



Wednesday, 2 October 2019

LICENSING SUB-COMMITTEE

A meeting of **Licensing Sub-Committee** will be held on

Thursday, 10 October 2019

commencing at **9.30 am**

The meeting will be held in the Meadfoot Room, Town Hall,
Castle Circus, Torquay, TQ1 3DR

Members of the Committee

Councillor Doggett

Councillor Ellery

Councillor Kavanagh

A prosperous and healthy Torbay

For information relating to this meeting or to request a copy in another format or language please contact:

Lisa Antrobus, Town Hall, Castle Circus, Torquay, TQ1 3DR
01803 207087

Email: governance.support@torbay.gov.uk

www.torbay.gov.uk

LICENSING SUB-COMMITTEE AGENDA

1. **Election of Chairman/woman**
To elect a Chairman/woman for the meeting.
2. **Apologies**
To receive apologies for absence, including notifications of any changes to the membership of the Committee.
3. **Minutes** (Pages 3 - 7)
To confirm as a correct record the Minutes of the meeting of a Sub-Committee held on 19 August 2019.
4. **Declarations of interests**
 - (a) To receive declarations of non pecuniary interests in respect of items on this agenda
For reference: Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.
 - (b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda
For reference: Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(**Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)
5. **Urgent items**
To consider any other items that the Chairman decides are urgent.
6. **Licensing Act 2003 - Temporary Event Notice in respect of Quay Nightclub Ltd, 26 Victoria Parade, Torquay, TQ1 2BD** (Pages 8 - 19)
To consider and determine a Temporary Event Notice, in respect of the above Premises dated 1 November to 3 November 2019.



Minutes of the Licensing Sub-Committee

19 August 2019

-: Present :-

Councillors Brooks, Ellery and David Thomas

4. Election of Chairman/woman

Councillor Ellery was elected as Chairman for the meeting.

5. White Hart Inn, 48 Temperance Street, Torquay

Members considered a report on an application for Full Review of a Premises Licence, following an application made under section 53A for a Summary (Expedited) Review of the White Hart Inn, 48 Temperance Street, Torquay, TQ2 5PU. The Premises do fall within the Cumulative Impact Area.

Written Representations received from:

Name	Details	Date of Representation
Police	Application for a Summary (Expedited) Review (exempt)	24 July 2019
Police	Additional information submitted by the Police showing a log of crimes recorded between 2006 and 1 August 2019 and a log of incidents at the White Hart since 28 June 2012.	various
Police	Photographs (exempt).	22 July 2019
Torbay Council Safeguarding and Reviewing Service	Representation suggesting four conditions that should be added to the Licence on the grounds of 'prevention of crime and disorder' and 'protection of children from harm'.	29 July 2019

Additional Information:

With the agreement of the Chairman the time for making representation was extended to 1 hour to allow the Police to show CCTV footage of the recent assault.

An image using Google maps to identify the location of the Premises was circulated to all parties present, with the agreement of the Chairman.

Oral Representations received from:

Name	Details
Applicant	The Applicant outlined their application for a Full Review of the Premises Licence, showed CCTV footage and responded to Members' Questions.
Respondent	The Respondents legal representative submitted a response to the Review and answered questions on behalf of the Premises Licence Holder, Admiral Taverns.

Applicant's response to Representations:

Ten proposed conditions suggested by the Police, were circulated to all parties present at the meeting with the agreement of the Chairman.

Miss Clamp, on behalf of Admiral Taverns, following a 30 minute adjournment to consult with her client, Admiral Taverns, accepted the ten conditions in principle, but suggested changes to some of the conditions and questioned how others would be enforced.

Decision:

The Premises Licence in respect of the White Hart Inn, 48 Temperance Street, Torquay, TQ2 5PU be revoked.

Reason for Decision:

Having carefully considered all of the written and oral Representations, the Sub-Committee resolved that on the evidence before them, the only appropriate option was to revoke the premises licence to ensure that patrons who frequented these premises were safe and The Prevention of Crime and Disorder licensing objection was not undermined further by these premises operations.

In coming to their decision Members gave full consideration to the representation made by the Police and their initial request, which was retracted in their summing up, that the premises licence be suspended for three months together with ten conditions proposed by them to be added to the licence. Members also gave full consideration to the Respondents offer to accept those ten conditions in part, the offer also of a three month suspension and two conditions proposed by them.

Whilst this should have alleviated the concerns of Members, it was following the oral representation from the Respondents legal representative, that Members could not be satisfied that since the serving of the summary (expedited) review application on the 24th July 2019 and today's hearing, that the Respondent had sufficiently demonstrated proactive measures to prevent the likely reoccurrence of violent incidents continuing at these premises once and if, it reopened as a licensed premises. Members noted, notwithstanding the interim step to suspend this premises licence until the 21 August 2019, the Respondents submission that these premises were up for sale and may not be sold as a licensed premises.

Members resolved that a three months suspension of the premises licence would not eliminate the risk to patrons safety, noting the historical number of incidents recorded at these premises by the Police which has resulted in it having the third highest crime rate of all premises within the area in the last four and a half years, that this is a regular's pub and should it opened again, there was no robust plan that would seek to prevent those patrons associated with these incidents returning. This Members determined on the evidence before them that the individual who was involved in the violent incident on the 15th July 2019 where a weapon had been used, was the same individual involved in the serious violent incident on the 22nd July 2019, where the victim could have sustained life changing injuries. Members noted that this individual had not be banned from the premises and had he been so, the indecent on the 22nd July 2019 may have been avoided. Members considered whether the removal of the current Designated Premises Supervisor would go far enough to alleviate the issues of concern, given her inaction to operate these premises in a responsible manner but resolved that there was an historical cultural issue of concern relating to these premises and that the current Designated Premises Supervisor had only been in the post is post since 21st November 2018, whereas incidents of concern dated much further back. Members noted the Respondents submission that they had removed the current Designated Premises Supervisor and had served her with a notice to quit the premises but it was reported by the Licensing Officer at the hearing, that they had not received formal or verbal notification from the Respondent of this change.

Given the seriousness of the injuries suffered and level of the violence that had occurred at this premises on the 22nd July 2019, which Members viewed the CCTV footage of and were advised a copy of this footage had been sent to the Respondent to view also, Members were extremely concerned to learn that despite being offered on three separate occasions following the summary (expedited) review hearing and prior to this hearing, an opportunity for the Respondent to meet with the Police to discuss their concerns, the Respondent had declined these offers due to the distance of their offices and the availability of a representative. Members could not fathom why an area manager who attended these premises every 4 to 6 weeks on average or a sufficiently qualified member of staff, if this person was not available, could not, given the scale of the Admiral Taverns operation, attend a meeting with the Police to collectively look at measures and devise a robust plan to ensure that further incidents of such violence did not reoccur.

This in Members opinion demonstrated a lack of commitment to address what is an escalation of serious violent incidents which they should have known and been proactive to address sooner, given the evidence of the Police which dated back to 2009. To state that they were not aware of such incidents, despite regular visits by an area manager and that it was for the Responsible Authorities to notify them, fell well below the standard reasonably expected by Members of a responsible Premises Licence Holder whose premises are situated within the Authority's Cumulative Impact Area. This being an area identified by the Police as being subject to high levels of alcohol related crime and public nuisance and whilst not a new or varied application, it was reasonable to expect the Respondent to be aware of the area in which their premises is situated and that their premise operations

was largely a contributing factor to this negative status. Members also noted the wording of the Licensing Objective, which is the 'Prevention' of Crime and Disorder, and determined that it was not unreasonable for them to have expected a Respondent such as Admiral Tavern to have been more proactive in ensuring that these premises were operating in a way which maintained promotion of the Licensing Objectives and where they were found not to, taken robust action to address this.

Members noted the submissions of the legal representative, in respect of only having had sight of the ten conditions, once circulated at the hearing and having had a 30 minute adjournment to discuss them with Respondent. However, they unanimously resolved that, notwithstanding the short notice and noting that no further period of adjournment had been requested by the Respondents legal representative as necessary, had a representative of the Respondent attended one of the three offered meetings, they would have had the opportunity to have collectively formulated these conditions with the Police and demonstrated reassurance to Members of their intended compliance. Instead, Members were presented with an attempt by the Respondent to refine some of the conditions in a way that abdicated any responsibility by them in submitting that the Designated Premises Supervisor was a self-employed person and that whilst they could inform them of such requirements within the conditions, they could not ensure they were undertaken. The metaphor 'taking a horse to water' was submitted.

When asked what the Respondent had proposed to put forward in response to this Review, not knowing what the Police's proposals would have been, Members were concerned to learn that other than a three month suspension, two conditions were proposed which would provide for enhanced training and CCTV. Given the seriousness of the matters to which the premises appeared before them, Members found that proposed by the Respondent, fell well below that needed to address the serious and historically persistent concerns at these premises.

Members had grave concerns, following the submissions of the Respondent's legal representative that the Respondent sought to abdicate their responsibility by seeking to remove themselves from being named in some of the Police's proposed conditions. This the Respondent submitted was due to these premises having a tenanted arrangement, and the practicality for them to manage compliance with those conditions. This resulted in Members having absolutely no confidence that the Respondent would or could ensure that the operations of these premises would prevent incidents of concern reoccurring, which in light of the submissions and the evidence before them, had in their opinion, a high likelihood of risk which may potentially lead to a fatality, should the Respondent be permitted to continue operating these premises.

Members were surprised to learn that a Respondent, such as Admiral Tavern, did not have available an acceptable behaviour policy which could be adopted by these premises, albeit with some amendments to ensure its relevance to the specific issues of concern, given the scale of its national operation and to submit that they would welcome more detail in respect of this, was in Members opinion, a real concern. In Members opinion and experience, it is for a Premises Licence Holder to manage the operations of its premises in a way that seeks to promote

licensing objectives and that this may include, where appropriate, an acceptable behaviour policy. Such a policy should consider the geographical area in which the premises is located, the licensable activities on offer and its opening times, taking also into account an established clientele, as is the case with this premises and any operational expectations a tenanted pub should maintain to protect the Premises Licence Holders, premises licence. To seek a further discussion with the Police after the Review hearing and not being able to evidence that such policies were readily available, albeit may need slight modifications, was in Members opinion, a further concern.

In noting that the Respondent was legally represented at the hearing, it was extremely disappointing and hindering for Members that the Respondent had not prioritised sending a representative of Admiral Tavern, given the seriousness of the matters before them. This is despite having almost a calendar month to arrange for such a representatives attendance and would have assisted Members in answering relevant operational questions to which the Respondents legal representative was not able to.

In concluding, Members gave careful consideration to all options available to them in determining the appropriate outcome of this Review and unanimously resolved that in all the circumstances before them, revocation was the only appropriate option.

Chairman/woman

2. Introduction

- 2.1 The Temporary Event Notice (TEN) has been submitted under Section 100 of the Licensing Act 2003 for the above premises. Details of the Temporary Event Notice are shown in Appendix 1.

Brief descriptions of the proposed events are as follows:

The TEN covers three days starting at midnight on the 1st November and finishing at 03:00 on the 3rd November 2019.

The Notice specifies three different times when licensable activities will be taking place. These are divided into the following times:-

The licensable activities will commence at midnight on Friday 1st November 2019 and cease 3 hours later at 03:00;

The licensable activities will commence again at 21:00 on the same day, Friday 1st November 2019 and cease 6 hours later at 03:00 on Saturday 2nd November 2019;

Then at 21:00 on Saturday 2nd November 2019 the licensable activities will commence again and cease 6 hours later at 03:00 on Sunday 3rd November 2019.

Throughout the above times the licensable activities that are intended to be carried out are the Sale by Retail of Alcohol, the Provision of Regulated Entertainment and Late Night Refreshment.

The Applicant has described the event in section 3 of the Temporary event Notice as “A generic celebration of Halloween, with DJ, dancefloor, full bar sales, fancy dress, live performers (close up magicians, harlequins etc)”.

- 2.2 Torbay Council as Licensing Authority is satisfied that the applicant has met the administrative requirements of Section 100 but is unable to acknowledge the notifications as an Objection Notice has been received from the Public Protection, under section 104(2). The Authority is also satisfied that the Objection Notice has been received within the appropriate time-scale and has not been subsequently withdrawn. See Appendix 2.
- 2.3 The Authority is required to conduct a hearing by the provisions of Section 105(2) unless all parties agree that this is not necessary.
- 2.4 Appropriate Notices have been issued to all parties, as required by the Licensing Act 2003 (Hearing Regulations) 2005, including details of the procedure to be followed at the hearing.
- 2.5 If the decision of the Licensing Sub-Committee is to issue a Counter Notice, a Right of Appeal to the Magistrates’ Court is granted by Section 181 of the Act and, by Paragraph 16(2) of Schedule 5, to the applicant.
- 2.6 If the decision of the Licensing Sub-Committee is not to issue a Counter Notice, a Right of Appeal to the Magistrates’ Court is granted by Section 181 of the Act and, by Paragraph 16(3) of Schedule 5 to the Responsible Authority who issued the Objection Notice.

- 2.7 Following such Appeal, the Magistrates' court may:-
- (a) dismiss the appeal,
 - (b) substitute for the decision appealed against any other decision which could have been made by the licensing authority, or
 - (c) remit the case to the licensing authority to dispose of it in accordance with the direction of the court,
- and may make such order as to costs as it thinks fit.

Steve Cox
Environmental Health Manager (Commercial)

Appendices

- Appendix 1 Temporary Event Notice for 1st to the 3rd November 2019
- Appendix 2 Objection Notice from the Public Protection

Documents available in members' rooms

None

Background Papers:

The following documents/files were used to compile this report:

Torbay Council Licensing Policy 2016-2021.



* required information

Section 1 of 9

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	halloween 2019	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name	Kirsti
* Family name	Garnet-Thomas
* E-mail	XXXXXXXXXX@XXXXXX.XX
Main telephone number	XXXXXXXXXX
Other telephone number	

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number	12101245
Business name	The Quay Nightclub Ltd
VAT number	- none
Legal status	Private Limited Company

If your business is registered, use its registered name.
Put "none" if you are not registered for VAT.

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 9

APPLICATION DETAILS [\(See also guidance on completing the form, general notes and note 1\)](#)

Have you had any previous or maiden names?

Yes No

* Your date of birth / /

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

Is the address the same as (or similar to) the address given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

Section 3 of 9

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

* Does the premises have an address?

Yes No

Address

Is the address the same as (or similar to) the address given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

Neither Premises licence Club premises certificate

* Premises licence number

Location Details

* Provide further details about the location of the event

The event is to be held inside an existing boxing gym, location previously held many temporary late night events and has held late night premises licenses many times. A purpose built ballroom designed for dancing on Torquays harbourside. 100

Continued from previous page...

yards to a taxi rank in a commercial area amongst restaurants and bars.

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below [\(see also guidance on completing the form, note 3\)](#)

We wish to use the main floor of the building only (known as downstairs). Stairs will be blocked off to ensure there is no access to the second floor (mezzanine/balcony level) by any member of the public. Soundproofing and other Environmental Health concerns will be addressed by completely boxing off the void created by the "mezzanine/balcony level" and domed ceiling, to create one soundproof, ground floor level to which this application applies. All works will be done according to Fire, Torbay Building and Environmental Health regulations, with a prioritised emphasis on public safety and soundproofing.

Describe the nature of the premises below [\(see also guidance on completing the form, note 4\)](#)

The building is currently used as a licensed boxing gym, set in a purpose built Victorian ballroom. It has been used as a nightclub in previous years, with many nightclub features still in situ.

Describe the nature of the event below [\(see also guidance on completing the form, note 5\)](#)

The event is a generic celebration of halloween, with dj, dancefloor, full bar sales, fancy dress, live performers (close up magicians, harlequins etc)

Section 4 of 9

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises [\(see also guidance on completing the form, note 6\)](#):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

[\(See also guidance on completing the form, note 7\).](#)

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

[\(See also guidance on completing the form, note 8\).](#)

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

[\(see also guidance on completing the form, note 9\)](#)

Continued from previous page...

Event start date

/ /
dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date

/ /
dd mm yyyy

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

[\(see also guidance on completing the form, note 10\)](#)

from 00:00 to 03:00 on 01/11/2019
from 21:00 01/11/19 to 03:00 02/11/2019
from 21:00 02/11/19 to 03:00 03/11/2019

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

[\(see also guidance on completing the form, note 11\)](#)

Note that the maximum number of people cannot exceed 499.

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 12\):](#)

- On the premises only
 Off the premises only
 Both

Section 5 of 9

RELEVANT ENTERTAINMENT [\(See also guidance on completing the form, note 13\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

Live DJ playing recorded music 9pm to 3am
Sale of alcohol 9pm to 3am
close up performers (magicians, face painting, harlequins etc) 9pm to 3am.

Section 6 of 9

PERSONAL LICENCE HOLDERS [\(See also guidance on completing the form, note 14\)](#)

Do you currently hold a valid personal licence?

- Yes No

Continued from previous page...

Provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue / /
dd mm yyyy

Any further relevant details

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES [\(See also guidance on completing the form, note 15\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

Yes No

Have you already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or Yes No

b) Begins 24 hours or less after the event period proposed in this notice?

Section 8 of 9

ASSOCIATES AND BUSINESS COLLEAGUES [\(See also guidance on completing the form, note 16\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or Yes No

b) Begins 24 hours or less after the event period proposed in this notice?

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Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? Yes No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: Yes No

a) Ends 24 hours or less before; or
b) Begins 24 hours or less after the event period proposed in this notice?

Section 9 of 9

CONDITION [\(See also guidance on completing the form, note 18\)](#)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £21

DECLARATION [\(See also guidance on completing the form, note 19\)](#)

* The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence: (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six (6) months, or to both.

Information held by Torbay Council complies with and is held in accordance with the UK Data Protection Act, 1998. The information that you provide on this form will only be used in the processing of the application form, and will only be disclosed where necessary under any applicable legislation and certain circumstances should the application be successful such as publication of business details on a public register, it may also be shared for the purposes of enforcement.

You have the right to access your personal information. If you wish to access your personal information or exercise any of your rights under the legislation then please contact Torbay Council's Information Governance team on 01803 207467. Further information can be found on the Information Governance pages on Torbay Council's internet pages at www.torbay.gov.uk

* Information may also be shared for the prevention and detection of crime, for example with the police and other agencies as required by law, such as the Audit Commission under the National Fraud Initiative data matching exercise.

Ticking this box indicates you have read and understood the above declaration

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This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text" value="Kirsti Garnet-Thomas"/>
* Capacity	<input type="text" value="Director - Quay Nightclub Ltd, and leaseholder"/>
* Date	<input type="text" value="30"/> / <input type="text" value="09"/> / <input type="text" value="2019"/> dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/torbay/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

OFFICE USE ONLY

Applicant reference number	<input type="text" value="halloween 2019"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [Next >](#)



Notice of objection to a Temporary Event Notice

Event Date: 1st-3rd November 2019

- To: (1) Kirsti Garnet –Thomas , ~~26 Victoria Parade~~
- (2) Gary O'Shea, Licensing Department, Community Safety, Town Hall, Castle Circus, Torquay,
TQ1 3DR
- (3) Julie Smart, Dorset, Devon and Cornwall Police Alliance, Middlemore, Exeter, EX2 7HQ

TAKE NOTICE that I, Karl Martin, Licensing Public Protection Officer, Torbay Council, object to the notice for a Temporary Event at **The Quay nightclub Ltd, 26 Victoria Parade, Torquay**, on the grounds that allowing the premises to be used in accordance with the permissions of the notice would undermine the Licensing Objection the 'Prevention of Public Nuisance' and 'Promotion of Public Safety'

My reasons are as follows:

Prevention of Public Nuisance

1. Noise impact assessment not undertaken. Therefore a suitable and sufficient scheme of works to minimise the risk of public nuisance has not been proposed, agreed and implemented.

Promotion of Public Safety

1. Main ballroom ceiling is a fibrosis material and in accordance with the ABTT guidance requires examination and certification by a competent person before the building can be used as a place of entertainment.
2. A proposed mezzanine floor will require a Building Regulations submission.
3. Proposed changes will impact on the current fire assessment and no new assessment has been developed by the operator.

I am confident the applicant will address the above points in time, but I do not believe this will possible by the 1st November 2019. Therefore this TEN does not promote the licensing objectives.

This notice is served in accordance with Section 104(2) of the Licensing Act 2003.

A handwritten signature in black ink, appearing to read "Karl Martin".

Karl Martin,
Public Protection Officer
Torbay Council