

ANNEX B

**CERTIFICATE UNDER SECTION 53A(1)(b) OF THE LICENSING ACT 2003**

I hereby certify that in my opinion the premises described below are associated with serious crime / serious disorder / both serious crime and serious disorder<sup>1</sup>.

*Premises*<sup>2</sup>:

Carters  
Sky Dome  
Croft Road  
Coventry  
West Midlands  
CV1 3AZ

Premises licence number (if known): LN 205001219

Name of premises supervisor (if known): Mr Robert Hall

I am a Superintendent 1437 Edwards<sup>3</sup> in the West Midlands police force.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case, because<sup>4</sup>:

*The gravity of the violence both inside, immediately outside and then impacting more widely across the city centre involving dozens of patrons raises such concern that I call into question the capability of the premises, employees and the OPS<sup>15</sup> to safely manage the licensing function adequately. There is a real concern that without more onerous regulation there is likely to be further incidents of a similar nature and the prospect of far graver consequences.*

<sup>1</sup> Delete as applicable.

<sup>2</sup> Include business name and address and any other relevant identifying details.

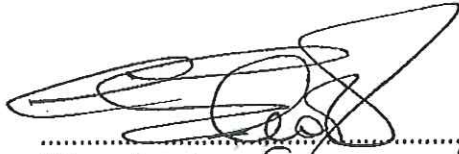
<sup>3</sup> Insert rank of officer giving the certificate, which must be superintendent or above.

<sup>4</sup> Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned.

*[Signature]*  
C. EDWARDS

Supt 1437

20/3/15



(Signed)

C. SANTARIS  
SMT  
1457

(Date)

20/3/15

## FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

[Insert name and address of relevant licensing authority and its reference number (optional)]

Coventry Licensing Authority

3<sup>rd</sup> Floor, Broad Gate House

City Centre

Coventry

CV1 1NH

**Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)**

**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 the 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.**

I PC 4093 Joanne BOWES [on behalf of] the chief officer of police for the West Midlands police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

**1. Premises details:**

Postal address of premises, or if none or not known, ordnance survey map reference or description:

**Carters  
Sky Dome  
Croft Road  
West Midlands**

Post town: Coventry

Post code (if known): **CV1 3AZ**

**2. Premises licence details:**

Name of premises licence holder (if known): **KRA Leisure Ltd**

Number of premises licence holder (if known):



**3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:**

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)

**4. Details of association of the above premises with serious crime, serious disorder or both:**

[Please read guidance note 2]

The business premises named as Carters Bar & Grill opened to the public on 3 June 2014. In the 9 months leading up to 20 March 2015, the premises has been associated with a number of offences linked to serious assaults, sexual offences and serving persons under age.

At 0120hrs on Friday 20 March 2015, officers were called to Carters Bar & Grill following a report from staff that a large group of males had forced entry into the venue. A new urban music night entitled 'Deuce' was running for the first time, and had predictably drawn in an exceptionally large group of young predominantly black males and females. Officers arrived to find the premises had closed its doors and were claiming to have the situation under control. At 0345hrs, the premise began to empty, with hundreds of young people flooding out onto the Skydome concourse and surrounding roads. Within minutes disorders began to break out, which quickly manifested into a large scale disorder. Officers have evidenced large groups fighting, using bottles and belts as weapons, indiscriminately attacking anyone within striking distance. At least one individual who was most likely inside the premises immediately prior to closing time used CS Incapacitant spray, causing a number of others to become contaminated as a result.


West Midlands Police required 40 staff to be drawn into Coventry city centre, from as far afield as Birmingham. This included specially trained Taser staff and Dog Units. One offender was bitten by a police dog when he attempted to assault its handler. Another offender (subsequently arrested) was subdued only after Taser use to gain compliance, after he too had assaulted a police officer attempting to prevent him from seriously assaulting another person.

It took approximately 40 minutes to bring this serious disorder under control, during which time approximately 400 people who appear to have all been at Carters Bar & Grill were involved. The disorders appear to have stemmed from incidents within the venue earlier, however the exact nature of those will be determined as the Police investigation into this disorder continues.

Officers at the scene have evidenced genuine fear and distress at the level of violence individuals were prepared to use, both to West Midlands Police Staff and to other persons present. One officer has stated 'The level of fear I felt will stay with me for some time'.

West Midlands Police remain extremely concerned that the inability of all involved to effectively manage the premise continues to create an unacceptable level of risk to the safety and wellbeing of patrons, staff and emergency users responding to incidents of disorder.

The Police therefore request that consideration be made for interim steps to be taken, and that the premises license be suspended pending a summary review.

Signature of applicant: 

Date: 20/03/2015

Capacity: Police Licensing Officer

 1093  
 8 Apr 14 57

**Contact details for matters concerning this application:**

Address: **C/O Licensing and Planning Department  
Coventry Central Police Station  
City Centre  
Coventry  
CV1 2JW**

Telephone number(s): 02476 539097

Email: j.bowes@west-midlands.pnn.police.uk

**Notes for guidance:**

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above

10-1-50

premises are associated with serious crime, serious disorder, or both.

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 19. The premises are associated with serious crime, serious disorder, or both.  
 20. The premises are associated with serious crime, serious disorder, or both.



Carters Bar & Grill,  
Skydome,  
Croft Road,  
Coventry CV1 3AZ.

Your reference:  
Our reference: L/MS/859

20<sup>th</sup> March 2015

**Resources Directorate**  
Legal Services

4th Floor, Christchurch House  
Greyfriars Lane  
Coventry CV1 2QL

**DX 18868 COVENTRY 2**

Please contact: Mark Smith  
Direct line 024 7683 3037  
Fax 024 7683 3004  
mark.smith@coventry.gov.uk

Dear Sir,

### **Licensing Act 2003 – Notice of Interim Steps**

#### Application

Application by West Midlands Police for the summary review of the Premises Licence relating to Carters Bar & Grill, Skydome, Croft Road, Coventry (S.53A Licensing Act 2003).

#### Date of Hearing

20<sup>th</sup> March 2015.

#### Interim Steps Decision

The Premises Licence is immediately suspended until the full review hearing which must take place no later than 17<sup>th</sup> April 2015.

#### Reasons

The sub-committee considered the written review application and oral submissions from the Police. It also had regard to the Secretary of State's 2012 Guidance on Summary Reviews.

In view of the serious disorder incident which occurred on and in the vicinity of the premises in the early hours of 20<sup>th</sup> March 2015 and Police concerns about how the premises have been managed and Police concerns about the risks to public safety involved in allowing the premises to continue operating and hold similar events in the near future the sub-committee felt it was necessary that the licence should be suspended pending the hearing of the full review.

#### Date Decision Takes Effect

The decision took effect at 1400hrs on 20<sup>th</sup> March 2015.

#### Right of Appeal

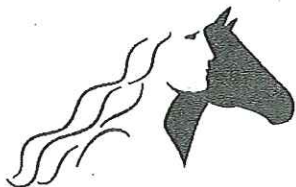
The Act does not provide for a right of appeal against Interim Steps imposed pending a Summary Review. However, Section 53B of the Act provides a right for the licensee to request the Licensing Authority to review the Interim Steps imposed.

Yours faithfully

Mark Smith  
**Senior Solicitor**  
**Place & Regulatory Team**

Cc Police.





## Coventry City Council

Carters Bar & Grill,  
Skydome,  
Croft Road,  
Coventry CV1 3AZ.

Your reference:

Our reference: L/ARB/859

24<sup>th</sup> March 2015

Dear Sir,

### **Licensing Act 2003 – Notice of Review of Interim Steps**

#### Review

Review of the Interim Steps taken on 20th March by Coventry City Council in relation to the Premises Licence relating to Carters Bar & Grill, Skydome, Croft Road, Coventry (S.53B Licensing Act 2003).

#### Date of Meeting

24th March 2015.

#### Interim Steps Review Decision

The Premises Licence remains suspended until the full review hearing which must take place no later than 17th April 2015.

#### Reasons

The sub-committee considered written representations by the Licence Holder and the Police, and the Review application. It viewed CCTV footage provided by the Licence Holder.

In view of the serious disorder incident, and Police concerns about how the premises had been managed and the risks to public safety involved in allowing the premises to continue operating and holding similar events in the near future, the sub-committee felt nothing had been produced which materially allayed its concerns. In view of those ongoing concerns the sub-committee considered that the interim steps remained necessary for the promotion of the licensing objectives, and determined not to modify or withdraw the steps taken on 20th March 2015.

Resources Directorate  
Legal Services

4th Floor, Christchurch House  
Greyfriars Lane  
Coventry CV1 2QL

**DX 18868 COVENTRY 2**

Please contact: A R Burton  
Direct line 024 7683 3013  
Fax 024 7683 3004  
andrew.burton@coventry.gov.uk

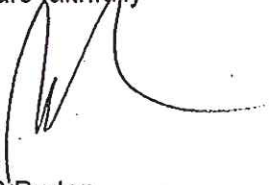
Date Decision Takes Effect

The decision took effect at 9.20am on 24th March 2015.

Right of Appeal

The Act does not provide for a right of appeal against a decision taken on a Review of Interim Steps imposed pending a Summary Review.

Yours faithfully



A R Burton  
**Senior Solicitor**  
**Place & Regulatory Team**

Cc Police.

Carters Bar & Grill,  
Sky Dome,  
Croft Road,  
Coventry CV1 3AZ.

Your reference:  
Our reference: L/MS/859

30<sup>th</sup> March 2015

Dear Sir,

### Licensing Act 2003 – Review of Interim Steps

#### Application

Application by KRA Leisure Ltd to review the Interim Steps imposed on 20<sup>th</sup> March 2015 relating to Carters Bar & Grill, Sky Dome, Croft Road, Coventry (S.53B Licensing Act 2003).

#### Date of Hearing

30<sup>th</sup> March 2015.

#### Decision

The Interim Steps imposed on 20<sup>th</sup> March 2015 are modified by lifting the suspension of the licence and allowing the licence to continue subject to additional conditions pending the full review hearing on 16<sup>th</sup> April 2015.

A copy of the additional conditions is attached.

#### Reasons

The sub-committee had the written review application (and Supt. Edwards' Certificate) before it and heard representations from the Premises Licence Holder. It was informed that the Police had no further representations to make on the basis of the proposed conditions they had negotiated with the Premises Licence Holder. It also had regard to the Secretary of State's 2012 Guidance on Summary Reviews.

In light of the representations made by the Premises Licence Holder and the Police position now being that it was appropriate for the licence to continue subject to modified conditions, the sub-committee agreed to lift the suspension and to impose the interim step of the conditions agreed with the Police plus a further condition volunteered by the Premises Licence Holder during the hearing.

#### Date Decision Takes Effect

Resources Directorate  
Legal Services

4th Floor, Christchurch House  
Greyfriars Lane  
Coventry CV1 2QL

DX 18868 COVENTRY 2

Please contact: Mark Smith  
Direct line 024 7683 3037  
Fax 024 7683 3004  
Mark.smith@coventry.gov.uk

The decision took effect at 1200hrs on 30<sup>th</sup> March 2015.

Right of Appeal

The Act does not provide for a right of appeal against a decision taken under a review of Interim Steps.

Yours faithfully

Mark Smith  
**Senior Solicitor**  
**Place & Regulatory Team**

Cc Police.



## Proposed Conditions for Carters Sports Bar & Grill

- (1) Challenge 25 will operate at the premises. All staff will be trained in this to cover day and evening trade
- (2) Head cams will be worn and remain switched on at all times during the operating hours of the venue. Head cams will be worn by door supervisors, including staff on the entrance and within the premises.
- (3) The venue will install and use at all times a CCTV system which meets the standard required by West Midlands Police. All images MUST be retained for a minimum of 28 days and be made available to download at the request of any Responsible Authority
- (4) A full risk assessment will be completed and supplied to the West Midlands Police Licensing Team at Coventry Central Police Station for any external event or promoter. This assessment will be provided at least 28 days before any event. West Midlands Police will reserve the right to VETO any event based on a reasonable belief that any one or more of the four licensing objectives will not be met. Belief will be considered reasonable where it can be shown that West Midlands Police have highlighted concerns to the DPS / Venue owner (concerns will be based upon the content of the risk assessment and any intelligence/information West Midlands Police receive regarding the planned event and any participant's) and any proposed mitigating action is considered by West Midlands Police to be insufficient to minimise the perceived risk surrounding the event. Any decision to VETO will be delivered verbally to the DPS/Venue Owner, and will also be recorded in writing

within 7 days of the decision being made. A copy of that decision will be provided to the DPS/Venue owner.

- (5) Hand held breathalyser's will be used at the premises measuring intoxication levels of patrons both seeking entry into the venue, and in relation to those on site but demonstrating a level of intoxication consistent with being 'drunk'. Any refusals will be documented in a refusals log. Any ejections to be recorded in the venue Incident Book
- (6) An ID scanner approved by the West Midlands Police will be used at the premises during any internal or external event, other than those where there has been prior written agreement from the West Midlands Police.
- (7) A safeguarding room will be set up at the premises which will be subject of a clear and visible written policy regarding operation
- (8) An Incident/Refusals/Drugs Confiscation book will be maintained at the venue at all times. All staff will have access to these books, which will be open to inspection by any Responsible Authority
- (9) All SIA staff will be signed in on each tour of duty. A door supervisor's register will be maintained. All SIA will display their badges on their arms when working. Door supervisors will wear clothing which denotes them being SIA when working in the premises.
- (10) A search policy will be written and adhered to at all times during the hours the venue is open. The DPS will ensure all staff have a sufficient awareness of this

policy and their respective roles. A copy of the policy will be available for inspection by any Responsible Authority

(11) A drugs policy will be written and adhered to at all times during the hours the venue is open. The DPS will ensure all staff have a sufficient awareness of this policy and their respective roles. A copy of the policy will be available for inspection by any Responsible Authority

(12) All staff will be trained in basic Licensing law. This will be documented and refreshed on a 6 monthly basis. Records will be made available to all Responsible Authorities on request.

(13) Premises will operate queue observers/marshals to monitor potential under age/drugs/consumption of externally purchased alcohol. All risk assessments will include this as a requirement, in order to aid in the identification and safe management of vulnerable people

(14) No off-sales of alcohol are permitted and no bottles are to be taken outdoors.

