

Licensing Committee Agenda

HEARING TO CONSIDER AN APPLICATION FOR A REVIEW OF A PREMISES LICENCE

This meeting will consider only licensing matters delegated under the Licensing Act 2003

27TH June at 10am

Remote Meeting

**MEMBERS OF COMMITTEE INVITED TO ATTEND
HEARING**

Councillor R. Lee (Chair)

and Councillors TBC

Local people are welcome to attend this meeting remotely, where your elected Councillors take decisions affecting YOU and your City. If you would like to find out more, please telephone Daniel Bird in the Democracy Team on Chelmsford (01245) 606523 or email daniel.bird@chelmsford.gov.uk.

Licensing Committee

27th June 2023

AGENDA

1. Apologies for Absence

2. Declaration of Interests

All Members are reminded that they must disclose any interests they know they have in items of business on the meeting's agenda and that they must do so at this point on the agenda or as soon as they become aware of the interest. If the interest is a Disclosable Pecuniary Interest they are also obliged to notify the Monitoring Officer within 28 days of the meeting.

3. Minutes

To consider the minutes of the meeting on 31 March 2023

4. Licensing Act 2003 – Application to review a Premises Licence – The Garrison, 3 High Street, Chelmsford, Essex, CM1 1BE

MINUTES

of the

LICENSING COMMITTEE HEARING

held on 31 March 2023 at 9am

Present:

Councillor L.A. Mascot (Chair of Hearing)

Councillors D.G. Jones and R. Lee

1. **Apologies for Absence**

No apologies for absence were received.

2. **Declaration of Interests**

All Members were reminded to declare any Disclosable Pecuniary interests or other registerable interests where appropriate in any items of business on the meeting's agenda.

Cllr Davidson declared an interest at this point of the meeting and therefore took no further part in it.

3. **Minutes**

The minutes of the meeting on 22nd March 2023 were confirmed as a correct record.

4. **Licensing Act 2003 – Application for a New Premises Licence – Zen Fest, Kings Farm, Margaretting Road, Writtle, Chelmsford, Essex, CM1 3PJ**

The Committee considered an application for a new premises licence made under Section 17 of the Licensing Act 2003 and had regard to the representations made during the consultation period. These related to the promotion of the below Licensing objectives.

- a) The prevention of crime and disorder
- b) Public safety
- c) The prevention of public nuisance
- d) The protection of children from harm

The application was for the below licensable activities:

Sale or supply of Alcohol	Saturday	12:00 – 23:00
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Provision of Recorded Music	Saturday	12:00 – 23:00
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It was noted by the Committee that there were three options namely;

- Grant the application, on the terms and conditions applied for
- Grant the application, on the terms and conditions applied for, modified to such extent as considered appropriate to promote the licensing objectives.
- Refuse the application in whole or in part.

The following parties attended the hearing and took part in it:

Applicants

Objectors:

- Cllr Thorpe Apps (local ward Cllr)
- One member of the public

The Chair advised that the written representations had been read and considered by the Committee in advance of the meeting.

The applicants addressed the Committee and responded to the points that had been raised in objection to their application. The Committee was informed that there had been noise issues on neighbouring sites in the past, but that this was a new application from a new applicant and that a large part of their operation was in noise monitoring. It was noted that they worked closely with various teams to ensure noise disruption was managed and that various conditions had already been agreed with the Council, including a 65db noise limit. The Committee was informed that this would be the first time the applicants had held their event on this site, and that a new noise management plan would be created accordingly and that the previous one had already been shared with the Council. It was noted that there would be on site and remote monitoring at noise sensitive locations. The Committee also heard that all music was pre recorded and therefore foul language that had been experienced at other events nearby would not be a problem for local residents. The Committee were informed that the applicants could not comment on previous events, but that they would be finished by 11pm. It was also noted that the landowner had informed them that their event would be the only music one on the site in 2023. The Committee also heard that a constantly monitored complaint line would be set up for local residents from the event control office. It was also highlighted that the licence was just for a single day.

A local ward Councillor and a member of the public, both addressed the Committee and highlighted their representations against the application. The local ward Councillor, stated that they were supportive of events which benefited the village and its local businesses and that residents were used to a low level of inconvenience from other events such as the V Festival. The Committee heard however that events at Kings Farm had been a different story and complaints had been received about the location. The Committee heard that concerns included noise nuisance and foul language and that the agreed conditions were similar to previous events, where they had not successfully mitigated the issues. The Committee also heard that road safety was an issue with many people arriving to the venue on a dangerous road nearby. The local Councillor also raised the concerns of the Parish Council, which included the compound impact of events on the road network and village.

The local resident raised concerns about noise and the vibration of bass that had been an issue at a previous event. They also stated that if the application were to be granted, that management plans for noise and other matters should be finalised before tickets went on sale.

In response to the points raised, the applicants stated that they had provided last year's noise management plan to the Council already but could not produce this year's until the licence was granted and they were aware of the conditions. It was noted that they would circulate this to stakeholders and interested parties once it was agreed however. The Committee did hear that the stage would be facing away from the village of Writtle however and would be over a mile away from the village. They also informed the Committee that all music was pre recorded and the tannoy system would only be used for important safety announcements. The applicants also informed the Committee that the sound check would take place on the morning of the event.

At this point of the meeting, the Committee retired to deliberate. It was noted that due to the remote nature of the meeting, the decision would be circulated to all parties within a few working days via email.

The Committee gave careful consideration to the relevant representations both written and made in the course of the remote hearing.

RESOLVED that the Director of Public Places be authorised to grant the application subject to the imposition of the conditions proposed by Chelmsford City Council's Environmental Protection Services as detailed in Appendix C to the report.

The Committee also felt it reasonable and proportionate to advance the Licensing Objective of Preventing Public Nuisance to impose a single further condition.

That the Applicants be required to maintain a written log of all complaints reported during the event via the complaints telephone number provided by the Applicants. The log shall record accurately the time a complaint was made, the nature and duration of complaint and the action taken to address it. All log entries recorded to be signed by the designated complaints phone operator. This log to be made available to the Council within seven days upon written request by the Council and kept for 28 days by the Applicants for production.

Reasons for Decision:

The Committee gave careful consideration to the application and relevant representations both written and those made at the hearing.

The Committee noted that the Police had made no objections as to potential traffic problems if the Licence were to be granted.

The Committee further noted that the conditions proposed by Chelmsford City Council's Environmental Services (as detailed at Appendix C of the Report) and agreed with the Applicant, went a considerable way to address the concerns made

by Interested Parties relating to sound emission, and sufficiently advanced the Licensing Objective of Prevention of Public Nuisance.

Informatives

1. The Committee noted that the Applicants had employed third party professional consultancy firms to advise on noise levels and security.
2. The terminatory hour is to be 23:00 on Saturday.
3. The amplified music would have no DJ or any other individual speaking through amplification systems thus eliminating the risk of foul language emanating from the event.
4. The Committee would remind all parties that if, subsequently, there is evidence of public nuisance or other problems relating to and undermining one or more of the Licensing Objectives arising from the use of the premises during the operation of the licensable activities, then anyone can request a review of the licence. In such circumstances, the matter would be returned to the Committee.

The meeting closed at 9.34am

Chair



Chelmsford City Council Licensing Committee

Tuesday 27th June 2023

APPLICATION TO REVIEW A PREMISES LICENCE: THE GARRISON, 3 HIGH STREET, CHELMSFORD, ESSEX, CM1 1BE

Report by:

Director of Public Places

Officer Contact:

Daniel Winter, Lead Licensing Officer, Daniel.winter@chelmsford.gov.uk, 01245 606317

Purpose

The Committee is requested to consider an application made by Essex Police for a summary review of the said premises licence under section 53C of the Licensing Act 2003 and to have regard to the representations made during the consultation period that followed in line with the promotion of the licensing objectives:

- a) The prevention of crime and disorder
- b) Public safety
- c) The prevention of public nuisance
- d) The protection of children from harm

Options

Full Review Hearing

Members are advised that they have the following options when determining this application.

- To Modify the conditions of the licence either permanently or for a period not exceeding three months
- To exclude a licensable activity from the scope of the licence, either permanently or for a period not exceeding three months
- Remove the Designated Premises Supervisor

- To suspend the licence for up to three months
- Revoke the licence

An appeal against the final review decision may be made within 21 days of the notification of the decision by the licensing committee by the licence holder, Chief officer of police or any other person making relevant representation.

Interim Steps

Any decision taken by members today does not take effect until the end of the 21st day following receipt of the decision made in respect of this matter.

Therefore under s.53D of the licensing Act 2003 members are also required to formally review the interim steps previously imposed and consider whether it is appropriate and proportionate that they remain in place, are modified, or withdrawn. This review took place immediately following the determination of the application, which considered any relevant representations that were made. In carrying out this review members have all the options that were available at the initial interim hearing and that decision will also not apply until the end of the 21st day referred to above or following any appeal made against that decision or the end of any period determined as relevant by the licensing authority (which may not be longer than the period for which such interim steps could apply).

Any decision taken by members in respect of the interim steps may also be appealed to the Magistrates Court within 21 days of being notified and in the case of an appeal in respect of interim steps the appeal must be heard by the court within 28 days commencing the day the appeal is lodged.

1. Background and Introduction

- 1.1 This premises is a city centre venue located at the top of the main High Street, close to the Shire Hall and other large commercial properties. The premise licence holder is held under Gaitens Bars & Hotels and licensed by Chelmsford City Council under the Licensing Act 2003. A copy of the Premises Licence is attached at **Appendix A**
- 1.2 The designated premise supervisor at the Garrison is Kyle John Price who holds a personal licence with Chelmsford City council.
- 1.3 On 1st June 2023 at 15:43 an application by Essex Police for a Summary Review (Premises associated with serious crime or disorder) was received from Rachel Savill Licensing Officer on behalf of the chief of police for Essex. A copy of the Application is attached as **Appendix B** together with a certificate signed by a Superintendent as required under s.53A(1)(b) in these circumstances and attached as **Appendix C**

- 1.4 In response to that application; on the 2nd of June 2023 the Licensing sub-committee considered the application and determined appropriate interim steps to promote the licensing objectives in that the licence was immediately suspended. A Copy of the interim decision notice is attached as **Appendix D**.
- 1.5 On Tuesday 6th June at 14:41 representations against the interim steps were received from the licence holder's representative in accordance with Section 53B(6) of the licensing act. This representation is attached as **Appendix E**
- 1.6 As a response to the representations against interim steps, Essex Police provided five conditions preliminarily agreed with the premise licence holder. These conditions are attached as **Appendix F**.
- 1.7 In response to the representation against interim steps the Licensing sub-committee determined on the 7th of June 2023, that it was appropriate for the promotion of the licensing objectives that the interim steps be modified. These modifications included the lifting of the suspension and agreed that five proposed conditions be added to the premise licence, pending determination of the review. This decision notice is attached as **Appendix G**.

2. Application

- 2.1 The application made by Essex Police that was first submitted on the 1st June 2023 and has been properly made in accordance with The Licensing Act 2003 and all procedures have been correctly followed throughout. The public notice was properly displayed, and copies of the application served on the Premises Licence Holder, their legal representative - and responsible authorities. The application for a summary review was also advertised via Councils website.

3. Representations

- 3.1 During the course of the consultation period a member of the public made representation relating to the licensing objective - Public Nuisance. Please see **Appendix H**.
- 3.2 A further representation was received from the Public Health and Protection Head of Service on behalf of the licensing authority relating to the licensing objective - . Please see attached as **Appendix I**
- 3.3 On 14th June 2023 Essex Police submitted further evidence in relation to the summary review. This is attached as **Appendix J** to this report.

4. Conclusion

- 4.1 The relevant sections of the Statement of Licensing Policy are brought to the attention of members and are as follows:

- 4.2 (1.37) Where relevant representations are made, the Council will seek to make objective judgements as to whether conditions may need to be attached to various authorisations, to secure promotion of the licensing objectives.
- 4.3 This application has been correctly submitted.
- 4.4 At the conclusion of this hearing members are advised to consider the options as previously recommended at the start of the report.

[List of appendices:](#)

- Appendix A – Copy of the Premise Licence
- Appendix B – Application for Summary review
- Appendix C – Superintendents Certificate
- Appendix D – Summary review interim steps decision notice
- Appendix E – Representations against interim steps
- Appendix F – Essex Police agreed conditions
- Appendix G – Decision Notice Reps against interim steps.
- Appendix H – Public representation
- Appendix I – Licensing Authority representation
- Appendix J – Further Police evidence

[Background papers:](#)

Application file held by Licensing Authority

[Corporate Implications](#)

Legal/Constitutional: None

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management:

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

Consultees: As per that required by legislation

Relevant Policies and Strategies: Statement of Licensing Policy

APPENDIX A



Licensing Act 2003 Schedule 12 - Part A Regulation 33, 34

Premises Licence

Premises Licence Number

05/00867/LAPRE

Part 1 – Premises Details

The Garrison 3 High Street Chelmsford Essex CM1 1BE		
Telephone number	01245 262368	
Where the licence is time limited the dates are Not applicable		
Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities are		
Sale or supply of Alcohol (Indoors and Outdoors)		
Sale or supply of Alcohol	Sunday to Tuesday	11:00 - 01:00
Sale or supply of Alcohol	Wednesday to Saturday	11:00 - 03:00
Sale or supply of Alcohol	Sunday prior to May Bank Holiday	11:00 - 03:00
Sale or supply of Alcohol	Sunday prior to Spring Bank Holiday	11:00 - 03:00
Sale or supply of Alcohol	Sunday prior to August Bank Holiday	11:00 - 03:00
Sale or supply of Alcohol	Christmas Eve	11:00 - 03:00
In respect of New Years Eve, continuous opening from the end of normal trading hours on New Years Eve, until the beginning of normal trading hours on New Years Day.		
Notwithstanding the above hours, alcohol may be provided to bona fide guests of the Hotel 24 hours per day throughout the year.		
Exhibition of a Film	Sunday to Tuesday	11:00 - 01:00
Exhibition of a Film	Wednesday to Saturday	11:00 - 03:00
Exhibition of a Film	Sunday prior to May Bank Holiday	11:00 - 03:00
Exhibition of a Film	Sunday prior to Spring Bank Holiday	11:00 - 03:00
Exhibition of a Film	Sunday prior to August Bank Holiday	11:00 - 03:00
Exhibition of a Film	Christmas Eve	11:00 - 03:00

In respect of New Years Eve, continuous opening from the end of normal trading hours on New Years Eve, until the beginning of normal trading hours on New Years Day.

Indoor Sporting Event	Sunday to Tuesday	11:00 - 01:00
Indoor Sporting Event	Wednesday to Saturday	11:00 - 03:00
Indoor Sporting Event	Sunday prior to May Bank Holiday	11:00 - 03:00
Indoor Sporting Event	Sunday prior to Spring Bank Holiday	11:00 - 03:00
Indoor Sporting Event	Sunday prior to August Bank Holiday	11:00 - 03:00
Indoor Sporting Event	Christmas Eve	11:00 - 03:00

In respect of New Years Eve, continuous opening from the end of normal trading hours on New Years Eve, until the beginning of normal trading hours on New Years Day.

Performance of Live Music (Indoors and Outdoors)

Performance of Live Music	Sunday to Tuesday	11:00 - 01:00
Performance of Live Music	Wednesday to Saturday	11:00 - 03:00
Performance of Live Music	Sunday prior to May Bank Holiday	11:00 - 03:00
Performance of Live Music	Sunday prior to Spring Bank Holiday	11:00 - 03:00
Performance of Live Music	Sunday prior to August Bank Holiday	11:00 - 03:00
Performance of Live Music	Christmas Eve	11:00 - 03:00

In respect of New Years Eve, continuous opening from the end of normal trading hours on new-fangled Years Eve, until the beginning of normal trading hours on New Years Day.

Playing of Recorded Music At any time (Indoors and Outdoors)

Performance of Dance	Sunday to Tuesday	11:00 - 01:00
Performance of Dance	Wednesday to Saturday	11:00 - 03:00
Performance of Dance	Sunday prior to May Bank Holiday	11:00 - 03:00
Performance of Dance	Sunday prior to Spring Bank Holiday	11:00 - 03:00
Performance of Dance	Sunday prior to August Bank Holiday	11:00 - 03:00
Performance of Dance	Christmas Eve	11:00 - 03:00

In respect of New Years Eve, continuous opening from the end of normal trading hours on New Years Eve, until the beginning of normal trading hours on New Years Day.

Provision anything of similar nature	Sunday to Tuesday	11:00 - 01:00
Provision anything of similar nature	Wednesday to Saturday	11:00 - 03:00
Provision anything of similar nature	Sunday prior to May Bank Holiday	11:00 - 03:00
Provision anything of similar nature	Sunday prior to Spring Bank Holiday	11:00 - 03:00
Provision anything of similar nature	Sunday prior to August Bank Holiday	11:00 - 03:00
Provision anything of similar nature	Christmas Eve	11:00 - 03:00

In respect of New Years Eve, continuous opening from the end of normal trading hours on New Years Eve, until the beginning of normal trading hours on New Years Day.

Provision for dancing	Sunday to Tuesday	11:00 - 01:00
Provision for dancing	Wednesday to Saturday	11:00 - 03:00
Provision for dancing	Sunday prior to May Bank Holiday	11:00 - 03:00
Provision for dancing	Sunday prior to Spring Bank Holiday	11:00 - 03:00
Provision for dancing	Sunday prior to August Bank Holiday	11:00 - 03:00
Provision for dancing	Christmas Eve	11:00 - 03:00

In respect of New Years Eve, continuous opening from the end of normal trading hours on New Years Eve, until the beginning of normal trading hours on New Years Day.

Provision entertainment similar nature	Sunday to Tuesday	11:00 - 01:00
Provision entertainment similar nature	Wednesday to Saturday	11:00 - 03:00
Provision entertainment similar nature	Sunday prior to May Bank Holiday	11:00 - 03:00
Provision entertainment similar nature	Sunday prior to Spring Bank Holiday	11:00 - 03:00
Provision entertainment similar nature	Sunday prior to August Bank Holiday	11:00 - 03:00
Provision entertainment similar nature	Christmas Eve	11:00 - 03:00

In respect of New Years Eve, continuous opening from the end of normal trading hours on New Years Eve, until the beginning of normal trading hours on New Years Day.

Late Night Refreshment (Indoors and Outdoors)

Late Night Refreshment	Sunday to Tuesday	23:00 - 01:00
Late Night Refreshment	Wednesday to Saturday	23:00 - 03:00
Late Night Refreshment	Sunday prior to May Bank Holiday	23:00 - 03:00
Late Night Refreshment	Sunday prior to Spring Bank Holiday	23:00 - 03:00
Late Night Refreshment	Sunday prior to August Bank Holiday	23:00 - 03:00
Late Night Refreshment	Christmas Eve	23:00 - 03:00

In respect of New Years Eve, continuous opening from the end of normal trading hours on New Years Eve, until the beginning of normal trading hours on New Years Day.

The opening hours of the premises are

Opening hours	Everyday	24:00 – 23:59
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Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Off and On the Premise

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Gaitens Bars & Hotel
3 High Street
Chelmsford
Essex
CM1 1BE

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

Registered Business Number: 12469541

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Kyle John Price
43 Stapleford Close
Chelmsford
Essex
CM2 0RB

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

18/00933/LAPER – Chelmsford City Council



Signed:
On behalf of the Licensing Authority
Issued on the 27th July 2020 following a Vary DPS

Dated: 29th September 2005

Annex 1 – Mandatory conditions

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

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

- 2 Where the film body has specified in the licence, admission of children (aged under 18) must be restricted in accordance with any recommendation made by that body.

Where

- a) the film classification body is not specified in the licence, or
 - b) the relevant 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 the licensing authority.
- 3 Where a premises licence includes a condition that at specified times individuals must be at the premises to carry out a security activity(s) each individual must, be licensed by the Security Industry Authority.
4. (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children–
 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on–
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.

5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
(2) 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 a holographic mark.
8. The responsible person shall 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; and
 - (b) customers are made aware of the availability of these measures

Annex 2 – Conditions from Existing Licences

- 1) The outside front terrace must be supervised by a member of staff at all times whilst the terrace is open to the public
- 2) The power supply for electrical equipment which is either portable or of a temporary nature and the use of which is directly connected with the entertainment shall be protected at source by a residual current device of 30mA sensitivity conforming with British Standard 4293
- 3) The CCTV system must be upgraded to include coverage of the whole of the exterior of the premises, as well as the interior and must be operated in accordance with the following criteria:
 - a) A CCTV system incorporating recording, will operate throughout the whole of each period the premises are open.
 - b) The system will include coverage of all public entrances and exits from the premises and any other areas agreed with the Police.
 - c) The system will provide for recording of all cameras simultaneously and recordings will be made for the whole of each period of trading.
 - d) Recordings will be kept for a minimum period of 31 days and must be provided to the Police upon request.
 - e) Tapes, if used, will only be used for a maximum period of 12 months

- 4) In the event of any doubt regarding the age of a customer, a recognised photographic proof of age must be requested. If this can not be satisfactorily produced, that customer must not be served.
- 5) All escape routes, exits and gangways must be left unobstructed at all times. All escape doors must be unlocked and regularly checked to ensure that they are properly functional.
- 6) Refuse must be tidily and cleanly stored and placed in receptacles outside the premises at times that will minimise disturbance to nearby properties.
- 7) A noise compressor, as currently used, must be maintained in good working order at the premises and used during all periods of regulated entertainment.
- 8) The air conditioning system must be maintained in good working order and must be used where necessary during all periods of regulated entertainment, to allow the closing of windows and doors.
- 9) No adult entertainment is permitted on the premises at any time.

Annex 3 – Conditions from Operating Schedule following a variation

- 1) The Challenge 21 Scheme will be employed; all customers who are, or appear to be, under 21, will be required to show photographic identification to verify they are over 18. Acceptable proof of age shall include a photograph of the person and will either be a passport or photo driving licence
- 2) Regular noise assessments to prevent a nuisance
- 3) Measures to be taken to ensure customers leave quietly
- 4) All children must be accompanied by a responsible adult.

Annex 4 – Conditions agreed with Environmental Protection following a variation

- 1 No live or recorded amplified music be played in the external areas of the premises outside the following hours:
 - Sunday to Thursday 09:00 to 23:00 with an additional 1 hour gentle warm down background music from 23:00 hours
 - Friday and Saturday 09:00 to 24:00 with an additional 1 hour gentle warm down background music from 24:00 hoursThe additional 1 hour gentle warm down background music must not be audible at the boundary of any residential premises.

Annex 5 – Conditions agreed with the Police following a variation

- 1 No glassware or bottles shall be permitted to be removed from the outside front terraced area other than by members of staff for the purpose of clearing the area or for sealed vessels purchased as bona fide off sales.
- 2 The outside front terraced area must be supervised by a member of staff / door supervisor (when on duty) at all times it is in use.
- 3 Glassware supplied for the consumption of alcohol on the outside terraced area shall be made of toughened glass or plastic (except bottled products, including wine bottles and limited supplies of champagne / cocktail glassware)
- 4 SIA Registered Door Supervisors will be employed from 20:30 hours until 30 minutes after the end of trading on:
Friday, Saturday and any Bank Holiday Sunday if the premises intends to trade after 23:00 hours and Sunday to Thursday if the premises intends to trade after midnight or if any organised event is held on these days after 23:00 hours
- 5 There shall be no outdoor food preparation on the outside front terraced area
- 6 Glassware and bottles will be collected from all areas on a regular basis
- 7 A Challenge 21 Policy will adopted
- 8 Staff training records will be maintained and made available for inspection to the police or authorised officers on request
- 9 The premises licence holder will ensure that the premises are and continue to be a member of Publink, attend meetings on a regular basis and participate in the Town Radio Link Scheme.

Annex 6 – Plans

See attached

Application for summary licence review



Chelmsford City Council
Civic Centre, Duke St, Chelmsford, CM1 1JE

Licensing Authority premises licence number (optional): 05/00867/LAPRE

Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)

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 the 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.**

I Martin Knights, on behalf of the chief officer of police for the county of Essex and the non-metropolitan districts of Southend-on-Sea and Thurrock, apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details:

Postal address of premises, or if none or not known, ordnance survey map reference or description:

GARRISON
3 HIGH STREET

Post town: CHELMSFORD

Post code (if known): CM1 1BE

2. Premises licence details:

Name of premises licence holder (if known): GAITENS BARS AND HOTEL

Number of premises licence holder (if known): 05/00867/LAPRE

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm) ☒

4. Details of association of the above premises with serious crime, serious disorder or both:
[Please read guidance note 2]

Please see overleaf.

On the behalf of the Chief Officer of Police for the county of Essex and the non-metropolitan districts of Southend-on-Sea and Thurrock, I submit this application for a 'summary review' because the crime prevention objective has been undermined by the premises.

In the early hours of Monday 29th May 2023 emergency services were called to a report of a disturbance immediately outside the premises. The disturbance was caught on council CCTV.

A patron was forcibly ejected from the premises and remained outside, seemingly verbally remonstrating with 3 door staff but backing away from these door staff. The CCTV then captured a sustained assault by all these door staff on the patron which lasted around 30 minutes, including a lengthy period where the patron was kept on the ground in a prone position.

The incident began with one of the door staff violently pushing the patron across what appears to be wooden planters and backwards onto paving. A door staff member then kicks the patron whilst he is prone and other grabs him in a choke hold. There then proceeds to be a period where all three door staff sit on the patron who is face down, kneeling it seems on his head and upper body. By then the patron is not moving too much but six minutes later he appears to try and get up – at what point he is placed in another neck hold, pulled to a standing position, and then thrown to the ground whereupon one of the door staff places his knee across the patron's neck and then proceeds to punch the patron in the head three times in quick succession.

Seven minutes into this brutal assault, another door staff member starts delivering punches to the abdomen and chest of the patron whilst he remains in a prone position. A third door staff member then strikes the patron 4 or 5 times.

10 minutes after the seemingly unprovoked assault began, the patron is still being pinned to the ground. A minute later one of the door staff violently elbows the patron to his upper chest area.

The patron remains on the ground and appears to start fitting and having breathing difficulties. Two independent males then appear to approach and talk to the door staff whereupon several door staff then attack these males, throwing one to the floor.

After a total of approximately 27 minutes the first emergency services arrive, and ambulance personnel deliver immediate aid before conveying the injured and seemingly unconscious male to hospital.

The extreme use of violence took place over a lengthy period, including when the victim was prone on the floor with 3 door staff sitting on him. It can be seen from the CCTV that the victim was suffering from breathing difficulties, and it is very fortunate that he did not die or suffer brain injury as a result of positional asphyxia. It is true to say the ferocity of the attack could well have led to a fatality.

At this time there is a fundamental requirement to have the venue closed whilst management take adequate steps to protect their patrons – this may require a complete overhaul of door staff provision, how they are briefed and supervised; a requirement to have staff trained in emergency first aid, training for staff on intoxication and a reduction in the terminal hour of all licensable activity.

This incident can be considered a 'near miss' with door supervisors being unaware of their duty to use only reasonable force to defend themselves – in this instance a retreating patron using only verbal abuse was violently attacked by door staff.

The situation is made worse, by the proximity of what appears to be premises management outside (a lady holding a radio) the venue whilst the majority of the assault took place.

Also of significant concern is that the Garrison is operated by the same company as the Bassment in Chelmsford. That venue was the subject of a summary review only in 2023 because of failings of door staff. It would seem lessons have not been learnt from that.

It is the belief of Essex Police that an immediate suspension of the premises licence is required to prevent harm to persons frequenting the Chelmsford night time economy.

It is considered that the submission of a summary review application, with a request that the licensing authority imposes interim steps, is the most appropriate procedure to follow in relation to this premises because of the speed at which those steps can be implemented to prevent further offences.

As 'interim steps' Essex Police seeks that:

- **The premises licence is immediately suspended pending a full hearing.**

The Chief Officer of Police will submit further material and representations to support his initial representation (above) during the statutory consultation period and his representation will be amplified at the subsequent review hearing.

The Chief Officer of Police confirms that he or his representative will 'attend' any hearing held in regards this application.

IT IS REQUESTED THAT PARTS OF THE HEARING FOLLOWING THIS REVIEW APPLICATION IS HELD IN 'CAMERA' (In accordance with Regulation 14(2) of The Licensing Act 2003 (Hearings) Regulations 2005) – as at the hearing matters not yet heard by a criminal court will be presented and thus may compromise criminal proceedings if disclosed publicly. For similar reasons, subsequent supplementary material may not be suitable for publication on the Authority's website.

Signature of applicant: Rachel Savill

Date: 01/06/2023

Capacity: Licensing officer

5. Contact details for matters concerning this application:Address: ESSEX POLICE LICENSING DEPARTMENT
BLYTH'S MEADOW, BRAINTREE, CM7 3DJ

Telephone number(s): 01245 452035

Email: Licensing.Applications@essex.police.uk

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both. Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:


- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose. Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

Summary Review – Superintendent's certification



Certificate under Section 53A (1)(b) of the Licensing Act 2003

Certifying officers name:		SHARN TAYLOR	
Rank & PIN:	SUPERINTENDENT 2696	Signature:	
Stationed at:	NORTH LPA	Date:	01.06.23
		Time:	

I hereby certify that in my opinion the premises described below are associated with serious crime (*see note below) ~~/ serious disorder / both serious crime and serious disorder~~ (delete as applicable)

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act 2003 are in appropriate because;

This certificate relates to the Garrison which is a night club situated in central Chelmsford. In the early hours of Monday 29th May 2023 emergency services were called to a report of a disturbance immediately outside the premises. The disturbance was caught on council CCTV.

A patron was forcibly ejected from the premises and remained outside, seemingly verbally remonstrating with 3 door staff but backing away from these door staff. The CCTV then captured a sustained assault by all these door staff on the patron which lasted around 30 minutes, including a lengthy period where the patron was kept on the ground in a prone position.

The incident began with one of the door staff violently pushing the patron across what appears to be wooden planters and backwards onto paving. A door staff member then kicks the patron whilst he is prone and other grabs him in a choke hold. There then proceeds to be a period where all three door staff sit on the patron who is face down, kneeling it seems on his head and upper body. By then the patron is not moving too much but six minutes later he appears to try and get up – at what point he is placed in another neck hold, pulled to a standing position and then thrown to the ground whereupon one of the door staff places his knee across the patron's neck and then proceeds to punch the patron in the head three times in quick succession.

Seven minutes into this brutal assault, another door staff member starts delivering punches to the abdomen and chest of the patron whilst he remains in a prone position. A third door staff member then strikes the patron 4 or 5 times.

10 minutes after the seemingly unprovoked assault began, the patron is still being pinned to the ground. A minute later one of the door staff violently elbows the patron to his upper chest area.

The patron remains on the ground and appears to start fitting and having breathing difficulties. Two independent males then appear to approach and talk to the door staff whereupon several door staff then attack these males, throwing one to the floor.

After a total of around 27 minutes the first emergency services arrive and ambulance personnel deliver immediate aid before conveying the injured and seemingly unconscious male to hospital. At this time police investigations into the incident are at a very early stage.

The extreme use of violence took place over a lengthy period of time, including when the victim was prone on the floor with 3 door staff sitting on him. It can be seen from the CCTV that the victim was suffering from breathing difficulties, and it is very fortunate that he did not die or suffer brain injury as a result of positional asphyxia. It is true to say the ferocity of the attack could well have led to a fatality.

At this time there is an absolute requirement to have the venue closed whilst management take adequate steps to protect their patrons – this may require a complete overhaul of door staff provision, how they are briefed and supervised; a requirement to have staff trained in emergency first aid, training for staff on intoxication and a reduction in the terminal hour of all licensable activity.

In my opinion this was a 'near miss' with door supervisors being unaware of their duty to use only reasonable force to defend themselves – in this instance a retreating patron using only verbal abuse was violently attacked by door staff.

The situation is made worse, in my opinion, by the proximity of what appears to be premises management outside the venue whilst the majority of the assault took place. Also of significant concern is that the Garrison is operated by the same company as the Bassment in Chelmsford. That venue was the subject of a summary review only in 2023 because of failings of door staff. It would seem lessons have not been learnt from that.

I believe that an immediate suspension of the premises licence is required to prevent harm to persons frequenting the Chelmsford night time economy.

A brief description of why standard review processes are inappropriate e.g. degree of seriousness of the crime/disorder, past history of non-compliance etc. may be helpful but this is not a legal necessity for the issue of a certificate and will be outlined within any application for review, should one subsequently be applied for. Applications are usually sought when 'interim steps' are considered necessary before a review hearing takes place.

*There is no requirement to list all occurrences or provide the detail of each occurrence; the sole requirement is that an honest opinion is held that the premise is associated with serious crime/disorder. A single incident may be the trigger for a certificate if it is serious enough. The issue of a certificate does not mean the police **MUST** apply for a review.*

***NOTE: Serious crime includes any criminal conduct that involves the use of violence; serious disorder is not defined and should be given its ordinary meaning.**

Premises Name: GARRISON

Name of Designated Premises Supervisor: KYLE JOHN PRICE

Premises address: 3 HIGH STREET
CHELMSFORD
ESSEX CM1 1BE

Premises Licence No. if known

05/00867/LAPRE

LICENSING ACT 2003 section 53A

DECISION NOTICE

Interim steps decision of the Licensing Committee ('the Committee') of Chelmsford City Council taken on 02 June 2023 following receipt on 01 June 2023 (at 15:45) of an application by Essex Police under s.53A of the Licensing Act 2003 for a Summary Review of the premises licence relating to 'The Garrison', 3 High Street, Chelmsford, Essex CM1 1BE.

A. Decision

Pursuant to sections 53A (2) (a) of the Licensing Act 2003 the Committee has considered whether it is necessary to take any 'interim steps' (as defined within section 53B of the 2003 Act) pending the determination of the review of the premises licence.

The Committee has decided that the following interim step be taken:

The premises licence in respect of 'The Garrison,' 3 High Street, Chelmsford, Essex CM1 1BE be immediately suspended pending the determination of the review applied for.

B. Reasons for decision

1. In reaching its decision the Committee has had due regard to the application for a Summary Review submitted by Essex Police on 01 June 2023 (at 3.45 pm) and further information provided by Essex Police at the hearing held on 02 June 2023 (starting at 09:45 am). The Committee also viewed the CCTV footage of the incident.

In addition, the Committee has had due regard to the relevant guidance contained within the Revised Guidance issued by the Secretary of State under section 182 of the 2003 Act – in particular that at Part 12 ('Summary Reviews').

2. The Committee considers that the incident that took place in the early hours of Monday morning 29 May 2023 and which has triggered the police request for a summary review, was extremely serious indeed. The incident involved (among other things) a patron ('the victim') being forcibly ejected from the premises by door staff. The CCTV then captured a sustained and ferocious assault on the victim by all these door staff which lasted around 30 minutes, including punches, choke holds, door staff sitting on the patron (inappropriate and dangerous restraint techniques) and one of the door staff placing their knee across the victim's neck. It was evident from

the footage that victim was in sustained respiratory distress.

3. When the ambulance arrived the victim, who was seemingly unconscious, was given immediate first aid and taken to hospital.
4. The ferocity of the attack could have led to a fatality and the Committee was of the view that had it not been for the intervention of two off duty student police officers who went to the assistance of the victim this may well have been the case.
5. The Committee was particularly concerned at the apparent failure of management to intervene or call the emergency services. In particular, it appears to be evident from the CCTV footage that an individual who is understood to be a Personal Licence Holder and who is part of the management at the Garrison and witnessed the majority of the incident gave no direction to the door staff as to their behaviour. She appeared not to have control. She stood by and witnessed the distressing incident but appeared to take no action.
6. The CCTV video footage also shows the door staff engaging in an unjustified assault (including choke hold) on a member of the public who came onto the scene. This incident of completely unacceptable physical violence would, on its own, give cause for serious concern.

The Committee considered the other three interim steps available to it but was not satisfied at this point in time that the taking of other interim steps falling short of suspension – would amount to adequate steps to prevent further serious crime or disorder occurring at the premises. On the face of it, the actions of the door staff (which amounted to extreme and unreasonable force) and the abject failure of the management to intervene, were appalling and gave rise to gravest of concerns.

Immediate closure to protect the public was the only option.

The full review will take place before the Licensing Committee on 27 June 2023.

Cllr Richard Lee
Chair, Licensing Committee
02 June 2023

APPENDIX E

Representation against interim steps

Good afternoon,

We write further to the above premises and our previous correspondence. We wish to make a representation against the interim steps made under S.53A. Please accept this email as formal notice of representation under S53(B)(6).

We look forward to hearing from you and would be grateful if you could advise the date and time of the hearing.

Thank you.

Kind regards

Louise Bailey

Dadds LLP Licensing Solicitors

Crescent House, 51 High St, Billericay, Essex CM12 9AX

T 01277 631 811 DX 32202 BILLERICAY

E louise.bailey@dadds.co.uk

W www.dadds.co.uk

Authorised and regulated by the Solicitors Regulation Authority – Registration No 550469



APPENDIX F

Agreed Proposed Conditions for Interim Steps - Garrison

1	<p>Reduce hours for licensing activity until the full review hearing as follows:</p> <p>Sunday to Thursday 10:00hrs until 00:00hrs – closed to the public at 00:30hrs - dispersal</p> <p>Friday and Saturday 10:00hrs until 01:00hrs – closed to the public at 01:30hrs - dispersal</p>
2	<p>Whilst no admissions are made, the 3 Door Supervisors involved in the incident are suspended from the premises, until the full review.</p>
3	<p>Miss Knight to undertake refresher training on conflict management.</p>
4	<p>At all times, at least 2 door supervisors will wear Body Worn Video Cameras (BWV). Recordings of BWV shall be retained for a minimum of 31 days and be made available to Essex Police or an authorised officer of the licensing authority upon reasonable request.</p> <p>Door supervisors will be required to activate the recording function of such devices under the following conditions:</p> <ol style="list-style-type: none">1. Any use of force situations;2. When it may be reasonably supposed a use of force situation is imminent;3. When conducting a non-intimate consensual search as a condition of entry;4. When dealing with an individual who is making threats of violence toward any other person; or5. Initial scene capture where a criminal offence appears to have taken place.
5	<p>All SIA licensed door supervisors engaged at the premises for the purpose of supervising or controlling queues or customers must wear high visibility jackets or vests.</p>

APPENDIX G

LICENSING ACT 2003 section 53B (6) & (8) - Representations against interim steps(s)

DECISION NOTICE

Decision of the Licensing Committee ('the Committee') of Chelmsford City Council following the holding of a hearing on 07 June 2023 to consider representations made by holder of the premises licence relating to 'The Garrison', 3 High Street, Chelmsford, Essex CM1 1BE, in respect of the interim step (suspension of licence pending determination of review) taken by the Committee on 02 June 2023.

Preliminary decision to exclude the public from the hearing

At the hearing the Committee resolved pursuant to regulation 14 (2) of the Licensing Act 2005 (Hearings) Regulations 2005 that the public be excluded from all of the meeting.

A. Decision

Pursuant to section 53B (8) – (9) of the Licensing Act 2003 the Committee has considered whether the interim step taken by it on 02 June 2023 namely, that

'The premises licence in respect of 'The Garrison', 3 High Street, Chelmsford, Essex CM1 1BE be immediately suspended pending the determination of the review applied for.'

should be withdrawn or modified.

The Committee has determined that it is appropriate for the promotion of the licensing objectives that this interim step be modified as follows -

- 1) The suspension of the licence be lifted with immediate effect.**
- 2) In its place, the five conditions which are set out in the Schedule below be added to the premises licence pending determination of the review.**

B. Reasons for decision

1. In reaching its decision the Committee had due regard to the certificate that accompanied the application by Essex Police on 01 June 2023 and the matters that had led to it take the interim step of suspending the premises licence on 02 June 2023.

The Committee also had regard to the representations made by both Mr Dadds (representing the licence-holder) and Mr McManus (representing Essex Police) at the hearing.

In addition, the Committee had due regard to the relevant guidance issued by the Secretary of State pursuant to section 182 of the Licensing Act 2003.

2. The Committee noted that since 01 June 2023 there had been constructive discussion between the licence holder and Essex Police and gave due weight to the fact that Essex Police had signified their agreement at the hearing to the imposition of the five proposed conditions as interim steps in place of the suspension, pending determination of the review.
3. The Committee was satisfied that it was appropriate for the promotion of the licensing objectives to lift the suspension. (The Committee expected the licence-holder to ensure that these modified interim steps were rigorously adhered to pending the review.)

The full review hearing will take place on **27 June 2023** .

Cllr Mr Richard Lee
Chair, Licensing Committee
08 June 2023

Schedule

(modified interim steps pending determination of Summary Review)

1.	<p>The hours for all licensable activities permitted under the premises licence until the full review hearing be reduced as follows:</p> <p>Sunday to Thursday 11:00hrs until 00:00hrs – closed to the public at 00:30hrs - dispersal</p> <p>Friday and Saturday 11:00hrs until 01:00hrs – closed to the public at 01:30hrs - dispersal</p>
2.	<p>Whilst no admissions are made, the 3 Door Supervisors involved in the incident are suspended from the premises, until the full review.</p>

3.	Miss Knight to undertake refresher training on conflict management.
4.	<p>At all times, at least 2 door supervisors will wear Body Worn Video Cameras (BWV). Recordings of BWV shall be retained for a minimum of 31 days and be made available to Essex Police or an authorised officer of the licensing authority upon reasonable request.</p> <p>Door supervisors will be required to activate the recording function of such devices under the following conditions:</p> <ol style="list-style-type: none"> 1. Any use of force situations; 2. When it may be reasonably supposed a use of force situation is imminent; 3. When conducting a non-intimate consensual search as a condition of entry; 4. When dealing with an individual who is making threats of violence toward any other person; or 5. Initial scene capture where a criminal offence appears to have taken place.
5.	All SIA licensed door supervisors engaged at the premises for the purpose of supervising or controlling queues or customers must wear high visibility jackets or vests.

Sent: 04 June 2023 15:43

To: Licensing <Licensing@chelmsford.gov.uk>

Subject: Review of the Premises License - The Garrison

Hello,

I'm writing in response to the attached invitation for comments.

I don't know what's prompted this review, but I'd like to offer two comments. I frequently walk past The Garrison while in the city centre.

1. For many months, overly loud music has been played through their outdoor loudspeakers which are aimed out onto the public square in front. Walking through square, it's very loud indeed. And it can be heard a long way away. I feel such piped music should not be allowed to be broadcast into the square.
2. Very recently, live musicians and singers have been performing in front of The Garrison. I don't know if they are linked with The Garrison in any way. Never-the-less, the performers always have used amplifiers and the volume is set much too high.

These two things make me want to walk past The Garrison as quickly as possible. In other words, make me less likely to pause in front of neighbouring shops and hence less likely to go into neighbouring shops.

Dear Daniel

As Responsible Authority for the Licensing Authority I share Essex Police's concerns about the incident at The Garrison in the early hours of Monday 29th May 2023 and the question it raises about the competency of the management of the premises to uphold the Licensing Objectives in respect of crime and disorder, and public safety. I have no further information to add to what Essex Police have provided so will not be making a separate representation but I fully support Essex Police's representation and the outcome they seek in amending the current operating schedule as detailed in Appendix A of Essex Police's representation.

Kind Regards

Paul Brookes
Public Health & Protection Services Manager
Chelmsford City Council

<http://www.chelmsford.gov.uk/>



Premises Licence Summary Review

**Garrison
3 High Street, Chelmsford**

Supplementary documentary information in support of summary review.

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1.0 Background Details

- 1.1 Garrison is a licensed premises situated at 3 High Street, Chelmsford CM1. The Premises Licence holder is GAITENS BARS AND HOTEL and holds a licence number of 05/00867/LAPRE
- 1.2 The Designated Premises Supervisor (DPS) at the time of the incident was [REDACTED] and has been since 24/07/2020

2.0 Outline of circumstances leading to the Summary Review application.

- 2.1 In the early hours of Monday 29th May 2023 emergency services were called to a report of a disturbance immediately outside the premises. The disturbance was caught on council CCTV and CCTV operators contacted the police.
- 2.2 A patron was forcibly ejected from the premises and remained outside, seemingly verbally remonstrating with 3 door staff but backing away from these door staff. The CCTV captured a sustained assault by door staff on the patron which lasted approximately 30 minutes, including a lengthy period where the patron was kept on the ground in a prone position. What is clear from the footage is that the male was initially being escorted away from the venue before some sort of verbal exchange took place. At no point prior to this were the door staff attempting to detain the patron.
- 2.3 The incident began with one of the door staff violently pushing the patron whereby he falls to the ground. Another door staff member then kicks the patron whilst he is prone and places him in a choke hold. There then proceeds to be a period approximately 6 minutes where all three-door staff restrain patron who is seen face down on the pavement, by sitting and then kneeling on his head and upper body. At this point in the incident (02:46 hours) it can be seen that the patron is becoming less responsive. Six minutes into the incident (02:49) hours the patron attempts to get to his feet – at which point he is placed in another neck hold by door staff, pulled to his feet, and then thrown to the ground once more. When on the ground one member of door staff is seen to place his knee across the patron's neck and then proceeds to punch the patron in the head three times in quick succession (02:50 hours). (Document 3 refers to CCTV footage and a timeline of the incident).
- 2.4 The patron remains on the ground and appears to start fitting and having breathing difficulties. At 03:02 hours Two independent males' approach and talk to the door staff whereupon several door staff then attack these males, throwing one to the floor.
- 2.5 After a total of approximately 27 minutes the first emergency services arrive, and ambulance personnel deliver immediate aid before conveying the injured and seemingly unconscious male to hospital.
- 2.6 The extreme use of violence took place over a lengthy period, including when the victim was prone on the floor with 3 door staff sitting on him. It can be

seen from the CCTV that the victim was in breathing distress. It is extremely fortunate that the patron did not sustain permanent or life changing injuries as a result of the attack. In such types of choking restraint positional asphyxia is a very real possibility. It is true to say the ferocity of the attack could well have led to a fatality.

- 2.7 The situation is compounded, by the proximity of the premises management representative outside the venue. During this attack, the staff member made no visible attempt to take control and direct the door staff in use reasonable force. She was merely a spectator to the attack.
- 2.8 Essex police did receive a 999 call at 03:05hrs on the 29/05/23 from a member of the public reporting concerns for a man's welfare stating that the door staff 'are laying into him' and he needs assistance.
- 2.9 At 02:57 hours Two off duty Police officers responded from their home after hearing a male asking for help and fearing for his welfare. The off-duty officer has witnessed 3 males in black pinning another male to the floor. It was visible on CCTV at 03:00 hours that the male being detained was in breathing distress and was placed in the recovery position to prevent serious injury. A statement has been provided by both officers and provides in detail what was witnessed. (See document 1 and 2)
- 2.10 The three members of door staff who were pinning the male on to the floor advised the off-duty officers that the detained male had committed GBH (grievous bodily harm) on a female inside the venue. It is known that an altercation did happen inside the venue where a female had been pushed causing her to fall back on to a seated area and sustaining no injuries. (See document 1 and 2)
- 2.11 Also referenced in the off-duty officers' statement is that the male being detained started to 'dry heave' and a member of the public advised that his sternum needed to be hit, which the member of public did, and this significantly improved his condition. It is of great concern that if the off-duty officers and members of the public did not intervene in this incident then this could have been a fatality.
- 2.12 Stated in PC [REDACTED] statement was that the male was unresponsive, and a red substance could be seen around his mouth, for approximately 10 minutes the male is unresponsive, and no movement can be seen apart from him convulsing. Convulsions are common during seizures and can occur when a person is unconscious.
- 2.13 After receiving medical assistance it is now known that the male has sustained 3 broken ribs, cuts, grazes and bruising to his body. Pictures of these injuries can be seen in document 4.

- 2.14 The 3 members of door staff who committed the assault have been referred to the Security Industry Authority (SIA) and a separate investigation with the SIA is taking place.
- 2.15 This incident can be considered a 'near miss' with door supervisors being unaware of their duty to use only reasonable force to defend themselves, in line with Section 3 Criminal law Act 1967. In this instance a retreating patron using only verbal abuse appeared to ignite the door staff into an unwarranted and violent attack.

3.0 Reasons for Review

- 3.1 The incident and actions of the door staff raised serious concerns with Essex Police concerning how door supervisors were employed and briefed, potential management failures and how this had resulted in a potential fatality.
- 3.2 A police superintendent viewed the CCTV and decided that in her opinion the premises was associated with serious crime and Essex Police initiated a summary review process. At this time crimes under consideration and investigation include those under the Public Order Act 1986 offences (ranging from violent disorder to threatening words and behaviour) and offences under the Offences Against the Person Act 1861 (grievous bodily harm).
- 3.3 Statutory guidance issued under section 182 of the Licensing Act 2003 refers:
- 12.3 Section 53A of the 2003 Act sets out who may apply for an expedited review and the circumstances in which it can be used. The application is made by, or on behalf of, the chief officer of police and must be made in the form which is set out in Schedule 8A to the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005 (SI 2005/42).*
- 12.5 The tests to determine the kinds of conduct that amount to serious crime are set out in section 81(2) and (3) of the Regulation of Investigatory Powers Act 2000. Those tests are that the conduct:*
- (a) constitutes an offence for which a person who is 21 years of age or over with no previous convictions could reasonably be expected to be sentenced to imprisonment for 3 years or more; or*
- (b) **Involves the use of violence**, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose*
- 3.4 The Regulation of Investigation Powers Act states at Section 81, subsection 2:
- (a) references to crime are references to conduct which constitutes one or more criminal offences or is, or corresponds to, any conduct which, if it*

all took place in any one part of the United Kingdom would constitute one or more criminal offences: and

- (b) *references to serious crime are references to crime that satisfies the test in subsection (3)(a) or (b).*

3.5 The Regulation of Investigation Powers Act states at Section 81, subsection 3(b)

that the conduct involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

3.6 In calling for the review, and asking that the licence be suspended, Essex Police did so to protect the public attending the premises in question. This was because it was clear that the door staff employed used techniques outside of their SIA approved training (leading to significant concerns about how they were briefed by management), that management present at the time took no steps to instruct these individuals to use minimal force (or question why they were in fact detaining the individual) – even after they attacked two other members of the public. There also existed questions about the level of intoxication of the victim and why he had been able to buy alcohol.

3.7 An initial interim steps hearing was held, and the decision was made to suspend the licence pending a full hearing. Subsequently, on appeal, the licence was reinstated with reduced opening hours and various conditions imposed.

4.0 Case Law

4.1 Essex Police wishes to draw the sub-committee's attention to the case of *Sharenjett Lalli v The Commissioner of Police for the Metropolis and the Council for the London Borough of Newham* ([2015] EWHC 14 (Admin)).

4.2 This key case law directs that the circumstances of the issue by the Superintendent of a certificate cannot be challenged, that the certificate is merely a requirement before summary review proceedings under the crime and disorder objective can be instigated by the police. Importantly it determines that the sub-committee should not seek to 'look behind' the certificate and consider its lawfulness.

4.3 In the Lalli case, like current case before the licensing sub-committee of Chelmsford City Council, having viewed CCTV footage of the incident, a Superintendent gave a certificate under section 53A(1)(b) of the 2003 Act stating that in their opinion the premises were associated with serious crime. Counsel for the licence holder, instructed by Mr Dadde, argued that a single occurrence could not enable a Superintendent to form an opinion that the premises was associated with serious crime and disorder and that moreover the licensing sub-committee should consider whether he senior member of police who gave the certificate could not reasonably have been satisfied, that

such an association exists. In effect that the sub-committee should seek to 'look behind' the certificate.

- 4.4 In his judgment, John Howell QC (sitting as Deputy High Court Judge), clarified the requirement regarding certificates required to invoke summary review proceedings and interim steps:

“Parliament intended that the licensing authority should be entitled to treat an application for summary review made by the chief officer of police as valid if it is accompanied by a certificate that apparently meets the requirements of section 53A (1) and has not been quashed. The licensing authority is not obliged to consider whether or not it is liable to be quashed.

On a claim for judicial review of such a certificate, no particularly stringent standard of review is called for, given that the certificate itself has no immediate and direct effect on others and that all the circumstances, including any association that the licensed premises may have with serious crime and disorder, can be examined fairly on the merits when the application for summary review is under consideration.

In any event, however, in this case Commander Nash was plainly entitled in the circumstances as they appeared to him to give the certificate that he did, stating that the licensed premises were associated with serious crime.”

- 4.5 Essex Police also asks that the sub-committee consider the case of R (on application of **Hope and Glory Public House Ltd**) v City of Westminster Magistrates' Court and Others (2011) EWCA Civ 312.

- 4.6 In this case, Lord Justice Toulson said:

“Licensing decisions often involve weighing a variety of competing considerations: the demand for licensed establishments, the economic benefit to the proprietor and to the locality by drawing in visitors and stimulating the demand, the effect on law and order, the impact on the lives of those who live and work in the vicinity, and so on. Sometimes a licensing decision may involve narrower questions, such as whether noise, noxious smells or litter coming from premises amount to a public nuisance. Although such questions are in a sense questions of fact, they are not questions of the ‘heads or tails’ variety. They involve an evaluation of what is to be regarded as reasonably acceptable in the particular location. In any case, deciding what (if any) conditions should be attached to a licence as necessary and proportionate to the promotion of the statutory licensing objectives is essentially a matter of judgment rather than a matter of pure fact.”

The decision is important because it illustrates that licensed premises, and the activities that take place in those premises, exist in a dynamic environment, and should not be looked at entirely in isolation. The effect on a range of factors such as crime and the quality of life for residents and visitors must be considered and not just the narrow consideration of the premises itself.

5.0 Review Outcome Sought

- 5.1 Essex Police considers it is proportionate to the licensing objectives that steps are put in place that act to prevent high levels of intoxication at the venue and ensure they retain oversight of door staff employed at the venue.
- 5.2 Essex Police considers that these steps should include a reduction in the current opening hours of the premises (currently permitted as 24/7), the terminal hour of licensable activity on certain Sundays and the imposition of further licence conditions to:
- ensure proactive management of the premises,
 - implement effective recording of incidents etc.,
 - provide oversight of the door supervisors employed and when they should be employed, and
 - provide prompt medical assistance to patrons.,
- 5.3 For these reasons Essex police ask the subcommittee to refer to Appendix A which sets out what it believes are amendments to the current operating schedule of the premises.

WITNESS STATEMENT**Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B**

URN

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Statement of: [REDACTED]

Age if under 18: over 18

(if over 18 insert 'over 18')

Occupation: Police Officer

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: [REDACTED] (witness) Date: 02/06/2023

I am writing a statement in relation to an incident which occurred on the MONDAY 28th of MAY 2023 where a man was laying on the floor of CHELMSFORD HIGH STREET being held down by bouncers from The GARRISONS after he was suspected of committing GBH level injuries and sexual assault.

Throughout my statement I will be referring to a man who I now know to be [REDACTED], I will refer to him as [REDACTED]. I would describe [REDACTED] as mid forties, white male, large build, bald, wearing a white polo top and shorts and white trainers. I will be referring to a bouncer in my statement as BOUNCER 1. I would describe him as over 6ft tall, large muscular build, white male, with shaven sides and longer hair on top hair cut. He was wearing a black top. I will also be referring to PC [REDACTED] in this statement who is a colleague.

The incident occurred directly outside The GARRISON on CHELMSFORD HIGH STREET. The incident happened on the floor of the high street just beyond some benches.

At approximately 0245hrs on the MONDAY 29th of MAY 2023 on CHELMSFORD HIGH STREET I was in my home address with PC [REDACTED] where I was asleep on my sofa. I awoke to the sound of a man yelling intermittently, I awoke PC [REDACTED] and told her that we should go to bed. As I was doing this, I heard the shouts again and went to my kitchen window to see what the noise was. Upon looking out the window I saw three people who I presumed to

Signature [REDACTED] Signature witnessed by:

be bouncers on top of a person laying in the high street. I told PC [REDACTED] that we need to go outside and help with whatever the issue may be as I felt it may be serious due to the amount of bouncers laying on the person. When I got downstairs and walked over to the bouncers on top of the male who I now know to be [REDACTED] I identified myself as an off duty police officer and showed my warrant card. I asked the bouncers what was going on and one of the bouncers said something to the effect of 'THIS MAN HAS COMMITTED GBH' I then said to the group of bouncers words to the effect of 'DO YOU WANT US TO TAKE OVER'. I said this as I felt it necessary to do so as the bouncers had the male face down on the floor and were applying a lot of their weight on him which gave me cause for concern that he may suffer from positional asphyxiation. Before taking over the restraining of [REDACTED] I asked the bouncers if the victim was still inside the premises. I have then got onto the bac of [REDACTED] but trying not to put my full weight on him. [REDACTED] was resistant at first and I did use force to restrain him. Once I had control of [REDACTED] I asked BOUNCER 1 what had actually happened and BOUNCER 1 said words to the effect of 'HE HAS DONE GBH TO A WOMAN INSIDE' as BOUNCER 1 was saying this to me [REDACTED] was speaking to me saying words to the effect of 'I WILL GBH YOU'. I then told [REDACTED] he was under arrest and said to him 'I AM ARRESTING YOU ON SUSPICION OF GBH' I then cautioned him by saying 'YOU DO NOT HAVE TO SAY ANYTHING BUT IT MAY HARM YOUR DEFENCE IF YOU DO NOT MENTION WHEN QUESTIONED SOMETHING WHICH YOU LATER RELY ON IN COURT, ANYTHING YOU DO SAY MAY BE GIVEN IN EVIDENCE. THE NECESSITIES FOR YOUR ARREST ARE FOR A PROMPT AND EFFECTIVE INVESTIGATION AND TO PREVENT FURTHER HARM' at 0258hrs, I did this as I wanted to ensure anything [REDACTED] said could be used evidentially as I was under the impression he had caused serious harm to someone inside the premises. I then started to notice [REDACTED] was unresponsive and he had what appeared to be red liquid around his mouth which I was unsure if it was sick or blood. I kept trying speak to [REDACTED] to get a response from him and so I could assess if he need to be turned over into the recovery position. At this point I was unaware of [REDACTED] name but I was saying words to the effect of 'HELLO, ARE YOU OKAY' and 'CAN YOU HEAR ME'. I then decided it was necessary for [REDACTED] to be placed into the recovery position as he was unresponsive to me and he had a large bump on his head that was giving me cause for concern that his condition may deteriorating. With the help of BOUNCER 1, PC [REDACTED] and another bouncer I placed [REDACTED] in the recovery position. I then said to PC [REDACTED] that she should go inside and check on the victim to ensure she is safe and to ascertain what has happened, I said to PC [REDACTED] as she walked into the premises 'IF THE VICITM IS

Signature [REDACTED]

Signature witnessed by:

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I saw [REDACTED] for a total of fifteen minutes and was as close as 30cm away from him. I had a good visibility of the whole incident and there were no obstructions to my view. I have not met any of the involved people before. I remember the incident clearly as this is a significant incident to happen whilst I was off duty. I remember the incident well and there are no errors in my memory. These are my original notes. [REDACTED]

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Signature witnessed by:

WITNESS STATEMENT**Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B**

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Signature

Signature witnessed by:

Timeline of Incident at the Garrison on 29/05/23

02:43:11 Three members of door staff seen to be ejecting a male (the victim)

02:42:43 Victim seen walking behind the seated area away from door staff

02:42:43 Victim pushed forcefully by a member of door staff landing on his back

02:43:27 Victim kicked whilst being restrained

02:44:13 Member of management seen in the area with radio in hand (management stays within the area for the majority of the incident).

02:44:42 Member of door staff seen punching the victim 3 times

02:44:50 One member door staff seen kneeling on the victim's neck with all 3 pinning him down.

02:45:00 Victim kicked to the leg twice whilst being restrained.

02:49:31 Victim positioned on his front and sat on

02:49:42 Victim attempts to get up

02:49:47 Victim put in a headlock and thrown back to the ground

02:49:59 Victim detained on his front

02:50:05 Victim punched to the head area 3 times

02:50:08 Victim punched twice to the right abdomen

02:50:08 Third member of door staff reappears

02:50:16 Victim punched to the head area approximately 11 times

02:50:39 Victim Punched to the head area 3 times whilst laying on his front

02:51:48 Victim being restrained face down

02:52:28 Management speaking with a female in the background and shaking her hand.

02:53:34 Victims ankle stood on to prevent movement

02:54:00 Victim lacking responsiveness and potentially unconscious

02:54:20 Management speaks with the door team

02:54:45 Victim elbowed to the chest by a member of door staff in front of management

02:57:14 Two off duty officers arrive at the scene

02:58:00 The off-duty officers take over the restraint

03:00:42 The off-duty officers move the victim in to the recovery position with assistance from door staff

03:01:00 Victim is seen to be unconscious and struggling to breathe

03:02:00 One off the off-duty officers left in the victims care whilst the other goes inside the venue.

03:02:06 Female member of the public attends the area and assists

03:02:27 Two males attend the area and are seen speaking with door staff

03:03:01 One of the males in a white t shirt is attacked by door staff and placed in a neck hold

03:03:02 This same male is taken to the ground

03:03:07 Another member of door staff runs over and helps restrain this male to the floor

03:03:16 Restrained on the floor by 2 members of door staff.

03:03:47 Whilst this separate incident is occurring a female member of the public is phoning what is believed to be ambulance, phone call ends on ambulance arrival at 03:09:55

03:04:00 Male who was restrained on the floor stands up and 2 other males approach him, and they walk away from the venue

03:06:06 Victim seen convulsing on the ground.

03:07:03 Another female member of public approaches to assist (believe this person to be the student paramedic)

03:07:10 A second female approaches to assist

03:10 :16 Ambulance arrives on scene

03:10:16 Ambulance crew can be seen treating the victim

03:12:00 Police on scene

03:13: 00 Police speaking with management

03:15:42 Victim placed on a stretcher to be conveyed to hospital.

Hours of opening and licensable activity

We would ask the sub-committee to reduce the current opening hours of the premises (currently 24/7) to 10.00 hours until 30 minutes after the terminal hour of alcohol sales and regulated entertainment.

We would ask the sub-committee to amend the current hours of licensable activity so that on Sundays before May, Spring and August Bank Holidays there is no additional hours of licensable activity and thus on ALL Sunday's licensable activity shall cease at 01.00 hours.

Essex Police would ask the sub-committee to retain the interim steps conditions relating to door supervisors wearing high visibility clothing and the use of body worn cameras and add these to the licence conditions; additionally, Essex Police asks that the following additional conditions are imposed

Conditions

(Note: Conditions 8 & 9 replicate those imposed at the second interim steps hearing)

1.	After 00:00 hours every day there shall be a personal licence holder on duty on the premises when alcohol is offered for sale.
2.	<p>An incident log shall be kept at the premises and made immediately available to police or licensing authority staff upon reasonable request.</p> <p>The log must be completed as soon as is possible and within any case within 4 hours of the occurrence and shall record the following:</p> <ul style="list-style-type: none"> (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any faults in a CCTV system, searching equipment or scanning equipment mandated as a condition of the licence
3.	<p>Where SIA licensed door supervisors are used at the premises a record shall be maintained (on the premises) which is legible and details:</p> <ul style="list-style-type: none"> i. The day and date when door supervisors were deployed; ii. The name and SIA registration number of each door supervisor on duty at the premises; and iii. The start and finish time of each door supervisor's worked duty period. <p>This record shall be retained on the premises for 31 days and be immediately provided to police or licensing authority staff upon reasonable request.</p>

4.	On any occasion where the premises conducts licensable activities past 00:00 hours, at least 3 SIA licensed door supervisors must be on duty from 22:00 hours until at least 30 minutes after the premises closes.
5.	<p>The premises shall have in place and operate a zero-tolerance policy with regard to the use/possession of controlled drugs and psychoactive substances and advertise the same within the premises on posters and similar means. This policy shall specifically include but not be limited to:</p> <ul style="list-style-type: none"> i. Searching practices upon entry; ii. Dealing with patrons suspected of using drugs on the premises; iii. Scrutiny of spaces including toilets or outside areas; iv. Clear expectations of staff roles (including the DPS, managers/supervisors and door supervisors); v. Staff training regarding identification of suspicious activity and what action to take; vi. The handling of items suspected to be illegal drugs or psychoactive substances vii. Steps taken to discourage and disrupt drug use on the premises viii. Steps to be taken to inform patrons of the premises drug policy/practices <p>A copy of this policy document shall be lodged with the police {and licensing authority}.</p>
6.	<p>A qualified first-aider shall be on the premises after 23:00 hours each day when the premises is open for the sale of alcohol.</p> <p>The first aider must have a valid (non-expired) qualification in Emergency First Aid at Work or higher.</p>
7.	<p>Each and every door supervisor employed at the premises has:</p> <ul style="list-style-type: none"> a) Undertaken a refresher course in physical intervention skills (provided by a trainer who themselves has been trained by a SIA - endorsed awarding organisation and has a SIA required qualification for trainers); and b) To have received such training in the last 12 months. c) Proof of a) and b) to be made available to police, SIA or licensing authority staff within 3 working days. <p>Within one month of the grant of this licence 50% of door supervisors on duty at any one time shall have received the training shown at a) above rising to 100% within two months thereafter.</p>
8	All SIA licensed door supervisors engaged at the premises for the purpose of supervising or controlling queues or customers must wear high visibility jackets or vests.
9	<p>At least 2 door supervisors present at the premises will wear Body Worn Video Cameras (BWV). Recordings of BWV shall be retained for a minimum of 31 days and be made available to Essex Police or an authorised officer of the licensing authority upon reasonable request.</p> <p>Door supervisors will be required to activate the recording function of such devices under the following conditions:</p>

	<ol style="list-style-type: none">1. Any use of force situations;2. When it may be reasonably supposed a use of force situation is imminent;3. When conducting a non-intimate consensual search as a condition of entry;4. When dealing with an individual who is making threats of violence toward any other person; or5. Initial scene capture where a criminal offence appears to have taken place.
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Incident Report /

29/05/2023 02:45:47 (ASSAULT) ASSAULT - COMMON OR ABH / AMB 390 CAT1 - 4 MINSNeighbourhood:-C121
 Priority:-(1) 1 Urban Emergency Origin:- Ward:-C121A (570924,206863)
 Disposal Codes (1-6) :-C/ / / / / Scenario:-DEFAULT Creator Wkstn:-FCR21
 Call Taker Dispatcher Owner Wkstn:-FCR20
 Handling Unit:- 80006

---- Incident Location ----

THE GARRISON,
 3 HIGH ST #GRD FLR, CHELMSFORD, CM1 1BE

Proximity
☒ Valid Location

CRIME RELATED

---- Informant Details ----

Surname/First Name:-/ CAMERAS, , /
 Address:-/
 STAFF ON DUTY
 DOB / Sex / Ethnicity:-, ,
 Occupation:-

☐ Contact Reqd
☐ Media Consent
☐ Children?
☐ Vulnerable/Upset
☐ VSS Reqd

---- Date/Time Info. ----

Not Used CR	29/05/2023	02:45:47
Not Used CA	29/05/2023	02:45:47
Incident Created	29/05/2023	02:45:47
Address Validated	29/05/2023	02:46:28
Initial Input Complete	29/05/2023	02:47:44
Transfer Sent	29/05/2023	02:47:53
Transfer Accepted	29/05/2023	02:47:54
Resource Dispatched	29/05/2023	02:56:40
Arrived at Scene	29/05/2023	03:12:14
Units Cleared	29/05/2023	05:44:00
Incident Resulted	29/05/2023	07:08:27
Incident Closed	29/05/2023	09:10:08

---- Incident Log ----

CAMERAS- NEED OFFICERS AT THE GARRISON, MALE 29/05/2023 02:47:30 81355
 BEING DETAINED ON THE FLOOR
 - 29/05/2023 02:47:30 81355
 VSS THIRD PARTY REPORT:N 29/05/2023 02:47:47 81355
 THRIVE Complete?N VSS Required?N 29/05/2023 02:47:47 81355
 Transfer To FIR - CC 29/05/2023 02:47:53 81355
 Control
 Transfer Accepted At For Control 29/05/2023 02:47:54 81355
 CAMERAS- MALE BEING DETAINED HAS ASSAULTED 29/05/2023 02:48:09 81355
 FEMALE INSIDE THE VENUE
 - 29/05/2023 02:48:10 81355
 INCOMPLETE ACTIONS LOGGED ON CHANGE OF CALL 29/05/2023 02:48:23 81355
 TYPE:ASSLT ABH->ASSAULT
 OBTAIN STATEMENT FROM VICTIM:NO 29/05/2023 02:48:23 81355
 PERFORM HOUSE TO HOUSE ENQS:NO 29/05/2023 02:48:23 81355
 RECORD DETAILS FOR CRIME COMPLAINT:NO 29/05/2023 02:48:23 81355
 VICTIM SEEN PERSONALLY (UNLESS THEY REQ NOT, 29/05/2023 02:48:23 81355
 OR IMPRACTICAL):NO
 INCIDENT PRIORITY CHANGED FROM 3 Priority To 1 29/05/2023 02:50:20 81355
 Urban Emergency - REASON TO BE ENTERED IN LOG
 Transfer To FIR - CC From Terminal 29/05/2023 02:50:20 81355
 TRANSFER BECAUSE CALLTYPE ASSAULT, PRIORITY 1, 29/05/2023 02:50:21 81355
 LEVEL C121, C121A
 Transfer Accepted At Terminal For Control 29/05/2023 02:50:25 81355
 CAMERAS- THERE IS NOW A STRUGGLE OUTSIDE WITH 29/05/2023 02:50:53 81355
 THE MALE DETAINED
 DISPATCH TARGET TIME NOT MET 29/05/2023 02:51:08 CADSVR

CTC SUPERVISOR

GPMS: RESTRICTED

Unauthorised disclosure may be an offence under the Data Protection
 or Computer Misuse Acts

F: NOUNIT TAG ADDED 29/05/2023 02:53:15 79067
 TRANSFERRED BECAUSE TIMER HAS EXPIRED. 29/05/2023 02:54:09 CADSVR
 FCR A/SUPV - UNABLE TO GET THROUGH TO TRJN 29/05/2023 02:56:39 79067
 UNITS TO ASSIST.
 NR [REDACTED] MOBILISED BY DRAG/DROP 29/05/2023 02:56:40 1449
 MOBILISATION MESSAGE SENT TO [REDACTED] 29/05/2023 02:56:42 AIRWAVE
 [REDACTED]
 CCTV MALE HAS GRABBED A FEMALE INSIDE THE 29/05/2023 02:57:37 1449
 VENUE [REDACTED]
 [REDACTED] 29/05/2023 02:58:13 CADSVR
 NR [REDACTED] ETA 20MIN 29/05/2023 02:58:19 1449
 CCTV BELIEVE OFF DUTY OFFICER HAS COME OUT AND 29/05/2023 02:59:33 1449
 NOW RESTRAINING
 CCTV MALE IS IN RECOVERY POSITION BELIEVE AMB 29/05/2023 03:02:16 1449
 BEING CALLED
 RESPONSE TARGET TIME NOT MET 29/05/2023 03:03:16 CADSVR
 - 29/05/2023 03:04:49 81928
 PSSI - CALLING AMB 29/05/2023 03:05:20 72814
 TRJN [REDACTED] MOBILISED BY DRAG/DROP 29/05/2023 03:05:30 1449
 MOBILISATION MESSAGE SENT TO TRJN [REDACTED] 29/05/2023 03:05:32 AIRWAVE
 [REDACTED]
 FCR [REDACTED] - FURTHER CALL FROM [REDACTED] - 29/05/2023 03:05:39 81928
 079 [REDACTED] - VERY CONCERNED FOR THE SUSPECT.
 STATES THE BOUNCERS ARE LAYING INTO HIM AND HE
 NEEDS ASSSISTANCE
 CCTV GARRISONS HAVE CALLED AMB HE WAS 29/05/2023 03:07:38 1449
 STRUGGLING TO BREATHE BUT IS BREATHING OK NOW
 CCTV AMB FEW MINS OUT 29/05/2023 03:09:16 1449
 SUPV - FROM O1, SGT TO LIAISE WITH CCTV AS 29/05/2023 03:09:50 6822
 DOOR STAFF WITH BALD HEAD WAS SEEN ON CCTV
 PUNCHING THE SUSPECT ON THE FLOOR WHILST BEING
 RESTRAINED BY THE 3 OF THEM.
 CCTV AS FAR AS WE ARE AWARE FEMALE PARTY IS 29/05/2023 03:10:15 1449
 STILL INSIDE VENUE
 LIC OFFCR TAG ADDED 29/05/2023 03:10:17 6822
 NR [REDACTED] HAVE NO SGT AND ABOVE TO DEAL AT PRESENT 29/05/2023 03:11:58 1449
 DUE TO [REDACTED]
 NR [REDACTED] At Scene 29/05/2023 03:12:14 AIRWAVE
 OSCAR1 TAG ADDED 29/05/2023 03:12:48 404
 NR [REDACTED] MALE WAS ARRESTED FOR GBH BY OFF DUTY 29/05/2023 03:16:06 1449
 OFFICER HOWEVER VICTIM HAS NO INJURIES
 SO HAS BEEN DE ARRESTED 29/05/2023 03:16:19 1449
 PC [REDACTED] AND PC [REDACTED] ON SCENE 29/05/2023 03:16:31 80006
 NR [REDACTED] AWARE OF ASSAULT BY BOUNCER 29/05/2023 03:16:42 1449
 TRJN [REDACTED] ENTERING HIGH ST AT POP WORLD 29/05/2023 03:19:58 1449
 TRJN [REDACTED] At Scene 29/05/2023 03:20:32 ARLSVR
 [REDACTED] VALE 29/05/2023 03:22:46 80006
 [REDACTED] 10/03
 [REDACTED] 29/05/2023 03:30:26 1449
 [REDACTED] 29/05/2023 03:30:39 1449
 [REDACTED] 29/05/2023 03:34:23 ARLSVR
 NR [REDACTED] WILL UPDATE FULLY BUT WILL BE FOLLOWING 29/05/2023 03:40:42 1449
 THE AMB UPTO HOSPITAL
 NR [REDACTED] Not at Inc. Locn. 29/05/2023 03:43:20 ARLSVR
 NR [REDACTED] HAVE SENT DAMS REQUEST TO CCTV THEY ARE 29/05/2023 03:50:14 1449
 AWARE
 NR [REDACTED] - WE HAVE ATTENDED INCIDENT. INITIALLY 29/05/2023 03:50:57 80006
 SUSPECT WAS ARRESTED BY OFF DUTY OFFICER FOR
 GBH. THIS WAS WITHOUT CONFIRMING ANY VICTIM
 INJURIES AND WAS DONE ON THE SAY SO OF THE
 DOOR
 STAFF. NO PERSON HAS ANY GBH LEVEL INJURIES AT 29/05/2023 03:50:57 80006
 THIS TIME AND AS SUCH SUSPECT WAS DEARRESTED
 FOR THE GBH OFFENCE. [REDACTED] 29/05/2023 03:52:07 80006

GPMS: RESTRICTED

Unauthorised disclosure may be an offence under the Data Protection
 or Computer Misuse Acts

Requested by :
at Workstation:

MALE HAS BEEN TAKEN BY AMBULANCE TO CHECK HIS INJURIES. NOT LIFE THREATENING AND NOT LIFE CHANGING AT THIS TIME BUT HAS BEEN TAKEN TO BROOMFIELD TO CHECK FURTHER. WE DO NOT KNOW MALES POLE DATA AT THIS TIME AND HAVE FOLLOWED TO HOSPITAL TO ASCERTAIN THIS.
NR - THE DOORMEN THAT RESTRAINED THE MALE ARE -
29/05/2023 03:53:17 80006
29/05/2023 03:53:17 80006
29/05/2023 03:53:25 80006
29/05/2023 03:54:10 70671
29/05/2023 03:55:01 70671
29/05/2023 03:56:07 70671
01 - CCTV OF THE RESTRAINT BY DOOR STAFF WILL NEED TO BE REVIEWED DUE TO REPORT OF ASSAULT BY DOOR STAFF MEMBER, WHO WILL NEED TO BE IDENTIFIED
INC HAS BEEN TAGGED FOR LICENSING TO REVIEW
Transfer To FIR - CC From Terminal FCR2 Control
Transfer Accepted At Terminal FCR20 For Control
OSCAR1 TAG DELETED
CCTV FOOTAGE HAS BEEN SENT NR VIEWING NOW
NR -
29/05/2023 04:12:34 404
29/05/2023 04:12:34 404
29/05/2023 04:12:38 404
29/05/2023 04:12:58 1449
29/05/2023 04:13:01 404
29/05/2023 04:21:31 1449
29/05/2023 04:37:00 80006
29/05/2023 04:37:00 80006

-
I HAVE SPOKEN TO NR WHO ATTENDED THE SCENE WHO SAY THAT THE VICTIM IS A SUSPECT IN HIS OWN RIGHT DUE TO A
SO HAVE GONE UP TO THE HOSPITAL WITH HIM AS HE IS NOT IN A POSITION TO TALK.
-PLEASE CAN NR ESTABLISH ASAP WHAT THE LEVEL OF INJURY IS TO THE VICTIM, AS INITIALLY IT WAS A CONCERN FOR HIS BREATHING/ ASHPYXIA.
WHILST WE DO NOT ROUTINLY RECORD OFFENCES FROM CCTV I BELIVE THAT IN THIS CASE AN ASSAULT OR
29/05/2023 04:47:35 79246
29/05/2023 04:48:43 79246
29/05/2023 04:48:43 79246
29/05/2023 04:53:16 79246
29/05/2023 04:53:16 79246
29/05/2023 04:55:00 79246

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AT LEAST A NON-CRIME SHOULD BE RECORDED. THIS
WILL BE DEPENDANT ON WHAT THE VICTIM
SAYS TO OFFICERS/ LEVEL OF INJURY.

29/05/2023 04:55:00 79246

OPERATOR

NR - NEITHER OR A HAD ANY
VISIBLE INJURY

29/05/2023 05:28:59 70671

29/05/2023 05:28:59 70671

BAR STAFF AT 'THE GARRISON'
INFORMED US THAT WAS VERY INTOXICATED
WHICH HAS PROBABLY CONTRIBUTED TO HIS
CONDITION,

29/05/2023 05:28:59 70671

Reference:

OPERATOR

NR - Available

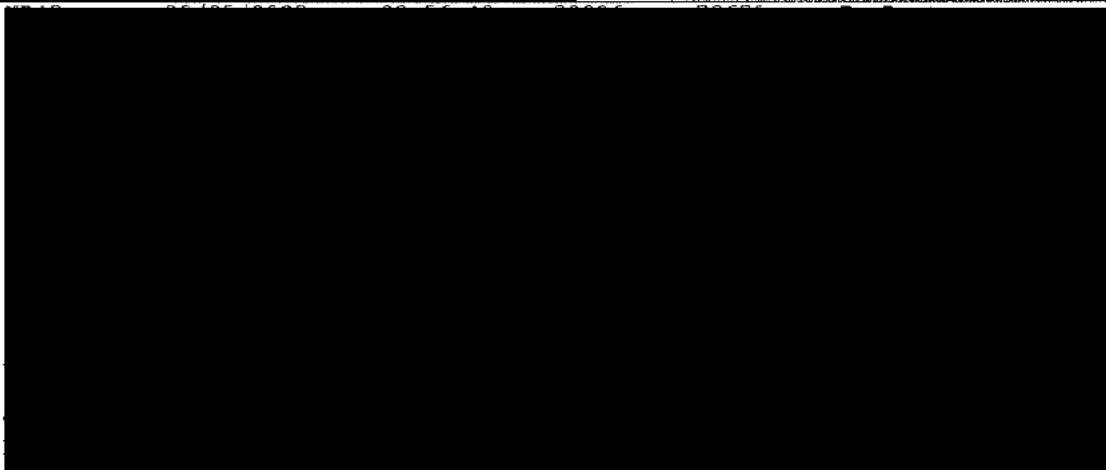
29/05/2023 05:30:07 ATHENA

29/05/2023 05:44:00 AIRWAVE

FOUND THE FURTHER CALL ON REDBOX AT 0305 - TEL 02/06/2023 15:33:32 77149
THAT CALLED

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3670071

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