

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 Insp Nigel Rixon

(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

THE GRAPEVINE
33 - 37 BELVOIR STREET

Post town LEICESTER

Post code (if known) LE1 6SL

Name of premises licence holder or club holding club premises certificate (if known)

Stephen Kingsley PODESTA

Number of premises licence or club premises certificate (if known)

LEIPRM1078

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)

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

I am 18 years old or over

Please tick ✓ yes

**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)

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

These premises are located on Belvoir Street Leicester, an area of the City that attracts a large footfall in the evening, especially at weekends, due to the many bars, clubs and restaurants. Due to this it does suffer from a greater number of incidents of crime and disorder and requires premises in that location to have strong management to ensure the licensing objectives are promoted.

Leicestershire Police believe that these premises have failed to uphold or promote the Licensing objectives putting members of the public at risk due to a number of poor management practices; failures to assist and obstructive towards police in investigations and reported assaults by staff members on members of the public. These have culminated in the events of Saturday 07th January 2015 which is evidenced below.

Due to a number of enquiries still being conducted in relation to criminal offences alleged against staff members from the venue which may result in criminal proceedings therefore being subject to "sub judice" Leicestershire Police seek a closed hearing.

In November 2014 Stephen Kingsley PODESTA submitted an application to vary the premises licence into his name and at the same time applied to become the Designated Premises Supervisor.

The licence variation was not completed until December 19th 2014 due to difficulties in contacting the applicant who had failed to submit the relevant forms to Leicestershire Police Licensing.

On Saturday 07th February 2015 at approximately 0225hrs PC1903 Street and PC2939 Smith were on duty in uniform on Belvoir Street when they witnessed 2 members of door staff outside the venue throwing punches at a member of the public.

PC Street states in his statement that he saw the male fall to the floor following a punch to the head from one of the door staff. He then witnessed a number of people come out of the venue and usher the door staff back inside. As PC Street ran past the front of the venue he could see the two door staff through the large window making their way to the rear of the venue. PC Street with PC Smith have tried to enter the premises to detain the suspects but have had their way blocked by an aggressive male who identified himself as the manager. This male was joined by another male who the officer describes as actively preventing them from entering the premises.

The male who stated he was the manager has then placed both hands on the officer and pushed him from the venue telling them it was his premises and they couldn't just enter. The officer has informed the manager why he needed to enter however the reply he received was "THESE ARE MY STAFF AND THIS IS MY VENUE, I AM THE MANAGER HERE AND YOU ARE NOT COMING IN, WE CAN SPEAK OUTSIDE"

PC SMITH also shows in his statement that they are refused entry to the venue by the manager and a member of staff. He states that the manager was aggressive and has lied to them when it was pointed out to him that a suspect had just entered the club he replied "NAH MATE, NOBODY HAS COME IN HERE".

The manager gave his name as [REDACTED] and was arrested by Police for obstruction.

Due to the aggression shown to officers more arrived and a search of the premises

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

| |
|---|
| Name and address Insp Nigel Rixon, Force Licensing Department Leicestershire Police, Mansfield House, 74 Belgrave Gate, Leicester LE1 3GG |
| Telephone number (if any) 101 Ext 4430 |
| E-mail address (optional) licensing@leicestershire.pnn.police.uk |

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

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

Please tick one or more boxes ✓

was conducted. A male has exited from behind a locked door and is later identified as the member of door staff involved in the assault and subsequently arrested.

Officers have seized the venues CCTV system as there was concern that it would be tampered with and evidence removed.

The venues CCTV initially shows an assault on two members of the public by three separate members of staff.

It then shows one of the staff members being escorted away from the assault by first a doorman and then a member of 'management'.

Next it shows the manager preventing officers entering the venue.

It further shows a female member of bar staff speaking with the suspect when he has been taken out the way by the 'manager'.

It shows the other door man and suspect for an assault leaving without speaking to police officers.

PS2128 DOUGLAS has attended the venue and has recorded his enquiries on his bodycam. This shows staff being uncooperative when asked questions regarding who the doorstaff were and who was in charge of the venue. It shows that members of staff have lied regarding their knowledge of events.

It also records both the arrest of the manager and the main door staff member suspected of the assault.

Statements from officers involved in this incident will be submitted along with CCTV and bodycam footage showing the assaults and subsequent attempts to disrupt the police investigation as part of our evidence.

Having reviewed the evidence Leicestershire Police have no confidence that this venue can or will promote the licensing objectives.

Without wishing to restrict the committee we cannot see how under the present owners, management and staff that any conditions would promote the licensing objectives and that the promotion of those objectives are best served with the revocation of the premises licence

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

Further information detailed below has been recovered from Leicestershire Police Innweb database and its Crime recording database. PC1790 Webb will provide a statement giving greater detail of the information shown in brief below.

1. At 0400hrs 09th November 2014 a male has reported that he was assaulted by a person he later identified as being a member of door staff at the venue. The male also states that following the assault but on another occasion a manager from the venue has spoken to him and apologised for the door staffs actions and went on to offer him a 'free night' at the bar. He refused.
2. At 0135hrs on the 07th December 2014 PC Webb spoke with a male outside the premises who identified himself as the manager regarding door staff not displaying their SIA badges as required. Also present during this discussion was Stephen PODESTA.
3. At 0130hrs 28th December 2014 a male reported that he was dragged from the premises by a member of door staff and assaulted in the rear yard resulting in a fractured eye socket and broken nose. This crime is still under investigation.
4. Around this time PS Mark LACEY recorded he was dealing with an unrelated matter outside the front of the venue when a female was dragged out of the venue by door staff with her pants around her ankles having been forcefully dragged from the toilets. PS Mark LACEY further recorded that door staff were not wearing their badges and some had left them in their cars.
5. Around 0400hrs 28th December 2014 a male has reported that he has entered the bar to retrieve his coat left there earlier that evening. He remembers speaking to an Asian door man but his next recollection is waking up outside the bar with injuries that included a fractured leg. A number of officers have been involved in the investigation and record difficulties in obtaining information from members of the management team and bar owner. This crime is still under investigation.
6. On the 02nd January 2015 PC1790 Webb of the City Licensing Unit has been so concerned with the venue that he has highlighted it to other officers through the Night time Economy briefing. This has remained on the City briefing each subsequent weekend.
7. On the 03rd January 2015 at 0015hrs PC Webb has visited the venue and spoke to Steve PODESTA the DPS/PLH. Podesta was reminded of the requirement for all door staff to wear SIA badges on view, even in cold weather, as it was at that time. PC Webb will state that he was unable to see any door badges and offered to supply fluorescent arm bands should these be required.
8. Between 0100hrs and 0120hrs on Sunday 11th January 2015 a male has reported that he was taken out the back of the venue and assaulted by 3 members of door staff. Officers have attended at a later date and been shown the clubs CCTV footage which does not correspond with the males report and shows that reasonable force was used to eject the male.

9. On Saturday 24th January 2015 PC2944 Ahmed recorded that he was stood opposite the venue at 2200hrs and witnessed that door staff were on duty without their SIA badges on display. PC Ahmed will supply a statement to this effect.
10. At 0130hrs Sunday 25th January 2015 a male reported that he has been punched by a member of door staff leaving him unconscious. The officer investigating made an entry on the crime recording system on the 31st January 2015 that the assaulted male no longer wanted the crime investigating as he goes into town often and wanted no further problems and has personal issues.
11. At approx. 2200hrs on Friday 13th February PC4731 Dempsey attended the venue in connection with her enquiries regarding the incident on 07th February. PC Dempsey recorded this visit on body cam which shows the member of staff who identified themselves as being in charge unable to answer questions relating to staff signing in or names of door staff. This body cam footage will be submitted.

Have you made an application for review relating to the premises before

Please tick ✓ yes

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, 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 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  Insp. 915 Nigel Rixon

Date 24th February 2015
.....

Capacity Leicester Police Licensing Manager
.....

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)

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.