

IN THE MATTER OF LICENSING APPEAL – VOGUE NIGHT CLUB, 77 HAMMERTON  
STREET, BURNLEY, BB11 1LE

LANCASHIRE COUNTY COUNCIL DIRECTOR OF PUBLIC HEALTH AND WELLBEING

AS A RESPONSIBLE AUTHORITY

---

STATEMENT

OF

CLARE ELIZABETH PLATT

---

1. I am Clare Elizabeth Platt, Chartered Environmental Health Practitioner, with over twenty three years professional experience. I am employed by Lancashire County Council as Head of Health Equity, Welfare and Partnerships. Responsibility for Public Health Licensing is within the remit of my team. I report directly to the Director of Public Health and Wellbeing at Lancashire County Council.
2. I have delegated authority to provide written and oral representations in relation to the Vogue Licensing Appeal Hearing on behalf of the Lancashire County Council Director of Public Health and Wellbeing [App/CP/1].
3. I make this witness statement to the extent that facts and matters set out are true within my own knowledge. Insofar as such facts and matters that are not within my own knowledge, they are true to the best of my knowledge and belief.

**Licensing Objectives**

4. From a public health perspective, the licensing objectives that are relevant to this statement are:
  - the prevention of crime and disorder
  - public safety

**Crime and Disorder**

5. The application made by Lancashire Constabulary to review the licence of Vogue [App/CP/2] examines reported crime and disorder associated with Vogue specifically for the weekend of Friday 22<sup>nd</sup> September 2017 to Sunday 24<sup>th</sup> September 2017, and more generally for the period of 22<sup>nd</sup> January 2017 to 15<sup>th</sup> October 2017. The

application also identifies premises license conditions that have been breached this year at Vogue.

6. The application made by Lancashire Constabulary to review the licence of Vogue [App/CP/2] makes reference to a 'bottle' being reported as a weapon in 2 assaults reported to them during the 10 month period of 22nd January 2017 to 15th October 2017.

### Conclusion

7. Based on the evidence presented by Lancashire Constabulary [App/CP/2], particularly that which relates to reported violence associated with Vogue, I request that Burnley Council Licensing Sub-Committee considers revocation of the premises licence of Vogue.
8. If Burnley Council Licensing Sub-Committee considers that revocation of the premises licence of Vogue is not appropriate, I respectfully request consideration is made to the addition of a condition to the premises licence that prohibits the premises from serving drinks in any drinking vessel made of glass. This will reduce the significant risk of further glass related injuries associated with the premises.

### Statement of Truth:

I believe the contents of this statement to be true.

Name: Clare Elizabeth Platt

Signature: 

Dated: 6/11/17

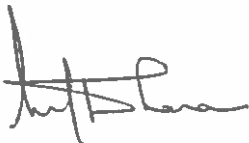
IN THE MATTER OF LICENSING APPEAL – VOGUE NIGHT CLUB, 77 HAMMERTON  
STREET, BURNLEY, BB11 1LE

LANCASHIRE COUNTY COUNCIL DIRECTOR OF PUBLIC HEALTH AND WELLBEING  
AS A RESPONSIBLE AUTHORITY

1. I, Dr. SAKTHIDHARAN KARUNANITHI, the Director of Public Health and Wellbeing of Lancashire County Council, a Responsible Authority pursuant to the Licensing Act 2003, support the application made by Lancashire Constabulary to review the licence of Vogue. I recommend that the Burnley Council Licensing Sub-Committee considers the revocation of the premises licence for Vogue.
2. If Burnley Council Licensing Sub-Committee considers that revocation of the premises licence of Vogue is not appropriate, I respectfully request consideration is made to the addition of a condition to the premises licence that prohibits the premises from serving drinks in any drinking vessel made of glass.
3. I authorise Clare Elizabeth Platt, Head of Health Equity, Welfare and Partnerships who is responsible for public health licensing, to provide written and oral representations in support of this.

Dr. SAKTHIDHARAN KARUNANITHI

Director of Public Health and Wellbeing



Dated:

6/11/2017

## Burnley 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 Sargeant Jason Middleton***(Insert name of applicant)*

apply for the review of a premise licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below.

**Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>	
Vogue Night Club 77 Hammerton Street	
<b>Post town</b> Burnley	<b>Post code (if known)</b> BB11 1LE
<b>Name of premises licence holder or club holding club premises certificate (if known)</b>	
Rebecca Louise Alice McQuoid	
<b>Number of premises licence or club premises certificate (if known)</b>	
PLA0345	

**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 Sergeant Jason Middleton  Lancashire Constabulary EAST Division Licensing Burnley Police Station Parker Lane Burnley BB11 2BT
Telephone number (if any) 01282 472035
E-mail address (optional) Jason.middleton@lancashire.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 ✓

- X
- 
- 
-

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

**The prevention of crime & disorder licensing objective**

It's the view of Lancashire Police that there is a disproportionately high number of reported incidents of crime and disorder associated with these premises and that the licensing objective of the prevention of crime and disorder is being seriously undermined at the premises.

Concerns relate to all times the premises is trading however there are specific concerns in relation to the running of the premises after 5am when there's a noticeable increase in incidents of crime and disorder which can be associated with the premises. After this time most of the incidents can be described as alcohol-related involving drunken people.

There are also concerns regarding a number of the premises licence conditions not being adhered to and can also evidence difficulty in accessing evidential CCTV footage from the premises which has had implications on the effective investigation of a significant number of crimes & incidents at the premises.

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

The licensed premise known as Vogue is located on Hammerton Street in Burnley.

The premises are licensed for sale by retail of alcohol between the following hours:

Monday	2100-0800
Tuesday	2100-0800
Wednesday	2100-0800
Thursday	2100-0800
Friday	2100-0800
Saturday	2100-0800
Sunday	2100-0800

The premises don't use all these hours and normally are only open for business from midnight on a Thursday, Friday and Saturday evening when they usually trade till 8am the following morning.

They are licensed for a number of other licensable activities including live music and recorded music.

The Designated Premises Supervisor and Premises Licence Holder is Rebecca Louise Alice MCQUOID.

Bearing in mind these premises are only normally open three days a week for a maximum of 8 hours on each occasion it's our view the number and seriousness of the incidents is disproportionate and very concerning and indicate that the Prevention of Crime and Disorder licensing objective is being undermined at the premises.

It should be noted that regular meetings have been held with those responsible at the premises and police concerns are regularly mentioned and discussed. On occasions there is some improvement but the volume of incidents (particularly after 5am) continues.

On the Police databases there are 71 incidents reported to Police since the start of this year which can be shown to be linked to Vogue. Using the same search criteria for other late licensed premises in Burnley Town Centre the next 'busiest' premises had 16 incidents in the same period.

Police concerns can be perfectly highlighted during the weekend of the 22<sup>nd</sup>, 23<sup>rd</sup> and 24<sup>th</sup> September 2017 when Lancashire Police were called to numerous incidents which can be linked to Vogue. Two of these incidents resulted in two victims receiving very serious injuries as a result of assaults that occurred inside the premises.

Reported incidents from the weekend commencing 22<sup>nd</sup> September 2017.

#### **Reported Incident 1**

**Friday 22<sup>nd</sup> September 2017 at 05:29am**

Incident reference LC-20170922-0160

Police called to premises by door staff to reports of a female refusing to leave the premises after she had attacked another female in the club with her high heels.

#### **Reported Incident 2**

**Saturday 23<sup>rd</sup> September 2017 at 02:30am**

Crime reference EF1710850

During the early hours of the morning offender has removed two bottles of alcohol from behind the cocktail bar of a town centre nightclub. He has concealed these bottles up each sleeve of his jacket before leaving the premises. A local prolific offender was stopped nearby by Police and despite resisting and assaulting officers he was arrested for the theft.



### **Reported Incident 3**

**Saturday 23<sup>rd</sup> September 2017 at 2:42am**

Crime reference EF1710851

Female offender who was acting drunk and disorderly in a public place was remonstrating with door staff at Vogue Nightclub before falling over and landing in the road. Police Officer approached the offender to help her to her feet only for the offender to refuse then jump to her feet and then shoved Police Officer to the chest using two arms. Offender then struggled against officers who eventually managed to successfully restrain and arrest the aggressively resistant offender.

### **Reported Incident 4**

**Saturday 23<sup>rd</sup> September 2017 at 06:07am**

Incident reference LC-20170923-0383 and crime reference EF1710892

Police Officers have sighted a male sat outside Vogue with blood pouring from his head. Officer reports that the male is drifting in and out of consciousness and has a large laceration to his head. The male has given officers an account that he had been bottled and attacked by three male inside the club. One offender was pointed out and arrested at scene. The door staff ejected further persons believed to be involved but haven't advised officers that they were offenders and just sent them on their way. As a result of this assault the victim received injuries consisting of a fractured spine and internal bleeding.

The one male arrested when interviewed stated he was too drunk to remember anything and doesn't know if he assaulted victim or not.

The officers dealing report that inside the premises there were about fifty males and females well in drink and another twenty in the smoking area. All offenders were extremely drunk. 'Shots' were still being sold on the dance floor at 06:45 hours as officers were dealing with the incident.

### **Reported Incident 5**

**Sunday 24<sup>th</sup> September 2017 at 06:40am**

Incident reference LC-20170924-0364

Informant reporting that he was assaulted at approximately 05:30hrs. This happened in Vogue on the dance floor. The door staff evicted the male. Victim states that he was punched in the jaw.

### **Reported Incident 6**

**Sunday 24<sup>th</sup> September 2017 at 07:10am**

Incident reference LC-20170924-0378

Ambulance reporting assault - victim has a head injury. Assaulted by gang of males possibly in the nightclub male has facial injuries but not serious. He is intoxicated and doesn't remember much only that a gang attacked him. Witness contacts Police to say he witnessed assault stating he was in the smoking area and ran into the club and saw two males attacking someone on the floor. Witness managed to grab one of the offenders and pushed him away and at this point the doormen had come to stop the other offender hurting the victim.

### **Reported Incident 7**

**Sunday 24<sup>th</sup> September 2017 at 08:13am**

Incident reference LC-20170924-0402

Ambulance Service has called Police reporting an assault at Vogue. Upon Police arrival Vogue was closed and several people were sat outside and all were heavily in drink. Victim stated he had been punched but was intoxicated and couldn't remember much and at that time stated he had no injuries. Contact was later made with the victim when he had sobered up and after he had sought medical treatment and victim now states he has suffered a fractured jaw as a result of the one punch he had received inside the club.

As a result of increase in incidents and problems obtaining CCTV from the premises the Police Inspector responsible for the area that weekend requested a compliance visit was carried out at the premises and this was carried out at 2am on Saturday 23<sup>rd</sup> September 2017. A number of licensing conditions appeared to be being breached at the time of this visit.

It should be noted that this was a particularly busy weekend for incidents at these premises but the

number and seriousness of them at just one premise cannot be ignored. In addition Police can evidence a catalogue of incidents that can be associated to Vogue Night Club since the beginning of 2017. The vast majority of these incidents have occurred after 5am (when all other Town Centre licensed premises apart from one other have closed) and with drunkenness usually playing a part.

A number of the reported incidents from this year are listed below to show that there are a consistent number of incidents most weekends. The date and time of the reported incident time shown by the reported incident is the time it was reported to police and indicates the obvious increase in incidents after 5am when all but one other licensed premises in Burnley have closed.

Police Reference	Date of incident	Time of incident
------------------	------------------	------------------

Lc-20170122-0305	22/01/2017	06:45
------------------	------------	-------

Male asking for police to attend outside Vogue. Security have grabbed informant by the neck. They are currently outside informant sounds drunk said they said he was too fucked to go inside can hear lots in background said they strangled him.

Lc-20170128-0201	28/01/2017	03:50
------------------	------------	-------

Very drunk male stating he has been assaulted by the bouncers at Vogue conflicting story about what had happened. Initially said he had been unconscious but couldn't remember anything. Then saying the bouncers threw him down the stairs.

Lc-20170129-1422	29/01/2017	between 04:15 and 05:11
------------------	------------	-------------------------

Ambulance advising male has been bottled - gash under eye. Occurred inside club by the bar - male now with door staff. Victim states he was set upon in club and then punched and kicked to the head and face. Needed 9 stiches to face and glue to cuts on face. Both victim and his partner were heavily intoxicated at time of assault.

Lc-20170215-0662	15/02/2017	06:00
------------------	------------	-------

Informant reporting assault early hours Saturday outside Vogue in Burnley. Informant has attended hospital - check bone has been caved in and fractured and needed reconstructive surgery. Victim states offender was extremely drunk and very surprised he was let into Vogue in the first place.

Lc-20170219-0284	19/02/2017	05:00
------------------	------------	-------

Caller says he has been in the club and the bouncer has assaulted him - they will not let him back in the club and his jacket worth £300 is in there - it has all his money and his id in the pockets - it is in the cloakroom.

Lc-20170219-0209	19/02/2017	03:08
------------------	------------	-------

Lots of people fighting - no weapons- people injured will need ambulance lots of noise in the background.

Lc-20170226-0365	26/02/2017	08:30
------------------	------------	-------

Ambulance contact police to say a male been assaulted outside Vogue - 19year old male has been punched in the face. Injuries of a cut to the head and minor facial injuries.

Lc-20170304-1359	04/03/2017	between 04:00 and 05:00
------------------	------------	-------------------------

Informant at Burnley desk reporting an assault that occurred between 4 - 5 am this morning at the bar in Vogue nightclub. Informant speaking to someone who she has known for a long time next thing she was on the floor being pinned down by 3 females. Injuries of bruising to upper arm and face.

Lc-20170312-0295	12/03/2017	05:55
------------------	------------	-------

I'm outside Vogue Burnley - saw a bouncer attack a male, stood on steps - assaulted him in face, male fell to floor and bouncer is still going for him - kicking him when he's on the floor informant did not

know the male.

Lc-20170312-0258 12/03/2017 04:35

Informant saying that the bouncers at the location are letting underage into the premises. Informant saying they have fake ID's. Saying bouncers not checking them. Informant sounds drunk.

Lc-20170326-0334 26/03/2017 08:00

Reporting that he has been assaulted by door staff at Vogue - he states that he has been thrown down the stairs - he states that he has no injuries and doesn't need an ambulance.

Lc-20170326-0267 26/03/2017 05:45

Female came on the line saying she was outside here, she's just been assaulted by a bouncer and she's going to put a knife through him. Didn't give me anything further before hanging up.

Lc-20170327-1078 25/03/2017 between 04:45 and 05:09

Informant says he was in Vogue on Friday night / Saturday morning - informant says he had too much to drink - he fell in the bathrooms and was thrown out informant says he has become separated from his friend.

Lc-20170401-0243 01/04/2017 03:48

Male and female fighting outside club recalling informant for further..... Speaking to informant - situation now seems calm, door staff have things under control informant stated male is still there.

Lc-20170514-0316 14/05/2017 06:32

Large fight outside the club - more than 10 involved the informant is a little difficult - he keeps changing his story initial states large fight outside the club then states they've dispersed.

Lc-20170531-0668 31/05/2017 06:00

I was assaulted on Sunday in Vogue night club - my left nostril has been split. I have had 10 stitches and got two chipped teeth.

Lc-20170604-0331 04/06/2017 04:37

Assaulted whilst outside Vogue in Burnley. Door person responsible no injuries no medical attention required. Was told by door personnel to go away for 20mins when informant returned he has grabbed by the throat.

Lc-20170609-0404 09/06/2017 05:15

Informant reporting that around 05.15 this morning he was assaulted by a male outside Vogue nightclub, totally unprovoked whilst walking past a group of males and male took a swing at informant and caught male on his cheek.

Lc-20170609-0205 09/06/2017 07:10

Informant reporting that she has been assaulted outside near to Vogue nightclub.

Lc-20170609-0190 09/06/2017 06:36

People fighting in the street, caller's taxi has been smashed. There are between 6-9 people fighting.

Lc-20170609-0183 09/06/2017 06:09

Ambulance required person under the influence of drugs and on the floor having some sort of reaction.

Lc-20170702-0332 02/07/2017 05:36

Informant is outside Vogue he is saying he has been assaulted by door staff---he has slapped informant across the face. Informant is saying he is in the army and he has done nothing wrong. There is a disturbance in the background.

Lc-20170708-0316 08/07/2017 05:22

An informant state he has been hit by bouncers 30 minutes ago at Vogue nightclub-informant doesn't

need an ambulance.

Lc-20170709-0483 09/07/2017 08:36

Informant is on her way to work, there is a large fight with a male unconscious---the informant has approached a bouncer who has said 'fuck off you silly bitch' and pulled his pants down at her.

Lc-20170712-0646 12/07/2017 08:00

Informant is calling with regards to her son who was assaulted outside Vogue night club-this happened at approximately 8am on 09.07.2017. Injuries consist of a tooth knocked out, 2 teeth knocked back, cut to lip and the bone that teeth sit into has been broken.

Lc-20170806-0441 06/08/2017 between 07:00 and 08:00

Informant is at the desk in a distressed state, stating she has been sexually assaulted by an unknown male who she had started chatting with. This has occurred inside Vogue and she has come straight from there. Informant too upset at desk and i am not going to ask any more at this time.

Lc-20170811-0623 11/08/2017 04:20

Informant reporting that at approx. 4.20am today she was outside vogue nightclub on her own and had contacted her mother to come and collect her when a named female named has come out to her and has started hitting her in the face.

Lc-20170813-0450 13/08/2017 07:42

Informant is upset states he went out for a night out in Vogue and he was dancing with a girl---another girl approached informant and told him she was only 15 years old and was questioning why he was dancing with her.

Lc-20170819-0140 19/08/2017 01:55

Male reporting that bouncer at Vogue has threatened to knock him out-it appears that he entered the nightclub with his hat on - reception staff on the doors said yes you can go in with your hat on.

Lc-20170828-0335 28/08/2017 07:00

Informant reporting that he was assaulted by a male - approximately 25 minutes ago outside Vogue nightclub-informant stating it was an unprovoked attack.

Lc-20170828-0318 28/08/2017 07:03

Informant reporting his mate has been assaulted--they were in vogue and he was assaulted by someone.

Lc-20170901-0187 01/09/2017 05:56

Ambulance reporting that a 20 year old male has been assaulted. He's unconscious at the moment--someone is now saying that cpr is in progress but not sure what is happening.

Lc-20170916-0367 16/09/2017 05:07

Informant has been in Vogue and said there appears to be a lot of young females in the club that have taken drugs-informant has expressed her concerns to the door staff who in her words didn't seem interested.

Lc-20171008-0874 08/10/2017 between 06:00 and 06:20

Two female victims stating they were assaulted by a female in Vogue. Also state an Asian male was with this female then picked them up and threw them into a door. Both victims have injuries but both were also heavily under the influence of alcohol.

Lc-20171014-0389 14/10/2017 08:47

Intoxicated male on 999 line and states he has had £120 stolen from his jacket at some stage during the night whilst at Vogue Nightclub - also states he was assaulted and dragged by the throat by unknown person.

Informant reporting that a doorman at this club has thrown a cup of boiling hot chocolate over him. The doorman has been threatening to beat him up if he tries to leave. Informant says he was refused entry into the club-informant sounds very intoxicated.

In addition there are 10 recorded thefts this year where the place of offence is Vogue Night Club which is far more than any other licensed premises in Burnley.

In addition Police can evidence a number of licensing conditions being breached at the premises this year especially those that relate to CCTV, use of a ID scanner at the premises and door staff having to wear high visibility clothing.

In addition Police can provide evidence of the DPS being uncontactable and unavailable at times which has undermined the investigations into some of the incidents detailed in this application.

**The following options are available to the committee:-**

- 1) Do nothing – However the sheer number and seriousness of the offences causes grave concern for no action.**
- 2) Modify the conditions of the licence – The Police feel that modifying the conditions may have some impact in promoting the Licensing Objectives but these modifications will have to be robust and proportionate.**
- 3) Remove the Designated Premises Supervisor**
- 4) Suspend the licence for a period not exceeding three months**
- 5) Revoke the premises licence so that no alcohol can be sold at all.**

**In the opinion of Lancashire Police the information presented here indicates the total undermining of the Prevention of Crime Licensing Objective and despite constant Police interventions there is a repeated high number of often serious incidents reported to the Police which can be linked to these premises. The majority of these incidents appear to take place after 5am and often involve the victims or offenders clearly being drunk indicating a total disregard to licensing legislation in relation to serving to persons who are drunk.**

**Lancashire Police respectfully requests that the committee considers whether revocation of the premises licence or at least a significant reduction in its licensing hours would be an appropriate finding in the circumstances.**

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

Please tick ✓ yes

If yes please state the date of that application

Day	Month	Year

**If you have made representations before relating to the premises please state what they were and when you made them**

yes

Please tick ✓

- 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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**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 **20/10/2017**

.....

Capacity **Police Licensing Sergeant**

.....

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

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. 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.