

ANNEX 1

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 PC952 Mick Wilkinson

(Insert name of applicant)

apply for the review of a premises licence under section 51 / ~~apply for the
review of a club premises certificate under section 52~~ 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 The Junction ph Leeman Road	
Post town York	Post code (if known) YO26 4XH

Name of premises licence holder or club holding club premises certificate (if known) Enterprise Inns PLC
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Number of premises licence or club premises certificate (if known) CYC - 008929

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 PC952 Mick Wilkinson Police Licensing Officer York Licensing Unit York Centre for Safer Communities Lower Friargate York YO1 9SL
Telephone number (if any) 01904 551833
E-mail address (optional) mick.wilkinson@northyorkshire.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 checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

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

There have been numerous incidents at the premises over the last year which undermine the four Licensing Objectives:-

1. Prevention of Crime and Disorder

The Police have received reports involving drugs, theft, violence, anti-social behaviour, allegations of possession of a stungun and vehicle crime outside the venue.

2. Public Safety

There has been a recent incident of a fire exit door being bolted locked whilst the venue had a large group of customers on site. North Yorkshire Fire and Rescue Service discovered this on a recent Joint Agency Enforcement Visit.

3. Public Nuisance

Complaints have been received from local residents regarding the amount of people gathering outside the venue along with reports of fights spilling out into the street.

4. Protection of Children from harm

Concerns have been raised regarding an event held in Nov '07 aimed at customers aged under the age of 18yrs

In addition to the above there have been, over the last 9 months, direct breaches of the current licensing conditions attached to the Premises Licence. These breaches involve the following issues:-

- i) lack of CCTV
- ii) no Door Supervisors deployed when live amplified music is played
- iii) entrance doors wedged open
- iv) opening after permitted hours
- v) off sales in unsealed containers
- vi) live music after permitted hours

Please provide as much information as possible to support the application

(please read guidance note 2)

Details of the incidents undermining the four Licensing Objectives are contained in a summary report prepared by PC952 Mick Wilkinson (attached).

Details of the breaches of the conditions attached to the Premises Licence and the subsequent actions taken are contained in statements from the following people (attached):-

PC952 Mick Wilkinson - North Yorkshire Police

Mr Nigel Woodhead - City of York Council

Miss Hilary Hustwick - North Yorkshire Fire & Rescue Service

Details of apparent breaches of conditions are contained in "flyers" obtained from the internet (attached).

The applicant wishes to suggest that in the event of a successful review application certain conditions should be attached to the licence to prevent such incidents and breaches re-occurring. The proposed new conditions are as follows:-

1. At all times that the venue operates after 1900hrs there shall be a Personal Licence Holder at the premises until the venue closes.
2. CCTV will be installed to cover the premises. It will be maintained, working and recording at all times that the premises are open. The recordings should be of sufficient quality to be produced in Court or other such hearing. Copies of the recordings will be kept available for any Responsible Authority for 14 days.
3. The "Challenge 21" procedure shall be actively used. The only acceptable proof of age identification being a current Passport, photocard Driving Licence or identification carrying the PASS logo.
4. On nights when live music is being held such identification checks will take place on the entrance door prior to entry. Persons who produce such identification and are over the age of 18yrs will then be required to wear an identifiable non-removable wristband for use inside the premises.
5. Should the venue operate an "under-age" night aimed at persons under the age of 18yrs alcohol will not be served to anyone whether persons over the age of 18yrs are allowed or not.
6. When live amplified music is being played at the venue there shall be no less than five Door Supervisors at the venue from the time the venue opens until close of business (this will include the period after which the live amplified music has ceased until the venue closes). If the venue has chosen to open earlier than such time when the live amplified music starts then Door Supervisors will be deployed at the venue from no later than 1900hrs (or earlier if the live amplified music starts earlier than 1900hrs).
7. When deployed Door Supervisors will wear high visibility tabards or coats and their SIA Licences will be displayed in high visibility armbands.

8. Documented records will be kept of all Door Supervisors deployed. These records will be available for inspection by any Responsible Authority upon request and will include the following details:-
- i) full SIA Licence number of Door Supervisors deployed.
 - ii) full name and date of birth of each Door Supervisor deployed.
 - iii) full details of the Security Company providing the Door Supervisors.
 - iv) the times the Door Supervisors were deployed.
9. The management of the venue will comply with any written reasonable and justified request made by North Yorkshire Police regarding the provision of Door Supervisors at other times should the need arise.
10. Live music shall only be licensed on Friday, Saturday and Sunday evenings, Bank Holidays evenings and the evening preceding a Bank Holiday.
11. The venue will close for business at 2400hrs on nights when live music is held.
12. The exception to conditions 10 & 11 shall be New Years Eve when live music shall only be licensed to 0100hrs on New Years Day. Normal New Years Eve licensed opening hours shall apply.
13. Documented patrols by members of staff shall be undertaken at no less than hourly intervals outside the premises to check for noise issues and any other issues associated with customers standing outside the venue.
14. One pint capacity, half pint capacity and "highball" tumbler drinking glasses will be strengthened glass (tempered glassware) in a design whereby, in the event of breakage, the glass will fragment and no sharp edges are left.
15. Drinking glasses of any type shall not be allowed to enter or leave the premises whilst under the customers care.
16. Staff training will be given, and documented, regarding the retail of alcohol. Records of such training shall be kept for 12 months.
17. The venue shall operate a random (at least 1 in 30) search policy for patrons using the Function Room (whether for live music or not). Notices should be displayed informing patrons of this fact.
18. Documented records shall be made of the searches undertaken.
19. A Refusals Register and Incident Report Register will be kept. Such documents will record incidents of staff refusals to under-age or drunk people as well as incidents of any anti-social behaviour and ejections from the premises. Both documents will be made available upon a reasonable request from any Responsible Authority.
20. Prominent clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.

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

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. Milliken 952

Date

04/08/08

Capacity Police Licensing Officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

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. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

WITNESS STATEMENT

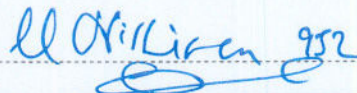
(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1)

URN

Statement of: Michael Leslie Wilkinson

Age if under 18: Over 18yrs (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of 4 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false, or do not believe to be true.

Signature:  Date: 31st July 2008

I am Police Constable 952 of the North Yorkshire Police presently stationed at York. I am presently the York Police Licensing Officer and have been in this role for over 2 years. My duties include the monitoring and analysis of incidents in and around licensed premises in the York area to ensure that they comply with legislation contained in the Licensing Act 2003 as well as ensuring that the four Licensing Objectives are not undermined.

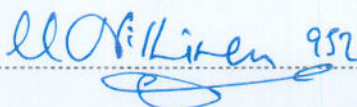
Over the last year there has been numerous reported incidents at The Junction public house, Leeman Road, York. I have monitored these incidents and upon further analysis, along with numerous visits to the premises, as I have stated in the grounds for the review application, I feel that all four Licensing Objectives have been undermined. In addition to this, some of the incidents have shown there to be a clear breach of the conditions attached to the venue's Premises Licence.

I have prepared a report summarising these incidents (Exhibit MLW1) which I attach to this statement. All original North Yorkshire Police computer reports will be brought to the licensing hearing.

On Monday 12th November 2007 I was on duty when, as part of my duties, I was made aware of an incident that had occurred at The Junction public house, Leeman Road, York on the evening of Thursday 8th November 2007. The incident involved an affray in Leeman Road following an event aimed at youths under the age of 18yrs. The offenders involved in the affray had been involved in a disturbance inside the venue, where punches had been thrown. Upon leaving the venue the youths assaulted a man by stamping on his head causing the injured party to be admitted to York District Hospital.

As a result of reports received from Officers involved in the incident along with studying the details contained on the North Yorkshire Police computer systems, at 1340hrs on Thursday 20th November 2007 I made a phone to the Designated Premises Supervisor of The Junction ph, Mr Dave Jones.

I spoke to Mr Jones at length about the allegations made in relation to the incident that had occurred on 8th November 2007 and he assured me that he "won't hold another one". I recorded this conversation in my pocket note book immediately after the phone conversation. I also advised him that the Police undertake joint agency enforcement visits specifically looking at the compliance with legislation and conditions attached to Premises Licences.

Signature:  Signature witnessed by:

Continuation of Statement of: Michael Leslie Wilkinson

At 2145hrs on Friday 30th November 2007 I was on duty in full uniform when I visited The Junction ph in company with Mr Nigel Woodhead (City of York Council Licensing Enforcement Officer) and Miss Hilary Hustwick (North Yorkshire Fire & Rescue Service). Upon arrival at the venue I noticed that there was a live music band playing live amplified music in the rear function room of the premises. I also noticed that there were no Door Supervisors in attendance at the venue.

I spoke to the Mr Dave Jones (DPS) and asked him if I could view the Premises Licence Summary which should be on display within the venue. The Premises Licence Summary was eventually located behind the bar but was not displayed correctly. I made notes at the time of the visit (Exhibit MLW2) which both Mr Jones and I signed at the conclusion of our visit to the venue and I attach these notes to this statement.

Prior to me leaving the venue Mr Jones was verbally warned about the mandatory condition to display his Premises Licence Summary and the use of Door Supervisors as per the conditions of his Premises Licence. Failure to prominently display the summary of the licence, or a certified copy of that summary, is an offence contrary to Sct 57 Licensing Act 2003.

On Monday 23rd June 2008 I was on duty when I was made aware of a number of incidents that had occurred at The Junction public house in the early hours of Sunday 22nd June 2008. These incidents involved a number of reports of disorder both of which were reported after the venue's licensed opening times. The second of these reports had been made by the duty manager, at 0135hrs, stating that there were over 150 people still in the venue and that there had been problems at the premises.

The Junction public house is licensed to open on a Saturday from 0900hrs to 0100hrs.

Annex 2 of the venue's Premises Licence states the following condition:-

d) the maximum occupancy of the licensed premises shall not exceed the following numbers at any time:


Lounge area – 150 persons.

Over the next few days I made numerous efforts to contact the venue by phone to talk to the DPS or Duty Manager about these incidents.

On Wednesday 25th June 2008 I sent a letter (Exhibit MLW3) to Mr Jones asking for a written response in relation to a number of apparent licensing breaches that would appear to have occurred in the early hours of Sunday 22nd June 2008. I attach a copy of that letter to this statement.

On Tuesday 8th July 2008 Mr Jones's written response was received in the Police Licensing Office. He stated that there had been two groups fighting in the venue and one group had been held back in order to give the second group time to disperse. I attach a copy of Mr Jones's letter (Exhibit MLW4) to this statement.

At 2305hrs on Saturday 19th July 2008 I was on duty in full uniform when I visited The Junction ph in company with Mr Nigel Woodhead (City of York Council Licensing Enforcement Officer) and Miss Hilary Hustwick (North Yorkshire Fire & Rescue Service).

Signature:  Signature witnessed by:

Continuation of Statement of: Michael Leslie Wilkinson

As I approached the venue from the car park in Carlisle Street I noticed that the main entrance door in to the premises, from Carlisle Street, was open. I entered the venue by this open door and, as I did so, a number of customers were egressing the premises clearly holding open glass vessels (pint glasses) containing what I believed to be alcohol. This would constitute a breach of licensing conditions due to the following reason:-

Annex 3 of the venue's Premises Licence states the following condition:-

7. All off-licence sales shall be made in sealed containers.

I could also hear what appeared to be live amplified music coming from the rear function room. I then walked into the rear function room and saw that there was a band on stage playing live amplified music. I would also say that at this time the room contained about 80 customers. Up to this point I had seen no signs of Door Supervisors being deployed at the venue. This would constitute a breach of licensing conditions due to the following reason:-

Annex 3 of the venue's Premises Licence states the following condition:-

6. That when live amplified music is played on Friday, Saturday and Sunday, certified door supervisors be employed.

I then entered the front bar of the venue and saw that the doorway connecting the bar serverly area of the rear function room and bar serverly area of the front bar was wide open. I also saw that the entrance door to Carleton Street was not only wide open but wedged open. This would constitute a breach of licensing conditions due to the following reason:-

Annex 3 of the venue's Premises Licence states the following condition:-

2. All doors and windows shall be kept closed and any other means of ventilation used during any function or entertainment.

I then spoke to a male behind the bar who identified himself as the duty manager, Andy Quinn b.12/01/84. I immediately cautioned Quinn and pointed out the breaches of the licensing conditions that I had witnessed. Quinn intimated to me that there were no Door Supervisors deployed at the venue at the time of our visit and that the DPS, Mr Jones, wasn't on site at the present time. I requested that Quinn contact Mr Jones and ask if it would be convenient for him to attend the venue.

At 2315hrs that same day Mr Dave Jones arrived at the venue. I asked Jones if he would step out of the venue and I spoke to him outside the venue on the junction with Carleton Street and Leeman Road where it was quiet enough to talk. I cautioned Jones and pointed out to him the licensing breaches that I had witnessed. I then informed Jones that I would be contacting him at a later date regarding the action I would be taking about this matter.

I then walked along the front of the venue, along Leeman Road, and returned to the Carlisle Street car parking area. As I did so I could clearly see approximately 20 people who were stood in the mouth of junction of Carlisle Street and Leeman Road, as well as on the Carlisle Street footpath directly outside the venue. There were about 4 of these people who were holding and drinking from glass bottles as well as one male stood holding an open glass vessel (a pint glass) drinking what I believed to be alcohol.


Signature: Michael Leslie Wilkinson 952

Signature witnessed by:

Continuation of Statement of: Michael Leslie Wilkinson.....

The above facts, along with the attached summary of incidents, highlight the fact that the four Licensing Objectives are being undermined at this venue. As this statement shows there have also been clear serious breaches of the conditions attached to the venue's Premises Licence.

I would conclude that adding further amended conditions to the venue's Premises Licence (as proposed in the licensing review application) would help in ensuring that the venue is operated in a manner that would ensure that the Licensing Objectives are not undermined and assist the management in having a tighter control of how they operate.

Michael Leslie Wilkinson 952


Signature: *Michael Leslie Wilkinson 952*..... Signature witnessed by:

Incident Reports (Crime & ASB) – Junction ph, Leeman Road

July 2007 to present day

No	Time	Date	Day	NYP Ref No	Occurrence Details
1	2300hrs	19/07/07	Thur	INDE 1072000544	Theft of pedal cycle from outside the venue.
2	0012hrs	18/08/07	Sat	INDE 1072300014	Report of fight at the venue. No complaints forthcoming when Police arrive.
3	2200hrs	23/09/07	Sun	INDE 1072660306	Loss or theft of mobile phone whilst complainant at the venue.
4	1330hrs	01/10/07	Mon	INDE 1072740310	Interference with a motor vehicle parked on venue's car park, adjacent to the venue, overnight.
5	1051hrs	02/11/07	Fri	INDE 1073060214	Concerned parent reporting the fact that her 13 yr old daughter has received a flyer for an under-age event on 08/11/07.
6	2124hrs	08/11/07	Thur	INDE 1073120486	Report of large group "smashing up" the venue. Police attend but no complaints forthcoming.
7	2257hrs	08/11/07	Thur	INDE 1073120518	Affray at a nearby venue. Offenders believed to have attended an "under-age" event prior to taking part in the affray which occurred between the nearby venue and subject premises.
8	1340hrs	20/11/07		Police Licensing Unit Phone Conversation	Contacted by Police Licensing Unit. Mr Jones (DPS) gave a verbal assurance that these sorts of events wouldn't be held again. Copies of E mails received from Officers in case filed.
9	0300hrs	20/11/07	Tues	INDE 1073240288	Theft from unattended motor vehicle (TUMV) on venue's car park, adjacent to the venue.
10	2145hrs	30/11/07	Fri	Joint Agency Enforcement Visit	Joint Enforcement Visit by Police Licensing, Council Licensing and North Yorkshire Fire & Rescue. Numerous licensing breaches uncovered:- i) No Door Supervisors in attendance when live music playing. ii) Premises Licence not displayed. Verbally warned re-Premises Licence and letter by Licensing Unit (CYC) re-breaching licence conditions.

11	0115hrs	08/12/07	Sun	INDE 1073420065	Disturbance at the venue called in by duty manager. Offenders leave area by vehicle but stopped and one male arrested nearby in possession of controlled drug. Male later cautioned by Police for the offence of possession of a controlled drug whilst at the venue.
12	0017hrs	16/12/07	Sun	INDE 1073500017	Alleged abuse by staff to transsexual male customer.
13	2336hrs	21/12/07	Fri	INDE 1073550806	Landlord reporting disturbance. Male offender left prior to Police arrival.
14	0103hrs	22/12/07	Sat	INDE 1073560063	Large fight inside the venue spilling in to the street. Male subsequently arrested nearby for theft of charity box from the venue.
15		05/02/08		Licensing Unit (CYC) Letter	Warning letter sent by Licensing Unit (CYC) following allegations from a Ward Councillor regarding noise and litter from the venue. It was alleged that emergency exit doors from the Function Room were held open making music audible in residents homes and that there were noise and litter from smokers on the public highway.
16	2300hrs	05/02/08	Tues	INDE 1080380458	Alleged assault by doorstaff. No CCTV available. Decision made to "No Crime" the incident.
17	2130hrs	22/02/08	Fri	INDE 1080530643	Fight inside the venue spilling out in to the street. Offenders left prior to Police arrival.
18	2217hrs	23/02/08	Sat	INDE 1080540697	Serious disturbance reported at the venue. Male offender ejected upon Police attendance.
19	0125hrs	24/02/08	Sun	INDE 1080550060	Report by duty manager of over 50 people fighting inside the venue. Allegations of stun gun being used. Large crowd dispersed upon Police attendance from both inside and outside the venue. Same trading period as previous incident (Inc No 18).
20	0148hrs	24/02/08	Sun	INDE 1080550072	Male arrested for D&D following above disturbance (Inc No 19). Male had been in venue but arrested on the street. Later found to be in possession of over 30 ecstasy tablets and subsequently charged with possession with intent to supply.

21	2200hrs	07/03/08	Fri	INDE 1080680245	16yr old female has mobile phone stolen whilst in venue. CCTV in darkness.
22	2226hrs	08/05/08	Thur	NICHE 12080023606	Landlord reports drunk male refusing to leave. Re-contacts Police as he is concerned as to welfare of drunk male. Male left on Police attendance.
23	1141hrs	14/06/08	Sat	NICHE 12080045423	Motor vehicle turned on to it's side whilst parked overnight on venue's car park adjacent to the venue.
24	0133hrs	22/06/08	Sun	NICHE 12080050149	Female customer inside venue alleging assault. Left prior to Police attendance.
25	0135hrs	22/06/08	Sun	NICHE 12080050111	Duty manager requesting Police attendance due to 150+ customers being unhappy at the fact the venue is closing. Police attend and disperse crowd.
26		25/06/08		Police Licensing Unit Letter	Written to by Police Licensing Unit requesting an explanation about the disorder problems in the early hours of 22/06/08. Venue's licensing conditions pointed out in the letter and a request was made for a written response. Response received from Mr Jones (DPS) claiming that there had been a fight between two groups and a decision had been made to keep one group back so as not to aggravate the situation.
27	0013hrs	28/06/08	Sat	NICHE 12080053767	Male customer alleging assault inside venue. Police attend and disperse large crowd outside the venue. No complaint re-assault.
28	0123hrs	28/06/08	Sat	NICHE 12080053811	Complaint from local resident that a large group are outside the venue " <i>smashing things up</i> ". Police attend and issue group with "Directions To Leave". Same trading period as previous incident (Inc No 27).

29	2305hrs	19/07/08	Sat	Joint Agency Enforcement Visit NICHE 12080066512	Joint Enforcement Visit by Police Licensing, Council Licensing and North Yorkshire Fire & Rescue. Numerous licensing breaches uncovered:- i) Live music playing past 2300hrs ii) No Door Supervisors in attendance when live music playing iii) Open containers containing alcohol allowed to leave the venue iv) Doors open whilst live music playing Also double fire exit at rear of premises was bolted locked.
30	0935hrs	26/07/08	Sat	NICHE 12080070401	Damage to unattended motor vehicle whilst parked overnight on venue's car park adjacent to the venue. Local residents witness offence at 2300hrs the previous evening and believe offenders are under-age drinking in the venue.
31	0935hrs	26/07/08	Sat	NICHE 12080070552	Damage to unattended motor vehicle whilst parked overnight on venue's car park adjacent to the venue. Local residents believe youths congregating in vicinity of venue are responsible.



North Yorkshire Police

Licensed Premise Visit Check Sheet (Licensing)

Premises *The Junction, Leeman Road*

DPS *David Jones*

Time/Date *2145hr 30/10/07*

DPS present & on premises

Yes/No

If NO - name of person in charge at time of visit

Premises Licence summary displayed

Yes/No

If YES - where?

If NO - advise that offence is committed and Council may be informed

Behind bar

but not displayed

Do you partake in the "York Pubwatch Pager Scheme"?

Yes/No

paper

If YES - Pager Serial Number

Vodafone Account Number

Are Staff authorised by the DPS to serve alcohol?

Yes/No

If NO - advise staff should be authorised, preferably in writing

If YES - is there a written record of such authorisation?

Yes/No

If YES - *Record Of Authorisation* examined?

Yes/No

(consider signing the record to show it's been examined)

Are Staff aware of their liabilities under the Licensing Act?

Yes/No

(i.e. under-age sales/serving drunks)

If NO – advise that staff are liable to fine/PND re-any offences committed

Do you undertake regular Staff Training? Yes/No

If YES – are there written/signed records? Yes/No

If YES – *Staff Training Records* examined? Yes/No

If NO – advise that written records should be kept to prove “due diligence”

How often do you refresh your Staff training?
(advise that 3 months is best practice) *Ongoing*

Do you have a Drugs Policy? Yes/No

If YES – is it available to read? Yes/No

If YES – read & examine

If NO – advise that policies should be in writing for Staff to read and follow

Do you have a “Refusals Book”? Yes/No

If YES – is it available to examine? Yes/No

If YES – *Refusal Book* examined?
(consider signing to show it’s been examined) Yes/No

If NO – where is it?
(advise that book should be readily to hand for Staff to enter details of refusals)

Do you have a Challenge 21 Policy? Yes/No

If NO – what steps do you take to avoid under-age sales?

..... *Ⓢ*

If YES – are there posters displayed? Yes/No

If YES – where & how many?

..... 2 behind bar

If NO – advise to get some printed or contact Licensing Dept to obtain

Do you have CCTV?

Yes/No

If NO – advise that it is good practise to have facility installed
OR

If NO – is it a condition of the licence to have it?

Yes/No

If YES – why don't you have it?

(advise that offence is committed and Council may be informed)

.....

If YES (to do you have CCTV?) – is it working?

Yes/No

If NO – why not? Are steps being taken to rectify?

.....

If YES – Officer visiting checked to ensure working?

Yes/No

Do you employ doorstaff?

Yes/No

If YES – are they registered?

Yes/No

If YES – with whom?

.....

which firm do you use?

.....

day/time of deployment?

.....

do you check SIA badges?

Yes/No

If NO – advise that keeping written records is best practice to ensure doorstaff are properly registered with the SIA

If YES – do you keep written records?

Yes/No

If NO – see above advice

If YES – *Doorstaff Records* examined?

Yes/No

(consider signing to show they've been examined)

Details of doorstaff working at time of visit:-

Name	DoB	Badge Number
.....		
.....		
.....		
.....		
.....		
.....		

Details of any bar staff spoken to at time of visit:-

Name	DoB	Aware of liabilities?
.....		
.....		
.....		
.....		

Are the Fire Exits clear? Yes/No
If NO – details of obstruction(s) *Hilary HUSTWICK*
Are Fire Exit signs illuminated? *Fire Service* Yes/No
in attendance
If NO – details of signs
(any problems with Fire Exit signage – advise that Fire Service may be informed)

Do you have the recent "Coppers Tale?" Yes/No
(advise accordingly) *N/A*

How many patrons are on premises at the moment?

DPS assessment

30-35

Your assessment

u

What processes do you put in place to monitor your capacity?

Do not Ticket collection on gig night

Time spent on premises

20 min

Any offences disclosed?

Yes/No -

If YES – consider summons or PND

Serving alcohol to a person under the age of 18 (Contrary to Sct 146 (1) Licensing Act 2003)

PND Offence Code DA07

Selling alcohol to a person who is drunk (Contrary to Sct 141 Licensing Act)

PND Offence Code DA16

Any comments by DPS or Officer visiting (including details of any customers spoken to or challenged re-under-age sales)

wanted re Premises Licence display

wanted re Door Supervisor being used

Signed

ll [Signature] 952

Officer visiting

[Signature]

DPS Manager

Our Ref: NYP/952/Junction/220608

E-mail yorklicensing@northyorkshire.pnn.police.uk

Date: 25th June 2008

Mr D Jones
The Junction ph
Leeman Road
York
YO26 4XH



Dear Mr Jones,

Public Order Issues – Junction ph 22/06/08

I am writing to you as Designated Premises Supervisor (DPS) of the above venue following recent disorder problems in the early hours of Sunday 22nd June 2008. The letter also follows numerous phone calls and voicemail messages that I have left for either you, or the duty manager, to contact me about the above matter. Despite these voicemail messages, and the fact I spoke personally with a member of staff called Paul, at the time of writing I have received no contact from anyone at the premises.

The matter I am referring to was recorded on the Police log as follows: one of your staff members phoned the Police at 0135hrs on Sunday 22nd June 2008 reporting "*problems at the club and they are now closing it down. There will be 150+ unhappy people out on the street soon*".

As DPS may I take this opportunity to remind you of your responsibility to uphold the four Licensing Objectives, those being:-

- i) the prevention of crime and disorder
- ii) public safety
- iii) the prevention of public nuisance
- iv) the protection of children from harm.

Secondly, I would like to take this opportunity to remind you of the hours that are attached to the Licensable Activities on your licence. Those hours being:-

Facility for making music	Sat 0900 – 0000
Live music (indoors)	Sat 0900 – 2300
Late night refreshment	Sat 2300 – 0045
Supply of alcohol	Sat 1000 – 0030
Opening hours	Sat 0900 – 0100



Thirdly, I would like to point out certain conditions attached to your licence:-

Annex 2 – Conditions consistent with the operating schedule

d) The maximum occupancy of the licensed premises shall not exceed the following numbers at any time:-

Lounge area – 150 persons

Annex 3 – Conditions attached after a hearing by the Licensing Authority

4. Notices should be displayed and be highly visible at all exits, requesting that patrons leave quietly and to respect neighbours and their property.

6. That when live amplified music is played on any Friday, Saturday and Sunday, certified Door Supervisors shall be employed.

Given the circumstances that have been reported I have serious concerns that certain Licensing Objectives were not being upheld and that you could have been breaching the conditions attached to your Premises Licence.

I would, therefore, welcome a written response from you answering the following points:-

- i) why the premises were still open at 0135hrs in the morning.
- ii) why there were (allegedly) 150+ patrons on site.
- ii) whether there were adequate numbers of Door Supervisors deployed at the venue, and if (in your opinion) there were adequate numbers deployed, why they were unable to disperse the crowd.
- iii) what steps you intend taking to ensure there isn't a repeat of this situation.


I would also like to point out to you new powers that the Police now have under the Violent Crime Reduction Act 2006. This Act gives the Police the power to seek a review of a premises (subject to certain conditions) without resorting to the normal 28 day review period. Such reviews *could* be brought within 48 hours. This option, as well as normal review procedures, are still open to the Police pending your written response.

As well as a review of your Premises Licence you could also face prosecution under the Licensing Act for breaching any conditions of your Premises Licence which, upon conviction, carries a maximum penalty of a £20,000 fine and/or 6 months imprisonment.

I look forward to hearing from you at your earliest convenience.

Should you have any queries about this, or any other licensing matter, then please don't hesitate to contact me.

Yours sincerely,



Mick Wilkinson

PC952

Central Area Licensing Unit

01904 551833

07802 385220

CC Licensing Unit, City of York Council

YORK POLICE
- 8 JUL 2006
LICENSING UNIT

D. JONES
THE JUNCTION
LEWIS PA
BLUE
K026 YKH.

Dear PC Wilkinson,
With reference to our TEL
conversation yesterday I am writing
to explain the incident which
occurred here on 22/6/08.

As the evening was coming to
an end a fight broke out and
the door staff separated the
incidents and removed the negligent
this then resulted in a large
group of whites leaving the
building an "waiting" for
another group to leave, it
would have appeared the
situation to have forced this
other group out so the decision

was made to throw the group
inside with the outside group
had dispersed but this took
longer than expected.

I apologise for any
breach this may have caused
to my license.

Yours sincerely
D Jones

Statement of Witness

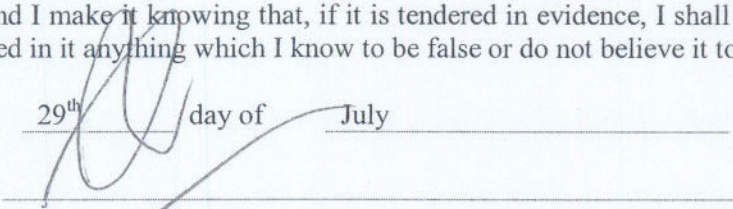
(Criminal Procedure Rules 2005, r 27.1(1);
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

Statement of Nigel Philip Woodhead

Age if under 18 Over 18 (if over 18 insert 'over 18') Occupation Licence Enforcement Officer

This statement (consisting of 1 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe it to be true.


Dated the 29th day of July 2008

Signature 

I am employed by the City of York Council as a Licensing Enforcement Officer within the Directorate of the Neighbourhood Services. Part of my duties are to enforce all legislation under the Licensing Act 2003 in relation to premises licensed by the Authority.

At 2140hrs on Friday 30th November 2007 in company with Pc Mick Wilkinson of the North Yorkshire Police and Hilary Hustwick of the North Yorkshire Fire and Rescue Service I attended The Junction on Leeman Road, York. On my arrival I noted that a live music band was playing in the rear concert room. No door staff were present at the premises. Licence Condition 6 in Annex 3 of the Premise Licence states: 'That when live amplified music is played on any Friday, Saturday and Sunday, certified door supervisors be employed'

The Designated Premise Supervisor, Mr David Jones, was present during the visit and was spoken to regarding the breach of his licence condition. I made notes at the time of the visit which I can produce as an exhibit marked NPW1. He was given a verbal warning at that time and on 4th December 2007 I followed up with a letter outlining the breach. I can produce a copy of this letter marked NPW2.

Signature  Signature witnessed by.....Page 1


Continuation statement of

NIGEL PHILIP WOODHEADS

About 2305hrs on Saturday 19th July 2008 again in company with Pc Mick Wilkinson and Hilary Hustwick I attended at The Junction on Leeman Road. On arrival I could hear live music being played from the rear concert room. The premises are licensed for live music up until 2300hrs. I walked round to the front entrance of the premises and found that there were no door staff present. This was again a breach of the licence conditions as before. The front door was wedged open with a piece of wood. This is in breach of licence condition 2 of annex 3 which states that 'All doors and windows shall be kept closed and any other means of ventilation used during any function or entertainment. The bar manager Mr Andy Quinn was spoken to and he was asked to contact Mr Jones with a view to him attending the venue.

About 2315hrs Mr Jones attended the premises and was spoken to by Pc Wilkinson and myself. The breaches in his licence conditions were pointed out to him and he was told that he would be spoken to at a later date.

On leaving the premises a short time later it was noted that about 20 persons were milling about in Carlisle Street next to the venue, about four of which were drinking from bottles and one from a pint glass in which appeared to be alcohol. Condition 8 of Annex 3 states 'This licence does not apply to the outside drinking area as identified on the application' and condition 7 'states 'All off-licence sales shall be made in sealed containers.'

Signature  Signature witnessed by.....Page 2

24946

9.40 pm



Enforcement Visits

Premises	THE JUNCTION, LEEVAN ROAD
DPS	MR O. JONES
Alcohol Hours	
Opening Hours	
Conditions	NOISE INAUDIBLE AT NEAREST POINT, DOORST WINDOWS TO BE CLOSED. IF LIVE MUSIC ON FRI, SAT, SUN. DOOR SUPERVISION NEEDED.

DPS on premises?

YES / NO

Person in charge if not DPS

.....

No. of staff on premises

3 + DPS

No. of personal licence holders on premises

.....

No. of doorstaff

Supplied by

D. Forest Company usually employed promoters.

Badges checked?

YES / NO

Written authorisation in place for sale of alcohol?

YES / NO

Premise Licence Summary displayed?

YES / NO

Not separate plastic wallet behind bar.

Copy of Premise Licence kept on premises?

YES / NO

Keeper of Premise Licence authorised in writing (if not Personal Licence Holder)?

YES / NO

Proof of Age Scheme in Operation? (signs displayed)

YES / NO

OZ 1

Refusals Book on premises?

YES / NO

Checked, last entry Oct.

York Pubwatch page scheme in operation?

YES / NO

Are staff aware of their liabilities under the LA03 (offences - underage sales/serving drunks)

YES / NO

Does staff training take place? (records kept, how often does training take place)

YES / NO

See log book.

Is a drugs policy in place?

YES / NO

Zero Tolerance

CCTV in operation?

YES / NO

External

Enforcement visit

Number of customers on premises 30 max.

System in place to monitor capacity check + check sign
.....

Does emergency exit signage comply with current regs? YES/NO

Is fire fighting equipment available and tested?
(extinguisher, fire blankets in kitchens) YES/NO

Are all emergency escape routes clear? YES/NO

Is the fire alarm and emergency lighting tested regularly?
(log book records, advise that should be tested weekly) YES/NO

Comments:

Live Music being played

No door shut in place.

Shrine that argument of event was
going all id.

Porter out that when coats were there +

that we were close to door as it went.

On the occasion a verbal warning to be followed
by with letter.

Side of door open but inner door closed.

NINA WOODHEAD.

Ext: 2520.....01904 552520
E-mail: nigel.woodhead@york.gov.uk
Ask for: Nigel Woodhead
Our Ref: NPW/041207/CYC008929

4 December 2007

Enterprise Inns Plc
3 Monkspath Hall Road
Shirley
Solihull
B90 4SJ

Dear Sir / Madam

Licensing Act 2003
Premise Licence
The Junction, Leeman Road, York

On the evening of Friday 30 November 2007, officers from the City of York Council, North Yorkshire Police and North Yorkshire Fire and Rescue Service visited the above premises to undertake a during work performance inspection.

Mr David Jones is the Designated Premises Supervisor for this premise and was present during the inspection.

During the visit it was ascertained that 'live' music was being played in the function room where approximately 25 persons were present. It was noted that the event organiser was checking numbers and identification.

Condition 6 in Annex 3 of the premise licence states:

- That when live amplified music is played on any Friday, Saturday and Sunday, certified door supervisors be employed.

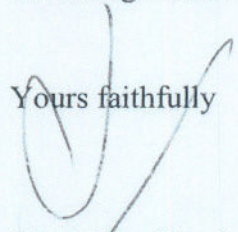
There were no door supervisors present during this visit which is therefore in breach of the premise licence. This could result in a prosecution, the maximum penalty of which is currently a fine of £20,000 and/or six months imprisonment.

On this occasion I do not intend to take any further action regarding this matter other than to warn you that any further breaches of your licence conditions could result in prosecution. It is the

responsibility of the Premise Licence Holder and Designated Premise Supervisor to ensure that all conditions attached to a Premise Licence are adhered too.

Should you wish to discuss this matter any further then please do not hesitate to contact the Licensing Office on 01904 552512.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Nigel Woodhead', written over the text 'Yours faithfully'.

Nigel Woodhead
Licence Enforcement Officer

Cc: Mr D Jones, The Junction, Leeman Road, York



FIR 1.1

NORTH YORKSHIRE FIRE AND RESCUE SERVICE

STATEMENT OF WITNESS

POLICE AND CRIMINAL EVIDENCE ACT 1984

STATEMENT OF:.....Miss Hilary Hustwick..... AGE32..... (If over 21 enter 'over 21)

OCCUPATION ..Fire Safety Officer.....

ADDRESS ...North Yorkshire Fire & Rescue Clifford Street York YO1 9RD.....

This statement (consisting of .1.. page signed by me) is true to the best of my knowledge and belief, and I make it knowing that if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

I Hilary Hustwick am employed as a Fire Safety Officer for North Yorkshire Fire & Rescue and stationed at York Fire Safety Department Clifford Street York.

On the 19th July 2008 at 23:05hrs I attended The Junction Public House on Leeman Road York, along with PC Mick Wilkinson Police Licensing Officer, Nigel Woodhead City of York Council, and Colin Hunter Fire Safety Manager North Yorkshire Fire & Rescue Service.

On arriving at the premises we informed the bar manager that myself and Colin Hunter would carry out an inspection of the means of escape. When inspecting the public bar area it was found that the fire exit door leading onto Carlisle Street was bolted locked. The occupancy at the time in this room was around 70 persons

After speaking with the licensee he informed me that they may have been locked by mistake by some of the band members who were playing live on stage. I informed him that all bolts should be removed from these door immediately so that this does not happen again.

SIGNED.....*Hilary Hustwick* 00860..... DATE *29th July 2008*

NORTH YORKSHIRE POLICE
Central Area
Licensing Unit



JUNCTION REVIEW – LIST OF FLYERS

The below listed flyers, extracts of which are attached, have been obtained from the internet.

They all advertise live music events at the The Junction public house, Leeman Road, York and also advertise licensing breaches.

The Junction public house is licensed for recorded music during the following hours:-
Friday 0900hrs – 0000hrs.

Flyer No 1 – Facebook | Tinnitus vs Central Beatz

Advertises a “Drum and Bass” event on Friday 21st May 2008 until 0100hrs on Saturday 22nd May 2008.

There is a “set” by *Dirty Lee Roi* between “12-1”.

Flyer No 2 – Leeds Drum & Bass and

Flyer No 3 – Tinnitus ft Original Sin

Advertises a “Drum and Bass” event on Friday 20th June 2008.

There is a “set” by *Browsa* between “12-1”.

Flyer No 4 – Tinnitus vs Radio Frequency

Advertises a “resident free night” on Friday 25th July 2008.

There is a “set” by *ShOck* between “12-1”

Signed *ll O'Kien 982*

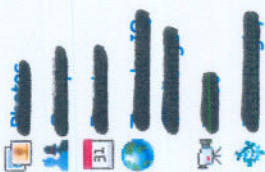
Date *31/07/08*

TINNITUS Vs CENTRAL BEATZ

Dirty dark industrail beatz

Search

Applications



edit

Information

Event Info

Host: TINNITUS
Type: Party - Club Party

Time and Place

Start Time: Friday, May 30, 2008 at 8:00pm
End Time: Saturday, May 31, 2008 at 1:00am
Location: The Junction
Street: Leeman Road
City/Town: York, United Kingdom
[View Map](#)

Contact Info

Phone: 07870490880
Email: tinnitusyork@hotmail.co.uk

Description

TINNITUS Vs CENTRAL BEATZ
Friday 30th May 2008
The Junction Leeman Road, York.
TINNITUS Returns with your monthly dose of Drum and Bass....

Continuing on with our theme of Vs events this year we step away from York and head a few miles down the A64 to the ever growing Leeds, To bring you CENTRAL BEATZ, The Leeds based club night and heavy weight sound system brings there residents to York.

We are Pleased to bring you LD50 and Dirty Lee roi, photographer and



Share

Export

Your RSVP

- Attending
- Maybe Attending
- Not Attending

RSVP

Other Information

engineer of the diverse central beatz to represent the darker dirtier industrial style of drum and bass.

Brownsoundz will be warming up for our special guests.

El Mundo will be digging thru the crates to kick off the dnb.

Shiftah is kicking off the evening with his dubstep selection

Set Times:

11-12 LD50

12-1 Dirty Lee Roi

10-11 Brownsoundz

9-10 El Mundo

8-9 Shiftah

← POSSIBLE BROWN

Doors open 8pm - LATE!!!!

£4 O.T.D, over 18's ID may be required...

June Event – Original Sin, Brownsoundz, Browsa, Elmundo, Khoo. Friday 20th June (one week early)

Photos

Displaying 2 photos



[See All](#)

Videos

No one has uploaded any videos.

Posted Items

Displaying 1 posted item



[See All](#)

- Guests are allowed to bring friends to this event.

Other Invites

Maybe Attending (43)

[See All](#)



Not Attending (82)

[See All](#)



Awaiting Reply (61)

[See All](#)



Event Type

This is an open event. Anyone can join and invite others to join.



DATE



Friday 20th June 2008

VENUE



The Junction Leeman Road, York

TINNITUS Featuring ORIGINAL SIN

TINNITUS Returns with your monthly dose of Drum and Bass..... and it's that jump up sound.

Returning after his storming set as part of G-Dub last year, this time with a hemp of solo produced material which has seen recent release's on Ganja records and a forthcoming release on Properganda, TINNITUS are pleased to see Original

Leeds Drum & Bass ~ View topic - TINNITUS Ft Original Sin - Friday 20th June - York

sin gace the decks this time round.

Browsa will be ending the night with his debate set at TINNITUS afetr impressive sets at cranky live and other events running in York.

Brownsoundz and el mundo will be digging thru the crates to kick off the dnb in the residents sets.

Khoo is also having hie debate at TINNITUS kicking off the evening's entertainment with..... well, expect anything, haha, funk, hip hop and who knows what.

Set Times:

11-12 ORIGINAL SIN

12-1 Brownsa

10-11 El Mundo

9-10 Brownsoundz

8-9 Khoo

Doors open 8pm - 1am. so get down earlie

£5 O.T.D, over 18's ID may be required...

POSSIBLE
BREATHER



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dontstayin.com

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This topic was posted in the **TINNITUS Ft ORIGINAL SIN** forum

Watch this topic

Add this topic to my favourites

UK

DATE

VIEW

TINNITUS Ft ORIGINAL SIN @ The Junction in York
Fri, 20 Jun

TINNITUS Ft Original Sin - Friday 20 June

Returning after his storming set as part of G-Digg last year, this time he brings a heep of solo produced material which has seen recent releases on Ganja records and a forthcoming release on Properganda, TINNITUS are pleased to see Original sin grace the decks this time round.

Browsa will be ending the night with his debut set at TINNITUS after impressive sets at cranky live and other events running in York.

Comments

Back to topics list

Subject



DI

Chat rooms

More

General chat 56 / 56

Random comments

TINNITUS Ft ORIGINAL SIN @ The Junction in York

TINNITUS Ft Original Sin - Friday 20 June



Set Times:

11-12 ORIGINAL SIN

12-1 **Browsa**

10-11 El Mundo

9-10 Brownsoundz

8-9 Khoo

POSSIBLE
BREAK

Posted Fri 10 Jun

[Reply Quote](#)
Posted Tue 17 Jun

[Reply Quote](#)
Posted Thu 19 Jun

[Reply Quote](#)
Posted Fri 20 Jun



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Random comments 81/81

TINNITUS Vs RADIO FREQUENCY @ The Junct


TINNITUS vs RADIO FREQUENCY - Friday 25th

General chat


You must log in to chat!




Discussions



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Watching



My comments




All chat




My groups

Options

This topic was posted in the **TINNITUS Vs RADIO FREQUENCY forum**

 [Watch this topic](#)


 [Add this topic to my favourites](#)

Subject


TINNITUS vs RADIO FREQUENCY @ The Junction in York

Last Fri (25 Jul)

Comments

 [Back to topics list](#)

Subject **TINNITUS vs RADIO FREQUENCY - Friday 25th July - The Junction**

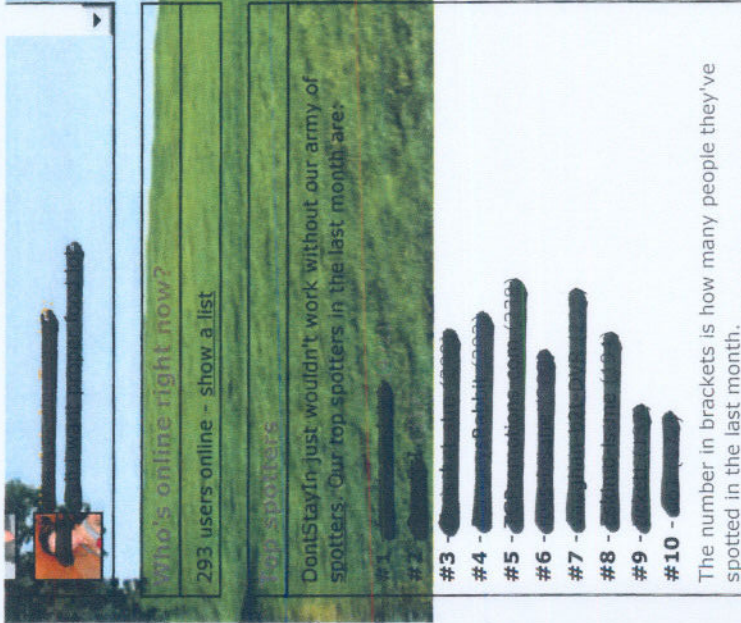


Episode 4 in the TINNITUS vs Nights see's us bringing you part 2 the Radio Frequency showcase, following the success of the uprooted event last month.

This time it's a Radio Frequency takeover to bring some diversity into the lineup.

Stenna will be headlining this Shock playing us to a close. We are also





Who's online right now?
293 users online - show a list

Top spotters

DontStayIn just wouldn't work without our army of spotters. Our top spotters in the last month are:

- #1 - [redacted]
- #2 - [redacted]
- #3 - [redacted]
- #4 - [redacted]
- #5 - [redacted]
- #6 - [redacted]
- #7 - [redacted]
- #8 - [redacted]
- #9 - [redacted]
- #10 - [redacted]

The number in brackets is how many people they've spotted in the last month.



Steppa has been recruiting and checks playing to be a...
pleased to bring to York, for the first time, radio, frequency dj's Essence Artifex and Blesid.

Anyone interested in catching these dj's live shows, or checking out the wonders of leads Radio frequency, check out www.leedsdrumnbass.co.uk for all info and direct live streams.

Posted Thu 10 Jul
Baby Quartz
Posted last year

coming up this friday!



This is a resident free night so expect some new faces behind the decks, tinnitus showcassing some of the best talent coming outa Leeds right now!

Set Times

- 8-9 Blesid
- 9-10 Artifex
- 10-11 Essence
- 11-12 Steppa
- 12-1 ShOck

Door tax is £5, doors open at 8pm.

Also a quick heads up on next months second birthday bash, line up to feature Zen part of Twisted individuals Grid camp, with Sarah Tonin playing her debut at tinnitus, and the first female dj to grace the decks at tinnitus. So Keep an eye out for that!

See you tomorrow people!

POSSIBLE
JULY 14