

**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 **Jefferson Pritchard**

(Insert name of applicant)

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 – Premises or club premises details

| | |
|---|--|
| Postal address of premises or, if none, ordnance survey map reference or description | |
| Church Gate Restaurant 29 Church Gate Leicester LE1 3AL | |
| Post town Leicester | Post code (if known) LE1 3AL |

| |
|---|
| Name of premises licence holder or club holding club premises certificate (if known) |
| Mr Yosief ESTIFANOS |

| |
|---|
| Number of premises licence or club premises certificate (if known) |
| LEIPRM1930 |

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)

2) a responsible authority (please complete (C) below) - **YES**

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

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

Please tick ✓ yes

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

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

Police Constable / PC2093 Jefferson Pritchard
Leicester City Centre Police Licensing Officer
Licensing Department
Leicestershire Police
Mansfield House Police Station
74 Belgrave Gate
Leicester
LE1 3GG

Telephone number (if any)

101

E-mail address (optional)

jefferson.pritchard@leics.police.uk

licensing@leics.police.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes ✓

- 1) the prevention of crime and disorder - **YES**
- 2) public safety - **YES**
- 3) the prevention of public nuisance - **YES**
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 2)

This review application relates to a licenced premises as defined by the Licensing Act 2003, known as - Church Gate Restaurant is located at 29 Church Gate, Leicester. LE1 3AL.

Leicester City Council Premises Licence Number - LEIPRM1930.

Leicestershire Police as a responsible authority, respectfully requests a review of the premises licence.

The premises obtained its existing Leicester City Council Premises Licence (LEIPRM1930) in May/June 2022, after two previous applications were refused following hearings heard by Leicester City Council Licensing Committee.

The premises opening hours to the public are:

Sunday to Thursday from 11am until 11pm

Friday and Saturday from 11am until 1am.

The premises are permitted to provide the following licensable activities:

- (1) The provision of late-night refreshment (indoors only) on Friday and Saturday from 11pm until 1am.
- (2) The supply of alcohol for consumption on the premises only on Sunday to Thursday from 11am until 11pm and Friday and Saturday from 11am until 1am.

The current premises licence holder and designated premises supervisor is Mr Yosief Estifanos.

Mr Estifanos was appointed as designated premises supervisor on 21st September 2022 and later as premises licence holder on 10th October 2022.

Since the licence was granted, Leicestershire Police have witnessed a number of incidents of unauthorised licensable activity contrary to Section 136 of the Licensing Act 2003, suspected unauthorised licensable activity, repeated breaches of the premises licence conditions, crime and disorder associated to the premises and examples of poor management.

Despite multiple warnings, Leicestershire Police has no confidence in the current premises licence holder or other interested parties in promoting the licensing objectives and providing a safe environment for customers.

Wednesday 21st September 2022 – Meeting & Final Written Warning Letter

A pre-planned meeting was held at the premises on Wednesday 21st September 2022 with the previous premises licence holder and designated premises supervisor Mr Kodila.

Also present was PC2093 Pritchard of Leicestershire Police and a licensing officer from Leicester City Council Licensing Enforcement Team.

Also present was Mr Estifanos who was introduced as the new incoming designated premises supervisor.

An official designated premises supervisor transfer was submitted later that day in the name of Mr Estifanos.

During the meeting, the previous PLH/DPS Mr Kodila were served with a final written warning letter by Leicestershire Police, as result of a previous incident involving unauthorised licensable activity at 01:28 hours on Saturday 10th September 2022.

At 01:28 hours on Saturday 10th September 2022, Mr Ambasagar Bahta was served with a Section 19 – Closure Notice as per the Criminal Justice and Police Act 2001 as result of unauthorised licensable activity at the premises whilst he was the most senior person present.

Mr Estifanos was present during this meeting, read the above-mentioned letter and was made fully aware of previous problems associated to the premises and the consequences of a repeat given his forthcoming appointment as designated premises supervisor.

(Please see Annex A – for a copy of the final written warning letter).

Friday 7th October 2022 @ 22:45 hours – Intoxicated Designated Premises Supervisor & Unauthorised Licensable Activity

PS2866 Cross attended the premises following a report of an assault outside the premises in which a person had been hit over the head with a bottle. (It later transpired the incident was not connected to the premises in any capacity).

On entering the premises to investigate, PS Cross would state that there were approximately ten to fifteen persons inside the premises and spoke to Mr Estifanos who identified himself as the owner.

PS Cross would state that Mr Estifanos was drunk.

PS Cross would also state that loud music was playing which could be heard out in the street.

Therefore, unauthorised licensable activity contrary to Section 136 of the Licensing Act 2003.

(See – Annex B – PS2866 Cross MG11 statement)

Friday 14th October 2022 @ 23:15 hours – Licence Condition Breach

PC2093 Pritchard conducted a licensing visit at the premises whilst licensable activities were occurring on the premises.

Mr Ambasagr Bhata identified himself as the responsible person at that time. Mr Bhata was unaware of the public safety scheme “Ask Angela” and was unaware that it was a licence condition. Mr Bhata later admitted that he had received no training in regards to the scheme, which is again a breach of the premises licence condition.

Friday 21st October 2022 – Leicestershire Police 1st Warning Letter

PC2093 Pritchard sent Mr Estifanos a warning letter in relation to events of Friday 7th October 2022 and Friday 14th October 2022.

(See Annex C – PC2093 Pritchard Leicestershire Police Letter Dated 21st October 2022

**Friday 4th November 2022 @ 23:17 hours - Fight / Disorder.
WebStorm Incident Number 0841.**

A member of security called the police requesting assistance as five persons were fighting inside the venue.

On arrival, officers located an agitated intoxicated customer outside the premises who the member of security identified as being involved. It was said that the customer had assaulted someone inside the premises, before being ejected.

Sunday 27th November 2022 @ 01:18 hours – Suspected unauthorised licensable activity.

PC2093 Pritchard reviewed Leicester City Council CCTV footage and observed several persons stood in the doorway entrance who kept on vanishing and re-emerging.

Please note the premises should have closed to the public at 01:00 hours.

Saturday 18th December 2022 @ 04:23 hours – Suspected unauthorised licensable activity.

Leicester City Council CCTV observed a fight outside the premises in the street. PC 2093 Pritchard proceeded to review the footage between 03:49 and 04:02 hours and observed multiple persons coming and going from the premises after the premises should have closed to the public at 01:00 hours.

Saturday 25th February 2023 @ 23:02 hours – Breach of Licence Condition.

PC4416 Spencer and PC 1771 Brown attended the premises in order to conduct a licensing visit and on their arrival spoke with Mr Estifanos.

The officers noted that there was no Security Industry Authority (SIA) front line door supervisor employed at the premises, despite a licence condition stipulating there must be one employed on Friday and Saturday after 22:00 hours.

Tuesday 7th March 2023 – Leicestershire Police Second Warning Letter.

PC2093 Pritchard sent Mr Estifanos a second warning letter given the licence condition breach on Saturday 25th February 2023, when there were no Security Industry Authority (SIA) front line door supervisor employed at the premises after 22:00 hours.

This letter was emailed to Mr Estifanos but also posted to the premises and also sent to his home address.

(Please see Annex D)

Saturday 22nd April 2023 @ 00:01 hours – Unauthorised Licensable Activity.

On the 11th April 2023, Mr Estifanos submitted a temporary event notice to Leicester City Council to host an event on Friday 21st and Saturday 22nd April 2023, between 10pm and 5am.

On the 14th April 2023, Leicester City Council served an “counter notice” upon the applicant Mr Estifanos as result of a representation received from Leicester City Council Noise & Pollution Control Team. Mr Estifanos was informed that the temporary event notice authorisation had not be authorised.

At 00:01 hours on Saturday 22nd April 2023, PS 753 Bradshaw attended the premises in order to conduct a licensing visit.

PS Bradshaw would state that loud music could be heard from about 100 meters away.

As the officers approached the premises in a marked police vehicle, a person stood at the entrance entered the premises and the music was downed down, however it was still so loud, that PS Bradshaw struggled to effectively communicate with the person who identified himself as the responsible person / owner due to the volume of the music.

PS Bradshaw also noted that the Security Industry Authority (SIA) front line door supervisor employed at the premises was not displaying his SIA badge correctly, which is legal requirement.

Therefore, the premises were providing unauthorised licensable activity in the form of “recorded music”.

(Please see Annex E – PS Bradshaw’s MG11 statement).

The current PLH & DPS Mr Estifanos was fully aware of the previous issues associated to the premises under the previous PLH & DPS as he was present during the meeting on the 21st September 2022.

Mr Estifanos was fully aware of the final written warning letter served upon Mr Kodila by PC Pritchard.

Mr Estifanos was sent two further warning letters on the 21st October 2022 (See Annex C) and again on 7th March 2023 (See Annex D).

Despite multiple attempts to engage with Mr Estifanos, no response has been received.

Mr Estifanos has repeatedly allowed the premises to breach its Leicester City Council premises licence conditions and repeatedly permitting unauthorised licensable activity to occur on the premises.

Leicestershire Police requests a review of the premises licence as the persons associated to the premises are failing to promote three of the four licensing objectives in relation to:

- (1) The prevention of crime and disorder.
- (2) Public safety.
- (3) The prevention of public nuisance.

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

See Annex A-E

A – Final written warning letter to the previous PLH/DPS dated 21st September 2022.

B – PS2866 Cross evidential statement.

C – PC2093 Pritchard 1st warning letter to Mr Estifanos dated 21st October 2022.

D – PC2093 Pritchard 2nd warning letter to Mr Estifanos dated 7th March 2023.

E – PS753 Bradshaw evidential statement.

Please tick ✓ yes

Have you made an application for review relating to the premises before **NO**

If yes please state the date of that application

| Day | Month | Year |
|----------------------|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

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

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
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature PC2093 Jefferson Pritchard.
.....

Date Thursday 27th April 2023
.....

Capacity **Leicestershire Police - Leicester City Centre Police Licensing Officer – with delegated authority from the Chief Constable.**
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| | |
|---|------------------|
| Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6) | |
| | |
| Post town | Post Code |
| Telephone number (if any) | |
| If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) | |

NOTE

Any personal data that you provide will be processed in accordance with current data protection laws. It will be used by Leicester City Council and our partners to deliver and improve services and fulfil our legal duties. We will not disclose any personal information to anyone else unless required or allowed to do so by law. Read more about how we use personal data in our Privacy Notice on our website www.leicester.gov.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.