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**Review of Premises Licence following Section 53a (1) of the Licensing Act 2003
Summary Review request**

West Yorkshire Police had the occasion to request under Section 53a (1) of the Licensing Act 2003 a hearing before the Licensing Panel to request the suspension of the Premises Licence for Bijou Cocktail Bar and Nightclub following a serious assault at the premises in the early hours of Saturday 25th November 2017.

Subsequently the decision was made for the Premises Licence to be suspended pending a Full Hearing that will take place on 3rd January 2018.

The incident which led to the Summary Review Hearing is currently the subject of a major enquiry and as such, West Yorkshire Police are not in a position to fully disclose the full details at this time. However, since the Panel's decision, the following facts have now been established by the Police Licensing Department:

- Persons under the age of 18 years were present in Bijou at the time of the assault. Under the conditions attached to the licence after a previous hearing by the Licensing Authority Annex 3, Conditions 9 and 10 of the Premises Licence state ***No persons under the age of 18 years shall be allowed onto the premises when licensable activities are taking place, and A challenge 25 Policy shall be implemented.***

- There is a discrepancy regarding which door staff were actually working at the premises at the time of the incident.
Under Annex 1 of the Mandatory Licence conditions, all persons primarily engaged under or employed on the premises to vet, regulate and control persons entering the premises, or engaged, used or employed in the supervision of patrons once inside or in order to ensure the maintenance of good order, public safety and internal security shall-
 - (a) Be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001**
 - (b) Be entitled to carry out that activity by virtue of section 4 of the Act.**

- At the time of the incident, the Designated Premises Supervisor (DPS) and the Licence Holder were not present. Every premises licence that authorises the sale of alcohol must specify a DPS. This will normally be the person who has been given day to day responsibility for running the premises by the premises licence holder. They are the main point of accountability within the premises and must ensure the premises operate legally and responsibly. The 2003 Act does not require a designated premises supervisor or any other personal licence holder to be present on the premises at all times when alcohol is sold. However, the designated premises supervisor and the premises licence holder remain responsible for the premises at all times including compliance with the terms of the 2003 Act and conditions attached to the premises licence to promote the licensing objectives. **The current DPS appears to be in name only and has no proven day to day involvement in the running of the business and did NOT attend the Summary Review as one would expect under the circumstances.**

- A Temporal analysis from the beginning of 2017 shows that 65% of offences attributable to the premises have taken place between 00.00hrs and 03.00hrs. Other offences in the immediate vicinity which we cannot directly link to the premises have occurred at 01.20hrs and 04.20hrs. It would suggest that the late opening hours of Bijou contributes to offences being committed.

Since the Summary Review, the Police have been in contact with the Licensee of Bijou and proposed conditions were discussed. Some were agreed in principle but others not.

Bradford District Police Licensing would therefore, on the basis of the above facts, request consideration of the following measures for Bijou Cocktail Bar and Nightclub:

- 1. Removal of the current DPS, Jonathan Dawkins, from the Premises Licence and the appointment of a new DPS who must be present on the premises at all times during licensable activity.**
- 2. The current security company employed by Bijou is replaced prior to any licensable activities taking place and the replacement security company be members of the A.C.S. (Approved Members Scheme).**
- 3. Door supervisors use body cameras whilst licensable activities take place at the premises.**

4. A minimum of one trained first aider and appropriate first aid kits to be on the premises at all times during licensable activity.
5. That the hours that Bijou is licenced to supply alcohol is reduced to 03.00hrs.

These conditions would be in addition to the current ones which must be robustly complied with.

PC2730 LORD
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West Yorkshire Police