

Helen Farman-McKenna

From: Lisa Roberts <Lisa.Roberts@staffordshire.pnn.police.uk>
Sent: 20 September 2018 17:28
To: Helen Farman-McKenna; Licensing
Cc: James Finn; 'p-kaur@hotmail.co.uk'; 'duncan.craig@citadelchambers.com'
Subject: Re: Application for a Temporary Event Notice – Locomotive, 28 Station Street, Burton-upon-Trent, East Staffordshire, DE14 1AU - 7th October 2018.
Attachments: 09456_20-09-2018_17-20-50.pdf

Dear Sir / Madam,

Re: Application for a Temporary Event Notice – Locomotive, 28 Station Street, Burton-upon-Trent, East Staffordshire, DE14 1AU
7th October 2018.

Please find attached notice of relevant representation in respect of the above application.

Paper copies of the letter have been sent via the post.

If you have any queries please do not hesitate to contact me, with kind regards,

Lisa.

Sent on behalf of SGT 4613 Finn.

9456 Lisa Roberts
Licensing Officer



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Licensing Services
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DE14 2EB

Contact: SGT 4613 James Finn
Direct Line: 01785 232840
Fax: 01785 218705
Our ref: LR/JF
Date: 20th September 2018

Dear Sir / Madam,

Re: Application for a Temporary Event Notice – Locomotive, 28 Station Street, Burton-upon-Trent, East Staffordshire, DE14 1AU - 7th October 2018.

OBJECTION NOTICE

This objection relates to the above Temporary Event Notice which was received by Staffordshire Police on the 18th September 2018.

The application has been submitted by Parmjit Kaur, in relation to a Temporary Event, which she proposes to hold on Sunday 7th October 2018, between 03:00 hours and 08:00 hours, at premises 'Locomotive', 28 Station Street, Burton-upon-Trent, East Staffordshire, DE14 1AU. The nature of the event is a boxing event in Las Vegas 'McGregor v Khabib'.

At a 'musical spectacle' event which took place at the same location by way of a Temporary Event Notice, on the 24th February 2018, the applicant stated on the application:

'We have submitted an application to extend our hours until 4am however the Police have objected stating that during the month of December they saw a 'spike in incidents, a significant number of those were of a violent nature'. We request that by allowing this opportunity to extend the hours for the 23rd February where we have a musical spectacle where we are bringing local DJ's together – we would be able to show that we are not a problematic venue and that we would not create additional violence during the night time economy.'

During this event Staffordshire Police received a call from the Local Authority camera control to report two males fighting with Door Staff at the premises. The males had been ejected from the premises and were involved in a fight which ended prior to Police attending the location.

Since the 1st March 2018 there have been a number of incidents of crime and disorder at the premises and there have been meetings with the owner resulting in dialogue with the Applicants legal representative.

On Thursday 1st March 2018, a hearing was held at East Staffordshire Borough Council following representations by Staffordshire Police, where the premises were granted an extension of one hour.

On Monday the 19th March 2018 at 00:05hrs, a call was received from Local Authority CCTV control in Birmingham to the Police Control room, reporting a large scale fight between approximately 20 persons.

A male was on the floor unconscious, with various factions of fighting outside the premises and in the road. All parties involved had just left the premises. Police Officers in attendance noted that all parties were drunk.

On Saturday 24th March 2018 at 02:20hrs, a group of customers left the premises and were involved in disorder which resulted in two persons being arrested for Public Order offences. It was later confirmed that one of the offenders had taken their own bottle of wine into the premises unchallenged.

On Sunday 1st April 2018 at midnight, Staffordshire Police received a report that a female had been racially abused and her male partner was threatened with a glass whilst inside the premises.

Also on Sunday 1st April 2018 at midnight, Staffordshire Police received a report from a member of the public that a female had been found passed out, through intoxication, in the toilets of the premises. An ambulance was called by Staffordshire Police and the female was taken from the premises.

On Saturday the 7th April at 23:30hrs, A Local Authority CCTV operative reported a male involved in an altercation with Door Staff at the premises. The male had threatened to smash a glass in the Managers face. The male was ejected from the premises where he used a cordon barrier to intimidate staff and threatening to return and shoot them. Three persons were arrested for Public Order offences.

On Saturday the 21st April 2018 at 02:00hrs, Police Officers observed a very intoxicated male leave the premises and become involved in a disturbance nearby.

On Thursday the 26th April 2018, Staffordshire Police Licensing officers attended a pre-arranged meeting at the premises to discuss recent incidents with the Premises Licence Holder / Designated Premises Supervisor and the Manager.

A number of issues were discussed relating to drunkenness, incidents not being reported directly by the premises and persons involved in such incidents not being nominated to Pubwatch to consider banning orders. Concerns were highlighted regarding pictures seen on the premises Facebook page showing customers drinking straight out of spirit bottles. It was established that no ongoing training was being provided to the in house Door Staff team.

On Saturday 28th April at 03:00hrs, a male was warned by Police Officers regarding his behaviour as he had been found acting in a drunk and disorderly manner outside the premises. The male was subsequently arrested due to continuing in this manner. The male later stated that he had only consumed alcohol whilst inside the Locomotive.

On Sunday 29th April 2018 at 01:10hrs, during a conversation between Police officers and Door Staff at the premises, two intoxicated females were observed falling out of the premises.
5 minutes later at 01:15hrs, Police Officers observed two intoxicated females enter the premises unchallenged by Door Staff.
Then again at 01:30hrs, Officers observed two different females leave the premises and whilst crossing the road, one female fell over and struggled to get back up due to her level of intoxication.

On Saturday 5th May at 02:40hrs, Staffordshire Police received a report that a male had been assaulted at the premises. The injured party stated that he was the one ejected from the premises and the offenders were allowed to remain inside.

On Sunday 6th May at 03:51hrs, Staffordshire Police received a report that a homophobic assault had occurred outside the premises. An independent witness reported the incident, who stated that Door Staff came outside and appeared to know the offenders. On contacting the Police the witness states that she was threatened by Door Staff



that she would also be assaulted. The witness confirmed that all parties involved had been inside the premises until closing time.

On Monday 7th May 2018 at 02:50hrs, Staffordshire Police received a report from a passer-by that a large fight was taking place at the premises. It was found that there had been a large fight in the beer garden of the premises.

On Tuesday 8th May 2018 at 12:20 hours, Police Licensing Officers attended the premises to carry out a licensing inspection, the following breaches were identified:

*Clear signage must be displayed at the entrance/s and exit/s that are used by the public indicating that CCTV is in operation – **No signage was displayed at the premises.***

*The time and date of the CCTV system must be set correctly taking into account BST/GMT – **The CCTV system was found to be 6 minutes slow.***

*All persons involved in the sale of alcohol who are not the holder of a personal licence to sell alcohol must receive initial and regular 6 month refresher training with regards to the law and the sale of alcohol. Such training must be recorded and up to date training records of all such persons shall be maintained at the premises. There must be 12 months records retained. These records must be produced and made available at the time of the visit by any responsible authority. – **No training records could be produced for the member of staff that was working alone at the time of the visit.***

The Premises Licence Holder / Designated Premises Supervisor was advised by email the following day, with regard to the above breaches of the Premises Licence.

On Friday 25th May 2018, Inspector Cooke contacted the Premises Licence Holder / Designated Premises Supervisor to request CCTV from the premises. During this conversation, ongoing issues at the premises were discussed.

On Sunday 3rd June 2018 at 02:16hrs, Local Authority CCTV operators reported a large scale fight outside the premises. Local Authority CCTV shows persons fighting whilst leaving the premises, with the DJ of the premises being identified as being involved. The Manager was present at this incident.

On Saturday 9th June at 02:41hrs, Local Authority CCTV operators reported a fight taking place in the street outside the premises. The parties involved were seen exiting the premises prior to the incident commencing.

On Saturday 9th June 2018 at 03:23hrs, Local Authority CCTV operators reported a large scale fight as people left the premises. There were numerous persons involved in the disorder, resulting with one male suffering a fractured jaw.

Staffordshire Police Licensing officers checked CCTV from inside the premises and noted that at 03:15hrs customers were dancing, with lights flashing suggesting that regulated entertainment was still taking place in breach of their Premises Licence.

On Sunday 24th June 2018 at midnight, Staffordshire Police received a report that a female had been assaulted inside the toilets of the premises, resulting in injuries.

On Friday 29th June 2018 at 00:39hrs, a member of Door Staff has been assaulted by a male who was being ejected from the premises, this male was arrested, however, Door Staff refused to make any complaint.

On Sunday 1st July 2018 at 03:00hrs, Staffordshire Police received a report that a female had had a drink thrown over her, then on leaving the premises she was assaulted by the same offender.

On Wednesday 4th July 2018, a meeting was held at Burton Police Station with Police Licensing officers, the Premises Licence Holder / Designated Premises Supervisor and the premises legal representative Mr. Duncan Craig. At this meeting, ongoing incidents of concern were discussed resulting in the premises being notified that Staffordshire Police were considering submitting an application to Review the Premises Licence. It was highlighted that there had been no improvement of the running of the premises and none of the advice had been followed. Mr. Duncan Craig requested one week in which to consult with his client.

On Saturday 7th July 2018 at approx.02:00hrs, Staffordshire Police received a report that a female had had her drink spiked whilst inside the premises and subsequently raped. The female stated that she had no recollection of the night. It was found that she had left the premises with the suspected offender. The investigating officer noted that the female appeared to be heavily intoxicated.

On Friday 17th August 2018 at 23:52hrs, an incident occurs where a member of the public is ejected from the venue by Door Staff and when outside he racially abuses one of the door team. The male then assaults two of the door team which is not captured on CCTV. This results in the customer being chased from the venue by Door Staff (plural), and is stopped in a secluded car park nearby, at which point one of the Door Staff assaults the male by repeatedly punching him, whilst other members of the Door Staff stand nearby watching. Also, of note the Manager is watching these events. This creates a number of concerns, obviously the assault by one of the door team, (who has subsequently been dismissed), but in addition the lack of intervention by the others who stood by and watched it take place. At a subsequent meeting with the Premises Licence Holder / Designated Premises Supervisor, the actions of the Door Staff were discussed and the Premises Licence Holder / Designated Premises Supervisor stated that she had no issue with the lack of action by the members of the door team who stood by watching the incident, as they did not want to become involved.

On Wednesday 12th September 2018 at 12:20 hours, Police Officers attended the premises to obtain CCTV footage, they were advised that there was no one available who could access the system. This is a breach of the Premises licence:

A competent trained person in the use of and operation of the CCTV must be in attendance at all times that licensable activities take place and able to fully operate the system and be able to download a the time of the visit to a USB devise or disc, provided by the premises, any information requested by a Local Authority.

An email dated 18th September 2018 was sent to the Premises Licence Holder / Designated Premises Supervisor, Parmjit Kaur, to attend Burton Police Station for a PACE interview on the 2nd October 2018.

Due to both a lack of engagement from the premises, the recent incidents of violence and disorder and drunkenness at the location, Staffordshire Police believe that by allowing the premises to be used in accordance with the notice would undermine the licensing objectives, due to this we respectfully request the Licensing Sub-Committee to consider issuing a Counter Notice.

In addition to the above, the Applicant has entered into the 'describe the nature of the event' section:

'We will require that the 2.30am last entry be removed for this event as customers may wish to come nearer to the fight time.'

As the Temporary Event Notice has stated a start time of 03:00 hours, the Premises Licence for the premises remains in force until this time. Therefore the condition attached after a hearing (1st March 2018) by the Licensing Authority will remain in place:



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Last entry to the premises would be 0230hrs.

If the Licensing Sub-Committee are minded to allow the licensable activities to go ahead as stated in the Notice, Staffordshire Police respectfully request that the Local Authority impose the existing Premises Licence conditions on to this Temporary Event Notice.

Additional evidence which the Police will seek to rely upon at the forthcoming licensing hearing in respect of the premises is to be submitted under separate cover.

If you have any queries in relation to the above, please do not hesitate to contact me.

Yours faithfully,

SGT. 4613 James Finn
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Stoke-on-Trent
Staffordshire
ST1 4FA.
Email northern.licensing@staffordshire.pnn.police.uk

c.c. Parmjit Kaur, 28 Station Street, Burton-upon-Trent, East Staffordshire, DE14 1AU.

