

RESTRICTED



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, (insert name of applicant) **Sergeant 4581 Robert G FULLILOVE**

• **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~~

Part 1 – Premises or Club Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description:

PHONO

174 Lower Briggate

Town/City: **LEEDS**

Postcode: **LS1 6DT**

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

Ravenpine Ltd
4 Harewood Yard
The North Range
Harewood
LEEDS LS17 9LF

Number of premises licence or club premises certificate (if known): **PREM/02363/VO1**

Part 2 – Applicant details

Please 'check' appropriate box(es)

I am:

1. An interested party (please complete A or B below)

(a) a person living in the vicinity of the premises

(b) a body representing persons living in the vicinity of the premises

(c) a person involved in business in the vicinity of the premises

(d) a body representing persons involved in business in the vicinity of the premises

2. A responsible authority (please complete C below)

3. A member of the club to which this application relates (please complete A below)

ENTERTAINMENT LICENSING

26 JUL 2012

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A – Details of individual applicant

Surname:

Forename(s):

I am 18 years old or over:

Current postal address if different from premises address:

Town/City:

Postcode:

Daytime contact telephone number:

E-mail address (optional):

B – Details of other applicant

Surname: Forename(s):
Address:
Town/City: Postcode:
Daytime contact telephone number:
E-mail address (optional):

C – Details of responsible authority applicant

Sergeant 4581
Surname: FULLILOVE Forename(s): Robert G
Address:
West Yorkshire Police
Leeds District Licensing
Millgarth Police Station
Millgarth Street
Town/City: LEEDS Postcode: LS2 7HX
Daytime contact telephone number: 01132 413067
E-mail address (optional): robert.fullilove@westyorkshire.pnn.police.uk

This application to review relates to the following licensing objective(s): (Please 'check' one or more boxes)

- (a) The prevention of crime and disorder
- (b) Public Safety
- (c) The prevention of public nuisance
- (d) The protection of children from harm

State the ground(s) for review (please read Guidance note 1):

The grounds for this premises licence review relate to the performance of the premises over approximately the last twelve months, and police issues not yet satisfactorily resolved and encompassing the areas of;

- Unsuitable security provision for high-risk gigs held at the club
- Allegations of assault, some serious, including two allegations of sexual assault by on-duty club staff
- Public disorder in the street emanating from the club - even as late as 7 to 8 a.m. on weekdays
- Uncooperative doorstaff and management
- CCTV missing/unavailable to officers after serious assaults took place
- Allegations that doorstaff attempted to allow suspects to evade justice

Please provide as much information as possible to support the application (please read Guidance note 2)

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The building housing PHONO, and its previous incarnations have been controlled for a number of years by the present Premises Licence Holders but this application relates only to incidents that have occurred when it has operated under its present name and with the present DPS and on-site management.

The operator/DPS that ran the premises before the current incumbents incurred a number of issues with the police, and following consultation the Premises Licence Holders terminated their agreement with them and installed the current DPS Lee Yates and his management team partner Lisa Gaskin. At about that time in November 2010 the Premises Licence Holder's representative Mr Paul Nathan-Geary told police licensing officers in a meeting that he would now be much more careful with who he allowed to operate out of the premises and would only consider a lease arrangement after a twelve month probationary period by the new operators.

Towards the end of 2011 into 2012 police became concerned at certain criminal elements connected to serious crime frequenting Phono, and reports of violence occurring, not all of which were being reported to the police. In addition, these violent acts were spilling out into the street, sometimes as late as 8am during weekdays when commuters were travelling to work. There was a connection between entertainment provided at the club, the client base, and the nature and severity of the incidents.

The club management were spoken to by licensing police officers about these matters, and also complaints from operational officers about management and CCTV issues at the club. They were clearly told this situation must improve. The other complaints encompassed the late provision of CCTV evidence for crime investigations on request, or a total failure to provide CCTV footage with a number of reasons given that were not acceptable. In addition officers formed the opinion that door staff and club management were occasionally deliberately thwarting police attempts to investigate crimes properly. The attitude and conduct of door staff and in particular the DPS to investigating officers and those visiting the premises on licensing visits was uncooperative and poor.

Police concerns were communicated to the club management and Premises Licence Holder.

It was clear to officers that the criminal element were not being sufficiently supervised and controlled in the club and doubt was cast on the ability of the management and door staff to retain control.

It is the opinion of the police that some members of the door team know, and are too close to the client base of the club, and that club management are not strong enough to, or do not choose to supervise their clients or manage their door staff in a satisfactory manner.

In 2012 crime and disorder, and consequently police concerns about the club began to rise and further meetings held and police visits made to Phono were increased.

Despite this, however, on 20 April 2012 a serious sexual offence allegation was made against a door staff member by a female alleging she was assaulted by him in the club toilets. A male staff member was arrested for this offence and is still on bail for it while the criminal investigation continues.

Crimes continued to be committed in the club including two nasty assaults and a robbery in May/June 2012 and police visits to the premises repeated.

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At about 5am on the morning of Saturday 14th July 2012 two serious incidents occurred connected with Phono. In the first, a male was involved in an assault/disturbance inside and then chased into the street by a number of males, dragged out of a taxi and assaulted, during which time he sustained serious facial injuries.

In the second, a female contacted the police after leaving the club asking for officers to speak to her, as she was alleging that a member of door staff had committed a serious sexual offence against her, once again in the club toilets.

Both offences are currently under investigation, although the former investigation is not being assisted by the non-cooperation of the victim.

The investigation of the sexual offence has been subject of an attempt to pervert the course of justice by a member of club management who rang up the door staff suspect and tipped him off that the police were coming to arrest him. Despite this, the suspect has been arrested and is on police bail pending further enquiries.

Clearly, despite police interaction, this club is not being managed satisfactorily and public safety is being put at risk therefore a review of the premises licence is applied for.

Have you made an application for review relating to this premises before? NO

If 'YES', please state the date of that application:

