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**WEST YORKSHIRE
POLICE**

Leeds District Licensing Department

Licensing Department
Millgarth Police Station
Millgarth Street
Leeds
LS2 7HX

Tel: 0113-2413067
Fax: 0113-2413123
Email: david.shaw1@westyorkshire.pnn.police.uk

Your ref:
Our ref:

Date 18th October 2013

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

Private & Confidential



RE: APPLICATION FOR REVIEW OF PREMISES LICENCE:

PREMISES:

The Mezz Club,
Unit 2, Waterloo House,
Assembly Street,
Leeds
LS2 7DE

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

PREMISES LICENCE HOLDER:

Shalport Ltd (c/o Poundworld Retail Ltd)
Axis 62, Foxbridge Way,
Normanton,
WF6 1TN

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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.

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:

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

Health & Safety Executive

Principal Inspector
Marshalls Mill
Marshall Street
Leeds
LS11 9YJ

Leeds Safeguarding Children's Board

Leeds City Council
7th Floor East
Merrion House
Leeds LS2 8DT

Leeds City Council

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

West Yorkshire Trading Standards Service

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

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

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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,

David Shaw
Sergeant 285
Leeds District Licensing

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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, **Sergeant 285 David Shaw,**

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 if none, ordnance survey map reference or description	
The Mezz Club Unit 2, Waterloo House, Assembly Street	
Post town	Post code
Leeds	LS2 7DE

Name of premises licence holder or club holding club premises certificate (if known)
Shalport Ltd (c/o Poundworld Retail Ltd) Axis 62, Foxbridge Way, Normanton, WF6 1TN

Number of premises licence or club premises certificate (if known)
PREM/00736/003

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) | <input type="checkbox"/> |
| 2 | A responsible authority (please complete (C) below) | <input checked="" type="checkbox"/> |
| 3 | A member of the club to which this application relates (please complete (A) below) | <input type="checkbox"/> |

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

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Please tick ✓ Yes

I am 18 years old or over

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 Sergeant David Shaw
Address West Yorkshire Police Leeds District Licensing Millgarth Police Station Millgarth Street Leeds LS2 7HX
Telephone number (if any) 0113 2413067
E-mail (optional) david.shaw1@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 grounds for this review centre principally on crime and disorder and public safety. These are linked to highly inappropriate and sexually suggestive advertising campaigns used by a promotions company, and endorsed by the Designated Premises Supervisor (DPS), to attract young adults to the premises.

There is evidence, through such promotions approved by the DPS and the management, that young males are being encouraged to engage in violent sexual acts against females, together with unauthorised licensable activities such as the free pouring of alcohol from bottles directly into others' mouths.

Evidence shows that the designated premises supervisor and the management support the promotions and permit overtly sexually-themed events to take place at the premises, which are likely to lead to an increase in associated offences over time, and pose a real threat to the public safety of young people who attend the venue.

The police have no faith in the management's ability to engage in the risk assessment process, designed to identify and minimise practices that are likely to put customers at increased risk of harm.

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

The Mezz Club is a nightclub situated on Assembly Street, Leeds. The designated premises supervisor is Mr. Kenneth Alan Dolecki who has held this position latterly since 10th November 2011. The manager of the premises is Mr. Gary Cole.

Thursday night events held at Mezz are run in conjunction with a promoter, Tequila UK, whose owner is Mr. Sam Welply. Tequila organises themed nights, usually with strong sexual connotations; the one on 3rd October was named "Freshers' Violation". This event had been promoted on YouTube with video footage centred on an interview with various drunken customers inside and outside the club itself. There were images of males being asked how they were going to violate their fresher, and answers included references to rape and other violent sexual acts. Females were asked how they were going to avoid being 'violated'. In addition to this, footage of alcoholic beverages being poured from bottles directly into others' mouths was prevalent (breach of a mandatory licence condition). The night included the provision of cages in the club, with notices on them depicting "Jailbait", a term generally associated with females too young to legally consent to sex. There were females displaying cards with sexually explicit wording on them.

Officers from West Yorkshire Police Licensing Department made contact with Mr. Dolecki and Mr. Cole on 9th October and advised them to cancel the next Tequila event to be held on Thursday 10th due to the continuing nature of the promotions and their propensity to encourage sexual violence and unlawful acts. They were informed at this point that considerable negative publicity was being generated from the local authority, from Students' Union representatives and from the Support After Rape & Sexual Violence Leeds group towards Tequila promotions and the running of these events at Mezz. In addition to the above objections, an e-petition had been created with approximately 2,500 signatures, and the Yorkshire Evening Post had published an article concerning "Freshers' Violation". Despite police advice, and widespread public condemnation, the management decided to continue with Tequila promoted events at Mezz.

The DPS at Mezz has displayed an unconcerned attitude. He has taken no responsibility for the events in question, simply choosing to blame the Tequila brand itself for the bad publicity caused, despite promotional videos being **filmed** inside and outside Mezz. He has failed to supervise the premises in a responsible manner and in accordance with the licensing objectives, in that he has allowed the filming of a video in his premises that:

- Encourages violent sex, contrary to prevention of crime and disorder legislation
- Presents violent sexual acts as acceptable (crime and disorder)
- Degrades women (Public safety)
- Promotes unauthorised and unlawful licensable activities – free pouring –as far higher levels of inebriation are likely to follow such activities (Public Safety).
- Encourages customers to become very drunk, and so more vulnerable (Public Safety).

Following strong objections on the above grounds being raised by the police and the licensing authority, the management has chosen to continue with Tequila promotional events, which indicates their intention to continue operating premises that are run contrary to the licensing objectives. This in turn shows clearly that this DPS's priorities lie in the maximising of profits, with little if any consideration being afforded to the prevention of crime and disorder and public safety.

A sizeable public demonstration is to take place outside Mezz on Thursday 17th October. Some national newspapers are now showing an interest in this 'story'. Extra police resources have had to be drafted in to police this protest and maintain public safety.

The police have experienced issues with this club for a number of years whilst under the same ownership. A premises licence review was instigated in September 2007, following a Section 161 Closure Order, where the management failed to supervise and control its customers on 28th August of that year.

Since that time there has been a history of police having to intervene and direct the club in relation to public safety and serious crime associated with risky events held at the premises.

There are definite indications that police and other responsible authorities' requirements always come second to the club's ownership and management policies designed to maximise profits.

Please tick ✓ yes

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

X

If yes please state the date of that application

Day		Month		Year			
2	6	0	9	2	0	0	7

If you have made representations before relating to this premises please state what they were and when you made them

A Review of the Licensed premises was heard by the Licensing Sub-Committee on 26th September 2007. The premises were at that time called Rehab Nightclub, and the Designated Premises Supervisor was Kenneth Alan Dolecki.

The Review followed the service of a Section 161 Closure Notice issued by a senior police officer at 0100hrs on 28th August 2007. The closure notice was issued due to the management being unable to control the volume of customers inside and outside the nightclub. The senior officer who closed the club stated that there was a lack of control, no clarity of roles and responsibilities, extreme use of cannabis in the premises and that it would risk serious harm to the public if the premises were to remain open, due to a failure to supervise the premises effectively and in accordance with the licensing objectives.

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: 18th October
2013.....

CapacityLicensing Sergeant.....
.....

Contact Name (where not previously given) and address for correspondence associated with this application (please read guidance note 6)	
Robert Patterson West Yorkshire Police Leeds District Licensing Millgarth Police Station Millgarth Street	
Post town	Post code
Leeds	LS2 7HX
Telephone number (if any) 0113 2414023	
If you would prefer us to correspond with you by e-mail your e-mail address (optional) robert.patterson@westyorkshire.pnn.police.uk	

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.