

Public Document Pack

Contact: Michele Chesterman
Direct Dial: 01275 888097
E-mail: michele.chesterman@n-somerset.gov.uk
Date: Wednesday, 4 January 2023

Dear Sir or Madam

The Licensing Sub-Committee – Thursday, 12 January 2023, 10.30 am – Kenn Room

A meeting of the Licensing Sub-Committee will take place as indicated above.

The agenda is set out overleaf.

Yours faithfully

Assistant Director Legal & Governance and Monitoring Officer

To: Members of the Licensing Sub-Committee

Councillors:

Andy Cole, Mike Solomon and Marcia Pepperall.

This document and associated papers can be made available in a different format on request.

Agenda

1. **Election of Chairperson for the meeting (Agenda item 1)**
2. **Apologies for absence and notification of substitutes (Agenda item 2)**
3. **Declaration of Disclosable Pecuniary Interest (Standing Order 37) (Agenda item 3)**

A Member must declare any disclosable pecuniary interest where it relates to any matter being considered at the meeting. A declaration of a disclosable pecuniary interest should indicate the interest and the agenda item to which it relates. A Member is not permitted to participate in this agenda item by law and should immediately leave the meeting before the start of any debate.

If the Member leaves the meeting in respect of a declaration, he or she should ensure that the Chairperson is aware of this before he or she leaves to enable their exit from the meeting to be recorded in the minutes in accordance with Standing Order 37.

4. **Adoption of hearing procedure (Agenda item 4) (Pages 5 - 6)**
5. **Review of Premises Licence under Licensing Act 2003 - Club Freeloze, 40-42 Boulevard, Weston-super-Mare (Agenda item 5) (Pages 7 - 98)**
6. **Urgent business permitted by the Local Government Act 1972 (Agenda item 6)**

For a matter to be considered as an urgent item, the following question must be addressed: "What harm to the public interest would flow from leaving it until the next meeting". If harm can be demonstrated, then it is open to the Chairperson to rule that it be considered as urgent. Otherwise the matter cannot be considered urgent within the statutory provisions.

Exempt Items

Should the Licensing Sub-Committee wish to consider a matter as an Exempt Item, the following resolution should be passed -

"(1) That the press, public, and officers not required by the Members, the Chief Executive or the Director, to remain during the exempt session, be excluded from the meeting during consideration of the following item of business on the ground that its consideration will involve the disclosure of exempt information as defined in Section 100I of the Local Government Act 1972."

Also, if appropriate, the following resolution should be passed –

"(2) That members of the Council who are not members of the Licensing Sub-

Committee be invited to remain.”

Mobile phones and other mobile devices

All persons attending the meeting are requested to ensure that these devices are switched to silent mode. The chairman may approve an exception to this request in special circumstances.

Filming and recording of meetings

The proceedings of this meeting may be recorded for broadcasting purposes.

Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairman. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting, focusing only on those actively participating in the meeting and having regard to the wishes of any members of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Assistant Director Legal & Governance and Monitoring Officer’s representative before the start of the meeting so that all those present may be made aware that it is happening.

Members of the public may also use Facebook and Twitter or other forms of social media to report on proceedings at this meeting.

Emergency Evacuation Procedure

On hearing the alarm – (a continuous two tone siren)

Leave the room by the nearest exit door. Ensure that windows are closed.

Last person out to close the door.

Do not stop to collect personal belongings.

Do not use the lifts.

Follow the green and white exit signs and make your way to the assembly point.

Do not re-enter the building until authorised to do so by the Fire Authority.

Go to Assembly Point C – Outside the offices formerly occupied by Stephen & Co

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Agenda Item 4

North Somerset Council

Licensing Sub-Committee

Procedure to be followed for meetings of the Licensing Sub-Committee when considering applications for the review of a premises licence under the Licensing Act 2003

The Chairman introduces members of the Sub-Committee and officers present, and explains the procedure to be followed

1 The Chairman invites the Licensing Officer to outline the application. All parties may then ask questions for clarification only

2 The Chairman invites the party having called for a review of the premises licence to clarify the reasons for the review. All parties may then ask questions or make comment at the discretion of the Chairman

3 The Chairman then invites any persons having made relevant representations to clarify the representations. All parties may then ask questions of or make comment at the discretion of the Chairman

4 The Chairman will then invite the premises licence/premises licence holder's representative holder to respond. All parties may then ask questions of or make comment at the discretion of the Chairman

5 The parties are then invited to sum up

6 The Sub-Committee then withdraws to consider the submissions and to make its deliberations

7 On returning to the meeting with all parties present, the Chairman/Legal Adviser to the Sub-Committee will announce the decision

Please note:-

The Chairman appointed for the meeting shall have absolute control of the Hearing and the ruling of the Chairman shall be final.

The Legal Advisor to the Sub-Committee can assist the Chairman during the Hearing and may interrupt proceedings when it is considered necessary to ensure that the Sub-Committee is able to determine the application fairly.

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North Somerset Council

REPORT TO: The Licensing sub-committee

DATE OF MEETING: Thursday 12 January 2023

SUBJECT OF REPORT: Application to review the Premises Licence for Club Freelove, 40-42 Boulevard, Weston super Mare

TOWN OR PARISH: Weston-super-Mare

OFFICER/MEMBER PRESENTING: Director of Public Health and Regulatory Services

KEY DECISION: No

RECOMMENDATIONS

That the Committee considers the evidence presented within the application made by Avon & Somerset Police to review the Premises Licence and takes any remedial action deemed appropriate in relation to the Premises Licence.

1. SUMMARY OF REPORT

1.1 An application was received from Avon & Somerset Police; a Responsible Authority under the Licensing Act 2003, requesting the review of the Premises Licence at Club Freelove, 40-42 Boulevard, Weston-super-Mare.

Concerns have been raised that there is evidence that the premises is being poorly managed with regards to the sale of alcohol, drugs, noise and anti-social behaviour.

In view of concerns raised Avon & Somerset Police have recommended that the Premises Licence is reviewed.

2. POLICY

2.1 The North Somerset Licensing Authority's Statement of Licensing Policy (2021-2025) applies to the application made. In particular, paragraphs 40-48 of the Licensing Policy relate to the review application.

2.2 Regard must be given to the Statutory Guidance issued under section 182 of the Licensing Act 2003 and the Licensing Act itself.

3. DETAILS

3.1 The review application was received from Avon & Somerset Police on 5 December 2022 requesting a review of the Premises Licence at Club Freelove. A copy of the application made is shown at **Appendix A**

3.2 The licence review application relates to the premises situated at 40-42 Boulevard, Weston super Mare. The premises is a three-story building with the licenced premises being located solely on the ground floor.

The licence has licensable activities including live and recorded music, late night refreshment and the sale of alcohol.

- 3.3 A copy of the current Premises Licence is shown at **Appendix B**.
- 3.4 The review application relates to the following licensing objectives:
- a) Crime & Disorder
 - b) Public Safety
 - c) Prevention of public nuisance
 - d) Protection of children from harm
- 3.5 The grounds for review are based on the outcomes from various multi agency visits to the premises, plus meetings with the licence holder and tenant. Despite these, Avon & Somerset Police still have concerns that the premises licence holder has not adequately promoted the licensing objectives.
- 3.6 There are residential and commercial properties in the proximity of the licensed premises.
- 3.7 A plan of the licensed premises is shown at **Appendix C**.
- 3.8 The Premises Licence has been in force since 27 July 2005 and held by Mr Kerry Kimitri since 14 November 2008.
- 3.9 The Designated Premises Supervisor for the premises was Gemma Nickels, personal licence number NSC/059230, originally issued by North Somerset Council.
- Ms Nickels was removed as the DPS by the licence holder and confirmed this by email on Friday 4 November 2022. A copy of this email is shown at **Appendix D**.
- 3.10 A summary timeline of the Premises Licence is shown at **Appendix E**.

4. CONSULTATION

- 4.1 In accordance with the requirements of the Act, Avon & Somerset Police have served copies of the application to review the premises licence upon the responsible authorities, the licensing authority and the Premises licence holders.
- 4.2 A notice of application for the review of a Premises Licence was first displayed on 5 December 2022 at 40-42 Boulevard and at the offices of the Licensing Authority, Weston-super-Mare Town Hall, in a central and conspicuous place for a period of not less than 28 consecutive days.
- 4.3 An electronic version of the notice was also placed on the North Somerset Council website.
- 4.4 Representations regarding the review application made were invited from interested parties and responsible authorities.
- 4.5 As a result of the consultations carried out representations have been received from Trading Standards, Environmental Protection and a local residents association. These relate to the Crime & Disorder, Public safety, Prevention of public nuisance and Protection of Children from Harm licensing objectives.

Copies of the representations can be seen at **Appendix F**.

5. FINANCIAL IMPLICATIONS

Costs - None

Funding - None

6. LEGAL POWERS AND IMPLICATIONS

6.1 The Licensing Authority recognises that its licensing function is only one means of securing the delivery of the service. The Licensing Authority will therefore continue to work in partnership with other stakeholders, such as the Police, Crime & Disorder Partnerships and the Vehicle and Vehicle Standards Agency (DVSA) towards the promotion of any licensing objectives.

6.2 In undertaking this licensing function, the Licensing Authority has regard to the following legislation:

- Environmental Protection Act 1990
- Health Act 2006
- The Smoke-free (Premises and Enforcement) Regulations
- The Equality Act 2010
- The European Convention on Human Rights, which is applied by the Human Rights Act 1998
- The Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2002
- Licensing Act 2003
- Gambling Act 2005

6.3 The Licensing Authority also has regard to any other relevant legislation, strategies, policies and guidance in its decision-making

7. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

There are no climatic or environmental implications within this report.

8. RISK MANAGEMENT

8.1 Regularly reviewing licensing policies and practices and using a risk-rated approach to both proactive and reactive enforcement reduces the risk to the Authority. Ensuring MoU agreements are in place with external partner agencies will also help strengthen roles and responsibilities surrounding Licensing work.

9. EQUALITY IMPLICATIONS

No equality impact assessment has been required as part of this report.

10. CORPORATE IMPLICATIONS

An appeal against the decision of the Licensing Authority may be made to the Magistrates' Court by the applicant for the review, the holder of the Premises Licence, or any other person who made relevant representation to the application, within 21 days of receipt in writing of any decision made.

11. OPTIONS CONSIDERED

11.1 The authority must, having regard to the application, and any relevant representations, take such of the steps mentioned below as it considers appropriate for the promotion of the licensing objectives.

11.2 The steps outlined in section 52 (4) of the Licensing Act 2003 which can be considered are:

- (a) to modify the conditions of the licence;
- (b) to exclude a licensable activity from the scope of the licence;
- (c) to remove the designated premises supervisor;
- (d) to suspend the licence for a period not exceeding three months;
- (e) to revoke the licence;

11.3 In deciding whether to use the powers outlined above, the licensing authority is required, as far as possible, to seek to establish the cause or causes of the concerns which the representations identify. Any remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response.

11.4 Any detrimental financial impact that may result from the licensing authority's decision should be appropriate and proportionate to the promotion of the licensing objectives in the circumstances that gave rise to the application for the review.

AUTHOR

Kellie Trego – Senior Licensing Officer

APPENDICES

Appendix A – Copy of Review application

Appendix B – Copy of current Premises Licence

Appendix C – Plan of the premises

Appendix D – Email to remove Designated Premises Supervisor

Appendix E – Summary timeline regarding Premises Licence

Appendix F – Copy of representations from Trading Standards, Environmental Protection and local residents association.

BACKGROUND PAPERS

Licensing Act 2003 and associated Regulations.

Guidance to the Licensing Act issued under section 182 of the Licensing Act 2003.

North Somerset Council Statement of Licensing Policy (2021-2025)



Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

Please read the following instructions first

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in **black** ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Andrew John MANHIRE / Andrew JONES

(insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Freelove, 40-42 Boulevard,	
Post town Weston-Super-Mare	Post code (if known) BS23 1NF
Name of premises licence holder or club holding club premises certificate (if known) Mr Kerry KINITRI	
Number of premises licence or club premises certificate (if known) NSC/018939	

Part 2 - Applicant details

I am

Please tick yes

1) an interested party (please complete (A) or (B) below)	
a) a person living in the vicinity of the premises	
b) a body representing persons living in the vicinity of the premises	
c) a person involved in business in the vicinity of the premises	
d) a body representing persons involved in business in the vicinity of the premises	
2) a responsible authority (please complete (C) below)	X
3) a member of the club to which this application relates (please complete (A) below)	

(A) Details of individual applicant (fill in as applicable)

Please tick								
Mr		Mrs		Miss		Ms		Other title
(for example, Rev)								
Surname								
First names								
I am 18 years old or over please tick yes								
Current postal address if different from premises address								
Post town						Post Code		
Daytime contact telephone number								
E-mail address (optional)								

(B) Details of other applicant

Name and address
Telephone number (if any)
E-mail address (optional)

(C) Details of responsible authority applicant

Name and address Avon and Somerset Police, The Gateway, Filiers Way, Weston-Super-Mare, North Somerset. BS24 7JP.
Telephone number (if any) 07889656022
E-mail address (optional) Andy.Manhire@avonandsomerset.police.uk

This application to review relates to the following licensing objective(s)

	Please tick one or more boxes
1) the prevention of crime and disorder	<input checked="" type="checkbox"/>
2) public safety	<input checked="" type="checkbox"/>
3) the prevention of public nuisance	<input checked="" type="checkbox"/>
4) the protection of children from harm	<input checked="" type="checkbox"/>

Please provide as much information as possible to support the application (please read guidance note 2)

The Avon and Somerset Constabulary as a responsible authority wish to submit formal review proceedings relating to Freelove located at 40-42 The Boulevard, Weston-Super-Mare with the Premise License holder being Kerry KIMITR

The premise itself is located in a three-storey building with the licensed area being solely contained on the ground floor, with primarily a different business premise on the first floor believed also owned by the Kimitri family and residential accommodation on the top floor. Directly opposite this premise is Tivoli House a large block of flats containing 23 flats, the majority of which are occupied by retired persons.

The premise license was granted in July 2005 and a variation was applied for in June 2006 to extend the opening hours to, 1200-0330 on Sundays, 1000-0330 hours Monday through until Wednesday and 1000 to 0430 hours Thursday through until Saturday. Alcohol hours commence at the same time as the above opening hours but cease 30 minutes earlier than the closing times. These are the times currently on the Premise License.

Over the years the premise has been put to a variety of uses including a social club and strip club but is currently operating as a night club style operation.

The current operator is [REDACTED] who is believed to have taken over the running of the club in late 2020 although the Premise License remains with Kerry KIMITRI and initially when she took over, he was also the Designated Premise Supervisor.

Noise complaints re the venue started in November 2020 and issues were reported both to Council Environmental Team and the Police. By July 2021 due to repeated complaints particularly from the residents of Tivoli House a meeting was arranged for the 16th of July 2021 at which [REDACTED], Kerry KIMITRI, Caz HORTON NSC, Andrew JONES Police Licensing Officer and residents from Tivoli House were in attendance. At this meeting, the concerns of both the residents, Police and Council Licensing were discussed, and several additional measures were agreed to try to improve matters. (See attached notes of meeting).

Despite this complaint's to both the Council Environmental Protection team and Police continued. (See copy of letter from Tivoli House Residents Association).

Due to the continuing issues at the venue on the 22nd of November 2021 a further meeting was held at the premise involving Kelly TREGO NSC, Andrew MANHIRE Police Licensing Officer, [REDACTED], her manager [REDACTED] Kerry KIMITRI and his manager Nigel SNELL. Matters of concerns were discussed including the issue of 18th birthday party bookings as they were considered high risk with many licensed premises refusing such bookings because of this. It was explained that if they were to continue to hold such events robust procedures needed to be in place to manage them and therefore when an Action Plan was agreed one of the points included was for armbands to be used for such events (See attached Action Plan).

A further issue of real concern to Police were the fact that the now manager of the Licensed Premise [REDACTED] had an extensive Criminal Record including many alcohol related offences and a drug offence (A total of 27 convictions totalling 60 offences) in addition information had been received of concern in relation to her at the venue but due to her being present at the meeting it was not appropriate to raise this during the meeting. Therefore, on leaving these concerns were discussed with Kerry KIMITRI who was made fully aware of [REDACTED] background.

On the 2nd of December 2021, the Designated Premise Supervisor at the Premise was varied to [REDACTED] who when spoke to by Andrew MANHIRE informed him, he was

now the manager of the club. However, within a week the Designated Premise Supervisor was again varied this time to [REDACTED]

On the evening of Saturday 27th November 2021 Police and Council Licensing Officers were using the itemiser drug detection machine at Licensed Premises within Weston-Super-Mare town centre and at 2030 hours they were at Freeloove when [REDACTED] arrived. They swabbed her hands which showed positive readings for Cocaine and amphetamine, so PS HARPER searched her under Section 23 of the Misuse of Drugs Act. She was found in possession of a spliff and a small bag of green vegetable matter which she admitted was cannabis. She was given two chances of being dealt with by way of a drug education/caution, but she failed to comply, so the matter is currently still going through the court system. (See attached statement of PS 2119 HARPER)

The fact that the operator of the venue was found in possession of drugs clearly breaches condition 9 under The Prevention of Crime and Disorder License Objective on the premise license which says, "The premise shall operate a zero-tolerance policy in relation to drugs".

On Saturday 19th March 2022 a 33year old female reported to the police that she had been seriously sexually assaulted. She stated that she had drank 4 bottles of Budweiser at her home address, smoked a cannabis joint and taken her prescribed medication on the Friday night before going out into Freeloove where she consumed a further 3 Budweiser and an estimated 10 apple sour. She next remembers waking up in a shop doorway at 0800hours the following morning. Enquires located a witness who saw the woman leave the premises at about 0130 hours and states she was clearly the worse for wear and struggling to walk. A suspect was identified and arrested but despite extensive enquires the case had to be filed due to a lack of evidence.

At 2237 hours on Saturday the 19th of March 2022 an incident occurred at the premise involving [REDACTED] who punched a customer inside the premise and on-going outside was stabbed in the doorway. He received GBH level injuries to his arm but refused to cooperate with Police enquires but despite this a suspected was identified and arrested but due to lack of evidence was released without charge. Both [REDACTED] and the suspect have lengthy criminal records and it is strongly suspected that this offence was organised crime related.

At 2350 hours on Saturday 18th June 2022 a [REDACTED] who has a lengthy criminal record turned up at the venue wearing a stab proof vest and carrying a metal pole demanding money from the owner. He was heard to say, "Tell Gemma to pay my money or ill burn the place down and shoot it up with my AK47." He made off in a vehicle connected with another male member of an organised gang. He was subsequently arrested and charged with Section 4 of The Public Order Act and Possession of Class A drugs, namely cocaine under The Misuse of Drugs Act which he pleaded guilty to at court. The officer in the case has recorded on the Police crime recording system that [REDACTED] was unhelpful and refused to make a statement. This incident is again strongly believed to related to organised crime.

On Monday 1st August 2022 due to the on-going issues PS HARPER, Andrew MANHIRE Police Licensing and Kelly TREGO met with [REDACTED] at the venue to discuss staff issues, the reputation of the venue and general management of the venue. (See 2nd statement by PS HARPER).

During the early hours of Sunday 18th September 2022, a 59-year-old female was in the venue when she was sexually assaulted by touching by a male, when she left, she was followed by the offender who dragged her into Grove Park where she was further sexually assaulted before making good her escape. Despite the serious nature of the incident police had issues obtaining the CCTV and it was only when the officer threatened to seize the

CCTV system that the required CCTV was produced by [REDACTED] Despite extensive enquires the offender has not been identified.

On the evening of Friday 7th October 2022, the venue hosted a 18th birthday party booked by [REDACTED] for her daughter [REDACTED]. The party was booked with [REDACTED] and at the booking stage it was made clear to her that it was for a 18th birthday party, and they required exclusive use of the club which was agreed. A list of the invited guests was requested by [REDACTED], and she informed [REDACTED] that an armband system would be in place on the night to identify those under and those over 18 attending.

To assist the venue the list provided by [REDACTED] identified those under 18 years of age attending. About 50 guests were invited with in the region of 15-20 of them being under 18yrs of age, these figures not including the very young.

On arrival [REDACTED] was surprised that no armbands were handed out to identify those over 18yrs from those under 18 years of age, in addition random members of the public not on her invited list were allowed into the venue. This therefore means that the Premise was not complying with condition 1 under The Protection of children from harm objective on the Premise License which states, "No person under the age of 18 shall be admitted or allowed to remain on the premise except when attending a pre-booked private function".

It was immediately apparent to [REDACTED] that when they started serving at the bar no age-related checks were being carried out and that under 16-year-old daughter [REDACTED] was served with an alcoholic apple sour drink and as seen a recording of this and confirm her daughter in question is the female in a pink top.

She has also been informed that on the night of the party one of her guests went into the ladies' toilets only to find [REDACTED] having sex with one of the SIA doorstaff. (See statement of [REDACTED]).

Conner BIRCH was one of the invited guests and gave [REDACTED] a £10 note which she used to go to the bar, and he took a recording of her on his phone of her being served alcohol with no sign of any age-related check being carried out. (See recording on disc). Not only proving an offence of serving underage but also of a breach of condition 2 under the Protection of children from harm Licensing Objective on the Premise License which states, "All staff shall be trained and regularly refreshed in age challenge procedures e.g. Think 25 Policy. Staff shall be trained to look at the customer and Think 25 when selling alcohol to members of the public".

In addition, he also states that he saw [REDACTED] with a tray of shots which she handed out to persons on the dance floor several of whom he believed to be under 18 years of age. He raised his concerns with [REDACTED] but found her to be dismissive in her response.

His 2-year-old daughter was also in attendance, and he was concerned that he was told by another guest that she was nearly knocked over by a male friend/employee of [REDACTED].

He was so concerned with the way the venue was being run and the issues that he witnessed that soon after leaving the venue he contacted the Police to report the matter. (See statement of [REDACTED]).

On Friday 14th October 2022 a further meeting was held at Freelove involving [REDACTED] Nigel SNELL on behalf of the Premise License Holder Kerry KIMITRI who was out of the Country, Caz HORTON NSC and Andrew MANHIRE Police Licensing Officer. The events of the previous Friday the 7th of October were discussed and in effect the above outlined issues were denied by [REDACTED]. She was asked to provide the names of her staff working on the night which she did, and she was then asked to provide

the training records for her staff which she did. On checking these records, they were found to be incomplete and not all the staff on duty were shown as receiving age related training. When asked about the issue with no armbands being used to identify those under 18 years of age from those over 18 years of age, she stated that she had stopped using them because the under 18s just cut them off. At this it was pointed out to her that the simple solution to this was therefore to issue the over 18s with the arm bands and then no one without an armband could be served alcohol.

She continued to deny anyone underage being served alcohol and insisted that age related checks were being carried out on the night. She also denied giving out any shorts stating that if she did, she would not be making any money. There was also a denial in relation to the allegation of the incident in the ladies' toilets.

In order to verify which accounts were correct Andrew Manhire requested a download of the two cameras covering the main bar, the camera covering the VIP bar and the camera showing the entrance to the ladies' toilets for the night in question which [REDACTED] agreed to do.

A memory stick was collected from [REDACTED] on Tuesday 18th October 2022 which [REDACTED] indicated contained a download of the 4 cameras requested, but on checking it was established that it only contained recordings of one of the two cameras covering the main bar.

This has been viewed twice by Andrew MANHIRE once in company with Caz HORTON NSC and once with Kellie TREGO from NSC and despite numerous customers purchasing alcohol many of whom were clearly under 25 years of age, there was no evidence of a single age-related check being carried out during the entire footage of approximately 3 hours. This footage therefore proves repeated and multi breaches of the Premises challenge 25 condition on the Premise License.

Following the failure to provide all the required CCTV downloads both [REDACTED] and Kerry KIMITRI as the Premise License holder has been contacted requesting the download of the 3 further cameras, but none was forthcoming. This is a further breach of the Premise License conditions as the CCTV condition states, "Recordings shall be maintained for a period of 28 days, and hand to the Police or the Licensing authority for evidential purposes on request"

On the evening of Friday the 14th October 2022 at 2331 hours a check of the premise was carried out by PC 3429 RICHARDSON and whilst there were no serious issues identified it is worthy of note that it is recorded on the attached Operation Adjudicate Police Licensed Premise Visit sheet that the Night net radio was not with the SIA doorstaff but was at the time on charge clearly another example of poor management of the premise which can have a negative impact on the Licensing Objectives.

Following consultation with Police Licensing on the evening of Friday 4th November 2022 the Premise License Holder Kerry KIMITRI notified North Somerset Council Liquor Licensing and the Police that he was removing [REDACTED] as the Designated Premise Supervisor and at that time not applying to put a replacement Designated Premises Supervisor in place, which currently remains in place. This therefore means that no alcohol can be sold under the Premise License.

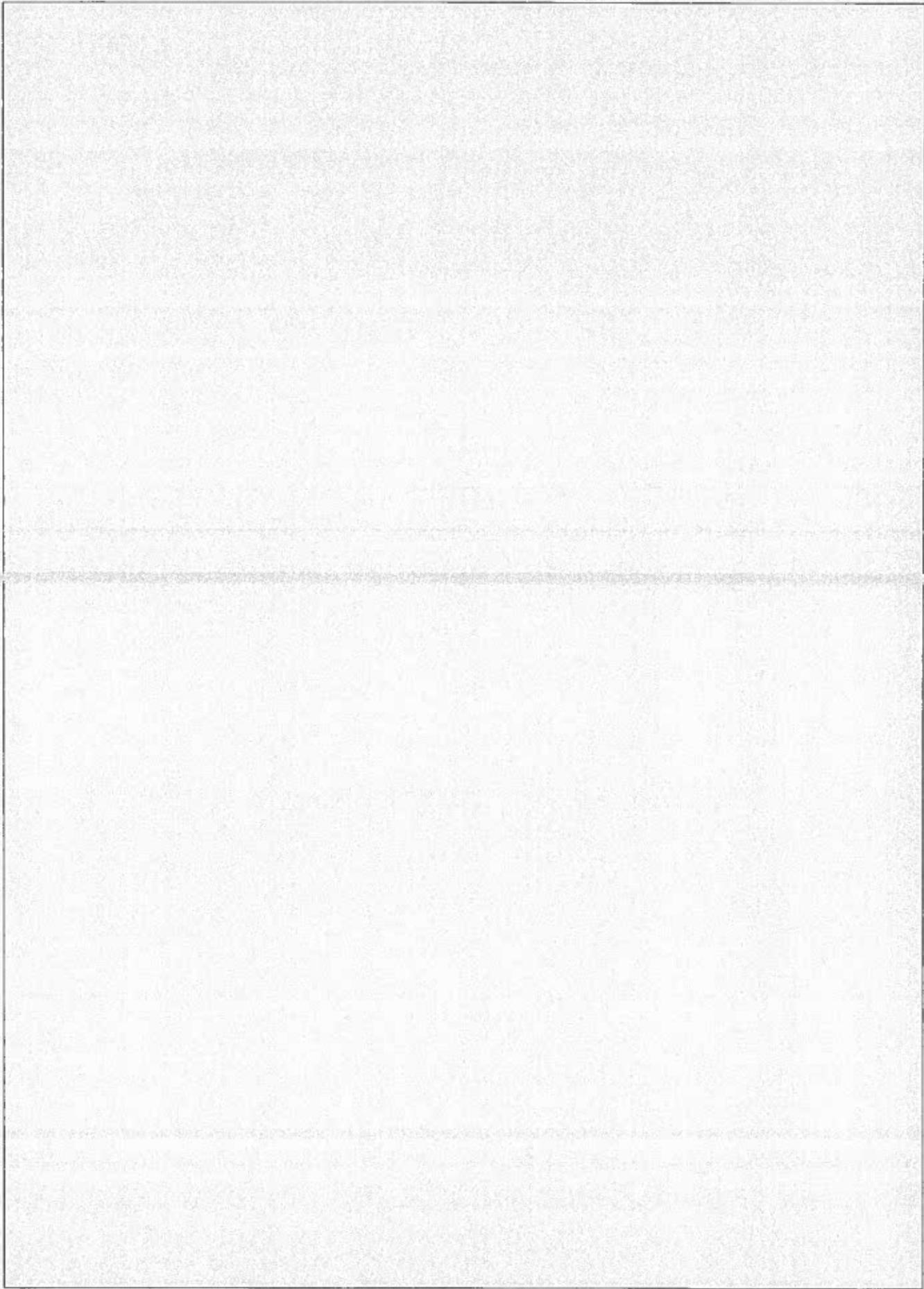
At approx. 2245 hours on Saturday 19th November 2022 Police and Council Licensing Officer visited the premise as part of a joint district wide night-time economy operation across licensed premises involving use of the Itemiser drug detection machine. At this time [REDACTED] was hosting a private party at the venue and it was confirmed that no alcohol was being sold. Both the ladies and men's toilets were tested and returned high readings for cocaine. Music was being played including being piped through to a outside speaker which was quite loud for the time [REDACTED] was therefore

requested to turn down/off the outside speaker which she was happy to oblige with. (See statement PC PHIPPEN).

The Police ask the Licensing Committee to consider revocation of the Premise License, if they decide against this option, the Police request that the termination hour of Licensed activities is reduced to 2am on Thursday, Friday and Saturday night and midnight for the rest of the week.

In addition, they requested that they consider opposing the following amended/new conditions.

1. Condition 10 under The Prevention of Crime and Disorder objective to be replaced with, No entry or re-entry except persons permitted outside for the sole purpose of smoking for anyone two hours prior to the termination hour or at midnight whichever is the earliest time.
2. Personal License Holder to be on the Premise on Thursday, Friday, and Saturday night from 9pm to close.
3. Condition 1 under The Protection of children from harm to be replaced with no one under the age of 18 permitted.
4. [REDACTED] to be prohibited from the Premise during Licensable Hours.
5. A maximum of 10 persons to be allowed outside the premise after midnight for the sole purpose of smoking who will be supervised by SIA staff and identified by use of a hand stamp.
6. All SIA doorstaff to be equipped with body worn cameras which are to be used whenever they place hands on or witness any incident of concern. Recordings to be retained for a minimum of 28 days and to be produced to Police or Local Authority Officers for evidential purposes on request.
7. To be members of Pubwatch if a scheme exists and comply with the ban list.
8. Training records for all staff in relation to legislation covering sales of alcohol with reference to appropriate measures to prevent sales to minors and drunken persons to be maintained for a minimum of 1 year and produced to Police or Local Authority Officers on request.
9. Prominent noise notices to be displayed at all entrances/exit and in the outside smoking area reminding customers to consider local residents when outside the premises or leaving the premise.
10. The Premise will be members on the Night Net scheme if one exists and when open will ensure that the radio is always monitored by SIA doorstaff if on duty otherwise by a responsible member of staff.
11. No open drink vessels to be taken outside.
12. No outside speakers.
13. The premise will maintain a refusal register either via a computerised till system or in a Bound Book. Records shall be maintained for a minimum of 12 months and produced to Police or Local Authority Licensing Officers on request.



Have you made an application for review relating to this premises before

Please tick yes

NO

If yes, please state the date of that application

Day Month Year

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If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

It is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003 to make a false statement in or in connection with this application

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature

.....

Date 05/12/2022

Capacity

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

COPY TO: SUNE
WENDY
JAMES & KATE

CLUB FREELove, 40 42, Boulevard, Weston-super-Mare, BS23 1NF

Meeting Held on Friday, 16th July 2021 at 10.30 am

Present: Kerry Kimitri, Licence Holder
[REDACTED], Manager
Carl Smallwood, North Somerset Environmental Health
Caz Horton, Licensing Officer, North Somerset Council
Andy Jones, Police Licensing Officers
[REDACTED], Acting Chairman, Tivoli House Residents' Association
[REDACTED], Secretary
[REDACTED], Resident, Tivoli House

The meeting commenced with Caz Horton reporting that Covid rules had been broken. The proof was a video posted on social media of people dancing and singing on 7th July. [REDACTED] tried to explain she had stayed within the rules and that it was a test event. However, Caz said the proof was online. [REDACTED] said the Police had visited on occasions. They seemed not to have been aware of the new Club, so she had showed them round and they left, so she thought all was good.

Caz said the licence was still in the name of Tabu, so FreeloVe should be registered. She asked if it was a bar or a nightclub? If a nightclub, it should not have been open! [REDACTED] said they were an "Entertainment Space"

It was made clear we were only there to discuss complaints of outside noise on Friday, 9th and Saturday, 10th July, 2021, and not the historic problems we have had with Tabu. I was asked to run the video on my phone which demonstrated the noise level and I also showed the photo of groups of people congregated on the pavement. We highlighted that this was probably with reduced numbers and that, after Covid rules are lifted on 19th July, it was likely the noise would get worse, especially with the Student Nights being advertised.

[REDACTED] pointed out that this is a Conservation Area with mainly residential properties and daytime businesses. Caz confirmed the premises have a long-standing licence (it was originally the United Services' Club) and the licence allows the club to open on a Mon, Tues, Wed, Thur & Sun till 3.00am, and 4.00am on Fri & Sat! [REDACTED] said she did not intend to open till those hours, probably generally until 2.00 am. She also denied she was advertising 'Open all hours and outside space', both of which I had seen on Instagram. (N.B. Although not said at the time, on reflection, how are we expected to know the terms of their licence and what their hours are when even the Police and Council were unaware of the existence of Club FreeloVe?)

We were told the licence does have strict conditions. If these are broken and, if the Club does not work with the Council to improve matters, it can be revoked, however, this is generally a very long way down the road. As a last resort, Tivoli House can request the licence be reviewed by the Council's Licensing Committee, which is open for public comment.

Carl Smallwood confirmed that one of the conditions was that both sets of doors must remain closed, except for ingress and egress.

[REDACTED] reported she had seen a member of staff/security going to his car in the premises next door around 2.00am and relieving himself against the wall before driving away. We were told this was a Police matter as it was classed as unsociable behaviour.

Kimitri asked [REDACTED] who her security company was - he didn't seem to know much about what she was doing! It was agreed that the biggest problem is outside noise and he acknowledged [REDACTED] had broken the Covid rules. He said he thought she was naive, but "she will make a good manager." (To us she has plenty of enthusiasm, but not much common sense/experience).

P.T.O.

He said he will obviously have discussions with [REDACTED] as soon as possible to remedy any problems, as he does not want to lose his licence.

Kimitri confirmed there were several things they will do:-

1. Keep both doors closed.
2. Allow only 6 people outside smoking at any one time – notices to be displayed.
3. No drinks allowed outside – notices to be displayed.
4. Increase security presence – there should be 1 security guard for every 100 attendees. The club holds 420 so the Council would expect 5 doormen on duty when full and would require complete security guard sign-in records to be kept. They use clickers to count people in and out.

However, Kimitri did say that after the Covid situation people expect to be outside. We were surprised to learn that the Club does not have air conditioning. Carl Smallwood said this is something that Kimitri should look into. We said that, if people have to go outside for air/ventilation, the premises do not appear to be fit for purpose.

We highlighted they are advertising 'Biggest, craziest, bounciest dance anthems – start your bank holiday with a bang, foam parties, students' nights'. I said they seem to be bringing Ibiza type club into the Boulevard and, having psyched up the young people, I asked how they would then calm them down to quieten them on departure? Kimitri said it was historically licensed premises, so we should have known this when we bought our properties and there is bound to be noise on occasions. (*See footnote) We pointed out that it has only since Tabu and Freelove opened that we have had any problems.

Caz confirmed that they must be on the club alert system and that a Police presence at closing time will ease the noise situation and move people on quicker.

Having accepted Kimitri's proposals to improve the situation, we thanked everyone for their time and confirmed we will continue to monitor the situation.

The meeting wound up with Caz and Andy Jones having further conversations with [REDACTED]

P. 2

RECEIVED

24 OCT 2022

MH

TIVOLI HOUSE RESIDENTS ASSOCIATION LIMITED

Registered in England and Wales - Company No. 01674503

Tivoli House, Boulevard, Weston super Mare, BS23 1PD

Email: tivolihousewsm@gmail.com

- Cllr Mark Canniford
Cllr. James Crockford-Hawley
Cllr. Raymond Armstrong

10th October, 2022

SUBJECT: CLUB FREELOVE -40-42, BOULEVARD, WESTON SUPER-MARE

We are writing to you, as our local Councillors, asking for your assistance in the matter of the continuing noise, disturbance and general anti-social behaviour caused by the above club.

There has been some sort of social club in this venue for several years, originally The United Services club, which had very strict rules in place to prevent any disturbances to local people and a closing time of around 10.00 pm.

However, none of these seem to apply to the current club – and we have no idea as to how their licence has not been revoked, due to the uncontrolled behaviour of many of their customers as well as the illegal fire doors.

We have tried to be good neighbours and give respect for someone who is wishing to run a 'business', have had meetings, made private approaches, – but all to no avail. We do not know how to go forward.

Tivoli House is a block of 23 two-bedroom flats and two three bedroom opposite this club. We have approximately forty people living here. Most of our flat owners are of retirement age. During this past summer and the previous one, many have had their sleep seriously disturbed on several nights each week, unable to leave their own windows open, even on the hottest of weather, due to these disturbances which are often continuing until about 3.00 in the morning.

In July 2021 we attended a meeting with the owner of the property, and the lady who is renting it to run this FreeLove nightclub, and Carl Smallwood (Environmental officer), along with the Police and Licencing Officer. At that meeting, we were given all sorts of firm undertakings regarding the running of the club and control of noise. None have been kept to. We are attaching our notes taken at that meeting. A copy of these was sent to Mr Smallwood. These notes are for your eyes only. We never received any official minutes of that meeting, although requested them on several occasions.

As a building with multi-occupancy, we have to keep to increasingly stringent laws and rules to ensure the safety of all our flat owners, particularly with regard to fires. We have to ensure that fire exit doors are appropriate. So, we fail to understand that this club, which can have up to four hundred people attending does not have to obey similar rules. Their

main fire doors' at the front of the building do not open OUTWARDS, but Inwards. Surely, this is illegal!!! There is no sort of air conditioning system installed in this club.

In order to 'get round' these problems the club keeps these doors wide open all the time the club operates, which means that the noise inside (and considerable noise from their music and customers), is not – in any way – contained. At that meeting we were assured that external doors would be kept closed AT ALL TIMES, and a doorkeeper/security person stationed there to ensure that happened, as well as controlling the number of people and their activities in the very small outside area directly in front of the club.

We cannot keep count of the number of times that the police seem to have had to attend this club, quite often with several vehicles and officers. Attendees at this club are often running up and down along the Boulevard during the night time, well into the early hours of the morning, shouting, drinking, falling over, and worse!!

We find it difficult to comprehend that Boulevard is not considered a residential area. As well as our own block of flats, there is another one a few yards up the road to this club, where the old hospital used to be, and just beyond that – in the site of the old library another block of residential flats. Also, many of the upper stories of the shops and businesses along Boulevard are used as residential accommodation.

We cannot understand why no action is take against this club for breaching both fire safety laws, or noise and nuisance control. One of our flat owners, was being made so ill from lack of sleep that they were forced to move away, and another is considering the same action.

We really would like to see proper action taken to ensure the safety of the customers of this business, and to control the nuisance they are causing.

We would be most grateful of any assistance or suggestions you can make on our behalf, including how we go about opposing the continuing of the licence for this club.

Any suggestions and advice would be very gratefully received by our Association.

Yours sincerely,




Hon Secretary TIVOLI HOUSE RESIDENTS ASSOCIATION LTD

Cc Mr Carl Smallwood (Environmental Officer)

ATTACHED : Notes of meeting held 3rd July 2021

**Traffic Lights - Licensed Premises Action Plan
North Somerset Licensing Team
Avon & Somerset Police**

Name of Premises: Club FreeLove

Address of Premises: 40-42 Boulevard, Weston-Super-Mare.
BS23 1NF

Name of DPS: Mr Kerry Kimitri

Name(s) of Premises licence holder(s): Mr Kerry Kimitri

Details of incidents/enforcement activity necessitating remedial action:

Avon & Somerset Police have concerns that there is evidence that the premise is being managed poorly with regards to the sale of alcohol and anti-social behaviour.

It is felt that the Licensing Objectives are not being supported within the Cumulative Impact Area.

Numerous noise complaints have also been received by North Somerset Council's Environmental Protection Team regarding the premises and customers behaviour.

In addition to the conditions attached to the existing Premises Licence, Avon & Somerset Police and North Somerset Council have highlighted concerns to Mr Kimitri and request the implementation of the following additional measures:

1. The enclosed balcony area to the front of the premises shall only be used for customers wishing to smoke, and whilst the premise is open to the public.
2. No more than 10 people shall be permitted in the balcony area at the front at any one time.
3. Alcoholic and non-alcoholic drinks shall not be permitted outside.

4. Prominent, clear and legible notices shall be displayed at the front exit requesting patrons to respect the needs of local residents and to leave the premises quietly.
5. Police and Licensing Authority shall be informed a minimum of 7 days in advance of any events where any Under 18's are in attendance.
6. All alcohol shall be removed from view during any Under 18's event.
7. Age related checks shall be undertaken as a condition of entry and bar staff shall also check customers at the point of sale.
8. A clear system such as wrist bands shall be implemented to identify age verified customers at any event permitting Under 18's where alcohol is on sale.
9. A written register of Refusals on grounds of age or sobriety shall be kept including the date, time and description of the people who have been refused service. This shall be produced to the police or authorised Officer the Local Authority on demand.
10. All staff shall be made familiar with the terms of the licence, any conditions, this action plan, and their responsibility to promote the licensing objectives. Also, staff shall be given refresher training in their responsibility not to serve customers who they believe to be drunk.
11. When the DPS/Licence Holder is not working there shall be a competent manager/supervisor to oversee the management of the premises. This person should be a point of contact for the Police and/or Licensing Authority in their absence.
12. CCTV system shall be upgraded to include the front entrance/exit, outside smoking area and rear fire door. In addition, it shall record continuously for 31 days and be made available to Police and/or Licensing Officers upon request.
13. SIA door staff employed at the premises shall use the knife wand and carry out regular searches as a condition of entry.
15. Staff shall undertake regular checks of any toilet facilities to discourage illegal activity. Any drugs/weapons found shall be handed to the Police at the earliest opportunity.
16. Police and/or Licensing Officers shall be permitted to use the drug itemiser at the premises to check customers, staff and surfaces when requested.
17. The rear fire exit shall not be used for entry and egress and shall only be used in the event of an emergency.

Date of implementation: 22nd November 2021

Review Date: 22nd January 2022

The North Somerset Licensing Authority and Avon and Somerset Police have completed the above action list with the licence holder.

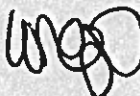
The aim of this document is to prevent the necessity of furthermore formal enforcement action, to seek co-operation between the licensees and the venue with the relevant authorities, to rectify the outlined problems through mediation and cooperation.

Signed:

Andrew Manhire
Avon & Somerset Police

AS Manhire

Date: 22/11/21

Signed: 

Kellie Trego
North Somerset Council

Date: 22/11/21

Signed:

Premises Licence Holder
Mr Kerry Kimitri



Date:

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Occurrence No: 5221279494

URN:

Statement of: GEMMA HARPER

Age if under 18 Over 18

Occupation: Sergeant

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

E-Signature: #2119 HARPER, G.

Date: 29/10/2022 01:56

Tick if witness evidence is visually recorded (supply witness details on rear)

I am Police Sergeant 2119 HARPER of the Avon and Somerset Constabulary and I am currently stationed at Weston-super-Mare (WSM) town hall.

On Saturday 27th November 2021 I was in full uniform and working a night time economy foot patrol shift from 1700-0300hrs. My team of officers were using the itemiser machine at licensed premises which tests if illegal substances are present on people's hands or surfaces in a venue. At 2030hrs we were outside FREELOVE, BOULEVARD, WSM where all the staff were tested using the machine. The manager of the venue [REDACTED] arrived at the location and had her hands swabbed. The machine returned a positive reading of cocaine and amphetamine so I informed [REDACTED] that she would be searched under Section 23 Misuse of Drugs Act.

I searched [REDACTED] and inside her left hand coat pocket I found a packet of cigarettes that smelt of cannabis when I opened them there was a 'spliff' inside it. [REDACTED] then reached into the same pocket and pulled out a small bag of green vegetable matter and handed it to me. I present these as exhibit 2119GH1.

As [REDACTED] had no previous convictions for drugs possession I wanted to complete the Drugs Education Programme (DEP) with her which is an out of court disposal. I completed the relevant forms with her where she told me the items found on her were cannabis and they were hers. I present the DEP form as exhibit 2119GH2.

The search was captured on my body worn video camera and I present the footage as 2119GH3.

WITNESS STATEMENT**Criminal Procedure Rules, r 16. 2; Criminal Justice Act 1967, s. 9**URN

Statement of: PS 2119 HARPER

Age if 18 or under: Over 18 *see overleaf (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of 2 page(s) each signed by me is true to the best of my knowledge and belief and make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Victim / Witness signature: GHarper

Date: 18/11/22

I am Police Sergeant 2119 HARPER of the Avon and Somerset Police and I am currently stationed at Weston-super-Mare (WSM) Town Hall. I am the Neighbourhood Sergeant for Weston town centre and Ashcombe. As part of my role I am responsible for identifying areas that cause demand on the police service and problem solving them with my team. A large part of the work of my team is to ensure the safety of the night time economy, looking at ways of reducing serious violence, drug offences and working with my Licensing colleagues in the police and North Somerset Council (NSC) to ensure licensed premises are run well. If we identify issues at a licensed premise we try to work with the venue to put plans in place to alleviate concerns from the police and Council.

CLUB FREELOVE is a licensed premise on the BOULEVARD, WSM. Since August 2021 there have been concerns about how FREELOVE is managed. [REDACTED] is the manager of the venue. The police have received numerous reports of drug dealing at the location and concerns about under 18s going into the licensed premise when they should not have been allowed access.

On 22nd November 2021 FREELOVE was placed on an action plan by Police and NSC Licensing. This was to address the management of the premise especially around noise and concerns for underage alcohol sales.

Signature GHarper

Signature Witnessed By

Page Number

of

Pages

Witness Name: PS 2119 HARPER

URN

On 27th November 2021 my team conducted an operation at the club using the itemiser which can detect different drugs on a persons hand or a surface. Every member of staff and door staff were tested and the majority were found to have traces of drugs on their hands. [REDACTED] the manager, tested positive for drugs on her hands and when searched was found with a cannabis cigarette and small bag of cannabis in her coat pocket. That matter will be going to court as [REDACTED] failed to complete the out of court disposals offered to her on more than one occasion.

On 1st August 2022 I attended FREELOVE to speak to [REDACTED] in company with Police and NSC Licensing to discuss with [REDACTED] the concerns I had about who she was employing at the location and how it was run. During the discussions I did not mention any particular names to [REDACTED] but she was listing the people she has employed over the time she has been in charge at the venue. She confirmed that the majority of the people were unsuitable, and she was aware that some had links to drugs and should not be working in a licensed premise due to other concerns she had about them. She was employing these people as managers, door staff, bar staff and 'adult entertainers'. She stated she did not have a process that she used to employ people and she would employ people as she felt sorry for them and she hoped she could 'change' them and wanted to be a positive influence on others. She agreed this was not the best way to run her venue.

Signature GHarper

Signature Witnessed By

Page Number

2

of

2

Pages

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: [REDACTED]

Age if 18 or under: *see overleaf (if over 18 insert 'over 18') Occupation:

This statement (consisting of 3 page(s) each signed by me is true to the best of my knowledge and belief and make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Victim / Witness signature: [REDACTED]

Date:

3/11/22

I am [REDACTED] and live at the address overleaf.

I am the mother of 3 children the oldest being my 18 year old daughter [REDACTED], the second oldest being my 16 year old daughter [REDACTED]. I also have a 7 year old [REDACTED].

[REDACTED] 18th birthday was on the 3rd October 2022. I therefore booked a 18th Birthday party for her at Freelove in Weston-Super-Mare for Friday 7th October 2022. The person I dealt with at the venue was a [REDACTED] who told me it was her premise I made it clear to her that it was for a 18th birthday party and during a further meeting with her she indicated they would be using armbands to identify those over and under 18 years of age. At her request so that it could be exclusive for our party I provided her with a list of guests which indicated which guests

Signature: [REDACTED]

Signature Witnessed By

A. Markin

Continuation of Statement of: [REDACTED]

were under 18 years of age.

On the night when people arrived no one was given any armband to identify between the ages. I was extremely disappointed with the overall why the venue was on arrival with random people wondering around still setting up, mainly for an event the following night.

There were about 50 guests on my list with the majority turning up. Of these guests I would estimate between 15-20 were under 18 years of age, this does not include the very young.

When they started serving at the bar it immediately became apparent that no age related checks were being carried out. I am aware of a video being taken of my 16yr old daughter [REDACTED] being served at the bar with soups and lemonade. She asked for a single but was actually served with a double, and at the end the barman even topped up the glass with soups. At no time was she asked to confirm her age. [REDACTED] was aware that she was [REDACTED] younger sister.

I am also aware that during the night other persons under 18 were served with

Signature: [REDACTED]

Signature Witnessed by

As Mark:

Continuation of Statement of: [REDACTED]

alcohol. My niece who attended the party has also told another family member who told me that she actually went into the ladies toilet and found [REDACTED] having sex with one of the doormen.

Despite me looking exclusive use of the venue when I was outside, because there was no doorman covering the door 3 random members of the public were allowed in and went to the bar. I immediately challenged this with [REDACTED] and the bar staff and they left. In addition to this a female plus a separate male who were not on my guest list were allowed into the venue, and again I challenged this.

Due to my concerns alone with my guests concerns we all left the venue by 11pm. One incident of real concern was that [REDACTED] best mate [REDACTED] who was suppose to be helping out would have knocked over a girl guest not yet 2 years of age, unless my brother managed to grab [REDACTED] to prevent him falling onto the child.

Signature [REDACTED]

Signature Witnessed by

As Munkie

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: [REDACTED]

Age if 18 or under: *see overleaf (if over 18 insert 'over 18') Occupation:

This statement (consisting of 1 page(s) each signed by me is true to the best of my knowledge and belief and make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Victim / Witness signature: [REDACTED]

Date: 8th November 2022

I am [REDACTED] and live at the address overleaf.

On the evening of Friday 7th October 2022 I attended the 18th birthday party of my friend's daughter [REDACTED] [REDACTED] which was held at Freelove in the Boulevard, Weston-Super-Mare.

Due to it being a 18th birthday party I was aware that there were a number of persons under the age of 18 in attendance including [REDACTED] 16yr old sister [REDACTED]. During the evening I witnessed [REDACTED] going up to the bar with a £10 note which I gave her to purchase a drink, despite her age. I could not see her being asked for any identification and she was served what I believe to be a short mixer. I took a film of this incident in which [REDACTED] is the individual in a pink top.

I also saw [REDACTED] during the

Signature [REDACTED]

Signature Witnessed By: AS Manhin

Page 36

Continuation of Statement of: [REDACTED]

evening handing out a tray of shots to persons on the dance floor several of whom I believed to be under 16 years of age.

I was that concerned that I informed [REDACTED] of the fact that under 18s were being served, and I along with everyone else actual left the venue very early. I had previously raised the issue with [REDACTED] but she was dismissive in her response and clearly didn't want to listen.

I was also concerned as I was informed that my young daughter who is not yet quite 2 years of age was nearly knocked down by a male friend/employee of [REDACTED].

I was so concerned about the way the venue was being run that I later reported it via the phone to the Police.

[REDACTED]

Signature

Signature Witnessed by

A. Mahira



**OPERATION ADJUDICATE
POLICE LICENSED PREMISES VISIT**

Premises: FREELOVE

Person in charge/interviewed:

- 1 Time and Date of visit: 2881 14/10/2022.
- 2 Is Part B Displayed?
- 3 How many customers on premises? 1
- 4 Name and D.O.B. of SIA staff on duty:

Name	DOB	SIA number	Badge displayed?
XXXXXXXXXX	<u>03/12/1958</u>	XXXXXXXXXX	<u>Yes</u>
XXXXXXXXXX		XXXX	
XXXXXXXXXX	<u>25/09/1979</u>	XXXXXXXXXX	<u>Yes</u>
		XXXX	

- 5 Is the SIA register completed correctly?
Yes
- 6 Are SIA badges displayed correctly?
Yes
- 7 Is the Night Net radio in the possession of the Door staff and working?
Checked at the moment per w/ doorstaff.
- 8 Check the CCTV system is working correctly.
Working in order.
- 9 Check incident book is up to date.
Yes up to date
- 10 Check fire exits are not obstructed i.e. clear and unlocked.
One post obstructing main door. This was moved at our request.

11 Any concerns re music and noise levels?

no.

12 Any further information regarding tasking's/intelligence or concerns:

no

13 Does the venue have a knife wand ~~Yes~~/No

14 Was it in use at time of check ~~Yes~~/No

Signed:

[Handwritten signature]
3424
255

Rank: 3424

No: PC

Date: 19/10/2022

PNB entry should refer to all licensing visits but consider this sheet as your original notes to avoid duplication unless you consider it necessary.

WITNESS STATEMENT

Criminal Procedure Rules, r 16. 2; Criminal Justice Act 1967, s. 9

URN

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Statement of Jonathan PHIPPEN

Age if under 18 Over 18 (if over insert 'over 18') Occupation Police Constable

This statement (consisting of 1 page(s), each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature 

Date 01/12/22

Tick if witness evidence is visually recorded (supply witness details on rear)

I am Police Constable 3892 Jonathan PHIPPEN of the Avon and Somerset Constabulary and I am currently stationed at Weston-Super-Mare Police station.

On Friday 18th November 2022 I was in full uniform when at 22.30 hours I attended Club Freelove on the Boulevard in company with licensing officers from North Somerset Council. The venue is situated opposite a residential flat area.

On arrival at the location there was a large group of people gathered outside smoking, I could also see a speaker outside on the smoking area playing loud music into the street.

I spoke to the owner a [REDACTED] who informed me the group of people where part of a dry bar and were celebrating ten years of sobriety from drugs and or alcohol.

Whilst at the location we used drug itemiser drug traps of the male and female toilets using specialist traps, these traps were placed into the drug itemiser machine the results showed that both male and female toilets both showed high readings for cocaine.

Signature:

Signature witnessed by:

2010/11

OFFICIAL-SENSITIVE (when completed)

Premises Licence

Part A

Premises licence number

NSC/018939	Issue date: 19 July 2006
------------	--------------------------

Postal address of premises, or if none, ordnance survey map reference or description:

Club Freelove
40-42 Boulevard

Post town: Weston-super-Mare
Post code: BS23 1NF
Telephone number: 01934 647883
Where the licence is time limited the dates

None

Licensable activities authorised by the licence

Live Music
Recorded Music
Performance of Dance
Anything of a similar description

Provision of facilities for making music
Provision of facilities for dancing
Entertainment facilities of a similar nature
Late Night Refreshment
Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:

Live music	This activity is permitted: Indoors		
	From	To	Seasonal Variation
Day			Non standard timings
Monday	10:00hrs	03:00hrs*	None From end of permitted hours on New Years Eve to start of permitted hours on New Years Day
Tuesday	10:00hrs	03:00hrs*	
Wednesday	10:00hrs	03:00hrs*	
Thursday	10:00hrs	04:00hrs*	
Friday	10:00hrs	04:00hrs*	
Saturday	10:00hrs	04:00hrs*	
Sunday	12:00hrs	03:00hrs*	
<i>* The following day</i>			

Recorded music			This activity is permitted: Indoors	
			Seasonal Variation	Non standard timings
Day	From	To	None	From end of permitted hours on New Years Eve to start of permitted hours on New Years Day
Monday	10:00hrs	03:00hrs*		
Tuesday	10:00hrs	03:00hrs*		
Wednesday	10:00hrs	03:00hrs*		
Thursday	10:00hrs	04:00hrs*		
Friday	10:00hrs	04:00hrs*		
Saturday	10:00hrs	04:00hrs*		
Sunday	12:00hrs	03:00hrs*		
<i>* The following day</i>				

Performance of dance			This activity is permitted: Indoors	
			Seasonal Variation	Non standard timings
Day	From	To	None	From end of permitted hours on New Years Eve to start of permitted hours on New Years Day
Monday	10:00hrs	03:00hrs*		
Tuesday	10:00hrs	03:00hrs*		
Wednesday	10:00hrs	03:00hrs*		
Thursday	10:00hrs	04:00hrs*		
Friday	10:00hrs	04:00hrs*		
Saturday	10:00hrs	04:00hrs*		
Sunday	12:00hrs	03:00hrs*		
<i>* The following day</i>				

Anything similar to live music, recorded music or performance of dance			This activity is permitted: Indoors	
			Seasonal Variation	Non standard timings
Day	From	To	None	From end of permitted hours on New Years Eve to start of permitted hours on New Years Day
Monday	10:00hrs	03:00hrs*		
Tuesday	10:00hrs	03:00hrs*		
Wednesday	10:00hrs	03:00hrs*		
Thursday	10:00hrs	04:00hrs*		
Friday	10:00hrs	04:00hrs*		
Saturday	10:00hrs	04:00hrs*		
Sunday	12:00hrs	03:00hrs*		
<i>* The following day</i>				

Provision of facilities for making music			This activity is permitted: Indoors	
			Seasonal Variation	Non standard timings
Day	From	To	None	From end of permitted hours on New Years Eve to start of permitted hours on New Years Day
Monday	10:00hrs	03:00hrs*		
Tuesday	10:00hrs	03:00hrs*		
Wednesday	10:00hrs	03:00hrs*		
Thursday	10:00hrs	04:00hrs*		
Friday	10:00hrs	04:00hrs*		
Saturday	10:00hrs	04:00hrs*		
Sunday	12:00hrs	03:00hrs*		
<i>* The following day</i>				

Provision of facilities for dancing			This activity is permitted: Indoors	
			Seasonal Variation	Non standard timings
Day	From	To	None	From end of permitted hours on New Years Eve to start of permitted hours on New Years Day
Monday	10:00hrs	03:00hrs*		
Tuesday	10:00hrs	03:00hrs*		
Wednesday	10:00hrs	03:00hrs*		
Thursday	10:00hrs	04:00hrs*		
Friday	10:00hrs	04:00hrs*		
Saturday	10:00hrs	04:00hrs*		
Sunday	12:00hrs	03:00hrs*		
<i>* The following day</i>				

Provision of facilities for anything similar to live music, recorded music or performance of dance			This activity is permitted: Indoors	
			Seasonal Variation	Non standard timings
Day	From	To	None	From end of permitted hours on New Years Eve to start of permitted hours on New Years Day
Monday	10:00hrs	03:00hrs*		
Tuesday	10:00hrs	03:00hrs*		
Wednesday	10:00hrs	03:00hrs*		
Thursday	10:00hrs	04:00hrs*		
Friday	10:00hrs	04:00hrs*		
Saturday	10:00hrs	04:00hrs*		
Sunday	12:00hrs	03:00hrs*		
<i>* The following day</i>				

Late Night Refreshment			This activity is permitted: Indoors and Outdoors	
			Seasonal Variation	Non standard timings
Day	From	To	None	From end of permitted hours on New Years Eve to start of permitted hours on New Years Day
Monday	23:00hrs	03:00hrs*		
Tuesday	23:00hrs	03:00hrs*		
Wednesday	23:00hrs	03:00hrs*		
Thursday	23:00hrs	04:00hrs*		
Friday	23:00hrs	04:00hrs*		
Saturday	23:00hrs	04:00hrs*		
Sunday	23:00hrs	03:00hrs*		
* The following day				

Supply of Alcohol			Seasonal Variation	Non standard timings
Day	From	To	None	From end of permitted hours on New Years Eve to start of permitted hours on New Years Day
Monday	10:00hrs	03:00hrs*		
Tuesday	10:00hrs	03:00hrs*		
Wednesday	10:00hrs	03:00hrs*		
Thursday	10:00hrs	04:00hrs*		
Friday	10:00hrs	04:00hrs*		
Saturday	10:00hrs	04:00hrs*		
Sunday	12:00hrs	03:00hrs*		
* The following day				
The supply of alcohol is authorised for consumption: On and Off the premises				

The opening hours of the premises			Seasonal Variation	Non standard timings
Day	From	To	None	From end of permitted hours on New Years Eve to start of permitted hours on New Years Day
Monday	10:00hrs	03:30hrs*		
Tuesday	10:00hrs	03:30hrs*		
Wednesday	10:00hrs	03:30hrs*		
Thursday	10:00hrs	04:30hrs*		
Friday	10:00hrs	04:30hrs*		
Saturday	10:00hrs	04:30hrs*		
Sunday	12:00hrs	03:30hrs*		
* The following day				

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Name: Mr Kerry Kimitri

Address: 50 Manor Road, Weston-Super-Mare, BS23 2SU

Telephone Number: 01934 644466

E-mail:

Registered number of holder, for example company number, charity number (where applicable):

Not Applicable

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Name: Ms Gemma Nickels

Address: 162 Mendip Road, Yatton, BS49 4ET

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Number: NSC/059230

Issuing Authority: North Somerset Council

Annex 1 – Mandatory Conditions

1. (1) No supply of alcohol may be made under this premises licence:-
 - (i) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (ii) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (2) Every supply of alcohol under this premises licence must be made or authorised by a person who holds a personal licence.
2. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries significant risk of undermining a licensing objective.
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
3. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried out in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
- a) a holographic mark, or
 - b) an ultra violet feature.
6. The responsible person must ensure that–
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures–
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - c) where a customer does not in relation to a sale of alcohol, specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
7. Where films are shown, children shall only be admitted to film showings in accordance with the British Board of Film Classification (or equivalent regulatory body) requirements.
8. Where individuals are required by this licence to carry out a security activity at a specified time or more, they must be:
- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (b) be entitled to carry out that activity by virtue of section 4 of that Act.
9. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
10. For the purposes of the condition set out in paragraph 9:
- a) “duty is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - b) “permitted price” is the price found by applying the formula -

$$P = D + (D \times V)$$

- Where
- i) **P** is the permitted price
 - ii) **D** is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the

value added tax were charged on the date of the sale or supply of the alcohol;

c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence –

- i) the holder of the premises licence,
- ii) the designated premises supervisor (if any) in respect of such a licence, or
- iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence,

d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

11. Where the permitted price given by paragraph (b) of paragraph 10 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

12. 1) Sub paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 10 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day

Annex 2 – Conditions consistent with the operating Schedule

2.1 General

None

2.2 The Prevention of Crime and Disorder

1. CCTV shall be installed to the satisfaction of the Police and Licensing Authority and maintained in good working order. All cameras shall record continuously during trading hours and for one hour afterwards. The time and date shall be displayed on the recordings. Recordings shall be maintained for a period of 28 days, and handed to the Police or the Licensing Authority for evidential purposes on request. If the CCTV equipment fails the Police and Licensing Authority must be informed as soon as possible and immediate steps shall be taken to put the equipment back into action. A notice shall be displayed at the entrance to the premise advising that CCTV is in operation.
2. On Thursday, Friday and Saturday nights there shall be a minimum of two SIA Door supervisors on duty from 21:00hrs until the premises close.
3. Door supervisors shall be provided at ratio of 1 door supervisor per 100 persons or part thereof (inclusive of customers, staff and entertainers) present on the premises.
4. SIA registered door supervisors shall be provided at the immediate request of the Police or Licensing Authority when deemed necessary to secure the licensing objectives under the Licensing Act 2003.
5. All door supervisors provided in accordance with this licence shall carry a proof of SIA registration, display the correct SIA identification badge and wear clothing clearly identifiable by CCTV.
6. Door supervisors shall maintain a continuous and accurate record of the number of persons within the premises by means of clickers.
7. The Licensee shall maintain a register kept solely for this purpose showing the full name, SIA badge number, time on duty and time off duty of each Door Personnel member. This register shall be retained for 12 months and made available for inspection by the Police or Licensing Authority.
8. The Licensee shall maintain an incident book in which all incidents of crime and disorder and any ejections by door supervisors shall be recorded. The incident book shall be completed on a daily basis regardless of whether any incidents have taken place. The incident book shall be retained on completion for 12 months and shall be made available to the Police and Licensing Authority
9. The premises shall operate a zero tolerance policy in relation to drugs.
10. When the premises are operating after midnight there shall be no entry or re-entry to the premises in the two hours prior to the closure of the premises.

2.3 Public Safety

1. Alcoholic and non-alcoholic drinks shall be served in either plastic or toughened safety glasses at all times.

2.4 The Prevention of Public Nuisance

1. Double door lobby entrances to the premises shall be constructed so as to minimise the breakout of noise. Both sets of doors shall remain closed except to allow for access or egress.
2. Music levels shall be set by the management not the DJ and shall be controlled by the management from equipment installed behind the bar.
3. Whilst live or recorded music is being played, external patrols shall be carried out by staff to monitor noise levels in the street and take appropriate action to lower the volume of the music as necessary. Records of patrols and action taken shall be maintained and made available to officers of the council.

2.5 The Protection of children from harm

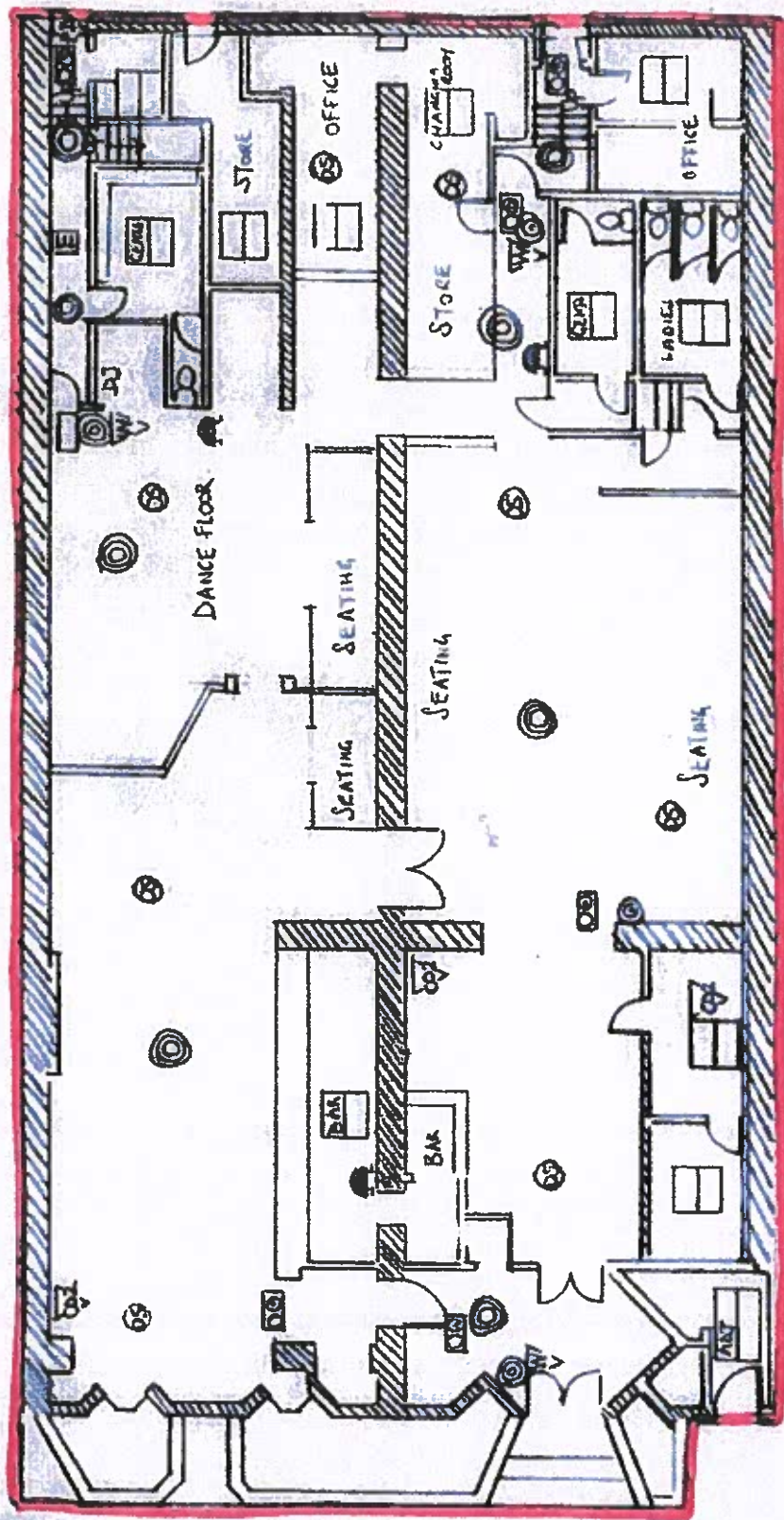
1. No persons under the age of 18 shall be admitted or allowed to remain on the premises except when attending a pre-booked private function.
2. All staff shall be trained and regularly refreshed in age challenge procedures e.g 'Think 25' Policy. Staff shall be trained to look at the customer and 'Think 25' when selling alcohol to members of the public.
3. The premises shall display signage around the premises informing both staff and customers of any age challenge policies on the sale of alcohol.
4. Any person who appears to be under 25 years shall be required to show a recognised means of identification which includes a photographic image as proof of age.

**Annex 3 – Conditions attached after a hearing by the
licensing authority**

None.

Annex 4 – Plans

Original plans with the Licensing Section, North Somerset Council, Town Hall,
Walliscote Grove Road, Weston-super-Mare, North Somerset, BS23 IUJ



- ⊙ Emergency Lighting Point
- 🔔 Fire Alarm Sounder
- EXIT Illuminated Sign (EXIT)
- ☒ Smoke Detector
- ⊙ Fire Alarm Actuating Point
- ☒ Extinguisher

MR. K. KHITZI
 CLUB TABBY
 40/41 COLLEGE ROAD

LICENSING
 PLAN
 DATE
 1/100

Kellie Trego

From: KERRY KIMITRI · kknook@aol.com ·
Sent: 04 November 2022 19:13
To: Andy Manhire, Kellie Trego, [REDACTED], Nigel snell
Subject: Removing DPS · club free love

[You don't often get email from kknook@aol.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Andy

Please except this email as confirmation that I would like to remove the DPS immediately.

Many thanks for your assistance

Kind regards
Kerry

Sent from my iPhone

27 July 2005 – Licence applied and granted

20 June 2006 – Variation application received and granted for extension to licensing hours (to existing hours)

14 November 2008 – Application transferred to Kerry Kimitri

3 November 2010 – Meeting arranged with Kerry Kimitri following concerns over incidents of crime and disorder plus fire safety issues.

16 June 2011 – Variation application received to remove old style Public Entertainment Conditions and add new Operating Schedule.

29 February 2012 – Minor variation received to remove condition relating to there being no persons under the age of 21 allowed on the premises.

2 March 2012 – Police and Kerry Kimitri agreed to remove condition as above but add additional conditions regarding under 18's only attending private pre-booked functions and 'Think 25'.

13 March 2012 – Objection to minor variation received from residents of Tivoli House who had concerns the removal of conditions could result in additional noise nuisance. It was agreed to restart the consultation period in order to consult with Environmental Protection.

16 March 2012 – After consultation with Environmental Protection, an additional noise condition was agreed to regularly patrol the neighbouring area whilst regulated entertainment was in progress to minimise noise disruption.

28 March 2012 – Variation application approved and premises licence granted in its current format.

28 February 2013 – Police and Licensing visit during routine patrols. Noted that the rear fire escapes were bottled and difficult to access due to equipment from live band.

15 January 2020 – Letter sent to Kerry Kimitri by Environmental Protection following noise complaints received. Asked to ensure doors remained closed and patrols undertaken whilst entertainment in progress.

9 September 2020 – Noise complaint received from resident of Tivoli House and passed on to Environmental Protection.

17 September 2020 – Follow up information provided to above complainant regarding concerns COVID-19 guidance was not being followed since reopening allowed after 4 July 2020.

16 November 2020 – Noise complaint sent to Environmental Protection

17 June 2021 – Information provided to Cllr Crockford-Hawley after complaints from residents of Tivoli House directly to him. Advised the licence had been in place since 2005/6 with late night hours. Advised that residents need to report noise complaints

via the correct channel i.e. direct to Environmental Protection who have suitably trained staff to assess.

3 July 2021 – Visit to premises with Police and Licensing. Spoke to [REDACTED] who advised she had communicated with Tivoli House and encouraged them to approach her if issues noted with noise.

16 July 2021 - Meeting with Andy Jones (Police), Caz Horton (Licensing), Carl Smallwood (Environmental Protection), Kerry Kimitri, [REDACTED] and residents of Tivoli House

10 August 2021 – Email of concern received from resident of Tivoli House about the large number of recent Police visits to premises. Caz Horton investigated and advised that Police attended to investigate a crime on 7 August (no further action) and a burglary reported there on 26th August 2021. All other visits have been during routine patrols.

9 September 2020 – Noise complaint received from resident of Tivoli House

18 September 2021 – Complaint from Tivoli House to Environmental Protection

25 September 2021 – Complaint from Tivoli House to Environmental Protection

26 September 2021 – Complaint from Tivoli House to Environmental Protection

27 September 2021 – Complaint from Tivoli House to Environmental Protection

29 September 2021 – Complaint re noise sent to PCSO Nick Gough from resident of Tivoli House

22 October 2021 – Complaint to Environmental Protection about noise in early hours

23 October 2021 – Complaint to Environmental Protection of groups outside venue

24 October 2021 – 3x noise complaints to Environmental Protection about noise from premises.

30 October 2021 – Police and Licensing visit. Large number of smokers outside the premises with no control over the number of people at one time. Noise volume noted as excessive and words of advice given to [REDACTED] to resolve. Fire concerns noted as fire escape obstructed with stock so agreed to contact Avon Fire to report.

2 November 2021 – Information passed to Avon Fire regarding concerns over fire exits being blocked and doors opening inwards.

11 November 2021 – Issues reported with CCTV following break-in that was reported in August. Police followed up and CCTV provided. Issue resolved.

22 November 2021 – Premises put on Action Plan with issues to follow up. Meeting held with Kerry Kimitri, Nigel Snell and [REDACTED]. Agreed to implement additional checks with a view of alleviating concerns regarding noise/illicit activity and a review of the Action Plan to be held in January.

23 November 2021 – Anonymous complaint received that premises is serving underage children. Arranged visit for weekend.

25 November 2021 – Update from Avon Fire to advise a fire audit has been requested as numerous issues with fire safety. Prohibition notice issued for premises to be used for sleeping as insufficient smoke protection/separation in place between the ground and first floor.

25 November 2021 – Copy of minutes from meeting between Kerry Kimitri and [REDACTED] received following issued Action Plan.

27 November 2021 – Police and Licensing visit. A few minor issues with paperwork but no noise issues reported.

December 2021 – Police tasked to visit every weekend in December to check for noise issues and report any concerns that premises were not following Action Plan. No issues reported.

2 December 2021 – Change of DPS to [REDACTED]

8 December 2021 – Contact from [REDACTED] to request information on how their staff can safely undertake drug searches to promote the licensing objectives

18 December 2021 – Police and Licensing visit – no issues

15 January 2022 – Police and Licensing visit – no issues

17 January 2022 – Email from Steve Mathieson (Avon Fire). Advised that currently there are 3 sets of doors - main doors, internal lobby doors and the doors from the larger entrance lobby into the bar/club. Agreed that the main entrance doors to be kept open (as they open inwards) but the other two remaining doors to be kept shut during opening hours. This does not breach fire regulations nor their licence conditions.

26 January 2022 – Email from Carl Smallwood to advise that no recent noise complaints received.

26 January 2022 – Premises taken off formal Action Plan following no recent complaints and no issues noted.

4 February 2022 – Change of DPS to [REDACTED]

15 February 2022 – Fire Audit received from Nick Stratton (Avon Fire). His meeting was with [REDACTED], Nigel Snell (on behalf of Kerry Kimitri) and Andy Franklin (T9 Fire consultant). The majority of outstanding actions had been completed with a few ongoing actions.

12 March 2022 – Visit by Police to check noise levels but less than 10 customers on site and no noise could be heard outside.

19 March 2022 – Email complaining about noise to PSCO Nick Gough. Premises had been visited the previous weekend by PC Jon Phippen who noted only a handful

of customers and no excessive noise. Suggested it could be coming from Proud Bar (further up Boulevard) but not confirmed as hadn't witnessed it from Tivoli House.

1 August 2022 – Visit to premises with Police and Licensing during the day. Met with [REDACTED] to discuss CCTV, staff employed and the reputation of the club.

1 October 2022 – Visit to premises by Police and Licensing – no issues noted.

14 October 2022 – Visit to premises with Nigel Snell and [REDACTED] following concerns raised over Under 18's parties. Investigations ongoing.

2 November 2022 – Email received from Kerry Kimitri to advise tenant evicted from premises.

2 November 2022 – Email sent to Kerry Kimitri to ask for further information on eviction and advised that Police investigating allegation on underage sales.

2 November 2022 – Email received from Nigel Snell to advise that building has been secured so [REDACTED] would not have access to CCTV to assist with underage allegation.

7 November 2022 – Removal of DPS received from Kerry Kimitri during evening of 4 November following advice from Andy Manhire.

8 November 2022 – Request to call [REDACTED] who wanted to advise she felt she had been illegally evicted.

8 November 2022 – Email sent to Kerry Kimitri to confirm DPS removed and no current DPS in sale to authorise the sale of alcohol so offences would be committed if alcohol sold.

11 November 2022 – Approach from [REDACTED] requesting information on how to apply for own premises licence. Advised that she will reopen for carnival night but not offer alcohol and will look to apply in the future.

18 November 2022 – Police and Licensing visit during routine enforcement exercise. [REDACTED] hosting a private party with no alcohol noted for sale. Music being played inside and outside via speaker. Drug swabs taken of both male and female toilets with traces of cocaine being noted in both.

21 November 2022 – Email sent to Kerry Kimitri with details of above visit.

23 November 2022 – Telephone call to Kerry Kimitri upon his request. He advised that [REDACTED] did not have permission to use the licence and was breaking in to access the building. Advised to seek legal advice regarding a possible court order/bailiff action and followed up in email.

23 November 2022 – Email sent to [REDACTED] to confirm above and that she did not have permission to use premises licence.

28 November 2022 – Email received from [REDACTED] requesting we arrange a meeting to try to resolve issue with Kerry Kimitri. Advised that we would not be able to facilitate but would be happy to attend any meeting at Kerry Kimitri's request.

1 November 2022 – Further request from [REDACTED] for advice on how to apply for own licence at the premises. Advised to contact Police (Andy Manhire) as they have indicated they are likely to object.

5 November 2022 – Review papers received from Avon & Somerset Police



**Licensing Act 2003
Representation in respect of a review of a Premises Licence or Club Premise
Certificate**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Representations must be made to the Licensing Authority in writing. You are not obliged to use this form to make a representation and you may make a representation by letter if you wish.

Before completing this form please read the guidance notes on page 4.

If you are completing this form by hand please write legibly inside the boxes in black ink and stay within the box provided.

Once completed please send your application to **North Somerset Council, Licensing Team, Town Hall, Walliscote Grove Road, Weston-super-Mare, BS23 1UJ**. You may wish to keep a copy of the completed form for your records.

I Jay Capel hereby make representations in respect of the application for the review of the Premises Licence or Club Premises Certificate, made by:
Andrew John Manhire & Andrew Jones of the Avon and Somerset Constabulary.

Part 1 - Premises or Club details

Name and postal address of premises or club premises, if any, or if none ordinance survey map reference or description. Club Freeloze Limited 40 – 42 The Boulevard	
Post town: Weston-Super-Mare	Post code: BS23 1NF

Part 2 – Details of person making representations

I am

Please tick ✓

1) an interested party

a) a person living in the vicinity of the premises

b) a body representing persons living in the vicinity of the premises

c) a person involved in business in the vicinity of the premises

d) a body representing persons involved in business in the vicinity of the premises.

2) a responsible authority

3) a member of the club to which this application relates

(A) Representors Details (fill in as applicable) (please read guidance note 1)

Mr Mrs Miss Ms Other title

(for example, Rev)

Surname: Capel

First names: Irene Esther Jay

Are you over 18?

Yes

No

Current address:

Post town:

Post code:

Contact phone number (working hours)
07385515092

E-mail address (optional)
Jay.capel@n-somerset.gov.uk

(B) Details of Body Making Representation

Name and address:

Telephone Number:

(C) Details of Responsible Authorities Making Representations

Name and address:
Trading Standards Service
North Somerset District Council
GC28 Ground Floor
Castlewood
Tickenham Road
Clevedon
Somerset
BS21 6FW

Telephone Number: 01275 888802

This representation relates to the following licensing objective(s) - please read guidance note 2)

Please tick one or more boxes ✓

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

If your representation does not relate to one of the above objectives your representation will be invalid.

Please state the ground(s) for the representation and how it relates to one of the licensing objectives. Please provide as much information as possible to support the application, (Guidance Note 3). Continue on separate numbered sheets if required.

Please see attached statement and additional attachment.

- I understand that this representation will be put before a Licensing Sub-Committee and if the decision of that Sub-Committee is appealed against, a hearing at the magistrate's Court. Please tick

- I understand that this representation may become a public document, that a full copy will be sent to the applicant and that it will be scrutinised by members of the Licensing Sub-Committee. Please tick



IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO KNOWINGLY OR RECKLESSLY MAKE A FALSE STATEMENT IN CONNECTION WITH THIS REPRESENTATION. THIS IS PUNISABLE, ON CONVICTION, BY A FINE OF UP TO £5,000.

Part 5 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent. (please read guidance note 5)

If signing on behalf of the applicant please state in what capacity.

Signature: 

Date: 08 December 2022

Capacity Principal Trading Standards Officer

Contact name (where not previously given) and address for correspondence associated with this application. (please read guidance note 5)

Post town:	Post code:
------------	------------

All representations must be made by sending this form to the Licensing Team, Warne Road Depot, Warne Road, Weston-super-Mare, Somerset BS23 3ND to arrive during the period of 28 consecutive days stipulated in the Public Notices posted at the Council Offices and at the premises subject to the request for a Review.

Representations received outside this time limit will be deemed to be invalid

Notes for Guidance

1. This is the address which we shall use to correspond with you about this application.
2. The ground(s) for review must be based on one or more of the 4 licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed by the person making the representation.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

Statement of witness

(Criminal Procedure Rules, r 16.2, Criminal Justice Act 1967, s.9)

Statement of IRENE ESTHER JAY CAPEL

Age of Witness over 18


This statement consisting of two pages is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

1 My name is Irene **CAPEL** and I am known as Jay **CAPEL**. I am employed by the
2 North Somerset District Council as a part of the Public Health and Regulatory Services
3 as a Principal Trading Standards Officer. I have 22 years' experience in Trading
4 Standards enforcement, including being the Lead Officer for age-restricted products
5 which incorporates licensing issues. I am a duly authorised officer for the purposes of
6 the Consumer Protection Act 1987.

7 On 11 October 2022, the North Somerset District Council Trading Standards Service
8 received a referral from The Citizens Advice Bureau (CAB) that contained an
9 allegation that youngsters under the age of eighteen were given "shots" by the "trader"
10 during an eighteenth party held at Club FreeLove, 40 – 42 The Boulevard, Weston-
11 Super-Mare, Somerset, BS23 1NF. The main part of the CAB notification was from
12 the parent of the youngsters whose party it was because they were seeking advice
13 about claiming a refund from the business. CAB advised the consumer appropriately.
14 The information had been passed to this Service because of the allegations that
15 alcohol had been given to persons under the age of eighteen.

16 On the back of these allegations an advice letter, dated 14 October 2022, was sent to
17 Mr. Kerry **KIMITRI**. This letter gave general advice about preventing underage sales

18 of alcohol and the Trading Standards recommended "challenge 25" age-verification
19 policy. It also recommended that they subscribe to the "No Proof of Age No Sale"
20 (NPOANS) toolkit. (Please see attached copy of this letter). By way of explanation
21 the NPOANS Toolkit is prepared and administered by Trading Standards South West
22 (TSSW), which is a local authority partnership collaboration to ensure regional best
23 practice with regards to preventing the sale of age-restricted products such as alcohol.
24 The toolkit is an interactive online training package tailored to the individual
25 businesses needs and subscribers get access to individual staff training packages,
26 regularly updated guidance leaflets and examples of refusal registers and posters. As
27 a part of this partnership, this Service will pay for a business's first year subscription
28 to the toolkit free of charge. This was the case in October 2022, when the letter was
29 sent to Mr. **KIMITRI**, and it was strongly recommended that he subscribe. To date this
30 Service has not been contacted by Mr. **KIMITRI**, or a representative of the business,
31 to take up this offer. According to TSSW records they have not subscribed
32 independently either.

33 Signed: 
34 Date: 08 December 2022.

Date: 14 October 2022
My ref: JAC/152476
Your ref:
Contact: Jay Capel
Direct dial: 07385515092
Email: jay.capel@n-somerset.gov.uk



Mr. Kerry Kimitri
Club FreeLove
40-42 The Boulevard
Weston-Super-Mare
Somerset
BS23 1NF

Trading Standards Service
North Somerset Council
Town Hall
Weston-super-Mare
BS23 1UJ

DX 8411 Weston-super-Mare

Dear Mr. Kimitri,

The Licensing Act 2003

Every year the North Somerset District Council Trading Standards Service provides advice and guidance to a variety of businesses throughout the North Somerset area. This advice can be given during a trading standard's visit or because of a consumer complaint or trade enquiry.

This Service has been contacted because allegations that "shots" were recently sold to individuals under the age of 18. Therefore, I would like to take this opportunity to advise you of your obligations under the Licensing Act 2003 appertaining to "the protection of children from harm" objective.

The legislation sets objectives relating to protecting children who are underage from such things as early exposure to adult entertainment, violence, gambling and the sale of age -restricted products and local authorities are responsible for the enforcement of legislation relating to the sale of alcohol.

Since 2010 the Licensing Act states that licensed premises should have in place an age verification policy. This is a mandatory condition and should assist in the prevention of underage sales. Guidance on these conditions can be found on:

<https://www.gov.uk/government/publications/age-verification-policy-example>

The standard age-verification policy is for businesses to adopt either a "Challenge 21" or "Challenge 25" policy which means youngsters who appear to be under the age of 21 or 25 are asked to produce proof-of-age identification bearing their photograph, date of birth and/or a PASS holographic mark. **The North Somerset Trading Standards Service strongly recommends a "Challenge 25" policy.** This age-verification policy would also be relevant for the sale of tobacco and any other age-restricted products that may be sold from your premises.

I would also like to take this opportunity to advise you that this service and the Police may conduct test purchasing operations using underage volunteers and should alcohol be sold to one of these volunteers' legal proceedings may be considered.

Please note that despite the actual seller being responsible for any sales the premises license holder and/or the owner of the business also has a responsibility to make sure that anyone selling

alcohol on their behalf complies with the law. The owner can be liable for any sales that take place – whether they were present or not.

Any person, whether they are the owners of the business or the person selling the alcohol, may be found guilty in the Magistrates courts of an offence and this could result in a fine of up to £5,000 for alcohol. Likewise, if alcohol is sold the license to sell alcohol could also be revoked, personal licenses can be suspended or forfeited on a first offence. Fines increase to £20,000 for persistently selling alcohol to children.

However, the Act does provide a defence against prosecution if it can be demonstrated that all due diligence has been exercised to prevent underage sales. In terms of such a system of due diligence, this service strongly recommends the following steps:

Where the person's age is not KNOWN then proof-of-age identification should be asked for and if none is forthcoming the sale, or in this instance entry to the premises, is refused. I would also recommend that if a sale, or entry to the premises, is refused by an employee or another member of staff this decision should be supported by and backed by the management.

As already stated, the service recommends a “**Challenge 25**” policy and information and posters appertaining to this policy can be found on:

<https://resources.drinkaware.co.uk/>

&

<http://www.wsta.co.uk/challenge-25>

Another reasonable step that can be taken is to ensure that anyone selling age restricted products are able to carry out this instruction, bearing in mind their age and confidence. For best effect training should be put in writing to them and signed for, so that you have a record of it. Training should be regularly refreshed. Setting up and regular monitoring of a refusal log will demonstrate whether everyone is confident in asking for proof-of-age. It is advised that you regularly review your procedures and ensure that they are effectively implemented to avoid illegal sales. Further information about refusals registers and training can be found on the links below:

<https://www.businesscompanion.info/en/quick-guides/underage-sales/alcohol>

<https://www.businesscompanion.info/en/quick-guides/underage-sales>

We also recommend the use of the No Proof of Age No Sale Toolkit prepared by Trading Standards South West (TSSW), a partnership of local authority trading standards services working together to ensure regional best practice in underage sales work. I strongly recommend that you subscribe to this toolkit, which for a limited time, North Somerset Trading Standards will pay for a one-year subscription free of charge depending on the size of your business. Details can be found at:

<https://www.proofforage.org.uk/>

I hope this information was helpful but, in the meantime, please do not hesitate to contact me should you require any further information.

Whilst the advice in this letter is given in good faith you should be aware that ultimately it is only the courts that can give an authoritative ruling on the law.

Yours faithfully

Jay Capel

Principal Trading Standards Officer

**Licensing Act 2003
Representation in respect of a review of a Premises Licence or Club Premise
Certificate**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Representations must be made to the Licensing Authority in writing. You are not obliged to use this form to make a representation and you may make a representation by letter if you wish.

Before completing this form please read the guidance notes on page 4.

If you are completing this form by hand please write legibly inside the boxes in black ink and stay within the box provided.

Once completed please send your application to **North Somerset Council, Licensing Team, Town Hall, Walliscote Grove Road, Weston-super-Mare, BS23 1UJ**. You may wish to keep a copy of the completed form for your records.

I Carl James Smallwood.....
hereby make representations in respect of the application for the review of the Premises Licence or Club Premises Certificate, made by:

North Somerset Council, Environmental Protection Team

Part 1 - Premises or Club details

Name and postal address of premises or club premises, if any, or if none ordinance survey map reference or description.	
Club Freelove 40-42 Boulevard	
Post town: Weston-super-Mare	Post code: BS23 1NF

Part 2 – Details of person making representations

I am

Please tick ✓

1) an interested party

- a) a person living in the vicinity of the premises
- b) a body representing persons living in the vicinity of the premises
- c) a person involved in business in the vicinity of the premises
- d) a body representing persons involved in business in the vicinity of the premises.

2) a responsible authority

3) a member of the club to which this application relates

(A) Representors Details (fill in as applicable) (please read guidance note 1)

Mr Mrs Miss Ms Other title

(for example, Rev)

Surname:

First names:

Are you over 18?

Yes

No

Current address:

Post town:

Post code:

Contact phone number (working hours)

E-mail address (optional)

(B) Details of Body Making Representation

Name and address:

Telephone Number:

(C) Details of Responsible Authorities Making Representations

Name and address:

Environmental Protection

North Somerset Council

Town Hall

Walliscote Grove Road

Weston-super-Mare

BS23 1UJ

Telephone Number: - 01275 884135

This representation relates to the following licensing objective(s) - please read guidance note 2)

Please tick one or more boxes ✓

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

If your representation does not relate to one of the above objectives your representation will be invalid.

Please state the ground(s) for the representation and how it relates to one of the licensing objectives. Please provide as much information as possible to support the application, (Guidance Note 3). Continue on separate numbered sheets if required.

North Somerset Council's Environmental Protection team supports the request made by Avon and Somerset Constabulary for a review of the premises licence of Club Freelove.

The holder of the premises licence is Kerry Kimitri and the current operator of the venue is [REDACTED]

At the start of July 2021 this department started to receive noise complaints against the premises from residents living at Tivoli House, Boulevard. This building is located on the opposite side of the road, almost directly opposite Club Freelove. The complaints made by the residents were due to the levels of noise generated from customers gathering at the front of venue whilst the premises was open and when leaving the venue in the early hours.

Due to further noise complaints received by residents of Tivoli House and concerns raised by the Police a multi-agency visit was made to the premises on the 16th July 2021. The meeting was attended by Kerry Kimitri, [REDACTED] and representatives from Tivoli House residents association. During the meeting the issue of noise from patrons outside the premises and leaving the premise was highlighted.

On the 22nd November 2021 a written action plan was placed on the premises holder.

On the 24th October 2022 I received a copy of a letter from Tivoli House residents association stating that there was continuing noise and disturbance from the premises.

The last noise complaint received by this department from a resident at Tivoli House was made on 27th November 2021. Copies of complaints made from the residents and emails received are provided as evidence.

The Environmental Protection department recommends additional conditions are required on the licence which are appropriate to support of the Prevention of Public Nuisance objective contained within the Licensing Act 2003. These new recommended conditions are.

1. No more than 10 people shall be permitted outside after 23:00hrs for the sole purpose of smoking.
2. Prominent, clear and legible notices shall be displayed at the front exit requesting patrons to respect the needs of local residents and to leave the

premises quietly

3. A noise limiter shall be fitted at the written request of the North Somerset Council Environmental Protection Team.
4. The placing of empty bottles into receptacles outside the premises shall only to be permitted during the following times: 09:00 to 21:00
5. No outside speakers
6. No open drink vessels to be taken outside

This department also asks that the termination hour of licensable activities is reduced to 2am on Thursday, Friday and Saturday night and midnight for the rest of the week.

- I understand that this representation will be put before a Licensing Sub-Committee and if the decision of that Sub-Committee is appealed against, a hearing at the magistrate's Court. Please tick



- I understand that this representation may become a public document, that a full copy will be sent to the applicant and that it will be scrutinised by members of the Licensing Sub-Committee. Please tick

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO KNOWINGLY OR RECKLESSLY MAKE A FALSE STATEMENT IN CONNECTION WITH THIS REPRESENTATION. THIS IS PUNISABLE, ON CONVICTION, BY A FINE OF UP TO £5,000.

Part 5 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent. (please read guidance note 5)

If signing on behalf of the applicant please state in what capacity.

Signature 

Date 14/12/2022

Capacity

Contact name (where not previously given) and address for correspondence associated with this application. (please read guidance note 5)

Post town:	Post code:
------------	------------

All representations must be made by sending this form to the Licensing Team, Town Hall, Walliscote Grove Road, Weston super Mare, BS23 1UJ to arrive during the period of 28 consecutive days stipulated in the Public Notices posted at the Council Offices and at the premises subject to the request for a Review.

Representations received outside this time limit will be deemed to be invalid

Notes for Guidance

1. This is the address which we shall use to correspond with you about this application.
2. The ground(s) for review must be based on one or more of the 4 licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed by the person making the representation.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.



ENVIRONMENTAL & CONSUMER SERVICES

SERVICE REQUEST COMPLAINT FORM

Service request ref number:

370383

Complaint Date –16 July 2021

Time of Complaint-

Inv Officer - Carl Smallwood.

Details of Complaint:

Noise from patrons outside the premises

Premises being complained about:

Club Free Love
40-42 Boulevard
Weston-Super-Mare
BS23 1NF

Complainant details:

[REDACTED]
Tivoli House
Boulevard
Weston-Super-Mare
BS23 1PD
[REDACTED]

Case Notes

Date	Action Taken	Officer



ENVIRONMENTAL & CONSUMER SERVICES

SERVICE REQUEST COMPLAINT FORM

Service request ref number:

Complaint Date -18 September 2021

372553

Time of Complaint-

Inv Officer - Carl Smallwood.

Details of Complaint:

Noise from patrons outside - See Flare 370383

Premises being complained about:

Freelove
40-42 Boulevard
Weston-Super-Mare
BS23 1NF

Complainant details:

[REDACTED]
Tivoli House
Boulevard
Weston-Super-Mare
BS23 1PD
[REDACTED]

Case Notes

Date	Action Taken	Officer



ENVIRONMENTAL & CONSUMER SERVICES

SERVICE REQUEST COMPLAINT FORM

Service request ref number:

372788

Complaint Date -25 September 2021

Time of Complaint-

Inv Officer - Carl Smallwood.

Details of Complaint:

Noise from customers outside -

Premises being complained about:

Club Tabu
40-42 Boulevard
Weston-Super-Mare
BS23 1NF

Complainant details:

[REDACTED]
Tivoli House
Boulevard
Weston-Super-Mare
BS23 1PD
[REDACTED]

Case Notes

Date	Action Taken	Officer



ENVIRONMENTAL & CONSUMER SERVICES
SERVICE REQUEST COMPLAINT FORM

Service request ref number:

372800

Complaint Date -26 September 2021

Time of Complaint-

Inv Officer - Carl Smallwood.

Details of Complaint:

Noise from customers outside the premises

Premises being complained about:

Club Tabu
40-42 Boulevard
Weston-Super-Mare
BS23 1NF

Complainant details:

[Redacted]
Tivoli House
Boulevard
Weston-Super-Mare
BS23 1PD
[Redacted]

Case Notes

Date	Action Taken	Officer



ENVIRONMENTAL & CONSUMER SERVICES

SERVICE REQUEST COMPLAINT FORM

Service request ref number:

372834

Complaint Date -27 September 2021

Time of Complaint-

Inv Officer - Carl Smallwood.

Details of Complaint:

Noise from customers outside

Premises being complained about:

Club Tabu
40-42 Boulevard
Weston-Super-Mare
BS23 1NF

Complainant details:

[Redacted]
Tivoli House
Boulevard
Weston-Super-Mare
BS23 1PD
[Redacted]

Case Notes

Date	Action Taken	Officer

From: Nicholas Gough <Nicholas.Gough@avonandsomerset.police.uk>
Sent: Thursday, September 2, 2021 9:35 PM
To: [REDACTED]; Carl Smallwood <Carl.Smallwood@n-somerset.gov.uk>; John Crockford-Hawley (Councillor) <John.Crockford-Hawley@n-somerset.gov.uk>
Cc: [REDACTED]; tivolihousewsm@gmail.com
Subject: RE: CLUB FREELOVE

Hi [REDACTED],

Thank you for your email. I'm sorry you and the other residents of Tivoli House have been disturbed yet again.

We take your concerns and that of the community very seriously and will work with North Somerset Council officers to address these concerns.

I've just spoken to a colleague who is going to join North Somerset Council Licensing and they will be doing another joint check of the premises. I understand the club has been spoken to about complaints from the community around noise and anti-social behaviour and some improvement from the club is required.

I will keep you informed of progress once I get some feedback.

Regards,
Nick

PCSO 8283 Nick Gough (Weston Town Centre & Ashcombe)
Avon and Somerset Police
Town Hall, Walliscote Grove Road, Weston-super-Mare BS23 1UJ

Mob: 07889 656832
Email: nicholas.gough@avonandsomerset.police.uk
www.avonandsomerset.police.uk | Follow us on [Twitter](#) and [Facebook](#)

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Avon and Somerset Police
NEIGHBOURHOOD POLICING

From: [REDACTED] <[REDACTED]>
Sent: 30 August 2021 08:32
To: Nicholas Gough <Nicholas.Gough@avonandsomerset.police.uk>; Carl.Smallwood@n-somerset.gov.uk; john.crockford-hawley@n-somerset.gov.uk
Cc: [REDACTED]; tivolihousewsm@gmail.com
Subject: CLUB FREELOVE

Good morning Nick,

Sorry that I did not respond earlier to your last email, but as a senior member of society, I could not comprehend that the attendance of the police on three separate occasions, in which one event required seven police cars plus a police dog does not commit to a serious event. Also from the point of view that the elderly citizens of Tivoli House could assist in the aid of stopping the local 'joy riders' is almost hilarious. I am just one of the many residents well in the late years of life. I am 87 myself and there are many more of a more mature age than myself. So I could not visualise any one wishing to take up your challenge.

The reason that I am getting in touch once again is the distinctly noisy evening of 29 Aug 2021, onwards from 7.30pm, until closure. Where once again, two police cars were in attendance as well as the need for an ambulance. The doors were open all evening and the noise generated was beyond any form of control. Surely it is time that the situation concerning the Club FREELOVE requires to be taken in a more serious manner for the benefit of all local residents.

Regards



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Avon and Somerset Constabulary

Working to make the communities of Avon and Somerset feel safe and be safe

From: [REDACTED] <[REDACTED]@btinternet.com>
Sent on: Monday, September 20, 2021 8:47:01 AM
To: Environmental Protection General Enquiries <epenquiries@n-somerset.gov.uk>
CC: [REDACTED] <[REDACTED]@gmail.com>, tivolihousewsm@gmail.com
Subject: Fwd: Club FREELOVE

----- Original Message -----

From: [REDACTED] <[REDACTED]@btinternet.com>
To: nicholas.gough@avonandsomerset.police.uk; Carl.Smallwood@n-somerset.gov.uk
Cc: john.crockford-hawley@n-somerset.gov.uk
Sent: Monday, 20 Sep, 21 At 09:30
Subject: Club FREELOVE

Goodmorning Nick, & Carl.

Once again, Saturday night at the Club FREELOVE was a noisy as ever. From people being allowed through the doors from 8pm onwards, the noise from the area outside of the club as well as the pavement was noisier than a crowded kindergarden. Shouting and screaming as well as swearing went on well into the early hours. My wife and I were woken by the loudness of the shouting etc at 0015 am on the Sunday morning and again at 1.30am. Surely it is time that some sort of control be put in place over those people gathering in large numbers outside of the club, particularly in the early hours of a Sunday. I look forward to your replies.

Regards

[REDACTED]

rom: [REDACTED]
Sent: Saturday, September 25, 2021 9:37 AM
To: nicholas.gough@avonandsomerset.police.uk; Carl Smallwood <Carl.Smallwood@n-somerset.gov.uk>; Tracy Farrell <Tracy.Farrell@n-somerset.gov.uk>
Cc: John Crockford-Hawley (Councillor) <John.Crockford-Hawley@n-somerset.gov.uk>; [REDACTED]; tivolihousewsm@gmail.com
Subject: Antisocial Behaviour at Club FREELOVE

Dear Nick & Carl.

Once again, there has been a night of such extreme noise emanating from the front area of Club FREELOVE, I was unable to get to sleep until 3am this Saturday morning. From the numerous adverse reports that have been sent from residents in the area, to both the Police and Local Environment officers, one would expect a solution could have been found by now to resolve this continuous ongoing anti-social problem. Could you please confirm what action is being taken.

Regrsds

[REDACTED]

Carl Smallwood

From: Carl Smallwood
Sent: 27 September 2021 14:51
To: EPL Support
Subject: FW: New Form Submitted: Nuisance report

Categories: [REDACTED]

Good afternoon

Please attach email to Flare 37834 - Sourcedocs Licensing.

I would be grateful if you could send Diary Sheets to the complainant.

Thanks

Carl Smallwood
Environmental Health Officer
Public Health and Regulatory Services
North Somerset Council

Please note that during the current situation with COVID-19, officers may be working remotely and may not have access to some systems as readily as usual. If you have an enquiry please send it directly to (either Licensing@n-somerset.gov.uk or epenquiries@n-somerset.gov.uk as this will be being closely monitored.

Please ensure you provide your full email and telephone contact details and as much detail as possible regarding your enquiry and one of the team will contact you as soon as possible.

Tel: 01275 884135
E-Mail: Carl.Smallwood@n-somerset.gov.uk
Post: Town Hall, Walliscote Grove Road, Weston-super-Mare, BS23 1UJ
Web: www.n-somerset.gov.uk

From: Environmental Protection General Enquiries <epenquiries@n-somerset.gov.uk>
Sent: Monday, September 27, 2021 2:19 PM
To: Carl Smallwood <Carl.Smallwood@n-somerset.gov.uk>
Subject: FW: New Form Submitted: Nuisance report

Request Detail

Type of nuisance

Type of nuisance Noise
 Noise issue Commercial premises

Commercial premises

Approached commercial premises about the noise no

Comfortable approaching commercial premises about the noise no

Incident location

Location [Click to view map](#)

Description of location

Type of location Commercial

Incident detail

Date of most recent incident 2021-09-25 23:00:00Z

Time of most recent incident When people come out of Free Love (former Tabu) for cigarettes they are shouting, swearing, fighting. This went on until 3am yesterday and it has been happening the last few Saturdays

Regular occurrence yes

How frequently does it occur Weekly
Details of the incident As above

Reported before

Reported in the past no

Submitter details

Title [REDACTED]
First name [REDACTED]
Last name [REDACTED]
Telephone [REDACTED]
Email noemail@noemail.com

Submitter address

Address ● TIVOLI HOUSE, BOULEVARD, WESTON-SUPER-MARE, BS23 1PD

Attachments

From: Nicholas Gough <Nicholas.Gough@avonandsomerset.police.uk>
Sent: Wednesday, September 29, 2021 12:08 PM
To: [REDACTED]; Carl Smallwood <Carl.Smallwood@n-somerset.gov.uk>
Cc: John Crockford-Hawley (Councillor) <John.Crockford-Hawley@n-somerset.gov.uk>; [REDACTED]; riversmer@gmail.com
Subject: RE: Club FREELOVE

Hi [REDACTED]

Apologies for the late reply but I've been on annual leave.

As you know all noise complaints are dealt with by North Somerset Council. The police are not in a position to enforce for noise unless specific anti-social behaviour is being experienced. That said we are keen to see these issues tackled. Colleagues along with North Somerset Licencing have conducted unannounced visits to the premises. The results of those visits has shown they are complying with their licencing conditions and no unreasonable noise has been detected.

The NS licencing team visited the club on one occasion because there was a lot of noise in the Boulevard; FREELOVE was closed and the noise was emanating from another establishment. The noise could be heard near your location even though the venue was much further up the Boulevard.

NS Licencing continues to monitor the situation and I will be working to 3am this Friday evening and will call by the club to see for myself what's happening. I will also ask colleagues in the area to also make a note of any excess noise.

I'll come back to you next week once I've had a chance to speak to NS licencing again.

Regards,
Nick

PCSO 8283 Nick Gough (Weston Town Centre & Ashcombe)
Avon and Somerset Police
Town Hall, Walliscote Grove Road, Weston-super-Mare BS23 1UJ

Mob: 07889 656832
Email: nicholas.gough@avonandsomerset.police.uk
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Avon and Somerset Police
NEIGHBOURHOOD POLICING

From: [REDACTED]
Sent: 26 September 2021 14:36
To: Nicholas Gough <Nicholas.Gough@avonandsomerset.police.uk>; Carl.Smallwood@n-somerset.gov.uk
Cc: john.crockford-hawley@n-somerset.gov.uk; tivolihousewsm@gmail.com; [REDACTED]
Subject: Club FREELOVE

Good afternoon Nick & Carl,

Reporting the constant noise factor associated with Club **FREELOVE** is becoming such a regular occurrence, yet nothing ever seems to be achieved by our actions. Last night for instance people were gathering on the pavement from 8 pm onwards. Doors were then open and left open all night. Although most were in high spirits their voices had to be raised louder and louder to be heard above the voices of others in such a confined space. No attempt was made by anyone with authority to quell the level of noise. This volume of noise continued until gone 2am on Sunday morning (again another night's sleep disturbed). As this was the second occasion that such a disturbance had taken place within such a short period, (disturbing the peace and quiet of our residential area), my wife decided to contact the police on 101 at 11.40 pm. to make a formal complaint. A response officer called Claire replied who then logged an official complaint (**AS-20210925-1114**), all essential details of the situation were taken for further action. It took a long time for this police officer to identify the actual location of the Club, in Weston super Mare, as it was still registered under the title of Club **TABU**.

Regards

[REDACTED]

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Avon and Somerset Constabulary

Working to make the communities of Avon and Somerset feel safe and be safe

From: [REDACTED]
Sent: Saturday, October 23, 2021 11:43 AM
To: nicholas.gough@avonandsomerset.police.uk; Carl Smallwood <Carl.Smallwood@n-somerset.gov.uk>
Cc: [REDACTED]; John Crockford-Hawley (Councillor) <John.Crockford-Hawley@n-somerset.gov.uk>; tivolihousewsm@gmail.com
Subject: Club FREELOVE

Good morning Nick,

Recently, the noise level from Club FREELOVE has been reasonably quiet, with the occasional burst of noise which has been tolerable. However, the noise level last night/early morning was back to previous anti social levels. I personally was woken violently at 2 am and again at 4 am with extremely loud shouting. The language used was also in the extreme. There again appeared to be no control from anyone involved with the Club. One wonders what action has been taken to investigate/control the management of the Club.

A meeting took place on 16 July 2021, at the Club, to resolve all of the issues previously reported to yourself and the Chief Environmental Officer of North Somerset Council. However, since that date, there have been several nights when the volume of noise from the Club has reached previous anti social levels. It would be appreciated to know, exactly what measures were put in place to protect the public from such behaviour as nothing appears to have changed since that meeting.

Regards,

[REDACTED]

From: Tivoli House <tivolihousewsm@gmail.com>

Sent: Sunday, October 24, 2021 9:02 PM

To: Carl Smallwood <Carl.Smallwood@n-somerset.gov.uk>; John Crockford-Hawley (Councillor) <John.Crockford-Hawley@n-somerset.gov.uk>; nicholas.gough@avonandsomerset.police.uk; [REDACTED]

Subject: Club Freelove

I know that [REDACTED] has been in continuing contact with you regarding the Club Freeloe in The Boulevard, and the nuisance they are to local residents, Tonight, Sunday 24 October, We have been alerted to a very large party or whatever which commenced at 6.00 pm.

At the time I am writing this (before 9.00 pm), the police have already had to be in attendance due to the anti-social behavior of many of these youngsters out in the street, along the Boulevard. AND.....several of them were seen running along the private road at the side of Tivoli House, and then kicking the garage doors.

The doors to the club are wide open, and youngsters are wandering in and out, with seemingly no supervision or control. They are running up and down along The Boulevard, their very loud language involves much swearing, etc. and are intimidating other people walking along there

We really are now wondering exactly how bad it needs to get before this club is closed down?

The Manager has been quick to give promises, none of which she seems able to keep, and seems to be unable to control of the clientele.

We really would like some support and advice as to what is the best way to proceed

[REDACTED]
Secretary: Tivoli House Residents Association

From: [REDACTED]
Sent: Sunday, October 24, 2021 10:50 PM
To: nicholas.gough@avonandsomerset.police.uk; Carl Smallwood <Carl.Smallwood@n-somerset.gov.uk>
Cc: John Crockford-Hawley (Councillor) <John.Crockford-Hawley@n-somerset.gov.uk>; tivolihousewsm@gmail.com; [REDACTED]
Subject: Club FREELOVE

Dear Nick Gough & Carl Smallwood.

At the time of writing this email, 22.38 on Sunday 24 October 2021, the Club FREELOVE is in the process of making an attempt to close their doors which have been open all night. Apparently a very large crowd of teenagers had been booked into the premises for a function but most have spent the whole evening outside shouting and swearing with no apparent control whatsoever. Neighbours from within Tivoli House went to visit the Club to find out what the noise was all about. They were advised that the interior was far too hot and claustrophobic for so many people, hence the turmoil outside. In other words, this Club is not fit for purpose and the sooner some positive action is taken the better for all. I look forward to a positive response from the addressees.

Regards

[REDACTED]



ENVIRONMENTAL & CONSUMER SERVICES

SERVICE REQUEST COMPLAINT FORM

Service request ref number:

383471

Complaint Date –28 October 2022

Time of Complaint-

Inv Officer - Carl Smallwood.

Details of Complaint:

General Noise & ASB at the premises

Premises being complained about:

Club Freelove Ltd
40-42 Boulevard
Weston-Super-Mare
BS23 1NF

Complainant details:

██████████ (Residents Association Ltd)
Tivoli House
Boulevard
Weston-Super-Mare
BS23 1PD
Tel:

Case Notes

Date	Action Taken	Officer

TIVOLI HOUSE RESIDENTS ASSOCIATION LIMITED

Registered in England and Wales - Company No. 01674503
Tivoli House, Boulevard, Weston super Mare, BS23 1PD
Email: tivolihousewsm@gmail.com

Cllr Mark Canniford
Cllr. James Crockford-Hawley
Cllr. Raymond Armstrong

20th October, 2022

SUBJECT: CLUB FREELOVE -40-42, BOULEVARD, WESTON-SUPER-MARE

We are writing to you, as our local Councillors, asking for your assistance in the matter of the continuing noise, disturbance and general anti-social behaviour caused by the above club.

There has been some sort of social club in this venue for several years, originally The United Services club, which had very strict rules in place to prevent any disturbances to local people and a closing time of around 10.00 pm.

However, none of these seem to apply to the current club – and we have no idea as to how their licence has not been revoked, due to the uncontrolled behaviour of many of their customers as well as the illegal fire doors.

We have tried to be good neighbours and give respect for someone who is wishing to run a 'business', have had meetings, made private approaches, – but all to no avail. We do not know how to go forward.

Tivoli House is a block of 23 two-bedroom flats and two three bedroom opposite this club. We have approximately forty people living here. Most of our flat owners are of retirement age. During this past summer and the previous one, many have had their sleep seriously disturbed on several nights each week, unable to leave their own windows open, even on the hottest of weather, due to these disturbances which are often continuing until about 3.00 in the morning.

In July 2021 we attended a meeting with the owner of the property, and the lady who is renting it to run this FreeLove nightclub, and Carl Smallwood (Environmental officer), along with the Police and Licencing Officer. At that meeting, we were given all sorts of firm undertakings regarding the running of the club and control of noise. None have been kept to. We are attaching our notes taken at that meeting. A copy of these was sent to Mr Smallwood. These notes are for your eyes only. We never received any official minutes of that meeting, although requested them on several occasions.

As a building with multi-occupancy, we have to keep to increasingly stringent laws and rules to ensure the safety of all our flat owners, particularly with regard to fires. We have to ensure that fire exit doors are appropriate. So, we fail to understand that this club, which can have up to four hundred people attending does not have to obey similar rules. Their

main fire doors' at the front of the building do not open OUTWARDS, but Inwards. Surely, this is illegal!!! There is no sort of air conditioning system installed in this club.

In order to 'get round' these problems the club keeps these doors wide open all the time the club operates, which means that the noise inside (and considerable noise from their music and customers), is not – in any way – contained. At that meeting we were assured that external doors would be kept closed AT ALL TIMES, and a doorkeeper/security person stationed there to ensure that happened, as well as controlling the number of people and their activities in the very small outside area directly in front of the club.

We cannot keep count of the number of times that the police seem to have had to attend this club, quite often with several vehicles and officers. Attendees at this club are often running up and down along the Boulevard during the night time, well into the early hours of the morning, shouting, drinking, falling over, and worse!!

We find it difficult to comprehend that Boulevard is not considered a residential area. As well as our own block of flats, there is another one a few yards up the road to this club, where the old hospital used to be, and just beyond that – in the site of the old library another block of residential flats. Also, many of the upper stories of the shops and businesses along Boulevard are used as residential accommodation.



We cannot understand why no action is taken against this club for breaching both fire safety laws, or noise and nuisance control. One of our flat owners, was being made so ill from lack of sleep that they were forced to move away, and another is considering the same action.

We really would like to see proper action taken to ensure the safety of the customers of this business, and to control the nuisance they are causing.

We would be most grateful of any assistance or suggestions you can make on our behalf, including how we go about opposing the continuing of the licence for this club.

Any suggestions and advice would be very gratefully received by our Association.

Yours sincerely,

Hon Secretary TIVOLI HOUSE RESIDENTS ASSOCIATION LTD

Cc Mr Carl Smallwood (Environmental Officer)

ATTACHED : Notes of meeting held 3rd July 2021

Licensing Act 2003
Representation in respect of a review of a Premises Licence or Club Premise Certificate

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Representations must be made to the Licensing Authority in writing. You are not obliged to use this form to make a representation and you may make a representation by letter if you wish.

Before completing this form please read the guidance notes on page 4.

If you are completing this form by hand please write legibly inside the boxes in black ink and stay within the box provided.

Once completed please send your application to **North Somerset Council, Licensing Team, Town Hall, Walliscote Grove Road, Weston-super-Mare, BS23 1UJ**. You may wish to keep a copy of the completed form for your records.

Tivoli House Residents Association (insert name of person making representation)

hereby make representations in respect of the application for the review of the Premises Licence or Club Premises Certificate, made by:

.....(insert name of applicant requesting review)

Part 1 - Premises or Club details

Name and postal address of premises or club premises, if any, or if none ordinance survey map reference or description. <u>Freelove Nightclub</u> <u>40 BOULEVARD</u>	
Post town: <u>Weston-super-Mare</u>	Post code: <u>BS23 1NF</u>

Part 2 -- Details of person making representations

I am

Please tick ✓

1) an interested party

- a) a person living in the vicinity of the premises
- b) a body representing persons living in the vicinity of the premises
- c) a person involved in business in the vicinity of the premises
- d) a body representing persons involved in business in the vicinity of the premises.

2) a responsible authority

3) a member of the club to which this application relates

(A) Representors Details (fill in as applicable) (please read guidance note 1)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname: **[Redacted]** | First names: **[Redacted]**
 Are you over 18? Yes No
 Current address:
 10 Tivoli House
 BEECH VARD
 Post town: Weston-Super-Mare | Post code: BS23 1PD
 Contact phone number (working hours): **[Redacted]**
 E-mail address (optional): tivolihouse.wsm@bt.com

(B) Details of Body Making Representation

Name and address:
 Tivoli House Residents Association Ltd
 26 Tivoli House
 Weston-Super-Mare
 BS23 1PD
 Telephone Number: **[Redacted]**
TIVOLI HOUSE RESIDENTS ASSOC LTD

(C) Details of Responsible Authorities Making Representations

Name and address:

 Telephone Number: _____

This representation relates to the following licensing objective(s) - please read guidance note 2)

Please tick one or more boxes ✓

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

If your representation does not relate to one of the above objectives your representation will be invalid.

Please state the ground(s) for the representation and how it relates to one of the licensing objectives. Please provide as much information as possible to support the application, (Guidance Note 3). Continue on separate numbered sheets if required.

Page 1 of 3

TIVOLI HOUSE RESIDENTS ASSOC LTD

- Largely a residential area – shops at ground floor, but mainly flats above. Our own block has 25 owner-occupied 2 and 3 bedroomed flats with around 33 residents. Block of flats just a few metres along from this nightclub – on site of old hospital. Block of flats in Albert Quadrant.
- Serious disturbances have taken place, nearly every time this club has been open, going well into early hours of the morning. Cannot understand how a licence could have been granted up until 4.00 am!!!
- Entrance doors always kept wide open mean that the sound of the music is clearly heard from our flats even with double glazed (some triple-glazed) windows closed. Sound proofing that had been put into this club had no effect due to wide open doors.
- Customers spilling out of the club, on to Boulevard, often worse for alcohol use, shouting, swearing etc. also using our private service road as toilet.

- I understand that this representation will be put before a Licensing Sub-Committee and if the decision of that Sub-Committee is appealed against, a hearing at the magistrate's Court. Please tick

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Town & Village Development Agency

If your representation does not relate to one of the above objectives your representation will be invalid.

Please state the ground(s) for the representation and how it relates to one of the licensing objectives. Please provide as much information as possible to support the application, (Guidance Note 3). Continue on separate numbered sheets if required.

Page 2 of 3

- Boulevard is a main road, a bus route – these young customers just surging around outside the club putting themselves and road users in danger.
So many weekend nights having police cars lining up in Boulevard, outside this club, worrying
Many people who live around here
- Noise and disturbance from this club has meant that during summer months, flat owners are unable to leave their own bedroom windows open at all.
- Our complaints made direct to the club, resulted any many apologies – but no changes.
Meetings and agreements made with the club have resulted in many promises of control –
but none of these promises have been kept.
- These premises have no air conditioning – we have been told for well over a year
that this was ‘being looked into’ – no air conditioning and just this one entrance door
– reason why so many of the users spend large amount of their time outside.

- I understand that this representation will be put before a Licensing Sub-Committee and if the decision of that Sub-Committee is appealed against, a hearing at the magistrate’s Court. Please tick

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

TIVOLI HOUSE RESIDENTS ASSOC LTD

If your representation does not relate to one of the above objectives your representation will be invalid.

Please state the ground(s) for the representation and how it relates to one of the licensing objectives. Please provide as much information as possible to support the application, (Guidance Note 3). Continue on separate numbered sheets if required.

Page 3 of 3

- Entrance/Exit fire doors open inwards – so club tell us that fire officer have informed us that they have been told to ‘keep them open’ – whilst club has given us a firm undertaking that these will be kept closed. Fail to understand how these fire doors have been passed and have never seen the Fire Risk Assessment which states they should keep these doors open at all times.
- Security at these doors appear most of the time to be non-existent. Promise made that no more than six people at the time would be permitted to be outside has never been kept to.
- There are two restaurants in this area, one next door and one opposite to this Club. They cause no problems whatsoever, in any way. Our Association is not against local businesses, but this is a residential area and not appropriate for a nightclub.
- We therefore wish to oppose any such licence being granted.

- I understand that this representation will be put before a Licensing Sub-Committee and if the decision of that Sub-Committee is appealed against, a hearing at the magistrate’s Court. Please tick

- I understand that this representation may become a public document, that a full copy will be sent to the applicant and that it will be scrutinised by members of the Licensing Sub-Committee. Please tick

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO KNOWINGLY OR RECKLESSLY MAKE A FALSE STATEMENT IN CONNECTION WITH THIS REPRESENTATION. THIS IS PUNISHABLE, ON CONVICTION, BY A FINE OF UP TO £5,000.

Part 5 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent. (please read guidance note 5)

If signing on behalf of the applicant please state in what capacity.

Signature 

Date 18 December 2022

Capacity Chairman - Tivoli House Residents Association Ltd

Contact name (where not previously given) and address for correspondence associated with this application. (please read guidance note 5)
~~XXXXXX XXXXXXXXXXXX XXXXX~~ - TIVOLI HOUSE LTD
 TIVOLI HOUSE
 BOULEVARD

Post town Weston-Super-Mare Post code: BS23 1PP

All representations must be made by sending this form to the Licensing Team, Town Hall, Walliscote Grove Road, Weston super Mare, BS23 1UJ to arrive during the period of 28 consecutive days stipulated in the Public Notices posted at the Council Offices and at the premises subject to the request for a Review.

Representations received outside this time limit will be deemed to be invalid

Notes for Guidance

- This is the address which we shall use to correspond with you about this application.
- The ground(s) for review must be based on one or more of the 4 licensing objectives.
- Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
- The application form must be signed by the person making the representation.
- An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.