

**LICENSING ACT 2003
PARTIES NOTICE OF
INTENTION**



Leeds
CITY COUNCIL

Application No: PREM/02363/V01

Name of Applicant/premises: Mr Matthew Powell / Boodwaar
Date of Hearing: 8 November 2010

I am	The Applicant/Licence holder	
	A Responsible Authority	<input checked="" type="checkbox"/>
	An Interested Party	

Name:	PC CATH ARKLE	Address:	MILLGARTH POLICE STATION MILLGARTH STREET LEEDS LS2 7HX
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I will be attending the Hearing	<input checked="" type="checkbox"/>
I will not be attending the Hearing	<input type="checkbox"/>
I will be represented at the Hearing by	

NB If you complete this section all further correspondence will be sent to your representative

Note – if you say that you will not be attending the Hearing the Committee will make it's decision based upon your written objection, that submitted by any other party and any representations made by parties who do attend.

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(ies) on conditions)

WITNESSES

Please set out below the name of any person you wish to appear at the Hearing (other than your representative) and give brief details of what you want the witness to tell the Committee. You will only be allowed to call the witness if the Committee gives permission.

Name	Evidence to be given
PAUL NATHAN GEARY	EVIDENCE OF MISMANAGEMENT BY APPLICANT.
PC PAUL SHELTON	HISTORY OF APPLICANT'S OPERATING IN WAKEFIELD
PC CHRIS BURNETT	WAKEFIELD LICENSING IF PAUL SHELTON UNAVAILABLE

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
1. POLICE INTELL. DOC. RE BOODWAAR + POWELL	} NOT SENT TO OTHERS PARTIES.
2. 2 PAGE STATEMENT FROM PC SHELTON	
3. COPY OF CLOSURE NOTICE DATED 5 TH APRIL 200	
4. COPY OF CLOSURE NOTICE DATED 25 TH JUNE 2010	
5. COPY OF WAKEFIELD WARNING LETTER DATED 30/7/2010	

PLEASE RETURN THIS FORM TO

ENTERTAINMENT LICENSING SECTION
 LEGAL, LICENSING AND REGISTRATION
 LEEDS CITY COUNCIL
 CIVIC HALL
 LEEDS
 LS1 1UR

FAX 0113 224 3885

E mail entertainment.licensing@leeds.gov.uk

Ref No:



Witness Statement

(CJ Act 1967, s.9;MC Act 1980, ss.5A(3)(a) and 5B;MC Rules 1981, r.70)

Crime Ref No:

[Empty box for Crime Ref No]

URN:

[Empty box for URN]

Statement of Paul Shelton

Date of Birth: Over 18

Occupation: PC3738

This statement (consisting of: 7 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 anything which I know to be false or do not believe to be true.

Dated: 26th October 2010

Signature:

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

I am a Police Constable, an officer of West Yorkshire Police, currently stationed at Wakefield Division. I am one of the Licensing constables for Wakefield Division and have responsibility for the enforcement of licensing law with regard to all licensed premises.

I have prepared this statement to provide to the Licensing Committee with an overview of police concerns in relation to The Bank 2-4 Westgate Wakefield, WF1 1XD.

On the 17th June 2009

Matthew John Powell applies to the Wakefield Licensing Authority for the Premises licence of The Bank to be granted.

On the 27th July 2009

The licence is then granted .but the bar did not open for a considerable time after the granting of the licence.

Signature:

Signature Witnessed by:

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RESTRICTED

Continuation Sheet No. 2

Continuation Statement of Paul Shelton

On the 5th of April 2010

At 2105 hours on the above date I conducted a licensing visit at The Bank 2-4 Westgate Wakefield, WF1 1XD. The person in charge at the time was a person called Richard Lesley Hanks. Due to a breach of of four licence conditions Annex 2 condition 1,condition 8,condition 9,and condition 11 I issued a Section 19 Criminal Justice and Police act closure order .Due to no personal licence holder or the DPS being onsite the premises were temporally closed until Mr Powell was onsite.

On the 25th June 2010

From information held on Police systems I am aware that Inspector Close of the Wakefield Central NPT issued a Section 19 Closure Notice on Matthew Powell at 2110hrs at The Bank 2-4 Westgate Wakefield, WF1 1XD for breaches of conditions Annex 2 condition 24 and 25

On the 30th July 2010

From information held on Police systems and speaking to my colleague in the licensing department PC 2860 Burnett I am aware that at 2150 hrs on the above date he issued a warning letter to Neil Cooper who was acting as manager at The Bank at the time the warning was served. I am also aware that PC Burnett has also seized over the past couple of months CCTV footage of disorder within The Bank.

Signature:

Signature Witnessed by:

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MG11a

RESTRICTED



NOT PROTECTIVELY MARKED

White - POLICE COPY Yellow - DPS COPY

CLOSURE NOTICE

Section 19, Criminal Justice and Police Act 2001

Read accompanying notes on reverse

This Closure Notice is served by the Police Officer named below if he/she is satisfied that the premises have been used for the unauthorised sale of alcohol for consumption on, or in the vicinity, of these premises within the last 24 hours. Each of the paragraphs below must be completed by the Police Officer.

Date of Closure Notice: 5/4/2010 Time Notice served: 21.05 AM/PM
 Police Force: WYOT YORKSHIRE POLICE
 Name and rank of Police Officer above: PC 3738 SUTTON
 Signature of Police Officer above: [Signature] PC 3738
 Name and address of premises affected: THE BANK, WOTGATE, WAKEFIELD W. YORKS Postcode: WF11XD

Alleged unauthorised use of the premises

There has been the unauthorised sale of alcohol because: CONDITION

1. NO NUMBER OF STAFF TRAINED IN CCTV RE-TURNAL
2. NO TRAINING RECORDS ON SITE
3. DRUG SAFE NOT FITTED SECURE LOCATION.
4. DPS OR PERSONAL LICENSE NUMBER NOT ON SITE

Steps which must be taken to end the alleged unauthorised use of the premises, or to prevent it from re-occurring:

ALL CONDITIONS ABOVE WILL BE COMPLETED WITHIN 35 12/4/10

The person (if applicable) upon whom the Closure Notice has been served:

Name: [Name] Position: [Position]
 Signature: [Signature]

NOT PROTECTIVELY MARKED



NOT PROTECTIVELY MARKED

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CLOSURE NOTICE

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Read accompanying notes on reverse

This Closure Notice is served by the Police Officer named below if he/she is satisfied that the premises have been used for the unauthorised sale of alcohol for consumption on, or in the vicinity, of these premises within the last 24 hours. Each of the paragraphs below must be completed by the Police Officer.

Date of Closure Notice: 25th JUNE 2010 20.10 Time Notice served: 21.10 AM/PM

Police Force: WEST YORKSHIRE

Name and rank of Police Officer above: INSP RICHARD CLASE

Signature of Police Officer above: [Signature]

Name and address of premises affected: THE BANK, WESTGATE, WAKEFIELD

Postcode: WF1 1XD

Alleged unauthorised use of the premises

There has been the unauthorised sale of alcohol because:

Condition 24 - All external doors and windows to the rooms where regulated entertainment is being provided shall be closed other than for access & egress

Condition 25 - As above and doors shall not be propped open.

Steps which must be taken to end the alleged unauthorised use of the premises, or to prevent it from re-occurring:

1. Cease regulated entertainment

or

2. Close doors & keep closed other than for access & egress.

The person (if applicable) upon whom the Closure Notice has been served:

Name: MADHEE POWELL Position: DPS

Signature: [Signature]



WEST YORKSHIRE POLICE

West Yorkshire Police
Wakefield Division Licensing
Department
Wood Street Police Station
Wakefield

To:

WF1 2HJ

NAME.....NEIL COOPER.....

Tel: 01924-302485

POSITION.....MANAGER.....

PREMISES.....THE BANK.....

ADDRESS.....WESTGATE, WAKEFIELD.....

.....POSTCODE.....WF1 1XD

RECORD OF WARNING

At 2150 hrs on 30/7/10 the premises shown above were visited by

PC/PS.....2860 BURNETT.....

Dept.....LICENSING DEPARTMENT, WAKEFIELD.....

You have been formally warned and advised in relation to the following breaches of your licence conditions.

1. CONDITION 8 (ANN 2) STAFF RECORDS NOT UP TO DATE / AVAILABLE TO INSPECT

2. CONDITION 9 (ANN 2) SPECIFIC DANG. SAFE NOT IN PLACE. STANOMO SAFE

& BEING USED. ADVISED IN RELATION TO BOTH CONDITIONS:

1.

At this stage a warning and advice is considered to be appropriate. You should now address and rectify the issues immediately.

The warning notice will be recorded and retained by West Yorkshire Police.

Should further police action be required, the warning notice may be submitted in any subsequent licence hearing/review.

Ps 3961 King.
Licensing Sgt.

I confirm I have been served a copy of this warning notice.

Signed.....[Signature].....

Signed.....[Signature].....

Date/Time.....30/7/10 21.50.....

Date/Time.....2150 30/7/10.....