

**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 Sergeant 3707 Gary Hennighan (on behalf of the Chief Constable of Lancashire Constabulary)

(Insert name of applicant)

apply for the review of a premise licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below.

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
IBar Warner Street	
Post town Accrington	Post code (if known) BB5 1HN
Name of premises licence holder or club holding club premises certificate (if known)	
Bravo Inns II LTD	
Number of premises licence or club premises certificate (if known)	
PL0313	

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 Sergeant Gary Hennighan Lancashire Constabulary EAST Division Licensing Clitheroe Police Station King Street Clitheroe BB7 2EU
Telephone number (if any) 01254 353625
E-mail address (optional) gary.hennighan@lancashire.pnn.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 | <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)

The prevention of crime & disorder licensing objective

It is the view of Lancashire Police that there is a disproportionately high number of reported incidents of crime and disorder associated with these premises and that the licensing objective of the prevention of crime and disorder is being seriously undermined at the premises.

The public safety objective

It is the view of Lancashire Police that poor management at the venue, combined with an appalling door policy – which includes serving people alcohol when drunk, not enforcing bans, allowing customers and non-customers to simply congregate outside the venue, no dispersal/vulnerability considerations in place seriously affects public safety.

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

The licensed premise known as IBar is located on Warner Street, in Accrington, on the corner with Church Street. The premise is adjoined to the Warner Arms – with the two venues linked by a lockable door. Both Premises Licences are held by Bravo Inns II LTD.

The premises are licensed for sale by retail of alcohol between the following hours:

Monday-Thursday 11:00am-3.30am (Open until 4am, entertainment until 3.30am)

Friday-Saturday 11:00am-5.30am (Open until 6am, entertainment until 5.00am)

Sunday 11:00am-3.30am (Open until 4am, entertainment until 3.30am)

The premises do not use all these hours and normally are only open for business from around 10pm from Thursday onwards and usually trade until closing time.

The Designated Premises Supervisor is John Lindsay Corbett.

Bearing in mind the premise is only normally open three/four days a week for around six to eight hours on each occasion, it is the police view that the number and seriousness of the incidents are disproportionate and very concerning. These indicate that the Prevention of Crime and Disorder licensing objective is being undermined at the premises.

I have been Licensing Sergeant since August 2018 and have had numerous discussions and meetings with the DPS and his manager Daniel Fox regarding concerns related to the premise. A voluntary action plan to try and improve matters was agreed on 7th September 2018 but has not been adhered to fully. The conditions included: 1. USE OF POLYCARBONATES AND PLASTIC VESSELS FOR DRINKS, 2. KEEP INCIDENT LOG BOOK BEHIND BAR AT ALL TIMES AND FULLY UP TO DATE – INCLUDING BARRED PEOPLE. 3. AT LEAST ONE DOOR STAFF MEMBER TO WEAR BODYCAM. 4. TO WRITE A DISPERSAL POLICY TO DEAL WITH CLOSING TIME AND ENCOURAGE PUNTERS OUT THE AREA AND NOT CONGREGATE OUTSIDE. 5. SIGNAGE BY THE DOOR ABOUT LEAVING QUIETLY, NOT CONGREGATING ETC.

Due to the number of incidents at the location and a lack of perceived control by door staff, I asked the DPS to use barriers on the pavement to create a smoking area that could be controlled by door staff and prevent revellers spilling into the street. This discussion was held on 7th May and, at the time of writing, has still not been done.

I have also been highly critical regarding the door staff at the venue – individuals employed by a male called Lee Whitehead and have asked the DPS to consider changing this team which has been ignored. In fact, the Security Industry Authority (SIA) – the organisation responsible for regulating the private security industry – is also critical about Whitehead and his company.

On the police Innkeeper system, there are 27 incidents reported to police since the start of 2019 which can be shown to be linked to IBar. This is the highest proportion in whole East Lancs area encompassing six local authorities. As such, it is also the highest in Hyndburn. If we go back to 7 September 2018 when an action plan was agreed, IBar is still the highest in East Lancs with 44 incidents. No real improvements have been seen by police.

The breakdown of incident types since the start of 2019 is as follows:

Public Order – 13
Assault – 9
Serious injury - 1

This is the breakdown for timescales that these incidents have occurred:

2300-0000 – 2
0000-0100 – 2
0100-0200 – 1

0200-0300 – 4
0300-0400 – 6
0400-0500 – 6
0500-0600 – 2

Detectives in CID have also expressed concerns over the safe running of the bar aligned to public safety highlighting four rapes and a child neglect over a period of four weeks recently. Although these have not occurred at the premise, the victim or offender are linked directly prior to the incidents – with drunkenness a key factor in the vulnerability.

They have also expressed their concerns over door staff, management, serving drunks, allowing drunken behaviour and allowing males to hang around at the entrance and follow lone females out of the area based on viewing of CCTV and visiting the venue.

Other police officers have also expressed their concerns about how the venue is being managed and breaches of licensing conditions – including DJs playing music after their hours have ended for this licensable activity.

It has to be said that for the vast majority of this period, IBar has been the only venue operating after 0230 – The Railway on Blackburn Road closing at this time (0200 alcohol licence). Dodge Nightclub is licensed until 0600 (0530 alcohol) but only opened 8th March and has generally been closing between 0400 and 0500, while Voodoo has been running on intermittent Temporary Event Notices until 0430hrs since 3rd May.

The following options are available to the committee:-

- 1) Do nothing – However the sheer number and seriousness of the offences causes grave concern for no action.**
- 2) Modify the conditions of the licence – The Police feel that modifying the conditions may have some impact in promoting the Licensing Objectives but these modifications will have to be robust and proportionate.**
- 3) Remove the Designated Premises Supervisor**
- 4) Suspend the licence for a period not exceeding three months**
- 5) Revoke the premises licence so that no alcohol can be sold at all.**

In the opinion of Lancashire Police the information presented here indicates the total undermining of the Prevention of Crime Licensing Objective and Public Safety. Despite police interventions, the majority of these incidents often involve the victims or offenders clearly being drunk indicating a total disregard to licensing legislation in relation to serving to persons who are drunk.

Lancashire Police respectfully requests that the committee considers whether revocation of the premises licence is proportionate to this premise due to the issues raised.

At the very least, a significant reduction in its licensing hours, removal of DPS and steps to prevent flashpoints inside and outside through robust licensing conditions may be an appropriate finding in the circumstances.

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
24	05	2019

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

Please tick ✓

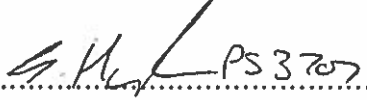
yes

- 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  PS 3707

Date 24/05/19

Capacity Police Licensing Sergeant

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.

