



**WEST YORKSHIRE
POLICE**

Licensing

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13 August 2019

Licensing Team
City of Bradford Metropolitan District Council
Britannia House
Bradford

Premises review in respect of Premises Licence for premises known as Wyke Rose, 435 Huddersfield Road, Bradford.

Dear Sir/Madam

West Yorkshire Police wish to make a representation in regards to the above premises review, which has been requested by Bradford Metropolitan District Council Environmental Health Officer.

The basis of the representation is as follows:

On 12 September 2018 PC Lord (Bradford District Licensing Officer) in company with Jeanette Howarth (Environmental Health Officer) attended at the premises in order to speak with the DPS (Jackie Kitson), the licence holder (Clifton Properties) and the premises manager. At this meeting, issues regarding noise were raised and PC Lord reminded all present of the licensing conditions in full, relating to all four licensing objectives. They were informed that the Police would be conducting a compliance check sometime in the future and that they should ensure, given that they had been given advance warning, that they are fully compliant.

On 17 May 2019 a call was made to the Police by the premises manager to report that there had been an incident at the premises whereby someone had thrown a flammable substance at the window of the premises and caused damage to the same. On the call to the Police the premises manager states that he does not believe that the CCTV system was currently working. Once officers had begun to investigate the offence, the premises manager explained that he switches the CCTV system off on an evening.

On 28 May 2019 the premises manager was contacted by PC Lord and advised that a compliance visit would be carried out the next day. The Police were concerned that the CCTV at the premises was not operational and wished to check.

On 29 May 2019 PC Lord and I attended at the premises to undertake a compliance visit (Licensing Inspection) in line with the Licensing Act 2003.

We were met at the premises by the premises manager. We were joined a short time later by a member of the bar staff. During the visit it was clear that neither the premises manager nor the staff member could name any of the four Licensing Objectives and there was no evidence of any staff training on this (**contrary to Annex 2, section 1 of the premises licence**).

There was also no evidence of staff training in the detection and prevention of drugs (**contrary to section 2**).

The premises manager admitted that he had been switching off the CCTV at night in order to save electricity and that it was currently broken and not recording at all (**contrary to section 3**) - **A CCTV system, of a standard approved by the Licensing Authority and The West Yorkshire Police shall be installed prior to any licensable events commencing at the premises to cover both the internal and external areas, and relevant recordings shall be kept for at least 30 days and be available on demand at the request of the Licensing Authority or a Responsible Authority.**

There was no signage in the outdoors to encourage patrons to leave by 2300hrs (**contrary to section 7**).

There were no signs reminding customers to leave the premises quietly and orderly (**contrary to section 8**).

There was no evidence of a proof of age policy or staff training in this (**contrary to section 9**).

The premises manager agreed to these points and being in breach of his licence conditions and signed the Licensing Inspection form to confirm this. The premises manager made comments to the effect that he had simply been handed the keys and asked to run the pub which is why he didn't really know the full conditions of his licence. He was also reminded of annex 3 of his conditions regarding noise and that the premises had already been previously brought before the licensing panel.

On the same date, at 1155hrs, I issued a Closure Notice under Section 19 of the Criminal Justice and Police Act 2001 due to these breaches. Steps to be taken were outlined and agreed with the premises manager in order to rectify these matters. This, again, was agreed and signed by the premises manager. These breaches are contrary to the following Licensing Objectives:

The Prevention of Crime and Disorder
The Prevention of Public Nuisance
And
The Protection of Children from Harm

On 13 June 2019 I revisited the premises in respect to the closure notice issued and met with the premises manager. The issues identified had been rectified and the closure notice was rescinded. The premises manager was again reminded of the licensing conditions and the need to adhere to these.

Until issued with a closure notice there is evidence that the premises manager, the licence holders Clifton Properties and the DPS Kitson have shown a blatant disregard for the Licensing objectives in general. This is shown in that the conditions were read to them in September 2018 but they had taken no steps to comply with them.

A crime has then been reported in May 2019 and it is clear that the CCTV system was not working at that time. There is no evidence that either party has taken steps to rectify this prior to the Licensing visit on 29 May 2019.

Worryingly, the premises manager himself was given advance notice of the visit yet did not take any steps to ensure compliance prior to the visit being undertaken. It would appear, on the balance of the evidence, that the premises manager and/or Clifton Properties and the DPS have only seen fit to rectify any breaches following the threat of closure/further action. This would not be, in my opinion, the actions of a responsible person or company. There is no evidence on our visits that the DPS plays any active role in the management of the premises.

Following the compliance visits, the Police have been presented with evidence, from our colleagues in Environmental Health that further breaches of the licence conditions are continuing at the premises in terms of noise nuisance and the Police Licensing attended with Environmental health on 22nd June 2019 to remove equipment under a warrant.

The Licensing Act encourages Police Licensing and other responsible authorities to actively work with premises to resolve issues at premises, which we have tried to do. However, it is clear that the point has been reached where the only option available has been a review of the premises licence.

Bradford District Police therefore support Bradford Council Environmental Health in their request to have the Premises Licence revoked.

Yours faithfully

PC3607 Tony Brown
Licensing Officer
Bradford District