

PRE677

**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**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> 'Pegasus' Public House, Jackson Street, Whitmore Reans.	
<b>Post town</b> Wolverhampton.	<b>Post code (if known)</b> WV6 0QQ.

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Mr Balbinder Singh Gill Pegasus Public House 4 Jackson Street Wolverhampton WV6 0QQ
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<b>Number of premises licence or club premises certificate (if known)</b> WN/004716
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**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)

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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  W.P.C

**Surname**

Davies

**First names**

Lisa

**I am 18 years old or over**

Please tick ✓ yes

x

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

C/o Bilston Street, Wolverhampton Central Police,  
Bilston Street  
Wolverhampton  
WV1 3AA

**Post town**

Wolverhampton

**Post Code**

WV1 3AA

**Daytime contact telephone number**

01902 649085

**E-mail address  
(optional)**

Wv\_licensing@west-midlands.pnn.police.uk

**(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  WPC 4199 Davies West Midlands Police Central Police Station Bilston Street Wolverhampton WV1 3AA
Telephone number (if any) 101 ext 871 3196 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"/>

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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 a statutory obligation to ensure that licensed premises comply with the requirements of the Act, and the operating schedule relating to that premise.

The 'Pegasus Public House' venue is situated on Jackson Street, in the Whitmore Reans area of Wolverhampton.

It is located in a residential housing area and is surrounded by residential buildings.

The venue is the home address of Mr Balbinder Singh Gill who is both the DPS and PLH of this premises, and his family. Mr Gill holds a personal licence number 003134 issued by Wolverhampton Borough Council.

The Pegasus venue has a maximum capacity of 160.

The hours of trading are Monday to Thursday, 11.00am to 01.30 and Friday to Saturday 11.00 to 02.00 hours.

Alcohol sales must cease half an hour prior to the closing of the premise.

This licence, is, as it was, in 2005, when first issued by Wolverhampton Council, (when the licensing administration was taken over by Council in place of Court administration process of licences).

On Friday 27<sup>th</sup> May 2016 the venue was open to the public and a birthday party was taking place.

At this event a firearm was discharged at the location on the car park of the venue. It is confirmed that two vehicles on the car park, directly in front of the main public entrance to the venue, received gunshot damage.

Both vehicles have since been located and examined by Police Officers to evidence this gunshot damage.

At 23.56.12 on this evening, a telephone call was made to Police from a member of the public who could 'see' the 'Pegasus' venue and relayed an account of hearing '**2 gun shots**', and further, that people were running off from the venue and cars speeding away.

***No 999 call was logged by the DPS/PLH, even though he was on site, or, from any member of his staff.***

Police arrived at the Pegasus Public House at 00.08 hours in the early hours of Saturday 29<sup>th</sup> May 2016, some 12 minutes after the 999 call was received,.

Officers spoke with a male at 00.25 hours. who identified himself as the DPS.

This male however was '**not**' the DPS, but instead the DPS/PLH's son, Mr Harjit Gill. It is 'Mr Harjits Gill's' details and telephone number which are recorded on the Police log.

The account that was given to officers by Mr Harjit Gill was as follows; "**there has been a disagreement, glasses smashed**".

Officers left the scene as they were not presented with any evidence to support a shooting.

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On 29<sup>th</sup> May 2016, Police received intelligence to say that a vehicle 'had' received gunshot damage, and that this damage had occurred at the Pegasus Public House.

In light of this intelligence, the venue was re-contacted.

On the 30<sup>th</sup> May 2016, a 'Mr Gill' was spoken to by officers again.

It is important to note that it is believed the 'Mr Gill' officers spoke to, was again, the son of the DPS/PLH, a Mr Harjit Gill.

Officers recorded that on the Police log that 'Mr Gill' had an additional business which was a shop and although 'Mr Gill (Harjit)' stated he would assist the investigation by providing CCTV, it would be at 14.30 and he would have to leave at 15.30 for a family meal.

At 15.50 the same day officers attended the venue and again were of the impression Mr Harjit Gill was the DPS. They watched footage from the evening of the incident. The officers reported that they were told by the 'DPS', (again we believe this was Mr Hargit Gill, that 'at no point did he hear or was made aware of a firearms incident' further, 'the noises could have been the smashing of glasses'.

**\*\*\*At no time does the name 'Balbinder Gill' (PLH/DPS), appear on this Police log.**

A live investigation is on-going regarding this incident and no further details can be disclosed at this time as to the nature of the investigation. However, Police can disclose that a suspect is sought who is believed to be in possession of a shot gun which was used in this incident at this location.

On Tuesday 31<sup>st</sup> May Licensing Officer WPC 4199 Davies contacted the number supplied by Mr Hargit Gill to officers on the night in question as no land line number or number for the DPS/PLH of the Pegasus was available to Police. WPC Davies requested the footage for the evening in question. Mr Harjit Gill confirmed he would be the person who would complete that request..

Later the same day WPC Davies visited the premises in the company of PC Neville of the Offender Management Guns Team and spoke with Mr Balbinder Gill, the DPS and PLH.

Mr B. Gill stated that the event held on the previous Friday was a birthday party.

Further, he stated that he had an association with the 'individual' whose party it was. He described this relationship as '**business relationship**'.

He told officers this 'individual' had recently financed the refurbishment of the bar at the Pegasus venue. Further this 'individual' had promised Mr B. Gill he could guarantee an increased footfall to the venue.

Mr B Gill stated the 'individual' had already refurbished the bar area, and ladies toilets and was yet to refurbish the male toilets.

In return Mr B Gill stated the arrangement was that Mr B Gill would pay the 'individual' a sum of £100 a week. Mr B Gill intimated this 'individual' now held a 'promoter' style role for the venue and was involved in its business matters.

The c.c.t.v. was downloading and officers left awaiting the delivery of footage for the evening of the 27<sup>th</sup> May into 28<sup>th</sup> May 2016 to Bilston Street Police Station.

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The following day the Licensing Officer who holds responsibility for this venue received the CCTV footage from the evening and watched the footage in detail.

From this footage two compilation discs were made. The discs are now referred to as LJD1 and LJD2

On Monday 6<sup>th</sup> June Mr B. Gill , DPS/PLH , attended Bilston Street Police Station and was interviewed whilst watching the footage from both discs under caution. The interview is now referred to as LJD3  
PC Davies, licensing officer and PC Reece from the Offender Management Guns Team were both present.

**\* The events of the night recorded from the original footage and compiled into the compilation discs LJD1 and LJD2, hold the salient points, and are reported upon below:**

*At 23.47 some nine minutes before the 999 call was received a vehicle can be seen pulling up outside the venue.*

*A figure is seen to get out of the vehicle and move onto the Pegasus car park.*

*Two flashes of light are caught on CCTV and are believed to be the two discharges from the firearm. The weapon used is believed to be a shotgun. There is intelligence to support the suspect in this matter is already wanted by Police for others matters and that he is in possession of a shotgun.*

*Males on the car park run from the direction of the suspect male and then the suspect male is seen to run away across the car park.*

*Footage of patrons drinking in the beer garden shows the patrons 'bolting' into the venue in panic; there is also clear distress from the patrons both outside and within the venue on the footage.*

*A female who is identified outside running into the venue can then be seen relaying the outside activity to a second female inside the venue, she is seen to make a 'gun' shape with her left hand.*

*A further second female then imitates the firing of a gun twice with her hand and thumb in a 'trigger movement'.*

*The DPS Mr B. Gill is seen moving towards the outside of the venue and it is very clear that he is well aware of an incident taking place.*

*He is seen standing close to numerous patrons who are clearly upset and agitated.*

*The DPS at no time makes a call to police even though he has a mobile phone in his possession. The DPS is seen with his phone in his hand on the footage.*

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In the interview with the DPS/PLH Mr Gill was shown the footage from the compilation disc LJD1 and offered no explanation to the events of the evening.

He maintained the only incident he was aware of was that of a drunken male being ejected.

In addition he distanced himself from the 'individual' who he had told Police Officers Davies and Reece, was his business partner and had refurbished the venue to bring in patrons and revenue. He now stated, ***"he is a regular drinker who uses my premises and his family."***

At the end of the interview when all cctv evidence had been presented to Mr Balbinder Gill he was asked if he wished to add to his interview in relation to this incident and he stated

***" I have only two eyes not four, you can say what you want, you have the power, you have the full footage of the car park, whose coming, and where going, so if you know the person, deal with it."***

Mr B. Gill was also shown the footage from the compilation disc LJD2 which shows 'an unknown male' removing a gunshot damaged motor vehicle from the venue.

Police have since discovered this vehicle has peppered gunshot damage consistent with a shotgun attack. Officers can evidence they have witnessed this damage at a garage where the vehicle was located 'in for repair' of the gunshot damage.

***When Mr Balbinder Gill was asked to identify the driver who removed the damaged vehicle from the car park, (as it was not the owner of the vehicle who removed it), he stated under Police caution that the driver was his son 'Mr Harjit Gill'.***

Mr Balbinder Gill has maintained throughout this matter, he knew nothing of a shooting incident at his venue.

It is a great concern to Police to watch the events unfold and find that the responsible person, Mr Balbinder Gill, states he knew nothing of the incident even though he was on site and close to the patrons who appear clearly aware of the nature of the incident .

Police arrived at the scene some 8 minutes after the 999 call was made , no one came forward and disclosed a shooting incident had taken place, moreover Mr Harjit Gill specifically denied knowledge of the shooting.

The damaged motor vehicle was driven away by the DPS/PLH son only 3 minutes before the Police arrived. If this vehicle had been in situ it would have promoted a full firearms incident response.

***A full and proper investigation into this matter was delayed due to the damaged vehicles being removed and the details of the incident not being disclosed to Police.***

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It is of grave concern **the son of the DPS** removed one of the gun shot damaged motor vehicle from the Pegasus car park.  
Police licensing have not spoken to Mr Gill sons and we do not know his motives for moving the damaged vehicle.

However, it is apparent that Mr Balbinder Gills' son Harjit Gill is fully aware of the vehicle being involved in an incident as he seen to come out of the venue and examine the vehicle with a torch light on his phone prior to removing it from the Pegasus car park. Notable is that when Police arrived, and on a further occasion, Harjit Gill described the incident as an argument and glasses smashing.

It is highly questionable as to why the DPS's son Harjit Gill removed the vehicle. It was a deliberate act which Mr Harjit Gill knew, or should have known, would frustrate a police investigation.  
It is also questionable as to why the owner did not remove his own vehicle and the DPS's son was instead the driver.

Neither of the owners of the damaged vehicles reported the damage to the Police either on the night or after.

Police received an application to 'Vary the DPS at the Pegasus venue on Monday 13<sup>th</sup> June 2016 at 11.52 hours. The application is to vary the position from Mr Balbinder Gill to his son Mr Harjit Gill.

In view of the actions on the night of this incident to vary Mr Harjit Gill into the role of the Designated Premise Supervisor for the venue gives rise to real concern as to if he is a 'fit and proper person' to hold this role.

The licensing department have objected to his application.

We find, as held within the guidance, in exceptional circumstances, Police can oppose the appointment of a new DPS if it can be shown why the appointment would undermine the crime prevention objective.

The CCTV evidence and Mr Harjit Gill's conduct certainly gives rise to evidence why Police would seek to oppose his application.

In addition during the course of this investigation Mr Harjit Gill has been at a shop he runs which demonstrates he has other daily commitments, which in turn has delayed access to CCTV for the venue..



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Of concern to Police officers is that there was a clear presence in the venue on the night of the incident of 'Gang Nominals', who are associated with organised crime. Intelligence logs show that the shooting was a deliberate act and not a random incident. Intelligence supports that gang nominals at the venue were the suspect's target.

Police can state that the suspect in this matter is wanted by Police. He belongs to an organised crime group and is in possession of a firearm. If the DPS/PLH, his staff, family members or patrons had informed Police of the incident on the night, this offender may well have been apprehended, and if he was still in possession of the firearm, a conviction may well have been successfully secured.

Both gunshot damaged vehicles have been located by Police and the gunshot damage witnessed by police officers.

Intelligence supports the owner of the vehicle removed by Mr Harjit Gill is the same individual that Mr Balbinder Gill originally told officers was his 'business partner' at the venue and the same male he stated had recently refurbished the Pegasus Public house bar area and toilets.

Officers from the Wolverhampton Gang Offender Management can confirm that numerous members of the 'Whitmore Reans Crew', were in the venue on the evening of the incident.

It is clear this venue is now attracting a clientele who are either gang nominals or gang affiliated.

With this type of lifestyle clientele comes an element of crime and disorder and there exists a real risk to public safety.

Wolverhampton has certain defined 'gang groups' within the Wolverhampton Borough.

The *Whitmore Reans Crew* is a crime group that has varied membership and contains elements of current and former WV gangs (Reans Crew/ Reanz Parliament / Chester Street Gang / WV6).

It contains smaller groups of drug dealers who operate separately but who will on occasion come into conflict with each other, robbing each other of drugs, cash or other assets.

If any other OCG/USG (organised crime group/urban street gang), threatens or causes problems in the area these smaller groups will often come together to defend their territory. An officer from the Offender Management Gangs Team has produced a statement which identifies more than 6 Whitmore Reans Gang members at the premises, the statement has been redacted to remove the named individuals at this time due to the live investigation and in line with data protection.

It is not the licensing departments responsibility to investigate the shooting at the venue, but to bring to the fore, concerns the licensing objectives of 'prevention of crime and disorder and public safety are clearly not been upheld at this venue under its current management and staff. Moreover, they appear to be seriously undermined. In his interview when asked Mr Balbinder Gill could 'not' name the four licencing objectives.

***There appears to have been a clear attempt to prevent Police from having an insight into the incident at this venue on this evening by the Pegasus venue.***

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The DPS/PLH is a long standing DPS/PLH at this premises and he and his family reside above the premises.

It is not clear if the DPS/PLH holders' son resides above the premises with the other family members.

Mr Gill's licence is a very antiquated licence last issued in October 2005.

Police note breaches of the current licence conditions on the footage, these being glass bottles outside the venue, fire doors open, (allowing sound to escape), and the beer garden being used after 22.00 hours, which the licence stipulates should not be allowed..

The conditions placed upon the licence reflect conditions in line with a small local community public house.

It is clear from the footage that the venue is now moving in a different direction. Advertising has been found on social media for events to be held on Friday's. This event is advertised as '**Peggy Fridays**' suggesting that this is a regular event.

It is important we consider the DPS/PLH livelihood, the safety of both him, his family and members of the public who form his clientele.

Police acknowledge that without a statement of fact we cannot presume the DPS/PLH knew of this incident.

It is, however, clear his son Mr Harjit Gill 'did' have knowledge of the shooting and it would seem logical he would have alerted his father Mr Balbinder Gill to the danger.

We cannot know if both Mr Balbinder Gill and Mr Harjit Gill have been subject to any pressure from other persons which has stopped them assisting Police in this matter.

Police therefore seek to review the 'Pegasus Venue Licence' to place conditions upon it which are enforceable to prevent a reoccurrence of this type of incident and activity which Mr Balbinder Gill now has attracted to his venue.

We seek to assist the PLH/DPS to assist in and promote better partnership working in the future.

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**Measures Police seek to impose as conditions upon the Pegasus venue:**

- SIA security from 22.00 to 02.00 Thursday Friday and Saturday nights
- Event information to be supplied to Wolverhampton Licensing Department 14 days in advance of events which utilise DJ's and promoters.
- Correct names of DJ's and promoters for events to be provided 14 days prior to the commencement of events.
- Security wands to be utilised to search for weapons
- 999 calls for emergency incidents
- Lights on and music off policy for disorder
- A CCTV system with recording equipment shall be installed and maintained at the premises.
- CCTV should cover entry and exit points of the premise and all areas where alcohol/money is served/taken and all areas to where public have access and the immediate vicinity outside the premise.
- Images / recordings to be downloaded in a suitable format and provided to any member of a Responsible Authority upon request and without any undue delay.
- Images and recordings must be of good evidential quality, must indicate the correct time and date and be kept for at least 31 days.
- All staff to be trained to use the CCTV system and at least one member of staff to be on duty who is trained to download the systems images should any member of a Responsible Authority make a request.

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

West Midlands Police are gravely concerned due to the serious nature of the recent incident and the apparent failing of the venue to inform police or assist in an initial investigation.

Should a speedy enquiry into the incident being instigated, Police may have been able to locate the suspect with the firearm, however, he is still at large.

We seek to prevent further similar incidents occurring at the premise.

Should a similar incident occur at the premises we seek to ensure the PLH/DPS is fully equipped to assist Police and provide strong partnership working.  
It is likely Mr Gill may again fail to deal with incidents effectively under the present licence conditions imposed upon his premises licence.

West Midlands Police are in support of local and independent businesses such as the 'The Pegasus'.

We hope to move forward in a proactive manner in order to prevent a similar incident occurring.

West Midlands Police seek to review the licence in order for the venue to be better placed to cope with incidents which under the current licence conditions does not appear to have been effective, and to prevent crime and disorder and protect the safety of the public.

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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

.....

Date

.....

Capacity

.....

**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.

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