

**CITY OF
WOLVERHAMPTON
COUNCIL**

Licensing Services, 2nd Floor, Civic Centre, St. Peter's Square, Wolverhampton, WV1 1SH

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I Police Sergeant 6222 Steph Reynolds

(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 Society Rear of House of Fraser Skinner Street City Centre	
Post town Wolverhampton	Post code (if known) WV1 4LD
Name of premises licence holder or club holding club premises certificate (if known) Mac Kainth	
Number of premises licence or club premises certificate (if known) 17/02151/PREDEPS	

Part 2 - Applicant details

I am Police Sergeant 6222 Reynolds,

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
(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

☐

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address West Midlands Police Wolverhampton NPU Bilston Street
Telephone number (if any) [REDACTED]
E-mail address (optional)

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

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

The PLH of Society contacted West Midlands Police in January 2019 to inform them of an event they intended to host on Saturday 23rd March 2019 between 22.00 and 04.00. This event was a birthday party for a known gang nominal in the Wolverhampton area. Details were given as to who the party was for, and who the DJ's would be.

WMP stated that due to current gang issues (and believed to be a risky event to host) that if the party was to be hosted, then additional security measures would need to be implemented to ensure all the licensing objectives were upheld.

WMP requested:

- That at least 6 door staff would be required for up to 100 guests, if over that then to liaise with WMP.
- All plastic glasses, no bottles
- Strict search policy, wands and knife arch – if available, but minimum of wands, thorough person search and bag search.
- Further search as detailed above if patrons exit and re-enter
- As the party was an invite only event, to provide a list of invited persons
- Ensure CCTV is working in all areas covering the party just before the event.

The PLH, confirmed that they would have 8 door staff as there would be 150-200 guests attending, that each guest will be searched and wands in place, drinks will be served in plastic cups, other than the VIP guests. It was also confirmed that the smoking area wasn't accessible by anyone as it was fenced and gated off, and padlocked. That there would be one member of door staff and another floating in the smoking area at all times.

All of this communication was done to ensure the safety of all patrons attending the party and under the prevention of crime and disorder objective.

At 02.59hrs on the morning of Sunday 24th March there was a call via the link radio saying that there was a large disorder at these premises involving 50 plus people, and a possible stabbing.

Officers attended and had to withdraw immediately due to the large scale disorder that could be seen and heard, officers had to wait for back up for their own safety. It was identified that one male had been stabbed, as he came out of the venue, he was escorted by police to a waiting ambulance in a nearby street. This was due to the fact that the ambulance could not get near the venue due to all the cars parked nearby, blocking the street.

The club was shut by an officer at the scene, and as people then vacated, there was a great deal of hostility towards officers from the patrons at the venue, even to the officers administering first aid to the victim.

A search was conducted of the smoking area, whereby 2 knives were found. A silver/green lockknife, which was found on the floor in the left corner of the smoking area. A black handled ceramic knife was found hidden behind the large mobile advertising board. It appears at this early stage of the investigation that neither of these knives were the one used for the stabbing of the victim.

A further flick knife 8 inches in length was also found tucked under a door, on the outskirts of the premises.

The manager, [REDACTED] was spoken to at the time by officers in attendance and stated that approximately 250 people were in the venue with 6 SIA door staff from [REDACTED]. Officers also reported that there was a smell of cannabis inside the venue, however the manager stated that he could assure them that no one had smoked it inside the premises.

Door staff were also spoken to and confirmed that there was no knife arch and no wands in use as they did not have any. These door staff also stated that MOST people who attended had an invitation on their mobile, however the family let a lot of people in who were not on the list, continually stating "it's ok, they're family".

The manager then showed a police officer one metal detector wand that was working, there were no others.

Inside the venue, there was significant evidence of the small silver canisters that contain nitrous oxide aka laughing gas. These were strewn all across the floor, along with boxes that they were contained in.

This incident could have been avoided if the requests from West Midlands Police had been adhered to. It had been highlighted to the PLH, the concerns from the police in relation to gang tensions and that was why the strict invite only, search policy and door staff numbers were requested. This was to ensure that the licensing objectives were upheld and all patrons/public were kept safe from harm.

The injured party in this crime, was NOT on the invite list, so it therefore raises the question as to how he was allowed entry into the "invite only" event.

There venue have failed to uphold these licensing objectives by failing to:

- Search all patrons attending the event
- Allowing those without an invite into the event
- Have the sufficient door staff on duty, they agreed 8 door staff based upon 150-200 attending.

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

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

Please tick ✓ yes

☐

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

Please tick ✓

yes

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

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

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

.....

Date 25/03/2019

.....

Capacity Police Licensing Sergeant

.....

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)

Notes for Guidance

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

West Midlands Police

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 and disorder

Premises: **Society**

Premise Licence Number: **17/02151/PREDEPS**

Premise Licence Holder: **Mac Kainth**

Designated Premise Supervisor: **Rakesh Kainth**

I am a Chief Superintendent in West Midlands Police.

I am giving this certificate because I am in the opinion that the procedures under the Licensing Act are inappropriate in this case because the standard review procedures are thought to be inappropriate due to the seriousness of the crime, and the serious management failings of the premises concerned.

The level and seriousness of this incident in terms of the crimes committed warrant the use of this power. I have considered the use of the normal review procedure but I do not feel this would be appropriate in these circumstances due to the above reasons and the fact that to maintain the licensing objective of preventing crime and disorder the normal review procedure would not be sufficient.

The concern of West Midlands Police is that if steps are not taken to consider the running of these premises they will continue to be used in the manner in which they were discovered. It is quite evident from the initial investigation that the licensing objectives have been undermined.

I am conscious of the guidance under the 2003 licensing act on the use of "Expedited Reviews" and given the emphasis that is given to use of this power to tackle serious crime and disorder, my feelings that this process is deemed appropriate are further enforced.

Signature of applicant:



C/5081 3172 BEARD

Date: **25th March 2019**

Rank/Capacity: **Chief Superintendent for Local Policing, Wolverhampton NPU**



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I, Chief Superintendent Beard

(On behalf of) the chief officer of Police for the West Midlands Police area apply for the review of a premises licence under section 53A of the Licensing Act 2003

1. Premises details: **Society**
Postal address of premise: **Rear of House of Fraser, Skinner Street, City Centre**
Post Town: **Wolverhampton**
Post Code (if known): **WV1 4LD**
2. Premises Licence details :
Name of premise licence holder (if known): **Mac Kainth**
Number of premise licence (if known): **17/02151/PREDEPS**
3. Certificate under section 53A (1)(B) of the Licensing Act 2003 (Please read guidance note 1)

I confirm that this is a certificate has been given by a senior member of the police force for the police area above that in his/her opinion the above premises are associated with serious crime or serious 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)

At 02.59hrs on the morning of Sunday 24th March there was a call via the link radio saying that there was a large disorder at these premises involving 50 plus people, and a possible stabbing.

Officers attended and had to withdraw immediately due to the large scale disorder that could be seen and heard, officers had to wait for back up for their own safety. It was identified that one male had been stabbed. As the injured party came out of the venue, he was escorted by police to a waiting ambulance in a nearby street. This was due to the fact that the ambulance could not get near the venue due to all the cars parked nearby, blocking the street.

The club was shut by an officer at the scene, and as people then vacated, there was a great deal of hostility towards officers from the patrons at the venue, even to the officers administering first aid to the victim.

A search was conducted of the smoking area, whereby 2 knives were found. A silver/green lock-knife, which was found on the floor in the left corner of the smoking area. A black handled ceramic knife was found hidden behind the large mobile advertising board.

A further flick knife 8 inches in length was also found tucked under a door, on the outskirts of the premises.

Inside the venue, there was significant evidence of the small silver canisters that contain nitrous oxide aka laughing gas. These were strewn all across the floor, along with boxes that they were contained in.

WMP had been made aware of this event by the PLH but had stated that due to current gang issues (and believed to be a risky event to host) that if the party was to be hosted, then additional security measures would need to be implemented to ensure all the licensing objectives were upheld.

WMP requested:

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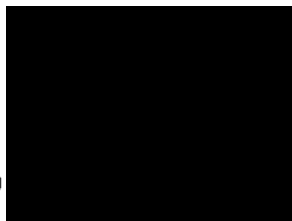
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- Allowing those without an invite into the event
- Have the sufficient door staff on duty, they agreed 8 door staff based upon 150-200 attending.

Signature of applicant:

Date: 25th March 2019



C/SOFT 3172 BLARD

Rank/Capacity: Chief Superintendent for Local Policing, Wolverhampton NPU

Contact details for matters concerning this application: PS 6222 Reynolds

Address: Wolverhampton Licensing

Telephone Number(s): 01902 649085

E-mail - wv_licensing@west-midlands.pnn.police.uk

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attended the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- Conduct that amounts to one or more criminal offences and involves the use of violence results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious Disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder or both.