

Parties Notice of Intention

Licensing Act 2003



Premises Licence Number:

PREM/04258/002.

Hearing Date:

27/08/2019

I am:

The applicant/licence holder

A responsible authority

An interested party

Name: CATHERINE ARKLE

Address: LEEDS DISTRICT LICENSING
ELLAND ROAD
LEEDS

1) I will be attending the hearing

2) I will be attending the hearing but will also be represented

3) I will not be attending the hearing

4) I will not be attending the hearing but will be represented

If you have selected option (2) or (4) please provide details of who you will be represented by:

NB: Please remember to share any correspondence that you receive from us about this case with your representative.

Note to all parties

If you say that you will not be attending the hearing the committee will make it's decision based upon your written representation.

If you wish to withdraw your representation please tick here

or

If you consider that a hearing can be dispensed with please tick here

Please give details as to why you think a hearing can be dispensed with.

(e.g. because you have reached agreement with the other party on conditions)

WITNESSES

Please set out below the name of any person you wish to appear at the Hearing as a witness (other than your representative) and provide brief details of the evidence they will bring. You will only be allowed to call the witness if the Committee gives permission, and any evidence must be presented within your allocated time.

Name	Evidence to be given

DOCUMENTS

Please list below and attach any documents (other than your application or written objections) that you wish the Committee to consider and indicate whether copies have already been sent to the other parties.

Document	Copy sent
DVD OF CCTV FOOTAGE FROM PREMISES	TO LA
STATEMENT 7 FROM PC ARKLE (SIGNED + REDACTED)	TO LA.
PLAN OF PREMISES	TO LA
E-MAIL FROM SUSAN HOLDEN DATED 02/08/19	TO LA
E-MAIL FROM MICK WATERS RE OPS RESIGNATION DATED 12/08/19	TO LA
E-MAIL FROM PC ARKLE TO MR. BASSUE DATED 12/08/19	TO LA.

This completed form should be received by Entertainment Licensing at least ²/₇ working days before the date of hearing.

Please return this form to:

entertainment.licensing@leeds.gov.uk

or

Entertainment Licensing
Leeds City Council
Civic Hall
Leeds
LS1 1UR

WITNESS STATEMENT

(Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B;
Criminal Procedure Rules, Rule 16.2)

NICHE Ref. No:

URN:

Statement of: Catherine Anne Arkle

Date of birth: Over 18

Occupation: Police Officer

This statement (consisting of: 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature:



Date: 21/08/2019

Time and date statement taken:

Check box if witness evidence is visually recorded (supply witness details on rear)

I am a Police Officer in West Yorkshire Police, with twenty six years' service, currently serving as a licensing officer for Leeds District Licensing Department, based in Leeds City Centre. I have been a police licensing officer for 14 years and mainly cover the city centre, having responsibility for over 500 licensed premises.

My role involves liaison with licensed premises and I am tasked with implementing various remedial, action-planning and enforcement procedures on those which do not fulfil their required responsibilities in promoting the licensing objectives.

I also interrogate police computer systems to assess any crimes or incidents said to be associated with named premises. I also deal with applications for new premises licences, variations to existing premises licences, enforcement applications and other clerical duties concerned with the Licensing Act 2003.

I make this statement in relation to premises known as Paradise Bar, 3, Sheepscar Street South, Leeds, LS7 1AD.

At 04:34hrs on Sunday 28th July 2019 West Yorkshire Police were alerted to a stabbing incident connected with the club – I have described this in my initial application for a summary licence review.

This incident triggered the summary review process and the Licensing Sub-Committee agreed with West Yorkshire Police that suspension of the licence was appropriate as an Interim Step to ensure public safety. Two people, including a 17 year old male had been injured and there is a current ongoing criminal investigation which is being treated as attempt murder. The suspects remain outstanding.

History

The premises were issued with a licence in February 2019.

Until the serious incident in the early hours of 28th July this year we had had no other reports.

Signature:



Signature witnessed by:

NICHE Ref. No:		URN:	
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Continuation Statement of Catherine Anne Arkle

Post Interim Steps

I am aware that Mr.Bassue had a telephone conversation with Sue Holden, Principal Licensing Officer, from Leeds City Council Licensing on 2nd August 2019. He had left the Interim Steps hearing the previous day prior to the suspension decision being given. He was advised to seek legal advice and work with the police on suggested measures prior to the review hearing on 27th August.

Since the suspension of the premises licence on 1st August 2019 West Yorkshire Police have had no contact with the Premises Licence Holder. This is unusual under these circumstances as most operators express a desire to work with the police and will offer measures to show how they intend to prevent similar serious incidents occurring.

On 6th August 2019 Entertainment Licensing received a complaint that Paradise Bar was still operating despite the suspension of the licence. A warning letter was sent to Mr.Bassue, the premises licence holder, and the DPS, Kelvin Garvey. Mr.Garvey then contacted Leeds City Council Licensing Enforcement on 10th August 2019 to advise them he wished to be removed as the DPS.

I have tried to contact Mr.Bassue by e-mail but have received no response.

Since the Interim Steps hearing I have now had chance to view the CCTV footage and have produced a disc with relevant footage. The footage shows the 17 year old male victim inside the premises. It shows a female pick up a bottle and deliberately assault him with it. Bottles can be seen inside the venue, both on tables and in people's hands. A male bearing a strong resemblance to Mr.Bassue can also be seen in the venue wearing a baseball cap. At the Interim Steps hearing Mr.Bassue stated there was no glass in the venue and that all drinks are served in plastic containers. This is clearly not true.

Footage showing the smoking area/bbq area shows customers exiting in to the yard and bottles being taken from the yard to be used as weapons. It also shows a knife being taken from a table behind the bbq. Some of the disorder which led to the stabbing and the glass related injuries to the 2 males can be seen in the distance. A female member of door staff can be seen at the end of the footage closing the gate.

The time on the CCTV footage is 30 minutes and 40 seconds fast – it clearly shows that the premises were operating and conducting licensable activities without authorisation as they should have been closed at 02:30hrs. It is fair to say that if they had closed at the correct time none of this would have occurred. There has been no acceptance of responsibility and I can confirm that there was no Temporary Event Notice in place.

The victims' friends called the police. There was no call from the Premises Licence Holder or his security staff.

These premises are associated with serious violent crime. The crime occurred when they should have been closed. A number of breaches of the conditions of the licence have been identified on top of the unauthorised licensable activities:

- Mr.Bassue was not able to operate the CCTV system – at the interim steps hearing he stated the police should have been able to work it and it was not his responsibility (condition 16).
- The system does not retain footage for 31 days – according to Mr.Bassue (condition 14).

Signature:



Signature Witnessed by:

NICHE Ref. No:		URN:	
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Continuation Statement of Catherine Anne Arkle

- Bottles were being taken off the premises (condition 32).
- Under 18s on the premises – no proof this was a private hire event (condition 37) and no efforts were being made to eject the victims who Mr. Bassue stated had 'gatecrashed' a private party.

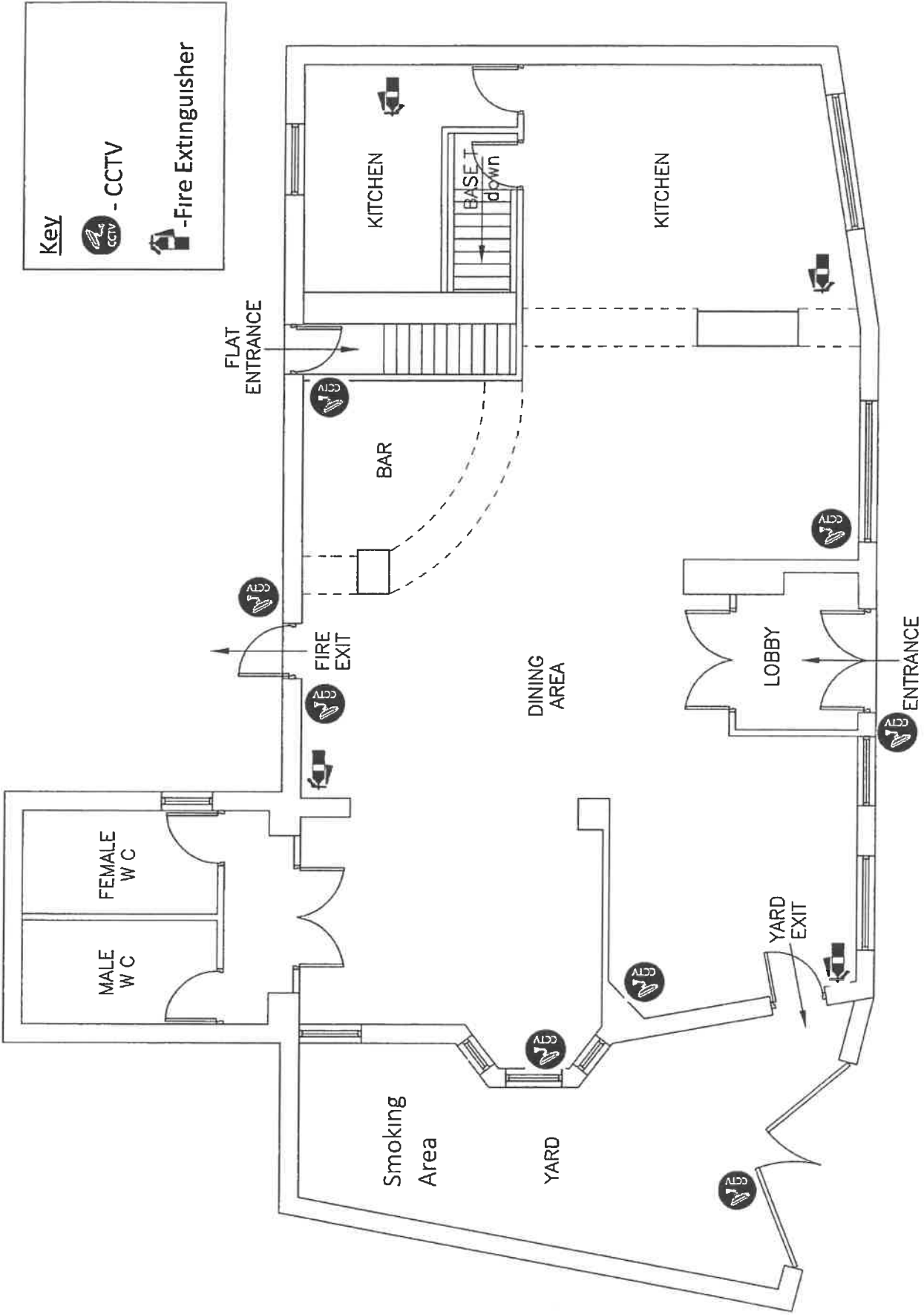
It is difficult to take any stance other than requesting a revocation of the licence under these circumstances, under Section 53C of the Licensing Act.

At any review of the interim steps under Section 53D of the Licensing Act 2003, West Yorkshire Police would ask that the suspension remains in place. We are mindful that the decision at review does not take immediate effect, and would therefore want to ensure appropriate proportionate safeguards are in place until that time. The suggested course of action would ensure that those safeguards have to be in place until the Section 53C review decision takes effect.



Signature:

Signature Witnessed by:



PROPOSED GROUND FLOOR PLAN



Arkle, Catherine

From: Holden, Susan <Susan.Holden@leeds.gov.uk>
Sent: 02 August 2019 15:14
To: Raper, Nicola; Radford, Victoria; Brown, Robert; Arkle, Catherine; Patterson, Bob; Mynard, Martin
Cc: Stirk, Robert; Carville, Philomena; Kennedy, Seamus
Subject: OFFICIAL : Paradise Bar

Just to keep you informed, I have just spoken to Mr Bassue who wanted to know the steps he needed to take to appeal the suspension of his licence. I advised him that all this would do would be to bring the suspension back in front of another committee to consider the suspension.

I advised him to seek legal advice, to take the Home Office guidance we have sent him to his solicitors which will give them the information he needs to make a representation, and that he would be advised to work with the police on measures before the full review hearing.

Susan Holden
Principal Licensing Officer
Leeds City Council
Tel: 0113 378 5331
Web: www.leeds.gov.uk

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Arkle, Catherine

From: Waters, Michael <Michael.Waters@leeds.gov.uk>
Sent: 12 August 2019 07:33
To: Arkle, Catherine; Clifford, Andrew; Mynard, Martin
Subject: OFFICIAL : FW: Licence number LEEDS/PERL/05122/09

Dear All,

Please see below Resignation from DPS of Paradise Bar with immediate effect.

Regards

Mick

Michael Waters

Senior Liaison & Enforcement Officer

Entertainment Licensing

Leeds City Council

Tel: 0113 3785342

Fax: 0113 3367124

email: michael.waters@leeds.gov.uk

www.leeds.gov.uk

From: [REDACTED]
Sent: 10 August 2019 13:19
To: Waters, Michael <Michael.Waters@leeds.gov.uk>
Subject: Licence number [REDACTED]

Dear Michael,

Please take this email as confirmation to remove myself as the licensee of paradise bar, 3 Sheepscar Street
ls7 1ad., with immediate effect.

Thank you
Mr Kelvin Garvey
[REDACTED]

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Arkle, Catherine

From: Arkle, Catherine
Sent: 12 August 2019 09:11
To: [REDACTED]
Cc: Clifford, Andrew; Mynard, Martin; Waters, Michael
Subject: Paradise Club [OFFICIAL]

x-classification: OFFICIAL
X411: MQ0CAQcGCCqGOgClegoE

Classification: OFFICIAL

Dear Mr.Bassue

Following the suspension of your premises licence on the 1st August there is to be a full review of the licence on Tuesday 27th August.

Leeds District Licensing (West Yorkshire Police), and Leeds City Council Licensing Enforcement would like the opportunity to meet you at the premises to discuss a way forward and how best to prevent your licence being revoked.

The investigation in to the Attempt Murder is ongoing but we would like to discuss your licence, the conditions on your licence, and a way of us working together to ensure public safety, the protection of children from harm and the prevention of crime and disorder.

Please could you contact me so that we can arrange either a meeting at the venue, or alternatively at Elland Road Police Station.

Regards

Cath Arkle

PC 5548 Cath Arkle
Leeds District Licensing Department
Enterprise House
St.Paul's Street
Leeds
LS1 2LE
Mobile 07802 717287
External: 0113 3859414
To report a crime, please ring 101. Always dial 999 in an emergency.

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