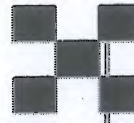




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SERVING - PROTECTING - MAKING THE DIFFERENCE



TO / LICENSING SECTION  
RECEIVED

13 AUG 2012

TO:

**Application for the Review of a Premise Licence or Club  
Premise Certificate under the Licensing Act 2003**

\*Delete as appropriate

**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, **David Shaw**, the Chief Officer of West Mercia Police, 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 (delete as applicable)

**Part 1 Premise or Club Premise details**

**Postal address of Premise/Club Premise** (if none, Ordnance Survey map location or description)

**Jail House  
Gaol Street**

**Post Town Hereford**

**Post Code HR1 2HU**

**Name of Premise Licence Holder or Club holding Club Premises Certificate** (if known)

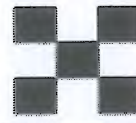
**Stephen Lloyd Harrison**

**Number of Premise Licence or Club Premise Certificate** (if known)

**PR01136**



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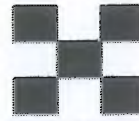


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| <b>Part 2 – Applicant Details</b>  |  |
|--|--|
| I am: -  | Tick for YES   |
| 1. An Interested Party (please complete (A) or (B) below)                          |  |
| a) A person living in the vicinity of the Premise                                  |  |
| b) A body representing persons living in the vicinity of the premise               |  |
| c) A person involved in business in the vicinity of the premise                    |  |
| d) A body representing persons involved in business in the vicinity of the premise |  |
| 2. A Responsible Authority (please complete C below)                               | X  |
| 3. A member of a Club to which this Application Relates                            |  |
| <b>A) Details of Individual Applicant</b>  |  |
| <b>Please tick</b>   |  |
| Mr. <input type="checkbox"/>   | Mrs. <input type="checkbox"/>                          |
| Miss <input type="checkbox"/>  | Ms. <input type="checkbox"/>                           |
|  | Other <input type="checkbox"/>                         |
| First Name(s)  |  |
| Surname  |  |
| I am over 18 years of age  | Yes/No (delete as applicable)                          |
| Current Postal Address   |  |
|  | Post Town <span style="float: right;">Post Code</span> |
| Daytime Telephone No.  |  |
| E-mail address   |  |



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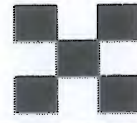
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|   |
|---|
| <b>(B) Details of Other Applicants</b>  |
| Name & Address  |
|   |
| Telephone Number  |
| E-mail address  |
| <b>(C) Details of Responsible Authority Applicants</b>  |
| James Mooney<br>Police Licensing Officer<br>Hereford Police Station<br>Bath Street<br>Hereford. HR1 1TA   |
| Telephone Number 01432 347102   |
| E-mail address <a href="mailto:herefordandworcesterlicensing@westmercia.pnn.police.uk">herefordandworcesterlicensing@westmercia.pnn.police.uk</a> |

|  |                                      |
|--|--------------------------------------|
| <b>This Application to Review Relates to the following Licensing Objective(s): -</b> |                                      |
|  | <b>Please tick one or more boxes</b> |
| 1. The prevention of crime and disorder  | <input checked="" type="checkbox"/>  |
| 2. Public Safety   | <input type="checkbox"/>             |
| 3. Prevention of Public Nuisance   | <input checked="" type="checkbox"/>  |
| 4. Protection of Children from Harm  | <input checked="" type="checkbox"/>  |



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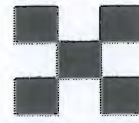
**Please state the Grounds for Review**

(Guidance Note 1 applies)

West Mercia Police are of the opinion that the premises licence holder is failing to promote the licensing objectives – in particular that of the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm – due to the level of crime (assaults and drugs offences) and disorder that is occurring at the premises



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This premises is a medium size night club that is located close to the city centre of Hereford and a short distance from Hereford Police Station.

For a number of years, West Mercia Police have raised concerns with both the premises licence holder (PLH) – Mr Harrison – and the designated premises supervisor (DPS) – Lee Symonds with regards to the effect promotion of the licensing objectives and in particular issues regarding crime, disorder and the misuse of illegal drugs. This has resulted in warning letters being sent with an expectation that matters would improve. Additionally there was an expectation that the premises licence holder would put in place – either voluntarily, or through a licence variation application – necessary steps to further promote the licensing objectives.

The premises has a history of persons attending the venue to use or provide illegal drugs to others. It also has a history of drink related disorder in or near to the venue as a result of guests leaving the venue. It is fair to say that both responsible persons for the premises have worked hard to change this view.

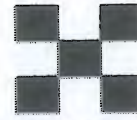
Below you will see a list of incidents that have come to the attention of West Mercia Police and also a list of interventions by the police with the premises licence holder.

This review is launched as a result of the catalogue of incidents and in particular the last matter dated 04 August 2012. This last incident concerns a report of 3 young males being found inside the club suffering the effects of drugs misuse. All three are suspect of taking a drug called ketamin – this is a class B controlled substance and is described as a hallucinogenic 'high'. All three were taken from the club by ambulance. As a result of this, a short time later a male was detained inside the club in possession of a number of packets of drugs called 'ketamin'. This male was also suffering from the effects of taking this controlled substance.

This latest incident is viewed as a serious matter. As a consequence a meeting was held on the 08 August 2012, with both the PLH and DPS. The meeting identified a number of concerns over how the premises operate. When asked it was clear that no steps had been put in place to address any potential matters of a similar nature, when the premises opened the next evening for licensable activities.

West Mercia Police are voicing their concerns over the competence of the DPS to manage and control the premises and therefore promote the licensing objectives.

They have further concerns over the abilities of the door supervisor team to operate in an effect manner and regarding the low number of door supervisors required by the premises licence.



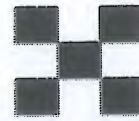
It is recognised that when issues are raised with the PLH, steps are taken to address concerns being raised. However this is viewed as a reactive step and not a proactive approach in order to promote the licensing objectives

**RECORD OF INCIDENTS – BEGINNING OF 2011 TO 10/08/12**

|   | Date     | Time | Description  |
|---|----------|------|--|
| 1 | 04/08/12 | 0250 | DRUGS. Male detained suspicion of possession of a controlled substance. Male also under the effect of taking drugs. Arrested connected with (2) below  |
| 2 | 04/08/12 | 0115 | DRUGS. 3 males found inside the premises under the effect of drugs, suspicion that they had taken ketamin. Ambulance called and all three taken to hospital  |
| 3 | 17/07/12 |      | DRUGS. 3 <sup>rd</sup> party report that a female had been to the premises and believed that her drink had been 'spiked' with drugs. No police investigation, PLH informed of the incident.  |
| 4 | 14/07/12 | 0254 | DISORDER. Disorder inside the premises – established that parties involved used to be in a relationship and had fallen out in the club. Both ejected by the staff at the club, both continued to argue, police attended and dispersal notices issued |
| 5 | 30/06/12 | 0201 | DISORDER. Call via city CCTV control room. Male ejected from club after a fight broke out. Male remained outside the club and was seen to assault another. Male arrested   |
| 6 | 16/06/12 | 0430 | DISORDER. Staff at the club reporting disorder inside the premises. Two males ejected from the club, where one assaulted another, male refused to make a complaint   |
| 7 | 16/06/12 | 0225 | DRUGS. Report via ambulance service that they were attending the premises after a report that a male had collapsed through drug misuse. Male not found.  |
| 8 | 10/06/12 | 0056 | DISORDER. Call via city CCTV control room, male outside premises, alleging that he had been assaulted. Male perceived to be extremely drunk and with no visible injuries. Male left the area with friends  |
| 9 | 01/06/12 | 2348 | DRUGS. Staff reporting that they had detained a male inside the premise using what they believed to be cocaine. Male appeared to be under the influence of an illegal drug – male searched by police, nothing found                                  |



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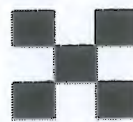


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|     |          |       |  |
|-----|----------|-------|--|
| 10  | 20/05/12 | 0100  | DRUGS. Staff detained two males inside premises – found with two lines of a white powder on a surface inside the male toilets. One male arrested   |
| 11. | 19/05/12 | 0221  | DISORDER/DRUGS. Call via city CCTV control room – male acting aggressive towards door staff. Male acting as if either drunk or under the influence of an illegal drug. Male arrested for disorder                        |
| 12  | 10/04/12 | 22588 | DISORDER. Pre planned 'teen night' occurring at the premises (restricted to under 18's with no alcohol sold). Police attended a number of incidents near to the premises, of young people under the influence of alcohol |
| 13  | 10/03/12 | 0025  | DRUGS. Staff detained a male in possession of illegal drugs. Male arrested   |
| 14  | 26/02/12 | 0000  | Items of identification handed to the police. Items used by young people attempting to gain entry to the premises whilst under the age of 18. Matters not reported to the police at the time they occurred.              |
| 15  | 26/02/12 | 0147  | DISORDER. Staff reporting a male setting off fire extinguishers inside the premises. Male arrested   |
| 16  | 27/12/11 | 0317  | DISORDER. Street disorder by revellers leaving the premises – dispersal notices issued   |
| 17  | 24/12/11 | 0600  | DISORDER. Street disorder by revellers leaving the premises – 2 arrests for disorder and dispersal notices issued  |
| 18  | 16/12/11 | 2313  | DISORDER. Disorder in the alley leading to the premises – 2 arrests  |
| 19  | 05/11/11 | 0203  | DISORDER. Disorder outside the premises – 1 arrest and other parties dispersed   |
| 20  | 05/11/11 | 0148  | DRUGS. Staff detained male with tablets believed to illegal drugs – later established to be herbal tablets   |
| 21  | 24/10/11 | 0104  | DISORDER. Assault at premises – 1 arrest   |
| 22  | 22/10/11 | 0100  | 6 items of identification handed to the police – seized from young people attempting to gain entry to the premises. No reported to the police at the time of the occurrences   |
| 23  | 15/10/11 | 0100  | DISORDER. Disorder at the premises, parties ejected and continued to fight. Dispersal notices issued   |
| 24  | 10/10/11 | 0200  | DRUGS. Staff detained male found in possession of illegal drugs. 1 arrest  |
| 25  | 25/09/11 | 0145  | DISORDER. Disorder outside the premises –  |



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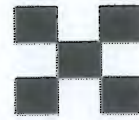
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|    |          |      |   |
|----|----------|------|---|
|    |          |      | parties dispersed by officers   |
| 26 | 20/08/11 | 0200 | DRUGS. Staff detained male in possession of illegal drugs. 1 arrest   |
| 27 | 11/07/11 | 2220 | Staff stopped a female attempting to gain entry to premises with another's ID document. 1 arrest                              |
| 28 | 30/05/11 | 0300 | DISORDER. Disorder outside premises – parties involved then went into the premises where one assaulted another. 1 arrest      |
| 29 | 30/05/11 | 0134 | DISORDER. Disorder outside premises, dispersal notices issued   |
| 30 | 21/05/11 | 0220 | DRUGS. Staff detained a male in possession of illegal drugs. 1 arrest.  |
| 31 | 21/05/11 | 0210 | DISORDER. Assault inside the premises – 1 arrest  |
| 32 | 21/05/11 | 0134 | DISORDER. Disorder outside the premises – 1 arrest.   |
| 33 | 20/05/11 | 2330 | DRUGS. Staff detained a male in possession of an illegal substance – believed to be cannabis. 1 arrest                        |
| 34 | 13/05/11 | 2350 | DRUGS. Staff detained one male in possession of illegal substance – tablets and powder. 1 arrest                              |
| 35 | 09/04/11 | 0154 | DRUGS. Ambulance attending a report of male collapsed outside the premises – believed through the misuse of a controlled drug |
| 36 | 09/04/11 | 0110 | DRUGS. Staff detained a male in possession of powder. Later established to be illegal drugs. 1 arrest                         |
| 37 | 27/03/11 | 0300 | DISORDER. Domestic assault at the premises. Parties reluctant to make a complaint. Warnings given                             |
| 38 | 19/03/11 | 0413 | DISORDER. Staff reporting a female being disorderly at the front of the premises. Female warned                               |
| 39 | 12/03/11 | 0305 | DISORDER. Disorder inside the premises. 1 arrest  |
| 40 | 06/03/11 | 0319 | DISORDER. Disorder at the front of the premises. Parties warned   |
| 41 | 20/02/11 | 2306 | Female detained with another's item of ID. Female warned  |
| 42 | 19/02/11 | 2357 | DRUGS. Staff detained one male in possession of an illegal substance. 1 arrest  |
| 43 | 30/01/11 | 0140 | DISORDER. Assault inside the premises – DJ punched in the face  |
| 44 | 22/01/11 | 0041 | DRUGS. Ambulance attended a report of a collapsed male. Believed to have taken an   |





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|    |          |      |   |
|----|----------|------|---|
|    |          |      | illegal substance   |
| 45 | 15/01/11 | 0141 | DRUGS. Staff detained a male in possession of an illegal substance – 1 arrest   |
|    | 2010     |      | A total of 32 incidents were reported and recorded by West Mercia Police as being connected to the premises.<br>09 of these incidents involve issues concerning drugs<br>23 of these incidents concern both crime and disorder. |

**Police interventions with premises licence holder.**

|   | Date     | Comments   |
|---|----------|--|
| 1 | 03/02/11 | Visit and inspection by officers of the licensing authority – follow up warning letter sent regards non compliance of licence conditions |
| 2 | 18/04/11 | Police warning letter regarding level of disorder and drugs incidents  |
| 3 | 18/05/11 | Police follow up letter regarding drugs issues at the premises   |
| 4 | 12/01/12 | Police warning letter regarding irresponsible drinks promotions  |
| 5 | 08/08/12 | Meeting at premises with DPS/PLH regarding drugs issues.   |

The impact of crime and disorder resulting from this venue has an impact on the community in Hereford. It also impacts on the resilience of the police and the National Health Service – in particular the services provided at the Hereford county Hospital Accident and Emergency Department.

West Mercia Police are of a view that the premises licence holder has failed to effectively promote the licensing objectives with regards the promotion of the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm



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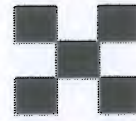


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|   |  |   |   |   |   |                           |
|---|--|---|---|---|---|---------------------------|
| <p><b>Have you made application to Review this Premise Licence before</b></p>   | <p><del>Yes</del> or No<br/>(Delete as applicable)</p> |   |   |   |   |                           |
| <p>If "yes" please state the date of that application</p>   | D  | D | M | M | Y | Y                         |
|   |  |   |   |   |   |                           |
| <p><b>If you have made representations before relating to this premise please state what they were and when you made them</b></p>   |  |   |   |   |   |                           |
|   |  |   |   |   |   | <p><b>Please tick</b></p> |
| <ul style="list-style-type: none"> <li>▪ I have sent copies of this form and enclosures to the responsible authorities and the premise licence holder or club holding the club premise certificate, as appropriate</li> </ul> |  |   |   |   |   | <p>X</p>                  |
| <ul style="list-style-type: none"> <li>▪ I understand that if I do not comply with the above requirements, my application will be rejected</li> </ul>   |  |   |   |   |   | <p>X</p>                  |
| <p><b>IT IS AN OFFENCE, LIABLE UPON 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</b></p>     |  |   |   |   |   |                           |



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|   |   |
|---|---|
| <b>Part 3 – Signatures (Please see Guidance Note 3)</b>   |   |
| <b>Signature of Applicant or Applicant’s Solicitor or other duly authorised person (see Guidance Note 4). If signing on behalf of the applicant please state in what capacity</b>   |   |
| <b>Signature</b>  | Jim Mooney.  |
| <b>Date</b>   | 13 August 2012.   |
| <b>Capacity</b>   | Police Licensing Officer  |
| <b>Contact name (where not previously given) and postal address for correspondence associated with this application (Please read Guidance Note 5)</b>   |   |
| <b>Post Town</b>  | <b>Post Code</b>  |
| <b>Telephone Number</b>   |   |
| <b>E-mail address</b>   |   |
| <b>Notes for Guidance</b>   |   |
| <ol style="list-style-type: none"> <li>1. The Grounds for Review must be based upon one or more of the Licensing Objectives</li> <li>2. Please list any additional information or information, for example dates of problems, which are included in the grounds for review, if available</li> <li>3. The Application form <b>MUST</b> be signed</li> <li>4. An Applicant’s Agent, for example a Solicitor, may sign the form on their behalf provided they actually have the authority to do so.</li> <li>5. This is the address which we shall use to correspond with you about this application.</li> </ol> |   |