

# Summary of Licensing Sub-Committee Decision taken on 24 September 2019

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## Part I

**Application No. 17/01614/LQN - The Vault Club, 4A The Kennet Centre, Newbury (Item 2(1))**

### NOTICE OF DECISION

The Licensing Sub Committee of West Berkshire Council met on **24<sup>th</sup> September 2019** and considered Application **17/01614/LQN** made by Thames Valley Police as Responsible Authority for a review of the premises license issued in respect of **The Vault Club, 4A The Kennet Centre, Newbury, RG14 5EN** and **Resolved to Revoke the Premises Licence**

In coming to their decision, the Sub-Committee had regard to the four licensing objectives, which are:

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

They also considered the Department of Culture, Media and Sport Guidance on the Licensing Act 2003 and West Berkshire Council's licensing policy.

The Sub Committee heard representations made by:

1. The Applicant: PC Simon Wheeler, Thames Valley Police as a Responsible Authority

### Decision

Having taken all relevant representations into account, the Licensing Sub Committee **RESOLVED** that further to Application reference 17/01614/LQN the Premises Licence be Revoked.

### Reasons

The Sub Committee heard evidence from PC Wheeler that the Premises Licence was issued on the 12<sup>th</sup> January 2018 after lengthy consultations with Thames Valley Police to establish a suitable operating schedule that contained what was hoped to be sufficient conditions to ensure the premises would promote the licensing objectives.

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**If you have any queries regarding this decision, please contact:**  
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## **Summary of Licensing Sub-Committee Decision taken on 24 September 2019** (continued)

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However since the licence has been in operation, a number of incidents have occurred at the premises ranging from public order incidents, assaults, vulnerability of customers, inconsistencies in door supervision and concerns regarding under 18's and boxing events.

In addition, Thames Valley Police as a Responsible Authority, had undertaken two licensing inspections, on the 16<sup>th</sup> January 2018 and the 9<sup>th</sup> February 2019 respectively, which demonstrated inherent failures to comply with the conditions attached to the premises licence. Examples provided related to the quality and provision of CCTV, usage of the Newbury radio system, and ID scan equipment.

Two Section 19 Closure Notices had been served on the premises licence holder, neither of which has led to any greater compliance.

On the 22<sup>nd</sup> February 2019, Thames Valley Police arranged a performance meeting to be held with the premises licence holder, however neither the premises licence holder nor did any representative attend the meeting. Thames Valley Police did not receive any communication from the premises licence holder nor a representative to explain the reasons for non-attendance.

The Sub Committee found the evidence from PC Wheeler to be both reliable and credible. The Sub Committee noted that the oral representations made by PC Wheeler were substantiated by documentation which had been submitted with the Sub Committee Licensing Hearing Pack and which the Sub Committee took into account in their deliberations.

The Sub Committee noted that the Premises Licence was granted on the 12<sup>th</sup> January 2018, and on the evening of the 12<sup>th</sup> January 2018 an assault occurred on the premises.

In addition the Sub Committee noted that on the 10<sup>th</sup> March 2018 Thames Valley police were required to attend the premises as a male had assaulted the premises licence holder and had been detained. When the police arrived, they were informed that the detained male had been let go as the premises licence holder did not want the police at his premises.

The Sub Committee noted that the premises licence holder had not attended the performance meeting on the 22<sup>nd</sup> February 2019 organised by Thames Valley Police, nor had the premises licence holder made any representations nor attended the review hearing on the 24<sup>th</sup> September 2019.

The Sub Committee determined that there was deliberate non-cooperation by the premises licence holder with Thames Valley Police as a Responsible Authority and that the premises licence holder had been provided with ample opportunities to comply with the conditions placed on the premises licence but had taken very few steps to comply.

## Summary of Licensing Sub-Committee Decision taken on 24 September 2019 (continued)

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The Sub Committee, in considering whether any steps were appropriate for the promotion of the licensing objectives- and in particular the prevention of crime and disorder- concluded that the only step that was appropriate was to revoke the premises licence.

<b>Cllr James Cole</b>	(Chairman)
<b>Cllr Jeff Beck</b>	
<b>Cllr Tony Linden</b>	
<b>Date:</b> 01.10.19	