

APPENDIX 1 PART 3

**From:** Hicks, Jenette <[jhicks@lancaster.gov.uk](mailto:jhicks@lancaster.gov.uk)>  
**Sent:** 19 August 2020 20:42  
**To:** Upstairs Downstairs <[upstairsdownstairsmorecambe@gmail.com](mailto:upstairsdownstairsmorecambe@gmail.com)>  
**Cc:** Inston, Fiona <[finston@lancaster.gov.uk](mailto:finston@lancaster.gov.uk)>; Sylvester, Stephen <[ssylvester@lancaster.gov.uk](mailto:ssylvester@lancaster.gov.uk)>;  
Watton, Elizabeth <[ewatton@lancaster.gov.uk](mailto:ewatton@lancaster.gov.uk)>; [harryagar62@gmail.com](mailto:harryagar62@gmail.com)  
**Subject:** Re: Boardwalk 12 August 2020

Hi Mr Edwards,

Yes that's fine is that the time the engineer is arriving on site, if he arrives earlier just let me know and we can be there in 5 mins.

Regards  
Jenette Hicks

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**From:** Upstairs Downstairs <[upstairsdownstairsmorecambe@gmail.com](mailto:upstairsdownstairsmorecambe@gmail.com)>  
**Sent:** Wednesday, August 19, 2020 7:21:07 PM  
**To:** Hicks, Jenette <[jhicks@lancaster.gov.uk](mailto:jhicks@lancaster.gov.uk)>  
**Cc:** Inston, Fiona <[finston@lancaster.gov.uk](mailto:finston@lancaster.gov.uk)>; Sylvester, Stephen <[ssylvester@lancaster.gov.uk](mailto:ssylvester@lancaster.gov.uk)>;  
Watton, Elizabeth <[ewatton@lancaster.gov.uk](mailto:ewatton@lancaster.gov.uk)>; [harryagar62@gmail.com](mailto:harryagar62@gmail.com)  
<[harryagar62@gmail.com](mailto:harryagar62@gmail.com)>  
**Subject:** Re: Boardwalk 12 August 2020

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Do not click any links or open attachments unless you know the content is safe.  
Never disclose your password to anyone.

Would you like to attend at 11am tomorrow Jenette?

Best wishes  
Charlie

On Wed, 19 Aug 2020 at 19:19, Hicks, Jenette <[jhicks@lancaster.gov.uk](mailto:jhicks@lancaster.gov.uk)> wrote:

Dear Mr Edwards,

Thank you for your reply, I am sure you can appreciate that having regards to officers findings during some of the weekend evening visits, and your failure to provide CCTV footage, officers perceptions could be that this is a deliberate attempt to avoid providing full and accurate CCTV for the times and dates requested.

To help to reduce any such perception I am happy to attend on site tomorrow at the same time as the professional and look at the required CCTV.

Mr Agar, would you be able to telephone Mr Edwards and advise of the above just in case Mr Edwards doesn't pick up his emails this evening.

Please could someone confirm what time I should attend at the Boardwalk tomorrow morning. I am happy to attend any time, and at short notice .

My work mobile number is as follows 07825 217924

Regards

Jenette Hicks

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**Subject:** Re: Boardwalk 12 August 2020

**This email is from an external email address**

**Do not click any links or open attachments unless you know the content is safe.**

**Never disclose your password to anyone.**

On Wed, 19 Aug 2020 at 17:29, Hicks, Jenette <[jhicks@lancaster.gov.uk](mailto:jhicks@lancaster.gov.uk)> wrote:

Good afternoon Jenette

I have the footage requested for the downstairs area and will be providing this to the Town Hall tomorrow.

I am awaiting professional help tomorrow morning and as soon as I have it I will send this on also.

Yours sincerely

Charlie Edwards

Dear Mr Edwards,

Further to the email below, Steve. Lizzie and Fiona have all confirmed they haven't received any information from you following your email of 17 August .

I have telephoned Mr Agar, who has confirmed that you may be experiencing some difficulties in terms of the CCTV footage from the 1<sup>st</sup> floor trading area, I understand he

will contact you this evening and will provide me with an update tomorrow morning

It is a requirement of the premises licence to provide the CCTV footage on request, I reiterate the information contained in my email of 12 August.

There are concerns regarding the delay in providing the information requested,

Regards

Jenette Hicks

**From:** Hicks, Jenette

**Sent:** 19 August 2020 13:16

**To:** Upstairs Downstairs <[upstairsdownstairsmorecambe@gmail.com](mailto:upstairsdownstairsmorecambe@gmail.com)>

**Cc:** [harryagar62@gmail.com](mailto:harryagar62@gmail.com); Inston, Fiona <[finston@lancaster.gov.uk](mailto:finston@lancaster.gov.uk)>; Watton, Elizabeth <[ewatton@lancaster.gov.uk](mailto:ewatton@lancaster.gov.uk)>; Sylvester, Stephen <[ssylvester@lancaster.gov.uk](mailto:ssylvester@lancaster.gov.uk)>

**Subject:** RE: Boardwalk 12 August 2020

Dear Mr Edwards,

Further to the emails bellow, in your email from 22.42 hours on Monday 17 August you made reference to providing a full response on Tuesday 18 August . Please could you advise where this response has been sent to. Neither myself or Ms Watton have received any information nor have we received a copy of the CCTV footage as required under the condition of the premises licence. I've copied Steve Sylvester in on the email in case any information has been emailed direct to StevE.

Regards  
Jenette Hicks

**From:** Hicks, Jenette  
**Sent:** 17 August 2020 23:03  
**To:** Upstairs Downstairs <[upstairsdownstairsmorecambe@gmail.com](mailto:upstairsdownstairsmorecambe@gmail.com)>  
**Cc:** [harryagar62@gmail.com](mailto:harryagar62@gmail.com); Inston, Fiona <[finston@lancaster.gov.uk](mailto:finston@lancaster.gov.uk)>  
**Subject:** RE: Boardwalk 12 August 2020

Dear Mr Edwards,  
There hasn't been a full debrief re the weekends visits , but I'm aware Steve ? visited Saturday evening and he mentioned that everything was ok . Other colleagues have advised me of the information posted on facebook regarding the measures that were being taken to ensure the premises was covid compliant.

I've also had a message from Fiona advising that you'd notified her of your intention to step back from the business and that there would be a change in DPS at the premises.

As per my email of 12 August 16.55 hours if you wish to submit any proposals regarding any change in operating practices for the venue I will ensure that the information is forwarded to the relevant officers

Regards

Jenette Hicks

**From:** Upstairs Downstairs <[upstairsdownstairsmorecambe@gmail.com](mailto:upstairsdownstairsmorecambe@gmail.com)>  
**Sent:** 17 August 2020 22:42  
**To:** Hicks, Jenette <[jhicks@lancaster.gov.uk](mailto:jhicks@lancaster.gov.uk)>  
**Cc:** [harryagar62@gmail.com](mailto:harryagar62@gmail.com)  
**Subject:** Re: Boardwalk 12 August 202

Good evening Jenette

Thank you for your reminder email. We will respond in full tomorrow. I would also be very grateful for any feedback from the weekend or any other observations made about our business since our meeting last week.

Best wishes

Charlie

On Mon, 17 Aug 2020 at 22:29, Hicks, Jenette <[jhicks@lancaster.gov.uk](mailto:jhicks@lancaster.gov.uk)> wrote:

Dear Mr Agar/ Mr Edwards,

Further to the email below, I have not received any further contact from you regarding provisions of the CCTV footage as detailed in the email below . It is now 5 days since the footage was requested .

Please could you update as to the reason for the delay in providing the CCTV information requested

Regards

Jenette Hicks

**From:** Hicks, Jenette

**Sent:** 12 August 2020 16:55

**To:** [harryagar62@gmail.com](mailto:harryagar62@gmail.com); Upstairs Downstairs <[upstairsdownstairsmorecambe@gmail.com](mailto:upstairsdownstairsmorecambe@gmail.com)>

**Subject:** Boardwalk 12 August 2020

Dear all,

This email confirms the issues brought to your attention at the meeting earlier today . The meeting took place at 1.30pm and persons present were as follows

Mr Harry Agar

Mr Charles Edwards

Mr Lee Wallet

Mrs Susan Salisbury

Mrs Jenette Hicks

After initial introductions , I explained to Mr Agar the purpose of the meeting as being to inform all persons present as to the intended actions of the Council following Council officers observations at the premises on Friday 7 / Saturday 8 August ( approx. midnight). I apologised to Mr Agar and stated that with hindsight it would have been helpful to involve the premises licence holder in previous advisory discussions. I explained that this was the third meeting I had attended at the premises since the reopening of the hospitality sector on 4 July. The previous 2 meetings had been extensive with advice and guidance being sought and provided in terms of measures to be taken to ensure the premises was compliant with covid requirements, licensing conditions and statutory nuisance (noise).

The premises have also been provided with an advisory covid 19 audit and subject to a number of evening visit.

The purpose of this afternoons meeting was not to repeat advice previously given but to advise the relevant parties of the steps that the Council intends to take

In accordance with the premises licence requirement please can you provide me with CCTV footage for the following dates times and locations

Camera showing the front ground floor/ first floor stairwell Friday and Saturday nights 10.30pm to 12.30am (2 hours) Friday and Saturday nights

Camera showing the outdoor terrace area (CH4) Friday and Saturday nights 10.30pm -12.30am Friday and Saturday nights

Camera showing main bar area 1st floor ( CH3) Friday and Saturday nights 11pm- 1am Friday and Saturdays

Camera showing back room / dance floor area ( Ch1) Friday nights 10.30pm-12.30am Friday and Saturdays

Ground floor front terrace Saturday 8 August 3pm-5pm

Where the above refers to Friday/ Saturday nights please can the images be collected for 25 and 26 July, 1 and 2 August, and 8 and 9 August and into the corresponding day ie timing goes beyond midnight.

During our meeting I advised that I understood that based on the recent history at the premises Environmental health are likely to instigate a review of the premises licence, and that as the licensing officer I had concerns about failure to comply with licensing conditions ( late night use of the terrace and use of the premises for live music when no relevant permission was in place ). There is also a history of noise complaints including noise app recordings and police incidents log where the call handler has recorded personal comments about the level of noise on the call

The Council will also review all information available to see whether it is appropriate to provide information to the County Council for consideration by the Director of Public Health as to whether any measures should be put in place to prohibit or restrict activities due to public health concerns. This is in accordance with the Health Protection (coronavirus) Regulations 3

I provided Mr Edwards with a bundle of documents which were the emails exchanged since the pandemic started. These documents were provided to assist in reviewing the advice and information that has previously been given to Mr Edwards as the designated premises supervisor.

If you wish to submit any information to the Council regarding any proposals for the future operation of the business, please do so and I will ensure that any such information is forwarded to the relevant officers

regards

Jennette Hicks

