

CITY OF  
WOLVERHAMPTON  
COUNCIL

# Statutory Licensing Sub-Committee

18 April 2019

**Time** 10.00 am **Public Meeting?** YES **Type of meeting** Regulatory  
**Venue** Committee Room 5, Ground Floor - Civic Centre

## Membership

**Chair** Cllr Alan Bolshaw (Lab)

### Labour

Cllr Rita Potter

### Conservative

Cllr Wendy Thompson

Quorum for this meeting is two Councillors.

## Information for the Public

If you have any queries about this meeting, please contact the Democratic Services team:

**Contact** Kirsty Tuffin, Democratic Services Officer  
**Tel/Email** Tel: 01902 552873 Email: [kirsty.tuffin@wolverhampton.gov.uk](mailto:kirsty.tuffin@wolverhampton.gov.uk)  
**Address** Democratic Services, Civic Centre, 1st floor, St Peter's Square,  
Wolverhampton WV1 1RL

Copies of other agendas and reports are available from:

**Website** [www.wolverhampton.moderngov.co.uk1](http://www.wolverhampton.moderngov.co.uk1)  
**Email** [democratic.services@wolverhampton.gov.uk](mailto:democratic.services@wolverhampton.gov.uk)  
**Tel** 01902 550320

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.

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# Agenda

## Part 1 – items open to the press and public

<i>Item No.</i>	<i>Title</i>
1	<b>Apologies for absence</b>
2	<b>Declarations of interest</b>
3	<b>Licensing Act 2003 – Application for a Review of a Premises Licence in respect of Society, Townwell Fold, Wolverhampton WV1 4LD (Pages 3 - 30)</b>

CITY OF  
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COUNCIL

# Statutory Licensing Sub - Committee

18 April 2019

<b>Report title</b>	<b>Licensing Act 2003 – Application for a Review of a Premises Licence in respect of Society, Townwell Fold, Wolverhampton, WV1 4LD</b>	
<b>Wards affected</b>	St Peters	
<b>Accountable director</b>	Ross Cook, City Environment	
<b>Originating service</b>	Licensing Services	
<b>Accountable employee(s)</b>	Michelle James	Licensing Policy Manager
	Tel	01902 556796
	Email	Michelle.james@wolverhampton.gov.uk

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## Recommendation for decision:

The Statutory Licensing Sub-Committee is recommended to:

1. Consider an application by West Midlands Police for a review of the above Premises Licence, following an expedited review.

## **1.0 Purpose**

- 1.1 The Licensing Sub-Committee is required to consider the application by West Midlands Police for a Review of the above Premises Licence, following an Expedited Review.

## **2.0 Background**

- 2.1 The current premises licence is attached at Appendix 1.

## **3.0 Expedited Summary Review Application**

- 3.1 An application was received from the Chief Officer of Police for West Midlands on 26 March 2019 for an expedited review of the Premises Licence in respect of Society, Townwell Fold, Wolverhampton, West Midlands, WV1 4LD.
- 3.2 A copy of the expedited review application can be found at Appendix 2 of this report.
- 3.3 The premises are situated in the St Peter's ward and a location plan is attached at Appendix 3.
- 3.4 A Licensing Sub-Committee hearing was held on 27 March 2019 to determine the interim steps to be applied to the Premises Licence pending the full review hearing. The Licensing Sub-Committee resolved to suspend the Premises Licence as the interim step.

## **4.0 Review Application**

- 4.1 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.
- 4.2 Representations have been received from the Licensing Authority as Responsible Authority and can be found at appendix 4 of this report.
- 4.3 The applicant for review, the Premises Licence Holder, and those who have made representations have been invited to attend the review hearing.

## **5.0 Financial implications**

- 5.1 There are no direct financial implications associated with the recommendations in this report. No fee is levied for an Expedited Summary Review application. The fees and charges in relation to the Licensing Act 2003 are set by the Secretary of State. This was noted by the Licensing Committee on 20 March 2019. [MK/09042019/Y]

## **6.0 Legal implications**

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

- 6.2 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.
- 6.3 The Sub-Committee must consider what steps (if any) should be taken to secure the promotion of the licensing objectives.
- 6.4 The four licensing objectives are:
- The prevention of crime and disorder;
  - Public safety;
  - The prevention of public nuisance;
  - The protection of children from harm.
- 6.5 The steps that may be taken by the Sub-Committee on a full review 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;
  - (e) Revoke the Licence.
- 6.6 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. [SH/10042019/A]

## **7.0 Equalities implications**

- 7.1 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.
- 7.2 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.

## **8.0 Environmental implications**

8.1 There are no environmental implications associated with this report.

## **9.0 Human resources implications**

9.1 There are no human resources implications associated with this report.

## **10.0 Corporate landlord implications**

10.1 There are no corporate landlord implications associated with this report.

## **11.0 Schedule of background papers**

11.1 None

## **12.0 Appendices**

12.1 Appendix 1 - Premises Licence

12.2 Appendix 2 - Expedited Review Application

12.3 Appendix 3 - Location Plan

12.4 Appendix 4 – Licensing Authority Representations

# Premises Licence

Issued in accordance with The Licensing Act 2003

**Name of Premises:** Society

**Address of Premises:** Rear of House of Fraser  
Skinner Street  
City Centre  
Wolverhampton  
WV1 4LD

**Premises Licence Number:** 17/02151/PREDPS –Variation of Premises DPS

**Date Licence Granted:** 1<sup>st</sup> June 2018

## 1. Opening hours of the premises

**Normal Hours:** Monday to Sunday 10.00 to 04.00 hours  
**Seasonal Variations:** New Years Eve, Boxing Day, Christmas Day and all Bank Holidays 10.00 to 05.00 hours  
**Non Standard Hours:** GMT time difference either way

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

**Activity:** Plays  
**Normal Hours:** Monday to Sunday 10.00 to 01.00 hours  
**Seasonal Variations:** New Years Eve, Boxing Day, Christmas Day and all Bank Holidays 10.00 to 03.00 hours  
**Non Standard Hours:** GMT time difference either way

**Activity:** Films  
**Normal Hours:** Monday to Sunday 10.00 to 01.00 hours  
**Seasonal Variations:** New Years Eve, Boxing Day, Christmas Day and all Bank Holidays 10.00 to 03.00 hours  
**Non Standard Hours:** GMT time difference either way

**Activity:** Indoor Sporting Events  
**Normal Hours:** Monday to Sunday 10.00 to 01.00 hours  
**Seasonal Variations:** New Years Eve, Boxing Day, Christmas Day and all Bank Holidays 10.00 to 03.00 hours  
**Non Standard Hours:** GMT time difference either way

**Activity:** Boxing or Wrestling  
**Normal Hours:** Monday to Sunday 10.00 to 01.00 hours  
**Seasonal Variations:** New Years Eve, Boxing Day, Christmas Day and all Bank Holidays 10.00 to 03.00 hours  
**Non Standard Hours:** GMT time difference either way

**Activity: Live Music**

**Normal Hours:** Monday to Sunday 10.00 to 04.00 hours

**Seasonal Variations:** New Years Eve, Boxing Day, Christmas Day and all Bank Holidays 10.00 to 05.00 hours

**Non Standard Hours:** GMT time difference either way

**Activity: Recorded Music**

**Normal Hours:** Monday to Sunday 10.00 to 04.00 hours

**Seasonal Variations:** New Years Eve, Boxing Day, Christmas Day and all Bank Holidays 10.00 to 05.00 hours

**Non Standard Hours:** GMT time difference either way

**Activity: Performances of Dance**

**Normal Hours:** Monday to Sunday 10.00 to 04.00 hours

**Seasonal Variations:** New Years Eve, Boxing Day, Christmas Day and all Bank Holidays 10.00 to 05.00 hours

**Non Standard Hours:** GMT time difference either way

**Activity: Activity like music or dance**

**Normal Hours:** Monday to Sunday 10.00 to 04.00 hours

**Seasonal Variations:** New Years Eve, Boxing Day, Christmas Day and all Bank Holidays 10.00 to 05.00 hours

**Non Standard Hours:** GMT time difference either way

**Activity: Late Night Refreshment**

**Normal Hours:** Monday to Sunday 23.00 to 03.00 hours

**Seasonal Variations:** New Years Eve, Boxing Day, Christmas Day and all Bank Holidays 23.00 to 03.00 hours

**Non Standard Hours:** GMT time difference either way

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

**Normal Hours:** Monday to Sunday 10.00 to 03.00 hours

**Seasonal Variations:** New Years Eve, Boxing Day, Christmas Day and all Bank Holidays 10.00 to 04.00 hours

**Non Standard Hours:** GMT time difference either way

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

Rakesh Kainth

Personal licence number: PER1005

Issued by Wolverhampton City Council

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

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



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

Mac Kainth  
79 Himley Crescent  
Wolverhampton  
West Midlands  
WV4 5DE

## **Mandatory Licensing Conditions (Licensing Act 2003)**

### **Mandatory conditions as required by the Act will apply to the licence.**

It is the responsibility of the Premises Licence Holder and the Designated Premises Supervisor to ensure that they are conversant and compliant with all current mandatory conditions in relation to the Licensing Act 2003.

## **Conditions consistent with the Operating Schedule**

### ***General***

- To work with all authorities where necessary.

### ***The prevention of crime and disorder***

- Customers are allowed one hour drinking time and use of toilets.
- CCTV will be in operation at all times with 31 days availability.
- SIA door security.
- All doorstaff will be SIA registered and badges will be visible at all times. The nominated Door Company will be responsible for:
  - A risk assessment on each event
  - The amount of doorstaff required on each event
  - Search policy for all patrons
  - Electric wands to be used on high risk events
  - Doorstaff located in the smoking area
  - Clickers to record accurate numbers of persons admitted
- Dresscode to be implemented and only DPS to authorise entry for any exception.
- Challenge 21 to be implemented at the premises and that photo identification should be produced by anyone that appears to be under the age of 21 and that all staff receive sufficient training in challenging underage drinking.
- No glass drinking vessels or glass bottles to be permitted outside of the venue, either out into the street at the front of the premise or into the venue smoking area.
- Last entry time for all patrons of 01.30 hours into the premises.
- Licensing department to be informed no less than 14 days prior to any event/function that will extend past 02.00 hours.

In relation to sporting events:

- The 1st and 2nd floors will use separate entrance when ground floor is open serving alcohol.
- Private events are to be at the discretion of the DPS but in any case at least 14 days notification to be given to the licensing department at Wolverhampton Central Police Station to allow for a suitable risk assessment to be conducted.
- No events aimed specifically at under 18s to be held prior to authorisation of Licensing Department at Wolverhampton Central Police Station and at least 14 days notice of event given.
- Bottle banks to be kept locked and emptied regularly.
- Premise to join the radio link scheme and to sign up to the Information Sharing Agreement in conjunction with Wolverhampton City Centre management, (currently known as WV One).

- DPS or representative to attend Pubwatch meetings and any customer who behaves inappropriately will be barred from the premises and their details passed to the Pubwatch scheme.
- Evidential quality CCTV to be installed and maintained to a high standard, images/recordings to be kept for 31 days and to be available on request by anyone from responsible authority. At any time at least one member of staff on duty who can use/download CCTV on request. CCTV should cover entry and exit points of premises and areas where alcohol/money is served/taken and all areas to where public have access.
- An incident book shall be kept in the premises, in which will be recorded any incident of crime and disorder. This book shall be reviewed by senior management in association with the Designated Premises Supervisor. Any incident of crime and disorder at the premise shall be reported by a staff member to the Police as soon as is reasonably practicable.
- All staff who are involved in the sale of alcohol will be fully trained to ensure that no person who is drunk or disorderly or who appears to be under the age of 18 years will be served with intoxicating liquor, such training to be repeated every six months.
- All staff to be trained in order to carry out the safe evacuation of the premises in an emergency and training to be implemented at least annually. A record of this training to be kept at the premises and to be available to the Fire Service and Council upon request.
- At least one member of First Aid trained staff on the premises at any time that members of the public are present at the premises to deal problems associated with alcohol/drugs, if more than one first aid trained member of staff on duty then their specific role and responsibilities to be outlined before their duty commences. Training to be undertaken every 6 months and to be documented and available upon request by any responsible authority.
- Daily briefing/ tasking for all staff outlining their responsibilities and any relevant information/policies in relation to the premises to be documented and provided to any responsible authority.
- No cage or K1 style fights at the premises at any time.

### ***Public safety***

- SIA door staff- risk assessment
- Staff training for all staff/ managers
- Drug awareness
- CCTV at all times

### ***The prevention of public nuisance***

- A none residential area.
- All doors and windows to be kept shut
- Waste disposal – weekly

### ***The protection of children from harm***

- Challenge 21

## **Plans**

As submitted with application dated 07/11/2011 and retained by Wolverhampton City Council

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**CITY OF  
WOLVERHAMPTON  
COUNCIL**

**Licensing Services, 2<sup>nd</sup> 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**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Society Rear of House of Fraser Skinner Street City Centre	
<b>Post town</b> <b>Wolverhampton</b>	<b>Post code (if known)</b> <b>WV1 4LD</b>
<b>Name of premises licence holder or club holding club premises certificate (if known)</b> <b>Mac Kainth</b>	
<b>Number of premises licence or club premises certificate (if known)</b> <b>17/02151/PREDEPS</b>	

**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)

☐



**(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 23<sup>rd</sup> 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 24<sup>th</sup> 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
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

.....

<b>Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)</b>	
<b>Post town</b>	<b>Post Code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b>	

**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: **25<sup>th</sup> March 2019**

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



## 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, 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 24<sup>th</sup> 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:

- 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.

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.

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.

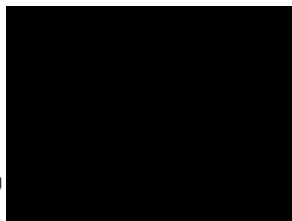
The injured party in this crime, was NOT on the invite list, so it therefore raises the question as to how he was allowed entry into the "invite only" event.

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.

Signature of applicant:

Date: 25<sup>th</sup> 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](mailto:wv_licensing@west-midlands.pnn.police.uk)

Notes for guidance:

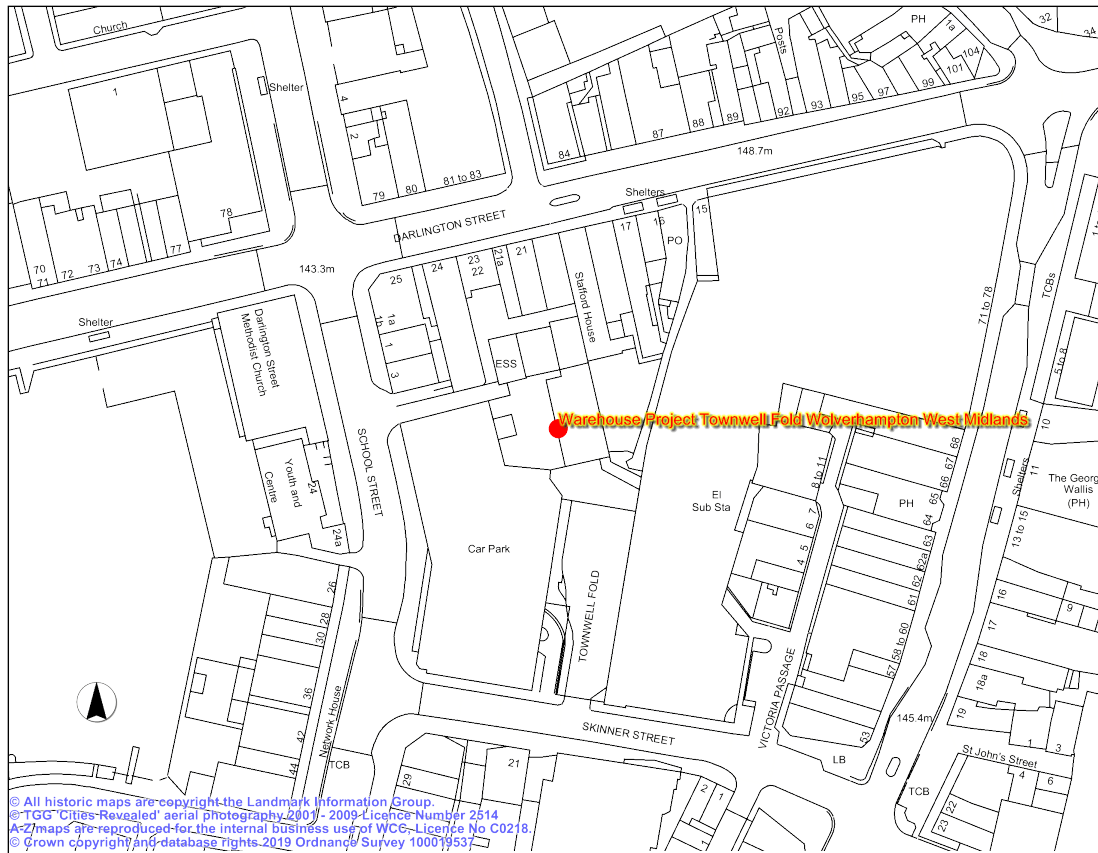
1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder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



CITY OF  
WOLVERHAMPTON  
COUNCIL

*Society, Townwell Fold,  
Wolverhampton, WV1  
4LD*

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

Plan Produced  
26.3.2019  
Scale 1:1,250

IMAGINE - Powered by

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**CITY OF  
WOLVERHAMPTON  
COUNCIL**

Mrs Debra Craner  
Licensing Services  
City of Wolverhampton Council  
St Peter's Square  
Wolverhampton  
WV1 1SH

09 April 2019

**Application for a review of a premises licence under Licensing Act 2003**  
**Society, Townwell Fold, Wolverhampton, WV1 4LD**

I write on behalf of the Licensing Authority as a Responsible Authority. I write in support of the above review application made by Chief Constable of West Midlands Police. Representations are made against Crime and Disorder and Public Safety licensing objectives the failure of the current management of the premises to promote these objectives.

The premises licence holder, Mac Kainth and the management of the premises have not demonstrated they are operating in accordance with their premises licence and therefore are not promoting the licensing objectives of Crime and Disorder and Public Safety.

On 26 March 2019, West Midlands Police submitted an expedited review application due to an event taking place at the premises which resulted in a member of the public receiving a stab wound.

On 27 March 2019, the Statutory Licensing Sub-Committee determined interim steps were necessary and resolved to suspended the premises licence pending the full review hearing.

The Licensing Authority has great concern over the management of the premises as from the evidence provided by the West Midlands Police, it is apparent that serious crime and serious disorder has occurred at the premises.

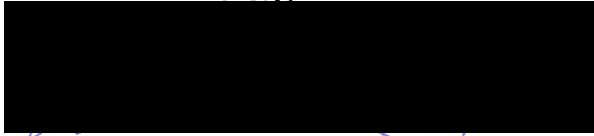
If Councillors are satisfied that illegal activities have taken place at the premises and are in breach of promoting the licensing objectives, the Licensing Authority would request the Licensing Sub-Committee ensure these issues are addressed by considering modification of the current premises licence in accordance with section 52 of the Licensing Act 2003 and guidance issued by the secretary of state under 182 of the Act together with City of Wolverhampton Councils Statement of Licensing Policy.

Councillors may conclude from the evidence given within the review application and at the hearing in order to promote the licensing objectives it is necessary to remove the current management or modification of the premises licence to ensure the current management of the premises fully understands their roles and responsibilities in order to address Crime and Disorder and Public Safety licensing objectives.

The Licensing Authority fully supports the review application brought by West Midlands Police and concludes the above issues should be resolved in order to promote the licensing objectives of Crime and Disorder and Public Safety.

I shall be in attendance at the hearing should councillors have any questions or require any further assistance.

Yours Sincerely,



Mrs Elaine Moreton  
Section Leader  
On behalf of the Licensing Authority

Direct: 01902 552772  
Email: [licensing@wolverhampton.gov.uk](mailto:licensing@wolverhampton.gov.uk)

Copy: Premises Licence Holder / Designated Premises Licence Holder