



Coventry City Council

**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 Ian Tipton

(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 87 of the Licensing Act
2003 for the premises described in Part 1 below

Part 1 – Premises details

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

Feast Junction,
Dragon Phoenix,
Hertford Place.

Post town Coventry

Post code (if known) CV1 3JZ

Name of premises licence holder or club holding club premises certificate (if known)

Christal Investments, (Mr Pardeep Farmah)

59, Kenilworth Road,
Coventry CV4 7AF

Number of premises licence or club premises certificate (if known)

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

☐

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 ✓ yes

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 Ian Tipton Police Licensing, West Midlands Police, Coventry NPU, Little Park Street, Coventry. CV1 2JX
Telephone number (if any) 02476 539097
E-mail address (optional) Ian.tipton@west-midlands.pnn.police.uk

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

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

Please tick one or more boxes ✓

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>

Please tick ✓ yes

Have you made an application for review relating to the premises before

☐

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you have made representations before relating to the 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 ☐

Please provide as much information as possible to support the application (please read guidance note 3)

On 2/8/18 PC Healy came into possession of a flyer from Club Junction advertising an 'All Family Link Up' 'Bass Odyssey' DJ event on Saturday 4th August. She tried to telephone Mr Njau but could not get a reply or call back. She contacted Mr Farmah who knew nothing about the event! She eventually resorted to making a personal visit to the Three Horse Shoes PH, Foleshill Road, Coventry where Mr Njau is the DPS. Mr Njau was not present but she was informed by his business partner 'John' that it was a 'normal' event so they didn't have to tell the police or council licensing team. It was pointed out that this was unlikely as flyers were being distributed. He was also unable to name all of the DJ's, which was of great concern. PC Healy told 'John' that she could not condone the event as it was in breach of their 14 days notification period. If they decided to continue to hold the event a Risk Assessment (also required 14 days before the event) was required. One was received on 3rd, which was not of an acceptable standard and a second was received later in the day.

On 4/8/18 PS Kimberley visited Club Junction early in the evening to take a view of the above unsupported event; Meeting with the DPS and security staff at Feast Junction re their event this evening she spoke in detail regarding the E Mail from Licensing. Continuous visits to Feast Junction. On 5/8/18 at 0330 hours on another visit she was informed that they had had 80 people present and they were no longer allowing entry. They had 4 Door staff.

There has been a continual dialogue with Mr Njau and Mr Farmah since the Club Junction opened, where various RA members have tried to assist their safe management of this venue and compliance with the numerous conditions. Mr Farmah had clearly passed on responsibility for the running of the venue to Mr Njau, who appeared to struggle to understand what conditions had been imposed on the Premises Licence and found it even more difficult to ensure compliance. It can be seen in the time line that there has been little urgency shown to resolve these various issues and only when significant pressure is applied does Mr Njau or Mr Farmah try to resolve them. So having considered the option of an Action Plan I have little confidence that there will be any significant improvement in the management of the venue. Given the incident on 22/7/18 I am concerned that further such incidents could occur.

In summary Mr Njau and Mr Farmah have failed to uphold the four licensing objectives as follows;

(a) The prevention of crime and disorder; Failed to manage the group of youths who regularly moved between their premises and Junction Street without being searched or any age verification taking place. It appears that members of this group were completing transactions with persons who were attending the street in cars. The only logical explanation for persons being attracted to Junction Street is to purchase drugs from this group.

(b) Public safety; This failure to prevent this group using their club in this way permitted if not encouraged a criminal environment in Junction Street. This ultimately led to a violent confrontation with persons at Club M one of whom was stabbed.

(c) Prevention of public nuisance; The behaviour of persons using Club Junction milling around outside and completing transactions with persons in cars, who are therefore attracted to Junction Street.

(d) Protection of children from harm; The CCTV indicates that some of the youths using Club Junction are below the age of 18 years. There is no scrutiny of these persons entering and leaving the club so it is highly likely that young persons are being allowed full access to this late night club environment, where alcohol is for sale.

Given the difficulties encountered when dealing with both parties over this extended period and their failure to comply with the conditions placed on their Premises Licence I do not have any confidence that any identified improvements would be implemented.

I would therefore request the hearing to revoke the Premises Licence for Feast Junction.

Please state the ground(s) for review (please read guidance note 2)

This application is based on the belief that the management of Feast Junction, otherwise known as 'Club Junction' has failed to uphold the four licensing objectives set out in Sect 4.(2) Of the Licensing Act 2003: -

- (a) the prevention of crime and disorder;
- (b) public safety;
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm.

The night club 'Club Junction' opened in March 2017 and is contained on the first floor of Feast Junction and acts independently of the ground floor restaurant premises. The DPS has been from this date until 7/8/18 a Mr Pardeep Farmah who is and remains the Premises License Holder through his company Christal Investments. Mr Farmah has not played an active or hands on role as DPS for Club Junction.

On 14/3/17 a joint visit with other RA's discussed the proposed change of the upstairs room from its use for birthday celebrations and Karaoke bar to a nightclub playing R & B music. The new nightclub was to be separated from the ground floor business, leased and run by Soloman Njau who has remained as the manager throughout and became the DPS on 7/8/18. I and the other represented RA's expressed our concerns that the venue was not suited to its use as a nightclub and was only a short distance from another NTE premises Club M. As a result the expectations of the RA's were discussed in detail and led to a number of further conditions to the premises licence being agreed before it was agreed no objections would be made.

On 28/3/17 the formal application was made and agreed based on the upholding of a number of conditions agreed with the DPS Mr Farmah and the manager Soloman Njau. These conditions were seen to be essential to the safe operation of a new night club opening at this particular location.

12/8/17 – **Noise Breach** witnessed by the councils Environmental team?

On 21/4/18 (Innkeeper entry) PS Walden completed a Licensing Check on the premises and **no Incident Book** could be produced/found and the CCTV was not accessible. Both breaches of the conditions.

On 27/4/18 (Innkeeper entry) PC Sandal completed a Licensing check and **no Incident Book** could be produced, again a breach of their conditions. Not clear if access to the CCTV was requested.

On 19/6/18 (Innkeeper entry) there was a joint visit by Ian Tipton & PC Karen Healy Police Licensing Team, Rekha Masih, Council Licensing Team and Neil Chaplin, Environmental Services with regards to complaints of noise. There spoke to Mr Farmah Premises Licence Holder/DPS and Soloman Njau Manager. Mr Farmah confirmed that he was transferring the DPS to Mr Njau soon. Mr Farmah confirmed that he had leased the downstairs business. Multiple breaches of the conditions were identified that included, **No Noise Limiting Device installed. No access to the CCTV** as this controlled by the downstairs leaseholder and no agreement in place that would allow access and obtain recordings. Mr Njau said he would fit the CCTV from another premises when it closes! **No Incident or Refusals Book**. Mr Njau stated he was awaiting the books from the council! No staff training or documentation. **No risk assessments completed with regards to the safe management of the premises. External DJ's and other artists have been playing at the venue without notifying the council or the police and no risk assessments covering their playing at the club.** Mr Njau stated that there was an act booked for August so told to complete an appropriate Risk Assessment and submit in accordance with their conditions and that a Noise Limiting Device is required immediately. Mr Njau told to apply to become DPS immediately. Mr Njau and Mr Farmah told that they are not demonstrating the ability to manage the premises and uphold their licencing conditions.

On 22/7/18 there was a serious incident in Junctions Street at the entrance to Club M. This began when a number of males who had been frequenting Club Junction attacked males leaving Club M. One male

was stabbed. CCTV is available for this incident. It can be seen on CCTV from 0300hrs a constant coming and going from the inside of Club Junction into Junction Street without any apparent searching regime. One male wearing a tracksuit and carrying a 'man bag' is seen going to cars on regular intervals then returning to Club Junction. There are clear inferences that some form of transaction is taking place. The same male is then seen during the altercation with the male outside Club M produce a knife moments before the male is stabbed. Given his comings and goings from Club Junction this knife was not discovered by their door staff. It also shows the Club Junction door steward watching the violence erupt without any attempt to intervene or call the police.

The CCTV also shows that persons are still present inside Club Junction at 0500hrs, at which time their doorman puts his coat on and leaves. The Premises Licence limits the clubs opening until 0430hrs by which time all persons should be off the premises.

Many of those involved in the violence appear to be below the age of 18yrs and all were being allowed unfettered access to Club Junction, they were casually dressed in track suits with some carrying 'man-bags', clearly indicating that there is no dress code. It is doubtful that wearing such clothing would gain them access into any other NTE venue in the city.

On 24/7/18 (Innkeeper entry) Mrs Masih requested CCTV following the incident on 22/7/18 from both Mr Njau and Mr Farmah by 26/7/18.

On 26/7/18 (Innkeeper entry) PC Healy formally requested the relevant CCTV from Mr Farmah by way of email. To date no CCTV has been produced for viewing.

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 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date

.....

Capacity **Police Licensing Officer**

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Ian Tipton
Police Licensing,
West Midlands Police,
Coventry NPU,
Little Park Street,

Post town

Coventry.

Post Code

CV1 2JX

Telephone number (if any) 02476 539097

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) Ian.tipton@west-midlands.pnn.police.uk

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

