

In the London Borough of Tower Hamlets Licensing Sub Committee
In the matter of The Cocktail Club, Cabot Square London
Application for Review

WITNESS STATEMENT OF DAWN DONOHOE

I **DAWN DONOHOE** of [REDACTED] say as follows:

1. I am the managing director of The London Cocktail Club Limited, the premises licence holder of The Cocktail Club, 9 Cabot Square London, E14 4EB (the 'Premises')
2. I make this statement in response to the application for review made by the Metropolitan Police Service. I will also be present at the licensing sub committee hearing on 11 April 2023.
3. The facts and matters addressed in this witness statement are within my own knowledge.

Introduction

4. The Cocktail Club operates as a cocktail bar. The premises in Cabot Square is one of 16 premises operated by The London Cocktail Club Limited across the country. The Cocktail Club is a well established cocktail lounge brand and the Group is recognised in publications as an industry leader for drinks innovation.
5. The Cocktail Club operates from the afternoon into the evening, and is popular with after work drinks. The venues are female friendly given the cocktails on the menu and availability of seating and relaxed atmosphere, and around 75% of their patrons come via pre-arranged table bookings. There is waiter/waitress service throughout the premises.
6. The premises is open for a number of regular cocktail tasting and Cocktail Master Class events as well as private bookings. The team gives Master Classes weekly between their sites.
7. We initially entered into an agreement for lease to acquire the Cabot Square premises in March 2022. The agreement was conditional on obtaining a premises licence and planning permission.
8. The premises licence application was initially made in February 2022 and was granted under delegated authority in March 2022 (not July 2022 as stated in the review application) as there were no objections from any responsible authorities or other persons. The premises then opened, after the fit out, on 14 October 2022.

9. The lease for the premises is for 15 years. The current rent paid is £165,000, and the business rateable value is currently £135,000 per year. There is therefore a long term investment in the premises by the company/premises licence holder.

The Incident

10. We were made aware of the incident the subject of the review by the Police on 5 December 2022. I was shocked and disappointed at hearing of the incident. I have 2 daughters myself and am mortified the incident occurred in one of our premises. This incident is the first incident of this nature in our 17 venues. I am fully aware of and recognise the seriousness of this incident and do not want this to ever happen again.
11. The application for review, whilst setting out the incident, which occurred nearly 2 months before the review was lodged, does not make reference to any of the actions we took as a business following us being notified of the incident and of which the Police were aware, and in the interests of fairness I set out the position below to assist Members.
12. Firstly, I have extensive licensing experience and am well aware of the licensing objectives, including the protection of children from harm. Therefore, the fact that this incident occurred at all is unacceptable and it meant I needed to look at our policies and procedures, and matters stemming from this such as training of staff and the actions of management to ensure there would be no repeat of this. It was a primary concern of mine to ensure that whatever needed to change changed and an incident of this nature would never happen again.
13. Secondly I confirm we met with the Police on 9 December 2022 to discuss the incident and we spoke about the action taken by the venue and the seriousness of the incident itself. We took this meeting very seriously.
14. We provided a written action plan to the Police on 12 December 2022 along with all of the additional information they requested. Attached at DD1 is a copy of an email sent to the Police on 12 December.
15. The action plan sent to the Police included the following:

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| All member of staff was re-trained, after the visit, on licensing objective and how to enforce the challenge 21, all records reflect this on Flow training platform |
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| Citizen ID card are no longer being accepted |
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| There will be a topic that will include security (logs/compliances/records/checks/due diligence book) on weekly basis between GM and Area Manager, any red flags will be reported to the Operations Director immediately |
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|---|
| Review all the security compliances within operational management on a 4-weekly basis, earlier if any recurrent issue that needs actioned sooner |
| Ordered an ID scanner to be installed and used with immediate action. This has been ordered and install to be complete w/c 12/12/22 |
| Security must scan all ID before granting entrance to any guests with no exceptions to bookings, private parties, or venue hires |
| Downloaded all footage of the night from 6pm to midnight and handed over to police officer Michael Rice. |
| Security member was replaced immediately, and extra member of security added since. Security rotas reflect a doorman on from open every day |
| All members of staff has been informed and signed an additional training assessment to reiterate the importance of them following the rules and extra measures (also mentioned in this document) that we will take to prevent serving underaged |
| All Management team to attend the Pub Watch meetings and ALL members of staff to attend the WAVE training provided by Canary Wharf Management |
| Better communication will be ensured during any shift and if member of staff is in any doubt, they must ask for identification regardless if security has already check them |
| Review this document on monthly basis |
| Till records to be monitored weekly and any refusal of serve to be logged, this also will be documented with detail on within the logbook and duty of care provided thereafter |
| Test purchasing company "Serve Legal" to be instated to spot check at least twice weekly |
| Welfare officer to be allocated for the site on daily shifts |
| Staff training Risk Assessment upweighted and all staff have been signed of and documentation filed on record |
| Only senior doorman to be provided at Canary Wharf site, and head of Premium Security Company Jack Neil to work alongside the security team on peak trading to ensure they are adhered to their responsibilities and process |
| All incidents to continue to be logged on Riskproof and end of night reports to continue to reflect any incidents/issues at the end of every shift |
| Numbers log to be recorded every 30 minutes, this to be checked by management every half an hour to ensure process is being adhered to and records complete |

16. This was the initial action plan based on what we understood of the incident and we have reviewed the action plan on a monthly basis in January, February and March as previous

action has been undertaken and completed. From the March action plan date we are reviewing the action plan weekly as all action points are in place now.

17. Given the seriousness of the incident I made the following decisions:

- a) To change the entire management team at the premises. This included the DPS/ general manager and assistant general manager and duty managers. The Police had indicated they had little confidence in the management after the incident and a clean sweep of staff was important to me as well to ensure policies and procedures were able to be robustly adhered to
- b) On 6 January 2023 I instructed our licensing solicitor to vary the DPS of the premises to Mr Simon Kennington- well before the review was submitted by the Police. This was lodged on 9 January 2023. This change took a little longer to implement as Simon, a new employee, was hired especially for this site as he had extensive experience in the industry and needed to work out a notice period over the Christmas break, however the change was implemented as soon as possible. Simon has over 20 years of hospitality experience including 9 years as a Senior General Manager operator. He has a mature management style and has a wealth of experience in running high volume sites in which are all late-night operations predominantly with trading hours till 3am. The venues that he has previously managed have ranged from a minimum of 300 - 800 capacities across various London Boroughs, he has always had great relationships with the local authorities, and participated in local schemes and community initiatives and this will continue in this Borough. Simon has great knowledge of licencing requirements and operating a safe environment is at the forefront of what he does within any venue that he operates. Below is a couple of examples of sites that he has previous operated.
 - o Roadhouse – 600 Capacity – Westminster
 - o Apt Bar – 300 Capacity – City Of London
 - o Abacus – 800 Capacity – City Of London
 - o Mabel's – 400 Capacity – Westminster
 - o Most Recently – Bar Elba – Lambeth
- c) I understand that our licensing solicitor notified the Police Licensing Team of this change in DPS and the background of Simon and offered to meet the Licensing Police to further review the operations. The Licensing Police did not respond to this request to meet us. Attached at DD2 is a copy email sent to the Police Licensing Team dated 5.1.23.
- d) Within the week of the Police meeting on 9 December 2022 my operations team had arranged for an ID Scanner to be installed at the premises. This was put into use. No other venues of London Cocktail Club Limited has an ID scanner as we are not a brand that has high crime and disorder at all. The ID Scanner remains on site now, working and in use. Any defects / faults are to be logged in good time. Security and

management endeavour that all guests are asked for ID at entry stage to the venue, this will mean a physical check as well as utilising the scanner. For any guests who are assessed to be over 25, this is verified prior to service by two members of our team, ideally a manager AND an SIA Operative. We work to this principal as our main customer base has an age of around 28.9 (average age of male is 30.1 and female is 27.8). Attached at DD3 is age data from the ID Scan to verify this..

- e) Following the incident I summonsed the security firm we were using (Premium Security) to a meeting with me and requested a complete change of security staff from within the company, along with the retraining of security staff on age checks and our policies. As a fresh team working inside the venue there was no familiarity with staff or customers and we were able to train from scratch the SIA team in place. This was undertaken and we were given a security team that was consistent and regular. I did not immediately change the security firm itself as in my view there is not a large selection of firms in London and no one firm stands out head and shoulders above the rest. This was communicated to the Police.
- f) On 1 February 2023, I did change security firms for the premises. I felt that after a period of time a clean sweep of security would only enhance the other changes we had made to the premises following the incident.
- g) The security firm we use now is KD Security. KD Security Group is a London based security service with over 30 years experience and is a provider of security guards, protection and manpower. We spent some time handpicking the team for a few weeks after they started working at the Premises to ensure they had engaged our preferred operatives. KD Security have a policy that they will not sub contract out and the direct employment of their staff without the use of subcontractors, unlike other companies, ensures they have full control of the security guards. Copies of the policies of KD Security are included within the papers for the licence holder, although the security we use are also trained in our own policies and licence conditions.
- h) I implement regular SIA refresher training/briefing sessions for the security. I, along with my team, have been watching the SIA contracted at the premises very carefully and have been impressed by their work ethic and commitment to comply with the licensing objectives and ensure our patrons are looked after well.
- i) We have between 2 and 4 SIA at the premises depending on the day of the week and the venue's risk assessment. At the moment we have 2 SIA on Mondays, Tuesdays, Wednesdays and Sundays, 3 on Thursdays and 4 on Fridays and Saturdays. The security starts at different times on each of these days, but usually 4pm starting time for the first security on each of these days.

- j) In line with our desire to ensure there would be no repeat of the December incident I instructed independent audits of the premises operation to be carried out by Better Compliance. These were carried out on 26 February 2023 and 25 March 2023 and copies of the reports have been attached to the licence holders supporting material, and the feedback has been positive,
- k) I instructed a full review of internal policies to be carried out to ensure they were up to date and robust. A copy of the internal policies have been attached to the premises supporting material. The review of these policies was completed on 28 February 2023.
- l) All staff and security have been trained in our updated policies and procedures. There is a specific section on young people and I confirm that under our Challenge 25 policy (and licence condition) if a guest cannot provide satisfactory proof of age, entry will be denied and they will be reminded to bring proof of age in future.
- m) The full training for new starters include the following modules:
- WELCOME TO TCC/INDUCTION
 - FOOD ALLERGENS
 - FOOD SAFETY LEVEL 1
 - FIRST AID
 - BAR SET UP
 - POURING
 - BAR STOCK CONTROL
 - TCC MENU SPECS
 - DIVERSITY, INCLUSION AND EQUALITY
 - WELL-BEING
 - LICENSING ENGLAND AND WALES (see below)
 - WORKPLACE SEXUAL HARRASSMENT
 - MAKE SPIKING HISTORY
 - UPSELLING TECHNIQUES
 - BAR EQUIPMENT
 - GARNISHES
 - HEALTH & SAFETY LEVEL 2
 - FOOD SAFETY FOR MANAGERS (managers only)

EMPLOYMENT LAW (managers only)

THE FIRE MARSHALL (managers only)

LICENSING ENGLAND AND WALES – course breakdown

SECTION 1 – KNOWING THE RULES

-4 Licensing objectives

-Weights and measures

-Accepting the correct ID

-Scenario quiz on when to ask for ID and who to serve and who to not.

SECTION 2 – WHAT HAPPENS WHEN A LICENSING OFFICER CALLS

-Information video on Challenge 25, what it is, signage requirements.

-Other enforcement officer information

-Promoting low risk drinking

SECTION 3 - PRESSURES OF A BUSY NIGHT

-How to spot potential conflict in the venue

-Dealing with aggressive customers and conflict

-Scenario quiz on who to serve alcohol and who not to in assessing drunk behaviour.

SECTION 4 – ASSESSMENT

Scenario based multiple choice questions covering all of the above information.

Pass mark 80%

- n) There is also weekly staff training to review key aspects of the licensing laws and this is supported by training records available for inspection by the authorities.

- o) We became a member of Serve Legal in January 2023. Serve Legal is the market leading provider of ID and compliance testing services in the UK & Ireland, and conducts age verification test purchasing, which provides assurance of compliance with the Challenge 25 licence conditions. Serve Legal's engaged auditor community of over two thousand 16 to 19 year olds means they are able to carry out age verification audits all across the UK & Republic of Ireland. Each Area Manager within the Operations team selects suitable work for each auditor to carry out, within a specified timeframe, building rapport with their network of auditors to allow the business to adapt quickly to short-notice requests from clients. If the auditor is required to provide official ID to complete the transaction, the site PASSES. If the auditor purchases the items without showing ID, the site FAILS. This is a positive as it demonstrates to the authorities and customers that we take underage sales

seriously and are being proactive. It also increases management focus on legislation and internal compliance policies, which improves staff performance.

- p) We have had a number of audits and have passed them all, which shows the premises, along with all of the other changes, can operate successfully and promote all 4 licensing objectives.
- q) There are welfare officers at these premises, and indeed also at some other sites, and these are easily identifiable. The purpose of these welfare officers is to monitor patrons in a non confrontational way and to ensure safety of our guests.
- r) We review all the security compliances within operational management on a 4-weekly basis, earlier if any recurrent issue that needs actioned sooner
- s) There is now also a new unique sign off created to inform staff of all ongoing challenges, anomalies, additional processes and new operational Management key points. Any unique / unusual licensing conditions or building / area specific challenges are attached to this
- t) All Management team are to attend the Pub Watch meetings and ALL members of staff to attend the WAVE training provided by Canary Wharf Management
- u) Till records are monitored weekly and any refusal of serve to be logged, this also will be documented with detail on within the logbook and duty of care provided thereafter
- v) A review that includes security/logs/compliances/records/checks/due diligence book shall be discussed and undertaken between GM and Operations Manage on a weekly basis, where any red flags will be reported to the Operations Director immediately so they can be actioned and remedied
- w) Toilet checks are carried out every 30 minutes by staff to ensure customer welfare is being promoted and a toilet check list is completed. Attached at DD4 is a copy of the toilet check list.
- x) A dedicated operations manager has been allocated to this premises. His name is Kieran Manning and he has 20 years experience in Food and Beverage & Late Night Hospitality sectors. Over the years Kieran managed for a number market-leading companies in prestigious venues around Central London. The bulk of his career was at Erbium / Novus Leisure Ltd and then in the Stonegate Group. Since 2021 Kieran has worked as an Operations Manager role for the Nightcap PLC group. Kieran has worked closely with both police and council licensing departments as well as EHO bodies, and has a huge amount of experience in the areas of licensing and general compliance. In addition to his venues' legal requirements he has always been keen to go further in making the venues he has worked with be a positive part of the

community and the sector broadly, particularly around his work on Welfare & Vulnerability Engagement.

18. On NYE the Police Licensing Team visited the premises to carry out an inspection. I understand that no issues were identified to the premises on that occasion.
19. Other than the visit on NYE there have been no further visits to the premises by the Police Licensing Team since the incident.

Ongoing Compliance

20. The actions we have taken since December 2022 have resulted in significant improvements to the operation of the Premises.
21. The ongoing training of staff and security, along with the termination of the security contract has ensured that there is not any culture of expectation by customers. The covert visits conducted has shown the consistent improvements made at the Premises.
22. With the actions taken I am now confident the entire team are committed to ensuring compliance with our premises licence and the licensing objectives and protecting vulnerable persons. There is no way we want to have any repeat of the incident but we have shown over the last 3 months that the premises are capable of, and have been run successfully with full focus on the licensing objectives.
23. We will continue to work to ensure no future lapses. I am also keen to work in partnership with the Police, to continually review and update our procedures so that the Premises operates to the highest possible standards of compliance. I appreciate the Police may not have felt it desirable to engage with the premises after their review application, which is unfortunate, but I am hopeful our working relationship can flourish after this hearing.
24. I believe the Premises is now a fully compliant working environment for every customer, as well as the staff.
25. I confirm that moving forward I am my staff will:
 - a) continue with regular training sessions for staff and security including from external suppliers/trainers. This will all be documented.
 - b) continue monitoring covert visits, at least once a quarter to ensure procedures and practices are being upheld
 - c) continue to ensure practices are kept up to date with changes in law and time.

d) continue to work and liaise, and have open dialogue, with the authorities and especially the Police Licensing Team

I believe the facts stated in this witness statement are true.

Signed *Dawn Donohoe*

Dated 29.3.23

DD1

From: [Emma Heaney](#)
To: [mark.j.harry@met.police.uk](#); [Michael.Rice@met.police.uk](#)
Cc: [Dawn Donohue](#); [Lana Tricker](#)
Subject: The Cocktail Club Canary wharf
Date: 12 December 2022 17:25:02
Attachments: [image002.png](#)
[Riskproof incident report 09.12.22.pdf](#)
[Riskproof incident report 04.12.22.pdf](#)
[Riskproof incident report 29.10.22.pdf](#)
[Riskproof incident report 22.10.22.pdf](#)
[Transaction report.xlsx](#)
[The Cocktail Club incidents - Canary Wharf Team.pdf](#)
[JD Scan contract document - signed.pdf](#)
[Age range Data.csv](#)
[CW Action Plan.doc](#)
[CANARY Licensing report\(PDF\) - Flow.pdf](#)

Hi Mark & Michael,

Hope you are both well,

Please find attached Canary Wharf pack with following attachments

- Detailed action Plan, this is already in play

Canary Wharf Incidents have been sent to myself from Canary Wharf security team reported to yourself please note the reported spiking was never reported to us the rest we have logs for and the rest match theirs across our online platform and incident log book.

- Riskproof Online logs

22/10/22

29/10/22

04/12/22

09/12/22

- Incident log book

18/11/22

19/11/12

- Transaction report showing any licensing via till
- ID scan contract signed for and arranged for quick turnaround in which Scannet were contacted by myself after meeting on Friday for install this week scheduled for install and training for team on Wednesday
- Flow records that all staff have been retrained again and completed the module
- Age range data, both WIFI and Booking data, 2 tabs collated on the same sheet
- Upweighted security below to ensure one on from open daily

| FULL NAME AS PER SIA LICENSE ONLY | | | Mon | | Tues | | Wed | | Thurs | | Fri | | Sat | | Sun | |
|-----------------------------------|-----------------|-----------|-------|-----|-------|-----|-------|-----|-------|-----|-------|-----|-------|-----|-------|-----|
| FIRST NAME | LAST NAME | BADGE NO. | IN | OUT | IN | OUT | IN | OUT | IN | OUT | IN | OUT | IN | OUT | IN | OUT |
| HD | W/C 12th Dec 22 | | 16:00 | cl | 16:00 | cl | 16:00 | cl | 15:00 | cl | 16:00 | cl | 18:00 | cl | | |
| DOORMAN 2 | | | 19:00 | cl | 19:00 | cl | 19:00 | cl | 16:00 | cl | 17:00 | cl | 15:00 | cl | 16:00 | cl |
| DOORMAN 3 | | | | | | | | | 19:00 | cl | 20:00 | cl | 20:00 | cl | 19:00 | cl |
| DOORMAN 4 | | | | | | | | | | | | | | | | |

We continue to monitor all of the above and will ensure that all is adhered too, please let me know if there is anything further that I may have missed on my direct contact details below

Kindest Regards

Emma Heaney
 Operations Director
 The Cocktail Club



DD2

[REDACTED]
[REDACTED]
[REDACTED]
Subject: RE: : Cocktail Club, Cabot Square
Date: 09 January 2023 15:33:00
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)

Hi Mark
Thanks for this

- Roadhouse – 600 Capacity – Westminster - **June 2008 – June 2011**
- Apt Bar – 300 Capacity – City Of London - **June 2011 – Sept 2012**
- Abacus – 800 Capacity – City Of London - **May 2013 – June 2015**
- Mabel’s – 400 Capacity – Westminster - **May 2016 to June 2019**
- Most Recently – Bar Elba – Lambeth - **Nov 2021 to January 2023**

Kind regards
Lana

Lana Tricker
Principal, LT Law



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From: MARK.J.Perry@met.police.uk [REDACTED]
Sent: 09 January 2023 11:03
To: Lana Tricker [REDACTED]
Cc: [REDACTED]
Subject: : Cocktail Club, Cabot Square

Hi Lana,

Christmas and New Year’s was good thanks, very busy with lots of illegal raves to close down.

Thanks for this information, we will consider this and it will form part of our deliberations, can you tell us when Mr Kennington was at these venues please?

Kind Regards

Mark



PC Mark Perry
Central East Licensing Unit
Metropolitan Police Service (MPS)
[REDACTED]
Email [REDACTED]
A: Licensing Office, 1st Floor Stoke Newington Police Station





From: Lana Tricker [REDACTED]

Sent: 05 January 2023 13:50

To: Perry Mark J - CE-CU [REDACTED]

Subject: Cocktail Club, Cabot Square

Dear Mark

I hope you had a great Christmas and a non-problematic New Years!

I wanted to update you on the changes to management of the Cabot Square venue we spoke about at the end of last year. The client has removed the existing management which you were concerned with and a new general manager, Simon Kennington has been appointed. Simon has over 20 years of hospitality experience including 9 years as a Senior General Manager operator. He has a mature management style and has a wealth of experience in running high volume sites in which are all late-night operations predominantly with trading hours till 3am. The venues that he has previously managed have ranged from a minimum of 300 - 800 capacities across various London Boroughs, he has always had great relationships with the local authorities, and participated in local schemes and community initiatives and this will continue in your Borough. Simon has great knowledge of licencing requirements and operating a safe environment is at the forefront of what he does within any venue that he operates. Below is a couple of examples of sites that he has previous operated.

- Roadhouse – 600 Capacity – Westminster
- Apt Bar – 300 Capacity – City Of London
- Abacus – 800 Capacity – City Of London
- Mabel's – 400 Capacity – Westminster
- Most Recently – Bar Elba – Lambeth

I intend to replace Emma as DPS with Simon and I am just awaiting the signed dps consent form. Emma was in operations and Simon will be based at the venue to ensure full compliance with conditions and practices.

We would be happy to meet with you to fully introduce Simon to you and reiterate the changes to operational practices as highlighted in the action plan of the venue previously sent. I believe you attended on NYE and saw the ID Scan in operation.

If you are willing to meet pls let me know some available times and we can tee that up.

Thanks

Kind regards

Lana

Lana Tricker
Principal, LT Law

[REDACTED]

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DD3

- **Total scans overall - 19999**
- **Male - 48%**
- **Female - 52%**
- **Average overall age - 28.9**
- **Average Male - 30.1**
- **Average Female - 27.8**

DD4



Toilet Inspection Checksheet

| Week Commencing | | | | | | | |
|-----------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| | M | T | W | T | F | S | S |
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| 03:00 | | | | | | | |
| Closed | | | | | | | |

Sign to confirm that the site toilets have been checked during trading at 30 minute intervals.

Management Signature

Management Name

Date