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Date: Friday, 18 October 2019

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Dear Member

**LICENSING SUB-COMMITTEE - THURSDAY, 24 OCTOBER 2019**

I am now able to enclose, for consideration at the Thursday, 24 October 2019 meeting of the Licensing Sub-Committee, the following reports that were unavailable when the agenda was printed.

| <b>Agenda No</b> | <b>Item</b>                               | <b>Page</b>     |
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| 6.               | <b>No 18, 18 Esplanade Road, Paignton</b> | (Pages 68 - 76) |

Yours sincerely

Lisa Antrobus  
Clerk

## Drugs Policy

All customers and staff must follow the law when it comes to illegal drugs. This policy will apply to all users of the premises.

### Definition of Drugs:

For the purpose of this policy the term “drug” will include all mood-altering substances, both legal and illegal and involve substances such as:

- **Tobacco**
- **“Over the counter” medicines such as paracetamol, anti-histamines, cough medicines etc.**
- **Prescribed drugs such as antibiotics, inhalers, painkillers etc.**
- **Volatile substances such as aerosols, glues, petrol, cigarette lighter fuels etc.**
- **Products and substances sold online and in “headshops” that cause intoxication.**
- **Controlled drugs such as cannabis, ecstasy, amphetamines, magic mushrooms, cocaine, heroin etc.**

### Aims and Objectives:

The aim of this policy is to ensure that customers and staff are kept safe from drug-related harm when within the premise.

Our objectives are...

- **To develop a consistent approach to drug-related problems.**
- **To develop procedures and rules related to drug-related problems within the premise.**
- **To establish clear procedures for managing specific incidents of suspected drug misuse.**

### List of Actions

Managers, Bar staff and SIA (Security Industry Authority) Licensed Door Supervisor will ensure the following actions take place:

- **Cigarette smoking and “Vaping” will only be allowed in the beer garden and premises designated smoking area.**
- **Any person who is drunk or believed to be incapacitated due to the misuse of any drug will not be allowed to enter the premises.**
- **Disorderly conduct will not be permitted on the premises.**
- **A drunk or disorderly person must leave the premises when requested to do so by staff or an SIA Licensed Door Supervisor.**

- **Illegal drugs and “legal highs” are not permitted on the premises.**

All staff can help prevent drug-related harm from occurring within the premises.

#### **Staff**

- Will be made aware of the details of and must adhere to East Street Pub Company Drugs Policy (this document).
- Must report any deviance from this policy to the designated premises supervisor, manager or premises licence holder
- All relevant information, paraphernalia or suspected substances found or received will be forwarded to the Manager who will consult with the necessary parties before taking relevant action based upon this policy.

#### **Protocol for dealing with drug misuse**

East Street Pub Company will endeavour to respond to all drug-related incidents in a firm but fair manner, with due respect for the safety and welfare of individuals involved, other customers and the wider community and will also fulfil any legal obligations that might apply.

#### **Outline of Restrictions**

The misuse or supply of illegal drugs and “legal highs” is viewed as unacceptable and is punishable by expulsion and barring.

#### **Reporting of Incidents**

Alleged or confirmed incidents in breach of this policy will be referred to the Manager, designated premises supervisor and premises licence holder.

#### **Recording of Information**

Information regarding alleged or confirmed incidents in breach of this policy will be recorded in writing. The recording of factual information is preferable and all opinions must be stated as such. Responses to cases must also be recorded in this way. Only in confirmed cases will the names of individuals be recorded.

#### **Confidentiality**

While it is not possible to guarantee, every effort will be made to respect confidentiality.

#### **Police Involvement**

Incidents that involve the illegal supply of drugs will require Police involvement. In all other drug-related incidents each case will be considered on an individual basis and

the decision will rest with the manager, designated premises supervisor or an SIA Licensed Door Supervisor as to whether or not the Police are involved.

### **Search**

Both the manager, designated premises supervisor and an SIA licensed Door Supervisor retain the right to direct a search of any part of premise if there is reasonable cause to believe a substance in breach of this policy is contained therein. Either the manager or the designated premises supervisor and an SIA licensed Door Supervisor will conduct the search. Where there is reasonable cause to believe a person has in their possession a substance in breach of this policy, whether he/she is in an inaccessible area (e.g. toilets) or not, he/she will be asked to volunteer the substance. If he/she refuses, the Police may be called in to conduct a search.

### **Disposing of suspected illegal substances**

If a suspected illegal substance is found on premise it will be brought to the attention of the manager or designated premises supervisor. The substance will be stored securely and the manager will then decide whether the Police should be called to collect it or whether it should be disposed of. Any disposal of suspected illegal substances will be recorded and witnessed by two persons. At no time will a suspected illegal substance be removed from premise without the knowledge of the Police.

### **Availability, use and storage of solvents and gases**

Many solvent based products have the potential to be abused (e.g. deodorants, paints, thinners, cleaning fluids etc). All solvent based materials and gases will be stored securely and safely away from public access.

### **Monitoring and Evaluation**

This policy remains in force at all times and during all activities conducted with the support of the Police. This policy will be evaluated annually and after every drug-related incident. This policy will come into effect on the issue of the premises licence and will then be reviewed and if required updated annually.

07 October 2019



## Noise Report

### Proposed work to eliminate noise breakout from Venue "18"

**Report undertaken by:** Neil Carpenter, Future Technical Solutions Ltd

#### Main Walls

The main walls of the venues structure are nearly 1m thick and reduce sound levels by some 65db. The venue is situated in a basement which means the roof structure isn't an issue. There are other weaknesses observed and addressed below.

#### Fire Exit Doors

All fire exit doors will be incandescently lined with each exit having two sets of doors creating a "sound lobby". Each exit door will also have a programmable access lock linked to the fire alarm system to stop unwanted opening of these areas. This will maintain the sound lobby at all times removing the previous main weak link in the venue. Below are figures taken before this action taken and proposed figures after.

|  |           |
|--|-----------|
| Internal measurement at 1m                             | 98db LAeq |
| External measurement with only single fire door closed | 67db LAeq |
| External measurement with both fire doors closed       | 58db LAeq |

This level will be reduced again once the incandescent strips are installed but the main reduction will be in keeping both fire doors shut at all times.

#### Existing Extract System

All existing extract fans and ducting will be removed and replaced with a new air conditioning system. We measured 10db hotspots observed at the point where the extract ducting breaks through to the outside grill.

We proposed to have the below work carried out:

The existing grills will be removed both internally and externally.



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## **Internal works**

The existing ducting hole will be filled with Acoustic mineral wool and then the ducting hole covered with firstly a layer of 15mm acoustic plasterboard with a layer of Technosound and another layer of 15mm acoustic plasterboard.

## **External works**

The existing ducting grill will be removed the hole will then again be filled with acoustic mineral wool. The external hole will then be filled with a layer of marine plywood sandwiching two layers of 15mm acoustic plasterboard with then another layer of marine plywood. This will reduce the noise levels emitting from here by 55db.

## **Stage/DJ Position**

The DJ box will be positioned behind the new stage area, which backs on to the office. This will direct the sound towards the internal services area in the rest of the basement including the cellar. This action will allow us to reduce sound levels exposed to the weaker rear area and thus reducing levels escaping from the venue.

## **Sound System**

The sound system will consist of two mid high speakers ceiling mounted at mid stage position. There will be two additional sub bass speakers fitted to the rear of these giving full control to the sound setup. These sub bass units will be fixed onto sound absorbing springs reducing resonance from the units and giving control.

There will also be two additional controlled zones acting as infill both consisting small 6" full range speakers. All speakers will be controlled via a DBX drive rack digital processor enable full control/limiting of the frequency spectrum as well as crossover, delays etc.

The processor will be installed in the amplifier rack which will be installed in the office area and locked with password protection.

All entertainment will be routed through the in-house sound system via an audio patch panel, giving full control of all types of requirements via the in-house limiter. This limiter will be setup with the local EHO department and set and lock to the agreed levels.



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## Results from proposed works

It is always difficult to predict results on a schedule of works, but I have been involved with this building for over ten years. We have proposed these actions many times before to previous operators but none of the works were acted on. Parts were introduced, such as the sound limiter but this could not protect residents from fire exit doors being left open and such. If all actions are taken, then we would expect a reduction of leakage from 78db existing to 60db minimal.

Neil Carpenter  
Company Director  
Future Technical Solutions Ltd  
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07 October 2019

## Noise Management Plan Venue 18, Paignton

This will be listed and implemented once all procedures and precautions have been agreed. They will include the following but additional points will be added if deemed necessary.

### Pre Opening Checks

1. Check fire exit key pad door lock system is powered and working.
2. Check all external fire exit doors are closed.
3. Check entrance/exit fencing system is in place along with signage.
4. Check CCTV system and internal monitoring is active and working.
5. Test sound system processor is active with units pre test.
6. Communicate in-house procedures with entertainment staff ensuring all amplified music is routed via the audio patch panel.
7. Additional sound equipment will be tested with the noise monitoring system and entertainment staff will be instructed on procedures.

### Trading Checks

1. Monitor all pre opening checks
2. All noise levels are automatically monitored and limited but staff should be made aware of trading levels and report any issues.

### Exit/End of night Procedures

Customers will be instructed to leave the premises via the central main exit with security staff monitoring. They will be instructed to follow the front pathway towards town with security staff stationed at the main entrance.

There will be a proposed taxi pickup point with security staff monitoring all aspects including noise and behaviour.

Neil Carpenter  
Company Director  
Future Technical Solutions Ltd  
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Conditions Proposed by the Applicant:

All staff engaged in licensable activity at the premises will receive training and information in relation to the following:

- i. The Challenge25 scheme in operation at the premises, including the forms of identification that are acceptable.
- ii. The hours and activities permitted by the premises licence issued under the Licensing Act 2003 and conditions attached to the licence.
- iii. How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).
- iv. Recognising the signs of drunkenness.
- v. The operating procedures for refusing service to any person who is drunk, under-age or appears to be under-age, or appears to be making a proxy purchase.
- vi. Action to be taken in the event of an emergency, including reporting an incident to the emergency services.

Training shall be recorded in documentary form and shall be regularly refreshed at no greater than 6 monthly intervals. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority.

Training records will be retained for at least 12 months.

A written drugs policy shall be in place and operated at the premises. It must detail the actions taken to minimise the opportunity to use or supply illegal substances within the premises. The policy must be made available for inspection and copying upon request by an authorised officer of a responsible authority.

Appropriate security arrangements will be in place including toilet areas and other similar areas being regularly checked for evidence of drugs. The date and times of all checks will be recorded in a register kept for that purpose and be available for inspection and copying on request of an authorised officer of a responsible authority. Signage shall also be prominently displayed in the toilet areas advising patrons that checks are conducted regularly.

A written dispersal policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours.

Clear and legible notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and to leave the vicinity as quickly and quietly as possible.

During the final hour of trading appropriate announcements will be made or images projected to remind patrons of the need to leave the premises quietly without causing annoyance, nuisance or disturbance to local residents and to advise patrons of any taxi free-phone or collection arrangements available upon the premises.

A telephone number shall be made available and displayed in a prominent location where it can conveniently be read from the exterior of the premises by the public for local residents to contact in the case of noise-nuisance or anti-social behaviour by persons or activities associated with the premises. The telephone number will be a direct number to the management who are in control during opening hours. A record will be kept by management of all calls received, including the time, date and information of the caller, including action taken following the call. Records will be made available for inspection and copying by an authorised officer of a responsible authority throughout the trading hours of the premises. The maximum number of persons (including staff and entertainers) allowed at the premises shall not exceed 400.

A suitable system must be in place to accurately indicate the number of customers (including staff, entertainers etc.) on the premises at any time.