

Public Document Pack



#plymlicensing

Democratic Support

Chief Executive's Department
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LICENSING SUB COMMITTEE

Monday 4 November 2024
10.00 am
Council House

Members:

Councillors Allen, Hendy, and Tofan.

Fourth Member:

Councillor Simpson.

Members are invited to attend the above meeting to consider the items of business overleaf.

Please note that, due to the nature of this Committee, we may need to send 'to follow' documents which were not expected at the time of the agenda publication. These documents may be considered under part I or part II.

For further information on attending Council meetings and how to engage in the democratic process please follow this link – [Get Involved](#)

Tracey Lee

Chief Executive

LICENSING SUB COMMITTEE

AGENDA

1. APPOINTMENT OF CHAIR AND VICE-CHAIR

The Committee will appoint a Chair and Vice-Chair for this particular meeting.

2. APOLOGIES

To receive apologies for non-attendance submitted by Committee Members.

3. DECLARATIONS OF INTEREST

Members will be asked to make any declarations of interest in respect of items on this agenda.

4. CHAIR'S URGENT BUSINESS

To receive reports on business which, in the opinion of the Chair, should be brought forward for urgent consideration.

5. REVIEW OF PREMISE LICENCE: CLUB INFERNO: (Pages 1 - 36)

6. EXEMPT BUSINESS

To consider passing a resolution under Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) (1,2,3,4,5,6,7) of Part I of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

7. REVIEW OF PREMISES LICENCE: CLUB INFERNO:

REVIEW OF PREMISES LICENCE REPORT

Licensing Sub Committee



Date:	04 November 2024
Title of Report:	Review of Premises Licence – Club Inferno
Lead Member:	Councillor Sue Dann (Cabinet Member for Customer Service, Leisure and Sport Customer Services, Sport, Leisure and Human Resources and Organisation Development)
Lead Strategic Director:	Dr Ruth Harrell (Office of the Director of Public Health)
Author:	Bev Gregory (Licensing Officer)
Contact Email:	Licensing@plymouth.gov.uk
Your Reference:	Club Inferno
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of the report:

An application has been received from the Environmental Health Department under Section 51 of the Licensing Act 2003 for the review of the premises licence in respect of Club Inferno, 24 Lockyer Street, PL1 2QW.

Recommendations and Reasons:

That Members consider this report.

Alternative options considered and rejected:

None.

Relevance to the Corporate Plan and/or the Plymouth Plan:

Our Plan – A City to be proud of.

This report links to the delivery of the City and Council objectives and outcomes within the plan.

Unlocking the City's Potential: The Licensing Policy and system aims to provide a balance between the need to protect residents and to enable legitimate businesses to operate within a necessary and proportionate regulatory framework. This in turn makes a safer, more vibrant Plymouth to allow economic growth and opportunities for increased levels of employment.

Caring for People and Communities: The Licensing Policy has put in place an appropriate framework to allow the effective control of alcohol supply and regulated entertainment to keep all members of society protected and feeling safe by focusing on prevention and early intervention. The licensing system minimise the burdens on business and to allow communities the opportunity to influence decisions.

See [Our Plan](#)

Implications for Medium Term Financial Plan and Resource Implications:

Not applicable

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Financial Risks

Not Applicable

Carbon Footprint Carbon Footprint (Environmental) Implications:

None

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety and Risk Management:

** When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.*

Members should be aware that Section 17 of the Crime and Disorder Act 1998 puts a statutory duty on every Local Authority to exercise its various functions with due regard to the need to do all that it reasonably can do to prevent crime and disorder in its area.

Published work / information:

For more information please see the below links.

[Statement of Licensing Policy](#)

[Licensing Act 2003](#)

[Revised guidance issued under section 182 of the Licensing Act 2003 – December 2023](#)

Appendices

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable)						
		1	2	3	4	5	6	7
A	Briefing report (mandatory)							
B	(A) Site Notice							
C	(B) Conditions of Existing Premises Licence							
D	(C) Grounds for Review							
E	(D – H) Representations received							

Background papers:

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

	Exemption Paragraph Number (if applicable)

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Title of background paper(s)	If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.						
	1	2	3	4	5	6	7
Application							
Previous Decision 2 nd September 2024							

Sign off:

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Originating Senior Leadership Team member: N/A											
Please confirm the Strategic Director(s) has agreed the report? N/A Date agreed: N/A											
Cabinet Member signature of approval: N/A Date: N/A											

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1.0 INTRODUCTION

1.1.1 On the 11th September 2024 the licensing department received an application from the Environmental Health Department under Section 51 of the Licensing Act 2003 for the review of the premises licence in respect of Club Inferno situated at 24 Lockyer Street, Plymouth.

1.2 Review application.

The Environmental Health Department have applied for a second Review of the premises licence for the purpose of promoting the licensing objectives in relation to Public Nuisance. Club Inferno SW Ltd, 24 Lockyer Street attended a Licensing Sub- Committee Review hearing on 2nd September 2024 as the club was found to be breaching it’s conditions whenever it opened to trade. At the hearing the licence holder committed to make improvements in the venue and to ensure all conditions on the licence were met. In the early hours of the 7th September Club Inferno opened to trade. During trading noise from the venue was clearly audible outside the premises. In the early hours of the 8th September Club Inferno opened to trade. During trading noise from the venue was clearly audible outside the premises. This is having a negative impact on the licensing objective for the prevention of public nuisance

On the 11th September 2024 a copy of the application was served by the Licensing Department on each of the responsible authorities and the holder of the premises licence.

In accordance with review proceedings on 12th September 2024 a licensing officer from Plymouth City Council attended the premises and displayed two notices outside of the premises (**Appendix A**)

On the same day a similar notice was displayed on the Plymouth City Council website and the public notice board at the Council House, Armada Way, Plymouth.

1.3 Licensable Activities.

These premises have the following licensable activities and timings.

<p>(c) Indoor Sporting Events Hours Monday to Sunday 1000-0600</p>
<p>(e) Live Music (Indoors) Hours Monday to Sunday 1000-0600</p>
<p>(f) Recorded Music (Indoors) Hours Monday to Sunday 1000-0600</p>
<p>(g) Performance of Dance (Indoors) Hours Monday to Sunday 1000-0600</p>
<p>(h) Anything of a Similar Description to that falling within (e) (f) or (g) (Indoors) Hours Monday to Sunday 1000-0600</p>
<p>(i) Late Night Refreshment (Indoors) Hours Monday to Sunday 2300-0500</p>

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(j) Supply of Alcohol for consumption ON

Hours Monday to Sunday 1000-0530

(l) Hours Premises are Open to the Public

Hours Monday to Sunday 1000-0600

Following the Hearing on the 2nd September 2024 the premises had their operational hours reduced for a 3 month trial period. These reduced hours did not take effect until 01/10/2024 due to having to wait for the 21 day appeal period to pass:-

- Hours Premises are Open to the public: Monday to Sunday 10:00hrs – 03:00hrs
- Supply for Alcohol for Consumption ON: Monday to Sunday 10:00hrs – 02:30hrs
- Indoor Sporting Events: Monday to Sunday 10:00hrs – 02:30hrs
- Live Music (Indoors) Monday to Sunday 10:00hrs – 02:30hrs
- Recorded Music (Indoors) Monday to Sunday 10:00hrs – 02:30hrs
- Performance of Dance (Indoors) Monday to Sunday 10:00hrs – 02:30hrs
- Late Night Refreshment (Indoors) Monday to Sunday 10:00hrs – 02:30hrs
- Anything of a Similar Description to Monday to Sunday 10:00hrs – 02:30hrs
That falling within Live Music (Indoors), Recorded Music (Indoors) and Performance of Dance (Indoors).

1.4 Existing Premises Licence conditions attached to the licence (Appendix B)

Prevention of Public Nuisance conditions 1 & 5 were amended/updated at the previous review hearing on 02/09/24 and have been updated accordingly.

2.0 RESPONSIBLE AUTHORITIES

- 2.1 *Devon & Cornwall Police* – Representation (Appendix H)
- 2.2 *Environmental Health* – Applicant Responsible Authority relating to public nuisance (Appendix C)
- 2.3 *Devon & Somerset Fire & Rescue Service* – no representations.
- 2.4 *Trading Standards* – no representations
- 2.5 *Planning Officer* - no representations.
- 2.6 *Child Protection* – no representations
- 2.7 *Health & Safety Executive* – no representations.

Choose an item.

2.8 *Health Authority (ODPH)* – no representations.

2.9 *Licensing Authority* – no representations.

3.0 OTHER PARTIES

Four Representations from members of the public who live near the premises have been received. (Appendix D-G).

4.0 CONSIDERATIONS

4.1 In making its decision the Committee is obliged to have regard to the application and any relevant representations.

The Committee should take such steps, if any, as it considers appropriate for the promotion of the licensing objectives, which are:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance;
- the protection of children from harm.

In making its decision the Committee is also obliged to have regards to:

- The guidance issued under section 182 of the Licensing Act 2003 with the following paragraph's relevant to this application:
 - 1.2 - 1.5, 1.9, 1.10, 1.12, 1.16, 1.17
 - 21-2.27, 3.11
 - 10.2, 10.8-10.9, 10.13,11.1,11.5, 11.7, 11.9,-11.11 and 11.16 - 11.23
 - 14.18 14.51,14.52
 - 16.1-16.12,16.15,16.26-16.33,16.36-16.41,16.52-16.56
- The Council's own Licensing Policy with the following headed paragraphs being relevant to this application:
 - Prevention of crime and disorder & Public safety (Page 11)
 - Prevention of public nuisance (Page 12)
 - Licensing Hours 5.13 – 5.18 (Page 14 – 15)
 - Designated Premises Supervisor 5.35 (Page 16)
 - Public Nuisance 5.67 – 5.71 (Page 22)
 - Licensing Conditions 7.1 – 7.8 (Page 27)
 - Review of premises licence 8.16 – 8.23 (Page 30)

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- Also the representations (including supporting information) presented by all the parties.

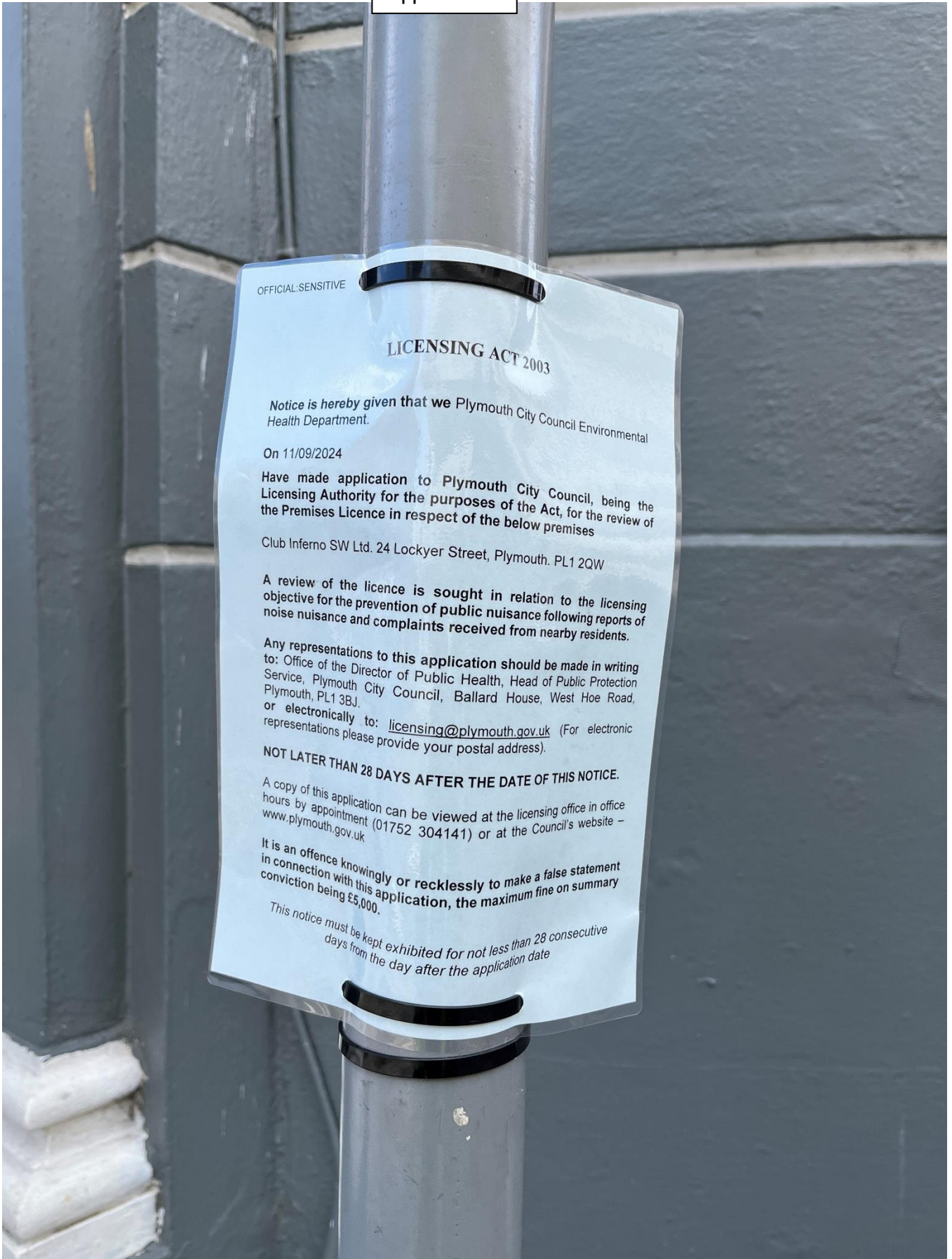
4.2 The steps referred to above are :

- (a) to modify the conditions of the licence (which includes adding new conditions, any alteration or omission of an existing condition);
- (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;

Members are made aware that any existing conditions relating to live or recorded music which are already on the licence are suspended between the hours of 8am and 11pm due to amendments made to the Licensing Act 2003. However on a review of a premises licence, section 177A(3) of the Act permits a licensing authority to lift that suspension. Also section 177A(4) of the Licensing Act 2003 would allow Members to add a condition to the licence relating to music as if it were regulated entertainment. If members were to do this then any condition would need to include a statement that section 177A of the Act does not apply to that condition.

Where the committee takes a step in 4.2 (a) or (b), it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

Appendix A



OFFICIAL:SENSITIVE

LICENSING ACT 2003

Notice is hereby given that we Plymouth City Council Environmental Health Department.

On 11/09/2024

Have made application to Plymouth City Council, being the Licensing Authority for the purposes of the Act, for the review of the Premises Licence in respect of the below premises

Club Inferno SW Ltd, 24 Lockyer Street, Plymouth. PL1 2QW

A review of the licence is sought in relation to the licensing objective for the prevention of public nuisance following reports of noise nuisance and complaints received from nearby residents.

Any representations to this application should be made in writing to: Office of the Director of Public Health, Head of Public Protection Service, Plymouth City Council, Ballard House, West Hoe Road, Plymouth, PL1 3BJ.
or electronically to: licensing@plymouth.gov.uk (For electronic representations please provide your postal address).

NOT LATER THAN 28 DAYS AFTER THE DATE OF THIS NOTICE.

A copy of this application can be viewed at the licensing office in office hours by appointment (01752 304141) or at the Council's website - www.plymouth.gov.uk

It is an offence knowingly or recklessly to make a false statement in connection with this application, the maximum fine on summary conviction being £5,000.

This notice must be kept exhibited for not less than 28 consecutive days from the day after the application date

Appendix B

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**The prevention of crime and disorder**

1. All staff engaged in licensable activity at the premises will receive training and information in relation to the following:

i. The Challenge 25 scheme in operation at the premises, including the forms of identification that are acceptable.

ii. The hours and activities permitted by the premises licence issued under the Licensing Act 2003 and conditions attached to the licence.

iii. How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol)

iv. Recognising the signs of drunkenness

v. The operating procedures for refusing service to any person who is drunk, underage or appears to be under-age, or appears to be making a proxy purchase.

vi. Action to be taken in the event of an emergency, including reporting an incident to the emergency services. Training shall be recorded in documentary form and shall be regularly Refreshed at no greater than 12-month intervals. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority. Training records will be retained for at least 12 months.

2. An incident log shall be kept and maintained at the premises which will include a log of the following, including pertinent details:

i. Any incidents of disorder or of a violent or anti-social nature

ii. All crimes reported to the venue, or by the venue to the police.

iii. All ejections of patrons.

iv. Any complaints received.

v. Seizures of drugs or offensive weapons.

vi. Any faults in the CCTV system.

vii. Any visits by a responsible authority (under the Licensing Act 2003) or emergency service. Records must be completed within 24 hours of any incident, and will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident. The logs shall be kept for at least 12 months following the date of entry and be made available for inspection and copying upon request of an authorised officer of a responsible authority.

3. Open containers of alcohol shall not be removed from the premises.

Management Control

4. There shall be a personal license holder on duty on the premises at peak times by way of risk assessment. Team leaders to be given extra training on the 4 key licensing objectives.

5. The premise will have a written vulnerability and safeguarding policy, which all members of staff will be directed to read and sign that they have read the policy.

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6. The maximum number of persons (including staff and entertainers) allowed at the premises shall not exceed 380
7. A suitable system must be in place to accurately indicate the number of customers (including staff, entertainers etc.) on the premises at any time.
8. Patrons permitted to temporarily leave and then re-enter the premises, e.g., to smoke, shall not be permitted to take drinks or glass containers with them.

Door Supervisors

10. From 22:00 hours until close the number of SIA licensed door supervisors employed shall be in accordance with the following ratio: A minimum of two (2) door supervisors will be employed for the first one hundred (100) customers and one door supervisor for every one hundred (100) thereafter.
11. Door supervisors will be properly briefed and trained to manage queues in a safe and efficient manner.
12. The following details for each door supervisor will be contemporaneously entered into a register kept for that purpose:
 - I. Full name
 - II. SIA licence/badge number, and registration number of any accreditation scheme recognised by the Licensing Authority (including expiry date of that registration 6 or accreditation)
 - II. The date and time they began their duty.
 - III. The date and time they completed their duty.
 - IV. The full details of any agency through which they have been allocated to work at the premises if appropriate.
13. The register shall be available for inspection and copying at all reasonable times by an authorised officer of a responsible authority.
14. The register shall be kept at the premises at all times and be so maintained as to enable an authorised officer to establish the particulars of all door supervisors engaged at the premises during the period of not less than 12 months prior to the request.

Substance Misuse

15. A written drugs policy shall be in place and operated at the premises. It must detail the actions taken to minimise the opportunity to use or supply illegal substances within the premises. The policy must be made available for inspection and copying upon request by an authorised officer of a responsible authority.

CCTV

16. The premises shall install operate and maintain a comprehensive digital colour CCTV system to the satisfaction of the Police and Local Authority. As a minimum, the system must:
 - I. Cover all public areas of the licensed premises including entry and exit points.
 - II. Record clear images permitting the identification of individuals, and in particular enable facial recognition images (a clear head and shoulder image) of every person entering and leaving in any light condition.

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III. Continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises.

IV. Have a constant and accurate time and date generation.

V. Store recordings for a minimum period of 28 days with date and time stamping.

VI. Viewable copies of recordings will be provided on request to police and local authority officers as soon as is reasonably practicable and in accordance with the General Data Protection Regulation Data Protection Act 2018 (or any replacement legislation).

VII. The CCTV system will be capable of downloading images to a recognisable viewable format.

17. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide an authorised officer of a responsible authority copies of recent CCTV images or data with the absolute minimum of delay when requested (in accordance with the Data Protection Act 2018 or any replacement legislation).

Prevention of public Nuisance;

1. A noise limiting device shall be fitted so that all live and recorded music is channelled through the device(s). The maximum noise levels will be set by agreement with Plymouth City Council's Environmental Health Service and will be reviewed from time to time as appropriate. The noise limiting device must be fully functional and in proper working order at all times during performance of live and recorded music. All amplified music must go through the noise limiting device and any visiting artists must be made aware of this and the noise limits agreed with the EHS.

2. No performances of live and recorded music can proceed without the noise limiting device in proper working order.

3. Between the hours of 23:00 and 08:00 there must be total sound containment within the premises.

4. The Premises Licence Holder or nominated person shall arrange supervision of any queue which may form to gain entry to the premises. The nominated person must remind patrons to avoid causing noise, nuisance or disturbance that could impact local residents.

5. The Premises Licence Holder or nominated person shall erect and maintain in a prominent position at every exit, on internal and external walls and in the smoking area, clear, conspicuous and legible notices requesting patrons to avoid causing noise, nuisance or disturbance to local residents.

6. The Premises Licence Holder or nominated person shall ensure sufficient door staff are positioned at the exits from the premises to remind departing patrons of the need to avoid causing nuisance or disturbance to local residents.

7. The Premises Licence Holder or nominated person shall ensure sufficient door staff are positioned at the exits from the premises to remind departing patrons of the need to avoid causing nuisance or disturbance to local residents. The designated smoking area shall be for 'smoking only' and the premises licence holder or nominated person will take reasonable steps to prevent the consumption of any drinks in this area.

Please state the ground(s) for review (please read guidance note 2)

Club Inferno SW Ltd, 24 Lockyer Street re-opened on the 31st March 2023. Since reopening the Environmental Health Department has received complaints of excess noise from 5 separate residential properties.

The premises licence holder has made 2 variations to the premises licence which have added conditions to the premises licence to protect the license objective for the prevention of public nuisance.

1. A noise limiting device shall be fitted so that all live and recorded music is channelled through the device(s). The maximum noise levels will be set by agreement with the Plymouth City Council's Environmental Health Service and will be reviewed from time to time as appropriate. The noise limiting device must be fully functional and in proper working order at all times during performances of live and recorded music.

2. No performances of live and recorded music can proceed without the noise limiting device in proper working order.

3. Between the hours of 23:00 and 08:00 there must be total sound containment within the premises.

The licence holder has demonstrated that he is able to meet the following licence conditions.

On the 2nd September the licence holder of Club Inferno attended a licensing review hearing as the club was found to be breaching its conditions whenever it opened to trade. At the hearing the licence holder committed to make improvements in the venue and to ensure all conditions on the licence are met.

In the early hours of the 7th September Club Inferno opened to trade. During trading noise from the venue was clearly audible outside the premises. In the early hours of the 8th September Club Inferno opened to trade. During trading noise from the venue was clearly audible outside the premises.

This is having a negative impact on the licensing objective for the prevention of public nuisance.

Following a review of the premises licence on the 2nd September 2024 the premises licence holder of Club Inferno SW Ltd were reminded of the conditions of the premises licence that are in place. They were also reminded of how to comply with the conditions by simply stepping outside the venue to establish if any music was audible.

In the response of the hearing notice sent to the license holder on the 5th September the following statements were included by licensing committee.

"The committee stresses that, whilst it cannot fetter the discretion of a future committee, if this matter comes back before the committee on review due to ongoing breach of conditions or the undermining of the public nuisance licensing objective, the committee will consider revocation of the licence.

The existing and amended conditions are appropriate and proportionate to promote the prevention of public nuisance. The committee considers them practical, achievable and enforceable."

On the 9th September 2024 I received a noise complaint regarding Club Inferno. The complaint included video footage taken overnight on the 7th and 8th September 2024. The video footage shows music emanating from Club Inferno clearly audible inside nearby residential properties.

Please provide as much information as possible to support the application (please read guidance note 3)

Additional footage shows the neighbours trying to discuss the noise with the club manager who states “It’s a nightclub, what do you expect?”

The premises licence holder has demonstrated a complete disregard to the licence conditions for the premises.

The licence holder has ignored all advice provided by the Environmental Health Officer at the review hearing on the 2nd September 2024.

The licence holder has shown complete disregard to the hearing letter sent on the 5th September 2024.

Club Inferno has been unwilling to take action to ensure it is not having a negative impact on the licence objective of the prevention of public nuisance.

On the 7 th & 8th September the evidence sent to the Environmental Health Department clearly shows that the business is having a negative impact on the licensing objective for the prevention of public nuisance.

In light of the above, the Environmental Health Department can see no other option that to request the revocation of the premises licence at Club Inferno

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

Club Inferno SW Ltd, 24 Lockyer Street re-opened on the 31st March 2023.

Since reopening the Environmental Health Department has received complaints of excess noise from 5 separate residential properties.

The premises licence holder has made 2 variations to the premises licence which have added conditions to the premises licence to protect the license objective for the prevention of public nuisance.

1. A noise limiting device shall be fitted so that all live and recorded music is channelled through the device(s). The maximum noise levels will be set by agreement with the Plymouth City Council's Environmental Health Service and will be reviewed from time to time as appropriate. The noise limiting device must be fully functional and in proper working order at all times during performances of live and recorded music.

2. No performances of live and recorded music can proceed without the noise limiting device in proper working order.

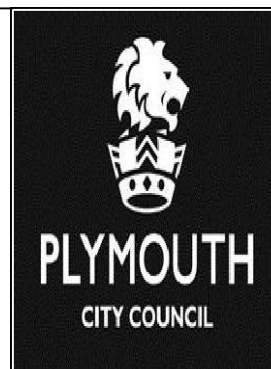
3. Between the hours of 23:00 and 08:00 there must be total sound containment within the premises.

The licence holder has demonstrated that he is able to meet the following licence conditions, however, despite assistance from the Environmental Health Department the premises has been found to have breached the conditions regularly. The breaches are continuing whenever the venue is open to trade.

This is having a negative impact on the licensing objective for the prevention of public nuisance.

Appendix D

LICENSING REPRESENTATION

**Case reference: FS-Case-649860678**

Premises	
Name of the premises:	Club Inferno
With regard to the following application I want to:	Object
Premises address:	24 Lockyer Street, Plymouth, Devon, PL1 2QW
Representation	
In what capacity are you applying:	Any other person
Telephone number:	
Name:	
Mobile number:	
Email address:	
Address:	
Representation details	
Which of the following Licensing Objectives is this representation relevant to:	C. The prevention of public nuisance

I refer you in the first instance to my representation dated 24/07/2024 (Ref FS-Case-633385102) submitted prior to the recent licence review and further to my representation dated 28/05/2023 (Ref No: FS-Case- 519594447) submitted prior to the 2023 licence review that was withdrawn by the council following the club’s agreement to have a noise limiter fitted.

I attended the review on 02/09/2024. I did not object to the club’s very late submission of their representation. Over the weekend of 30/08/2024, 31/08/2024 and 01/09/2024 I was kept awake by the noise from Club Inferno - all night - until 06:00 evidence of which was provided to Environmental Health by a neighbouring property owner. This evidence was a stark demonstration of non use of the noise limiter, no sound containment, no door discipline, no effort whatsoever to control the anti social behaviour of the club’s guests. I had to work on Saturday 31/08/2024 having had virtually no sleep. The evidence provided by a neighbouring property owner was not allowed to be heard at the review as it was deemed too recent.

I received a letter from the Licensing Sub Committee with a decision 05/09/2024 at 15:44 via email. The outcome of the review was that a temporary three month condition was imposed upon the club whereby - with immediate effect - they must close at 03:00 and further the club was reminded that they must comply with their existing licence conditions including:

“A noise limiting device shall be fitted so that all live and recorded music is channeled through the device which has to be in proper working order...”

and

“Between the hours of 23:00 and 08:00 there must be total sound containment within the premises”.

At the time of the review on 02/09/2024, neither of these existing conditions had been adhered to since April 2024.

On Friday 06/09/2024 I went to bed at 23:30 I could not hear any music. I was confident that the club was complying with their conditions and that all I would hear is people leaving the club at 02:30/03:00 I woke up at 03:25 on Saturday 07/09/2024 to a lot of noise outside and I could hear the music, I could not get back to sleep. At 03:44 the club was still open and at 04:05 the volume increased to a completely unacceptable level - this continued until 06:00.

My husband and I visited the manager of Club Inferno at around 04:30 on Saturday 07/09/2024 when we alerted him to the correspondence from the Licensing Sub Committee. Despite this and after being given a mouthful from the security guard who clearly had not been briefed on the detail of the review meeting held just a few days before, the unacceptably high levels of noise continued until 06:00

Following my husband’s 12 hour shift on Friday 06/09/2024 he had to get up at 06:30 on Saturday 07/09/2024 to go to work, to do a customer facing job, on another 12 hour shift, having been up half the night. I sat at home exhausted and unable to function, tired and emotional just waiting for him to come home. When he did get home, he was utterly exhausted, ate very little and went straight to bed. I went to bed at 23:57 using herbal sleeping tablets and went to sleep only to be woken up at 01:45 on 08/09/2024 hearing the music. I remained hopeful that the club would close at 03:00 but it didn’t. The sound levels increased, peaking at 03:55 and continued at this level until 06:00.

That weekend - just like all the weekends going all the way back to April 2024 and before that throughout the latter months of 2023 - Club Inferno demonstrated their clear intent not to comply with their conditions - temporary or otherwise.

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In the letter I received 05/09/2024 at 15:44 it is stated: "Club Inferno wishes to get on with & work with local residents. They wish to be able to run their business and for their neighbours not to think the noise is too much. They are willing to comply with their conditions and would be happy for further conditions to be added."

The club says one thing and does something completely different. The events of the weekend before the review and the weekend after the review do not support this statement.

The club was open Friday 13/09/2024, Saturday 14/09/2024, Sunday 15/09/2024 and Tuesday 17/09/2024. They opened on each of these days at 23:00 and closed at 03:00 the following morning but the sound was not contained and I was unable to sleep until they closed. I was on an early shift that week getting up at 06:00 every day, taking more and more sleep aids, struggling more and more at work. It's horrible. I feel horrible all the time.

The club was advertised as being opened on Thursday 19/09/2024 so I took the sleep aids but then they didn't open and so I felt groggy at work for nothing. The whole week I had to work extra hours in an effort to keep up with my workload because it's so hard to think straight, to concentrate. We hear the music from when they open to when they close. The only way I can describe it is that it's like you only have one pair of shoes and they're too small. You are wearing shoes that are too tight, too small, you manage it because you have to, they're the only shoes you have, when the music stops, it's like taking those shoes off, you feel the relief of taking them off but it's too late. The feet are left hurting with blisters but then you have to put them on again the next day and the day after that.

The wounds get worse and worse and there is less and less relief until - in the end - your feet hurt all the time and there is no relief whether you have the shoes on or not.

The club is completely controlling my life yet there is no need for it. There was never any need for us to reach this state of conflict. All they had to do was comply with the conditions of their licence like any other venue.

As you will read in my previous representations, I have tried my level best to coexist with Club Inferno. I have worked hard to be honest, fair and proportionate.

I'm not objecting to the club's licence because I'm a difficult person, it's not about stopping people enjoying themselves or blocking a business from operating. The reason for my objection is their consistent failure to comply with their licence conditions. If the club complied with their licence conditions, we would coexist but the club haven't, they don't and they won't comply and they have demonstrated this over and over again for 18 months. They don't use the noise limiter and they don't contain the sound.

The effect the noise has on me is profound and I have reached crisis point. My mental, physical and emotional health is shattered. My work is suffering. It's affecting every area of my life and the longer it goes on the worse it is.

I don't see anyone outside of work, other than my husband. I'm so tired all I do is go to work, I try and drag myself to sit outside after work and I sleep when I can. I use herbal sleep aids which give me headaches and brain fog. I use silicone earplugs which make me feel dizzy. My back is covered in eczema which I haven't suffered from since I was a child. The whole situation has turned me into someone I don't want to be. I have gone from being an extremely active, busy, sociable, happy, healthy, woman to being a sad, exhausted, lifeless, unwell person in a state of misery barely able to get dressed at the weekends I have to prioritise work because my husband and I have a mortgage. All my energy goes on work yet even my work is suffering, I'm less efficient and endlessly behind, working extra hours to keep up which makes me more tired and I worry about it all the time. I work on a Saturday roughly every six weeks, I worked on Saturday 31/08/2024

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	<p>having had virtually no sleep. I get especially worried and stressed when I know the club is open and I'm working the next day. I don't have energy for my husband, my children, my grandchildren, my elderly relatives or my friends. I don't want to shop or cook, I eat badly, I've put a lot of weight on, I'm depressed, unhealthy and unhappy. I can't visit my children or grandchildren at the weekend because I'm too tired. I can't plan for them to visit me, they certainly couldn't stay overnight. We are expecting our third grandchild in November. This should be a joyful time, something to look forward to, yet I dread the thought of how I will manage to get up to go and visit my grandchildren and give them the time they need and deserve. I can't plan to do anything. I can't plan to visit friends or for friends to visit me. I can't plan to go on a walking activity or to go out somewhere for the day. I just plan to survive so that I can go to work. The small amount of leisure time I have should be mine to live and to thrive, not just to survive. Everyone worries about me, my husband, my family, my friends. They know that I'm not myself, I miss them and they miss me. I write this representation in the knowledge that the documents are public. I feel exhausted from having to explain and justify. If the club complied with their conditions, I would have no reason to complain, no reason to be put myself in the public domain where I don't want to be.</p> <p>The only reason I am writing this is because the club is a failure to comply with there licence conditions.</p>
<p>Is there any reason why you do not want your personal details to be passed on to the premises licence holder:</p>	<p>Yes</p>
<p>Provide reasons:</p>	<p>Fear of reprisal and/or my personal details being given to the press</p>
<p>Number of documents in support of your representation uploaded:</p>	<p>1</p>
<p>Declaration</p>	
<p>By submitting this form I declare that I have read the representation guidance notes and agree that a copy of my representation will be given to the licence premis owner:</p>	
<p>I confirm I have read the representation guidance notes and agree that a copy of my representation will be given to the premises licence holder.</p>	
<p>Signed:</p>	
<p>Date:</p>	<p>25/09/2024</p>

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Your reference number is FS-Case-519594447.

Thank you for submitting Licensing representation form

Name of the premises: Club Inferno

Regarding the following application I want to: Object

Premises address:

Please enter either the postcode or street name	Choose address	Address
PL1 2QW	24 Lockyer Street, Plymouth	24 Lockyer Street, Plymouth, PL1 2QW

In what capacity are you applying?: Any other person

Your details:

Title	First Name	Surname	Contact Number	Email Address

Your address:

Please enter either the postcode or street name	Choose address	Address

Which of the following Licensing Objectives is this representation relevant to?: C. The prevention of public nuisance

Suggestions and conditions for application: To whom it may concern,

My husband and I moved into our home 26/08/2022. It is our only home and we are permanent residents. My husband is currently working away in Bristol where he is accommodated by his employer, he comes home once or twice a month depending on his shifts. As well as living in this flat I work here too. It is a simple home of two bedrooms, a tiny bathroom and a living area which includes the kitchen. I am 53, my husband is 49. I have taken a mortgage which we both contribute to. We have lived here happily with all the adventure that city living brings. We are used to the ebb and flow of city life having previously rented a flat in central Bristol for six years. Since 31/03/2023 my husband (when he's here) and I have been unable to sleep at weekends – during the night – at all. On Bank Holiday weekends (apart from Easter Sunday when the club suffered a technical fault and was unable to open) Club Inferno is also open on a Sunday which means that I can suffer severe sleep deprivation for three nights at a time. I completed a Noise Diary for the Environmental Health Officer (Mr Will Tomkins) from 31/03/2023 to the 22/04/2023. The following Friday – 28/04/2023 - Mr Tomkins and his colleague visited our flat to experience the sound for themselves. As part of the noise complaint (reference 944425) I have submitted many videos (dates from 21/04/2023 to 14/05/2023) to further demonstrate how the sound from the club feeds into our home and especially into our bedroom. These videos were recorded from our bedroom with the windows and curtains closed on an inexpensive smart phone yet they speak for themselves. These are available for you to view - along with the Noise Diary - from Mr Tomkins.

To be clear, the noise has been the same every weekend from 31/03/2023 to date and is ongoing. It starts between 10 pm and 11 pm, sometimes later but generally the noise is clearly audible throughout our flat by 11 pm. It increases in volume at midnight and usually reaches a peak at 1 am. It then continues throughout the night - invasive, unrelenting, thumping music and vocals, DJ yelling, in our bedroom....all night....until around 4:30 or 5 am the next day. In addition to this, it's chaos outside. There is no latest entry time for the club, every time the door opens, the noise is even louder, people coming and going, screaming, shouting, crying, arguing, vomiting, taxis etc. and so on...all night.

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The club's licence is currently 7 days a week from 10 am to 6 am – that is 20 hours a day – 7 days a week – 365 days a year.

We respect the club's right to exist however, we also have the right to exist and not simply to survive our lives but to live our lives. We have the right to be healthy and well. We have the right to quality of life.

Residential occupancy was granted in our building - without objection - and so here we are.

Again, to be clear, this is not just causing me/us a "nuisance", it is having a devastating effect on my quality of life, our quality of life, my health, my work and our family including our children and grandchildren.

I am depressed, anxious, worried, agitated, lethargic and exhausted all of the time because either I haven't slept or I'm in recovery from not sleeping or I'm worried about not sleeping. On a Thursday I start worrying about not sleeping on the Friday, on a Sunday I spend the whole day stressing that the club might decide to open when I'm already exhausted. It takes me until Wednesday to recover if the club has been open three nights, until Tuesday if it's been open two nights.

I suffer with vertigo which causes dizziness and nausea. I have to be careful with my ears to avoid triggering this unpleasant and difficult to treat condition. In an attempt to sleep I have tried all different ear plugs – foam, Alpine Sleep Deep and silicone ear plugs. Silicone earplugs do reduce the sound but they trigger dizzy spells and even with these heavy duty ear plugs, the sound breaks through. It's awful and upsetting. If I use them I suffer, if I don't I suffer more.

I have tried herbal sleeping tablets (East Meets West Sleep Formula) and valerian. Again, they help, but they make me feel dreadful the next day and the noise still breaks through, continuously breaking up any poor quality sleep I can manage. It's not worth it, they're not good for me and anyway, I don't think this is how I should be forced to live.

I dread my non working weekends. I cannot achieve anything. Everything is a struggle. I wake up with variations of headaches, dizziness, grogginess or all three. I have no energy to do my chores or go for a proper walk. We do not have a car – there's no parking here for residents. Our grandchildren live in Bodmin, by the time I get myself together, it's too late to get the train to go and visit them. Obviously there is no way we could currently have them here. I used to travel to Bristol once a month to visit my husband and our other daughter who lives in Bristol. I have not been this month because I just don't have the energy. Our daughter who lives in Bristol has Multiple Sclerosis, she needs to sleep well and unless she stays in a hotel, she can't come here under these circumstances.

When my husband comes home, apart from not sleeping himself (on weekend days) he also has to try and encourage me to keep going. It's sad. Our quality time together is zero. On 04/05/2023 my husband came home to vote and to spend the weekend with me. My husband works shifts himself and he was so concerned that he wouldn't be fit for work, he went back to Bristol early.

When we moved here, my husband and his manager agreed a future transfer of his job to Plymouth. I was granted a work from home contract and on that basis I was able to obtain a mortgage. The idea was that once we were up and running in our flat, my husband would transfer and we would be fully reunited. We have had to put his transfer on hold due to my husband working shifts. If he is on an early shift he will get up at 5 am. As my husband works in hospitality, he works more weekends and Bank Holidays as standard. How can he get up if he hasn't been to sleep?

This all has the additional effect of making me feel isolated and lonely.

Even the weekend evenings cannot be enjoyed because I/we are just waiting for the noise to start. As you will read in the Noise Diary – it's throughout our flat – I can't listen to the radio or read a book or watch something on the laptop once it's starts. There's no rest or relaxation. It's horrible.

Then there is the effect on my work. For a start I work some Saturdays and Bank Holiday Mondays. I am working 29/05/2023. My job involves thinking on my feet and making urgent decisions in a time critical fashion. My role is intense and unpredictable. I'm a commercial underwriter dealing with incoming calls, incoming emails and ongoing, involved, cases and tasks that often have serious consequences for business owners relating to large and often complex claims. This is not a job that I can turn up to having had two or three hours sleep.

I have yet to inform my manager of this issue as I am so worried and anxious that it will affect my job in a detrimental way (for example by terminating my work from home contract – the nearest office is in Bristol) which would affect my income which would affect my mortgage. It's a lot to worry about.

Please help us to find a compromise. Theoretically Club Inferno could open seven days a week from 10 am until 6 am the following day – that's 20 hours a day, 7 days a week, 365 days a year. I get up at 6:10 am on any working day which includes one Saturday in six and some Bank Holidays. I am already suffering the devastating effects of the club being open two to three days a week from 10/11 pm until 4:30/5 am. I cannot even contemplate how it would be physically or mentally possible to live with this permanently.

The club has no soundproofing, no lobby, no final entry time and no limit on the volume of the music that they play. The noise can be heard in Notte Street and from the flats above the Slug & Lettuce. If it is disturbing people

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that far away throughout the night – can you imagine what it's like living within a closer proximity?

Currently the compromise is all ours. There is zero compromise from the club.

On Friday - 12/05/2023 - Mr Will Tomkins and his senior - Mr Graham Hooper – conducted a tandem visit between our flat and the club. A level of (music) volume was agreed that was barely perceptible in our bedroom. I felt encouraged that potentially we had reached a compromise – at least in terms of the night long persistent, invasive noise. As Mr Tomkins and Mr Hooper left, the volume immediately increased. On Saturday 13/05/2023 we were back to square one.

We have had someone from the club stand outside the front of our building late at night loudly remonstrating with others about how residents should “get a grip”. We don't need to “get a grip”, we need to get some sleep.

A resident was approached by someone from the club when coming home in the evening and told that “someone in this building has made a complaint...” This is intimidating.

Last weekend – in the early hours of Sunday morning (21/05/2023) a lady from a flat above the Slug & Lettuce came to the club and had a complete meltdown demanding that the club reduce the volume. It's shocking that someone can be disturbed from that distance and to that extent.

Which brings me to this weekend. Another Bank Holiday. Instead of relaxing and enjoying the sunshine I am struggling through in a grey fog. On Friday – 26/05/2023 - the music was audible throughout our flat at 23:27. The volume increased Saturday 27th May at 00:48 and continued throughout the night. The only way I can really cope is to use the silicone earplugs and take the herbal sleeping tablets. I dragged myself out of bed at 09:30 with a headache, a thick head, feeling dizzy, uncomfortable and with sore ears.

Copy and paste the same into last night except this time the music didn't start until this morning at 00:20 when I was already in bed. It increased around 01:00 and continued throughout the night, clearly audible in our bedroom. I feel as bad this morning as I felt yesterday.

Tomorrow – Bank Holiday Monday 29/05/2023 – I am working. I must get up at 6:10 am and be fit and ready for work. I am remotely monitored. There will be only one other person on duty which means I will be very busy for the whole day. I will be starting my working week in a worse position even than usual. As it stands, I go to bed very early on a Sunday night (assuming the club is shut) to try and get some sleep for the working week ahead. There's no chance of that tonight and I am already worrying about how I will get through tomorrow and the rest of the week. I don't have anywhere else to go and sleep.

On 04/05/2023 I attended West Hoe Surgery to visit the doctor as my dizzy spells have got increasingly worse. I have now been sent for a 24 hour ECG on 15/06/2023. I have never had an issue with my heart before. I have had blood tests to confirm that I am not suffering from high cholesterol. Without prompting, the doctor expressed a concern that if there is no underlying problem with my heart then the issue could be related to stress. Again, despite facing many challenges throughout my 53 years, I have not suffered stress to such an extreme that it affects my heart! For your information I have attached a copy of my hospital appointment – I'm not making this up.

We love our home, we love Plymouth, we don't get overwrought by the ebb and flow of city life. We are city dwellers but we are also outdoor people who love walking and ferry trips here and there for further adventures.

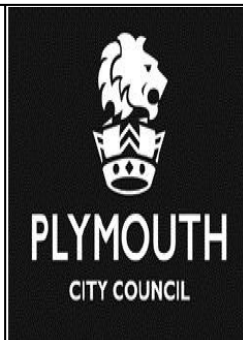
We moved into this flat long before the club opened. Planning Permission for residential development in our building was granted by the council without objection from the club.

We don't know what the solution is. We didn't create the problem. We just want our lives back and I am desperately seeking the return of my mental and physical health.

Is there any reason why you do not want your personal details to be passed on to the premises license holder?: Yes

Provide reasons: Fear of reprisal

LICENSING REPRESENTATION



Case reference: FS-Case-633385102

Premises	
Name of the premises:	Club Inferno
With regard to the following application I want to:	Object
Premises address:	24 Lockyer Street, Plymouth, Devon, PL1 2QW
Representation	
In what capacity are you applying:	Any other person

div>

Name:	
Telephone number:	
Mobile number:	
Email address:	
Address:	
Resrepresentation details	
Whick of the following Licensing Objectives is this representation relevant to:	C. The prevention of public nuisance
	<p>Complaint Ref: 944425. I refer you in the first instance to my 2023 representation (Ref no: FS-Case-519594447) submitted by me prior to the previous licence review which was withdrawn by the council. As stated, my husband and I moved into our flat 26/08/2022 by which time the club had been closed for several years. Seven months after we moved in the club reopened with no restrictions to accommodate neighbouring residential development – permission for which was granted by the council. The club’s licence is currently seven days a week from 10 am to 6 am – that is 20 hours a day – seven days a week – 365 days a year. At the time it reopened, the club had no soundproofing, no lobby, no final entry time and no limit on the volume of the music that they played. The effect on our lives was devastating as previously documented in that representation.</p>

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As I understand things, the licence review was withdrawn following the club's agreement to have a noise limiter fitted which was deemed to have solved the problem. With the agreement of all parties, the sound level was set so that we could barely hear it in our bedroom.

I refer you to the attached email trail spanning from 03/08/2023 to 09/02/2024 in which you will read how the club disrespected the condition by - on occasions - bypassing the noise limiter and - I can only assume - persistently trading with the door open or rearranging the equipment so that the noise limit agreed was no longer adhered to. I clearly record within these emails, the detrimental effect that the noise from the club is having on me physically and mentally and how it is affecting my work and my quality of life.

Following my email (in the attached email trail) 16/10/2023 I was asked to be patient as the club's licence was due to be updated to include a new condition – in addition to the noise limiting device – saying that “between the hours of 23:00 and 08:00 there must be total sound containment within the premises”. Clearly this would definitely solve the problem and so it did – sometimes. You will see/read how I fairly record and report the improvement and the positive effect that has on me and my quality of life. Over the Christmas period and in the early part of this year (apart from New Year's Eve when we took it on the chin) the club was mostly closed and then it was open sporadically and for the main part was compliant with the conditions at least sufficiently to allow us to get used to the level of sound although it should be noted that “total sound containment within the premises” has never been achieved. During this period and on the basis that we and the club had found a way to live side by side, my husband, finally moved his job to Plymouth and we are back together full time nine months later than planned.

Until around May 2024, we were all doing okay. We would be woken up in the middle of the night by the sound of the club for between half an hour and 45 minutes, occasionally even up to an hour and a half. It was annoying but manageable.

I refer you to my email from 01/07/2024 (I have sent the email to you at licensing@plymouth.gov.uk as I can only attach one document here) where I explain that since May the club has been opening very late - sometimes around 01:00/01:30 We wake up when they open and the noise has been leaking out for longer and longer periods increasing in the last few weeks to all night. I am back to using silicone earplugs and herbal sleeping tablets, weekends are once again unproductive for me and awful for my husband who works in hospitality as a front of house restaurant supervisor.

Our quality of life has again deteriorated. On 21st June, I again started keeping a specific record which looks like this:

22/06/2024 Club opens between 01:30 and 02:00 waking us up with loud music audible in our bedroom increasing in volume to a peak at 03:18 which continued all night.

23/06/2024 Club opens very late around 01:15 waking us up with loud music audible in our bedroom increasing in volume at 02:41, 03:42 and peaking at 04:18 when it was also chaos outside until the club closed just

Please explain the likely effect the granting of the application would have on the promotion

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of the above
Licensing Objectives:

before had to get up and go to work.

29/06/2024 Club opens very late as detailed in my attached email of 01/07/2024 This was Armed Forces Day when my husband was working extremely hard all weekend including Friday, Saturday and Sunday. Copy and paste 30/06/2024 when had to go to work again, on his feet, all day, customer facing. Our daughter was visiting from Bristol and had to stay in a hotel rather than with us at the flat. She has multiple sclerosis and needs to sleep, we couldn't risk her staying with us.

05/07/2024 Club opens at 23:45 and we are repeatedly woken up throughout the night into 06/07/2024 at 01:15, 02:45, 03:45, 04:15 Copy and paste 06/07/2024 into 07/07/2024

I received a call from Mr Will Tomkins 09/07/2024 informing me that the club's licence will be reviewed.

I go to bed on club nights between 11 pm and midnight. The club opens very late now, often after 01:00 by which time the street is quiet so I wake up when they open due to the sudden loud noise. I try and sleep using earplugs and herbal sleeping tablets but this is not a good way to sleep so I either sleep badly, repeatedly waking up when the noise surges and feel drained and groggy the next day or I don't sleep at all and feel worse. The most frustrating thing of all is that the club have clearly demonstrated that they can comply with the conditions placed upon their licence that allow us to live side by side without friction. I don't understand why they wouldn't want that.

Following the call from Mr Tomkins there was an improvement on 13/07/2024 when the club opened around 01:20 with a noise surge around 02:40 The club opened earlier on the evening of 13/07/2024 just before midnight and the sound was more manageable through that night into 14/07/2024 however, this past weekend we have again regressed, with loud music peaking at 02:38 20/07/2024 earplugs ineffective at 04:04 and in the morning of 21/07/2024 the club opened very late again around 01:30 bass audible throughout the night and chaos around 05:00 until everyone left.

To give you some context, during the week, the noise of the city ebbs and flows but ceases between 11 pm and midnight. If I wake up in the night I hear a seagull or the passing of an occasional car. I sleep well and deeply. In terms of noise pollution, the council based their decision to allow residential development on an acoustic survey carried out when the club was closed. I imagine this is what could be heard – seagulls and traffic. When the club is closed, there is more noise on Friday and Saturday nights (and sometimes Wednesdays which is a popular night out for students) whilst people move from venue to venue but even this is transient in nature and rarely continues/occurs past 1 am. The problem with the noise from the club is that it's relentless noise all night until 6 am, thumping bass/music all night with prolonged surges of volume throughout. It's horrible. Now that they open so late (midnight at the earliest) we have to go to bed and then be woken up and because we don't sleep properly – or at all when things are really bad – it means we can't live our lives during the day. works more or less every weekend and almost never has a Saturday off. It's just not fair.

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	<p>I do understand there has been a club here for many years. At the same time the club was shut for a number of years. We moved in when the club was shut. The club did not reopen for a further seven months after we moved in. The club did not object to having residential neighbours so they have to accept that we also have a right to exist and live our lives during the day which means we need to be able to sleep.</p> <p>I have been careful not to frivolously complain and it is not my intention to persecute the club. I just want them to comply with the reasonable conditions places upon them that any other similar venue would be expected to comply with. In return for that we can mostly sleep and everyone can get on with their lives. What is the meaning of a licence condition – such as “total sound containment” – if it is not complied with? Please support us to find a solution.</p>
<p>Is there any reason why you do not want your personal details to be passed on to the premises licence holder:</p>	<p>Yes</p>
<p>Provide reasons:</p>	<p>Fear of reprisal</p>
<p>Number of documents in support of your representation uploaded:</p>	<p>1</p>
<p>Declaration</p>	
<p>By submitting this form I declare that I have read the representation guidance notes and agree that a copy of my representation will be given to the licence premis owner:</p>	
<p>I confirm I have read the representation guidance notes and agree that a copy of my representation will be given to the premises licence holder.</p>	
<p>Signed:</p>	
<p>Date:</p>	<p>24/07/2024</p>

Appendix E

<h1 style="margin: 0;">LICENSING REPRESENTATION</h1>	 <p style="margin: 0;">PLYMOUTH CITY COUNCIL</p>
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Case reference: FS-Case-650142503

Premises	
Name of the premises:	Club Inferno
With regard to the following application I want to:	Object
Premises address:	24 Lockyer Street, Plymouth, Devon, PL1 2QW
Representation	
In what capacity are you applying:	Any other person
Name:	
Telephone number:	
Mobile number:	
Email address:	
Address:	
Representation details	
Which of the following Licensing Objectives is this representation relevant to:	A. The prevention of crime and disorder, C. The prevention of public nuisance

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<p>Please explain the likely effect the granting of the application would have on the promotion of the above Licensing Objectives:</p>	<p>Iv lived in many cities around the UK, including central London and in my life iv never experienced noise from a business in my own home like this, especially at the most unsocial of hours. Living in any city centre you would expect some noise, especially on a Friday and Saturday evening but this goes far beyond. for the sake of mental health and sleep i dont think its possible to live in this property full time. The noise is thumping base all night until sometimes 5/6am !!! then you have kick out , people shouting, fighting etc its relentless. ive tried ear plugs, sleeping pills but it just does work.</p> <p>i think it would be really beneficial for the planning department who granted development for Lockyer street into a residential dwelling & licencing to come and stay a night to really see the ridiculous noise levels and show them how impossible it is to sleep, this isnt a one off event, its every week/end.</p> <p>according to club inferno licence they shouldn't be operating at these noise levels and its so ridiculously loud!!</p> <p>The club also just closes when ever it likes, its not uncommon for them to run until 6am, when confronting door staff about their operating times, they dont seem to care and have no idea about these restrictions or times.</p> <p>and us residents have no idea how they can be enforced?</p>
<p>Is there any reason why you do not want your personal details to be passed on to the premises licence holder:</p>	<p>Yes</p>
<p>Provide reasons:</p>	<p>fear of reprisal and concerned my personal details in public domain when living so close by.</p>
<p>Number of documents in support of your representation uploaded:</p>	<p>0</p>
<p>Declaration</p>	
<p>By submitting this form I declare that I have read the representation guidance notes and agree that a copy of my representation will be given to the licence premis owner:</p>	
<p>I confirm I have read the representation guidance notes and agree that a copy of my representation will be given to the premises licence holder.</p>	
<p>Signed:</p>	
<p>Date:</p>	<p>26/09/2024</p>

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<div style="border: 1px solid black; display: inline-block; padding: 5px 15px; margin-bottom: 10px;">Appendix F</div> <h1 style="margin: 0;">LICENSING REPRESENTATION</h1>	 <p style="margin: 0;">PLYMOUTH CITY COUNCIL</p>
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Case reference: FS-Case-650694431

Premises	
Name of the premises:	Club Inferno
With regard to the following application I want to:	Object
Premises address:	24 Lockyer Street, Plymouth, Devon, PL1 2QW
Representation	
In what capacity are you applying:	Any other person

div>

Name:	
Telephone number:	
Mobile number:	
Email address:	
Address:	
Representation details	
Which of the following Licensing Objectives is this representation relevant to:	C. The prevention of public nuisance
	<p>Please read and consider my previous representation FS-Case-634228051 I attended the licence committee hearing on 2nd September 2024. I did not object to the club's late representation out of fairness, I thought it was the right thing to do to give them the opportunity to be heard. I didn't want to be accused of unfairness.</p> <p>I want it noted that the weekend before the last hearing we were kept awake all night until 6 o'clock in the morning. I was working all weekend that weekend and my wife had to work on the Saturday. The club have zero consideration for their neighbours. They did not use the noise limiter or manage the entrance to the club, it was chaos outside all night. A neighbouring property owner provided evidence that was not allowed to be heard at the last review. This was not fully talked about at the hearing but it's important because the club claimed at the hearing that they have</p>

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<p>Please explain the likely effect the granting of the application would have on the promotion of the above Licensing Objectives:</p>	<p>tried hard to comply with their conditions when they haven't. I received an email with the outcome of the hearing on 5th September. The decision was that the club had to close at 3 am for 3 months and comply with their conditions (as they should have been anyway) to use the noise limiting device and ensure total sound containment within the premises neither of which they have done since April 2024 as well as regular breaches for months before that.</p> <p>On Friday 6th September I went to bed earlier than my wife because I had been to work on a long shift and was working another long shift on Saturday 7th September starting early. We were woken up in the middle of the night, we could hear the music, we couldn't get back to sleep, the club did not close at 3 am. We visited the manager at 4.30 am. It was clear that there was no intention to comply with the existing conditions of the licence or the temporary condition. The security guards had not been briefed. The club stayed open, the noise continued until 6 o'clock in the morning. I had to get up at 6.30 am to get ready for work. The same thing happened again on Sunday morning. The club showed that they don't care about or respect their conditions.</p> <p>The club was open the following Friday, Saturday, Sunday and Tuesday. They did close at 3 am but we were kept awake by the music that was not contained in the premises and the noise limiter was not used. These are existing conditions that the club is supposed to comply with all the time but don't.</p> <p>I would like the committee to understand how this club has affected me, my wife, my family, my work and my health. I'm worried about my wife's mental and physical health. We don't have a normal life and it is becoming so difficult to function as a family. I am asking for help, I cannot have my wife depressed all the time. I'm tired at work especially as I work most weekends, long hours, in a customer facing environment where I cannot afford to be exhausted. There's no happiness in our home. Our kids and grand kids can't visit us and we can't visit them. Think about how hard this process is to deal with when we have full time jobs, kids and grand kids. We've been trying to deal with it for 18 months.</p> <p>I have no any other option but to object to the club's licence, because of how long it has been going on. We are permanent residents. We've been here for well over two years now, the club did not object to residential development, they reopened 18 months ago and from the beginning have refused to consider us. Environmental Health have tried to solve the problem and when the club complies with their conditions we are okay but they don't. As soon as no one is looking at them they breach their conditions and that is not fair and shouldn't be allowed to continue. We are not asking for anything extraordinary or unusual only to be allowed to sleep in the night to allow us to live during the day.</p>
<p>Is there any reason why you do not want your personal details to be passed on to the premises licence holder:</p>	<p>Yes</p>

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Provide reasons:	Fear of reprisal and being personally identified in the media
Number of documents in support of your representation uploaded:	1
Declaration	
By submitting this form I declare that I have read the representation guidance notes and agree that a copy of my representation will be given to the licence premis owner:	
I confirm I have read the representation guidance notes and agree that a copy of my representation will be given to the premises licence holder.	
Signed:	
Date:	29/09/2024

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Appendix G

LICENSING REPRESENTATION**Case reference: FS-Case-652468208**

Premises	
Name of the premises:	Club Inferno SW
With regard to the following application I want to:	Object
Premises address:	24 Lockyer Street, Plymouth, Devon, PL1 2QW
Representation	
In what capacity are you applying:	Any other person

div>

Name:	
Telephone number:	
Mobile number:	
Email address:	
Address:	
Representation details	
Which of the following Licensing Objectives is this representation relevant to:	C. The prevention of public nuisance
	<p>1. My wife and I own a property at [redacted] We purchased it in June 2022. At time of purchase we commissioned a building survey. The survey brought attention to the fact that 24 Lockyer St had a license to operate as a night club. We queried this with the estate agent and the developer, and were told that there was planning permission in for 24 Lockyer St to be turned into an HMO and that the night club would never operate again. We checked on this application and it did appear true.</p> <p>2. We wouldn't have bought our property had we known the nightclub would re-open. We're bemused as to why Plymouth City Council would have granted planning permission to the developer of [redacted] in knowledge that a building two doors away had a license for a nightclub and without doing appropriate environmental checks (sound) whilst the</p>

Please explain the likely effect the granting of the application would have on the promotion of the above Licensing Objectives:

night club was in operation.

3. Club Inferno was incorporated in November 2021, two years after the planning application for the conversion of [redacted] into flats was approved, and whilst the development was ongoing. Club Inferno ownership could, and arguably should, have taken into account the proximity of all local residences when they were planning the launch of their business to mitigate the risk of impact to local property owners and to themselves.

4. From the outset, Club Inferno management demonstrated a complete disregard for the conditions of their license, resulting in numerous complaints from local residents (ourselves included) immediately after opening. This disregard resulted in the environment agency fitting a noise limiting device within the premises and changing key aspects of their license.

5. We had all hoped this would be the end of the disruption to our lives. It appeared, for a time, that Club Inferno Management would stick to the new license conditions and that we could coexist, showing mutual empathy to the situation we had all been put in by the re-zoning of Lockyer St.

6. Ultimately, Club Inferno Management proved incapable of adhering to the conditions of their license and showed blatant disregard for excessive noise in the form of sound emissions from within the club and consequential noise caused by their customers being allowed to use Lockyer St as an “extension of their premises”. Residents were subjected to night after night of excessive noise from both the club and their customers in the street. This resulted in the first review of their license that was concluded on 5th September.

7. I believe they have demonstrated that they have zero intention of complying with the conditions of their license in the long term. Even in the lead up to the hearing on 2nd Sept, when you might have expected them to be on their “best behaviour”, they were actually on their worst. See the two messages sent to us by a guest on the 30th and 31st Aug respectively: (see word doc attached)

8. In anticipation of the noise of 30th Aug continuing on 31st Aug, I decided to go and observe it for myself. I parked my car nearby and took numerous videos throughout the evening. The scenes I witnessed, and have video evidence of, include:

- Music from the night club being clearly audible in both Lockyer St and Princess Street from about 2am until 5.30am.
- Nightclub goers spilling out of the club and sitting on the steps of the properties on Lockyer St, talking loudly for long periods of time, drinking alcohol and smoking what smelled like marihuana.
- Nightclub goers that had parked their cars on Lockyer St, “hanging out”

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	<p>in Lockyer St and playing deep base music from their cars with the doors wide open. Residents leaning out of their windows literally screaming for the music to be turned off, but with no success.</p> <ul style="list-style-type: none"> • The club security guards doing nothing to prevent this anti-social behaviour. • Club security guards allowing club goers to hang out on their front steps for extended periods of time before entering the club and after departure making an unnecessary noise. <p>9. Despite the resolution of the first hearing being emailed out on Sept 5th, the club breached the revised opening hours for their license and continued its anti-social behaviour on Friday 6th September, as some of my fellow property owners will have informed you. Even if Club management had somehow managed to “miss the email” that was sent to them, surely they could have assumed that, as an absolute minimum, they were going to need to comply with the conditions of their license.</p> <p>10. On Friday 4th October I again decided to observe the club operations. Music from the club is still clearly audible from within our property and it's noise level in the street is barely reduced. Again, I have video evidence of this.</p> <p>11. In conclusion: We had originally hoped that both the local residents and Club Inferno Management could coexist. We were prepared to tolerate certain levels of noise if they were prepared to honor the conditions of their license and proactively manage the consequential noise produced by their customers. They have demonstrated no intention or desire to do so. In fact, they have done the complete opposite by intentionally by-passing the noise limiter and failing to proactively limit street noise. The best predictor of future behaviour is past behaviour, and this company should be stripped of its license to operate.</p>
<p>Is there any reason why you do not want your personal details to be passed on to the premises licence holder:</p>	<p>I am happy to provide all videos that I have referred to as supporting evidence to this representation.</p> <p>Yes</p>
<p>Provide reasons:</p>	<p>For fear of retribution</p>
<p>Number of documents in support of your representation uploaded:</p>	<p>1</p>
<p>Declaration</p>	
<p>By submitting this form I declare that I have read the representation guidance notes and agree that a copy of my representation will be given to the licence premis owner:</p>	

Appendix H

From:
To:
Cc:
Subject: RE: Application for Premises Licence Review - Club Inferno
Date: 30 September 2024 08:38:44
Attachments:

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Good morning,

The Police would like to make representations in support of the review applied for by Environmental Health on the business known as Club Inferno, 24 Lockyer Street, Plymouth, PL1 2QW.

The grounds are, the premises is having a negative impact on the licensing objectives, namely The Prevention of Crime and Disorder. The Police have concerns with how the premises are managed and operated.

Sunday 8th September 2024 at 05:47 hours, Police receive a call from the Ambulance service requesting assistance regarding a concern for a female at the premises. Numerous other calls to the police are followed up by members of the public. The officers that attended the call raised concerns that staff were not helpful and were asking the police to move their vehicle and people away from the premises as they are getting complaints. Body Worn Video captures the comments made and the officers concerns.

Friday 27th September 2024, Police Licensing attend the premises to check compliance. It was found that the premises were not complying with the following conditions:

1. All staff engaged in licensable activity at the premises will receive training and information in relation to the following:

- i. The Challenge 25 scheme in operation at the premises, including the forms of identification that are acceptable.
- ii. The hours and activities permitted by the premises licence issued under the Licensing Act 2003 and conditions attached to the licence.
- iii. How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).
- iv. Recognising the signs of drunkenness.
- v. The operating procedures for refusing service to any person who is drunk, underage or appears to be under-age, or appears to be making a proxy purchase.
- vi. Action to be taken in the event of an emergency, including reporting an incident to the emergency services. Training shall be recorded in documentary form and shall be regularly Refreshed at no greater than 12-month intervals. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority. Training records will be retained for at least 12 months.

2. An incident log shall be kept and maintained at the premises which will include a log of the following, including pertinent details:

- i. Any incidents of disorder or of a violent or anti-social nature.
- ii. All crimes reported to the venue, or by the venue to the police.
- iii. All ejections of patrons.
- iv. Any complaints received.
- v. Seizures of drugs or offensive weapons.
- vi. Any faults in the CCTV system.

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vii. Any visits by a responsible authority (under the Licensing Act 2003) or emergency service. Records must be completed within 24 hours of any incident, and will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident. The logs shall be kept for at least 12 months following the date of entry and be made available for inspection and copying upon request of an authorised officer of a responsible authority.

5. The premise will have a written vulnerability and safeguarding policy, which all members of staff will be directed to read and sign that they have read the policy.

12. The following details for each door supervisor will be contemporaneously entered into a register kept for that purpose:

I. Full name II. SIA licence/badge number, and registration number of any accreditation scheme recognised by the Licensing Authority (including expiry date of that registration or accreditation)

II. The date and time they began their duty.

III. The date and time they completed their duty. IV. The full details of any agency through which they have been allocated to work at the premises if appropriate.

13. The register shall be available for inspection and copying at all reasonable times by an authorised officer of a responsible authority.

14. The register shall be kept at the premises at all times and be so maintained as to enable an authorised officer to establish the particulars of all door supervisors engaged at the premises during the period of not less than 12 months prior to the request.

15. A written drugs policy shall be in place and operated at the premises. It must detail the actions taken to minimise the opportunity to use or supply illegal substances within the premises. The policy must be made available for inspection and copying upon request by an authorised officer of a responsible authority.

If you need anything further please get back to me.

Kind regards

**Police Alcohol Licensing Officer
(Plymouth and Torpoint)**

Mobile:

Telephone:

Internal: MS Teams

Alcohol Licensing

Devon & Cornwall Police, Charles Cross Police Station, Hampton Street, Plymouth, PL4 8HG



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