

EXHIBIT

AKS/03



IMPORTANT DO NOT IGNORE

Hand Delivered
Lee Collins
Mariners Rest
Albert Street East
Grimsby
North East Lincolnshire
DN32 7DN

Our Ref.: PM000171

Your Ref.:

When Calling Please Ask For :

Direct line telephone number :

e-mail address :



23rd September 2020

Dear Sir/Madam

Licensing Act 2003 – Formal Warning – The Mariners Rest, Albion Street East, Grimsby, North East Lincolnshire, DN32 7DN

I write to you on behalf of North East Lincolnshire Council's Licensing Team and Humberside Police's Licensing Dept. During the evening of 18th September 2020 a visit was carried out by myself and PC Garry Chapman, Humberside Police as part of a pre-arranged Covid 19 related enforcement operation. Specifically, The Mariners Rest was targeted due to several noise related complaints that had been received.

At 21.00 we arrived in the vicinity of the premises and immediately heard loud music emanating from the premises. We observed from a distance of around 50m, the exact position marked with a black arrow on the map attached below.

From where we were observing we could hear the music which was loud enough for all words for the songs to be heard, the DJ was "DJing" over the music. Disco lights were in operation and patrons could be seen dancing. The music itself was of the type that would encourage people to dance.

I called the premises DPS Mr Lee Collins on his mobile and asked him to step outside so we could discuss the situation with him.

Mr Collins explained that there had been a live singer and that it was the singer playing music between his sets, and that it wasn't a DJ.

Mr Collins was asked to ensure the volume was reduced and maintained at background level as it should be according to The Governments Covid Secure Guidelines. After several discussions with his singer the volume was finally reduced to acceptable levels.

While this failure to follow the Covid Secure Guidance would not constitute breaking the law at the time from the 24th September 2020 it will.

The following are the new regulations that must be adhered to:

- Businesses selling food or drink (including cafes, bars, pubs and restaurants), social clubs, casinos, bowling alleys, amusement arcades (and other indoor leisure centres or facilities), funfairs, theme parks, adventure parks and activities, and bingo halls, must be closed between 10pm and 5am. This will include takeaways but delivery services can continue after 10pm (from 24 September).
- 2.—(1) A person responsible for carrying on a business of a public house, café, restaurant or other relevant business must, during the emergency period, take all reasonable measures to ensure that—
 - (a) no bookings for a table are accepted for a group of more than six persons unless one of the exemptions in regulation 5 of the Principal Regulations applies;
 - (b) no persons are admitted to the premises in a group of more than six, unless one of the exemptions in regulation 5 of the Principal Regulations applies;
 - (c) no person in one qualifying group mingles with any person in another qualifying group where this is not permitted under the Principal Regulations
 - (d) an appropriate distance is maintained between tables occupied by different qualifying groups.
- (2) For the purposes of this regulation—
 - (a) an “appropriate distance” means a distance between tables of—
 - (i) at least two metres, or
 - (ii) at least one metre, if—
 - (aa) there are barriers or screens between tables;
 - (bb) the tables are arranged with back to back seating, or otherwise arranged to ensure that persons sitting at one table do not face any person sitting at another table at a distance of less than two metres; or
 - (cc) other measures are taken to limit the risk of transmission of the coronavirus between people sitting at different tables;
 - (b) a “relevant business” is a business which provides food or drink for consumption on its premises.

- Businesses selling food or drink (including cafes, bars, pubs and restaurants), social clubs, casinos, bowling alleys, amusement arcades (and other indoor leisure centres or facilities), funfairs, theme parks, adventure parks and activities, and bingo halls, must be closed between 10pm and 5am. This will include takeaways but delivery services can continue after 10pm (from 24 September).
- In licensed premises, food and drink must be ordered from, and served at, a table.
- Customers must eat and drink at a table in any premises selling food and drink to consume indoors, on site (from 24 September).
- Businesses will need to display the official NHS QR code posters so that customers can 'check-in' at different premises using this option as an alternative to providing their contact details once the app is rolled out nationally (from 24 September)
- Customers in hospitality venues must wear face coverings, except when seated at a table to eat or drink. Staff in hospitality and retail will now also be required to wear face coverings (from 24 September).

I must remind you that following the Prime Minister's announcement on 22nd September 2020 the COVID Secure guidelines will be enforceable by law and any further breaches of the below guidelines can result in Fixed Penalty Notice, Prosecution or Review of the Premises Licence. The outcome recommendation for any review will be revocation of the licence.

If you wish to discuss the matter, please do not hesitate to contact me.

Yours sincerely


Senior Licensing Enforcement Officer.

Cc Hawthorne leisure Community Pubs Ltd





COVID-19 Secure – Important updates for pubs, bars, restaurants, cafes, takeaways and similar establishments

General requirements:

- Customers in hospitality venues must wear face coverings, except when seated at a table to eat or drink
- Staff in venues that provide food and drink must wear a face covering when in customer facing areas
- Businesses need to display a notice providing information on requirement to wear face covering and give information to anyone not wearing face covering about requirement to wear face covering. Businesses must remind customers and staff to wear a face covering where it is mandatory.
- In takeaways and similar establishments, staff serving customers must wear face covering, or work behind a protective screen or equivalent
- Businesses selling food or drink, including takeaways, must be closed between 10pm and 5am. However, this does not prevent selling off the premises by making deliveries or to purchaser who collects food in a vehicle, and does not enter the premises.
- In businesses selling alcohol, food & drink must be ordered from, & served at, a table.
- Customers must eat and drink at a table in any premises selling food and drink to consume on site.
- Hospitality venues need to display the official NHS QR code posters so that customers can 'check-in' at different premises and can use this option as an alternative to providing their contact details.
- Employers must not knowingly require someone who is being required to self-isolate, to come to work.

Requirements for pubs, cafes, restaurants, bars (including in hotels and members clubs):

- Must not accept a table booking for a group of more than 6 individuals or admit to the premises a group of more than 6 people
- Must take reasonable measures to ensure that no person joins another group or act in a way which would otherwise contravene the 'rule of six'

- Must ensure that tables of different groups are spaced 2m apart, or 1m plus mitigations, such as screens or barriers
- Must take reasonable measures to stop dancing on the premises by customers
- Must ensure that no recorded music is played on the premises which exceeds 85 db(A) when measured at the source of the music (advice is to take measurement one metre from speaker, when venue is not busy).

Guidance - priority actions for restaurants, pubs, bars or takeaways:

- Let customers know that by law they can only visit in groups of up to 6 people (unless they are visiting as a household or support bubble which is larger than 6)
- Put up signs to remind customers to only interact with their group
- Ask customers indoors to remain seated.
- Keep groups apart. Space out tables, consider using barriers between groups, and manage the number of customers in the venue
- Manage food and drink service safely. Avoid situations where customers need to collect their own food, cutlery and condiments. Avoid contact between staff and guests
- Lower music and other background noise. Discourage shouting, singing and dancing in the venue by making sure music and broadcasts are played at a low volume.

Additional guidance:

Restaurants, pubs, bars and takeaway services guidance -

<https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/restaurants-offering-takeaway-or-delivery>

UK Hospitality -

<https://www.ukhospitality.org.uk/page/UKHospitalityGuidanceforHospitality>