

**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 Chief Constable of West Midlands Police**

*(Insert name of applicant)*

**apply for the review of a premises licence under section 53A / 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> BANJUL 30 Queen Street City Centre	
<b>Post town</b> Wolverhampton	<b>Post code (if known)</b> WV1 3JW

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> DGW ENTERTAINMENT LIMITED
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<b>Number of premises licence or club premises certificate (if known)</b> 19/03071/PREDPS
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**Part 2 - Applicant details**

I am WPC 2467 MICHELLE CHURM,

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)

☐



Appendix 2

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**

<b>Name and address</b> WPC 2467 MICHELLE CHURM LICENSING DEPARTMENT West Midlands Police Wolverhampton NPU Bilston Street
<b>Telephone number (if any)</b> 0345 113 5000
<b>E-mail address (optional)</b> michellechurm@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="checked" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

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

On Wednesday 25<sup>th</sup> September 2019 Wolverhampton Licensing Department received an email from the Banjul email account, [REDACTED] at 1704hrs detailing a list of DJ's who would be performing from 11/10/19.

West Midlands Police conducted risk assessments and on the 26<sup>th</sup> September 2019 were made aware of an event at the premises on the 4<sup>th</sup> October 2019 with one of their resident DJ's for his birthday. The event was not a private function and tickets and booths were available to book.

WPC Churm requested, via email that a risk assessment for the new Friday night events, to include the birthday party, was forwarded, that details regarding tickets/payment on the door were required and for a list of DJ's for the 4<sup>th</sup> October.

On the 29<sup>th</sup> September 2019 an email was received from [REDACTED] detailing a number of issues that had been highlighted in previous emails regarding a request for a variation to the licence, concerning a number of issues, including searching, that was requested back in September 2018. There was no information regarding the DJ's on the 4<sup>th</sup> October and no risk assessment.

On Saturday 5<sup>th</sup> October 2019 at approximately 0330hrs an incident occurred, within the premises, whereby a male has been slashed with what he believes is a knife by an unnamed male. The injured party stated that two unnamed females have been arguing, he has intervened and then been approached by an unnamed male who has slashed him hitting him on the head with a knife, causing blood to run down his face, over his eye and further lacerating his chest causing a wound of approximately 15-20 cms in length and 5-6 cms deep. The injured party was then taken to New Cross Hospital whereby he was treated for his injuries. Staff at New Cross contacted West Midlands Police to report the injuries and officers attended to ascertain the facts of the incident. This is the third incident in 12 months at this premises since opening.

There have been so many attempts by West Midlands Police to work with staff at the venue, liaising with DPS' and PLH's, conversing with solicitors on behalf of the premises, all to no avail. The venue opened around 21st September 2018 and it was observed that no searches were being conducted by the security firm, who were later sacked by the premises.

On the 29<sup>th</sup> September 2018 there was an incident outside the venue, involving patrons from within the premises, gang nominals and multiple stabbings occurred. This alone could have been enough for WMP to have brought the premises before the Committee in an expedited review as the incident was serious crime and disorder. WMP felt that as a new venue, we could mediate with the DPS/PLH with a view to ensuring that the incident was isolated and that there were the right policies and procedures put into place by the premises. WMP arranged a meeting with the DPS and later attended the venue immediately following the event to discuss licence conditions. It was discussed that the licence would need to be varied and more conditions implemented. The premises had approached a solicitor to act on their behalf

and apply for the variation. WMP conversed with said solicitor and a number of conditions were agreed between WMP and the solicitor. This was never progressed due to the solicitor being unable to contact the premise licence holder. WMP continued to communicate with the PLH to address this matter and to date the minor variations have not been applied for.

There was a further incident in December 2018 whereby known gang members attempted to rush the door.

On 5<sup>th</sup> October 2019 a stabbing occurred at the venue, the third incident, as detailed above. It is the belief of WMP that even if the requested conditions had been applied to the licence via a minor variation this incident would still have happened.

We can justify this comment from the email correspondence received dated 29<sup>th</sup> September 2019 whereby [REDACTED] has stated 'We have a more strict search policy than any other club or bar in town' and 'We have continued with only using plastic glasses after advice from yourselves for the event back last year' and 'We follow any requests that have been required of us like a required amount of security guards. Bottles to booths only. Plastic cups/no glass etc. We have never had any issues.'

These comments are untrue.

- If the strict search policy of patrons going into the venue had been conducted a knife/bladed article would not have been inside the venue, therefore this incident would not have happened.
- Empty glasses were strewn in booths on the sides and on the floor and on the bar when WMP attended on 8<sup>th</sup> October.
- There have been previous issues at the premises, as detailed above. All of the incidents have involved known gang members from Wolverhampton and Birmingham.

The below claims were made in the same email;

- Every night were open we have a operating airport style knife arch
- A guard at the door has a body cam running constantly. Not just during incidents!
- We have hand held metal detector wands
- A female guard to search bodies and bags of females
- We upgrade security for any busy nights or events yourselves think are high risk, to any required numbers.

WMP attended the premises on 8<sup>th</sup> October to view CCTV and within the premises saw a number of glasses that were dirty, clearly used around the club and on the bar. A broken wine glass was seen on the floor of one of the booths, which was pointed out. [REDACTED] was clearly annoyed at this and a number of other issues, such as the clear breach of policies that should have been adhered to. These included the dress code, as people were seen wearing t-shirts, trainers, man bags and the failure to close the venue on time. A lack of camera coverage within the club was discussed and on viewing

CCTV WMP believe that the incident occurred down by the DJ booth, whereby WMP were told that the cameras in that part were not working. No reason could be given as to why or how long this camera had not been working.

It is the opinion of West Midlands Police that this incident should have been avoided. The venue claimed they had implemented a strict search policy, searching of all persons entering and re-entering, yet a knife was still permitted into the venue which resulted in a member of the public receiving injuries. This incident was not reported by the venue, with one of the PLH's seen dealing with the group of males who would have been aware of the injury or at least the blood. It is West Midlands Police position that the venue have failed to uphold the licensing objective of Preventing Crime and Disorder.

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

**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

**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** 11/10/2019

**Capacity** Police Licensing Constable

<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/or disorder

Premises: **Banjul**

Premise Licence Number: **19/03071 PREDPS**

Premise Licence Holder: **DGW Entertainment Limited**

Designated Premise Supervisor: **Kerry Marie Robinson**



I am a Superintendent in West Midlands Police.

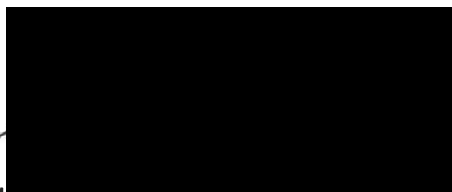
I am giving this certificate because I am in the opinion that the procedures under the Licensing Act are inappropriate in this case because the standard review procedures are thought to be inappropriate due to the seriousness of this crime and disorder, and the serious management failings of the premises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

The level and seriousness of this incident in terms of the crime and disorder 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 an inappropriate manner which undermines the licensing objectives. 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:



3395

Date: **11<sup>th</sup> October 2019**

Rank/Capacity: **Superintendent 3395 for Local Policing, Wolverhampton NPU**





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### I, Superintendent Chisholm

(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: **Banjul**  
Postal address of premise: **QUEEN STREET**  
Post Town: **Wolverhampton**  
Post Code (if known): **WV1 3JW**
2. Premises Licence details :  
Name of premise licence holder (if known): **DGW ENTERTAINMENT LIMITED**  
Number of premise licence (if known): **18/17091/PRE**
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)

Signature of applicant:



3345

Date: 11<sup>th</sup> October 2019

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

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permitted into the venue which resulted in a member of the public receiving injuries. This incident was not reported by the venue, with one of the PLH's seen dealing with the group of males who would have been aware of the injury or at least the blood. It is West Midlands Police position that the venue have failed to uphold the licensing objective of Preventing Crime and Disorder.

Contact details for matters concerning this application: **WPC 2467 CHURM**

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.