

APPENDIX E

From: Licensing Tendring <licensing.tendring@Essex.police.uk>
Sent: Wednesday, November 1, 2023 2:56 PM
To: Licensing Section <licensingsection@tendringdc.gov.uk>
Subject: FW: REVIEW APPLICATION

Good afternoon.
Please find attached the Police response and support for the Environmental review.
Thank you, Steve

From: Licensing Applications Essex <licensing.applications@essex.police.uk>
Sent: Wednesday, October 4, 2023 10:54 AM
To: Licensing Tendring <licensing.tendring@Essex.police.uk>
Subject: REVIEW APPLICATION

Hi Steve

The below application has been received at this office and has been placed onto Bacchus.

Following info also on e-mail from council
You have until 1 November 2023 to submit any representations.

The applicant details have been subject to a PNC Check:

	NO
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Should you wish to object to this application please contact the Licensing Authority directly.

APPLICATION SUMMARY BELOW

Licence	L3793748, WICKS, Essex, 1 MIDLAND HOUSE, HARWICH, ESSEX, CO123PS
Application Type	Review
Created By	PSE 42007077 Louise Carroll - 04/10/2023 10:46
Review Type	Third Party Review
Instigator	ENVIROMENTAL PROTECTION TEAM
Application Details	Review Application - on grounds of the prevention of public nuisance
Licensing Authority	Tendring District Council
Notice To Licensing Authority	
Hearing Date	
Result Summary	
Application Status	Pending

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Louise Carroll 7077
Licensing Clerk
Essex Police Licensing Team (Alcohol)
Braintree Police Station
Internal Ext 406356
External Direct Number: 01245 452035
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Premises Licence Review

**Enterprise Harwich Bar Ltd
(Wicks Bar)
High Street, Harwich**

Police Representation in support of review.

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1.0 Background Details

- 1.1 Wicks Bar is a licensed premises situated on the High Street in Harwich with a post code of CO123PS. The Premises Licence Holder (PLH) is _ENTERPRISE HARWICH BAR LTD and holds a licence number of 21/00340/PREMVA. The Designated Premises Supervisor (DPS) is Alex WICKS and has been since 03/05/2023.
- 1.2 The premises was originally a Pizza Parlour.
- 1.3 The premises is advertised as a Sports Bar and night time venue and is located in a premises under residential flats and surrounded by dwellings. It is in the High Street of Dovercourt.

2.0 Outline of police interactions with the premises.

- 2.1 Police have undertaken a total of thirteen visits to this premises since May 2023.
- 2.2 These visits have been a mixture of uniformed officers and the district licensing officer (DLO) for the area. Visits were conducted to assess compliance with the licence conditions, action plan and in response to specific incidents/reports made to police.
- 2.3 On 16/05/23 – DLO Visit with TDC licencing. Met with the new DPS and owner Alex WICKS and discussed at length the complaints regarding noise and disorder at the venue. Since opening, there has been a consistent series of reports to Police, TDC Environmental Health and local community social media. Alex asked about the music 'licence' situation which currently stops at 2300 and was informed that after that time it must be an ancillary to the venue's other activity i.e. must be played at background level only. Mr WICKS has stated that he will monitor the situation and measure the decibels outside of the venue attempting to reduce these complaints.
- 2.4 02/06/23 – Visit by Harwich Community Policing Team (CPT); the licensee and his two door staff were reminded regarding the conditions of their licence that the music volume needed to be reduced from 11pm. We were invited to check the toilets, no one was present in the toilets or dance floor area except for the DJ. In the male toilets some damage was pointed out which Mr WICKS stated had been caused by it being kicked. He hadn't logged this as an incident, but would get it fixed. Approximately 8 persons at the bar and it was very quiet. Whilst talking it did pass 11pm, Mr WICKS stated that's partly why he had the door staff to ensure the door wasn't left open for any length of time.
- 2.5 03/06/23 – Visit by Harwich CPT; Premises visited to check on noise levels and using cocaine wipes in both sets of toilets. Music at reasonable levels within conditions of licence. However, both men's and women's sinks indicated positive for cocaine use. This was more apparent in the women's than the men's facilities. Advice given regarding the layout and using preventative products on those surfaces.
- 2.6 15/06/23 - DLO visit together with TDC Licensing officer Chloe Blackwell and TDC environmental health officer Rebecca Duff-Cole. This joint visit was as a result of several complaints both to the council and the Police of excess late night noise and disturbances. Mr WICKS the DPS met us at the premises and stated that he thought that the venue was doing ok but could do with more customers. He was looking to become more of a sports bar and also start the

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restaurant side of the business. He had not been using the incident/refusals book but said he did keep checking the sound levels from outside but again this was not recorded anywhere. Chloe said she would be emailing Mr WICKS with the details of what he needed to do going forward. Rebecca stated that he would be getting a formal notification regarding the noise complaints. He was told that he should have a noise management plan in place, which he didn't have. Mr WICKS said he was in contact with an acoustic company regarding noise reduction and how they could reduce the noise leakage.

- 2.7 26/06/23 - DLO Call to Alex WICKS (DPS) following an email in an attempt to speak about the reported fight at the venue. Doorstaff refused to remove those involved as they felt uncomfortable. Mr WICKS stated that the males fighting were travellers and that was what disturbed the staff. It was mentioned that he was looking to replace the doorstaff. We spoke of any further issues and he said that he hadn't had any other problems. He now had the practice of having bottles of water on a table available for free outside of his premises for patrons leaving to keep them hydrated.
- 2.8 30/06/23 - Police visit; sinks in both ladies and gents toilets again showed indications of cocaine use. Mr WICKS stated he had ordered anti slip mats to stick to the sink units but these are not in place. The doors remain as they were on previous visits meaning these sinks cannot be viewed from the corridor. No DJ present and states he won't be having any live DJ's from now on. Considering hiring female doorstaff.
- 2.9 23/07/23 – Police visit; officers attended WICKS BAR following a report of robbery following an assault outside the premises. CCTV has been viewed at Wicks Bar but cameras do not appear to cover the curb/road and footage viewed so far does not show the incident. Mr WICKS has been asked to send over an hour's worth of footage for review to which he initially stated the CCTV wasn't working. However, CCTV was later viewed via his mobile phone. It was suggested that one of the possible suspects works behind the bar. Mr WICKS stated that he knows the suspect and he is helpful with removing patrons that cause issues and that on the night in question he was short of doorstaff.
- 2.10 04/08/23 – DLO and Harwich CPT visit to check whether the bar is conforming to its licensing conditions. At 2300 hours, the bar was very busy with a large group of persons outside on the deck area, drinking. I attended at 2325 and music was still being played via the premises sound system. There were around 50 customers present, both inside and out. There were two female and one male members of bar staff working. One male doorstaff was working the door. Mr WICKS was spoken to regarding the Action Plan. The female toilets came back as positive indications for drugs usage to which Mr WICKS was again advised to change the surface or use products to prevent this. I examined the incidents book and there was a single entry for 29/07, but nothing else since our last visit. It was fully explained to him that he was not allowed any music to

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be played after 2300 as they were the conditions of his licence. A member of staff tried but failed to turn the music down. Mr WICKS then had it switched off when we were speaking to which customers did call out for him to put it back on. He had not completed any of his own noise checks, which was an action upon his Action Plan.

- 2.11 12/08/23 – Police Visit, Harwich CPT; complying with conditions regarding music, but still a slight trace in both toilets of cocaine. Mr WICKS was advised there had been complaints again last night after closing as patrons are not going home quickly or being dispersed. Mr WICKS suggested by not having music after 2300 patrons were using the outside space more and thus causing noise shouting at one another which he doesn't feel he can stop and wants police to assist with dispersal.
- 2.12 25/08/23 - DLO visit; check that the premises is conforming to its licensing conditions and the recent Action Plan. At 2325, the premises was still playing music that could be heard from about 30 metres away. This was again a further breach of both of the above. There were around 50 persons present, both inside and outside the club.
- 2.13 31/08/23 - DLO Visit; Premises licence check in company with TDC Licensing Chloe BLACKWELL. We met the DPS Alex WICKS, the premises was not open. Business has been OK with a busy summer season. He had no issues or particular concerns for the venue. He has been keeping an incident book which is good but not a staff training record, which has been mentioned to him before (this is another conditional breach). He said that he had been switching off the music every night at 2300. I pointed out that I had been outside at 2325, on 25/08/23 and it was still being played loudly. He has no answer for this. I informed him of the report that three 17yr old females were discovered drunk near the club and had been drinking in there all evening, to which Mr WICKS said that they always check ID by examining any ID provided. We mentioned that this could be part of the staff training and recorded. I completed drugs wipes swipes in both the male and female toilets and both came back as positive indications for cocaine. I asked to view the CCTV for a couple of random dates and found that there was no sound to the recordings.
- 2.14 08/09/23 - Harwich CPT; have visited this evening at 2310hrs to find the majority of customers being loud outside the address - around 20 people were in attendance in total. Mr WICKS was not present at the beginning of the visit and the check was done with a female member of staff. Incident book was checked and up to date however the toilets were soaking wet on all surfaces suggesting they were cleaned prior to police arrival or as police arrived. When leaving, the crowd outside who were talking and socialising with a member of doorstaff, have become rowdy towards police and a public order offence was committed by one of the males. They have been identified and arrested for public order and the member of doorstaff was obstructive towards Police. He

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has not helped or stopped the crowd from leaving the bar and descending on Police officer and even suggested a wrongful arrest. He also refused to help identify who the male was. The male was eventually de arrested and Mr WICKS has arrived he has been briefed and informed what has happened.

- 2.15 14/10/23 - Harwich CPT: 20:00. At the time of visit there was 1 x bar staff and around 4 customers. Mr WICKS has said that he believes that there will be customers arriving around 10pm for the boxing main events being shown on the big screens. Both the male and female toilets have been drug wiped where the results have been negative. There is now both male and female doorstaff employed at the premises so they can regularly check toilet space used. The incident regarding the female that had been taken to hospital was mentioned and Mr WICKS has said that it was a 71 year old female with her husband who live close by to the premises that had left the bar and blacked out resulting her hitting her head on the kerb. This was recorded in the incident log.
- 2.16 19/10/23 - DLO visit in company with TDC Licensing officer Chloe BLACKWELL. This was another routine visit to see the DPS Alex WICKS. The venue has been taken to a review by TDC environmental services. The refusals book was checked and had several entries since our last visit. Unfortunately there were no alcohol age related signs displayed and the premises should be complying with an Under 25 policy. There was still no staff training record in place and no training had taken place since the premises opened in May, which was a continual breach of the license conditions. Mr WICKS stated that he was arranging a course next week. I asked Mr WICKS whether he had actually read the details of his premises licence to which he said that he had when he opened (May 2023) but not since. There was no price list or menu showing the costs of alcohol available. He did not know that wine was available in a 125ml measure. Both of these matters were a breach of the mandatory licensing conditions. I asked him to check CCTV for an incident at 0100 on 15/10/2023 whereby a female was assaulted by a member of staff (not on duty). Some coverage was found but it was not clear - Police would be in touch regarding this matter. Drug wipes on both the male and female toilets in the premises and both again showed positive indications for cocaine. I again informed Mr WICKS of this fact, but he has still not taken any fixed preventative measures to hinder this activity. Mr WICKS did say that he had tried spraying WD40 but was worried this may cause harm to customers who do 'snort cocaine' off of the surfaces sprayed.

Many of the visits involved lengthy discussions in relation to the continued noise complaints made to both Police and TDC. As Environmental are the experts in this field and are bringing this review, I have omitted these details.

ACTION PLAN

An action plan was completed with Mr WICKS and forwarded to him on 21/07/2023. Please find a copy of this AP attached to this email. It contained two separate actions. Firstly, relating to the keeping of a refusals/incident book, as well as recording the DB Levels of music playing both inside and outside of the venue. The second being to stop the playing of music after 2300, which was greatly disturbing those residing in the locality.

This action plan was reviewed on 01/09/23. Both actions had not been implemented.

Within the timescale of the live Action Plan, there were 8 separate incidents recorded by Police relating to drug dealing, disturbance and disorder and again loud music noise complaints.

As there was very little acknowledgement or participation by the venue with this Action Plan, therefore Police did not look to engage further by way of a further Action Plan as is often the case using the 'stepped approach' to resolving issues.

3.0 Outline of reported incidents and other significant events

- 3.1 06/05/2023 – 00:22; Opening night, noise complaint received.
- 3.2 14/05/2023 – 01:54; Fight outside of the premises involving a number of males. Noise disturbance also reported, Police attend, NFA.
- 3.3 21/05/2023 – Between 02:06 & 03:00; Fight between 2 females, further disturbance and nuisance calls from 3 members of the public. Police attend and assault and GBH recorded.
- 3.4 10/06/2023 – 00:08; Fight involving males and females. Again several calls from 4 members of the public. Screaming and shouting reported. Noise complaints, Assault reported. Police attend.
- 3.5 11/06/2023 – 00:55; Fight/disturbance between door staff and member of the public. Further noise complaints. Male ejected from premises. Police attend. NFA.
- 3.6 16/06/2023 – 22:48 Fight inside the club. Door staff acted poorly, refusing to eject those involved. Police attend. NFA.
- 3.7 02/07/2023 – Spiking incident reported. Male alleged that his drink had been spiked whilst inside the bar. Police attend. Spiking recorded.
- 3.8 08/07/2023 – 02:01; Disorder in the street. Disturbance reported. Police attend. NFA.
- 3.9 11/07/2023 – 01:02 & 03:45; Fight at the venue, noise disturbance also. Further fight between persons after leaving venue. Police attend and assault recorded.
- 3.10 16/07/2023 – 01:37; Disturbance / fight reported. Police attend. NFA.
- 3.11 21/07/2023 – ACTION PLAN sent to DPS.
- 3.12 29/07/2023 – 01:38; Large fight /disturbance outside of venue. 4 separate calls from the public regarding the incident over a 20-minute span. Police attend.
- 3.13 05/08/2023 – Numerous customers taking cocaine in the toilets. It is alleged that staff are aware. Information Report submitted
- 3.14 11/08/2023 – 22:53; About 10 males at the rear of WICKS bar, involved in dealing drugs. Information Report submitted
- 3.15 03/09/2023 – 02:10; Fight at venue involving a member of the public with the DPS and staff. All parties including the DPS and Door Staff appeared intoxicated. Police attend. Common Assault.
- 3.16 08/09/2023 – 23:10; Op Benison visit; Toilets had been freshly cleaned on Police arrival. SIA member of door staff was obstructive to Police Officers during a public order incident at the front of the venue.

- 3.17 15/10/2023 – 01:15; Female member of the public was assaulted by a female member of staff. Dragged by her hair and punched in the face. Police attend. Common Assault.

Since opening on 06/05/2023, Police have been called on 21 separate occasions, where Police didn't attend and confirm the allegations or reports of disturbance/fights/or disorder, the actual details are not known for certain and with no further contact to confirm a recordable matter, these details have not been included within this report.

4.0 Review outcome sought.

- 4.1 The premises has failed to uphold the crime and disorder and public nuisance objectives by way of breaching relevant legislation on numerous occasions. The venue's management has failed to work with responsible authorities and ignored both advice and enforcement activity by Police, by way of an Action Plan on 24/07/2023.

It is the view of the Chief Officer of Police that the premises has been ill-managed for some time.

In accordance with paragraph 11.9 of the Statutory Guidance, Essex Police may amplify its representation at the subsequent hearing.

- 4.2 Considering the concerns raised in this document, it is Essex Police's position that it supports the recommendation made by the Environmental Health team from TDC for the licence to be revoked.
- 4.3 However, if the committee decides that revocation is not the appropriate outcome, then Essex Police would recommend the conditions in appendix A be imposed upon the Premises Licence.

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In addition to the mandatory conditions, serious consideration should be given the below conditions being placed upon the licence.

Conditions consistent with the Operating Schedule.

1 – The premises shall install and maintain a high quality CCTV system, capable of use in any light conditions, to cover all entry and exit points, entrances to the toilets, enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorized officer throughout the preceding 31 day period. The CCTV system should be updated and maintained according to any police recommendations.

2 – No music to be played other than background music, through the premises internal speaker system. This must be kept at an agreed level to be confirmed with environmental services. No music at all to be played after 11pm.

3 – The front decking area of the venue to be closed for all licensable activities at 10pm.

4 - There shall be a personal licence holder on duty on the premises from opening every Friday and Saturday until the premises closes on that trading day.

5 - All relevant staff shall receive training in relation to the sale of alcohol and their responsibilities under this licence. No member of staff shall be permitted to sell alcohol until such time as they have successfully completed the aforementioned training. Such training shall be recorded and refresher training conducted twice per annum. Training records shall be made available to the police or local authority on request.

6 – Door Supervisors. On Friday And Saturday and any other day prior to a BH, there must be a minimum of two SIA registered door supervisors on duty from 1800 and must remain on duty until the premises are closed and all customers have left. A record must be kept of their SIA registration number and times and dates when they were on duty.

7 - An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:

(a) all crimes reported to the venue.

(b) all ejections of patrons

(c) any complaints received

(d) any incidents of disorder

(e) all seizures of drugs or offensive weapons

(f) any faults in the CCTV system or searching equipment or scanning equipment

(g) any visit by a relevant authority or emergency service.

8 - A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be always available for inspection at the premises by the police or an authorized officer of the Council whilst the premises is open.

9 - 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 poster and similar means.

This policy shall specifically include but not be limited to searching practices upon entry.

Dealing with patrons suspected of using drugs on the premises.

Scrutiny of spaces including toilets and outside areas.

Clear expectation to staff roles.

Staff training regarding identification of suspicious activity and what action to take.

Handling of items suspected to be suspicious substances.

Steps taken to discourage and disrupt drug use on premises.

Steps taken to inform patrons of this policy.

A copy of this policy document shall be lodged with the police and licensing authority.

A suitable drugs safe/ cabinet shall be fitted any sized items shall be deposited in it. The safe shall be installed at a location agreed upon with the police and only the police shall have the access keys. Any item shall be placed in a clear bag with a label stating the circumstances of why it is in the safe



LICENSED PREMISES ACTION PLAN (Phase 1)

Licence Number: 23/00291/PREMTR	Premises Name:WICKS'S BAR Premises Address: Enterprise Harwich Bar LTD 1 Midland House High Street Harwich Essex CO12 3PS	Date Range of issues:06/05/2023 Review Date:21/07/2023
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Issue	Specific realistic agreed actions & how compliance will be monitored, achieved and maintained -	Timeframe
Conditions not being adhered to: Relavent and accurate Incident/Refusals book not being mantained.	The Licence Holder/DPS will keep a refusal/incident book to record all refusals, or persons challenged for ID relating to the sale of alcohol. Further entries should include when you have measured the DB levels of music both inside and outside the venue as you have stated that you are currently doing. This record will be produced to the Police or Licensing Authority for inspection on request.	To be actioned immediately and reviewed by 01/09/2023
Current legislation not being adhered to: Music currently being played after 2300.	This is the primary issue that is greatly disturbing those residing in the locality. Therefore, music will not be played past 2300hrs, as per the regulations of the Licensing Act 2003.	To be actioned immediately and reviewed by 01/09/2023

Alex WICKS			Steven Bennett
Name of DPS/Premises Licence Holder Representative	Signature of DPS/Premises Licence Holder Representative	Date	Name of Police Representative
Distribution:	Police + Licensing Authority + Premises Licence Holder + DPS + Manager of premises)if any)		

From: Licensing Section <licensingsection@tendringdc.gov.uk>
Sent: Wednesday, November 1, 2023 5:18 PM
To: Licensing Section <licensingsection@tendringdc.gov.uk>
Subject: Support for the review in respect of Wicks, 1-3 Midland House
Importance: High

Good Afternoon,

REVIEW OF PREMISES LICENCE IN RESPECT OF – WICKS, ENTERPRISE HARWICH BAR LTD, 1-3 MIDLAND HOUSE, HARWICH THE GROUNDS FOR THE APPLICATION FOR REVIEW ARE AS FOLLOWS: THAT THE LICENSING OBJECTIVES IN RESPECT OF: THE PREVENTION OF PUBLIC NUISANCE HAVE NOT BEEN SATISFIED

On behalf of the Licensing Authority as a Responsible Authority, I am submitting further support of the above application submitted by Tendring District Council (Environmental Protection) on the 4th October 2023. The grounds of this support is that the Licensing Objectives in respect of: the Prevention of Public Nuisance and Crime and Disorder have not been satisfied.

Please find attached the following attachments-
Wicks- Covering Letter Supporting Review
Wicks- Timeline of actions
Wicks – Annex for Timeline

Many thanks,

(Miss) Chloe Blackwell

Licensing Enforcement Officer

Democratic Services and Elections, Governance

☎01255 68 6565 ✉Licensingsection@tendringdc.gov.uk 🌐www.tendringdc.gov.uk

Tendring District Council Licensing Department, Town Hall, Station Road, Clacton, Essex, CO15 1SE

Please note our office change above. Our reception is for tests only. General enquiries please contact on the above methods.





Licensing Section
Town Hall
Station Road
Clacton on Sea
Essex CO15 1SE

Tel: (01255) 686565
Email: licensingsection@tendringdc.gov.uk

1st November 2023

REVIEW OF PREMISES LICENCE IN RESPECT OF – WICKS, ENTERPRISE HARWICH BAR LTD, 1-3 MIDLAND HOUSE, HARWICH THE GROUNDS FOR THE APPLICATION FOR REVIEW ARE AS FOLLOWS: THAT THE LICENSING OBJECTIVES IN RESPECT OF: THE PREVENTION OF PUBLIC NUISANCE HAVE NOT BEEN SATISFIED

On behalf of the Licensing Authority as a Responsible Authority, I am submitting further support of the above application submitted by Tendring District Council (Environmental Protection) on the 4th October 2023. The grounds of this support is that the Licensing Objectives in respect of: the Prevention of Public Nuisance and Crime and Disorder have not been satisfied.

Licence Holder in company name “Enterprise Harwich Bar Ltd” and Designated Premises Supervisor (DPS) namely Mr Wicks, has held the current Premises Licence since 03rd May 2023.

As a Licensing Enforcement Officer, I have received 35 complaints from 13 different complainants in close proximity to the premises (8 persons submitted 1 complaint, and the remaining 5 submitted between 2 and 9 complaints) starting from 15th May 2023. I categorise the subject of the complaints below-

- Loud Music
- Carrying on Licensable activities without an appropriate licence in place in relation to Loud Music past 2300hrs.
- Antisocial Behaviour issues including fighting, shouting, and drugs misuse.

I have attended 4 visits in response to the series of complaints with the named DPS – Mr Alex Wicks which I highlight below-

- 16.05.2023 initial visit, DPS - Mr Wicks stated the premises intended use was a sports bar. Authorisation to staff document and sales refusal book given at time. Issues highlighted to DPS- Mr Wicks, and explained background music which he was not adhering to.
- 15.06.2023 second visit, DPS- Mr Wicks stated the premises intended use was a sports bar and looking to do food. Refusal book in little detail and not accounting for all incidences. DPS - Mr Wicks was asked to test his sound system all parties agreed this would not constitute as background music. Advise from Environmental protection to document a noise management plan.
- 31.08.2023 third visit. Drug wipe from police shows spots of cocaine. No documents to show staff training and could not produce refusals book. No noise management plan as DPS- Mr Wicks didn't think he needed to, as he was using the premises speakers instead of his main system.
- 19.10.2023 fourth visit and now with the review in place. DPS - Mr Wicks had no challenge 25 poster in the premises. No staff training records but advised he has paid for a system

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and will implement within the week, sound testing to be conducted within the week also. Police attending asked DPS-Mr Wicks why wasn't this effort done prior to the review, with DPS - Mr Wicks explaining he didn't see the importance of it till now.

On the 19.06.2023 I had sent a warning letter to DPS- Mr Wicks to explain he has been carrying out an un-licensable activity of playing recorded music beyond 2300hrs. DPS - Mr Wicks licensing hours and Live Music Act 2012 was detailed in this letter. Along with Annex 2 conditions of his licence. With the intention of the letter to remind DPS- Mr Wicks that should he continue to operate the premises this way he may be liable for prosecution and/ or a review of his current premises licence where the committee may potentially suspend, revoke, or add conditions on to the licence, or hours being reduced.

Further details of the above visits and warning letter can be found in the timeline of events against the premises attached to this letter.

Through continued efforts of trying to liaise with DPS - Mr Wicks and advising for necessary documentation to be done DPS - Mr Wicks still has the following issues.

- Carrying on Licensable Activity without the appropriate licence in place – DPS - Mr Wicks Current Licence permits alcohol sales between the hours of 1200hrs and 0130hrs. The Live Music Act 2012 and Deregulation Act 2015 'deregulated' large amounts of regulated entertainment on licensed premises.
 - On licensed premises, between 0800hrs and 2300hrs live music (amplified) and recorded music is deregulated for audiences of up to 500 people.

Complaints have been received to the Licensing Authority detailing what could not be described as background music after 2300hrs. paraphrased below is a few of those complaints -

- 07.05.2023 detailing loud music on Fridays and Saturdays between 2100hrs and 0130hrs. (174 ft away from premises)
 - 30.05.2023 detailing loud music ending on dates 05.10.2023 at 0130hrs, 12.05.2023 at 0115hrs, 20.05.2023 at 0130hrs.
 - 08.06.2023 detailing music starts around 1900hrs and ends 0130hrs (0.1 miles away from premises)
 - 08.07.2023 detailing loud music Friday until 0100hrs (256 Ft away from premises)
 - 11.07.2023 detailing loud music ending on dates 10.06.2023 at 0130hrs, 27.06.2023 at 0030hrs, 30.06.2023 at 0130hrs. (292 ft away from premises)
- Breaches of conditions – By not having certain documentation DPS - Mr Wicks has failed to comply with the following conditions stated on his Premises Licence. Primarily-
 - Annex 1, Condition 7 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

Premises inspection undertaken on 19.10.2023. No challenge 25 poster displayed.

- Annex 1, Condition 8 The responsible person must ensure that
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises;

Premises inspection undertaken on 19.10.2023 DPS- Mr Wicks was questioned on the above conditions. No Measurement list presented at time, No drinks Menu present at time.

My recollection was that DPS - Mr Wicks was not aware of this condition and didn't have them in the premises.

- Annex 2, Condition 4 – Relevant staff training within their roles and responsibilities in relation to the sale of alcohol and underage drinking. These records must be kept up to date and made available upon request to authorised officers.

Premises inspection undertaken 19.10.2023, Staff training records could not be presented. DPS Mr Wicks mentioned that he had recently paid for a system which will be implemented.

- Consistent issues regarding antisocial behaviour.

Complaints have been received to the Licensing Authority detailing what could be described as antisocial behaviour. paraphrased below is a few of those complaints –

- 11.06.2023 detailing Fighting outside
- 06.07.2023 detailing crowds become extremely loud and rowdy, screaming, shouting, arguing and fighting. (371 ft away from premises)
- 11.07.2023 detailing glass bottles thrown, drug use, fighting.
- 18.07.2023 detailing shouting and swearing until early hours.
- 20.07.2023 detailing customers creating a high volume of noise, broken glass, fights. (292 ft away from premises)

In considering if this was any other premises with similar track record, we would have intervened with the steps taken to ensure further action wasn't necessary. DPS - Mr Wicks has failed to listen to relevant authorities over time and it is contested that only due to the review being in place he has taken the step further to ensure compliance. In my experience, a responsible Licence Holder would have made the changes, or kept an open communication with the authority in regard to changes prior to further action taking place, such as this review. In my professional judgement, by allowing the premises to continue, it would further risk the 4 licensing objectives in respect of poor control, late closings and antisocial behaviour rising. I do not have the necessary trust, that the Licence Holder and DPS- Mr Wicks would take further advice before imminent action is taken.

For the above reasons, I would recommend the committee REVOKE this Premises Licence.

Only if the subcommittee members do not agree with the above recommendation, upon request I shall present a list of relevant conditions to assist the members in what I would deem relevant to add onto the premises licence to further support the 4 licensing objectives. All relevant parties have seen this document.

Yours sincerely

C.Blackwell

Chloe Blackwell

LICENSING ENFORCEMENT OFFICER

APPENDIX E

Enforcement Actions in respect of - Enterprise Harwich Bar LTD, 1 Midland House, Highstreet, Harwich, Essex, CO12 3PS (Also known as “Wicks”)

This timeline highlights enforcement actions from the Licensing Authority. Complaints are briefly stated to indicate why visits/ actions were made.

<p>15.05.2023-16.05.2023</p> <p>3 complaints received.</p>	<p>15.05.2023 Initial Complaint received detailing noise nuisance and alleged late opening until 0200hrs and antisocial behaviour issues.</p> <p>16.05.2023 Chloe Blackwell (CB) asked Environmental Protection (Noise) if they were in receipt of complaint as a visit was scheduled. Noise replied with 2 complaints regarding noise issues.</p>
<p>16.05.2023</p> <p>(ANNEX 1 PREMISES INSPECTION 16.05.2023)</p>	<p>Visit made to the premises with Steven Bennett (SB) Licensing Officer at Essex Police and DPS Mr Alex Wicks (AW). Noise issues were mentioned on inspection. AW thought that after 2300hrs he can play “Background Music”. It was discussed with AW limitations of what background music is, specifically that it should not be heard over speaking level or the premises boundary. It was also mentioned that as we are in receipt of complaints, we wouldn’t consider his music to be background.</p> <p>AW explained 06.05.2023 the premises was crowded outside. The music was turned off at 0130hrs, lower music level before. On the 13.05.2023 there was an argument outside, which started off inside the bar, music was turned down at 2300hrs.</p> <p>Conclusion of this visit by CB and SB was that we would monitor the situation, AW to keep an eye on music levels and I would contact the Environmental Services team to see if they can offer some advice.</p>
<p>26.05.2023-14.06.2023</p> <p>7 complaints received.</p>	<p>26.05.2023 SB contacted CB about advertisement regulations and promotions of drinks as a member of the public was asking. CB highlighted promotions from the premises licence in which the premises was acting accordingly.</p> <p>05.06.2023 complaint received detailing underage drinking. CB asked the Licensing Office at Essex Police, but details were not reported to them at this time.</p> <p>05.06.2023 complaint received detailing past months activities with the premises specifically loud music and playing music beyond licensable activities time.</p> <p>06.06.2023 Email from Noise with complaint that premises is operating every weekend. Times were not specified.</p> <p>07.06.2023 Complaint received regarding promotions. Followed by same complainant emailing 08.06.2023 regarding noise issues.</p> <p>14.06.2023 ASB complaint received detailing fights outside premises.</p>
<p>15.06.2023</p> <p>(ANNEX 2 PREMISES</p>	<p>2nd Premises Inspection following complaints. Carried out with SB and Rebecca Duff-Cole, Noise (RDC)</p>

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<p>INSPECTION 15.06.2023)</p>	<p>AW mentioned he is looking to be more of a sports bar and is looking to use 1 Midland House for food in the future. AW mentioned he was aware of 3 /4 incidences that have occurred outside. CB noted refusal book incidences dating 14.05.2023 and 09.06.2023. Refusal Book did not detail all events.</p> <p>RDC mentioned there was an open investigation regarding the noise and they are looking at steps to monitor. The complaints included loud music and loud base. No noise management plan was presented on visit.</p> <p>CB confirmed the premises is not licenced to carry on operating music past 2300hrs.</p> <p>Mr Wicks tested the systems to show what normal/disco music sounded like and when he switched to “Background music”.</p> <p>AW highlighted no speakers outside and was using the main system inside for music.</p> <p>Even with the base turned down all parties still agreed (CB, SB, RDC and AW) this was not constituting as background music.</p>
<p>20.06.2023 (ANNEX 3 WARNING LETTER 20.06.2023)</p>	<p>Warning Letter issued to AW from the Licensing Team CB.</p>
<p>20.06.2023- 24.07.2023 11 complaints received.</p>	<p>19.06.2023 SB intel ASB on 16.06.2023 bouncers did not feel comfortable.</p> <p>20.06.2023 Complaint detailed number of incidences decreased but level of noise still high.</p> <p>06.07.2023 Complaint received details of ASB in relation to screaming, shouting and fighting, vehicle increase loud music, car door slamming, speeding and wheel spinning.</p> <p>11.07.2023 Complaint detailing events of disturbances with loud noise and stream of cars arriving and leaving up until 0200hrs.</p> <p>11.07.2023 Complaint from Cllr on behalf of resident detailing ASB in relation to glass bottles being thrown and drug use.</p> <p>13.07.2023 Complaint received from Noise, FYI.</p> <p>17.07.2023 Complaint received details of ASB from Cllr on behalf of resident in relation to at 0300hrs customers from the premises urinating on cars and the handles to open the car doors.</p> <p>18.07.2023 Complaint detailed dates of loud music, unlicensed music and antisocial behaviour.</p>

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	<p>19.07.2023 Complaint received detailing event incidences including photo of premises.</p> <p>19.07.2023 Licensing was made aware that the Environmental Services team have issued a Noise abatement notice on the premises.</p> <p>24.07.2023 Complaint received from Cllr detailing fights on behalf of resident.</p>
<p>02.08.2023</p> <p>Contact with Premises</p>	<p>Email from AW of the premises asking CB to call him as he would like to host a Charity Event. Detailed the charity's for and wanted to know what times he can do this to line up the DJs. CB phoned AW regarding this email and AW gave a brief description of the event similar to his email. CB asked what date he is wanting to do the event; AW wasn't too sure at time but probably at a weekend. AW mentioned he has not been using the sound system he installed but was using the premises speakers, so for the event, he wants to use the actual sound system for the DJs. CB asked if there would be bouncers for the event, AW was thinking of having 3 bouncers for the event. CB explained under the Live Music Act 2012 that he holds an alcohol licence, he is able to have regulated entertainment between 1200 until 2300hrs, however this could contradict other remits like noise or police. CB explained to send an email to both parties to comment on to give advice. CB explained if he wanted to hold the event and did not hear back from both parties to not continue until he has made contact. AW mentioned he had received a police letter about the noise, CB was aware that SB was trying to get a hold of AW through multiple emails and voice messages. This was relayed to AW who denied receiving contact, part from the letter. CB asked AW if he has been checking the levels of music and put in a noise management plan, AW explained he didn't feel it was needed since he switched to the premises speakers. CB explained to AW this has been asked for him a few times now. It was also mentioned to AW that he has the licence hours but if he should wish to go on later he will need to hold the relevant licence and Temporary Event Notices were mentioned. It was explained this may be objected to as the premises is still being monitored but if this is what he truly wished, then he would need to apply. CB forwarded AW email to Katie Wellsley-Smith, Noise (KW) and SB for their reply. (03rd August 2023 Environmental responded to AW to note the Noise Abatement notice issued on the 20th July 2023 is still in force and should officers from the Environmental Protection Team substantiate any breaches of this notice, they will pressure further action. However, in terms of the event, the Environmental team require the premises to submit information pertaining to how they intend to manage music, confirmation of times when music will be played and ceased)</p>
<p>03.08.2023- 14.08.2023</p> <p>5 complaints received</p>	<p>03.08.2023 Email from Cllr from Cllr with residents complaint ongoing issues</p> <p>03.08.2023 Email from Cllr with residents complaint with ongoing issues.</p> <p>07.08.2023 Cllr emailed requesting update.</p> <p>07.08.2023 complainant emailed requesting update.</p>

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	14.08.2023 complaint detailing dates of events, including photos of crowds outside the premises.
31.08.2023 (ANNEX 4 PREMISES INSPECTION 31.08.2023)	<p>3rd Premises inspection undertaken with SB.</p> <p>Although not conditioned on the licence, the premises has CCTV recorded for 3 weeks, AW showed SB the CCTV which on the 27th August at 0130hrs showed AW and 2 friends in the premises playing pool.</p> <p>SB mentioned he was around the premises area on Friday 25th August night and at 2330hrs music was still playing from the premises and base could be heard. The CCTV did not record sound.</p> <p>AW explained that he is looking to put mesh material in the toilets as there is suspected drug use, SB at the time of this inspection used a drug wipe which showed some spots of cocaine use. AW also explained he has brought foam for the corners of the premises to help insulate sound and looking to change the doors.</p> <p>SB enquired that on Friday (25.08) or Saturday (26.08) there was a report that 3 17yr olds were drinking in the premises and one of the 17Yr olds had to be escorted home by police as she was too intoxicated. AW response was that they must have used Fake ID.</p> <p>AW mentioned he is wanting to host an event for charity which involves a DJ line up. Looking to host on 30th September 2023 between 1200hrs-2300hrs. it was advised to AW to stop the event just before 2300hrs, so he is within times of licensing, but a reminder that he still has the Noise issued abatement notice on the premises.</p> <p>AW has not completed Staff training records or refusal book which is conditioned on his licence. it was explained this would have helped proven his staff know how to spot fake ids etc.</p> <p>AW after being advised from us and noise has also not put in a Noise Management Plan or kept a record when he is checking the noise levels. AW response to this was he didn't think he needed to.</p>
31.08.2023- 25.09.2023 7 complaints received	<p>31.08.2023 Complaint detailing few dates of loud music and screaming from customers.</p> <p>31.08.2023 Complaint from Antisocial Behaviour team detailing ASB complaint in relation to screaming until 0200hrs, shouting, fighting.</p> <p>31.08.2023 Complaint from Antisocial Behaviour team detailing complaint of customers screaming, wheel spinning and urination in front gardens.</p> <p>14.09.2023 I was made aware that Environmental Services sent a letter to the premises detailing 2 breaches of the abatement notice occurring Friday 8th September and 09th September.</p> <p>19.09.2023 Complaint from Cllr on behalf of resident expressing ASB concerns – underage drinking.</p>

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	<p>22.09.2023 complaint received from Cllr on behalf of resident asking licensing to reply. Complaint detailed late opening of premises and drug use, premises party and CCTV issues.</p> <p>25.09.2023 Complaint received that premises is advertising late night refreshment until 0200hrs, when licence permits until 0130hrs. photo of advertisement given.</p>
<p>28.09.2023</p> <p>Contact with Charity for Event at Premises</p>	<p>Licensing received a Contact the Council form from an associate at Porridge and Pens regarding the premises is hosting a charity event on 30.09.2023. the Charity wasn't aware of the issues with this premises and had received contact from the local community suggesting they might take action against the charity if the event is too noisy or violates licensing rules. the charity wanted documented that they were not part of this event and they have phoned the premises to pick another charity as they do not want their name associated.</p> <p>29.09.2023 I responded to the charity that they would be seen having no involvement with the premises and any issues, would be from the premises. It was noted if the charity has names of the residents they had spoken to, to please forward and a further email would be made to clarify it is not the charity responsibility.</p> <p>02.10.2023 Porridge and Pens replied to my email to say they have asked the premises to give the proceeds to someone else.</p>
<p>04.10.2023</p> <p>Review Received</p>	<p>Application to review received from the Environmental Services team in respect of licensing objective – Public Nuisance.</p>
<p>04.10.2023</p> <p>Premises Visit</p>	<p>3 Review Notices placed by CB at the premises. Locations – Restaurant Bar Side of Bar</p>
<p>16.10.2023</p> <p>1 Complaint Received</p>	<p>16.10.2023 Complaint received detail drug use.</p>
<p>19.10.2023</p> <p>(ANNEX 5 PREMISES INSPECTION 19.10.2023)</p>	<p>4th Premises inspection undertaken with SB and AW. Inspection following police incidences from recent weekend.</p> <p>2 SIA Door staff AW keeps log on his phone (not seen at time of visit) CCTV held for 2-3 weeks, seen on inspection. No sound audio AW explained he would have to replace cameras. Authorisation to Staff document seen with 2 other members of staff named. Staff training AW has purchased 10 courses for the 3 staff, due to start next week. Sales refusal book seen with recent incidences from weekend 14.10.2023. No Challenge 25 poster up at premises. AW explained it was ripped down.</p>

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	<p>Traces of cocaine found on drug wipe again conducted by SB. SB questioned about the mesh AW was supposed to put in the toilets, AW explained he tried but customers ripped it up.</p> <p>AW explained on the 14.10.2023 the premises was showing the boxing which then had a few ASB after – fight.</p> <p>Sound testing to be conducted in the premise. Supplier has not confirmed a date but should be next week.</p> <p>Main sound system has been removed and AW has just been using premies speakers. the main sound system will be in place when the sound testing is being conducted.</p>
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ANNEX

Annex in relation to the timeline of enforcement actions from the Licensing Authority.

- ANNEX 1 PREMISES INSPECTION 16.05.2023 (2 Pages)
- ANNEX 2 PREMISES INSPECTION 15.06.2023 (2 Pages)
- ANNEX 3 WARNING LETTER 20.06.2023 (3 pages)
- ANNEX 4 PREMISES INSPECTION 31.08.2023 (2 pages)
- ANNEX 5 PREMISES INSPECTION 19.10.2023 (2 pages)

ANNEX 1 PREMISES INSPECTION 16.05.2023 (1 out of 2 Pages)

Tendring
District Council

PREMISES INSPECTION FORM (ON SALES)Date 16/05/2023Time 14.30Officer CB

Premises Name	Wicks (Enterprise Harwich Bar)
Premises Address	1 Midland House Harwich Co12 3PS
Premises Licence Displayed	No
Premises Licence Number	-
Designated Premises Supervisor	Alex Wicks
Is the DPS available?	/
Person in charge at time of visit	^
Are they a Personal Licence holder?	/
Capacity at time of visit	0

Are SIA Doorstaff used?	/ 4 on call
Is CCTV available?	/ inside and outside
CCTV held for minimum 28 days?	A month (unsure)
Are Staff trained in the use of CCTV?	Just DPS

In the absence of DPS - Authorisation to staff documented	Given at visit
Tap water freely available?	/
Staff trained in alcohol / age offences?	/
What age policy challenge is in place ?	Challenge 25
Relevant posters displayed regarding age policy?	/
Sales refusal book / incident book	/ Not used yet. Given at visit
Fire exits clear and well-lit	/
Noise prevention notices when leaving the premises	Signs outside and get told
How often are toilets checked?	Every day
Record details of anyone Barred / Ejected from premises	/

ANNEX 1 PREMISES INSPECTION 16.05.2023 (2 out of 2 Pages)

Gambling Machines on premises	No
Numbers & Categories	
Licence Number	

Additional Information

Plan. Sports Bar // ([Mr Wicks provided email address](#)) advise

Licence thought the old one covered, explained different details need to be changed. Think it will be home address.

Loud music till 11. Turns down for background Explain background should not be heard from prem boundary & getting complaints.

6th crowded outside, everyone out of Bar.

1.30am music off by then lower.

13th Row outside person was inside bar Djs

Turned down @ 11.

ANNEX 2 PREMISES INSPECTION 15.06.2023 (1 out of 2 pages)

Tendring
District Council

PREMISES INSPECTION FORM (ON SALES)Date 15/06/2023Time 1400hrsOfficer CB, Enviro, steve

Premises Name	Wicks
Premises Address	1 – 3 Midland House Harwich
Premises Licence Displayed	/
Premises Licence Number	23/00291/PREMTR
Designated Premises Supervisor	MR Wicks
Is the DPS available?	/
Person in charge at time of visit	^
Are they a Personal Licence holder?	/
Capacity at time of visit	0

Are SIA Doorstaff used?	/
Is CCTV available?	-
CCTV held for minimum 28 days?	-
Are Staff trained in the use of CCTV?	-

In the absence of DPS - Authorisation to staff documented	-
Tap water freely available?	/
Staff trained in alcohol / age offences?	/
What age policy challenge is in place ?	Challenge 25
Relevant posters displayed regarding age policy?	/
Sales refusal book / incident book	/ 14/05 1.30am 9/06
Fire exits clear and well-lit	/
Noise prevention notices when leaving the premises	-
How often are toilets checked?	-
Record details of anyone Barred / ejected from premises	-

ANNEX 2 PREMISES INSPECTION 15.06.2023 (2 out of 2 pages)

Gambling Machines on premises	No
Numbers & Categories	
Licence Number	

Additional Information

Go more for sports bar & looking to do food

3 / 4 incidences otherside of decking Door staff

Not written down

Sales refusal book – little detail

Noise nuisance – Becca mentioned open investigation just stating complaints loud music no written noise management plan

Explained not licensed

No speakers outside

Main system inside

Tested systems what is used for disco/ background noise. Enviro agreed the level it was inside was not background

ANNEX 3 WARNING LETTER 20.06.2023 (1 out of 3 pages)

Wicks - Enterprise Harwich Bar LTD
1 Midland House
High Street
Harwich
Essex
CO12 3PS

Licensing Section
Town Hall
Station Road
Clacton on Sea
Essex CO15 1SE

Tel: (01255) 686565
Email: licensingsection@tendringdc.gov.uk
Please ask for : Chloe Blackwell

Ref : 23/00291/PREMTR

19th June 2023

Dear Mr Wicks,

LICENSING ACT 2003 – UNLICENSED ACTIVITY
WICKS, 1-3 MIDLAND HOUSE, HIGH STREET, HARWICH, CO12 3PS

Monitoring Period – Warning

I am writing to inform you that it has come to the Licensing Authority attention that the above premises has been undertaking unlicensed activities under the Licensing Act 2003 legislation, subject to: **Playing recorded music beyond 2300hrs.**

This has been brought to your attention following a visit on the 16th May 2023, where the Licensing Enforcement Officer (Tendring District Council) and the Licensing Officer (Essex Police) undertook a premises inspection and raised noise issues as a concern. At the time of this inspection, you mentioned it was “background music”. Background music is loosely described that it is incidental music, that cannot be heard from the premises boundary and that persons can have a normal conversation when in the premises without raising their voice. Going forward you were advised to keep an incident book, and to record when you are checking the noise levels. The licensing requirements to obtain music past 2300hrs were spoken about in forms of Temporary Event Notices or applying to Vary your Licence, however you were aware that this could still get objections to.

Further complaints were still being received after the initial visit. Therefore, a further visit was organised in conjunction with the Responsible Authorities – The Licensing Authority, Essex Police Licensing, and the Environmental Health (Noise Pollution) team. On this visit we had asked how you / the premises was getting on. You gave some positive feedback and mentioned you knew of a few incidences that have arose; however, it was noted these were not included in the incident book and you had not kept a record of when you had been checking noise levels for the premises. You were notified that the Council and Police were still in receipt of complaints regarding the level of Noise, bass issues and anti-social behaviour.

During the visit, a test was made regarding the sound levels of when you have the music on and when you cross over to “background noise”. It was agreed by all parties that the background noise levels were still significant. Environmental Health (Noise Pollution) has given you advise regarding this, and a separate letter is to be issued under their remits.

I outline your Premises Licence hours and conditions. As the named Licence Holder on the premises, you are to ensure you are adhering to the below.

ANNEX 3 WARNING LETTER 20.06.2023 (2 out of 3 pages)

Please note under the Live Music Act 2012 and the Deregulation Act 2015 it is permitted between 0800hrs and 2300hrs live music (amplified) and recorded music is deregulated for audiences of up to 500 people. For your licence the times will specify from 1200hrs to 2300hrs this takes effect.

The below does not state the Mandatory conditions set out in Annex 1 of your Premises Licence, additionally you should read and fully understand these conditions also.

Times the licence authorises the carrying out of licensable activities

Sale of Alcohol on and off the premises

Monday to Thursday	12:00 - 00:00
Fridays and Saturdays	12:00 - 01:30
Sunday	12:00 - 00:00

Late Night Refreshment

Monday to Thursday	23:00 - 00:00
Fridays and Saturdays	23:00 - 01:30
Sunday	23:00 - 00:00

The opening hours of the premises

Monday	12:00 - 00:00
Tuesday	12:00 - 00:00
Wednesday	12:00 - 00:00
Thursday	12:00 - 00:00
Friday	12:00 - 01:30
Saturday	12:00 - 01:30
Sunday	12:00 - 00:00

Annex 2 – Conditions consistent with the Operating Schedule

- 1 The Licence Holder/DPS will keep a refusal/incident book to record all refusals, or persons challenged for ID relating to the sale of alcohol. This record will be produced to the Police or Licensing Authority for inspection on request.
- 2 The premises will operate a "Challenge 25" scheme, or equivalent, requiring those appearing to be 25 years or under to be asked for accredited identification as to their age.
- 3 Notice asking customers to leave the premises quietly and respect. We have standard wording on one of the conditions.
- 4 Relevant staff training within their roles & responsibilities in relation to the sale of alcohol and underage drinking. These records must be kept up to date and made available upon reasonable request to authorised officers.

Let this letter be a reminder to you that the steps you are taking to reduce the noise issues surrounding the premises do not prohibit that you are not licensed for the Licensable Activity "music", after 2300hrs. You are also to adhere to conditions set out in your Premises Licence. As the above shows, if you are not noting incidences you are in breach of this condition.

Should you continue to operate and conduct the premises this way, you may be liable for prosecution and a Review of your current Premises Licence being heard at a Licensing Premises/ Personal Sub Committee. Under the Review procedures, you may potentially run the risk of suspension, revocation, conditions being added to your licence or even hours being reduced.

ANNEX 3 WARNING LETTER 20.06.2023 (3 out of 3 pages)

This is under the Provisions of the Licensing Act 2003 where it is an offence –

- S136 Unauthorised activities. A person commits an offence if they
 - Carry on or attempt to carry on activities “other than under or in accordance with authorisation or
 - Knowingly allow activities to carry on.
- S140 Allowing disorderly conduct on licensed premises.

A copy of this letter will be obtained on your record and may be used for evidence in future.

Yours sincerely

C.Blackwell

Chloe Blackwell

LICENSING ENFORCEMENT OFFICER

ANNEX 4 PREMISES INSPECTION 31.08.2023 (1 out of 2 pages)

Tendring
District Council

PREMISES INSPECTION FORM (ON SALES)Date 31/08/2023Time 16 27Officer CB,

Premises Name	Wicks
Premises Address	Harwich
Premises Licence Displayed	/
Premises Licence Number	
Designated Premises Supervisor	Mr Wicks
Is the DPS available?	/
Person in charge at time of visit	^
Are they a Personal Licence holder?	/
Capacity at time of visit	0

Are SIA Doorstaff used?	/
Is CCTV available?	/
CCTV held for minimum 28 days?	3 weeks
Are Staff trained in the use of CCTV?	Licence holders

In the absence of DPS - Authorisation to staff documented	
Tap water freely available?	
Staff trained in alcohol / age offences?	/
What age policy challenge is in place ?	Challenge 25
Relevant posters displayed regarding age policy?	/
Sales refusal book / incident book	/ 27/08/23
Fire exits clear and well-lit	
Noise prevention notices when leaving the premises	
How often are toilets checked?	
Record details of anyone Barred / Ejected from premises	

ANNEX 4 PREMISES INSPECTION 31.08.2023 (2 out of 2 pages)

Gambling Machines on premises	No
Numbers & Categories	
Licence Number	

Additional Information

Dugs swipe shows some spots

Camera no noise 27 half 1 himself & 2 friends

Steve Friday night half 11 still base

Mesh for toilets

Insulate building. Foam.

Staff training not documented/ no refusals

Fri/Sat 3 17 yr olds drinking in the prem. Mr Wicks State fake ID.

1200-2300 30 september Saturday

DJ line up. Tickets

No noise management plan – didn't think he needed to

Advised and checking noise

ANNEX 5 PREMISES INSPECTION 19.10.2023 (1 out of 2 pages)

Tendring
District Council

PREMISES INSPECTION FORM (ON SALES)Date 19/10/2023Time 1300Officer CB,

Premises Name	Wicks
Premises Address	1-3 Midland House
Premises Licence Displayed	/
Premises Licence Number	
Designated Premises Supervisor	Mr Alex Wicks
Is the DPS available?	/
Person in charge at time of visit	^
Are they a Personal Licence holder?	/
Capacity at time of visit	N/A
Are SIA Doorstaff used?	/ 2 log on phone.
Is CCTV available?	/
CCTV held for minimum 28 days?	2-3 weeks
Are Staff trained in the use of CCTV?	Alex & Robert
In the absence of DPS - Authorisation to staff documented	/ 2 other staff
Tap water freely available?	/
Staff trained in alcohol / age offences?	/ -
What age policy challenge is in place ?	Challenge 25
Relevant posters displayed regarding age policy?	No
Sales refusal book / incident book	/ 14.10.2023 x 3 reports
Fire exits clear and well-lit	/
Noise prevention notices when leaving the premises	/
How often are toilets checked?	Bouncers 1 hour.
Record details of anyone Barred / Ejected from premises	Between staff.

ANNEX 5 PREMISES INSPECTION 19.10.2023 (2 out of 2 pages)

Gambling Machines on premises	No
Numbers & Categories	
Licence Number	

Additional Information

Boxing Saturday few antisocial behaviour.

Sound testing to be conducted. Not confirmed date hopefully next week.

Staff training – looking at courses dire safety/ bar sales/ id courses for staff – IHASCO.

10 courses for 3 staff once done print & file.

Next week will be in place.

Main sound system removed using premises speakers.

3 review notices still up.

Link to public access to check conditions.