1400 there are approximately 350 within the tenanted division.

This site is covered by a long Lease Agreement between Marston's Plc and Oak Inn (Coventry) Limited which was executed on the 27th January 2006 with a term of 21 years. The freehold of the premises is owned by the Marston's Plc and as such, Marston's Plc have an interest in the property. Marston's Plc have a property interest in the Premises Licence which the current Premises Licence Holder is obligated to protect and uphold by virtue of the clauses of the Lease, or on failure to do the Lease permits Marstons Plc to instigate steps to terminate the Lease.

Our clients have a long association with running premises such as these having had the benefit of a tenanted estate as part of the Brewery since the inception of its business. They place great stall by the professionalism of their systems and particularly those which touch upon regulatory matters. They also set out to cooperate very closely with the authorities over matters affecting their estate and on an ongoing basis. In doing however they have to appreciate a degree of autonomy that there tenants have by virtue of the agreements under which they hold the premises and the protection afforded by the law to such tenants.

It follows that where on a rare occasion our clients have to confront a Review application, the seriousness of the position to them cannot be overstated. In this instance the Licence is held by the tenant company Oak Inn (Coventry) Limited and operated by the Director of that company Darren Lee who is the Designated Premises Supervisor. As stated above the Lease in respect of this site commenced in 2004 with the same Tenant operating the premises for virtually 17 years. The premises operates as a late night venue within the city centre and it is understood that the premises has worked in cooperation with the Police and other Responsible Authorities within that period of time, However it is apparent from the Review papers that the position in recent times has changed.

Marston's Plc have had sight of the basic Review papers but as a result of filing of this representation and their interest in the property and the Premises Licence it is requested on their behalf that further disclosure is afforded to them and that they are viewed to have the same status as the Premises Licence Holder as opposed to a third party expressing an interest in the Review such as a resident or other commercial entity.

Our clients do not condone any of the complaints raised against the Tenant but seek to confirm the exact extent, nature and strength of those allegations and seek to work with both West Midlands Police and the Licensing Authority as to the promotion of the licensing objectives going forward.

Our clients seek to continue to keep close liaison with all the Authorities and to achieve compliance with the licensing legislation and uphold the licensing objectives.

Should this matter proceed to a Review hearing we will attend that hearing on our clients behalf with a senior representative of the company and at that hearing address any matters which need to be confronted. Until full disclosure of the allegations raised against the Premises Licence Holder has been made, Marston's Plc are unable to file a full response and reserve the right to submit further documentation in support of this representation as required and/or to make additional submissions at the Review hearing.

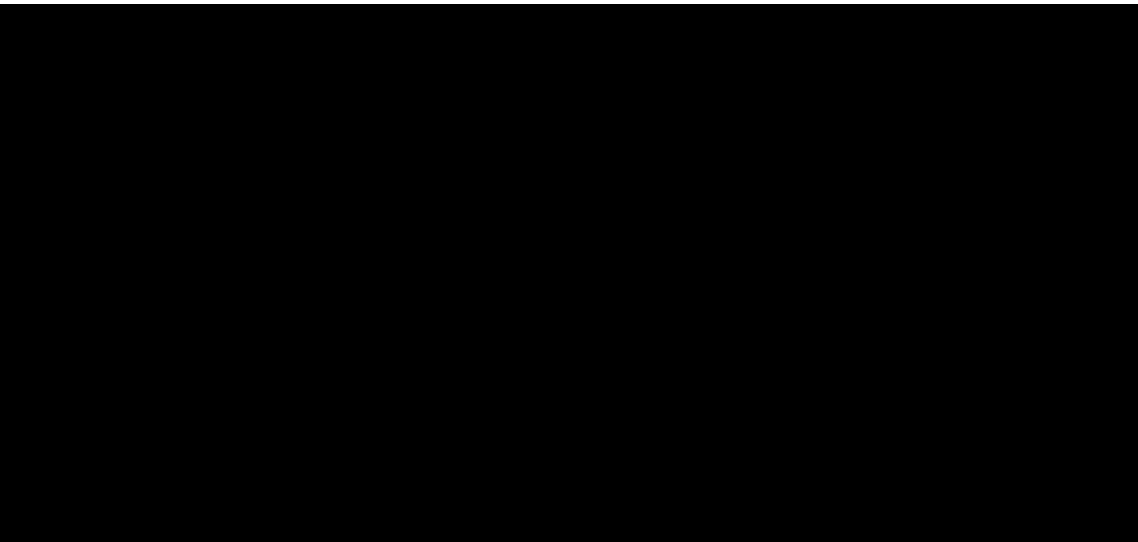
We should be grateful if you would kindly acknowledge safe receipt of this email and its status as a representation and that it was received during the consultation period. We would be grateful if you could confirm that on the basis of receipt of this representation and our clients standing in the matter will be deemed akin to that of the Premises Licence Holder and full disclosure will be afforded to our client.

Yours faithfully

Michelle Hazlewood

Partner

Sent by Sue McCourt



Partners: Tim Shield (569713) | Michelle Hazlewood (569714)
Christopher Grunert | Jon Wallsgrove | Patrick Robson
Practice Manager: Jonathan Pupius

John Gaunt & Partners authorised and regulated by the Solicitors Regulation Authority - SRA No. 173393

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The Oak Inn

Public Health Representation

Public Health wish to submit a relevant representation regarding The Oak Inn, based on the following licensing objectives being undermined:

- Prevention of Crime and Disorder
- The Prevention of Public Nuisance
- And Public Safety

Introduction & Context

The staff outbreak at The Oak Inn was the largest outbreak at a licensed premises reported to Public Health in Coventry since the first lockdown in March 2020.

During early July 2021, COVID-19 rates in Coventry were increasing at a high rate on a par with the upward trajectory seen in December 2020. Between 10th July 2021 and 16th July 2021, the period when the majority of positive COVID-19 cases occurred at The Oak Inn, there was a rate of 632 per 100,000 population (2,348 cases) which is a rate higher than it had reached during any of the previous lockdowns.

COVID-19 vaccination for the age group 20 to 29 years old was running at 45%, which was lower than other age groups and reflective of the fact that vaccination had only been available to this age group from June 2021. This age group is largely the demographic that frequent The Oak Inn.

Whilst many of the COVID-19 restrictions for licensed premises were lifted on July 19th 2021, the legal requirement remained for persons who tested positive to self-isolate. Additionally, anyone who had been in close contact with an individual who had tested positive for COVID-19 were at that time required to self-isolate. In business settings, employers were expected to identify close contacts within their workplace following notification of a positive case, and ensure relevant staff were self-isolating.

In addition, businesses still had legal duties to have suitable and sufficient health and safety risk assessments and associated control measures in place, in order to safeguard their staff and visiting public, including risks from COVID-19.

It should be noted that the above was on the back of previous concerns raised by Public Health regarding the Oak Inn in September 2020, linked with discussions with staff at the Oak Inn following a positive case (customer) having visited the setting. The concerns raised related to staff working whilst they were unwell, and a lack of social distancing in the setting, alongside a staff member stating they feared for their job for discussing the situation with Public Health. At this time, no members of staff had tested positive for COVID-19. A visit by regulatory services showed they had good measures in place at that time.

Basis for Public Health's Relevant Representation

Whilst public health is not a licensing objective per say, the issues requiring intervention at The Oak Inn (by Public Health in conjunction with Regulatory Services colleagues) during the period detailed

here, demonstrate that the failure to manage COVID-19 responsibly at the premises undermined both public safety and the prevention of public nuisance.

Public nuisance is a common law offence that has been defined to include the following: a person is guilty of a public nuisance (also known as common nuisance), who (a) does an act not warranted by law, or (b) omits to discharge a legal duty, if the effect of the act or omission is to endanger the life, health, property or comfort of the public.

Cases of COVID-19 notified through the national test and trace system involving employees from The Oak Inn totalled 11 during July 2021 and all required investigation and follow up.

In addition to these cases, three complaints were concurrently received, independently of one another, from concerned members of The Oak Inn staff regarding: -

1. The lack of COVID-19 measures and management at the premises.
2. Perceived pressure from Darren Lee for staff to work whilst experiencing COVID-19 symptoms.
3. Non-declaration that staff had been in close contact with other staff who had tested positive with COVID-19. They also explained that they had been told not to declare close contacts to anyone that requested the information.

Unfortunately, the staff were reluctant to provide information formally due to fear of reprisal, negative ramifications (e.g. loss of earnings) and anxiety about losing their job.

The number of positive cases in a short time frame, together with receipt of staff concerns and a lack of responsiveness and engagement from managers at the premises (despite previous advice and support from Public Health) indicated that COVID-19 management was not being dealt with responsibly. The possibility of onward transmission to staff and customers was also a major concern.

This resulted in the need for enforcement intervention in the form of two Health and Safety Improvement Notices. It is worth noting that this level of intervention has not been required with any other licensed business in Coventry, demonstrating the lack of confidence in Darren Lee's management at The Oak Inn.

The two Improvement Notices required that:

- 1) The premises' COVID-19 risk assessment to be reviewed to determine what site specific COVID-19 control measures were needed in order to prevent onward transmission: suitable and sufficient arrangements to ensure collaboration and co-operation with contractors working at the venue relating to COVID-19 management (i.e. security staff) and contingency arrangements to ensure adequate staffing levels should a member of staff test positive for COVID-19 or be absent from work, in order to ensure the venue can be operated safely.

The issues requiring action within the schedule to the notice came from specific concerns after conversations with Darren Lee who did not provide evidence these issues were being managed effectively.

- 2) A suitable and sufficient procedure to screen staff for COVID-19 symptoms prior to work including a procedure that staff followed in order to report illness to management including COVID-19 illness and a procedure to ensure that if a member of staff tests positive for COVID-19, relevant close contacts from the workplace are identified and are required to self-isolate. The notice also required that information, instruction, training and supervision was provided to staff to ensure, they do not attend work with COVID-19 symptoms, that staff who have tested positive for COVID-19 self-isolate from work, and that appropriate workplace close contact tracing is undertaken and where necessary self-isolation is implemented.

Again the issues listed as requiring action within the schedule to the Notice came from specific concerns following conversations with Darren Lee where he did not provide confidence that these issues were being managed effectively.

Supporting information: chronology of events related to the representation.

- 1) During July 2021 - Positive COVID-19 cases were notified to Coventry City Council via the National Test and Trace system involving staff members working at The Oak Inn.
- 2) 12th and 14th July - Complaints were received from 3 members of public, about management of staff at The Oak Inn outlining concerns about a lack of COVID-19 management and pressure being exerted on them by Darren Lee to work whilst symptomatic, or having been in close contact with members of staff who has tested positive for COVID-19. Staff were allegedly discouraged from taking COVID-19 tests.
- 3) 13th July - A joint visit was undertaken by officers from Public Health COVID-19 Test and Trace team and Regulatory Services COVID-19 Team in order to discuss positive cases. No staff were on site at the time of the visit, so officers conducted a phone call with Darren Lee. Some of the information he provided conflicted with national test and trace data and not all positive staff cases were known to him at the time of the phone call, demonstrating a lack of awareness about what was going on in his premises.
- 4) 14th July - Due to the number of cases and concerns around Darren Lee's lack of awareness of the situation or staff identities, an Incident Management Team meeting (IMT) was called. This was chaired by Nadia Inglis, Public Health Consultant. Darren Lee was asked to attend which he did.

IMTs are held when there are potentially complex outbreaks that need investigation and to provide a business with additional levels of advice and support. It provides a forum for discussion and to agree and co-ordinate actions to control an individual outbreak situation and reduce risk of onward transmission of virus to other people. During the meeting individual COVID-19 cases were reviewed and discussed with Darren Lee. In addition, issues of concern, including delays in COVID-19 testing for symptomatic staff, staff members potentially working whilst unwell with COVID-19 symptoms were discussed.

Darren had not identified any links between the positive cases despite them working on the same shifts. With some of the cases there had been a long delay between when symptoms had developed and when tests had been undertaken. Concerns were raised that staff had been working whilst unwell.

Darren was asked to provide a copy of his COVID-19 risk assessment which was reviewed and found to be unsuitable and insufficient with regards to self-isolation procedures for positive staff or for identifying close contacts within the workplace.

- 5) 22nd July - In view of ongoing concerns regarding the management of COVID-19, a site visit to The Oak Inn was undertaken attended by Police, Licensing, Public Health and Regulatory Services colleagues. Further COVID-19 advice was provided to Darren Lee and he agreed to

close that evening for a deep clean of the premises to be undertaken.

Two Improvement Notices under the Health and Safety at Work Act 1974 were served (referred to above). These Notices were subsequently complied with.

- 6) In addition to the above, an Incident Management Team meeting had been held with the Oak Inn earlier in the pandemic on 6th September 2020, linked with discussions with staff at the Oak Inn following a positive case (customer) having visited the setting. The concerns raised related to staff working whilst they were unwell, and a lack of social distancing in the setting, alongside a staff member stating they feared for their job for discussing the situation with Public Health. At this time, no members of staff had tested positive for COVID-19. A visit by regulatory services showed they had good measures in place at that time.

Summary and Recommendation

It is Public Health's opinion that in relation to the management of COVID-19, Darren Lee showed a disregard for the safety of his staff and customers. He did not demonstrate that he was a responsible licensee therefore undermining licensing objectives "The Prevention of Public Nuisance and Public Safety".

The level of intervention required to make Darren Lee and The Oak Inn compliant was way above other licensed premises in Coventry. This amount of effort was necessary due to the high case rates, a lack of confidence that COVID-19 management was being taken seriously and the required controls not being implemented.

Public Health acknowledge that Darren Lee attended the IMT and also undertook steps recommended from the IMT process. However, his actions and response fell short of what is normally expected requiring additional visits and Improvement Notices in order for Public Health to be satisfied that adequate steps had been taken to rectify the issues raised and reduce the risk of further transmission. A responsible licensee should not need this level of oversight or intervention and should be more proactive in managing a premises in a COVID-19 safe way.

Public Health therefore have no confidence in the current licensee of this premises and agree that the license should be reviewed.

Nadia Inglis
Consultant in Public Health

LICENSING ACT 2003

Full Premises Licence

Oak Inn

Premises licence number	LN/206000201
--------------------------------	--------------

Part One – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description	
The Oak Inn 119 Gosford Street	
Post town	Post code
Coventry	CV1 5DL
Telephone number 024 7622 7951	

Where the licence is time limited the dates
N/A

The times the licence authorises the carrying out of Licensable Activities		
Indoors	From	To
Exhibiting Film, Indoor Sporting Event, Live Music, Recorded Music, Performances of Dance		
Sunday	09:00	06:00
Monday	09:00	04:00
Tuesday	09:00	04:00
Wednesday	09:00	04:00
Thursday	09:00	04:00
Friday	09:00	06:00
Saturday	09:00	06:00
Application is made for licensable activities to be permitted until 06:30 on the Sunday preceding a statutory Bank Holiday.		

Indoors and Outdoors	From	To
Late Night Refreshment		
Sunday	23:00	05:00
Monday	23:00	04:00
Tuesday	23:00	04:00
Wednesday	23:00	04:00
Thursday	23:00	04:00
Friday	23:00	05:00
Saturday	23:00	05:00
Application is made for licensable activities to be permitted until 06:30 on the Sunday preceding a statutory Bank Holiday.		

LICENSING ACT 2003

Full Premises Licence

On and Off Sales		
Supply of Alcohol		
Sunday	09:00	06:00
Monday	09:00	04:00
Tuesday	09:00	04:00
Wednesday	09:00	04:00
Thursday	09:00	04:00
Friday	09:00	06:00
Saturday	09:00	06:00

Application is made for licensable activities to be permitted until 06.30 on the Sunday preceding a statutory Bank Holiday.

Premises		
Open to the Public	From	To
Sunday	09:00	06:30
Monday	09:00	04:30
Tuesday	09:00	04:30
Wednesday	09:00	04:30
Thursday	09:00	04:30
Friday	09:00	06:30
Saturday	09:00	06:30

Application is made for the premises to remain open until 05:30 on the Sunday preceding a statutory Bank Holiday.

Where the licence authorises supplies of alcohol whether these are on and/or off supplies
ON & OFF THE PREMISES

Part Two

Name, (registered) address, telephone number(s) and email (where relevant) of holder of premises licence
The Oak Inn (Coventry) Ltd
The Oak Inn
119 Gosford Street
Coventry
CV1 5DL

024 7622 7951
07957 298 423
theoak119@hotmail.co.uk

LICENSING ACT 2003

Full Premises Licence

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

05287497

**Name, (registered) address, and telephone number(s) of designated premises
supervisor where the premises licence authorises the supply of alcohol**

Darren John Lee
Sandpits Farm
Shilton Lane
Coventry
CV7 9LH

**Personal Licence Number and Issuing Authority of Personal Licence held by
Designated Premises Supervisor where the premises authorises the supply of
alcohol**

Licence number - **CV205000702 Coventry City Council**

Dated this 15th June 2021



Regulatory Services Manager
Regulatory Services

Licensing Team
Streetscene & Regulatory Services
PO Box 15
Coventry City Council
Earl Street
Coventry
CV1 5RR

Annex 1

Mandatory Conditions

Section 19 Licensing Act 2003

Where this licence authorises the supply of alcohol,

1. No supply of alcohol may be made under the licence:
 - a. at a time when there is no designated premises supervisor (DPS) in respect of the licence, or
 - b. at a time when the DPS does not hold a personal licence or that licence is suspended

2. Every supply of alcohol under the licence must be made or authorised by a person who holds a personal licence

Section 20 Licensing Act 2003

Where this licence authorises the exhibition of films,

- (1) the admission of children to the exhibition of any film will be restricted.
- (2) Where the film classification body is specified in the licence, unless otherwise stated, admission of children must be restricted in accordance with any recommendation made by that body.
- (3) Where :
 - i. the film classification body is not specified in the licence,
or
 - ii. the licensing authority has notified the holder of the licence that this subsection applies to the film in question,
admission of children must be restricted in accordance with any recommendation made by that licensing authority.

Section 21 Licensing Act 2003

Where this licence includes a condition that at specified times one or more individuals must be on the premises to carry out a security activity, each such individual must be licensed by the Security Industry Authority.

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014

Where a licence authorises alcohol to be consumed on the premises the following conditions apply:

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request,

before being served alcohol, identification bearing their photograph, date of birth and either—

(a) a holographic mark, or

(b) an ultraviolet feature.

4. The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of the condition set out in paragraph 1—

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) “permitted price” is the price found by applying the formula—

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

Conditions consistent with the Operating Schedule

Licensees Statement of Operating Schedule as attached including:

Part 1

- A) General all four licensing objectives**
- B) The Prevention of Crime and Disorder**
- C) Public Safety**
- D) Prevention of Public Nuisance**
- E) Protection of Children from Harm**

Voluntary conditions agreed with Responsible Authorities

All doors and windows shall remain closed when regulated entertainment is taking place on the premises, except when the external doors are used for the purposes of access and egress.

Voluntary Conditions agreed with PLH:

Last admission time and re-entry time extended to 04:20hrs

Conditions agreed with West Midlands Police:

After 23:00hrs one entrance is to be facilitated.

After 23:00hrs till closing the courtyard which is positioned at the side of the public house is to be control via a barrier system which covers the entire width of the courtyard and is monitored by a door supervisor(s) at all times.

A personal licence holder must be present on site at all times the premises are open for a licensable activity after 2200hrs.

SIA registered door staff shall be employed at the premises in line with venue written risk assessment.

When employed SIA door staff will each wear a high visibility tabard, bearing a large clearly visible individual number so as to aid identification, their SIA accreditation & recording, body worn video (BWV). All BWV footage will be retained for a minimum of 21 days and shall be produced to Police or Responsible Authority within 48hrs of request. Where BWV is recorded onto a hard drive system, any DVD/USB subsequently produced will be in a format so it can be played back on a standard PC or DVD player.

When employed, a register of SIA door staff shall be maintained at the premises and shall include: the identity of each member of door staff, their SIA registration number, their high visibility tabard number, body worn video (BWV) camera number & the date/times the door staff are on duty.

An incident / occurrence register shall be maintained at the premises which will include details of all ejection / altercations and property, drugs seizures. Entries will include the time / date of the occurrence, location, details / descriptions of patrons involved and details of SIA's involved. These entries will also be cross referenced with BWV footage. The register will be produced to Police or Responsible Authority upon request.

The venues dispersal policy, drugs policy, searching policy & evacuation policy will be provided to West Midlands Police as part of the venues operations plan.

The venue management will be responsible for deploying staff to manage any queues formed outside the premises, so as not to cause public nuisance or public safety issues.

All Staff employed at the premises will receive induction and regular refresher training every 6 months in theirs and the company's legal obligations under the Licensing Act 2003.

A record of staff training will be maintained.

The Oak Inn – LN/206000201

a) General – all four licensing objectives (b,c,d,e)

I have undertaken my own risk assessment to take the following steps.
The types of regulated entertainment proposed materially do no more than reinstate the normal pub entertainment that was previously unregulated as identified in B1 above.
No new steps have been identified in relation to the four licensing objectives save as below

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed, save as below

- 1) Any person exercising a security activity (as defined by paragraph 2(1)(a) of schedule 2 of the Private Security Industry Act 2002) shall be licensed by the Security Industry Authority.
- 2) Such a person will be employed at the premise's discretion of the designated premises supervisor/holder of the Premises Licence.
- 3) Any person as defined in condition (1) will clearly display his name badge at all times whilst on duty.
- 4) No customers apparently carrying open bottles upon entry shall be admitted to the premises at any times the premises are open to the public.
- 5) CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally, covering all licensable areas. Recorded CCTV images will be maintained and stored for a minimum period of 28 days and shall be produced to the Police or Responsible Authority within 48 hours of request. CCTV will always be in operation when a licensable activity is taking place within the premises. Where CCTV is recorded onto a hard drive system, any DVD/USB subsequently produced will be in a format so it can be played back on a standard PC or DVD player. Any person left in charge of the premises must be trained in the use of any such CCTV equipment and be able to produce CCTV images to an officer from a responsible authority within 48 hours of request.
- 6) Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.
- 7) The maximum occupancy of the building (including staff and performers) will be restricted to 200 persons.

c) Public safety

No further risks have been identified which need to be addressed, save as below

- 1) To comply with the reasonable requirements of the fire officer from time to time.
- 2) To comply with the reasonable requirements of the building control officer.

d) The prevention of public nuisance

No further risks have been identified which need to be addressed, save as below

- 1) Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of residents and to leave the premises and area quietly.
- 2) Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.

e) The protection of children from harm

The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.

- 1) No films or videos of any description will be shown that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.
- 2) Children under the age of 16 shall not be permitted to enter the premises after 21:00hrs

Part 2

Conditions reproducing the effect of all conditions currently attached to the existing licence (both standard and special conditions).

Licensing Act 1964 – None

Theatres Act 1968- None

Cinemas Act 1985 - None

Local Government (Miscellaneous Provisions) Act, 1982 – None

Annex 3

Conditions Attached after a Hearing by the Licensing Authority

Hearing Held 14th October 2005:

No loudspeaker shall be installed at or in the vicinity of the entrances to the premises fronting onto Gosford Street.

Hearing Held 29th September 2008:

The variation application was granted subject to those conditions consistent with the operating schedule

Hearing Held 21st April 2010:

Application Refused

Decision following Appeal to the Magistrates Court 11th August 2010:

The appeal would be granted in part. The premises may provide licensable activities until 4am each night of the week.

The conditions proposed by the applicant would be added to the licence, save that proposed condition 4 would be replaced by the draft prepared by the environmental health department.

Conditions

1. All doors and windows to remain closed except for access and egress to the premises at the times when regulated entertainment is taking place save for the main entrance door at the front and the main entrance door at the side of the premises.
2. Contact telephone number for the Designated Premises supervisor or a nominated deputy who can be contacted at all times when the premises are open to the public to be displayed in a prominent position outside the premises.
3. A register of refusals to sell alcohol to be maintained at the premises at all times and to be made available upon request for inspection by the Police and the Licensing Officer of Coventry City Council.
4. A Noise Limiting Device (NLD) of a type approved by the Environmental Protection Section of Coventry City Council shall be fitted to the amplification system and set at a pre-set volume level agreed with the Environmental Protection Section, to ensure the pre-set volume does not cause a noise nuisance to the occupiers of nearby buildings. The installation of the NLD shall be notified to the Environmental Protection Section at least 14 days before its initial operation and shall fulfil the following criteria:
 - a) The device shall be fitted in an approved position by a competent person and once fitted shall not be moved from the approved position unless prior approval is given.
 - b) The device shall be capable of cutting off the mains power to the amplification system if the volume exceeds the pre-set level determined by the Environmental Protection Section and shall not restore power to the

sound system until the NLD is re-set by the licensee or their nominated person.

c) The amplification system shall only be operated through the sockets/power points linked to and controlled by the NLD.

d) The NLD shall be maintained in full working order and at the approved pre-set volume whilst the amplification system is operational.

e) Any damage or malfunction to the NLD shall be reported to the Environmental Protection Section as soon as possible and within 24 working hours of the damage occurring or malfunction being noted. The NLD shall not be used in this damaged or malfunctioning state until approval has been given by the Environmental Protection Section.

5. ~~No music to be relayed via external speakers after 19:00.~~

(Adjusted in Minor Variation May 2021 as follows: No music to be relayed via external speakers above background level after 19:00hrs.)

6. Sufficient number of door staff should be employed at the premises and this shall be determined from time to time by a written risk assessment carried out by the Designated Premises Supervisor.

7. ~~The premises to adopt a Challenge 21 policy~~

(Adjusted in Minor Variation May 2021 as follows: The premises to adopt a Challenge 25 policy.)

Hearing held on 24th June 2013:

The application is granted in full subject to the following conditions agreed with West Midlands Police:

(a) After 2300 hrs one entrance is to be facilitated;

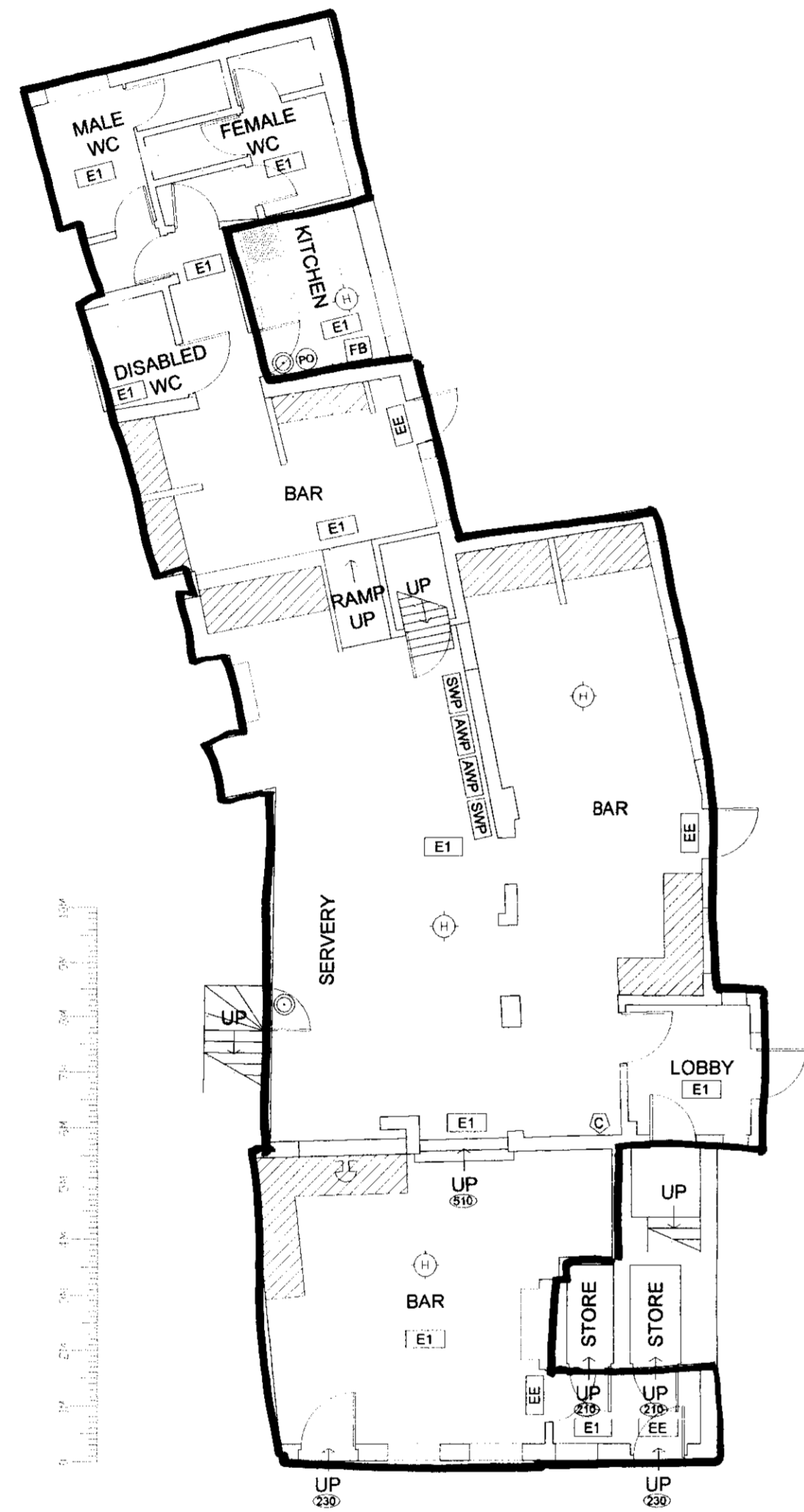
(b) After 2300 hrs till closing the courtyard which is positioned at the side of the public house is to be controlled via a barrier system which covers the entire width of the courtyard and is monitored by door supervisor(s) at all times.

Annex 4

Plans

The Plan attached to this licence as attached.

GROUND FLOOR PLAN 1:100 - FULL SURVEY



SITE PLAN 1:200 - FULL SURVEY



NOTES:
 1/ Each layout on the drawing has detailed against it how the information was gathered and drawn:
Check Survey - Information has been drawn up from original paper drawings and then checked on site and modified accordingly.
Full Survey - Complete on site survey carried out

KEY

- General Fire Notice
- Staff Fire Notice
- 'Fire Door Keep Locked' sign
- 'Fire Exit Keep Clear' sign
- 'Fire Door Keep Locked' sign
- Fire Blanket
- Dry Powder Fire Extinguisher
- Carbon Dioxide Fire Extinguisher
- Foam Fire Extinguisher
- Water Fire Extinguisher
- Emergency Light Fitting
- Emergency Exit Sign
- Heat Detector
- Smoke Detector
- Break Glass Call Point
- Fire Alarm Sounder
- Fire Alarm Panel
- Amusement with Prizes
- Skill with Prizes
- Cash machines
- Pay Phone
- Juke Box
- Cigarette M/c

1. All existing & required fire and other safety equipment will be retained.
2. All indicated steps shall be taken to represent a rise/fall of 170mm.
3. The plans identify the licensed area edged in red. For the purpose of clarification we confirm that all proposed licensable activities extend to the public areas within this area.

Revision	Date	By	Note
Revision F			
Revision E			
Revision D			
Revision C			
Revision B			
Revision A			

fishercad Fishercad Services Ltd
 4-6 Poplar Court
 Union Street
 Bridgtown
 Cannock
 Staffordshire
 WS11 3BY
 Tele: 01543 504543
 Fax: 01543 467117
 Email: drawings@fishercad.co.uk
 WEB Site: fishercad.co.uk



JOB TITLE
 91556 - OAK INN
 COVENTRY

DRAWING
 GROUND FLOOR AND
 CAR PARK

SCALE 1:100	DATE July 2005	DRAWN DDC Ltd
PROJECT UPC-LIC	DRAWING NO -	PHC 91556

Venue Operating Procedure

Venue Details

Venue Name	The Oak Inn				
Venue Address	119 Gosford street Coventry CV1 5DL				
Telephone No	02476227951				
Emergency Contact Name	Sam Barrier	Emergency Contact No.	07479536708		
Licence Holder	Darren Lee	Contact No:	07957288423		
Venue Capacity	Inside-68 Outside - NA		Disabled Access	YES	
Public Transport	N/A				
Taxi Ranks	N/A				
Venue Applicable Code Words	Fire	Fire	Other		
	Bomb	Bomb	Other		
Organisation Name	<i>The Oak Inn</i>				
Organisation Address	119 Gosford Street Coventry CV1 5DL				
Organisation Contact	Darren Lee				

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Venue Overview

The Oak is located in the city centre of Coventry. It is open 7 days and nights. The venue provides food throughout the day and evening. The manager maintain clear objectives regarding the atmosphere he wish to create in their venues. It should be a pleasant, friendly and relaxing atmosphere, with all staff working to maintain this experience for the customers. External threats to this establishment would mainly consist of drunken behaviour from a variety of individuals within the City Centre. The manager has taken every measure to ensure safety for all customers and staff Door Security has been arrange for every nights. The venue will be monitored and a full report given to the manager.

The venue has 1 x pub watch radio linked to the police it also has 6 x radios which are used by the door staff and management. The venue has an outside smoking area which is applicable to anywhere on site and outside, as well as 4 fire exits, one at the front, and 3 on the side. The venue also has CCTV cameras in operation in and around the premises which link to the recording system, located in the manager office.

<ul style="list-style-type: none"> ● Local 'Pub Watch' Contact 	Name Coventry Police	Number
<ul style="list-style-type: none"> ● CCTV Contact 	Name N/A	Number N/A

Venue Licence Information

Day	Description	Premises Hours		Alcohol Sales Hours		Restrictions
		Open	Close	Start	Finish	
Mon		9am	4:30am	N/A	N/A	
Tues		9am	4:30am	N/A	N/A	
Wed		9am	4:30am	N/A	N/A	
Thurs		9am	4:30am	N/A	N/A	
Fri		9am	6:30am	N/A	N/A	
Sat		9am	6:30am	N/A	N/A	
Sun		9am	6:30am	N/A	N/A	
B/H's		N/A	N/A	N/A	N/A	

Notes:

All door staff to login on arrival and logout at the end of their shift. They must also have their SIA badge with them at all times whilst on duty. Weekends 3 staff will start at 20.00hrs with a further 3 starting at 22.00hrs (Friday and Saturday) Monday, Tuesday, Wednesday and Thursday 2 x door staff starting at 22.00. All door staff must wear a high viz jacket which will be number from 1 to 6 this will be for the sole purpose of identification in the event of any incident, radio and camera's will also be numbered. It is the responsibility of the head doorman to ensure all the door staff are dress to the same standard, No trainers, mobile phones are only to be used in an emergency ID checks and spot searches to apply. All door staff must wear bodycams throughout each night, and record throughout.

Venue Restrictions

- No baseball caps
- No full length tracksuit bottoms
- Last entry 3:40 am Sunday-Thursday, 4:20am Friday,Saturday and Sundays which fall before a Bank holiday

Identified Risks from Risk Assessment

Risk	Required Action
Coronavirus	Social distancing when queuing to gain entry
	Face mask to be worn by customer entering venue
	Track and trace/hand sanitiser
	All door staff must wear high viz tops

Additional Factors

e.g. Known Scheduled Events/ Occasional Events / Other factors

Additional door staff may be required for special events such as Christmas, New Year and other local events, in consultation with the Management and the local Police.

House Rules

Uniform: Uniform for door staff is white shirt black trousers black tie and black jacket with badge worn on the left arm whilst on duty.

Dress Code	Baseball caps must be removed on admission - no baseball caps to be worn inside.	
Venue Admission Policies	No tracksuit bottoms, No baseball caps and No entry after 3:40 am weekdays, 4:20am weekends. Customers who are drunk or clearly the worse for wear should not be admitted.	
Earliest / Last Admission Times	Earliest 09:00 hrs	Last 03:40 hrs weekdays, 04:20 hours weekend
Queuing Policy	No formal policy however Management may make decisions depending on the venue's capacity at any given time.	
ID Policy / Checks	The only acceptable proof of age / ID are the following: Passport, Photo card Driving Licence and Citizen Card	
Searching Policy	The management of licensed premises may choose to apply a search policy. <i>Note:</i> Refusal to agree to a search constitutes grounds to refuse admission.	
Searching Procedure	Customers should be warned that pre-admission searches may occur. Their permission to search should be obtained prior to a search taking place. Good practice dictates that notice should be displayed explaining any search policy at the entrance to the venue.	
Drugs / Substances Policy	Any drugs discovered on the premises will be confiscated and will be put into the drug safe.	
Weapons Policy	Any weapons found during a search should be seized. (Weapons description vary, consult Head of Security for action to be taken i.e., whether to call the police or not)	
Other Prohibited Items (e.g. Cameras etc)	N/A	
Smoking	Smoking is not allowed inside the venue. There are allocated smoking areas outside.	
Music / DJ / Dance Floor Policies	Refer to venue policy and guidelines on music	
Additional Rules	N/A Unless specified by the Management for specific events.	

Special Conditions

None at Present

Note: As with all bars and entertainment venues in Coventry City Centre are facing increased competition. Door staff must consider this and customers should not be denied access without a valid reason. The management have our assurance that we will give them our full professional support at all times – this includes considering the competition that they are currently facing.

Agreed Door Staff Requirements - please be aware, requirements may change due to demands of the business

Day	Start Time	End Time	Number	Location(s)
Mon	10.00	04.30	2	1 Front Entrance 1 Patrolling
Tues	10.00	04.30	2	1 Front Entrance 1 Patrolling
Wed	10.00	04.30	2	1 Front Entrance <i>1 Patrolling</i>
Thurs	<i>10.00</i>	04.30	2	1 Front Entrance <i>1 Patrolling</i>
Fri	20:00	06.30	3	Front Entrance
	22.00	06.30	3	In Side Area
Sat	20:00	06.30	3	Front Entrance
	22.00	06.30	3	In Side Area
Sun	20:00	06.30	3	Front Entrance
	22.00	06.30	3	In Side Area
B/H				Extra cover on request from manager
C / Eve				Extra cover on request from manager
NY / Eve				Extra cover on request from manager
Football	N/A	N/A	N/A	
Other Events				

Building Plan - Identifying all Entrances / Exits and Fire Assembly Points

All plans and diagrams relevant to this establishment are held by the General Manager in the main office and may be viewed on request.

Shift Commencement Procedures

At the commencement of every shift the following MUST be adhered to:

1. Ensure you know the locations of the following:

Fire Exits

Fire Assembly Point(s)

Break Glass Points

Fire Extinguishers (It is your responsibility to ensure you understand which fire extinguishers relate to which type of fire.)

2. Ensure you know the sound (and any other visual alert) of the Fire Alarm

3. Ensure you know who the trained First Aider is for the shift and how they may be contacted in an emergency.

4. If you are the trained First Aider for the shift, you should ensure you know the location(s) of any / all First Aid Equipment and should check the contents of any kit to ensure its appropriateness and quality.

5. All staff should check the following:

A. Check all fire doors are unlocked

B. Check any chains or padlocks have been completely removed

C. Check all doors open easily. There should be no obstructions on either side

D. Check there are no obstructions making entry or escape difficult

E. Check all fire exit signs are lit. Make sure curtains or posters do not obstruct signs

F. If rear exits are blocked with rubbish, please request that it is removed as a matter of urgency. Time and date a record of the conversation along with the outcome

6. Report any problems to management immediately.

7. Enter a signed and dated record of the problem in the report log and also your personal notebook.

Fire Evacuation Procedures

In the event a fire or in the event a fire is reported:

1. RAISE THE ALARM
2. Notify the Head of Security and the venue Duty Manager immediately.

The Duty manager must then assess and decide if the alarm is accidental or false.

No longer than 120 seconds must be allowed to search for fire, if in any doubt at that point then evacuation must be carried out. (The size of the building must be considered, e.g. a large building with 2 floors for business; in addition consideration must be given to the 3rd floor living quarters).

Security must then quickly and calmly do the following:

1. POSITION THEMSELVES AT THE FIRE EXITS

NOTE: If the Head of Security/Duty Manager officially certifies a false alarm then no further action should be taken and usual security operations should be resumed.

However if evacuation is ordered, OR 120 SECONDS HAS PASSED WITH NO DECISION, the following must be done:

2. OPEN EXITS, ENSURING NO OBSTRUCTIONS, READY FOR EVACUATION.

In cases of fire you must move people out as quickly and quietly as possible.

(You may be allocated a precise role by your supervisor, if so please ensure you fully understand exactly what is required of you)

Head of security/Duty manager must call 999 to summon the emergency services (Except in cases where the building is known to have a working and tested automatic link to the Fire Service

- A. All persons in the building must be evacuated, bar and floor staff Must leave the building at the same time along with customers.
- B. When the building is clear and the checks have been done, Security personnel must leave the building.
- C. Security must then wait outside the fire doors until the Emergency services arrive.
- D. When emergency services arrive await further instruction.

Bomb Alerts

Bombers and bomb hoaxers often telephone their threats. You might be the person who receives the call or be on duty when a bomb threat is made.

You should ensure you are adequately prepared in the event that you receive such a call

- A. Make a careful note of what is said, getting as much Information as possible.
- B. Note the accent or any unusual aspects of the caller's voice.
- C. Note any code words used.
- D. Dial 1471, which may give you the number of the caller.
- E. Report the threat immediately to the Duty Manager / Head of Security

NOTE: If the building has to be evacuated, follow the fire evacuation procedures unless the location of the suspect device means customers must be evacuated via a particular exit.

As part of the evacuation procedure, people should be asked to take their belongings with them unless it delays evacuation. This makes it easier to search the building later for bombs.

Remember: You should always be on the lookout for suspicious packages and if you discover one, you must report it to Head of Security / Duty Manager immediately.

Gas Leaks

If you smell gas the following should be undertaken:-

- A. Inform the Head of Security / Duty Manager immediately
- B. **Do Not** operate any electric switches
- C. **Do Not** light matches or any other naked flame
- D. Open any available windows in the vicinity

Gas Explosions

If there is a gas explosion in the vicinity, the building should be evacuated using the fire evacuation procedure.

Customers will probably hear the explosion, so they may panic. You need to keep calm and take firm, immediate action to evacuate the building once the order has been given.

Note: Any gas flames should be left to burn. If you put them out, gas will be released into the air causing possible poisonings or a larger explosion. Once the gas has been turned off at the mains, the flame will extinguish.

First Aid Procedures

Only trained personnel should undertake to provide first aid. The following should be applied while waiting for trained personnel to attend:

- A. If you suspect a serious injury has occurred, do not hesitate, call the emergency services or have someone else call 999
- B. Contact the shift First Aider and whilst awaiting their arrival keep the area around the casualty clear.
- C. Inform Head of Security / Duty Manager.
- D. Try and reassure casualty that they will be ok, tell them help is on the way, ask their name and use it when talking to them.
- E. When first aider has arrived do not interfere with their assistance to the casualty. However offer your services to them as they may need your help i.e. keeping the area clear, getting a glass of water, calling 999 etc.
- F. Where possible always take down personal details of casualty i.e. name, contact no. etc.
- G. If the casualty is unable to supply such details, ask any friends that may be in the vicinity;
- H. the details will be required by the emergency services
- I. Any details obtained must be recorded in the accident book.
- J. If the first aider has been able to deal with this, then ensure report is filled out on incident with full details,
- K. If emergency services have been called, and the casualty is being transported, obtain the details of the intended destination.

Search Procedures

All bags should be searched prior to admission

Whilst on duty, you may be required to conduct a search on a potential customer. Such searches should only be carried out:

- A. If it is the documented and published policy of the venue – with clear signs informing customers that this policy is a condition of admission
- B. If the Head of Security / Duty Manager specifies that the searching policy should be implemented

These searches will be carried out to ensure that no weapons, drugs or other items are brought in which could

- A. Spoil other customer's enjoyment.
- B. Put customers, yourselves, or other staff in danger.
- C. Make the management liable to prosecution.

All searches must be carried out according to DSNC procedures

- Prior to commencing a search, you must ensure that consent is obtained from each customer in front of witnesses.
- If permission is granted you may commence the search, remaining polite, positive and professional.
- If permission is refused, then you should refuse the individual entry on the grounds that they refused to be searched.
- Male customers should be searched by Male staff and Female customers by Female staff
- Customers should be asked if they have any Weapons, Drugs, Alcohol or other illegal items in their possession.
- If during a search, drugs are found, follow the venue procedure for dealing with them.
- Do not handle drugs yourself. If police have been called then **inform the duty manager** of the situation out of courtesy.
- **If weapons are found during a search, these should be seized.** (Weapons description vary, consult head of security for action to be taken i.e., whether to call the police or not)
- If alcohol is found, this should be seized if the customer wishes to enter the premises, however if they do not wish to hand it over they should be politely refused entry and leave with the alcohol.
- All Door Supervisors should be aware that customers must not be denied access without a very good reason and conforming to the Venue's own policies and procedures.

- The management have our assurance that we will give them our full professional support at all times – this includes not alienating their customers

Risk Assessment Form

Venue / Event Risk Assessment - Background

There is an absolute legal requirement under the Management of Health and Safety at Work Regulations (MHSWR) to carry out a suitable and sufficient risk assessment. This means that it must identify all 'significant risks'. Significant Risks are those which are reasonably foreseeable in terms of probability and severe enough in outcome to warrant consideration i.e. they are more than trivial. Risk assessment is a MANAGEMENT responsibility and all but the simplest risk assessments should be carried out by competent staff who are knowledgeable about the event or the activity in question.

5 Steps to Risk Assessment

There are two key definitions which are an important part of the risk assessment vocabulary.

A "hazard" is something with the potential to cause harm (injury loss or damage)

A "risk" is the potential for harm to be realised. This is usually seen as a combination of likelihood and severity and which is detailed in step two below.

The key is recognising that whereas there are a great many things which are hazardous, it is the context in which they arise which dictates whether or not they are actually a risk.

The most widely accepted approach in the events industry is the five steps approach as follows:

Step 1: Identify the Hazard and who could be harmed

Step 2: Assess the risk

Step 3: Develop Controls

Step 4: Implement Controls

Step 5: Monitor and Review

Step 1: Identify the hazard and who could be harmed

This is the hardest part as it involves predicting everything that could reasonably foreseeable go wrong. There are various approaches to this based on the type of hazard or the type of harm as follows:

Types of Harm

- Hazards that cause injury, such as a broken bone
- Hazards to health, such as noise

Type of Hazards

- Physical e.g. a vehicle
- Chemical e.g. carbon monoxide in exhaust fumes
- Biological e.g. food poisoning
- Ergonomic e.g. upper limb disorders from working at a key board
- Psychosocial e.g. violence

It is important to consider the potential consequences and who could be harmed. For example with an electrical fault the consequences are both potential injury from the shock or a fire.

Step 2: Assess the Risk

This depends on the complexity of the operation. For simple processes it is often sufficient to award a straightforward:

- Low
- Medium
- High

Most event risk assessments require more detail. It is necessary to assess both the potential likelihood of an incident or accident and the potential severity if it does happen. A widely used format is shown below in the section titled "Guidance

The template below shows that we assess risk both before and after controls are put into place. Before controls, we are assessing what would happen if there were no controls. It is important when considering severity to assess the most likely outcome. For example, consider a rigging operative falling from 3m onto concrete. The operative could be killed or they could get away with no injuries. The most likely outcome however, would be a major injury such as a broken bone.

Step 3: Develop Controls

Having determined what the hazards are, and to what extent they pose a risk we now need to do something about it. We are required by MHSWR to take a methodical approach which attempts to reduce risk at source. This can be considered under the following headings:

Eliminate the risk at source. There is a point at which any operation is simply too risky and you must consider this. An alternative is to find a different approach. A good example of eliminating risk at source is a mother grid. It eliminates the risk of riggers falling from height by lowering the grid to the floor and carrying out a fix and hoist.

Substitute for a safer method or product. A good example is the use of emulsion paints as a substitute for the more hazardous solvent paints in stand build, or at seated event substituting a glass bottle with a plastic bottle for drinks.

Reduce the risk in a quantifiable way. A good example is the prolific use of centre tapped earth transformers for temporary power (the yellow boxes). This reduces the voltage risk from 230V to a safer 100V or below on the event floor.

Isolate from the hazard. This is a common form of control at event build ups. Workers are isolated from the risk of falling objects when raising a lighting rig by taping off the area under the rig to prevent access.

Control the risk. All too often this is the start point in many poor risk assessments. Notice how far down the order this is. The most common form of control on the event floor is the use of security and floor management. Another example is an agreed safe system for the lowering of stand panels (i.e. not just letting them fall!)

Personal Protective Equipment (PPE) are items such as hard hats and safety shoes. They are only effective if something goes wrong. A hard hat is only of use if something falls on your head. It also only protects you and not the person next to you unless they are wearing one too. Far better to prevent the object falling in the first place.

Discipline is also a method on which there is far too much reliance. It is fairly self-evident that simply telling people not to do things that are unsafe and then punishing them when they do, is not an effective way of controlling risk.

The MHSWR and associated guidance also requires that risks should be mitigated with a view to achieving maximum reduction in the level of risk within the bounds of what is reasonably practicable. This means that the employer should do what is reasonable within the constraints of the available resources in terms of time, money and personnel. This is not a licence to do nothing on the basis that it is too expensive, but should be the result of careful consideration. The key word here is “reasonable”. The question to be asked is have you made reasonable provision to control the risks relative to the costs of controlling them? For example, consider the requirement for floor managers in a large exhibition. How many floor managers would provide just enough cover? Let us say you decide that two would suffice. Three would be better but how much would it achieve in risk reduction relative to the cost? This is the line of logic which you need to follow.

Step 4: Implement Controls

This is the business of implementing controls on the event floor itself. It is worthwhile considering all the practical implications of control measures before they are put into place. For example you may decide on full bag searches as a security measure. This may be easier said than done when you are expecting thousands of visitors! If it must be done then you need to think of the practical application such as the space for bag searches and the number of security staff that you will need.

Step 5: Monitor and Review

It is important to monitor the event floor to ensure that prescribed controls are actually in place.

You also need a system of reviewing risk assessments. Event risk assessments have a natural review cycle and a new one is required for each event. For routine operations every risk assessment should have a review date. Other times when risk assessments need to be reviewed are:

- When there has been an accident or incident
- When there is a significant change in personnel or process
- When there is a change in the law
- When monitoring reveals problems.

GUIDANCE

Risk Matrix

Each risk must be assessed against the likelihood of an incident occurring and should it happen, the severity of the consequences.

Review of risk assessments:

All risk assessments should be reviewed in the following circumstances:

- In accordance with the specified review period and/or
- As a result of change, and/or
- Following an incident/accident or reported event

Likelihood

Taking into account the controls in place and their adequacy, how likely is it that such an incident could occur? Apply a score according to the following scale:

Level	Descriptor	Description
5	Almost Certain	Likely to occur on many occasions, a persistent issue
4	Likely	Will probably occur but it is not a persistent issue
3	Possible	May occur occasionally
2	Unlikely	Do not expect it to happen but it is possible
1	Rare	Can't believe that this will ever happen

Severity

Taking into account the controls in place and their adequacy, how severe would the consequences be of such an incident?

Apply a score according to the following scale:

Level	Descriptor	Actual or Potential Impact on Individual(s)
5	Catastrophic	Death or Permanent damage
4	Major	Permanent injury or illness e.g. RIDDOR reportable injury/ill health retirement/redeployment
3	Moderate	Semi-permanent injury / damage or illness e.g. injury that takes up to 6-12 months to resolve or requires medical rehabilitation
2	Minor	Short-term injury/damage or illness e.g. injury or illness that has been resolved within one month
1	Insignificant	No injury or adverse outcome

Risk Score/Action to be taken

LIKELIHOOD	SEVERITY					TIMESCALES
	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic	
1 – Rare	1	2	3	4	5	No immediate action Required
2 – Unlikely	2	4	6	8	10	Action within 12 mths Required
3 – Possible	3	6	9	12	15	Action as Soon as Possible Required
4 – Likely	4	8	12	16	20	Urgent action Required
5 – Almost certain	5	10	15	20	25	Immediate Action Required

Risk Assessment

Venue Location: The Oak

Risk Assessment number: (1) Date of Assessment: 25/5/2021

Description of Hazard and potential Injury which may occur	Persons Affected	Existing Control Measures	L i k e l i h o o d	S e v e r i t y	Ri s k R a t i n g	Risk Controlled YES / NO
SLIPS / TRIPS / FALL						
Wet Floors / Stairwells / Dance Floor / Drink Spillages	All Staff / Customers	All staff to be aware of the risks associated. Any hazards and defects on the premises must be reported to the Duty Manager and recorded in the Daily Occurrence Book. Employees to be aware of the possibility of slipping on wet floors which can become slippery (alcohol spillage etc).	3	2	6	YES
Subdued / Poor Lighting. Night time.	All Staff / Customers	Ensure all staff are aware of the risks associated. Increase lighting in vulnerable areas at entrance / exit.	1	1	1	YES
Low lighting in stairwells	All Staff / Customers	Ensure the site plans have these marked clearly so during patrols these areas can be treated with caution. Staff should be instructed to monitor these areas regularly, as the risk to customers is High especially when intoxicated. Stairwells need to be kept clear at all times (Fire Regulations / Evacuation requirements)	2	1	2	YES
Refuse Bins and Rubbish	All Staff / Customers	Ensure Refuse Bins are placed in safe positions prior to event opening. Remove additional rubbish from areas. Such objects must NOT obscure / interfere with emergency evacuation.	1	1	1	YES

Description of Hazard and potential Injury which may occur	Persons Affected	Existing Control Measures	L i k e l i h o o d	S e v e r i t y	R i s k R a t i n g	Risk Controlled YES / NO
HAZARDS THAT CAUSE CUTS AND PUNCTURE WOUNDS						
Broken Glass	All Staff / Customers	<p>If found, ensure the area is made safe. Small pieces should be cleaned up using a dust pan and brush, ensure the use of face goggles and heavy-duty gloves. Place the broken glass into a suitable container that may be sealed and thrown out without the risk of the glass escaping. Once the glass is in the container, label it carefully before disposal in the correct manner, (i.e. special waste or glass removal)</p> <p>Ensure all Door Supervisors wear suitable footwear which may offer some protection.</p> <p>Ensure suitable gloves are available in the event of it being necessary to remove larger pieces of broken glass (window damage etc)</p>	3	3	9	YES
Knives / Sharp Implements	Door Supervisors / Other Staff / Customers	<p>Objects and items of this nature may be found during searches or in the event of a violent attack, or threat situation. Ensure correct disposal of items is available, i.e. Sharps box. In order for the Door Supervisor to be able to protect him/herself, it is important that respect is given to the severity of the potential to be injured and therefore they should utilize their training in handling these specific situations.</p>	2	2	4	YES

		The Door Supervisor is not expected to put him/herself at direct risk, but should endeavour to control the situation using reasonable restraint if it becomes necessary.				
Description of Hazard and potential Injury which may occur	Persons Affected	Existing Control Measures	L i k e l i h o o d	S e v e r i t y	R i s k R a t i n g	R i s k C o n t r o l l e d Y E S / N O
VIOLENCE AND VIOLENT SITUATIONS						
Capacity of Door Supervisors to effectively engage and communicate/negotiate with troublesome customers	Door Supervisors	All Door Supervisors should participate in regular training and training updates to achieve skill levels that enable good communication to diffuse potential for violence.	2	1	2	YES
Staffing levels associated with engaging customers	Door Supervisors	All Door Supervisors should be mindful of observing situations where colleagues are negotiating with troublesome customers – ready to assist if required	4	1	4	YES
Dealing with violence and threatening behaviour	Door Supervisors	All Door Supervisors receive appropriate training information and instruction to be competent in dealing with violence and threatening behaviour. Door Supervisors have radios or phones with regular checks to the control room to monitor status and position. CCTV should be used to maximum effect to pre-empt and monitor such situations. Should any situation need further assistance the Door Supervisor can request the Emergency services be contacted? This will normally be completed by the control room.	3	3	9	YES

		No Door Supervisor is to put themselves or others at risk.				
Known risk of violence from local drug users / dealers etc	Door Supervisors / Other Staff / Customers	Interaction with local police and identification of gang leaders and drug dealers should be sought. If the situation requires, recommend involvement of local drugs squad to apprehend repeat offenders. Accurate use of CCTV to identify persons involved.	3	1	3	YES
Venue targeted by local group resulting in violence against staff, customers etc.	Door Supervisors / Other Staff / Customers	Local group to be identified, and banned from the venue. If required, police involvement should be sought. Identification and prevention by management of banned customers to purchase alcohol should be enforced even when security not present. Accurate use of CCTV to identify persons involved.	2	2	4	YES
Racial abuse likely, risk of violence increased due to Racial / Issues	Door Supervisors / Other Staff	Staff planning to prevent issues arising out of individuals who may be targeted with racial abuse. Training in responding to racial abuse to be undertaken by all Door Supervisors.	2	1	2	YES
Description of Hazard and potential Injury which may occur	Persons Affected	Existing Control Measures	L	S	Ri	Risk
			k	e	sk	Controlled
			e	v	Rating	YES / NO
			l	e		
			i	r		
			h	i		
			o	t		
			o	y		
ELECTRICAL HAZARDS						
HAZARDS ASSOCIATED WITH TRAFFIC AREAS						
Collision with moving vehicles	Door Supervisors / Customers	Vigilance in ensuring customers do not “wander” into the roadway when entering / exiting from the venue; in particular when the venue is closing Where necessary, temporary pedestrian barriers should be used as extra safety.	1	1	1	YES
Spillage	Door Supervisors / Other Staff / Customers	Due to shared traffic areas caution must be taken in case substances such as oil having been spilt causing a slip hazard. For normal spills the following is used: <ul style="list-style-type: none"> Spill packs 	4	1	4	YES

		<ul style="list-style-type: none"> ● Hazard / Caution Signs ● Mops & Buckets 				
CONTROL OF SUBSTANCES HAZARDOUS TO HEALTH						
Exposure to substances that may cause harm.	Door Supervisors / Other Staff / Customers	Ensure Material Handling Data Sheet for the substance is available. Follow correct guidance and procedures for dealing / cleaning up the substance.	1	1	1	YES
Substance used as a weapon	Door Supervisors / Other Staff /	Minimise the possible damage by having first aid / additional material and equipment available. (e.g. eye bath and distilled water in the case of attack using pepper spray)	1	2	3	YES
Malicious release of substance (e.g. noxious gas)	Door Supervisors / Other Staff / Customers	Follow fire evacuation procedures if release takes place inside the building. If outside, position to guide customers away from contamination.	2	2	4	YES
PREGNANT EMPLOYEES						
Standing for long periods of time	Door Supervisors / Other Staff	Long periods of standing may cause back, leg and dizziness. The site should be able to provide a facility to allow for sitting or frequent breaks for 5 minutes throughout the shift.	1	2	2	YES
Description of Hazard and potential Injury which may occur	Persons Affected	Existing Control Measures	L i k e l i h o o d	S e v e r i t y	R i s k R a t i n g	Risk Controlled YES / NO
Other Medical Conditions	Door Supervisors / Other Staff	It is the responsibility of each individual member of staff to inform their supervisor of any medical condition that they may develop, which necessitates additional considerations for working practices. (this may involve adjusting shift patterns / venues in order to accommodate best practice)	2	2	4	YES
MANUAL HANDLING						

DISPLAY SCREEN EQUIPMENT						
FIRE HAZARDS						
Fire Fighting Equipment	Door Supervisors / Other Staff	Although not a hazard, all staff should ensure they understand the correct use of Fire Extinguishers (Fire Blankets, Water, CO ² , and Foam) and the types of fire to which they can be applied. No member of staff should place themselves at risk in attempting to extinguish a fire.	2	2	4	YES
VENUE SPECIFIC HAZARDS						
External Patrols at night	Door Supervisors / Other Staff	All external patrols to be monitored either by using CCTV or maintaining visual contact with a colleague.				
Coronavirus	Staff/Customers	Due to this pandemic virus it's imperative that all staff and customers follow the national guideline to prevent the spreading of this virus	5	20	25	YES

Additional Control Measures

If the risk is not controlled then further actions are required.

ACTION PLAN

Risk Assessment number: **(1)**

Further Action Required	Li ke li ho od	Se ve ri ty	Ri sk Ra ti ng	Person Responsible	Target Date for Completion	Date Completed
No further action need at this time however all door staff will attend update training as required, to meet any venue specific or additional company policies.						

Assessor(s): Date: 25/5/2021

Risk Assessment Register

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Risk Assessment Reference No.	Name of Assessor	Assessment Date	Description of Task/Situation	Review Date	Related assessments
1	T gittens	25/5/2021	Visit venue carry out full assessment	2022	

Assessor(s):

Date:

The Oak, Coventry.

Dispersal Policy

Background Statement Reiteration

The Oak is located in the city centre of Coventry. It is open 7 days and nights. The venue provides food throughout the evening. The manager maintain clear objectives regarding the atmosphere he wish to create in their venues. It should be a pleasant, friendly and relaxing atmosphere, with all staff working to maintain this experience for the customers. External threats to this establishment would mainly consist of drunken behaviour from a variety of individuals within the City Centre. The manager has taken every measure to ensure safety for all customers and staff Door Security has been arrange for every nights. The venue will be monitored and a full report given to the manager.

The venue has 1 x pub watch radio linked to the police it also has 6 x radios which are used by the door staff and management. Door staff also each wear a badiacam and record all the way throughout the night. The venue has an outside smoking area which is applicable to anywhere on site and outside, as well as 4 fire exits, one at the front, and 3 on the side. The venue also has CCTV cameras in operation in and around the premises which link to the recording system, located in the manager office.

Any information or activity which results in changes to the components of the dispersal policy will be fully discussed with all parties concerned, prior to being implemented.

Dispersal Policy Components

The following identifies the individual components which make up the dispersal policy.

These components are not considered as “set in stone” and will be reviewed at least annually or when any of the external environmental elements change in a way that may affect the policy.

These components may be added to as either requirements change or experience dictates.

Internal Preparation

- Staffing
 - During the last 20 minutes of trading, the service points in each bar will be reduced and some staff reallocated to collect glasses
 - This will assist customer departure and reduce the potential for people to carry glassware out of the premises.

- Music & Lighting
 - In addition, the lighting levels will be slowly manipulated to encourage the gradual dispersal of patrons during the last part of trading and the drinking up period.

- Bottles and glasses
 - Signage will make it clear that customers will not be allowed to leave the premises with bottles or glasses.
 - This policy will be supported by a vigilant door team, applying search policies where necessary.
 - Bins will be provided at exits for use by customers.
 - As there is no on-street drinking in the area, Bar staff along with door security, will remind customers of this fact as they are about to leave the premises.

- Minimising Noise at the Point of Exit
 - A manager or specified member of the door staff will be in the area of the main exit to oversee the end of night departure period.
 - DJ announcements will be used to remind customers to be considerate on leaving the premises.
 - Highly visible notices will be placed in the foyer requesting exiting customers to leave quietly and to respect neighbours and their properties.

- Door Staff

The door team play a key role in the implementation of several aspects of the dispersal policy by:

- encouraging customers to drink-up and progress to the exit throughout the latter part of drinking-up time;
- drawing the attention of existing customers to the notices in the foyer and requesting that they are considerate;
- ensuring the removal of all bottles and glasses from departing customers;

External Preparation

Customer and public safety, on exit from the venue, will be closely monitored by the manager or specified member of the door team.

- Lighting (external)

The management will use increased lighting outside the premises, at the end of the trading period.

This will:

- provide increased visibility of pedestrians for drivers
 - encourage customers to leave more quietly
 - enhance CCTV coverage
 - enhance visibility by Door Staff
- The correct positioning of any enhanced lighting will be discussed with the Local Council to maximise its effectiveness; whilst ensuring that it does not shine directly into any residential properties in the vicinity.

- Litter

- As well as clearing rubbish, the patrol acts as another set of eyes and ears identifying potential disorder.
- Their activity, particularly sweeping the pavement, will also encourage customers to vacate the immediate area outside the premises.

- Door staff

The door team will pro-actively assist in the implementation of the dispersal policy outside the venue by:

- actively encouraging customers not to congregate outside the venue;
- directing customers with pre-booked taxis to the appropriate location;
- directing customers to the nearest taxi ranks or other transportation away from the area indicating the safest route – mindful of the traffic flow.
- requesting customers maintain consideration of neighbours to the venue
- pro-actively monitoring the traffic flow and ‘shepherding’ customers away from the path of the traffic

Specific Events

- Wind down period or “Chill-Out-Time”

- For specific high-profile events, the management will consider the use of a chill out period that gently winds down the evening rather than bringing it to an abrupt halt.
- Such provision may include a taxi booking service and providing coffee, soft drinks and bar snacks as a way of spreading customer departures over a longer period of time.
- Such activity will depend on the licencing / opening hours attached to the event.
- The venue will hold some special events for student only on these occasion every effort will be made to ensure their safety by having tap water available throughout the night. Bar staff to limit and monitor where possible individuals buying drinks and refuse anyone behaving in a drunkenly manner.

COVID-19 managing the risk when the sites are open and trading (Main risk assessment)

The following assessment looks at how the club 147 will potentially manage the risk of COVID-19 when they are redeployed. All government guidelines will be followed. The controls look at all scenarios rank them in order of impact, ease of implementation and cost

PEOPLE EXPOSED

- Colleagues
- Contractors
- Visitors / Guests
- Members of the Public

HAZARDS

Spreading COVID-19 amongst staff

- By having no additional controls in place then the risks of someone bringing in the disease and spreading it further is possible

Spreading COVID-19 to the wider public community

- By having no controls in place this will allow COVID 19 to enter the premises and not be controlled to employees but will spread around the local community and possibly further. This uncontrolled hazard will potentially lead to civil and criminal investigation, claims and prosecutions.

Increased violence and aggression

- The public are not necessarily used to being told what to do in a pub environment. If restrictions are in place this may cause issues

CONTROL MEASURES

Excellent personal hygiene practices by all employees

- All staff members wash and sanitise their hands at the beginning, during and after shifts. They are actively encouraged to clean their hands after every task completed. Contractors and visitors will be instructed to wash their hands-on entrance to the site. Security personnel will highlight to customers locations of sanitiser stations, and any visible posters or instructions. Regular toilet checks and good personal hygiene practices will be implemented throughout the entirety of the shift so that hygiene standard is maintained at venues.



Zoning of working environments

- To prevent the risk of cross over and not maintaining a social distance, where possible, staff will adhere to zoned working areas. Staff will only enter other areas after hand washing and only if totally required. Working practices will change, and staff will be encouraged to follow guidelines of one person in one zone, staff will stay in that zone and only come out for specific or directed reasons.

Maintenance of social distancing (employees and customers)

- Where possible for all employees and customers the 1m+ social distancing will be implemented. It is regarded by the WHO and the HSE that there may be necessity of some operations where this may not be possible and social utility will be allowed as it is a benefit to the wider majority. All government guidance will be followed, and staff will implement social distancing and ensure capacity reduction of numbers is strictly adhered to.

Bar Zones

- Where possible within venue staff will limit the crossover of any zones with venue staff members. In most sites this should be possible but it is recognised that not all sites will be able to do this. However, all reasonable efforts should be made to complete this task when redeployed

Seating layout

- Staff are to ensure all seating will remain in the positions in such a way that social distancing is maintained. It may be expected that the sites will tell people where to sit or in what groups as social utility will be allowed in this circumstance staff to enforce this across the establishment if requested. For fixed seating staff will ensure that closed booths, are not utilised by customer. Both internal and external seating needs to be considered and monitored.

Hand sanitising stations

- All sites will have a hand sanitizer station located at entrances. This with clear posters and signage with the support of staff will encourages all types of customers, visitors to wash and sanitise their hands as they enter and leave the site. This is a government and WHO recommendation.

Clear process for operators if they suspect an employee has COVID-19 and checking if staff have symptoms

- The company have a clear policy, and managers have had training on what to do if a member of staff has COVID-19, either suspected at work or they ring in. Although the sites are open, we must not lose the fact that the disease is still within the community. Staff will respond in a customer friendly way, and as the security operator will deal with any member of the public whom they suspect may have COVID-19 symptoms. This may be in the form of advice, guidance or refusal of admission.

Management to support staff and customers with payment methods

- Staff will inform and provide guidance to customers upon entry of acceptable payment methods. This may be contactless method or via possible applications this will naturally increase as the public are getting used to paying this way. Cash may be refused but this must be relayed with clear communication from staff at the point of entry.

Training and changing ways of working

- Clear staff training has been provided on COVID-19 and how to sensibly manage the risks. All staff will have training on personal hygiene and as a company we considered all working practices.
 - Entrance and egress
 - Removal and eviction
 - Rogation
 - Venue safety checks
 - Evacuation
 - Close down

Perspex barriers

- Staff will ensure all customers adhere rule set around physical barriers and the distances required. Some venues may have agreed areas, that may have a Perspex barrier, such as the till points. This will give better protection to employees when they are most likely to be in contact with the public, with staff monitoring and enforcing distancing within these areas.

Traffic flow and markings to maintain social distance

- Staff to help the public maintain a social distance will guide customers on any one-way systems and monitor any set barriers in place to limit the numbers at the bar. This area will ultimately be social utility would be enforced.

Hand wash facilities

- The majority of sites will have hand wash basins at the bar area, to allow staff to wash their hands. Where this is not possible then sanitise wipes and frequent breaks to wash hands will be expected to be carried out by staff. If venue has alternative procedures then these will be added as a specific control.

- Staff will all be issued with masks, personal sanitisers and hygiene systems. Surgical standard face masks will be issued and will be disposable one use. However, staff will be able to use personal masks if they meet industry standard requirements. Disposal gloves will be issued and with all PPE,

Adequate supply of all chemicals

- Staff have established a supply chain to ensure that if required, D10 chemical and sanitiser wipes are available and all other cleaning options are available. This is to be established on a venue to venue basis.

PPE consideration

- Gloves will be implemented when all other control measures have been exhausted and in specific sites where there is no other way of controlling the risk. Staff are clear that gloves DOES NOT replace the need for excellent personal hygiene and the washing of hands as the best control measure against COVID-19. If gloves are needed then the following should be used blue powder free vinyl gloves for general use and for any possible evictions latex gloves should be used. They are stronger and more reliable.

Violence and aggression risk assessment

- Staff will enforce social distancing controls. These may lead to conflict from the public due to them not responding to being told what to do and the effects of alcohol differ from person to person. Staff are aware of the likelihood of possible increased violence and aggression and all staff have been instructed to refer to the violence and aggression risk assessment and review it to add in any additional control measures as required.

Minimising touch points

- Venues will have enhanced cleaning but, staff are advised to give consideration to propping open doors that are not required. This minimises the need to touch them in the 1st place. Internal fire doors DO NOT apply and must be kept closed.

Staff breaks at different times

- Staff to have breaks at different times to so social distancing can be maintained

Queuing and entry to the building (public areas)

- Queuing: to help keep people two metres apart when queuing and going through security, the following measures should be implemented : - The Door supervisor will ask each customer to enter the building to ensure people do not enter until they are called forward - Space markings on the floor for social distancing - Rope or Tensa barriers (if considered is appropriate for the building)

Entry to the building

- To ensure we follow the latest NHS guidelines on checking for symptoms for COVID-19 the following measures should be implemented: - All customers will be asked to confirm that they do not have any symptoms of coronavirus in line with PH guidelines i.e. persistent cough and/or a fever. - If anyone appears to have, or discloses that they have, symptoms consistent with COVID-19, they will be refused entry to the building by staff.
- Confirmation that appropriate measures for queuing and entering buildings are in place. If they are not, explain why, recording any actions and local adaptations and notifying your regional manager.

Bag searches and searches (public areas)

- Our public guidance informs users of the measures in place when conducting bag checks and searches.
- Social distancing: to maintain a two-metre gap between the Door supervisor and the user while the search is being conducted and when items are returned, the following measures should be implemented: - Space markings on the floor. - Rope or Tensa barriers. (if considered if appropriate for the building).
- Reducing physical contact: to minimise the risk of exposure (the potential risk of individuals sneezing or coughing directly at each other) the following measures should be implemented: - Bag and personal searches will be conducted as a “hands off” check. No physical contact is made with the individual. - Customers will be asked to open their bag and show the Door supervisor its contents and then stepping back to a safe distance.
- The Door supervisor will conduct a visual check for restricted items, avoiding where possible, physically touching bags/items. If a bag/item needs to be touched, the Door supervisor will have access to protective gloves and hand sanitiser to maintain hand hygiene. - The Door supervisor will then step back to a safe distance and advise the court customer if safe to do so to enter
- Confirm that management have supplied their guards with a sufficient stock of PPE, and there is a process in place for door supervisors to inform the managers if stock levels are low, and to inform the head door supervisor if searching cannot be undertaken. - Door supervisors to have an agreed process to inform the venue if someone is turned away on the day, including information on the reason.
- Confirmation that appropriate measures for searching are in place. If they are not, explain why, recording any actions and adjustments and notifying your regional Manager.

Social Distancing (public areas)

- Our public guidance informs users of the social distancing arrangements in place to help maintain a two-metre distance. These will vary between individual buildings depending on layout.
- Social distancing posters to be displayed in prominent locations throughout the venue including the interior and exterior doors from the entrances and throughout the building
- Social distancing will need to be regularly assessed in public areas ensuring the two-metre social distancing is maintained across all floor space, as well as the likely busy areas. - In the event of social distancing is compromised by congestion, marshalling will be used to direct people appropriately. If necessary, a one in one out system may be required.
- To maintain social distancing on stairs and in the waiting areas around stairs the following measures should be considered: - A one-in, one-out, system to be used for stairs up and down. This could include use of posters and/or marshalling. - Distancing markings to be used to maintain two metre spacing for queueing. - If the lift is large enough for more than one person, distancing markings in the stairs itself.

- Toilets: to maintain social distancing in toilets and in the waiting areas around toilets the following measures should be considered: - If the toilets are large enough, a one-in, one-out, system to be used for toilet entry and exit this could include use of posters and/or marshalling. - Distancing markings to be used to maintain two metre spacing for queueing.
- Bar and reception areas: to maintain social distancing in bar and reception areas the following measures should be considered: - Distancing markings to be used to maintain two metre spacing for queueing. - For high use counters the deployment of existing counters with glass barriers or plexiglass barriers.
- Corridors and waiting areas: to maintain social distancing in corridors and waiting areas the following measures should be considered: - Customers to only enter zones when instructed to do so to avoid cross-traffic in doorways and to ensure a safe number of people in these - If the design of the building allows it, one-way flow measures to be actioned.

Social distancing (staff areas)

- When reviewing the social distancing in staff areas, consider how the following standards/measures are being applied.
- Coming to work and leaving work: to maintain social distancing, on arrival and departure wherever possible, and to ensure hand washing upon arrival.
- Moving around buildings: to maintain social distancing wherever possible while people travel through the workplace, the following measures should be considered. - Floor markings and directional arrows to indicate one-way flow around the office. - Reducing movement by discouraging non-essential trips within venues.
- Debrief Meetings and end of shift: to reduce transmission due to face-to-face meetings and maintain social distancing in meetings and closedown, the following measures should be considered. - Reviewing the use of bar and kitchen areas to avoid congestion. - Staggering break times to reduce pressure on break rooms or canteens. - Reconfiguring seating and tables to maintain spacing and reduce face-to-face interactions. - Encouraging staff to remain on-site and, when not possible, maintaining social distancing while off-site. - As far as is practicable, a one-in, one-out, system to be used for toilet entry and exit.
- Confirmation that appropriate measures for social distancing in staff areas are in place. If they are not, explain why, recording any actions and adjustments and notifying your regional manager.

Hygiene and cleaning (public and staffed areas)

- Venue hand washing posters will be displayed in prominent locations, particularly in and near toilets and waiting areas.
- Cleaning the building: to help reduce the spread of the virus and maintain cleanliness the following measures should be considered by venues - Cleaned throughout daily, and at night. - Cleaners returning at frequent intervals to common touch points, any shared items to be removed from waiting and general areas. - Rubbish is promptly disposed of. There are an adequate number of bins and they are emptied at regular intervals.
- Toilets: to help reduce the spread of the virus and maintain the cleanliness venues the following measures should be considered - Soap and hand drying facilities are available, and easily located for customer and staff use. - Staff including door supervisors to monitor these regularly throughout the shift, checking that taps, sinks and toilets function as expected. - Cleaners are able to respond promptly to any maintenance or replenishment requirements.
- Hygiene measures: to help reduce the spread of the virus and follow Public Health advice the following measures should be considered: - Staff to clean their hands at regular intervals when handling any items, by either washing their hands with soap and water for at least 20 seconds, or by using hand sanitising gel. - Hand washing facilities or sanitiser are available for staff and customers. - The location(s) of hand sanitiser for public use is clearly signed on entry to the building. - The locations must be set up so they do not compromise wider social distancing measures.

- Responding to incidents: to help reduce the spread of the virus and maintain the cleanliness of venues the following measures should be considered: - Responding swiftly to complaints received of any areas of poor hygiene. - Should there be any instance of a confirmed case of COVID-19 a system is in place to ensure a deep clean can be completed imminently.
- Confirmation that appropriate measures for hygiene and cleaning are in place. If they are not, explain why, recording any actions and adjustments and notifying your regional manager.

Access to drinking water and refreshment facilities (public areas)

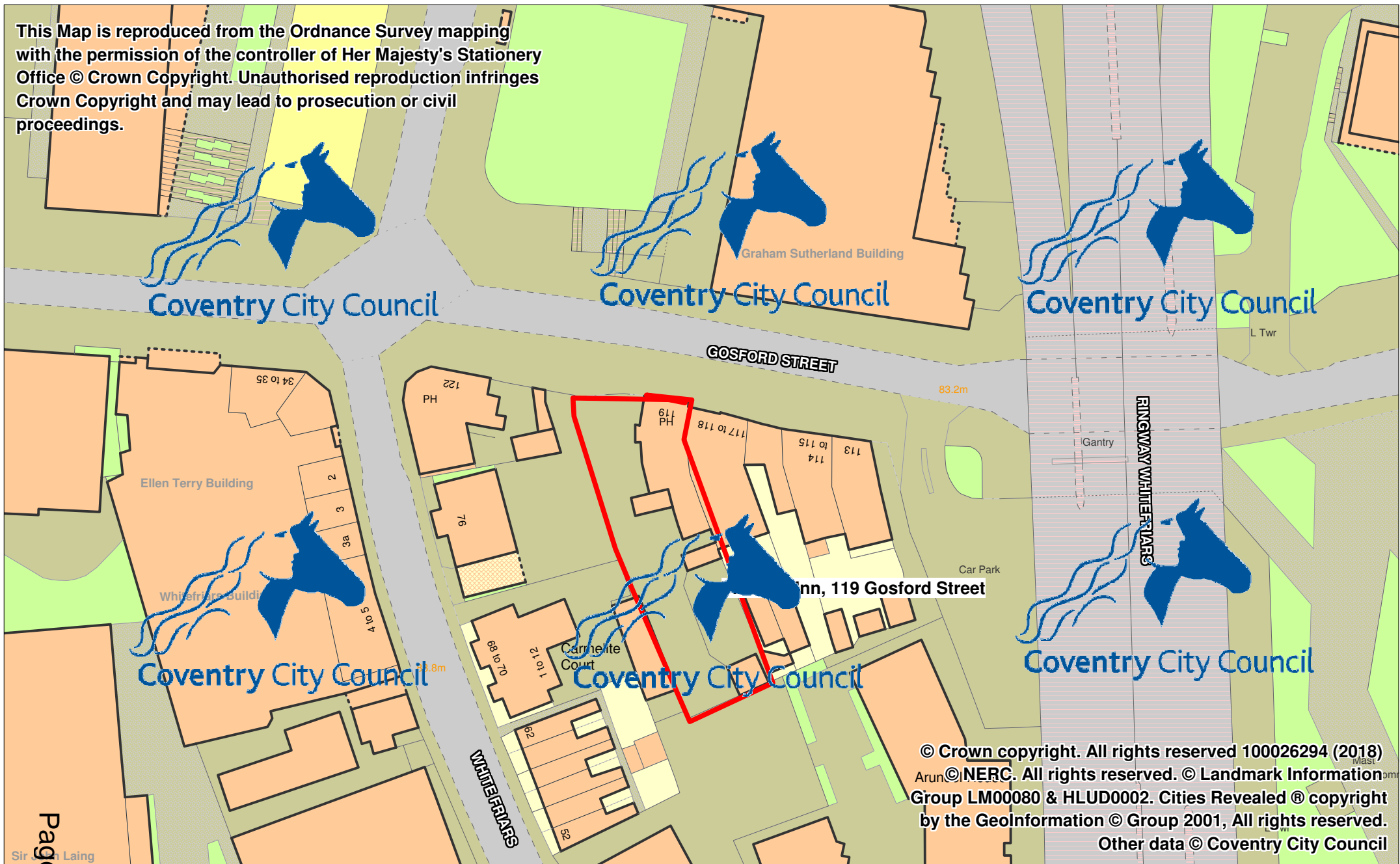
- Venue guidance informs customers and staff of the measures in place relating to food and water in our buildings.
- 30. Provision of food and water: to comply with the Public Health advice and guidance the following measures should be considered - Glass bottles are not permitted and should be confiscated or disposed of by security before entering the building.
- Confirmation that appropriate measures for accessing drinking water are in place. If they are not, explain why, recording any actions and adjustments and notifying your regional manager.

Face coverings and the use of PPE (mask and/or gloves) in public areas

- The following public guidance has been released on the wearing of face covers. <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19>.
- Use and disposal: wearing a face covering does not protect you, but it may protect others if you are infected but have not developed symptoms. The following measures should be considered: - Face coverings are distributed to staff in line with national policies.
- PPE (masks and gloves) are available for First Aiders to wear to attend any first aid incident. - Anyone choosing to wear their own face coverings should do so in line with the Public Health guidance. - Face coverings are made available to users, on request. - Gloves are available to staff to protect the skin on their hands from the effect of hand sanitiser, where their roles require this gel to be applied at intervals. - Face coverings and gloves are disposed of carefully in a 'no touch' bin, and people advised to immediately wash their hands with soap and water or use a hand sanitiser.
- Confirmation that appropriate measures for using face coverings or PPE are in place. If they are not, explain why, recording any actions and adjustments and notifying your regional manager.

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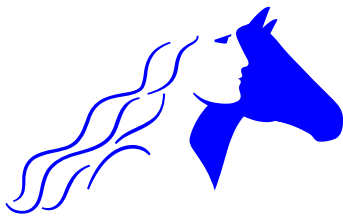
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Coventry City Council

LICENSING ACT 2003

LICENSING SUB-COMMITTEE

HEARING PROCEDURE NOTE

1. The Members of the Sub-committee will enter the hearing room.
2. The Chair will introduce the Members of the Sub-committee and its supporting officers (normally a legal adviser and a minute taker) and will ask each of the parties (and their representatives) to identify themselves.
3. The Chair will ask if the parties have received and understood the procedure note (and in particular that cross-examination by the parties is not allowed) and whether anyone present would like the procedure explained further?
4. The Chair will confirm any relevant further documents the licensing authority has received before the hearing and will be considering, and will ask the parties whether there are any other documents they now wish to present (subject to the other parties' consent) and their reasons for doing so.
5. The Chair will ask if any party wishes to call witnesses in support of their case and their reasons for doing so.
6. The Licensing Officer will give a brief description of the application, confirm whether all relevant application formalities have been complied with and where relevant, that the authority has notified the parties of any points that the authority wanted clarification on at the hearing?
7. The Chair will invite the applicant/licensee/review applicant (or representative) to present their case (maximum 20 minutes).
8. The Chair will invite Members of the Sub-committee to ask the applicant/licensee/review applicant (or representative) questions.
9. The Chair will invite each objector/review review respondent (or representative) to present their case (maximum 20 minutes each)
10. The Chair will invite Members of the Sub-committee to ask each objector/review respondent (or representative) questions.
11. The Chair will invite each objector/review respondent (or representative) to sum up their case and if they wish, to comment on anything said by any other party (maximum 10 minutes).
12. The Chair will invite the applicant/licensee/review applicant to sum up their case and if they wish, to comment on anything said by any other party (maximum 10 minutes).

- *[13. The Members of the Sub-committee will retire with their supporting officers to make their decision.
- 14 The Members of the Sub-committee and their supporting officers will return to the hearing room and the Chair will invite the Committee Solicitor to inform the meeting of the decision made, any facts relied on, the reasons for the decision and any specific legal advice given.
15. The Sub-committee's decision will be confirmed in a written Notice of Determination that will be issued to all parties within 10 working days of the determination.
- * Where permitted by the Act, the Chair may close the meeting at this point and re-convene the meeting in private at a later date for the Sub-committee to make its decision.



Coventry City Council

Licensing Act 2003

Briefing Note 7 – Hearing to Consider an Application to Review a Premises Licence

Background

A premises licence remains in force in perpetuity (unless a time-limited licence has been granted). Where the way in which the premises are being run gives rise to concerns relevant to the licensing objectives it is possible for the licence to be re-examined by the Licensing Authority. The Licensing Authority cannot review a licence of its own volition but must do so in one of two circumstances:

- (a) where a review application has been accepted from a "responsible authority" or any other person; or
- (b) where the Magistrates' Court has triggered a review following a closure order.

Where a review application is made it is served on the licensee, Responsible Authorities and is advertised by the licensing authority. Responsible Authorities or anyone else can 'join in' on the review by making their own representations.

A hearing is required to determine whether the licence should be allowed to continue or to continue with modifications.

Section 182 Guidance (Apr 2018)

Particular reference should be made to Part 11 and Parts 15.55 – 15.56.

Local Statement of Licensing Policy (2016)

Particular reference should be made to Parts 4, 6, 7

Human Rights Act

The hearing procedure and the availability of a statutory right of appeal comply with the Article 6 requirement to provide a fair hearing when determining the licensee's and objectors' civil rights. A decision to modify, suspend or revoke a premises licence will interfere with the licensee's property rights and Article 1 Protocol 1 will be engaged requiring such action to be in the public interest and to be a proportional response to meeting the four licensing objectives.

The Sub-committee's powers

Having heard from the review applicant and anyone else making "relevant representations" and the licensee, the sub-committee may:

- (a) take no action; or
- (b) issue an informal warning letter; or
- (c) modify the conditions of licence*; or
- (d) exclude a licensable activity from taking place on the premises; or
- (e) remove the designated premises supervisor; or
- (f) suspend a licence for up to 3 months; or
- (g) revoke the licence.

[* controls on live or recorded music that are suspended by the Live Music Act 2012 and SI 2014/3253 can also be reintroduced at a review.]

Rights of Appeal

An aggrieved licensee can appeal to Coventry Magistrates' Court against actions (c) – (g) above and anyone else can appeal against actions (a) – (f). Any decision taken by a sub-committee does not take effect until after the period for lodging an appeal has elapsed or, where an appeal has been lodged, until the appeal is disposed of by the magistrates' court.