

Licensing Sub-Committee  
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## Culture, Leisure and Regulatory Services

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Phone: 023 9283 4604

Our Ref: 24/02807/LAREVI

Date: 20 August 2024

Dear Members of the Licensing Sub-Committee

### **APPLICATION FOR THE REVIEW OF A PREMISES LICENCE - 24/02807/LAREVI AFTERS 4-8 GUILDHALL WALK PORTSMOUTH PO1 2DD**

I refer to the recent application for the review of the premises licence submitted by the Chief Officer of Police on 23 July 2024 in respect of Afters, situated at 4-8 Guildhall Walk, Portsmouth.

On behalf of the Licensing Authority, I wish to make a formal representation in respect of this application on the following grounds:

- Prevention of crime and disorder
- Public safety
- Protection of children from harm

As members of the committee will be aware, any application for a review of a premises licence must relate to particular premises and must be relevant to the promotion of one or more of the licensing objectives. It is the view of the Licensing Authority that the incidents and reports that have led to the application for the review of this licence can be positively tied and linked by a causal connection to Afters.

By way of background information, these premises have historically operated as a late night entertainment venue for many years, and certainly since alcohol licensing became a statutory function for local authorities in 2005 (in accordance with the Licensing Act 2003). The premises were previously operated under the trading names of:

- Every Cloud Club
- Zanzi
- Fuzzy Duck

The premises are also located within the cumulative impact area as identified in the current statement of licensing policy.

Cumulative impact is the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area.

Section 14.21, 14.22 and 14.24 of the Statutory Guidance issued in accordance with section 182 of the Licensing Act 2003 states:

*" 14.21 In some areas where the number, type or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance and disorder may arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport."*

*"14.22 Queuing in itself may lead to conflict, disorder and anti-social behaviour. Moreover, large concentrations of people may also attract criminal activities such as drug dealing, pick pocketing and street robbery. Local services such as public transport, public lavatory provision and street cleaning may not be able to meet the demand posed by such concentrations of drinkers leading to issues such as street fouling, littering, traffic and public nuisance caused by concentrations of people who cannot be effectively dispersed quickly."*

*"14.24 A cumulative impact assessment (CIA) may be published by a licensing authority to help it to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. CIAs relate to applications for new premises licences and club premises certificates and applications to vary existing premises licences and club premises certificates in a specified area."*

The current premises licence holder is Afters Nightclub Ltd, first incorporated as a limited company on 27 January 2024 and the sole director of the company being Lydia Taylor. There is currently no designated premises supervisor (DPS) nominated on the premises licence.

The premises licence was transferred to Afters Nightclub Ltd on 21 April 2024.

Since this premises first opened in late March/early April 2024 there has been a catalogue of issues and concerns arising in relation to these premises which indicate poor management and an inability by the Director of Afters Nightclub Ltd and her partner Mr Jonny Robinson to comply with statutory regulatory requirements. In addition, both Miss Taylor and Mr Robinson have consistently made false statements to the Police and Licensing Authority in terms of how the premises is being conducted.

The following information provides further evidence of the issues identified as a result of poor management of these premises.

## 1. Designated Premises Supervisors

There has been an unsatisfactory history of frequent requests by designated premises supervisors to be removed from the premises licence since the premises first opened in early April 2024. In addition, there have been concerns raised as to the availability of DPS's and their presence at the premises during trading hours. The details and timelines for these applications are set out below:

### 3 April 2024

The previous licence holder and DPS for the premises (Every Cloud Club) contacted the licensing authority to request to be removed as the designated premises supervisor for Afters as he had no business connection nor any management responsibilities in respect of the premises newly trading as Afters.

### 5 April 2024

The director of Afters Nightclub Ltd submitted 2 applications to the licensing authority in respect of the transfer of the premises licence from the previous licence holder to Afters Nightclub Ltd. An application was also made to vary the designated premises supervisor to Mr W.

### 14 June 2024

Mr W contacted the licensing authority and requested that he be removed as DPS immediately. He raised concerns as to the way in which the premises were being operated by the licence holder and did not wish for his reputation within the licensed industry to be tarnished. He also stated that he had not been paid any wages by the licence holder since he commenced employment at the premises.

A new application to vary the designated premises supervisor from Mr W to Ms H was received by the licensing authority the same day from Afters Nightclub Ltd.

Due to ongoing concerns with issues arising at the premises, Mr Ross Lee, Principal Licensing Officer, made arrangements to meet with the new DPS to discuss licensing requirements. 2 appointments were arranged but Ms H did not turn up for those meetings nor made any attempt to contact with Mr Lee in order to cancel the meetings.

Mr Lee eventually managed to meet with Ms H on 11 July 2024. She was accompanied by Mr Robinson as the licence holder was unable to attend due to illness.

The following facts were established:

- Ms H currently works at a pub in Fareham and does not hold a full driving licence;
- Ms H retracted her original statement that she worked at Afters "every week" when she was challenged on this and confirmed that she works at Afters on a Monday only (and last worked 2 weeks ago);
- She had no knowledge of the Licensing Act 2003;
- She had no knowledge of the licensing objectives;
- Declared that a "child" was someone "under 19 to 21";
- Had no knowledge of the premises licence granted to Afters or any of the conditions

attached;

- Did not understand irresponsible drinks promotions;
- Did not know or understand the relevance of the cumulative impact area;
- Did not understand the requirements for SIA door staff for the premises;
- Ms H confirmed that she cannot attend the premises easily or quickly as she is totally reliant upon public transport.

In summary, the licensing authority were concerned with the arrangements put in place by the licence holder to ensure effective day to day management of the premises and the calibre of the DPS.

### **30 July 2024**

The licensing authority received a request from Ms H to be removed as the designated premises supervisor.

This request was received subsequent to the application for the review of the premises licence by the Police which was made on 23 July 2024.

### **2 August 2024**

The licensing authority received an application from the licence holders to vary the designated premises supervisor to Mr W. The licensing authority is aware that the licence holder previously made an approach to an experienced Portsmouth licensee to undertake the role of DPS at the premises but the individual declined.

### **13 August 2024**

The Police submitted a formal objection to the application to vary the DPS application to Mr W which included the following concerns:

- The premises being subject to a review application due to significant concerns from the Police relating to the licence holder failing to promote the licensing objectives and a failure to trade lawfully under the Licensing Act 2003 ("LA03");
- Problems identified at the premises related, in part, to a lack of experienced and present management at the premises resulting in offences under the LA03 being committed;
- Concerns relating to drug use at the premises and intelligence which suggested that drug dealing is taking place at the premises;
- Location of the premises in a busy area of Portsmouth's night-time economy and also is situated within a cumulative impact area due to the volume of crime and disorder relating to the cumulative effect from licensed premises;
- Afters need an experienced and knowledgeable management who are present and overseeing the operation of the premises. An absent DPS who fills the role on paper only, is not effective in promoting the licensing objectives;
- Without strong, capable and present management, Afters will continue to fail in promoting the licensing objectives, including the prevention of crime and disorder. It will also fail to operate, as required, in compliance with its premises licence conditions. This is evident from the reported incidents over the past 5 months and the breaches of licence conditions resulting in offences being committed, all whilst there has been an absence of an effective and present DPS;

- Concerns relating to the DPS being absent being raised with the licence holder many times and yet there is an issue with a DPS being present and in day to day control of the premises.

### **14 August 2024**

The licensing authority received a request from Mr W to be removed as the designated premises supervisor.

The licensing authority were advised that the proposed DPS was not aware of the review proceedings pending in relation to the premises (the licence holder had not mentioned this to him) and he did not want to remain on the licence as the nominated DPS because he was employed at a premises in Winchester (hence why he was absent from Afters when it was open and trading) and did not want the pending review application to affect his new career opportunity.

**To date - 19 August 2024** - no further application has been received to vary the designated premises supervisor by the licence holder and therefore, by way of mandatory condition on the premises licence, no alcohol can be sold.

## **2. Chronology of Licensing Service Engagement with Afters Nightclub Ltd**

### **28 February 2024**

Mr Jonny Robinson emailed the licensing authority to advise that "his" company had taken over the premises from the previous licensee. Mr Robinson advised that the owner and company director, "Lydia" would be the DPS and had undertaken her mandatory accredited training and obtained her DBS check.

The email advised that it was intended to open the premises as soon as possible and requested the relevant forms to do so.

### **9 March 2024**

I responded to Mr Robinson as follows:

- Advice given that the current premises licence was suspended due to non-payment of annual licensing fee
- Provision of the relevant application forms for the transfer of the licence to Afters Nightclub Ltd and to vary the designated premises supervisor to Lydia Taylor
- Guidance was given that once the applications had been submitted and the outstanding annual fee paid, the premises could commence trading.

### **2 April 2024**

The licensing authority received information from the Police licensing unit regarding Afters. The Police were of the view that the premises were not opening for a few weeks and that they had agreed to meet with the Police and Licensing Authority prior to opening but, in fact, the premises opened the previous weekend (22 March) and concerns had been raised in respect of how the premises were being managed.

It was established that the premises had applied for a TEN for that weekend on the Gov.uk online application web page but this information was not delivered to the licensing service via the Gov.uk portal.

PC Lewington also advised that Jonny Robinson had advised him that *"the council said it was ok to open now they have the licence"* and that he had submitted all the paperwork to PCC licensing to transfer the licence to Afters Nightclub Ltd. This was untrue in both respects. No contact had been received from Mr Robinson regarding this since I emailed him on 9 March 2024 and no applications to transfer the premises licence or vary the designated premises supervisor had been made to the licensing authority at that time.

### **5 April 2024**

Lydia Taylor (Company director for Afters Nightclub Ltd) and Mr Jonny Robinson visited the PCC licensing office to complete the application forms to transfer the premises licence to Afters Nightclub Ltd and to vary the designated premises supervisor. I dealt with them personally at the main reception desk and was concerned to note Ms Taylor's behaviour and general demeanor. She was very agitated and did not seem to be able to understand or follow the conversation. I was of the view that she was under the effects of alcohol or another substance.

Later that afternoon, I attended the premises known as Afters with an officer of Hampshire and IOW Fire and Rescue Service who was conducting a fire safety visit under the Regulatory Reform (Fire Safety) Order 2005. A prohibition notice had been served on the premises due to a number of fire safety defects including no working fire alarm, faulty smoke alarms, no emergency lighting and no fire risk assessment.

I undertook a licensing compliance check in respect of conditions attached to the premises licence. A number of concerns were raised including:

- CCTV requirements
- Noise control measures
- No evidence of staff training measures in place

Given the concerns and deficiencies identified, Mr Robinson agreed that the premises would not open that evening. I was therefore surprised to hear that the premises did in fact open contrary to my advice and that there were a number of incidents arising over that weekend which needed intervention from the police. This has been referenced in the review application by the Police.

I also recall that, at that meeting with the Fire Officer and myself, Miss Taylor was not in immediate attendance to discuss these matters and when she did arrive she was wearing her pyjamas and slippers.

## **3. Chronology of Compliance Visits to Afters**

### **6 June 2024**

Visit to Afters re TEN operative from 0000 on 07 June 2024. Arrived and x 3 male SIA on front door. ID's seen and verified on SIA register - photos taken.

- Young black female also on door as promoter for Afro Caribbean night.
- DJ inside with very loud hip hop music and 4 males at bar.
- Queue forming outside and scanner in use.
- Johnny "arrived" and Lydia seen. DPS unwell and not present at premises
- Ticketed event this evening. Groups of black males outside and in the area of club.
- Both ground floor fire/exits compromised by failed emergency lighting although "inner" EXIT lights over fire exit doors were working. Also evidence of rubbish and combustibles in area. ADVISED AND WARNED to remove. Johnny said *"he would get sparky to sort out"*.
- General concerns raised by officers that the premises seems to be running on a shoe-string.

## 12 July 2024

The report below relates to a joint compliance visit by the Police and Portsmouth City Council Licensing Officers at 23:30 on 12/07/2024.

- There were 24 customers present on arrival, 48 had been recorded as entering the club by the SIA, some had left. The ID Scan had recorded 49 scans for the current session and Mr Robinson said he tested the machine at opening with his own ID scanned. The numbers suggest all customers had been scanned since opening this evening.
- When asked if IDs could be provided from the ID scanner relating to suspects from an assault at the premises on 11/07/2024 (the previous evening), Mr Robinson advised that the scanner had not been in operation due to a fault. This was only repaired on the day of this visit so no IDs could be provided for the 11th.
- Mr Robinson had advised of a fault with the scanner on 17/06/2024 and the Police responded by email with an expectation it would be fixed before the following weekend. The premises licence has a condition which requires the licence holder to notify the police if the scanner is not working and to have it repaired within 72 hours. If necessary to keep police updated every 72 hours as to the status of the scanner and timeline for repair. **Police were not informed after 17/06 and therefore this is breach of the premises licence condition.**

The ID scanner appears to be in full working order now.

- The DPS, Ms H, was not present at the premises, again. Jonny told me Ms H only works Mondays at the venue and cannot easily or quickly travel from her home in Fareham to the venue in an emergency. Based on conversation with the Council and with Mr Robinson, the police are not satisfied that an absent DPS for a City Centre Nightclub, operating until 0400, is effectively promoting the licensing objectives and this was explained to both Mr Robinson and Ms Taylor during the visit.
- The licence holder has removed a second security provider from their employ and are currently employing SIA security staff 'inhouse'. The Police explained to Mr Robinson that a licence is required, by law, to directly employ SIA registered Security Staff.
- Neither Mr Robinson, Ms Taylor or the DPS hold an SIA licence and this is an offence. This has been reported to the Security Industry Authority.

- It is a condition of the licence to have a minimum of 4 SIA security staff on duty after midnight on Fridays and Saturdays. At the time of this visit, just after 2300, there were 3 SIA on duty. When the visit concluded at approx 0045 there were still only 3 SIA on Duty. **This is a breach of premises licence condition.**
- An earlier visit was made by the Police on the evening of Friday 5 July 2024 at 0045 and counted only 3 SIA security staff on duty. **Also a breach of this condition.**
- During the visit, Mr Robinson advised the Police that he had checked the status of the SIA security on duty against the SIA database. The Police checked the database and established that one of the staff working at Afters at the time of the visit has been suspended since November 2023 by the SIA. It is an offence to employ a person in a licensed security role if they do not have a valid SIA licence. This has been reported to the Security Industry Authority. **This is also a breach of the mandatory condition relating to SIA staff at licensed premises**
- BWV was being worn by one member of staff (the SIA suspended security staff member). Mr Robinson advised that there is no footage available as this is the first night the BWV has been used due to the previous device being broken and before that the security companies provided these and the venue has no access to the footage. **This is a breach of the condition relating to CCTV at the premises.**
- Staff were monitoring the outside area.
- There were 3 bar staff on duty at the time of the visit. The Police requested evidence of staff training and Ms Taylor provided a number of CPL training certificates. Only one member of staff had a certificate of the training. **This is a breach of condition.**
- There is signage at the front door regarding the CCTV system.
- The fire exits and escape routes were checked and they were operable, however there were some hazards identified as items on the floor within the escape route. A photo was taken by PCC Officers showing items which included a tin of paint on the floor. Advice was given as regards maintenance of escape routes and to ensure they are clear of hazards in the event they are needed in an emergency.
- A condition is imposed on the licence which requires a written Door Supervisors Policy. The licence holder has not written a policy and this is **a breach of the premises licence condition.** The licence holder is required to have this policy approved by police which is **another breach of the licence conditions.**
- When the Police wrote to Mr Robinson and Ms Taylor in April, many of these issues were highlighted, including the issue of drugs which is clearly a problem at Afters. The Police took the time to share some helpful documents to assist with promoting the licensing objectives which included a comprehensive Drugs policy and procedure. The Licence holder was advised to make this a strong area of training and focus for the management and team.
- The Police were disappointed to find that, despite the clear issues with drugs at the premises, the drugs policy sent to the licence holder is only accessible to as an



attachment on the Police email back in April and the licence holder has not followed the advice given by police and made this a strong focus of training. Worse yet the licence holder stated that the policy had been adopted and staff were regularly trained. When this was put to the staff on the premises at the time of the visit they all said they had not received this training or seen this policy document.

- The premises licence holder, Ms Taylor, maintained that the drugs policy is followed, however when asked to handover any found or seized drugs, Ms Taylor advised that there were none, they had been handed to the previous security company, who no longer work for them as of the 05/07/2024 (according to Mr Robinson). This is not what is detailed in the policy for dealing with drugs on licensed premises. Had either Mr Robinson or Ms Taylor read the policy and trained the staff in it's content, they would know this.
- There was a single Challenge 25 poster to the right of the bar. The Police advised Ms Taylor to have more challenge 25 signage and for it to be placed in view of the point of sale.
- The toilets are not in a good state of repair and this is a **breach of the premises licence** condition.
- There is a notebook to record unusual occurrences.
- There are no refusals logs used at the bar. This is despite an email to Mr Robinson and Ms Tylor from the Police in April providing a template and re-iterating the best practice in preventing intoxication and highlighting the staff putting their training into effect. There is no record of any refusals of the sale of alcohol at this nightclub, in the centre of Portsmouth City's Night Time Economy!
- There is a 6 camera CCTV system in place and footage was viewed from 31 days ago. The time was showing 22:45 when the correct time was 23:49. This needs to be rectified and is a **breach of the premises licence condition**.
- The Police spoke with Mr Robinson about the Compressor in the PA system which acts as a noise limiter. The condition requires that this is approved by the head of service and in April the Police advised the licence holder to contact Environmental Health to have this approved. At the time of the visit, Mr Robinson advised that he has contacted EH to achieve this but they have said they will not be coming out to look at the system. The Police will follow up with EH to find out why this is the case. Without their approval, you are in breach of this condition.
- Afters is a member of pubwatch and they are regularly attending.
- The Licence holder advised that the duty first aiders are all of the SIA on duty and Ms Taylor, however there were no certificates to evidence this. The licence holder was tasked to obtain certificates to evidence the use of First aiders in line with the premises licence condition.
- There is a condition to keep a register of SIA staff and a list of information which must be retained in the register. This has not been completed and is another **breach of the premises licence**.

- Soft drinks were available.
- During the visit customers were seen to be heavily intoxicated, under the influence of drugs, some both. This is unacceptable to police and only 23 customers on the premises! PCC Officers witnessed drug taking in the premises and police found a female, almost unconscious in a photo booth. This female had to be helped out of the club as well as a number of males ejected due to the Police pointing them out.
- A male customer, who had been ejected, was searched by police and found in possession of Ketamine. A female customer has made a report of a sexual assault in Afters Nightclub the previous evening.
- The business is non-compliant with conditions attached to the premises licence. The Licence holder and Mr Robinson are committing S136 offences every time they open to the public and conduct licensable activity. They are not promoting the licensing objectives and in the professional opinion of the Police and Licensing Authority, the current operation presents a danger to the public. This cannot continue and the Police will be considering their enforcement options in the coming days.

### **1 August 2024**

Visit to Afters by licensing staff at 22:17 hours. Very warm evening. Premises closed. Front doors locked. Review notice on display.

### **2 August 2024**

Visit to Guildhall Walk by licensing staff at 23:38 hours. Visited Afters which was open with SIA staff outside, a group of persons in the smoking area and persons milling around outside.

- Front entrance door open and Mr Robinson turned up. Holding his phone up and papers to say he had submitted a DPS variation *"online tonight after visiting your office and you were not there but your bike was"*.
- Entered venue and saw Ms Taylor. Staff behind bar serving alcohol and persons inside seen consuming alcohol. Asked Mr Robinson and Ms Taylor to step outside with a view to cautioning and reporting for breach of DPS mandatory condition.
- Advised however that the DPS variation in name of Mr W was submitted at 22:11 tonight. Screen shots taken of Jonny's phone whilst another officer looked at paperwork. Ms Taylor said she had moved back to her mum's at Havant and was "still" applying for her personal licence.
- It was noted that Mr Robinson was "manically hyper" and talking at break-neck speed. He was advised to stop talking and take a breather. Pupils very dilated. Licence holder was advised that licensing staff were concerned with the last minute DPS variation and officers asked where the new DPS was. Licensing staff were advised he was in Portsmouth but not available tonight.

## 9 August 2024

Visit to Afters by Licensing Staff. The Premises was open with a group of people by the smoking barrier area, 1 male SIA door person at the entrance and very loud beat music coming through open front door. ID to male SIA and asked for Mr W. He replied "who?" I said "your DPS" and he replied "what's that?"

Mr Robinson arrived and advised Mr W was working at a venue in Winchester and should be about on Saturday. Advised he would be writing in about the review and his legal representative.

Discussed SIA staff numbers and left venue.

### 4. Additional concerns raised by other persons and agencies

The Licensing Authority has received numerous complaints and intelligence relating to the operation of these premises.

#### Complaints

The identity of those persons who have contacted the licensing authority will remain confidential but the concerns raised are all consistent in context and subject matter.

The main points of concern relate to:

- Insufficient numbers of SIA staff working at the premises
- Drink promotion offering massively discounted alcohol - £1 drinks
- Safety of premises due to works to toilet and construction work taking place on the first floor
- Drug use in the premises by customers, staff and management, this includes dealing
- Payments not being made to staff and contractors
- Door staff turning a blind eye to drug taking at the premises and being overruled by the management in respect of refusing access to the premises by customers
- Payments over the bar being diverted into personal rather than business accounts
- Consistent failure to settle invoices
- "Lock-ins" taking place at the premises
- Underage drinking taking place at the premises involving girls as young as 16
- No safe space or medical facilities and the Scannet system not being used properly - persons who are banned on "pubwatch" are being permitted entry
- Lack of safety equipment and protocols
- Under-age staff being permitted to work in the premises
- Out of date equipment
- Failure to log incidents when they occur
- Drug use being encouraged within the premises
- Drug dealing being endorsed and even taking place over the bar
- Lack of age verification on entry with little to no checks of ID or use of ID scanner
- Cameras being turned off to overlook certain activities
- Alcohol being re-bottled
- Serious health and safety issues including faulty electrical wiring
- Fire alarm system being turned off due to faults which are left unchecked

- Leaks taking place and coming through the ceiling onto the dance floor after running along electrical wires
- Second floor is a hazardous building site and due to holes in walls, doors left unlocked and accessible it can and has been accessed by members of the public
- Glasses being rinsed under a cold water tap and then redistributed
- Soda lines left uncleaned and using contaminated nozzles
- Rubbish bags piling up by the stock
- Mould in the ice machines
- Owners pay money to DPS's who are oblivious to what is actually going on at the premises

### **Security Industry Authority Involvement**

Following on from the joint visit undertaken by the Police and PCC licensing on 12 July 2024, the Security Industry Authority (SIA) visited the premises and have determined not to take any further action against Mr Robinson and Ms Taylor.

The investigation into the door supervisor who was found to be working whilst his SIA licence was suspended is still ongoing and subject to further formal investigation.

### **Building Control**

PCC were contacted by a senior building control officer on 15 August 2024 who has been dealing with Mr Robinson regarding building regulation concerns and wanted to bring these matters to the attention of the licensing authority.

On 15 May 2024, an officer from the Building Control Partnership emailed Mr Robinson following a site meeting at the premises on 14 May 2024. The email included a copy of the "unauthorised works letter" issued in accordance with section 35B(2)(b) of the Building Act 1984 (as amended by the Building Safety Act 2022). In simple terms, Mr Robinson was served with a notice for failing to submit a building regulation application for building control approval.

On June 4 2024, the officer from the Building Control Partnership contacted Mr Robinson via email to confirm that he had not received any correspondence from Mr Robinson since 21 May 2024. Mr Robinson was again reminded that the works he was carrying out are controlled works and require the submission of a Building Regulation application by law.

On June 11 2024, the Building Control Partnership contacted Mr Robinson again to note that he had failed again to submit a Building Regulation application. He was subsequently served a Compliance Notice issued by PCC on both him and the freeholder of the premises. This notice was subsequently withdrawn upon receipt of an application however, no payment was made with the application.

The 3 principal areas of concern relate to:

1. The amended WC arrangement and potential increase in travel distance
2. The extended area of dance floor and lack of alternative escape routes
3. The use of painted timber to line the walls

These issues remain under consideration at the time of this representation but further demonstrates a lack of compliance with regulatory matters and the risk to public safety with unauthorised works being undertaken.

## Summary

I would firstly like to apologise to the licensing sub-committee for the length of this representation in relation to the conduct and management of this premises but I consider it of great importance for the licensing authority to evidence to members the significant failings associated with these premises.

What is even more concerning is that these premises have only opened and traded since April 2024 and have failed to promote the licensing objectives to such a significant degree. In my 34 years as a licensing officer, this is the worst example of a poorly managed late night licensed premises I have ever had to deal with.

The licence holder, Afters Nightclub Ltd - the sole director being Ms Lydia Taylor, has clearly demonstrated that despite advice and guidance by many authorities she has consistently failed, and is likely to continue to fail, to uphold and promote the licensing objectives. This is not helped by the intervention of Mr Jonny Robinson who holds no legal status in terms of being the licence holder or any other responsibility associated with running a late night venue, but seems to make the major decisions on the operation of the premises which, from a licensing perspective, may suggest that Ms Taylor is just a licence holder in name only and has no actual control of the premises.

The reports of prolific drug use at the premises causes significant concern and I would draw members attention to section 11.24 of the statutory guidance which states:

*"A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, **reviews may arise because of drugs problems at the premises**, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. **The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.**"*

Members should also have regard to paragraph 11.27 of the guidance which highlights that there is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. This includes the use of licensed premises for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime.

Whilst the sub-committee have a number of actions available to them in determining the review application made by the Police, I would urge members to focus upon the revocation of this licence given the circumstances and evidence provided by way of the review and this representation.

I do not consider that any other course of action would remedy the current problems associated with these premises and the complete disregard for the promotion of the licensing objectives.

Yours sincerely



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