

Licensing Sub-Committee

17 December 2015

Time 2.00 pm **Public Meeting?** YES **Type of meeting** Regulatory
Venue Committee Room 2 - 3rd Floor - Civic Centre

Membership

Chair Cllr Alan Bolshaw (Lab)

Labour

Cllr Ian Claymore
Cllr Rita Potter

Conservative

Quorum for this meeting is two Councillors.

Information for the Public

If you have any queries about this meeting, please contact the democratic support team:

Contact

Tel/Email

Address Democratic Support, Civic Centre, 2nd floor, St Peter's Square,
Wolverhampton WV1 1RL

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Please take note of the protocol for filming and recording of, and use of social media in, meetings, copies of which are displayed in the meeting room.

Some items are discussed in private because of their confidential or commercial nature. These reports are not available to the public.

Agenda

Part 1 – items open to the press and public

- | <i>Item No.</i> | <i>Title</i> |
|-----------------|--|
| 1 | Apologies for absence |
| 2 | Declarations of interest |
| 3 | Licensing Act 2003 - Application for an Expedited Summary Review of a Premises Licence in respect of Malones Bar, 35a Lichfield Street, Bilston
(Pages 3 - 46)
[To consider the application] |
| 4 | Exclusion of press and public
To pass the following resolution:
That in accordance with section 100A (4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business as it involves the likely disclosure of exempt information falling within paragraph 3 of schedule 12A to the act relating to the business affairs of particular persons. |

PART II - PRESS AND PUBLIC EXCLUDED

- | | |
|---|---|
| 5 | Deliberations and decision |
| 6 | Re-admission of press and public |

PART I - ITEMS OPEN TO THE PRESS AND PUBLIC

- | | |
|---|---------------------------------|
| 7 | Announcement of decision |
|---|---------------------------------|



Licensing Sub-Committee

17 December 2015

Report Title

Licensing Act 2003 – Application for an Expedited Summary Review of a Premises Licence in respect of Malones Bar, 35a Lichfield Street, Wolverhampton WV14 0AJ.

Wards Affected

Bilston

Accountable Strategic Director

Tim Johnson, Place

Originating service

Licensing Services

Accountable officer(s)

Rob Edge

Section Leader Licensing Services

Tel

01902 550106

Email

rob.edge@wolverhampton.gov.uk

Recommendation for action or decision:

The Licensing Sub-Committee is requested to consider this application for an Expedited Summary Review of a premises licence.

1.0 Purpose of Report

1.1 To submit for consideration by the Sub-Committee an application for an Expedited Summary Review of a premises licence.

2.0 Background

2.1 The current premises licence is attached at Appendix 1.

3.0 Expedited Review Application

3.1 An application was received from the Chief Officer of Police for West Midlands on 16 December 2015 for an expedited review of the premises licence in respect of Malones Bar, 35a Lichfield Street, Wolverhampton WV14 0AJ. The premises are situated in the Bilston ward and a location plan is attached at Appendix 2.

3.2 A copy of the review application is attached at Appendix 3. The Chief of Police has to give a certificate stating that in his opinion the premises are associated with serious crime or disorder or both. Supporting evidence is detailed within the review application.

3.3 The notice of review has been properly served on all the Responsible Authorities. The Council has complied with the legislative process and displayed the appropriate notice at the premises and on its website as required, when the application for review was made.

3.4 The applicant for review, and the Premises Licence Holder, have been invited to attend the review hearing. [SH/16122015/E]

4.0 Legal Implications

4.1 The licensing Authority must consider the application for the review under Section 53A of the licensing act.

4.2 The Licensing Sub-Committee is asked to determine the review under Section 53A (2) (b) in accordance with Section 53C of the Act. The licensing authority must hold a hearing and consider the application for review and any relevant representations.

4.3 The Sub-Committee must consider what steps (if any) should be taken to secure the promotion of the licensing objectives. The four licensing objectives are:

4.4 The four licensing objectives are:

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

4.5 The steps that may be taken by the Sub-Committee are:

- (a) Modify the conditions of the licence;

- (b) Exclude a licensable activity from the scope of the licence;
- (c) Remove the designated premises supervisor;
- (d) Suspend the licence for a period not exceeding 3 months;

4.6 In addition, regard shall be had to guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003 and Wolverhampton City Council's Licensing Policy Statement. [].

5.0 **Human Rights and Equalities Implications**

5.1 This report has human rights implications for both the premises licence holder and the residents from the local neighbourhood. Any of the steps outlined in Section 4 of this report may have financial implications for a licensee's business and livelihood and/or may have impact upon the day to day lives of residents living in close proximity to the premises.

5.2 Article 8(i) of the European Convention of Human Rights provides that everyone has the right to respect for his/her private and family life and his/her home (which includes business premises). This right may be interfered with by the Council on a number of grounds including the protection of rights and freedoms of others. The First Protocol – Article 1 – also provides that every person is entitled to the peaceful enjoyment of his possessions and shall not be deprived of his possessions except in the public interest and conditions provided for by law. Members must accordingly make a decision which is proportionate to the hearing and endeavour to find a balance between the rights of the applicant, residents and the community as a whole.

6.0 **Financial Implications**

6.1 Councillors agreed fees and charges for this function on 21 January 2015; the fees are based on a cost recovery basis. There is no fee for the application of a Review, and there are no financial implications arising from this report. [TK/09012015/H]

7.0 **Environmental Implications**

7.1 This report has environmental implications in that there is a potential for disturbance caused by patrons using the premises and nuisance caused by litter and waste originating from the premises

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**APPLICATION FOR THE REVIEW OF A
PREMISES LICENCE OR CLUB PREMISES
UNDER THE LICENSING ACT 2003**

Wolverhampton
City Council



PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I Chief Constable of West Midlands Police

(Insert name of applicant)

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

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Malones Bar 36a Lichfield Street	
Post town Bilston	Post code (if known) WV14 0AJ

Name of premises licence holder or club holding club premises certificate (if known) Mr Phillip Adams 7 Linton Croft Bilston WV14 0QE

Number of premises licence or club premises certificate (if known) WN/14/00184/PRE

Part 2 - Applicant details

I am

Please tick ✓ yes

- 1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates

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**Wolverhampton
City Council**



(please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

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

Surname

First names

I am 18 years old or over

Please tick ✓ yes

X

Current postal
address if
different from
premises
address

Post town

Post Code

Daytime contact telephone number

E-mail address
(optional)

(B) DETAILS OF OTHER APPLICANT

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

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(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address PC 1080 HARVEY West Midlands Police Wolverhampton Central Police Station, Bilston Street, Wolverhampton. WV1 3AA.
Telephone number (if any) 101 ext 871 3194 or 01902 649085
E-mail address (optional) wv_licensing@west-midlands.pnn.police.uk

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

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

Please tick one or more boxes ✓

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

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

Police are defined as a 'Responsible Authority' under the Licensing Act 2003 and as such have statutory obligation to ensure that licensed premises comply with the requirements of the Act and the operating schedule relating to that premises.

This review is brought under 'The Prevention of Crime and Disorder' and 'Public Safety' licensing objectives.

Serious crime has occurred at the premises and several licence breaches have subsequently been identified that undermine the licensing objectives.

**APPLICATION FOR THE REVIEW OF A
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UNDER THE LICENSING ACT 2003**

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

This review application outlines a recent incident of serious crime and disorder that took place at the premises. During the course of the investigation into the matter, several concerning licence breaches have been identified.

Malones Bar public house is situated at 35a Lichfield Street, Bilston, Wolverhampton. It is an outer city property that is situated on the main thoroughfare between Wolverhampton and Bilston. It is surrounded by mainly commercial premises and is a short distance from Bilston High Street.

The hours of trading are Monday to Sunday; 10:00hrs to 00:30hrs with alcohol sales between 10:00hrs to 00:00hrs.

The premises licence holder is Mr Phillip ADAMS of 7 Linton Croft, Bilston, Wolverhampton, WV14 0QE.

Mr Garfield McDONALD is the DPS; he has been in post since December 2013. Mr McDONALD holds a current valid personal licence; reference number WS/PEL/1674 issued by Walsall Council.

On Saturday the 7th of November 2015 at 02:48 hours, a 999 call was made from the callers' home address, stating that her son has been beaten up outside the Spread Eagle and the offender is known to them. The offender is then named by the caller. The caller then requests an ambulance and claims her son has had his face smashed in and knuckles injured.

Officers were despatched to the address and have spoken with the victim of the assault and obtained clarity on the details however, due to the victim being intoxicated and having injuries he was taken by ambulance to hospital for treatment. During his initial explanation of the incident, the victim stated he had been at Malones, 35a Lichfield Street and had been set upon by a group of males. He then names the main offender and describes being attacked and having his mobile phone and house keys stolen.

The victim attended Wolverhampton Police station at around 16:30 hours on the 7th of November 2015 and provided a full witness statement, a redacted copy of which is attached.

A crime number for Robbery was issued under reference number 20WV/205140F/15 with a copy attached (redacted accordingly).

Log number 315 – 07/11/2015 refers and is attached (redacted accordingly).

Summary of male victim witness statement: (From now on referred to as MV) MV reports that he had been out drinking in Wolverhampton with his father and had been out since 21:30 hours on Friday the 6th of November 2015. When the pub they were in closed at around 02:00 hours, they got into a taxi and went to a venue later identified as being Malones Bar. MV states that when they arrived, he went to the cashpoint and withdrew some money. The MV's father waited outside Malones for him. When MV joined his father, he knocked the door to the pub and they were let

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inside. He describes there being heavy smoke inside the pub due to the people smoking in there. He states there were around ten people at the bar area, 10 people at the rear of the pub and two Asian men working behind the bar. MV describes how he ordered a Southern Comfort and lemonade and a pint of lager for his father and paid the barman with a ten pound note.

He then states that he saw a male who he recognised from school days and named him, giving a description. MV approached this male, who he later identifies as his assailant, and strikes up a conversation. Very soon after, the assailant punches him to the left side of his face with such force, it knocked him backwards causing his hat to fall off. MV picked himself up and went to leave the premises but the door was locked from inside. He was eventually allowed out after asking someone and began running towards Bilston police station. MV realises at this point he is being chased by the male who punched him. The male tripped him up, causing him to fall down and injuring his knees and elbows. He then describes being punched numerous times to the head and face and the main assailant being joined by other males who began kicking him to the head and face. It is at this stage MV describes the main assailant going through his pockets and removing his mobile telephone. MV remembers being searched and also having his cash taken from his pockets. After his father intervened, the assailants ran back to Malones Bar. MV and his father left the location and went to McDonalds nearby where his father called for a taxi to take them home. It is at this point that MV describes the injuries he sustained and treatment he received.

There is a further statement obtained from MV that clarifies the address of the incident being at Malones Bar and some further details regarding his mobile phone.

This investigation is live and on-going at the time of writing and the identified offender is actively being sought by police.

It is noteworthy to raise at this stage that no call to the police was made by Mr McDONALD or indeed anyone else at the location at the time the incident was taking place or anytime afterwards.

As part of the criminal investigation into this offence of robbery, CCTV footage has been provided by Mr McDONALD from the venue which clearly shows the incident inside Malones Bar in its entirety.

CCTV Summary:

The CCTV footage is very clear although there are some of the cameras on the system that do not work. The main areas are covered and do capture the initial assault and some other blatant disregards not only of the license conditions of the premises, but the law.

It has been established that the timestamp on the system has not been adjusted since the clocks went back in October therefore, the time display is an hour fast. The footage is from internal and external cameras and begins at 03:00hours And runs until 03:30hours (02:00hours and 02:30hours real time).

Only the relevant footage has been cut together from the working cameras to show the incident and begins with an external view at 03:05hrs with the MV and his father and a further unidentified female arriving outside Malones in a taxi. There is a short

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delay as MV moves off screen but when he returns, both he and his father knock on the front door of the venue and are allowed access. The internal footage the shows MV and his father move inside and approach the bar. A transaction is made and MV then approaches his assailant. A short conversation takes place resulting in the assailant punching MV in the face. MV falls backwards, striking his head on the bar and falls to the floor. The assailant then pours a drink over MV and swings another punch but misses. MV walks towards the door he came in and leaves the venue. The camera then switches to an alternate view of the above described assault and shows the same but from a different angle.

MV leaves the location and runs out into the street. After a few moments, the assailant runs after MV and also out of the venue. The rest of the attack is not caught on Malones Bar footage.

At 03:10hrs the offender returns to Malones and is allowed access back into the venue by one of the bar staff who appears to have been stood in the doorway outside, watching the robbery take place.

The footage that follows is a snapshot of the 30 minutes of video provided. It shows patrons coming and going, smoking inside the venue not only by customers but by bar staff and more worryingly, drug dealing and drug taking openly taking place.

On Monday the 30th of November 2015, Mr Garfield McDONALD attended a meeting with police licensing officers at Wolverhampton Police station. He was cautioned, shown the CCTV footage and asked a number of questions. His answers were recorded and everyone present was invited to sign the interview transcript. A full copy of the contemporaneous interview is attached labelled; MG15 - record of interview.

On Tuesday the 1st of December 2015, the police licensing department received a written police statement from PC 8391 SHERAR. The statement relates to the officer stopping a vehicle at around 01:20 hours on Saturday the 28th November 2015 on Bow Street car park, Bilston, which is the car park at the rear of Malones. The officer describes an interaction with the vehicle occupants who stated to him they were going to Malones Bar. The officer also describes seeing a number of cars pulling up and people walking into Malones Bar from the rear. Once the vehicle occupants had finished with PC SHERAR, they also went into Malones Bar. The officer describes driving past the premises from the front and stated that it appeared locked up.

West Midlands Police are gravely concerned regarding the running and operation of these premises and the nature of incidents that go on there. The identified breaches of the premises licence are clearly a regular occurrence.

Police cannot support this venue when there is a blatant disregard and deliberate non-compliance towards the licensing objectives and seek revocation of the premises licence accordingly, to ensure the promotion of the licensing objectives.

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Please tick ✓ yes

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

If yes please state the date of that application

Day Month Year

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

N/A

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Please tick ✓

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

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature

[Handwritten signature]
1080

Date

07/12/2015

Capacity

APPLICANT

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

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



Incident 315 of 07/11/2015

URN 315 **Date** 07/11/2015 02:48 **Owner** WVSD2 **LPU beat** WVLG
Initial classification MISCELLANEOUS EARLY **Response** **Last updated Status** 08/11/2015 , CLOSED
Reported by CALL 999
Caller [REDACTED]
Caller Address [REDACTED]
Caller Phone [REDACTED] **Ex-Directory**
Location [REDACTED]
OSGR 392205,296922
Incident Detail SON AGED [REDACTED] AND HUSBAND AGED [REDACTED] WERE BEATEN UP OUTSIDE SPREAD EAGLE - HAVE HOME IN A TAXI - OFFENDER IS [REDACTED] KNOWN TO US
Warning Markers
Crime Number 20W V 205140F 15

Log updates

Date	Time	User	Terminal	Text
07/11/2015	02:49	53396	YM5	Routed To Radio Operator(s)
07/11/2015	02:49	53396	YM5	CLI data: 01902658114
07/11/2015	02:49	53396	YM5	[REDACTED]
07/11/2015	02:49	53396	YM5	[REDACTED]
07/11/2015	02:49	53396	YM5	[REDACTED]
07/11/2015	02:49	3208	WVR1	Incident Transfer Accepted by terminal WVR1
07/11/2015	02:50	3208	WVR1	WHEN DID THIS OFFENCE OCCUR AND DOES THE CALLER WANT
07/11/2015	02:50	3208	WVR1	TO BE SEEN NOW OR IN THE MORNING?
07/11/2015	02:50	53396	YM5	SON HAS HAD HIS FACE SMASHED IN AHND HIS KNUCKLES
07/11/2015	02:50	53396	YM5	INJURED.
07/11/2015	02:50	53396	YM5	ASKING FOR AMBO
07/11/2015	02:50	3208	WVR1	ANY AMBO REQUIRED
07/11/2015	02:51	53396	YM5	YMN ONTO AMBO
07/11/2015	02:51	3208	WVR1	PNC - =NE [REDACTED]
07/11/2015	02:51	53396	YM5	HUSBAND HAS BEEN PUNCHED IN THE FACE.
07/11/2015	02:52	3208	WVR1	*** [REDACTED] screen captured - 1 to Log
07/11/2015	02:52	3208	WVR1	*** PNC screen captured - 2 to Log

07/11/2015	02:53	3208	WVR1	*** PNC screen captured - 3 to Log
07/11/2015	02:53	53396	YM5	AMBO LOG 290
07/11/2015	02:53	3208	WVR1	*** PNC screen captured - 4 to Log
07/11/2015	02:53	3208	WVR1	*** PNC screen captured - 5 to Log
07/11/2015	02:53	3208	WVR1	NOT KNOWN IF THIS IS THE RIGHT ONE
07/11/2015	02:53	3208	WVR1	PNC - @TR
07/11/2015	02:54	3208	WVR1	PNC - @MO
07/11/2015	02:59	54527	WVR2	View Incident 315.07.11.15
07/11/2015	03:00	3208	WVR1	WVM62 Automatic STM Notification generated
07/11/2015	03:00	3208	WVR1	WVM62 Despatched
07/11/2015	03:01	3208	WVR1	View Incident 315.07.11.15
07/11/2015	03:14	0	Airwave	WVM62 Arrived at Incident
07/11/2015	03:40	3208	WVR1	Incident Transferred by terminal WVR1 to WVSDESK
07/11/2015	03:40	3208	WVR1	OTU
07/11/2015	03:40	3208	WVR1	Incident Transfer
07/11/2015	03:42	1106	WVSD1	Incident Transfer Accepted by terminal WVSD1
07/11/2015	03:57	3351	WebOASIS	OFFICERS HAVE ATTENDED THE ADDRESS OF THE CALLER AND
07/11/2015	03:57	3351	WebOASIS	SPOKEN TO A [REDACTED] WHO HAD
07/11/2015	03:57	3351	WebOASIS	FACIAL INJURIES THH THE AMBULANCE CREW SUSPECT TO BE
07/11/2015	03:57	3351	WebOASIS	A BROKEN JAW. HE HAS TO ATTEND THE HOSPITAL TO HAVE
07/11/2015	03:57	3351	WebOASIS	HIS INJURIES SEEN TO AND ASSESSED. HE WAS VERY
07/11/2015	03:57	3351	WebOASIS	INTOXICATED BUT STATED THAT HE WAS AT MALLONEY'S 35A
07/11/2015	03:57	3351	WebOASIS	LICHFILED STREET WHEN HE WAS SET UPON BY A LARGE
07/11/2015	03:57	3351	WebOASIS	GROUP OF ABOUT SEVEN TO EIGHT MALES. HE STATES THAT A
07/11/2015	03:57	3351	WebOASIS	MALE . KNOWN AS [REDACTED] HAS FOLLOWING THE ASSAULT
07/11/2015	03:57	3351	WebOASIS	. TOOK HIS SAMSUNG GALAXY NOT MOBILE PHONE AND HIS
07/11/2015	03:57	3351	WebOASIS	HOUSE KEYS . OFFICERS HAVE ALSO SPOKE TO THE FATHER.
07/11/2015	03:57	3351	WebOASIS	[REDACTED] WHO STATED THAT HE
07/11/2015	03:57	3351	WebOASIS	WAS IN THE PUB WITH HIS SON WHEN HE SAW HIM BEING SET
07/11/2015	03:57	3351	WebOASIS	UPON BY THE GROUP. SO HAS GONE OVER AND HAS BEEN
07/11/2015	03:57	3351	WebOASIS	PUNCHED ONCE TO THE FACE BY SOMEBODY. HE HAD NO
07/11/2015	03:57	3351	WebOASIS	VISIBLE INJURIES ALTHOUGH A TOOTH THAT HE HAD HAS

07/11/2015	03:57	3351	WebOASIS	BEEN LOOSENFED EVEN MORE HE WAS SPEAKING IN NSLURRED
07/11/2015	03:57	3351	WebOASIS	SPEECH TO THE OFFICERS. ██████████ STATED THAT HE HAD
07/11/2015	03:57	3351	WebOASIS	BEEN OUT DRINKING SINCE 21.30 HOURS ON THE 06/11/2015
07/11/2015	03:57	3351	WebOASIS	AND COULD NOT REMEMBER WHAT TIME AT ALL. THAT HE WAS
07/11/2015	03:57	3351	WebOASIS	PUNCHED TO THE FACT. DUL TO THE LEVEL OF INTOXICATION
07/11/2015	03:57	3351	WebOASIS	OF BOTH MALES AND THE UNCONFIRMED DEGREE OF INJURY TO
07/11/2015	03:57	3351	WebOASIS	██████████ THE LOG NUMBER HAS BEEN LEFT WITH
07/11/2015	03:57	3351	WebOASIS	THE CALLER SO THAT OFFICERS CAN RETURN WHEN BOTH
07/11/2015	03:57	3351	WebOASIS	PARTIIS ARE SOBLR AND HAVE BENE SEEN MEDICALLY.
07/11/2015	03:58	3351	WebOASIS	CALLER CAN BE CONTACTED ON ██████████ OR MOBILE
07/11/2015	03:58	3351	WebOASIS	██████████
07/11/2015	04:00	1106	WVSDI	Incident Deferral Enquiry
07/11/2015	04:04	0	Airwave	WVM62 Left Incident
07/11/2015	04:54	Syscon	SYSCON3	Overdue Time Reached
07/11/2015	04:56	1106	WVSDI	TD
07/11/2015	05:47	Syscon	SYSCON3	Overdue Time Reached
07/11/2015	05:48	1106	WVSDI	NOTED
07/11/2015	06:26	3351	WebOASIS	OFFICERS VISITED THE BAR IN QUESTION BUT FOUND IT TO
07/11/2015	06:26	3351	WebOASIS	BE SHUT AND ALL IN DARKNESS. AWAIT CALL BACK FROM
07/11/2015	06:26	3351	WebOASIS	CALLER NOW TO SAY THAT ██████████ AND ██████████ ARE
07/11/2015	06:26	3351	WebOASIS	AVAILABLE AND SOBER FOR DETAILS TO BE TAKEN.
07/11/2015	06:38	Syscon	SYSCON3	Overdue Time Reached
07/11/2015	06:38	1106	WVSDI	NOTED
07/11/2015	07:01	8806	WVSDI	Defer to WVSDI Date 07/11/15 Time 1100
07/11/2015	07:01	8806	WVSDI	AWAITING CALL PLS
07/11/2015	11:01	Syscon	SYSCON3	Defer Time Reached
07/11/2015	11:02	8806	WVSDI	Incident Deferral Accepted by terminal WVSDI
07/11/2015	11:02	8806	WVSDI	NTD
07/11/2015	11:26	8806	WVSDI	NO CALL AS YET
07/11/2015	11:28	8806	WVSDI	Defer to WVSDI Date 07/11/15 Time 1300
07/11/2015	11:28	8806	WVSDI	AS TEXT
07/11/2015	13:00	Syscon	SYSCON3	Defer Time Reached
07/11/2015	13:00	8806	WVSDI	Incident Deferral Accepted by terminal WVSDI

07/11/2015	13:00	8806	WVSD1	NTD
07/11/2015	13:51	Syscon	SYSCON3	Overdue Time Reached
07/11/2015	13:55	8806	WVSD1	OD NOTED
07/11/2015	14:38	8806	WVSD1	HAVE CONTACTED [REDACTED] ON THE NUMBER GIVEN
07/11/2015	14:38	8806	WVSD1	SHE HAS STATED THAT HER SON WAS DISCHARGED THIS
07/11/2015	14:38	8806	WVSD1	MORNING BUT THEY HAVE HAD NOT HAD ANY CONTACT WITH
07/11/2015	14:38	8806	WVSD1	HIM SINCE THIS TIME..
07/11/2015	14:39	8806	WVSD1	THEY ARE CONCERNED..
07/11/2015	14:39	8806	WVSD1	FATHER IS AT HOME AND AVAILABLE FOR A VISIT..
07/11/2015	14:39	8806	WVSD1	IN LIGHT OF THIS FURTHER INFORMATION IT IS LIKELY
07/11/2015	14:39	8806	WVSD1	THAT OFFICERS WILL HAVE TO ATTEND SOONER RATHER THAN
07/11/2015	14:39	8806	WVSD1	LATER..
07/11/2015	14:40	8806	WVSD1	Incident Transferred by terminal WVSD1 to WVRAD
07/11/2015	14:40	8806	WVSD1	AS TEXT
07/11/2015	14:40	8806	WVSD1	Incident Transfer
07/11/2015	14:41	0325	WVR1	Incident Transfer Accepted by terminal WVR1
07/11/2015	15:00	0325	WVR1	WVM45 Automatic STM Notification generated
07/11/2015	15:00	0325	WVR1	WVM45 Despatched
07/11/2015	15:29	0325	WVR1	WVM45 Redeployed to Incident 1458 07/11/15
07/11/2015	15:36	0325	WVR1	WVM11 Automatic STM Notification generated
07/11/2015	15:36	0325	WVR1	WVM11 Despatched
07/11/2015	16:14	0325	WVR1	WVM11 Arrived at Incident
07/11/2015	16:14	0325	WVR1	Incident Transferred by terminal WVR1 to WVSDSK
07/11/2015	16:14	0325	WVR1	FOR UPDATE PLS
07/11/2015	16:14	0325	WVR1	Incident Transfer
07/11/2015	16:16	55012	WVSD2	Incident Transfer Accepted by terminal WVSD2
07/11/2015	16:23	56310	BESD3	SPOKE TO [REDACTED] HE HAS STATED THAT A
07/11/2015	16:23	56310	BESD3	0200 - 0214 HE WAS MALONEYS BAR IN BILSTON WITH HIS
07/11/2015	16:24	56310	BESD3	FATHER. [REDACTED] WHERE HE WAS CONFRONTEED
07/11/2015	16:24	56310	BESD3	BY ALLEGED SUSPECT [REDACTED]
07/11/2015	16:25	56310	BESD3	PUNCHED HIM IN THE FACE [REDACTED] THEN LEFT THE BAR
07/11/2015	16:25	56310	BESD3	AND WAS HEADING TO THE POLICE STATION, HE WAS THEN
07/11/2015	16:26	56310	BESD3	CHASED BY [REDACTED] AND 3-4 OTHER MALES. KICKED
07/11/2015	16:26	56310	BESD3	HIS FEET FROM UNDER HIM, FELL TO THE FLOOR AND WAS

07/11/2015	16:27	56310	BESD3	KICKED REPEATEDLY TO HEAD AND BODY. AND HAD 45 AND
07/11/2015	16:27	56310	BESD3	BLACK SAMSUNG GALEXY PHONE TAKEN AND ALL OFFENDERS
07/11/2015	16:27	56310	BESD3	MADE GOOD THEIR ESCAPE. THIS WAS AFTER THE FATHER.
07/11/2015	16:28	56310	BESD3	STOPPED THE SUSPLC'TS FROM HITTING ██████████ AND ██████████
07/11/2015	16:28	56310	BESD3	WAS HIT ONCE IN THE FACE.
07/11/2015	16:28	56310	BESD3	CN TO FOLLOW.
07/11/2015	16:49	21186	WebOASIS	IP CURRENTLY WITHIN GAFO. SUPERVISION LIAISED
07/11/2015	16:49	21186	WebOASIS	REGARDING LATE TURN OFFICER TO CONTINUE
07/11/2015	16:49	21186	WebOASIS	INVESTIGATION. DOCUMENT ACCORDINGLY.
07/11/2015	16:50	55012	WVSD2	NOTED
07/11/2015	16:57	8327	WebOASIS	THIS WILL BE ALLOCATED TO ONE HALF OF M22 - PC 21941
07/11/2015	16:57	8327	WebOASIS	MONGER
07/11/2015	17:00	55012	WVSD2	WVM22 Automatic STM notification generated
07/11/2015	17:00	55012	WVSD2	WVM22 Allocated to Incident
07/11/2015	17:00	55012	WVSD2	PC MONGER IS DEALING WITH THIS
07/11/2015	17:02	0325	WVR1	All Resources Leave Scene Dispatch Cancelled etc
07/11/2015	17:03	0325	WVR1	21941 Automatic STM Notification generated
07/11/2015	17:03	0325	WVR1	21941 Despatched
07/11/2015	17:03	0325	WVR1	21941 Arrived at Incident
07/11/2015	17:53	Syscon	SYSCON3	Overdue Time Reached
07/11/2015	17:58	55012	WVSD2	***
07/11/2015	18:48	Syscon	SYSCON3	Overdue Time Reached
07/11/2015	18:54	55012	WVSD2	***
07/11/2015	19:45	Syscon	SYSCON3	Overdue Time Reached
07/11/2015	19:45	55012	WVSD2	***
07/11/2015	20:35	Syscon	SYSCON3	Overdue Time Reached
07/11/2015	20:38	0849	WebOASIS	FROM CST - ROBBERY - 20WV 205140F.15 REFERS - 21941
07/11/2015	20:40	55012	WVSD2	L
07/11/2015	20:40	55012	WVSD2	All Resources Leave Scene Dispatch Cancelled etc
07/11/2015	20:40	55012	WVSD2	Incident Result Close Exited
07/11/2015	20:40	55012	WVSD2	Incident End (Result Close)
07/11/2015	20:40	55012	WVSD2	This incident added to SOCO list for section WV
07/11/2015	21:01	56850	CF3	SPOKEN TO PC 21941 TO CLARIFY REASON FOR FSI
07/11/2015	21:01	56850	CF3	REQUEST. OFFICER STATES THERE IS NO REQUIREMENT FOR
07/11/2015	21:01	56850	CF3	FSI
07/11/2015	21:02	56850	CF3	SOCO Completed
07/11/2015	21:02	56850	CF3	NOT FOR FSI

07/11/2015	21:04	55901	BNSDI	PNC - #NI [REDACTED]
07/11/2015	21:19	55012	WVSD2	Incident Result Close Exited
07/11/2015	21:19	55012	WVSD2	Incident End (Result: Close)
07/11/2015	21:19	55012	WVSD2	Incident Closed By Terminal WVSD2
07/11/2015	21:19	55012	WVSD2	Incident End (Result: Close)
08/11/2015	17:33	2273	SWSDI	Sunday 08 Nov 2015

Resources

Rank	Name	Collar No	Dispatched	Arrived	Left	Cancelled	Informed	Informed Cancelled	Dealt With	Call Sign
PC	EVANS	<u>3351</u>	3:00	3:14	4:04					WVM62
PC	BARYANA	<u>20662</u>	3:00	3:14	4:04					WVM62
PC	WESTON	<u>9013</u>	15:00			15:29				WVM45
PC	PORTER	<u>7256</u>	15:00			15:29				WVM45
PC	GUEST	<u>21186</u>	15:36	16:14	17:02					WVM11
PC	GLASGOW	<u>21967</u>	15:36	16:14	17:02					WVM11
PC	MONGER	<u>21941</u>					17:00	17:02		WVM22
PC	NEALE	<u>21182</u>					17:00	17:02		WVM22
PC	MONGER	<u>21941</u>	17:03	17:03	20:40					21941

PNC Results

Warning: the PNC information shown here represents the information extracted from PNC at the time of the check, and should be used only as a record of the information available at that time. The information may now be out-of-date, and consideration should be given to making a new check to obtain up-to-date information.

Check / Uncheck All

- PNC - #NE [REDACTED] Page 1
- PNC - #NE [REDACTED] Page 2
- PNC - #NE [REDACTED] Page 3
- PNC - #NE [REDACTED] Page 4
- PNC - #NE [REDACTED] Page 5

Incorrect use of this facility may be an offence under the Computer Misuse Act 1990 and the data displayed is subject to the provisions of the Data Protection Act 1998.

For further information please see the WebOASIS Help page.



RESTRICTED

WEST MIDLANDS POLICE OFFENCE REPORT

Page 1 of 2

"UNRESOLVED"

Offence No. 20WV/205140F/15

OFFENCE DETAIL

Offence Code TH88133 Description ROBBERY-PERSONAL PROPERTY
 Offence Times Between 02:00 hours Sat 7th Nov 2015, and 02:10 hours Sat 7th Nov 2015
 Main File Incident Location LICHFIELD STREET, BILSTON, WOLVERHAMPTON, WEST MIDLANDS
 Grid Ref 395051296534
 Neighbourhood WVLA WV BILSTON EAST Sector WOLVERHAMPTON OUTER

REPORTING DETAIL

Reported Time 02:48 hours Sat 7th Nov 2015
 How Reported Patrol
 Received By PC 21941 MONGER

VICTIM DETAILS

Injury Code SLIGHT
 Description GRAZING TO KNEE BOTH ELBOWS SWOLLEN LIPS BRUISING AND ABRASIONS TO BOTH TEMPLES BRUISING TO NOSE AND

MODUS OPERANDI & PROPERTY

I/P WAS DRINKING IN MALONES BAR WITH HIS FATHER WHEN HE HAS ENGAGED OFFENDER IN FRIENDLY CONVERSATION OFFENDER HAS STRUCK I/P TO THE FACE ONCE AND THE I/P HAS LEFT THE PREMISES AND RAN AWAY ALONG LICHFIELD STREET AND WAS CHASED BY THE OFFENDER AND KICKED HIM CAUSING I/P TO FALL TO THE FLOOR AND CONTINUED PUNCHING HIM TO THE HEAD AND FACE OTHER U/K OFFENDERS HAVE KICKED I/P TO THE HEAD AND FACE AND KNOWN OFFENDER HAS REACHED INSIDE I/P'S FRONT POCKET AND STOLEN HIS MOBILE PHONE AND AN UNKNOWN OFFENDER HAS STOLEN £35 IN CASH FROM HIS LEFT FRONT POCKET ALL OFFENDERS HAVE THEN MADE GOOD THEIR ESCAPE

TEL ECOM MOBILE
 Make SAMSUNG Model GALAXY NOTE 3

Date: 09-NOV-15 12:15:09 Oracle User: PORTAL_USER



RESTRICTED

WEST MIDLANDS POLICE OFFENCE REPORT

Page 2 of 2

"UNRESOLVED"

Offence No. 20WV/205140F/15

Serial No. TO FOLLOW

Notes

Features
PRIMARY COLOUR

Description
BLACK

Status
STOLEN

Number

Units

Value
300.00

Date
07 NOV 2015

N.B. THERE ARE, IN TOTAL
Total Value:

1

ITEMS OF PROPERTY ASSOCIATED WITH THIS OFFENCE

Status

Total Value

STOLEN

300.00

FURTHER INFORMATION

Crime interests

PUBLIC PLACE VIOLENCE

ALL OTHER ROLES NOT PREVIOUSLY LISTED

Type INPT

Name

PC 0849 FOSTER

Nominal Ref

1983373Q

Reason

*** End of Report ***

RESTRICTED - (When Complete)

MG11

Crime Ref. No. 200V/20514 OF /15

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A (3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1)

URN

Statement of [redacted]

Age if Under 18: [redacted] (over 18 insert over 18) Occupation [redacted]

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

Signature: [redacted] Date: 7/11/2015

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

I am making this statement regarding an incident that occurred on 7th November 2015 at approximately 0200 hours.

I had been drinking in the Ash Tree Pub, Dudley Road Wolverhampton with my dad [redacted] and some other friends. At approximately 0200 hours we got into a taxi along with a blonde lady who I do not know the name of to the Spread Eagle Public House in Bilston. I had been drinking since approximately 2130 hours on the 6th November 2015.

When we arrived in Bilston I ran over to the Bouclays Bank and withdrew £30. My dad had waited outside the pub for us and then we knocked the door of the pub and we were let inside. There was heavy smoke inside the pub because people had been smoking inside. In total I think there was approximately 10 people at the bar area, 10 people at the rear of the pub and two Asians.

Signature: [redacted] Signature Witnessed By: [redacted]



Continuation of Statement of: [REDACTED]

gentleman working behind the bar. I ordered a double scullion cocktail and fenugreek for me and a pint of Carling for my dad. I paid the man behind the bar with a £10 note.

Before I had reached the bar I recognised [REDACTED], who is approximately [REDACTED] years old. He was about 2 metres away from the door and standing at the bar. I do not remember what he was wearing. He is an [REDACTED]

[REDACTED] I can't remember if he had any other distinguishing marks or tattoos. I have known [REDACTED] for approximately 8 years because we went to the same school which is [REDACTED]

When I first saw him he seemed very agitated and angry. I do not know if he was angry with me but I could tell that he recognised me as soon as I walked in.

After I ordered my drink I walked over to [REDACTED] and said "WHAT YOU SAYING [REDACTED] ITS [REDACTED]". I said this in a friendly way. He replied with "I know who you are". My dad was still at the part of the bar where we ordered the drinks about 2 metres away. I thought [REDACTED] was stood on his own.

[REDACTED] then punched me to the left side of my jaw. I believe it was totally unprovoked. The force knocked me backwards and my hat came off. My first instinct was to get out. The hat I was wearing was a black snap back cap saying "DON'T SPONSOR" in white righting writing.

Signature [REDACTED]

Signature witnessed by [REDACTED]

RESTRICTED (when complete)
RESTRICTED (when complete)

MG11(CONT)
MG11(CONT)

Crime Number: 2014/1205140F/15

Page No 4 of ...

Continuation of Statement of [REDACTED]

I believe I was on Bilsden High Street. I could hear my Dad shout "THATS MY SON". The punches and kicks had stopped and I saw the males, including [REDACTED] run towards MALONEY'S BAR. I then felt my Dad help me up and then [REDACTED] and the other males were gone out of sight.

At this point I wanted to run off again because I thought [REDACTED] and the males were going to come back and finish me off but my Dad wouldn't let me go. I managed to break out of my Dad's grasp and run towards NORRISONS SUPERMARKET past BARCLAYS BANK. I saw a station wagon lying with a red cabin, I touched on the door of the cab and said "CALL THE POLICE, SEND THEM TO MALONEY'S BAR."

I've run back across the dual carriageway towards the bus station heading back towards my Dad near the Barclays Bank but he'd already walked towards me and I met him near the bus station. I then used my Dad's phone to call my mom who called a taxi that picked us up from McDonald's and took us to my Dad's house at [REDACTED].

[REDACTED] My Mother then called the ambulance and the Police.

Signature: [REDACTED] Signature witnessed by: [REDACTED]

2013

RESTRICTED (when complete)

RESTRICTED (when complete)
RESTRICTED (when complete)

MG11(CONT)
MG11(CONT)

Crime Number: 206w/ 205160915

Page No. 5 of

Continuation of Statement of: [REDACTED]

The ambulance arrived and checked me over, they thought I may have a broken jaw and took me to hospital. I had an x-ray on my hand and jaw. Nothing was broken but I had badly bruised bones.

I have a badly bruised lip that is swollen, grazes and bruising to my forehead and also to the right side of my head near my temple. My nose is bruised. I have a bruise and swelling to my left eye by my eyebrow and left temple which is bruised and grazed.

I give permission for West Midlands Police to access my medical records regarding this incident.

I think the whole incident lasted approximately 10 minutes, however, I may have blacked out from the blows to my face and head.

I clearly remember seeing [REDACTED] as he was right next to me and I would recognise him straight away if I saw him again. I would not recognise any of the other males as I did not see any of them clearly. [REDACTED]

Signature: [REDACTED]

Signature witnessed by: [REDACTED]

Crime Ref. No. 2015V/205140F/15

WITNESS STATEMENT

(CJ Act 1367, s.9 MC Act 1984 ss 5A(3)(a) and 5B; Criminal Procedure Rules 2005 Rule 27.2)

URN

Statement of [redacted]

Age if Under 18: [redacted] Occupation: 7/11/15 [redacted]

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

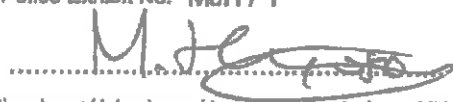
Signature: [redacted] Date: 7/11/15

I have used the witness statement form [redacted]
Further to the statement I made on 7th November 2015 at 1730 hours I am making an amendment to that statement at 2146 hours on 7th November 2015. The pub I described I went into at 0200 hours on the 7th November 2015 was not the Spread Eagle Pub it was MALONEY'S BAR on LICHFIELD STREET WOLVERHAMPTON. MALONEY'S BAR IS NEXT DOOR TO the spread eagle pub on LICHFIELD ROAD. I would also like to add that the Samsung Galaxy Note 3 phone that I had stolen was black in colour in a black protective case. The protective film screen cover was also still attached to it. In the top right hand corner edge of the phone is a distinguishable dent where I dropped it once. The number for the phone was [redacted]

Signature: [redacted] Signature Witnessed By: [redacted]

RECORD OF TAPED INTERVIEW

ROTI / ROVI / CONTEMPERANEOUS NOTES (Delete as applicable)

Person Interviewed Mr Garfield McDONALD		URN
Place of interview	Wolverhampton Police Station	Police Exhibit No. MJH / 1
Date of Interview	Monday 30th November 2015	 Signature of Interviewer / transcriber producing exhibit
Time Commenced	13:05 HOURS	
Time Concluded:	13:55 HOURS	Duration of interview 50 MINUTES
Audio Tape Reference No.		Visual Image Reference No.
Interviewer(s)	PC 1080 HARVEY	
Other persons present:	PS 8882 Jake FLANAGAN	

Tape Counter Time	Person Speaking	Text
-------------------	-----------------	------

1080. Introductions - Caution given and explained.

1080 Can you please confirm your current job role and title?

GM I AM THE DPS OF MALVENS, 35A LICHFIELD ST. BILSTON.

1080 How long have you worked there?

GM COMING UP TO THREE YEARS

1080 What day to day involvement do you have with the premises?

GM SERVING, CLEANING. I AM THERE MOST DAYS BETWEEN 12-1 PM I HAVE EITHER A FRIDAY OR SATURDAY NIGHT OFF.

1080 Who looks after the CCTV system?

GM MYSELF AND THE MANAGERS.

1080 WHO ARE THE MANAGERS?

GM TOMMY MODHANI AND MO MODHANI.

1080 Is the time and date stamp correct?

GM NO. IT'S AN HOUR OUT. IT WASN'T PUT BACK

Signature:

09/2011

Person Interviewed Mr Garfield McDONALD

URN

1080 Are you aware of the reason why I have invited you here?

GM IT'S ABOUT WHAT HAPPENED ON THE NIGHT AND THE CCTV.

1080 When did you become aware of it and how?

GM THE FOLLOWING DAY. TONY TOLD ME.

1080 What time is the venue licensed until?

GM SHOULD BE ABOUT 12:30

1080 What time does it usually close?

GM EVERYONE IS OUT BY 0100

1080 Why are there people arriving at Malones at 03:05 according to your camera and being allowed access?

GM ON THAT OCCASION, IT WAS A FAVOUR FOR SOMEONE. IT WAS A CUSTOMER'S BIRTHDAY

1080 WHO WAS THE CUSTOMER?

GM I DON'T KNOW.

1080 Who are the two men working behind the bar?

GM TONY AND MO

1080 WHICH IS WHICH ON THE FOOTAGE?

GM TONY HAS THE WHITE SHIRT, MO HAS THE DARK

1080 What are their roles at Malones? How long have they worked there? Are they still personal licence holders? Are they on the payroll?

GM GENERAL MANAGERS. THEY'VE BEEN THERE SINCE BEFORE ME. I DON'T KNOW IF THEY HAVE PERSONAL LICENCES. THEY ARE ON THE PAYROLL.

1080

Why are there so many people still inside the venue?

GM A CUSTOMER'S BIRTHDAY PARTY.

1080 DID YOU AUTHORISE THIS PARTY?

GM YES.

1080

Was there a temporary event notice in place for this date?

GM NO THERE WASN'T.

Signature:

09/2011

RESTRICTED - (when complete)

Person Interviewed Mr Garfield McDONALD

URN

1080 Why are there people smoking inside the venue? In particular the two males working behind the bar?

GM I DON'T KNOW.

1080 Why did they not assist the male who was punched to the floor?

GM I'VE NO IDEA

1080 Why did they not stop the assailant from going out after the male who ran out?

GM YOU'D THINK THEY WOULD HAVE
1080 BUT THEY DIDN'T?

GM NO.

1080 Why has one of Malones staff stood outside and watched the robbery take place and not called the Police?

GM. NO. TO BE TRUTHFUL I'M APPALLED.

1080 Why was no phone call made to Police regarding this incident?

GM I DIDN'T REALISE IT WAS THIS BAD
I DON'T KNOW WHY THEY DIDN'T, I WASN'T
THERE TO DO IT.

1080 Why were the assailants allowed back inside the venue after the staff have witnessed them robbing someone?

GM NO, I CAN'T.

1080 Why was the instigator of the assault still being served drinks?

GM I HAVEN'T GOT A CLUE.

1080 Can I ask for your comments on what you have seen so far?

GM I'M DISGUSTED

1080 DO YOU HAVE ANY IDEA THIS WAS
GOING ON?

GM NO.

Signature:

09/2011

Person Interviewed	Mr Garfield McDONALD	URN	
--------------------	----------------------	-----	--

1080 This is some additional footage from random times in various rooms. It shows open drug dealing and drug taking in the venue. Watch it through and then I will invite you to make comments.

GM I'M ASHAMED OF IT BASICALLY.

1080 When were you last working in the premises

GM SUNDAY THE 29TH NOVEMBER.

1080 Is there anything further you wish to add.

GM NO.

SIGNED :

MR McDONALD

SIGNED :

PC HARVEY

SIGNED :

PS FLAVAGAN

30TH NOVEMBER 2015

Signature:

WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 8; Magistrates' Courts Act 1980, s.5B

Crime No.

URN

Statement of Philip Michael SHERAR

Age if under 18 18 (if over 18 insert "over 18")

Occupation Police Officer 8391

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

Signature:

Date 01/12/15

I am a serving police Officer in the West Midlands Policer force currently stationed at Wolverhampton Central Polioce station.

On Saturday 28th November 2015 I was on full uniform mobile patrol in company with PC 9957 HOUGH when I had cause to stop a vehicle containing two males known to me during my time in the Police Force.

This was at approximately 0120 hours on BOW STREET CAR PARK, BILSTON where I was in the company of these males for approximately 15 minutes or so.

Whilst in there company they stated that they were going to MALONES BAR which this car park was at the rear of. I also noticed that there were a number of cars pulling up and persons walking into the premises from the rear.

Once I had finished my contact with these two males they also made there way into the premises. I can't remember hearing any music, however as we drove off we passed the front of the public house where I noted that in appearance it appeared all locked up as the front doors were shut with no apparent signs of any light.

It was not until later, around 0200 hours when there was a call of disorder officers could not trace that I became aware that the premises should not have been open at the time I was there earlier as I believe they only have a licence till midnight.

Signature

08/2015

Signature witnessed by

Statutory Form For Applying For A Summary Licence Review

West Midlands Police Wolverhampton LPU

Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I PC 1080 HARVEY [on behalf of] the chief officer of police for West Midlands Police apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details: Malones

Postal address of premises, or if none or not known, ordnance survey map reference or description:

35a Lichfield Street

Post town: **Bilston**

Post code (if known): **WV14 0AJ**

2. Premises licence details: WN/14/00184/PRE

Name of premises licence holder (if known): **Mr Phillip ADAMS**

Number of premises licence holder (if known):

3. Certificate under section 53A (1)(b) of the Licensing Act 2003 [Please read guidance note1]:

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)

4. Details of association of the above premises with serious crime, serious disorder or both:

[Please read guidance note 2]

Malones Bar public house is situated at 35a Lichfield Street, Bilston, Wolverhampton. It is an outer city property that is situated on the main thoroughfare between Wolverhampton and Bilston. It is surrounded by mainly commercial premises and is a short distance from Bilston High Street.

The hours of trading are Monday to Sunday; 10:00hrs to 00:30hrs with alcohol sales between 10:00hrs to 00:00hrs.

This application outlines a recent incident of serious crime and disorder that took place at the premises. During the course of the investigation into the matter, several further concerning licence breaches have been identified.

The brief circumstances of the incident are as follows:

On Saturday the 7th of November 2015 at 02:48 hours, a 999 call was made stating a male had been beaten up outside the premises and the offender was known to the victim. The caller then requests an ambulance and claims the male had his face smashed in and knuckles injured.

At this point, a criminal investigation was launched by police.

During the initial explanation of the incident, the victim stated he had been at Malones, 35a Lichfield Street and had been set upon by a group of males. He then names the main offender and describes being attacked and having his mobile phone and house keys stolen.

Witness statements have been provided by those involved in the incident and CCTV evidence has been obtained from the venue in question.

This investigation is live and on-going at the time of writing and the offender is actively being sought by police.

A licensing investigation commenced by police into the identified breaches of the premises licence and subsequently, a review application was submitted by West Midlands police on the 7th of December 2015.

During this process a transfer Designated Premises Supervisor application was received from the Premises Licence Holder, nominating a new person for the post.

Police have made extensive enquiries into the proposed DPS and it is the result of these enquiries that give rise to this expedited review application.

To allow the operation of this venue under the current structure with the proposed applicant in place, would allow serious criminal activity to continue at the premises.

The initial review application was bought due to an incident of serious crime that occurred in the venue, outside of its' operating hours.

West Midlands Police fear for the safety of both the public and customers of the venue, should it remain open and continue operating. On this basis police will be seeking interim steps of an immediate suspension of the premises licence pending the full review.

Signature of applicant: 

Date: 16th December 2015

Capacity: **Responsible Authority (Police)**

Contact details for matters concerning this application:

Address: **Wolverhampton Police station, Bilston Street, Wolverhampton, WV1 3AA.**

Telephone number(s): **101 ex 871 3202**

Email: **ww_licensing@west-midlands.pnn.police.uk**

West Midlands Police
Wolverhampton LPU
Wolverhampton Police station
Bilston Street
Wolverhampton

Annex A

CERTIFICATE UNDER SECTION 53A(1)(b) OF THE LICENSING ACT 2003

I hereby certify that in my opinion the premises described below are associated with ~~serious crime /~~
~~serious disorder /~~ both serious crime and serious disorder.


Malones
35a Lichfield Street
Bilston
WV14 0AJ

Premises licence number (if known): **WN/14/00184/PRE**

Name of premises supervisor (if known): **Mr Mohammed MADANI**

I am a superintendent in the West Midlands Police. I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case because procedures such as a standard review process are not thought to be sufficient to promote public safety or the prevention of crime licensing objectives due to the seriousness of the crime and ~~for~~ disorder with this case.

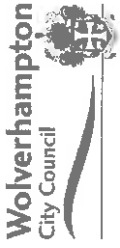
Name: Superintendent Keith Fraser

Signature: 

Rank: Superintendent

Date: 16th / 2015

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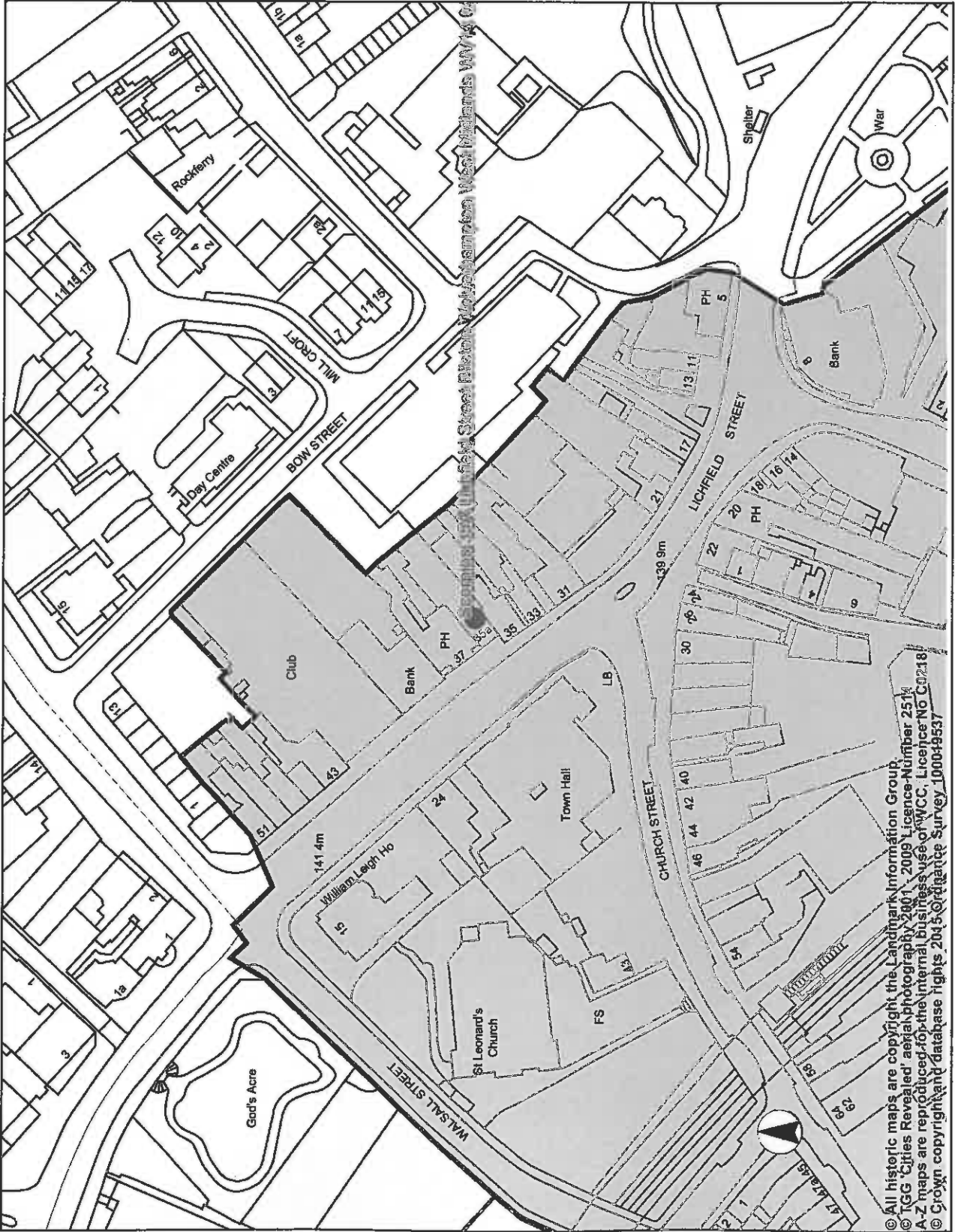


Malones Bar
Lichfield Street

Wolverhampton City Council
Asset Management
Civic Centre
St Peters Square
Wolverhampton
WV1 1RL

Plan Produced
8.12.2015
Scale 1:1,250

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Premises Licence

APPENDIX 1

Issued in accordance with The Licensing Act 2003

Name of Premises: Malones Bar

Address of Premises: 35a Lichfield Street
Bilston
Wolverhampton
WV14 0AJ

Premises Licence Number: WN/14/00184/PRE - Transfer

Date Licence Granted: 13/12/2013

1. Opening hours of the premises

Normal Hours: Monday to Sunday 1000 to 0030 hours
Seasonal Variations: Christmas Eve, Boxing Night & New Years Eve to be extended by two hours.
Non Standard Hours: Friday, Saturday, Sunday & Monday of Bank Holiday weekends to be extended by one hour.

2. Licensable activities authorised by the licence and the times the licence authorises the carrying out of these activities

Activity: Films
Normal Hours: Monday to Sunday 1000 to 2400 hours
Seasonal Variations: Christmas Eve, Boxing Night & New Years Eve to be extended by two hours.
Non Standard Hours: Friday, Saturday, Sunday & Monday of Bank Holiday weekends to be extended by one hour.

Activity: Indoor Sporting Events
Normal Hours: Monday to Sunday 1000 to 2400 hours
Seasonal Variations: Christmas Eve, Boxing Night & New Years Eve to be extended by two hours.
Non Standard Hours: Friday, Saturday, Sunday & Monday of Bank Holiday weekends to be extended by one hour.

Activity: Live Music
Normal Hours: Monday to Sunday 1000 to 2400 hours
Seasonal Variations: Christmas Eve, Boxing Night & New Years Eve to be extended by two hours.
Non Standard Hours: Friday, Saturday, Sunday & Monday of Bank Holiday weekends to be extended by one hour.

Activity: Recorded Music
Normal Hours: Monday to Sunday 1000 to 2400 hours
Seasonal Variations: Christmas Eve, Boxing Night & New Years Eve to be extended by two hours.
Non Standard Hours: Friday, Saturday, Sunday & Monday of Bank Holiday weekends to be extended by one hour.

Activity: Facilities for dancing
Normal Hours: Monday to Sunday 1000 to 2400 hours

Seasonal Variations: Christmas Eve, Boxing Night & New Years Eve to be extended by two hours.

Non Standard Hours: Friday, Saturday, Sunday & Monday of Bank Holiday weekends to be extended by one hour.

Activity: **Sale/Supply of alcohol on the premises**

Normal Hours: Monday to Sunday 1000 to 2400 hours

Seasonal Variations: Christmas Eve, Boxing Night & New Years Eve to be extended by two hours.

Non Standard Hours: Friday, Saturday, Sunday & Monday of Bank Holiday weekends to be extended by one hour.

Activity: **Sale/Supply of alcohol off the premises**

Normal Hours: As per 'On Sales'

Seasonal Variations: As per 'On Sales'

Non Standard Hours: As per 'On Sales'

3. Name of the designated premises supervisor if the sale of alcohol is involved

Garfield McDonald

Personal licence number: WS/PEL/1674

Issued by Walsall Council

4. Is access to the premises by children restricted or prohibited

Provision only as prohibited or restricted under the Licensing Act 2003.

5. Name, (registered) address of the holder of the premises licence

Mr Phillip Adams

7 Linton Croft

Bilston

Wolverhampton

WV14 0QE



N.P. Edwards

Assistant Director - Regeneration

On behalf of Wolverhampton City Council

Mandatory Conditions

Mandatory conditions where licence authorises supply of alcohol

(1) Where a premises licence authorises the supply of alcohol, the licence must include the following conditions:

(2) The first condition is that no supply of alcohol may be made under the premises licence:-

- (a) At a time when there is no designated premises supervisor in respect of the premises licence, or
- (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

(3) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory Conditions where the licence authorises supply of alcohol: 2010

1.— (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act)

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—

(i) the outcome of a race, competition or other event or process, or

(ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

4.— (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

5. The responsible person shall ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.

Mandatory condition: exhibition of films

(1) Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

(2) Where the film classification body is specified in the licence, unless subsection (3) (b) applies, admission of children must be restricted in accordance with any recommendation made by that body.

(3) Where:-

(a) The film classification body is not specified in the licence, or

(b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question; admission of children must be restricted in accordance with any recommendation made by that licensing authority.

(4) In this section:-

“Children means persons aged under 18; and

“Film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Conditions consistent with the Operating Schedule

General

Nothing beyond existing Fire & Health & Safety regulations, and as outlined below to promote the four licensing objectives.

The prevention of crime and disorder

CCTV will be used within the premises, retained for 31 days, stored in accordance with the requirements of the Information Commissioners, and produced to Police or responsible authorities on demand.

In the event of door staff being used they will be SIA registered, It is our intention to join the Bilston pubwatch and work closely with the Police and other businesses to ban persons involved in unruly or criminal behaviour.

A staff training package will be put into place to cover incidents arising at the premises. Records of training and re-training will be kept and produced on demand to Police or responsible authorities. It is our intention to work closely with the Police and Licensing Officer.

Public safety

The premises have large fire exit doors at the rear leading to an unobstructed rear car park which leads into Bow Street. The premises will have up to date fire sensor devices and fire panel fire fighting and first aid equipment is within the premises in the event of injury or incident. Fire exits will be identified by signage and a staff fire evacuation policy will be in place. Health and Safety laws will be fully complied with and operated.

A staff training policy will be put into place.

1. The occupancy of the premises will not exceed 120 persons and suitable management procedures will be adopted to ensure that this occupancy is not exceeded.
2. The fire alarm system is to comply with BS5839, Part 1 2002.
3. The fire alarms system will be fitted with a suitable cut out device which silences any amplified music upon actuation of the fire alarm system.
- 4.1 The emergency lighting system will comply with the relevant British standard 5266 part 1.
- 4.2 (Maintained type) Illuminated 'FIRE EXIT' signs will be provided over all Fire Exits and room exits leading to fire exits.
5. Upholstered seating furniture will satisfy, as a minimum standard, Ignition Source O (cigarette test) and Crib Ignition Source 5 as specified in BS5852, 1990, 'Methods of Test for Assessment of the Ignitibility of Upholstered Seating by Smouldering and Flaming Ignition Sources'.
6. The building will be separated from any adjacent buildings by infilling the interconnected door to achieve a minimum separation of 1 hours fire resistance.
7. Wall and ceiling linings are to be Class 1, surface spread of flame (as described in BS476, Part 7) in the public areas. Class 0, in escape routes (as defined in the Building Regulations).
8. Artificial foliage and other decorative effects will be fire retardant to the satisfaction of the Fire Authority.
9. Prior to the premises opening certificates of conformity will be provided to the Fire Authority in respect of items 2, 4 and 5.

The prevention of public nuisance

Levels can be agreed if required with the responsible authority. The rear fire escape doors will be closed during entertainments, there are no windows in the premises. Signage will be used requesting customers to respect our neighbours privacy on leaving the premises. Rubbish will be collected by a contractor on a regular basis. The front of the premises will be used to enter and leave the premises other than in the need of public safety, fire tests and similar occurrences.

Noise or vibration should not be allowed to emanate from the premises so as to cause a nuisance to nearby properties or residents.

The rear fire doors at the premises must remain closed at all times during regulated entertainment, unless required in the event of a fire.

Access and egress to the premises will be via the front doors only.

Persons will only be permitted to smoke at the outside the front of the premises.

Music will be provided via a juke box or the use of other amplified equipment. Music will be of a background nature only. Should the premises be booked for specific events written notification will be given for Temporary Event Notices as required and in accordance with the Licensing Act 2003.

The Premises Licence Holder, Designated Premises Supervisor, or other suitably trained and responsible person at the premises must undertake noise monitoring patrols at the boundary of the premises to ensure that music/noise is not allowed to emanate from the premises at an unacceptable level when regulated entertainment takes place.

Notices should be displayed inside the premises close to the exits advising patrons to leave the premises quietly and to respect residents living in the vicinity.

The protection of children from harm

No person under 18 shall be allowed onto the premises. The premises will still use a challenge 21 policy regardless, and prove of age by passport, photo driving licence or approved identification card will be required.

Plans

As submitted with application dated 01/10/2010 and retained by Wolverhampton City Council.