

REPORT OF CORPORATE DIRECTOR OF COMMUNITY & CULTURE**REVIEW OF PREMISES LICENCE**

Premises concerned	Revolution Vodka Bar 7 Broad Street Hockley Nottingham NG1 3AJ Please see attached Premises Licence
Licence holder	Inventive Leisure Services Limited
Applicant for review	Nottinghamshire Police Please see attached application.
Date application Received:	15 April 2009
Last date for representations:	13 May 2009
Relevant representations received	None
Matters which the Authority has asked the parties to clarify	1. Identification of all issues (both factual legal) which are in dispute. 2. Identification of all areas of law, Guidance and Policy upon which they intend to rely.
Issues	Whether it is necessary and proportionate to take any one or more of the steps identified below in order to promote any or all of the following licensing objectives: (1) the prevention of crime and disorder; (2) public safety; (3) the prevention of public nuisance; (4) the protection of children from harm; or whether no action is necessary to promote the licensing objectives.
Relevant Legislation	S51 – 53 Licensing Act 2003
Relevant Policy	Paragraphs 9.26 to 9.28 of the Statement of Licensing Policy
Relevant Guidance	Paragraphs 1-27, Chapter 11 of the guidance issued under section 182 of the Licensing Act 2003.
Steps which the Licensing Authority may	1. To modify the conditions of the Licence and/or 2. To exclude a licensable activity from the scope of the Premises Licence and/or

take	<ul style="list-style-type: none"> 3. To remove the designated premises supervisor and/or 4. To suspend the Premises Licence for a period not exceeding 3 months 5. To revoke the Premises Licence
Published documents referred to in compiling this report	<p>Licensing Act 2003</p> <p>Guidance issued under Section 182 of the Licensing Act 2003.</p> <p>Statement of Licensing Policy issued by Nottingham City Council.</p>

Caraline Ryan
Head of Public Protection
LAWRENCE HOUSE, TALBOT STREET, NOTTINGHAM NG1 5NT

Contact Officer: Sue Bowler, Assistant Licensing Officer. Tel: 0115 9156777

Date: 14 May 2009

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

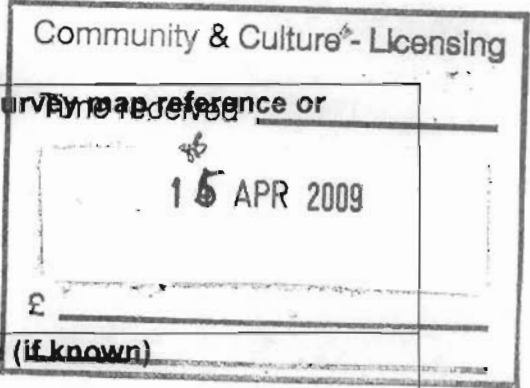
Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I H. E. READ [Deputy Force Solicitor, for and on behalf of the Chief Constable]
(Insert name of applicant)

apply for the review of a Premises Licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, Ordnance Survey map reference or description REVOLUTION VODKA BAR 7 BROAD STREET	
Post town HOCKLEY	Post code (if known) NG1 3AJ



Name of premises licence holder or club holding club premises certificate (if known) INVENTIVE LEISURE
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Number of premises licence or club premises certificate (if known) 035391

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises

- 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

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 H. E. READ (for and on behalf of the Chief Constable of Nottinghamshire) Deputy Force Solicitor Nottinghamshire Police Headquarters Legal Services Sherwood Lodge Arnold Nottingham NG5 8PP
Telephone number (if any) 0115 9672675
E-mail address (optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 1)

The licensing objectives of the prevention of crime and disorder and public safety have been seriously undermined at this premise. The Premises trade as a bar, with a premises licence that allows the sale of alcohol both on and off the premises, in addition to other licensable activities.

At all material times, the Premises Licence Holder (PLH) has been Inventive Leisure Services Ltd, whereas the Designated Premises Supervisor (DPS) has changed from time to time.

1. The Prevention of Crime and Disorder.

The Applicant alleges that there have been 5 glassing incidents at the Venue since December 2006, 4 of which occurred in the ten month period between April 2008 and January 2009.

The Police have offered advice after each incident as to the use of polycarbonate plastic vessels rather than ones made of glass, but this has gone unheeded.

Despite written warnings from the Police, the Operators are refusing to voluntarily revert to polycarbonate vessels throughout the premises, as many other premises have done within the City Centre, saying that to do so would not be in keeping with their particular brand.

Further, breaches of the Premises Licence have occurred in connection with the effective provision of CCTV coverage, breaches that have continued despite Police warnings and advice.

It is also the case that there has been a frequent change of DPS at the Premises, sometimes making it difficult to ensure that the person responsible for day to day control and management of the premises is fully aware of the problems that exist there and can, therefore, put in place the necessary steps to deal with those problems and uphold the Licensing Objectives.

Incidents of violence and disorder that have occurred inside the premises can clearly be attributed to the style of operation at the venue and the inadequate management.

2. Public Safety.

A responsible operator should place the welfare of the Public first, and should use every measure available to ensure that safety. The use of glass at these premises has led to members of the Public being injured, but despite Police advice regarding the use of polycarbonates the operators have failed to take action and injuries have been sustained that might have been avoided had the management acted upon the advice given.

By reason of the matters aforesaid, it is felt that it would be a necessary and proportionate response to request a review of the premises licence with a view to modifying the conditions on the Premises Licence.

Please provide as much information as possible to support the application
(please read guidance note 2)

Since 22 December 2006 there have been a total of 5 incidents of assault involving glass at the premises, the details of which are attached at Annex 1.

The incidents have all resulted in a considerable use of emergency services' manpower, involving the attendance of Police Officers to the scene and their subsequent involvement with the incident.

Despite several meetings with the Designated Premises Supervisors, Area Manager, Business Development Manager and the Licensing Manager, it is clear that the operators have ignored Police advice regarding using polycarbonate glasses and vessels.

The reason for ensuring that polycarbonate glasses and vessels are used is to avoid serious injuries to members of the public. In the experience of the Police, serious facial disfigurement and even death can occur following an assault with an article made of glass, such as a bottle. Responsible operators are now taking voluntary measures to ensure that no glass is used on their premises.

Assaults have occurred at Revolution Vodka Bar where glass containers have been used as weapons by customers so as to injure one another. The 2 assaults in January 2009 could have been avoided if the management at the premises had heeded the advice given on 18 April 2008 and 25 September 2008 and had they accepted the fact that glass can be used as a weapon in this way.

Due to the failure to properly manage the premises, the Police are of the opinion that it would be reasonable and proportionate to modify the premises licence by attaching additional conditions to the licence, namely:

1. During the hours the premises is open to the Public for licensable activities, all drinks will be dispensed in vessels made of polycarbonate glass.
2. A CCTV system with recording equipment shall be maintained at the premises and operated with cameras in positions agreed with the Police. All recordings used in conjunction with CCTV shall:
 - Be of evidential quality
 - Indicate the time and date
 - Be retained for a period of 31 days
 - Sufficient staff will be trained to use the system
 - The images will be made available for inspection & downloading immediately upon request to officers of Responsible Authorities.
3. During the hours the premises is open to the Public for licensable activities, a Personal Licence Holder must be on the premises, to supervise the sale and dispensing of all beverages, whether or not they contain alcohol.

Amplification of these matters will be given at any subsequent hearing and any supporting documentary evidence will be provided in accordance with Nottingham City Council's Licensing Policy 2008-2011.

Nottinghamshire Police reserve the right to put forward any new matters should they come to our attention prior to the hearing.

Please tick yes

Have you made an application for review relating to this 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 this premises please state what they were and when you made them

N/A

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 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature H. E. Read for and on behalf of the Chief Constable.

Date 6.4.2009.

Capacity Deputy Force Solicitor

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
H. E. READ [for and on behalf of the Chief Constable] Deputy Force Solicitor Nottinghamshire Police Headquarters Legal Services Sherwood Lodge Arnold	
Post town Nottinghamshire	Post Code NG5 8PP
Telephone number (if any) (0115) 9672675	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

ANNEX 1

SUMMARY OF INCIDENTS INVOLVING GLASS
 REVOLUTION VODKA BAR
 7 BROAD STREET
 HOCKLEY
 NG1 3AJ

Date	Time	Incident	Action Taken
22 December 2006	2154	Male sustained a cut to his face having been assaulted by a person using a bottle.	<ul style="list-style-type: none"> 28 December Licensing Officer visited premises to discuss incident with DPS Mark Gray.
23 March 2008	2247	Male sustained an injury to the head having been struck with a glass.	<ul style="list-style-type: none"> 25 March Licensing Officer visited premises to discuss incident with DPS Mark Gray. 26 March 2008 Licensing Officer hand delivered a 'glassing letter' to the DPS. 18 April Licensing Officer visited premises to further discuss incident with DPS & Ian Appleyard [Area Manager]. Licensing Officer agreed to provide sample of polycarbonate glasses. Advised to change to polycarbonates

<p>20 September 2008</p>	<p>2250</p>	<p>Female sustained an injury to the head having been struck with a glass.</p>	<ul style="list-style-type: none"> • 23 September Licensing Officer visited the premises & discussed the incident with the assistant manager Rebecca Kenny [DPS on holiday]. 'Glassing letter' addressed to DPS given to Rebecca. • 25 September Licensing Officer visited premises to discuss incident with Area Managers [incoming & outgoing]. Advised to change to polycarbonates
<p>1 January 2009</p>	<p>0001</p>	<p>Male sustained an injury to the head having been struck with a glass or bottle.</p>	<ul style="list-style-type: none"> • 5 January Licensing Officer visited the premises & discussed the incident with the duty manager Mark Dunlavy [DPS not available]. Also phoned the Area Manager, Ian Collins to discuss incident. • 6 January Licensing Officer and Crime Reduction Manager visited the premises to discuss the incident with DPS Carl Summerlin and Assistant Manager Mark Dunlavy. [Clint Ghent intended new DPS also in attendance]. CCTV poor quality on 8 out of 15 cameras • 7 January Licensing Officer spoke with Ian Collins and advised that a review of the licence may be sought. • 'Glassing Letter' sent FAO John McDonald [Licensing Manager]

<p>31 January 2009</p>	<p>0138</p>	<p>Female sustained an injury to the face having been struck with a glass.</p>	<ul style="list-style-type: none"> • 2 February Licensing Officer visited the premises & discussed the incident with Clint Ghent who was soon to be the DPS [actual DPS unavailable]. • 5 February Licensing Officer & Crime Reduction Manager visited the premises to discuss quality of CCTV with DPS, Area Manager & Business Development Manager • 16 February Licensing Officer visited premises & again advised to change to polycarbonates & that a review of the licence may be sought. • Advised that premises is now decanting into toughened glass after 2000 hours but only on Fridays & Saturdays
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Licensing Act 2003

Community & Culture

Lawrence House
Talbot Street
Nottingham
NG1 5NT
Tel: 0115 915 5555
Fax: 0115 915 6145

Premises Licence

Premises licence number: 035391

Part 1 – Premises details

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

Revolution Vodka Bar
7 Broad Street

Post town	Nottingham	Post code	NG1 3AJ
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Telephone number	0115 9481964
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Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Live Music – Indoors;
Recorded Music – Indoors;
Provision of Facilities for Dancing
Sale by Retail of Alcohol

(varied 10 August & 23 December 2005)

The times the licence authorises the carrying out of licensable activities

Live & Recorded Music and Provision of Facilities for Dancing:

Monday from 11.00 hrs to 02.00 hrs the following morning
Tuesday from 11.00 hrs to 02.00 hrs the following morning
Wednesday from 11.00 hrs to 02.00 hrs the following morning
Thursday from 11.00 hrs to 02.00 hrs the following morning
Friday from 11.00 hrs to 02.00 hrs the following morning
Saturday from 11.00 hrs to 02.00 hrs the following morning
Sunday from 11.00 hrs to 02.00 hrs the following morning

In relation to the morning upon which British Summertime begins, an additional hour for that day.

(varied 10 August & 23 December 2005)

Sale by Retail of Alcohol:

Monday from 11.00 hrs to 02.00 hrs the following morning
Tuesday from 11.00 hrs to 02.00 hrs the following morning
Wednesday from 11.00 hrs to 02.00 hrs the following morning
Thursday from 11.00 hrs to 02.00 hrs the following morning
Friday from 11.00 hrs to 02.00 hrs the following morning
Saturday from 11.00 hrs to 02.00 hrs the following morning
Sunday from 11.00 hrs to 02.00 hrs the following morning

In relation to the morning upon which British Summertime begins, an additional hour for that day.

(varied 10 August & 23 December 2005)

The opening hours of the premises

Monday from 11.00 hrs to 02.30 hrs the following morning
Tuesday from 11.00 hrs to 02.30 hrs the following morning
Wednesday from 11.00 hrs to 02.30 hrs the following morning
Thursday from 11.00 hrs to 02.30 hrs the following morning
Friday from 11.00 hrs to 02.30 hrs the following morning
Saturday from 11.00 hrs to 02.30 hrs the following morning
Sunday from 11.00 hrs to 02.30 hrs the following morning

In relation to the morning upon which British Summertime begins, an additional hour for that day.

(varied 10 August, 23 December 2005)

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Alcohol - On the Premises
Alcohol - Off the Premises

Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Inventive Leisure Services Limited, 21 Old Street, Ashton Under Lyne, Lancashire OL6 6LA

Registered number of holder, for example company number, charity number (where applicable)

03918986

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Clinton Daniel Ghent

(Varied 10 February 2009)

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

041224 – Nottingham City Council

Signed:
Licensing Officer

Dated: 9 August 2005

Annex 1 - Mandatory Conditions

S19 Licensing Act 2003

1. No supply of alcohol may be made under this licence
 - a. At a time when there is no designated premises supervisor in respect of it or,
 - b. At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
2. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.

Annex 2 - Conditions Consistent with the Operating Schedule (varied 10 August 2005)

1. Management and staff to be trained in handling physical and verbal violence.
2. The CCTV system installed at the premises, shall continue to operate during the additional hours of trading and
 - a. The cameras used shall be of high resolution.
 - b. The position of the cameras shall cover the entry/exit points of the building and record every person entering the premises.
 - c. The position of the internal/external cameras shall monitor the traffic flow of patrons so as to assist complete monitoring of the premises.
 - d. The CCTV system shall record either on a hard disk system or video system to allow for complete safe keeping.
 - e. The hardware of the system to be kept under lock in the managers office.
 - f. There shall be a camera that covers all cash/administration functions within the managers office.
 - g. No recordings shall released unless specifically requested by the Police.
3. Toughened glass shall be used at all times the premises is open for the licensable activities.
4. No off sales shall be taken outside the curtilage of the licensed areas.
5. No bottles or glassware shall be removed from the premises.
6. Where already used, radio pagers shall continue to be used for the additional hours of trading.
7. The capacity of the premises shall be monitored using a hand held clicker or other appropriate system and a record kept of the numbers of admissions and exits.
8. Any sound system used within the premises shall be fitted with an appropriate noise limiting device.
9. No children under the age of 18 will be permitted to remain on the premises after 1800 hrs.
10. The licensee shall ensure that appropriately sized signs are placed and maintained in conspicuous positions around the premises reminding patrons to leave quietly and in an orderly manner.
11. Electric sockets used by entertainers shall be fitted with residual current device protection (complying with current British Standards) and labelled accordingly.
12. The dance floor to be clearly delineated and to be positioned in such a way as to ensure the safety of persons using the dance floor.
13. The arrangements for access around the dance floor and for seating in the vicinity of the dance floor shall be such that neither dancers nor others, seated or otherwise, are put at risk of injury.
14. The Premises Licence Holder and Designated Premises Supervisor will ensure;
 - a. That door and windows are kept closed whilst music is playing.
 - b. That mechanical ventilation systems are maintained in working order to provide sufficient alternative ventilation.
15. Music levels must be kept to a minimum during and out of trading hours. These levels to be open to negotiation when the site re-opens.
16. Bottle skips must not be emptied between 2300 hrs and 0700 hrs.

17. Air conditioning units and refrigeration units must be serviced during the refurbishment of the venue.
18. Extraction fans must be turned off at the end of food service every day. This must be in the close down checklist.
19. Dray deliveries must be between 0800 hrs and 1200 hrs. The draymen must be advised to use a Hessian pad and to keep noise to a minimum.
20. It must be communicated to all staff that the emergency exit door must be kept closed except in cases of emergency. It must not be used for access.

Annex 3 - Conditions attached after a hearing by the licensing authority

Not applicable.

Annex 4 – Plans

As per attached plan ref: 0448/01B.