

NOT PROTECTIVELY MARKED



**WEST YORKSHIRE
POLICE**

Leeds District Licensing Department

Licensing Department

Millgarth Police Station
Millgarth Street
Leeds
LS2 7HX

Tel: 0113 241 3057

Fax: 0113 241 3123

Email:

catherine.sanderson@westyorkshire.pnn.police.uk

ENTERTAINMENT LICENSING

31 JAN 2014

RECEIVED

Our ref: cs/licensingofficer/reviewrauth

31st January 2014

Entertainment Licensing Section
Leeds City Council
Civic Hall
Leeds
LS1 1UR

RE: APPLICATION FOR REVIEW OF PREMISES LICENCE

PREMISES:

HORSFORTH MANOR
CALVERLEY LANE
HORSFORTH
LEEDS
LS13 1NP

In accordance with Section 51 Licensing Act 2003, I hereby serve the application on the following:

PREMISES LICENCE HOLDER:

MR JASON FLYNN
HORSFORTH MANOR
CALVERLEY LANE
HORSFORTH
LEEDS
LS13 1NP

EACH RESPONSIBLE AUTHORITY – please take note:

Supplied to each Responsible Authority at this stage is the Review application only!

Should any authority wish to be supplied with any of the additional supporting documents referred to in the application, the documents will be forwarded to the authority but only if a request is put in writing to West Yorkshire Police at the above address. Emails will be acceptable.

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In addition, as this is an application made by West Yorkshire Police, each Responsible Authority is entitled to make relevant representations about this review, based on any of the four licensing objectives. If any of the Responsible Authorities listed below intend to do this, could they please contact West Yorkshire Police as soon as possible.

West Yorkshire Fire & Rescue Service:

Station Officer
Leeds Fire Station
Kirkstall Road
Leeds
LS3 1NF

Leeds City Council:

Health & Environmental Action Service:
Millshaw Office
Millshaw Park Way
Churwell
Leeds
LS11 0LS

Leeds City Council – Health & Safety Team.

Health & Environmental Action Service
Millshaw Office
Millshaw Park Way
Churwell
Leeds
LS11 0LS

Leeds Safeguarding Childrens Board

7th Floor East
Merrion House
Leeds
LS2 8DT

Leeds City Council

City Development Department
Planning & Development Services
The Leonardo Building
2 Rossington Street
Leeds
LS2 8HD

**West Yorkshire Trading Standards
(Weights & Measures Authority)**

Licensing Team
PO Box 5
Nepshaw Lane South
Morley
Leeds
LS27 0QP

The Office of the Director of Public Health

Leeds City Council
Floor 4
Merrion House
Leeds
LS2 8BB

Health & Safety Executive

Principal Inspector
Marshalls Mill
Marshall Street
Leeds
LS11 9YJ

Further and in accordance with Section 52(1)(b) / 88(1)(b) Licensing Act 2003, I hereby give notice, that the holder of the premises licence / the club and any responsible authority, may make representations to the licensing authority about this review application, any time between the dates indicated on the notice which has to be displayed by the licensing authority, at or near the site of the premises to which the application relates, for a period of no less than 28 consecutive days starting on the day after the day on which the application was given to the relevant licensing authority – “The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005” (S/I 2005/No.42).

Yours faithfully

Cat Sanderson

Leeds District Licensing Officer
West Yorkshire Police

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Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR

**Application for a 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 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/We... West Yorkshire Police... apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below.

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description

Horsforth Manor
Calverley Lane
Horsforth

Post town LEEDS

Post code LS13 1NP

Name of premises licence holder or club holding club premises certificate (if known)

Mr Jason Flynn

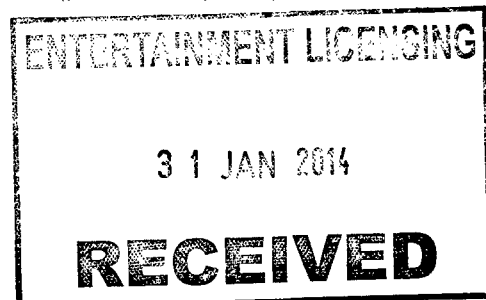
Number of premises licence or club premises certificate (if known)

PREM/01255/012

Part 2 – Applicant details

I am Please tick ✓ yes

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



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

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 Postcode

Daytime contact telephone number

Email address (optional)

(B) DETAILS OF OTHER APPLICANT

Name
Address
Telephone number (if any)
E-mail (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name	West Yorkshire Police
Address	Leeds District Licensing Department Millgarth Police Station Millgarth Street LEEDS LS2 7HX
Telephone number (if any)	0113 241 4023
E-mail (optional)	catherine.sanderson@westyorkshire.pnn.police.uk

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

Please tick one or more boxes ✓

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

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

The Horsforth Manor has been brought to the attention of West Yorkshire Police (WYP) due to the increasing frequency and types of incidents which have occurred at the premises.

The current premises licence holder took control of the venue back in December 2012. It appeared as though they were closed for a couple of months after taking responsibility as WYP and LCC Licensing struggled to make a personal contact with the owner due to the premises being closed on their attendance.

The premises opened up, advertising the venue as "Horsforth's Newest Nightclub". Advertisements were found on social media linked into a promoter who had been hosting under 18 events, which resulted in antisocial behaviour, under age youths in drink, and disorder. Contact was made with the premises licence holder (PLH) and a meeting was held at Millgarth Police Station to discuss the issues. Leeds City Council (LCC) Licensing, WYP Licensing, the PLH and the promoter were in attendance.

From June 2013 incidents that had occurred at the venue were starting to be reported to WYP by customers

The incidents being reported to WYP ranged from fighting at the premises, Section 18 Grievous Bodily Harm (GBH) assaults, drug issues and incidents involving minors.

An action planning meeting took place on 27th November 2013 where it was explained to the Premises Licence Holder that WYP believed that all four of the licensing objectives were being undermined. Actions were agreed to prevent reoccurrences however it was soon noted that unfortunately incidents were still occurring and not on the decrease as hoped.

After the action planning meeting, a further four incidents of note were reported at the premises but none were reported by staff working. It was agreed that staff would make WYP aware of any incident that occurred at the venue, whether they felt it justified an immediate police response or not.

These four incidents were serious in nature and raise concerns as to whether the premises manager is able to uphold the licensing objectives.

The first incident since the meeting was reported just two days later on 29th November 2013. This is currently being investigated as a Section 20 Wounding, Grievous Bodily Harm, due to the injuries sustained by the complainant. At no point did any staff member at the venue contact WYP to request assistance and as a result this was not reported until nearly a week after the assault occurred due to the complainant being in hospital. Because WYP were not made aware of the incident at the time it occurred, there was no possibility of obtaining any forensic evidence, which has impeded the investigation. Further to the delay, officers were informed that the incident took place in a CCTV 'blind spot' and when officers finally managed to make contact with the PLH, any footage which had been captured on the evening had been overwritten and at no point did the PLH consider downloading it in preparation for investigations.

On 21st December 2013 another assault was reported earlier in the evening, again no one from the venue contacted the police. This incident involved a 15 year old suspect attacking the complainant with a glass to the head, inside the club. When officers have attended to speak to the management, they were informed that the assault occurred in an area which CCTV does not cover. The PLH claimed that there was a private party being held that evening and anyone under the age of 18 years had been asked to leave by 2230hrs, however the complainant did not attend the venue until after the time specified.

The same morning, yet another assault was reported at the venue at 0112hrs. This incident involved the use of a chair as a weapon but no one from the premises saw it relevant or necessary to contact the police.

There is a regular theme running through this venue, even after the action planning meeting in relation to the absence of CCTV, failure to contact the police and under age issues.

This can not be allowed to continue. The incidents are increasing in frequency and severity and there are serious concerns about the ability of the management to uphold the licensing objectives. The premises are becoming known in the local area as a place where an undesirable element attend and concerns are raised for the safety of customers.

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

Please tick ✓ yes

Have you made an application for review relating to this premises before?

If yes please state the date of that application

Day		Month		Year			

If you have made representations before relating to this 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 X
- I understand that if I do not comply with the above requirements my application will be rejected X

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 3)

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

Signature

Date 31st January 2014

Capacity Divisional Licensing Officer, Don West Needs

Contact Name (where not previously given) and address for correspondence associated with this application (please read guidance note 6)	
Mr Bob Patterson Needs District Licensing Dept Mulgarn Police Station Mulgarn Street	Col Sanderson Needs District Licensing Dept Mulgarn Police Station Mulgarn Street
Post town <u>Needs</u>	Post code <u>WS2 7HX</u>
Telephone number (if any) <u>0113 241 4023 / 0113 241 3057</u>	
If you would prefer us to correspond with you by e-mail your e-mail address (optional) <u>Robert.patterson@westyorkshire.pnn.police.uk</u> <u>Catherine.Sanderson@westyorkshire.pnn.police.uk</u>	

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.