

LICENSING SUB-COMMITTEE HEARING – 11 October 2019



LICENSING SUB-COMMITTEE DECISION NOTICE  
(Decision made by the Sub-Committee on 11/10/2019)

**NAME AND ADDRESS OF PREMISES:** Envoy Nightclub, 46-50 High Street, Royal Tunbridge Wells, Kent TN1 1XF

**NAME OF PREMISES LICENCE HOLDER:** Envoy Nightclub Ltd

**REASON FOR HEARING:** Application by Kent Police for the review of a premises licence under section 53A of the Licensing Act (premises associated with the serious crime, serious disorder or both) and consequent upon the record of consideration of interim steps dated 23 September 2019.

In their representations Kent Police raised the following concerns:

- (1) The premises were certified by a Senior Police Officer as being associated with serious crime and / or serious disorder.

**DELIBERATION – LICENSING OBJECTIVES:** The relevant licensing objectives were considered by the Sub-Committee:

- 1. Prevention of Public Nuisance**  
N/A
- 2. Prevention of Crime and Disorder**

The Sub Committee have considered the grounds set out in the application for summary review and the oral representations made by Kent Police and the legal representative for the Licence holder. The Sub-Committee were satisfied that the conditions agreed between all parties were appropriate and proportionate to promote this licensing objective.

- 3. Public Safety**  
N/A
- 4. Protection of Children from Harm**

The Sub Committee have considered the grounds set out in the application for summary review and the oral representations made by Kent Police and the legal representative for the Licence holder. The Sub-Committee were satisfied that the conditions agreed between all parties were appropriate and proportionate to promote this licensing objective.

*R.B.* 14/10/19

**DECISION MADE:** The decision of the Sub-Committee in relation to the full review is to modify the conditions of the premises licence. The appropriate and proportionate modified conditions are the conditions agreed between the parties today namely Kent Police and the premises licence holder and are listed below.

The decision of the Sub-Committee in relation to the interim steps is to modify the conditions of the premises licence. The appropriate and proportionate modified conditions are the removal of the previous conditions and the addition of the conditions agreed between the parties today namely Kent Police and the premises licence holder and are listed below.

### CONDITIONS

#### **ENVOY Nightclub, 46-50 High Street, Royal Tunbridge Well, Kent, TN1 1XF**

1. All members of the public and/or customers shall be restricted to the public areas only.
2. Only staff shall be allowed in staff areas.
3. All members of the public and/or customers shall leave the premises within 45 minutes of the last licensable activity.
4. There shall be no private functions and/or events held at the premises between 03:00hrs and 06:00hrs.
5. The Premise Licence Holder shall provide a marked plan of the public areas within 5 working days of 11<sup>th</sup> October 2019.
6. There shall be no supply of alcohol to any persons for no charge.
7. All sales of alcohol shall be made under and in accordance with the written price list.
8. Any price changes do not have effect until 24 hours after the decision made to modify.
9. The licensee to adopt a "Challenge 25" policy where all customers who appear to be under the age of 25 and attempt to purchase alcohol or other age-restricted products are asked for proof of their age.

The Licensee to prominently display notices advising customers of the "Challenge 25" policy.

10. Only physical and original identification is acceptable. No digital identification is accepted.
11. All persons entering, or re-entering the premises will be subject to searching as a condition of entry.
12. The Licence holder shall erect and maintain clear and prominent notices on the exterior of their premises advising patrons that those attending
  - a) It is a condition of entry that customers agree to be searched
13. Door Supervisors shall be responsible for the lawful searching and / or exclusion of those of carrying illegal drugs, offensive weapons who attempt to gain entry into the premises.
14. There will be a door control policy that outlines clear instruction and understanding of the door supervisor's responsibilities at the premises. This policy will contain
  - a) How door staff prevent overcrowding
  - b) Supervise the queue to ensure that it is managed in a way that avoids rowdy, unpleasant behaviour and to keep customers quiet as to not disturb neighbours in the vicinity
  - c) A procedure for door staff engaged in searching persons as a condition of entry
  - d) To ensure the dispersal of patrons from the curtilage and grounds of the licensed premise immediately after the end of licensable activities
  - e) Prevent patrons from leaving the premises with open containers and bottles
  - f) To provide evidence by written statement to police in any criminal investigation as and when required.
  - g) The toilets shall be regularly monitored.
15. The premises shall have a written drug policy, this will detail the strategies to minimise the use and supply of illegal drugs within the premises. This will entail an agreed procedure for the handling and retention of any article seized. Where premises consider a drug's safe to deposit drugs found, there will be a clear policy for the handling and packaging of seized items. For premises with a suitable 'drug safe' the items secured within the safe would not be considered as being in possession. For premises that do not have a drug safe they must have a written agreement with police as to a procedure in the collection or delivering drugs to police.

#### Special Measures Conditions

The sub-committee imposed 5 special measures conditions which are held on file by Kent Police and the Licensing Authority.

Additional notes made by the Sub-Committee at the meeting:

- Entitlements to appeal for parties aggrieved by the decisions of the Licensing Authority are set out in Schedule 5 to the 2003 Act.
- In the case of a Premises Licence, an appeal has to be commenced by the giving of a notice of appeal by the appellant to the justices' chief executive for the magistrates' court within a period of 21 days beginning on the day on which the appellant was notified by the licensing authority of the decision to be appealed against.

**Signed:**

*Bob Backhouse*

Councillor Backhouse  
Chair of the Licensing Sub-Committee

**Date of Notice:**

*14<sup>th</sup> October 2019*