

Herbert Warehouse
Gloucester Docks, GL1 2EQ
 01452 396 396
 heretohelp@gloucester.gov.uk
 www.gloucester.gov.uk



**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 Darren Brice, Licensing and Enforcement Officer, Gloucester City Council
 apply for the review of a premise licence under Section 51 of the Licensing Act
 2003 for the premises described in part 1 below**

(Insert name of applicant)

(delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description

Minx Club
 16 Quay Street
 Gloucester
 GL1 2JS

Post town Gloucester

Post code (if known) GL1 2SS

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

Alan Whitehead Trading As MV Leisure

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

1400498GLPRMV

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)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Darren Brice Gloucester City Council Herbert Warehouse The Docks Gloucester GL1 2EQ
Telephone number (if any) 01452396308
E-mail address (optional) Darren.brice@gloucester.gov.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 | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

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

Gloucester City Council is a Responsible Authority under the Licensing Act 2003 and are of the opinion that the Premises Licence holder Alan Whitehead trading as M/V Leisure is failing to promote the licensing objectives. In particular that of the public safety and prevention of crime and disorder.

The reason for this review is that on several occasions' breaches of licensing conditions appertaining to their Premises Licence have been witnessed and evidenced. These breaches relate to the operation of CCTV in the premise: the images are poor quality, they do not cover all areas accessible to the public and there is not a person available at the premises to technically operate the CCTV and the CCTV footage was not held on record for 31 days as required in their condition. The licence holder failed to provide CCTV footage to the Police within 24 hours of their request.

Breaches have also been witnessed relating to the provision of SIA registered doormen because authorised officers have never witnessed more than one SIA registered doorman present at the Club, yet they are required to have a minimum of three present.

The requirements for CCTV and SIA registered doormen help ensure that the club can promote public safety and prevent crime and disorder happening from the premises.

Further contraventions have also been witnessed by Gloucestershire Fire and Rescue Authority relating to fire safety, training, maintaining extinguishers and emergency escapes at the premises.

During most visits to monitor compliance a Licensing Officer or Police Officer have not been able to establish who is in charge when Mr Ross CONNOCK, the club manager is not present. The Designated Premises Supervisor Ms ROGERS has also been absent during Officers' visits to the Club.

The management have failed to ensure that the Club complies with its premises licence conditions and as such there is a risk to public safety for both the staff and the clientele visiting the club.

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

Minx Club is located on Quay Street, Gloucester and was granted a Premises Licence in November 2010. Due to the nature of the premises being a lap dancing venue the licence conditions at the time of application were heavily influenced by Gloucestershire Constabulary who are also a Responsible Authority.

Information was provided by Gloucestershire Constabulary Licensing Team notifying Gloucester City Council that possible breaches to licensing conditions were taking place.

Following this information I undertook various licensing visits at the club, to determine if the information provided by Gloucestershire Constabulary were true and accurate.

Visits to the premises were made by Licensing and Enforcement Officers between July 2014 and March 2015.

Following these visits I have serious concerns that two of the licensing objectives have been undermined, they are;

- The prevention of crime and disorder
- Public safety

The reason I believe that the licensing objectives are being undermined is that the licence conditions are being breached on all the occasions I have visited the premises and no measures have been put into place following my visits and therefore I have no confidence in the day to day management of the club.

After numerous visits to the club towards the end of 2014 a pattern started to emerge where the Premise Licence conditions were continually being breached. This has highlighted to me that the management of the club are clearly not adhering to these conditions. In all of my visits there seems to be a distinct lack of responsibility from any member of staff that I speak with at the club. This has raised serious concerns from me that the day to day management of the club is clearly not being professionally run and no measures to rectify the breaches of licence conditions have ever been evidenced.

One of the key breaches of the licence conditions are that of the CCTV system. Various conditions on the Premises Licence state that the system needs to retain recorded material for a minimum of 31 days and be made available to any authorised officer of the Police or Licensing Authority upon reasonable request. It also goes on to state that a member of staff technically able to operate the CCTV system shall be available during all hours when the premises are open and shall comply with any reasonable request of an authorised officer of the Council or Police to view any CCTV footage that has been recorded. Conditions further state that a removable format shall be produced within 24 hours following any request from an authorised officer of the Council or Police.

On 26th January 2015 a letter was sent by the Police to the Designated Premises Supervisor Ms ROGERS making a formal request to provide CCTV footage for a number of dates which included 16th, 17th, 18th, 23rd and 24th January 2015. The Police provided me with a copy of their letter.

I visited the premises on 30th January 2015 where I requested to view the CCTV system to check it was working in a satisfactory condition as per their licence condition. The staff that were working that night were unable to comply with this request and no one knew how to use the system. I felt at the time, should a serious incident occur no or little evidence would have been available to either the Police or the Licensing team.

This supports my concerns that I have no confidence in the management of the club and the breaches identified above support my concerns that the licensing objectives of the prevention of crime and disorder and public safety are being undermined.

I visited the club on 6th February 2015 where further breaches of licensing conditions were evident this included lack of door staff, a competent person being able to operate the CCTV system and the general lack of management monitoring the premises were witnessed.

The week after my visit to the club Gloucester City Council were notified that the club were now in a position to operate their CCTV system, however they identified that they were unable to meet the original request of the Police due to the system only being capable of storing the previous 10 days footage as opposed to the licence condition which states a minimum of 31 days.

Following the breaches of licensing conditions that were witnessed on 6th February 2015 a request was made for CCTV footage to Mr CONNOCK from Gloucester City Council to provide footage from 6th & 7th of February 2015. The reason why this request was put into place was that I wanted to see if any further breaches had taken place. A concern that I had was that I believed that the licensing condition with regards to the DPS, manager or door supervisor monitoring the premises at all times was not being met and the safety of the public and staff was being compromised.

A response to the CCTV request was provided by the club however there were numerous CD's provided and none of which were playable on any Council computer system. The Council had to turn to the Police for assistance in getting the supplied CD's to work.

A Police Licensing Officer was able to extract some of the footage provided by the club, but not all of the cameras were available. Out of the cameras that were functional I was able to confirm my concerns that the licensing condition of the DPS, manager or door supervisor monitoring the premises at all times was not being adhered to. During my viewing of the CCTV, I did not identify any responsible person employed by the club monitoring the actions of the dancers or customers.

This provides a picture to me that the safety of the public and employees is not taken seriously and leaves both parties extremely vulnerable to allegations which in view of the activity within this club could lead to unsubstantiated evidence as the current

CCTV system is not up to the required standard.

Another visit was made after the CCTV footage had been viewed. During this visit I found that a member of staff now had some basic knowledge of how to operate the CCTV system. I requested to view the CCTV system in real-time as we had experienced problems viewing the footage provided by the club. I entered the room where the system is located and I could see that there were three cameras not operating. The member of staff explained to me that one of these cameras was the external door camera to the club and the other is a camera which views along the corridor of the private booth area. These two cameras alone are critical should any incident occur in the booth area or outside of the club.

Another condition that has been regularly breached is the licensing condition of SIA door supervisors where it states that it is a requirement to have cover with a ratio of 1:100 customers subject to a minimum of three.

When speaking with the only door supervisor present and asking who is in charge the response is met with a shrug of the shoulders and that Ms ROGERS is not present and Mr CONNOCK is only thirty minutes away.

On all of the Licensing visits I have undertaken there has only ever been one registered SIA door supervisor available on the premises and has always been located on the main reception desk in the foyer of the club.

The lack of door supervisors clearly demonstrates the difficulty the club has in maintaining compliance with its licence conditions and the lack of ability to protect members of the public and the safety of employees.

On numerous visits it was clear that should an incident take place in the upstairs area of the club including the private dancing booths or VIP room then there would be no way of communicating to the lone door supervisor located on the reception desk that an issue had arisen.

Further areas of the club include a basement which we now know to be called 'The Dungeon' I have concerns with the use of this area as during my visit I identified smoke alarms were missing this is a serious public safety issue. This was recorded and this information was passed on to the local Gloucestershire Fire and Rescue Authority.

Gloucestershire Fire and Rescue Authority inspected the premises on 21st February 2015 with a Police Officer and found that no member of staff had received fire safety training, and they did not understand the fire control panel. No member of staff could identify who was in charge. All the fire extinguishers on the premises were out of date, most were 5 years out of date but one was found to be 10 years out of date. The main emergency fire door to the side of the bar was jammed closed because the upper latch was in disrepair. The Police Officer also noted that only one SIA doorman was available at the premises and there was no CCTV covering the basement area and the dancers are not regularly monitored because the SIA doorman indicated this might be done every two hours if it is quiet.

I have sent a letter dated 5th March 2015 to the Premises Licence Holder, copying in

the Designated Premises Supervisor which highlights the breaches in licensing conditions and the fact I am not happy with the current setup, as numerous licensing conditions are regularly breached.

This letter has been sent with the intention of highlighting that the current management setup is failing in its duties to adhere to the licensing conditions as per the Premises Licence.

The Licensing Team spoke to the DPS (Ms Christina Rogers) on 4th March 2015 and ROGERS confirmed that she is still the DPS and visits the club once a week, so she will pick up any correspondence sent there. ROGERS also confirmed she moved addresses and that she would be resigning from the club once they find another suitable person to apply as DPS.

I feel the club will continue to be operated in the same manner. Bearing this in mind, I feel the only option is for the Premises Licence to be reviewed.

It is in my opinion that the Premises Licence at club Minx be suspended or revoked until such time that the establishment can demonstrate that they can adhere to the current licensing conditions.

Please tick ✓ yes

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

If yes please state the date of that application

Day Month Year

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

None

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Please tick ✓

yes

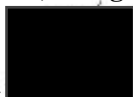
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

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



Date **17/03/2015**

Capacity **Licensing and Enforcement Officer**

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.