

Licensing (Licensing and Gambling) Sub-Committee

Thursday, 21st April, 2011
at 9.30 am

PLEASE NOTE TIME OF MEETING

Committee Room 1 + 2 - Civic Centre

This meeting is open to the public
Members

Councillor Drake
Councillor Parnell
Councillor Thomas

Contacts

Democratic Support Officer
Sharon Pearson
Tel: 023 8083 4597
Email: sharon.pearson@southampton.gov.uk

Assistant Solicitor to the Council
Richard Ivory
Tel. 023 8083 2794
Email: richard.ivory@southampton.gov.uk

PUBLIC INFORMATION

Terms of Reference

The Sub-Committee deals with licences for which the Council is responsible under the Licensing Act, 2003 and Gambling Act 2005, including:-

- Personal licences for the sale of liquor Licensing Act 2003;
- Premises licences, various permits, variations and reviews (Licensing Act 2003 and Gambling Act 2005);
- Club certificates, variations and reviews Licensing Act 2003;
- Registration and deregistration of designated premises supervisors Licensing Act 2003;
- Determination of police objections to temporary event notices Licensing Act 2003

Relevant Representations

Those who have made relevant representations may address the meeting about the matter in which they have an interest.

When dealing with Licensing Act matters the Sub-Committee can only take into account the following statutory Licensing Objectives:-

- prevention of crime and disorder
- public safety
- prevention of public nuisance
- protection of children from harm

Likewise, when dealing with Gambling Act matters the Sub Committee can only take into account the statutory Licensing Objectives below:-

- Preventing gambling being a source of crime
- That gambling is conducted in a fair and open way
- To protect children and other vulnerable children from harm

Southampton City Council's Six Priorities

- Providing good value, high quality services
- Getting the City working
- Investing in education and training
- Keeping people safe
- Keeping the City clean and green
- Looking after people

Smoking policy

The Council operates a no-smoking policy in all civic buildings.

Mobile Telephones –

Please turn off your mobile telephone whilst in the meeting.

Fire Procedure –

In the event of a fire or other emergency a continuous alarm will sound and you will be advised by Council officers what action to take.

Access –

Access is available for disabled people. Please contact the Democratic Support Officer who will help to make any necessary arrangements.

Dates of Potential Meetings: Municipal Year 2010/11

2010	4 NOVEMBER
20 MAY 2010	18 NOVEMBER
3 JUNE	2 DECEMBER
17 JUNE	16 DECEMBER
1 JULY	2011
15 JULY	6 JANUARY 2011
29 JULY	13 JANUARY
12 AUGUST	10 FEBRUARY
26 AUGUST	24 FEBRUARY
9 SEPTEMBER	10 MARCH
23 SEPTEMBER	24 MARCH
7 OCTOBER	7 APRIL
21 OCTOBER	21 APRIL

CONDUCT OF MEETING

Terms of Reference

The terms of reference are contained in the Council's Constitution.

Business to be discussed

Only those items listed on the attached agenda may be considered at this meeting.

Rules of Procedure

The meeting is governed by the Council Procedure Rules as set out in Part 4 of the Constitution.

Quorum 3

The minimum number of appointed Members required to be in attendance to hold the meeting is 3.

Disclosure of Interests

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "personal" or "prejudicial" interests they may have in relation to matters for consideration on this Agenda.

Personal Interests

A Member must regard himself or herself as having a personal interest in any matter

- (i) if the matter relates to an interest in the Member's register of interests; or
- (ii) if a decision upon a matter might reasonably be regarded as affecting to a greater extent than other Council Tax payers, ratepayers and inhabitants of the District, the wellbeing or financial position of himself or herself, a relative or a friend or:-
 - (a) any employment or business carried on by such person;
 - (b) any person who employs or has appointed such a person, any firm in which such a person is a partner, or any company of which such a person is a director;
 - (c) any corporate body in which such a person has a beneficial interest in a class of securities exceeding the nominal value of £5,000; or
 - (d) any body listed in Article 14(a) to (e) in which such a person holds a position of general control or management.

A Member must disclose a personal interest.

Continued/.....

Prejudicial Interests

Having identified a personal interest, a Member must consider whether a member of the public with knowledge of the relevant facts would reasonably think that the interest was so significant and particular that it could prejudice that Member's judgement of the public interest. If that is the case, the interest must be regarded as "prejudicial" and the Member must disclose the interest and withdraw from the meeting room during discussion on the item.

It should be noted that a prejudicial interest may apply to part or the whole of an item.

Where there are a series of inter-related financial or resource matters, with a limited resource available, under consideration a prejudicial interest in one matter relating to that resource may lead to a member being excluded from considering the other matters relating to that same limited resource.

There are some limited exceptions.

Note: Members are encouraged to seek advice from the Monitoring Officer or his staff in Democratic Services if they have any problems or concerns in relation to the above.

Principles of Decision Making

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the "rationality" or "taking leave of your senses" principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, 'live now, pay later' and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

AGENDA

Agendas and papers are available via the Council's website.

1 ELECTION OF CHAIR

To appoint a Chair for the purposes of this meeting.

2 APOLOGIES AND CHANGES IN MEMBERSHIP (IF ANY)

To note any changes in the membership of the Sub-Committee made in accordance with the Licensing Act 2003.

3 DISCLOSURE OF PERSONAL AND PREJUDICIAL INTERESTS

In accordance with the Local Government Act 2000, and the Council's Code of Conduct adopted on 16th May 2007, Members to disclose any personal or prejudicial interests in any matter included on the agenda for this meeting.

NOTE: Members are reminded that, where applicable, they must complete the appropriate form recording details of any such interests and hand it to the Democratic Support Officer prior to the commencement of this meeting.

4 STATEMENT FROM THE CHAIR

5 EXCLUSION OF THE PRESS AND PUBLIC

At a predetermined point during the consideration of all items the Sub-Committee may move into private session in order to receive legal advice when determining issues. The press and the public, unless otherwise excluded by the Licensing Act 2003 (Hearings) Regulations 2005, will be invited to return immediately following that private session at which time the matter will be determined and the decision of the Sub-Committee will be announced.

6 APPLICATION FOR A REVIEW OF A PREMISES LICENCE - RAFIQUE FOOD CENTRE, 51 DERBY ROAD, SOUTHAMPTON, SO14 ODY

Report of the Solicitor to the Council detailing an application for a review of a premises licence by Trading Standards, in respect of Rafique Food Centre, 51 Derby Road, Newtown, Southampton, S014 ODY, attached.

7 APPLICATION FOR A REVIEW OF A PREMISES LICENCE - CLOWNS WINE BAR, 112-118 BEVOIS VALLEY ROAD, SOUTHAMPTON, SO14 OJZ

Report of the Solicitor to the Council, detailing an application for a review of a premises licence by Hampshire Constabulary, in respect of Clowns Wine Bar, 112-118 Bevois Valley Road, Southampton, SO14 OJZ, attached.

**8 APPLICATION FOR A REVIEW OF A PREMISES LICENCE - ROYAL OAK,
HOUNDWELL PLACE, SOUTHAMPTON, SO14 IHU**

Report of the Solicitor to the Council detailing an application for a review of a premises licence by Hampshire Constabulary, in respect of Royal Oak, Houndwell Place, Southampton, SO14 IHU, attached.

Wednesday, 13 April 2011

SOLICITOR TO THE COUNCIL

Agenda Item 6



Reference: 2011/00614/01SRAP

Hearing:

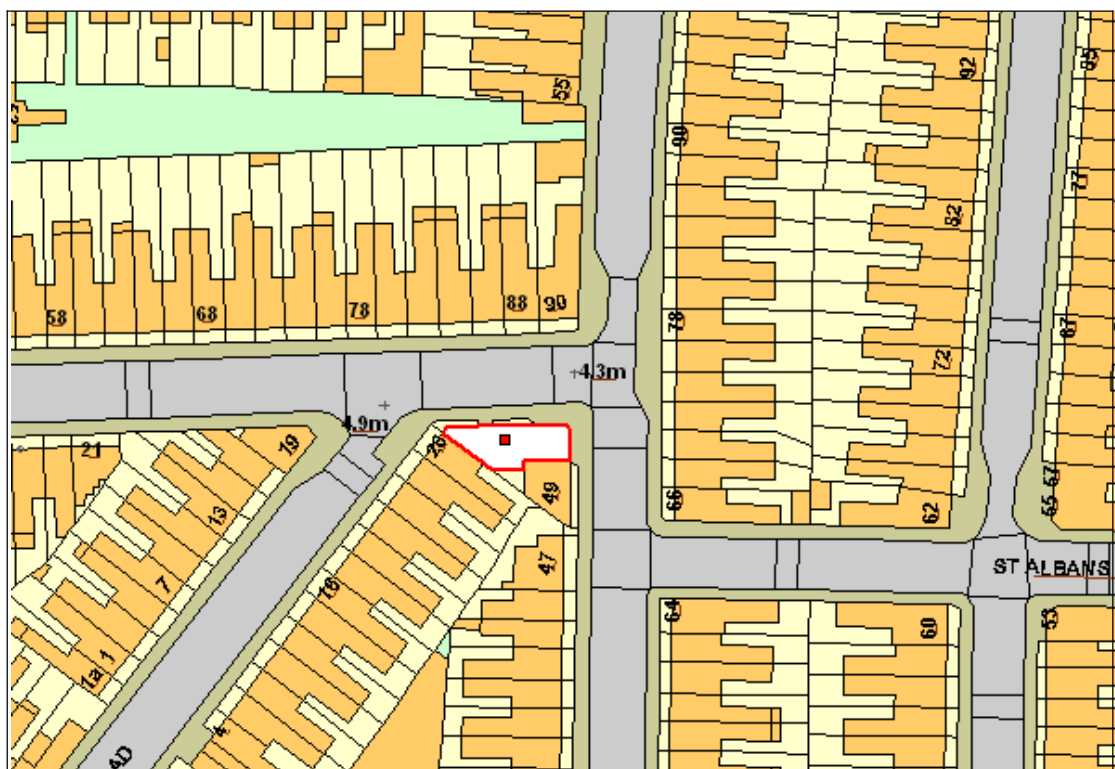
21st April 2011

Application for Review of Premises Licence

Premises Name: Rafique Food Centre
 Premises Address: 51 Derby Road
 Newtown
 Southampton
 SO14 0DY

Application Date: 9th March 2011
 Application Received Date: 9th March 2011

Application Valid Date: 9th March 2011



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Representation From Responsible Authorities

Responsible Authority	Satisfactory?	Comments
Child Protection Services - Licensing	No Response Received	

Hampshire Fire And Rescue - Licensing	Yes	
Environmental Health - Licensing	No Response Received	
Planning & Sustainability - Building Control - Licensing	No Response Received	
Planning & Sustainability - Development Control - Licensing	No Response Received	
Hampshire Constabulary - Licensing	No Response Received	
Trading Standards - Licensing	No	

Other Representations

Name	Address	Contributor Type
None		

Legal Implications

1. Part 3 of the Licensing Act 2003 provides that a responsible authority of a resident or business in the vicinity (interested party) may apply for review of a premises licence.
2. The grounds of review applications must relate to one or more of the licensing objectives.
3. In such circumstances, the applicant for the review must serve a copy of the review application on the holder of the premises licences, the City Council and each of the responsible authorities.
4. On receipt of the application for review, the officers will consider its validity, under delegated powers. Reasons for rejection, in whole or in part, include:
 - that the grounds for review are not relevant to one or more of the licensing objectives and;
 - (in the case of an application not made by a responsible authority), that the application is frivolous, vexatious or repetitious.
5. The City Council must, within one day of receiving the application for review, display a prescribed notice of the review application on the outside or adjacent the premises; the notice must remain on display for 28 days and any interested party in the vicinity

6. Unless the applicant, licence holder, interested parties and responsible authorities agree that a hearing is unnecessary, the City Council is then required to hold a hearing to consider the review.
7. The sub-committee, in considering the application for review, must have regard to the adopted Statement of Licensing Policy and evidence before it at the hearing.
8. The Licensing Act 2003 provides that, in determining an application for review, the sub-committee may take any (or none) of the following steps, as it considers necessary:
 - modify the conditions of the licence;
 - exclude a licensable activity from the scope of the licence;
 - remove the designated premises supervisor;
 - suspend the licence for a period not exceeding three months;
 - revoke the licence.
9. The Licensing Act 2003 makes provision for appeal to the Southampton Magistrates' Court against the sub-committee's decision in relation to an application for review.
10. In considering this application the sub-committee will sit in a quasi-judicial capacity and is thus obliged to consider applications in accordance with both the Licensing Act 2003 (Hearings) Regulations 2005, and amending secondary legislation and the rules of natural justice. The practical effect of this is that the sub-committee must make its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching its decision.
11. Copies of the application for review and the Police objection are annexed to this report.
12. The sub-committee must also have regard to:-
13. *Crime and Disorder Act 1998*

Section 17 of the Crime and Disorder Act 1998 places the Council under a duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.
14. *Human Rights Act 1998*

The Act requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the Council to act in a way that is incompatible (or fail to act in a way that is compatible) with the rights protected by the Act. Any action undertaken by the Council that could have an effect upon another person's Human Rights must be taken having regard to the principle of proportionality - the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the Council which affects another's rights must be no more onerous than is necessary in a democratic society. The matters set out in this report must be considered in light of the above obligations.

SOUTHAMPTON 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 Southampton City Council Trading Standards Service

(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 (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Rafiques Food Centre, 51 Derby Rd, Southampton	
Post town Southampton	Post code (if known) SO14 0DG

Name of premises licence holder or club holding club premises certificate (if known) Aftab Rafique
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Number of premises licence or club premises certificate (if known) 2005/00207/01SPRC
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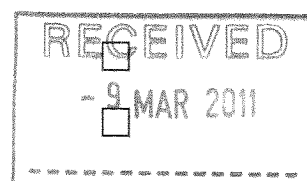
Part 2 - Applicant details

I am

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

Please tick yes



- 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 Lucas Marshall Trading Standards Service Southampton City Council Civic Centre Road Southampton SO14 7LY
Telephone number (if any) 02380 834930
E-mail address (optional) lucas.marshall@southampton.gov.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 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)

The Prevention of Crime and Disorder
The Prevention of Public Nuisance
The Protection of Children from Harm

Southampton Trading Standards Service carries out routine test purchasing exercises at off licensed premises within Southampton to ensure alcohol is not being sold to young people under the age of 18.

On 13th December 2010 a 16 year old girl acting under the instructions of an Inspector of Weights and Measures purchased alcohol from Rafiques, 51 Derby Road, Southampton.

On 21st January 2011 a 17 year old boy acting under the instructions of a Police Officer purchased alcohol from Rafiques.

It is considered that the holder of the premises licence has not fulfilled the duty under the Licensing Act 2003 to prevent crime and disorder and public nuisance, and to protect children from harm. We are therefore applying to review the licence.

In the supporting information we give more details and state the conditions we would wish to see added to the licence in order to promote the above licensing objectives.

Please provide as much information as possible to support the application

(please read guidance note 2)

On 13th December 2010 a 16 year old girl acting under the instructions of an Inspector of Weights and Measures purchased alcohol, namely 2 cans of Fosters Lager and one bottle of Zywiec beer, from Rafiques, 51 Derby Road, Southampton. I witnessed the sale. The seller was Rizwana Parveen. I asked to see the store's refusals record. She claimed that the store did not have one and that she did not write English well. She subsequently accepted an £80 Penalty Notice for Disorder.

On 22nd December 2010 PC Jonathan Harris and I met with Aftab Rafique, the premises licence holder, and advised him at length regarding appropriate precautions to take to prevent further sales of alcohol to children.

On 21st January 2011 a 17 year old boy, acting under the instructions of PC 20920 Prior, purchased alcohol, namely a bottle of Budweiser beer, at Rafiques.

On 3rd February I conducted an audio recorded interview with Aftab Rafique. Whilst he did have some systems in place to prevent under age sales, they were not being effectively implemented, perhaps due to a lack of supervision or complacency: there was a Challenge 25 policy, however the two under age sales indicate that it was not being consistently operated; there was a refusals record, however it was not routinely used by staff, or checked by Mr Rafique, prior to the sales taking place.

Trading Standards Officers are not confident that reasonable precautions are being taken at Rafiques to prevent the sale of alcohol to persons under the age of 18 and would therefore request that the following conditions are imposed on the premises licence so as to assist the licence holder and the designated premises supervisor in the effective management of the premises, and to promote the licensing objectives:

- "The holder of the premises licence shall ensure that every individual who appears to be under 25 years of age seeking to purchase or be supplied with alcohol at or from the premises shall produce means of identification acceptable to the Licensing Authority proving that individual to be 18 years of age or older. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person. Notices regarding the store's "Challenge 25" policy must be displayed"
- "All staff who sell alcohol will be trained to NCPLH (National Certificate of Personal Licence Holder) level. All sales of alcohol must be directly supervised and authorised by a Personal Licence Holder until such staff have achieved training to NCPLH level."
- "That staff are trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18; that records are kept of such training, which are signed and dated by the member of staff who has received the training; that staff receive refresher training every six months as a minimum and that records, signed and dated by the member of staff, are kept of this refresher training. Records of training will be available for inspection by Hampshire Constabulary, the Licensing Authority, Trading Standards and other Responsible Authorities on request."
- "The holder of the premises licence shall keep a written record, namely a refusals book, of those incidents where a person who a member of staff believes to be under the age of 18, and is unable to produce acceptable means of identification proving that they are of 18 years or more, attempts to purchase alcohol and is refused. The record shall include details, in English, of the date, time, a brief description, including estimated age, of the person who attempted to purchase the alcohol, the type of

alcohol and the name of the person who refused the sale. Staff shall be trained in the use of the refusals book and it should be kept in a readily accessible place known by all members of staff. The record will be regularly checked by the premises licence holder or the designated premises supervisor to ensure that all staff are completing records and, and this person will sign and date the record as evidence that they have checked it. The refusals book will be available for inspection by Hampshire Constabulary, the Licensing Authority, Trading Standards and other relevant authorities on request."

- "The holder of the premises licence must ensure that all alcohol is marked in a way that will identify its place of purchase for a period to be agreed with the police and Trading Standards which shall not be less than 3 months."

- "A CCTV system shall be installed and maintained in the licensed premises to the satisfaction of the Licensing Authority, Hampshire Constabulary and Trading Standards. As a minimum, it shall enable surveillance of both external and internal areas of the premises including entrances and exits. Recordings from the system shall be of a quality acceptable as evidence in a court of law and shall be securely retained at the licensed premises for a minimum period of 30 days after the recording, and shall be surrendered to Hampshire Constabulary, the Licensing Authority, or Trading Standards immediately on request."

- I would also ask that the licence is suspended for a period of one month, both as a deterrent and to give the Premises Licence Holder a period of time in which to put the above conditions into effect.

For information Mr Rafique has previously accepted a caution regarding sale of alcohol to an 15 child, which took place on 28th September 2006.

Please tick yes

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

If yes please state the date of that application

Day Month Year

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

N/A

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

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

Signature

.....

Date

..... 9/3/11

Capacity Trading Standards Officer

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5) Lucas Marshall Trading Standards Service Southampton City Council Civic Center Rd	
Post town Southampton	Post Code SO14 7LY
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) lucas.marshall@southampton.gov.uk	

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.
6. See separate guidance for responsible authorities’ details.


TRADING STANDARDS SERVICE WITNESS STATEMENT

C J Act 1967 S.9; MCA 1980 ss5A(3)(a) and 5B; Criminal Procedure Rules 2010 (Rule 27)

STATEMENT OF: **LUCAS MARSHALL**

AGE IF UNDER 18: **OVER 21**

This statement (consisting of 1 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 in it anything which I know to be false or do not believe to be true.

Dated the 7 day of MARCH 2011 Signature:

..... being unable to read the statement,

I,, of

..... read it to him/her before he/she signed it.

Dated the _____ day of _____ 2011 Signature:

- A My name is Lucas Marshall. I am employed by Southampton City Council as a Trading Standards Officer. On 13 December 2010 I was involved in an underage sales operation in Southampton. The volunteer who we used for the operation was called Charlotte and was 16 years old. I produce a
- B sanitised copy of her passport as Exhibit LM/1. I produce 2 photos of Charlotte as Exhibits LM/2 and LM/3. In the photos she is wearing the same clothes as she wore for the exercise. I can confirm that these photos are an accurate representation of Charlotte and have not been enhanced or amended in
- C any way. At approximately 18:30 Charlotte entered Rafiques, 51 Derby Road, Southampton. I entered shortly after and, acting as a customer, I witnessed Charlotte purchase 2 cans of Fosters lager, and one bottle of Zywiec beer from a female of Asian appearance. I took the alcohol from Charlotte, and produce
- D it as exhibit LM/4. Shortly after the sale I returned to the shop with PC Jonathan Harris. I announced myself to the female who had sold the alcohol to Charlotte and told her that she had sold alcohol to a 16 year old girl. The seller identified herself as Rizwana Parveen, date of birth 8 December 1974, address:
- E 30 Shaftesbury Avenue, Southampton. She said that she had worked at the store for 2 years. I asked to see the store's refusals book. She replied that the store does not keep one, and that she does not write much English. On 22nd December 2010 PC Jonathan Harris and I met with Aftab Rafique, the owner of
- Signature:



INVESTOR IN PEOPLE

BY: LUCAS MARSHALL

A Rafiques and the Premises Licence Holder, at the Central Police Station, Havelock Rd,
Southampton. I gave advice to Mr Rafique regarding precautions he could take to prevent
further sales of age restricted products to children. On 3rd February 2011 I interviewed Aftab
Rafique in accordance with the Police and Criminal Evidence Act 1984 and associated Codes of
B Practice. The interview was conducted in the interview room at Trading Standards Service, 7
Civic Centre Road, Southampton. I produce the CD of the interview as Exhibit LM/5.

Signature: ...

C

D

E

F

G

ST1(2)HQ



RESTRICTED (when complete)

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: PC JONATHAN HARRIS

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Police service

This statement (consisting of 1 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 in it, anything which I know to be false, or do not believe to be true.

Signature:

Date: 17/12/2010

PC JONATHAN HARRIS

Tick if witness evidence is visually recorded (supply witness details on rear)

I am PC 24288 HARRIS, employed by Hampshire constabulary and currently stationed at Southampton Central police station.

On Monday 13 December 2010, I was involved in a joint test purchase operation with Trading Standards. At around 18:30 hours, I attended RAFIQUES (off licence) at 51 DERBY ROAD. The test purchaser, who was only 16 years of age, entered the premise and was shortly followed by Lucas MARSHALL who is a Southampton City Council Trading Standards officer. Both had only been in the store for a matter of minutes when I saw the test purchaser exit, carrying a bag which contained 2 cans of FOSTERS lager and one bottle of ZYWIEC beer. MARSHALL exited just behind the test purchaser and he told me that a female of Asian ethnicity had sold the alcohol which he had witnessed.

I then entered the store with MARSHALL and we both introduced ourselves to the female cashier who was later identified as Rizwana PARVEEN 08/12/1974. She was informed that she had committed an offence contrary to S146 of the Licensing Act 2003 by selling alcohol to a person under the age of 18. I then informed PARVEEN that the way I intended on dealing with the offence was by the issuing of a penalty notice for disorder or she could opt to have the case heard at court. PARVEEN stated that she would prefer the penalty notice. Regretfully, I was not in possession of a penalty notice at the time so I agreed to meet PARVEEN at work the following day. Before leaving the address, I informed PARVEEN "I AM REPORTING YOU FOR THE OFFENCE OF SELLING ALCOHOL TO A PERSON UNDER THE AGE OF 18". I then cautioned her to which she made no reply. I returned to the same address at 13:00 hours the following day and PND 2024456 was issued.

Signed :

PC JONATHAN HARRIS

Signature witnessed by :



HAMPSHIRE CONSTABULARY

RESTRICTED – For Police and Prosecution Only

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

URN //

Statement of : Natasha Astrid PRIOR

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Constable 20920

This statement (consisting of 2 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: 27/01/2011

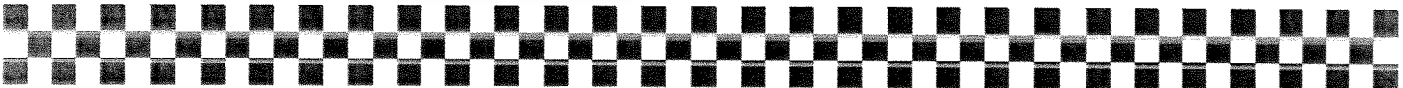
Tick if witness evidence is visually recorded [] (supply witness details on rear)

I am PC 20920 PRIOR currently serving for Hampshire Constabulary at Southampton Central Police Station.

On Friday the 21st January 2011 I was in charge of an underage sales operation in Southampton. We had two volunteers for the operation as it was covering off-licences, pubs and clubs during the evening. With regards to the off-licence the policy is that one plain clothes officers enters the store and shortly afterwards the test purchaser enters and attempts to buy alcohol, if successful in a sale the test purchaser hands the alcohol to the plain clothes officer and uniformed officers are called in to deal with the situation. The plain clothed officer explains who made the sale, hands over what was sold and then exits the premise.

At around 1915 hours Rafiques Off-Licence on Derby Road was visited and PC 3094 Melhuish was the plain clothed officer who entered the store and has provided a statement in relation to that. As the officer who issued the Penalty Notice to the seller I have also provided a statement in relation to that and PC 2193 Sullivan who was my uniformed colleague for the operation has provided a statement regarding the seizure of the alcohol brought. The male was asked questions about what training he had received and didn't give an answer despite being asked a number of times.

Signed : Natasha PRIOR Signature witnessed by :





HAMPSHIRE CONSTABULARY

RESTRICTED – For Police and Prosecution Only

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

URN //

Statement of : Natasha Astrid PRIOR

Policy with regards to the test purchasers who take part in the operation is to photograph them just before we go out on the operation. I have printed off a copy of the photo taken of test purchaser two who on the operation was used and I can exhibit that as NAP/TP2/01. The photo is an accurate representation and has not been enhanced or amended in any way and I can confirm that those are the clothes worn for that operation. I can produce a sanitised copy of ID which shows the test purchaser to be Louis, aged 17 years old, exhibit reference NAP/TP2/02.

Signed : **Natasha PRIOR**

Signature witnessed by : _____





HAMPSHIRE CONSTABULARY

RESTRICTED – For Police and Prosecution Only WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

URN //

Statement of : Natasha Astrid PRIOR

Age if under 18:	Over 18	(if over 18 insert 'over 18')	Occupation:	Police Constable 20920
------------------	---------	-------------------------------	-------------	------------------------

<p>This statement (consisting of 2 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.</p>	
Signature:	Date: 21/01/2011

Tick if witness evidence is visually recorded (supply witness details on rear)

I am PC 20920 PRIOR currently serving for Hampshire Constabulary at Southampton Central Police Station.

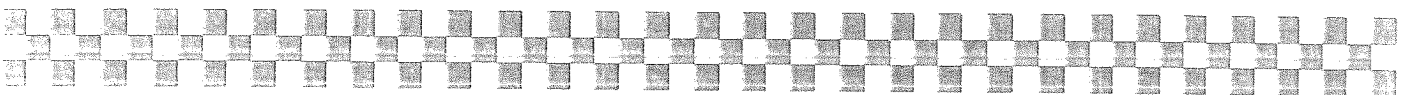
On the 21ST January 2011 I was on a uniformed duty when I attended Rafiques off licence, 51 Derby Road in Southampton. On entering the premise at around 1920 hours I approached PC 3094 MELHUISH who identified to me the shop assistant that she had seen to sell alcohol to the test purchaser who was 17 years old. She handed me the bottle of Budweiser which I passed to PC SULLIVAN to seize whilst I issued the fixed penalty notice. I approached the shop assistant who I now know to be Muhammad FERUZ (24/08/75) OF 7 Graham Road, Southampton.

I stated to this male that he had committed an offence by serving a person under the age of 18 and I cautioned him and explained that he was not under arrest and did not have to stay with me. He stated that the male he had served had been in a number of times before and had shown ID and gave a matching description of the test purchasers. I explained that the male was 17 years old and was not from the area.

I explained that I was going to issue him with a £80 penalty notice and filled out the form which has a URN of 2024166 6. I then explained that he had 21 days to pay the fine or request a court hearing as explained on

Signed : Natasha PRIOR

Signature witnessed by : _____





HAMPSHIRE CONSTABULARY

RESTRICTED – For Police and Prosecution Only

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

URN //

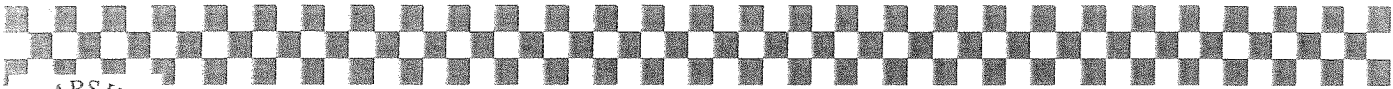
Statement of : Natasha Astrid PRIOR

the rear of the penalty notice. I then reported him for the offence of selling alcohol to a person under 18 contrary to section 146 (1) of the Licensing Act and further cautioned him. He had no reply to make in relation to this.

Signed : Natasha PRIOR

Signature witnessed by : _____





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 Sullivan

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Police Constable

This statement (consisting of 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 in it, anything which I know to be false, or do not believe to be true.

Signature: Michael Sullivan

Date: 22nd January 2011

Michael Sullivan

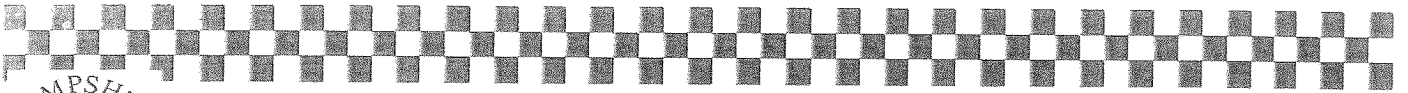
Tick if witness evidence is visually recorded (supply witness details on rear)

I am Police Constable 2193 Sullivan currently attached to the Southampton Police Licensing Unit. On Friday the 21st January 2011 I was on duty in uniform when at around 1914 hours I attended Rafiques Shop at 51 Derby Road, Southampton where I took 1 x Bottle of Budweiser Beer from PC 3094 Melhuish via PC 20920 Prior as evidence.

I can produce this as item reference MJS/R/1.

Signature:

Signature witnessed by:



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: PC 3094 Melhuish

Age if under 18: O/18 (if over 18 insert 'over 18')

Occupation: Police Officer

This statement (consisting of 1 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 in it, anything which I know to be false, or do not believe to be true.

Signature:

Date: 21st January 2011

PC 3094 Melhuish

Tick if witness evidence is visually recorded (supply witness details on rear)

On Friday 21st January I was on duty in plain clothes engaged in a test-purchase operation to supervise a male under the age of 18 attempting to purchase alcohol from licenced premises.

At 1910hrs that day I entered RAFIQUE'S OFF LICENCE in DERBY ROAD, SOUTHAMPTON. Shortly afterwards a male entered the premises. I will refer to him as TP2. I watched him select a bottle of Budweiser beer, approach the counter and purchase the beer from a male of Asian appearance. He was the only person working in the shop at that time. TP2 paid for the bottle and then handed it to me. TP2 then left the premises. At 1917hrs my uniformed colleagues, PC 2193 SULLIVAN and PC 20920 PRIOR, entered the off-licence and I handed the bottle of Budweiser to PC PRIOR. I then left the premises and had no further dealings in this matter.

Signature:

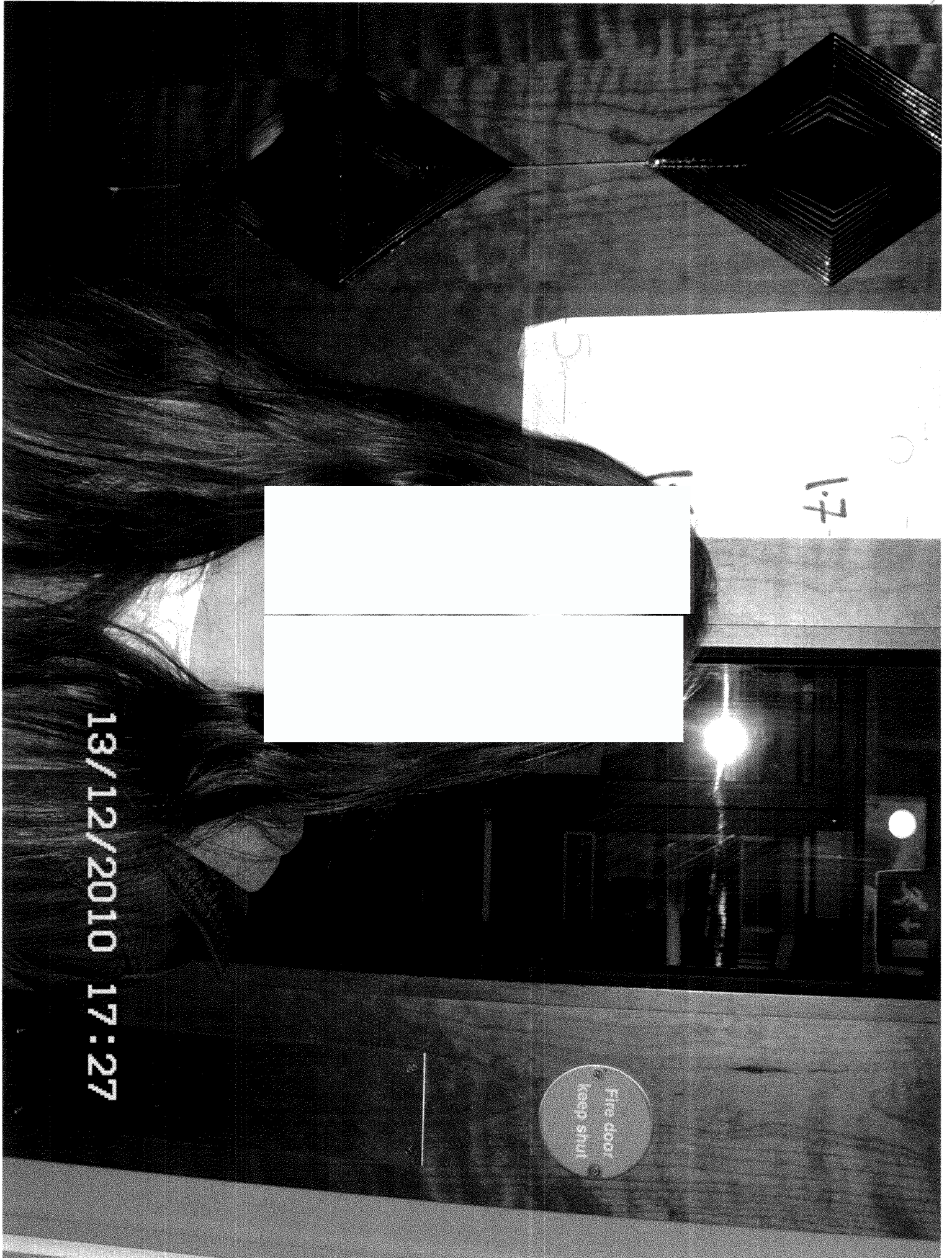
Signature witnessed by:



LM/2



LM/3



13/12/2010 17:27

Fire door
keep shut



Trading Standards Service

Incident reference

LM/4

Exhibit reference

10/02314/WAS

Description of article

2 X CANS FOSTERS

1 X B-TTLE 27WIEL BEER

Signature of person originally identifying

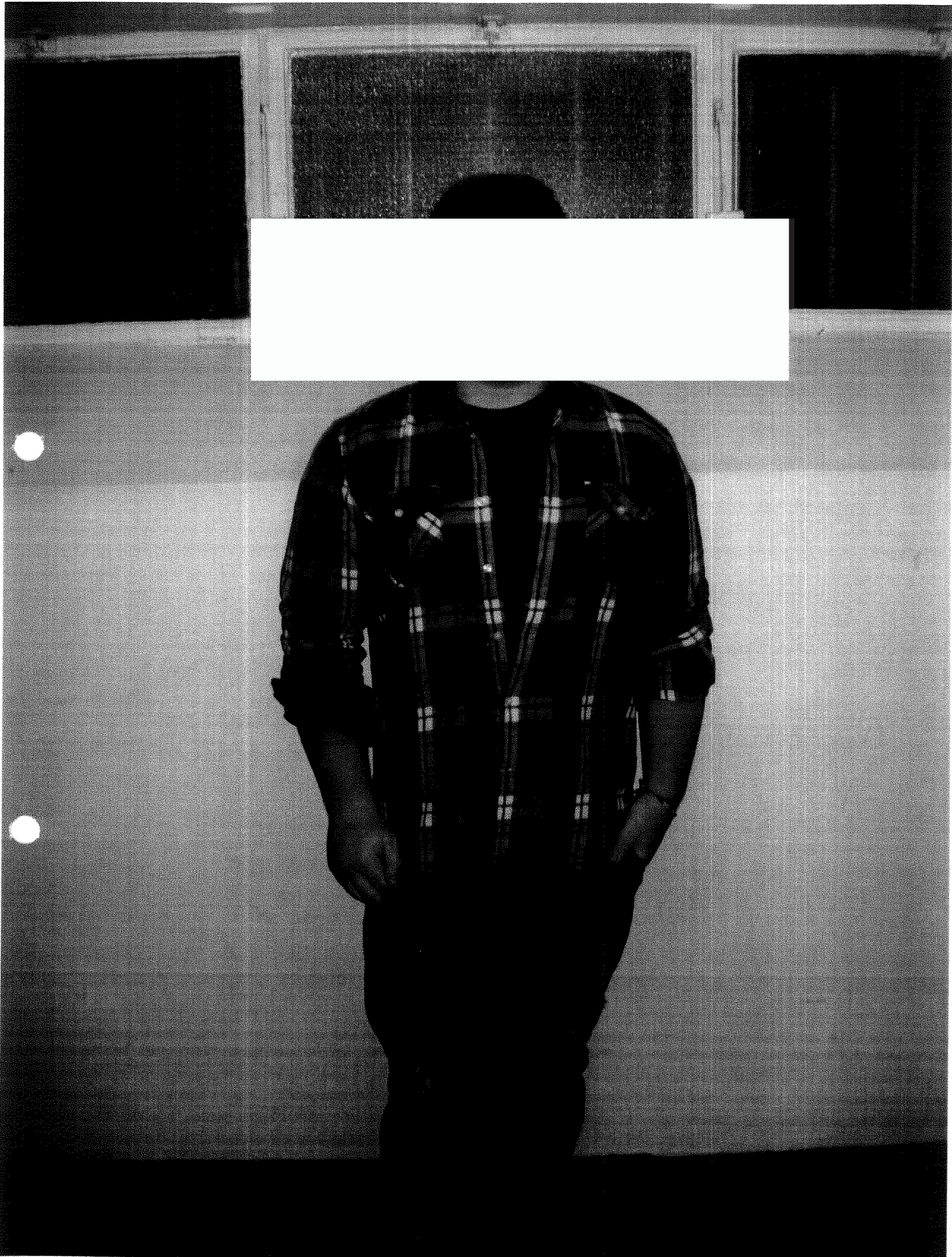
Name of person originally identifying (block letters)

LUCAS MARSHALL

EH.126 07.10.22561

30x (APR 1985)

NAP/TP 2/01



Agenda Item 7



Reference: 2011/00420/01SRAP

Hearing:

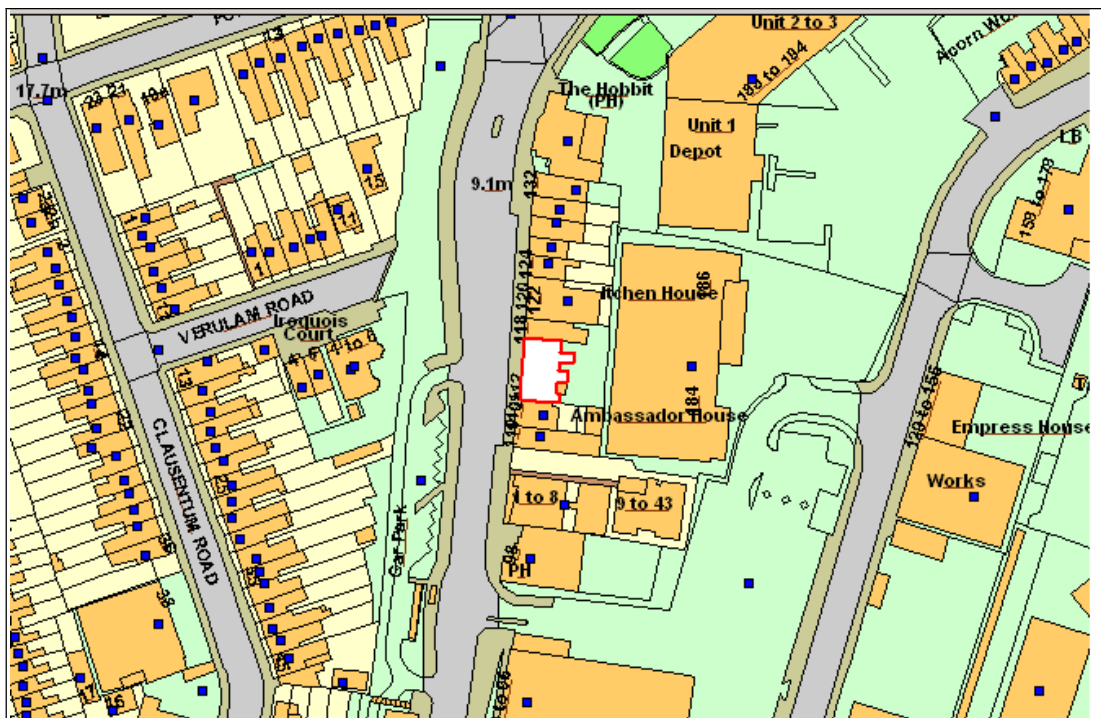
21st April 2011

Application for Review of Premises Licence

Premises Name: Clowns Wine Bar
Premises Address: 112-118 Bevois Valley Road
Bevois Valley
Southampton
SO14 0JZ

Application Date: 18th February 2011
Application Received Date: 18th February 2011

Application Valid Date: 18th February 2011



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Representation From Responsible Authorities

Responsible Authority	Satisfactory?	Comments
Child Protection Services - Licensing	No response received	
Hampshire Fire And Rescue - Licensing	Yes	
Environmental Health - Licensing	No response received	
Planning & Sustainability - Building Control - Licensing	No response received	
Planning & Sustainability - Development Control - Licensing	No response received	
Hampshire Constabulary - Licensing	No	See attached representation
Trading Standards - Licensing	Yes	

Other Representations

Name	Address	Contributor Type
None		

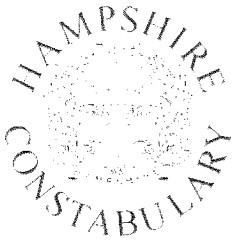
Legal Implications

1. Part 3 of the Licensing Act 2003 provides that a responsible authority of a resident or business in the vicinity (interested party) may apply for review of a premises licence.
2. The grounds of review applications must relate to one or more of the licensing objectives.
3. In such circumstances, the applicant for the review must serve a copy of the review application on the holder of the premises licences, the City Council and each of the responsible authorities.
4. On receipt of the application for review, the officers will consider its validity, under delegated powers. Reasons for rejection, in whole or in part, include:
 - that the grounds for review are not relevant to one or more of the licensing objectives and;
 - (in the case of an application not made by a responsible authority), that the application is frivolous, vexatious or repetitious.
5. The City Council must, within one day of receiving the application for review, display a prescribed notice of the review application on the outside or adjacent the premises; the notice must remain on display for 28 days and any interested party in the vicinity or the responsible authorities may make representations in that period.
6. Unless the applicant, licence holder, interested parties and responsible authorities agree that a hearing is unnecessary, the City Council is then required to hold a hearing to consider the review.
7. The sub-committee, in considering the application for review, must have regard to the adopted Statement of Licensing Policy and evidence before it at the hearing.
8. The Licensing Act 2003 provides that, in determining an application for review, the sub-committee may take any (or none) of the following steps, as it considers necessary:
 - modify the conditions of the licence;
 - exclude a licensable activity from the scope of the licence;
 - remove the designated premises supervisor;
 - suspend the licence for a period not exceeding three months;
 - revoke the licence.
9. The Licensing Act 2003 makes provision for appeal to the Southampton Magistrates' Court against the sub-committee's decision in relation to an application for review.
10. In considering this application the sub-committee will sit in a quasi-judicial capacity and is thus obliged to consider applications in accordance with both the Licensing Act 2003 (Hearings) Regulations 2005, and amending secondary legislation and the rules of natural justice. The practical effect of this is that the sub-committee must make its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching its decision.
11. Copies of the application for review and the Police objection are annexed to this report.
12. The sub-committee must also have regard to:-
13. *Crime and Disorder Act 1998*

Section 17 of the Crime and Disorder Act 1998 places the Council under a duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

14. Human Rights Act 1998

The Act requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the Council to act in a way that is incompatible (or fail to act in a way that is compatible) with the rights protected by the Act. Any action undertaken by the Council that could have an effect upon another person's Human Rights must be taken having regard to the principle of proportionality - the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the Council which affect another's rights must be no more onerous than is necessary in a democratic society. The matters set out in this report must be considered in light of the above obligations.

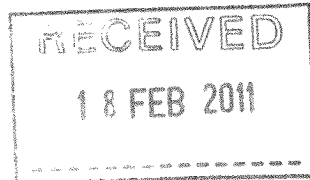


Hampshire Constabulary
Chief Constable Alex Marshall

Southampton City Council
Licensing Team
Southbrook Rise,
4-8 Millbrook Road East,
Southampton.
SO15 1YG

Southampton Central Police Station
Civic Centre
Southampton
Hampshire
SO14 7LG

Our ref:
Your ref:



15 February 2011

Dear Sir,

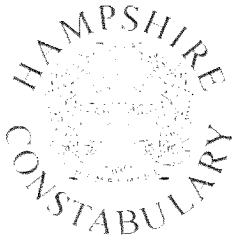
On behalf of Hampshire Constabulary, I submit the following application for Clowns Wine Bar 114-118 Bevois Valley Road, Southampton, in order to review their license.

The premise in question is situated in a cumulative impact zone in which you as a council have recognised and implemented into your policy. The cumulative impact policy was introduced by you because of the key findings and recommendations of the police's report. It identified that there were three areas in which there is a record of violent offending that is disproportionately high in terms of the city as a whole. It identified the following-

- The peak times for violence are in keeping with peak times for the night-time economy
- Each of these locations record an above average level of offences flagged as having been influenced by alcohol.
- In terms of offences where a premise is directly involved, all three locations record multiple offences.
- The overall trend with regard to these offences is either steady or upward.
- Both the Above Bar and Bedford Place/London Road areas also record a disproportionately high level of criminal damage.

Following this report, Southampton City Council took the responsible action of implementing a policy covering the three areas of concern to be used as a tool to control violent crime and alcohol related offending. As I am sure you are aware your own statement of licensing policy states that under the Licensing Act 2003 you have a duty to promote the four licensing objectives which are-

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance and



Hampshire Constabulary
Chief Constable Alex Marshall

- The protection of children from harm

Further to this, Section 17 of the Crime and Disorder Act 1998 imposes an obligation on every police authority and local authority to do all that it can to reasonable prevent –

- crime and disorder in its area including anti-social and other behaviour adversely affecting the local environment; and
- the misuse of drugs, alcohol and other substances in its area).

Therefore, I submit this application to review the licence of Clowns Wine Bar.

Yours faithfully

RC 24288 Harris

Violent Crime & Licensing Department



Application for the review of a Premises licence or Club Premises certificate under the Licensing Act 2003

Before completing this form, please refer to FPP 07001 (Licensing (Licensing Act 2003))

I PC 24288 HARRIS, on behalf of the Chief Officer of Hampshire Constabulary,
(Insert name of applicant)

- Apply for the review of a premises licence.
- Apply for the review of a club premises certificate.
(Select as applicable)

Premises or Club Premises details

Postal address of premises:	Clowns Wine bar 114-118 BEVOIS VALLEY ROAD SOUTHAMPTON HAMPSHIRE
Postcode (if known):	SO14 0JZ

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

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

Details of responsible authority applicant

Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other title / Rank: PC
Surname: HARRIS First Names: JON
Current postal address : Southampton Police station Havelock Road Southampton
Postcode: SO14 7LG
Daytime telephone number:
E-mail address: (optional)

Hampshire Constabulary is a responsible authority and the applicant has the delegated authority of the Chief Officer of Police in respect of his responsibilities under the Licensing Act 2003



Application for the review of a Premises licence or Club Premises certificate under the Licensing Act 2003

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

Select one or more boxes

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

Please state the grounds for review which must be based on one or more of the licensing objectives together with supporting information:

This review is brought by Hampshire Constabulary as a responsible authority under the Licensing Act 2003, because of a series of failures in the management, of which impact on two of the licensing objectives as highlighted above.

On the basis of the evidence outlined below, Hampshire Constabulary would wish to achieve the following:

- 1) CCTV conditions added to the licence to include:
 - (i) The premises shall have sufficient cameras located within the premises to cover all public areas including outside of the premises covering the entrance and exit. The system should be able to cope with strobe lighting and all levels of illumination throughout the premises as well as outside areas.
 - (ii)The CCTV system must be operating at all times whilst the premises are open for licensable activity.
 - (iii) All equipment shall have a constant and accurate time and date generation.
 - (iv) There shall be sufficient members of trained staff available during operating hours to be able to provide viewable copies at the request of the Police or authorised officer. Any images recovered must be in a format that can be readily taken away and viewed on any computer operating on any windows based program acceptable to the police, or DVD player. This will be without the requirement for additional software to be installed.
 - (v) Records must be made on a weekly basis and kept for inspection to show that the system is functioning correctly and that data is being securely retained.
 - (vi) CCTV warning signs to be fitted in public places.
 - (vii) Recordings to be kept for a minimum of 28 days.



**Application for the review of a
Premises licence or Club Premises certificate
under the Licensing Act 2003**

(viii) The DPS or premises manager must be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with, i.e. password protected

(ix) All systems, signage, hardware and procedures are to be installed and implemented to the reasonable satisfaction of Hampshire Constabulary.

2) Incident book and refusals condition added to the licence to include:

An incident book will be provided and maintained at the premises and there will be a daily debrief of door staff at the close of business to the reasonable satisfaction of Hampshire Constabulary. The incident book will remain on the premises at all times and will be available to police upon request. This will include a refusals log which will evidence persons refused entry to the venue and refused to be served alcohol.

3) Introduce and implement a responsible drinking policy at premises that all staff must be trained in to the satisfaction of Hampshire Constabulary.

4) The designated premise supervisor to complete level 2 National certificate for designated premise supervisor

In summary, the Police evidence to support these points is as follows:-

PC 24288 HARRIS and PS 3555 MARSHMAN held a meeting with the licensee's son and wife on 22 November 2010. The licensee owns both Clowns Wine Bar and Jesters nightclub and as premises are linked internally, I will mention both throughout this review paperwork. The son is the designated premise supervisor of Jesters, although he does appear to run both premises. The licensee states himself, he is semi retired. During the meeting a number of concerns were highlighted which included the following:-

1) There was only 1 camera covering the bar area inside Clowns

2) 2 cameras were faulty inside Jesters and did not show anything. Camera 8 which was a top view of the garden area and camera 10 which covers the long bar.

3) CCTV system could only retain recorded footage for 9 days.

4) CCTV could not be copied as the memory stick connection was faulty.

The use of a diarised incident book was also discussed and although they were in possession of one, it was not being used. The designated premise supervisor said that they had used it before, when people came round and checked, but then they had not been checked for a while so stopped using it. We explained how we would like the incident book to be used and the designated premise supervisor advised that he would get someone in to look at the CCTV system.

Following this meeting, a letter was sent addressed to both licensed premises on 3 December 2010. This letter explained that we were most concerned with the problems with the CCTV system. We stated it was an extremely important area to have a fully operational system and showed a failure in promoting the licensing objectives. We also advised we would expect our concerns to be addressed and requested an update within 14 days of receipt of the letter.



**Application for the review of a
Premises licence or Club Premises certificate
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No update was received regarding the CCTV system and on 31st December 2010, a serious incident occurred in Clowns Wine Bar. The offender, who was unprovoked, pushed a male in a group. This led to punches being thrown and the offender fell to ground knocking over a stool. He has then picked up the stool and threw it at the group, hitting a male in his forehead. This left a very deep gash in the aggrieved's forehead, which required 9 stitches and could leave him with permanent disfigurement. The offender is currently on bail, as we are waiting on a medical statement, which will confirm if this assault is the more serious of grievous bodily harm. In interview, the offender has stated that he had drunk a lot of alcohol and claimed it had affected his memory. He had drunk before he went out and then whilst inside Clowns. He states that he bought a "quadvod" in Clowns, which is a pint containing 4 shots of vodka and lemonade mixer.

On the 5th January 2011, the investigating officer for the assault requested CCTV from the designated premise supervisor for Jesters. Although the actual incident was not covered by a camera in Clowns wine bar, due to the seriousness of the assault, the crown prosecution service requested all CCTV from inside the premise, 30 minutes either side of the incident.

On the 7th January 2011, PC 24288 Harris and PC 24084 Channell attended Clowns and Jesters and spoke with the designated premise supervisor. We were advised that no amendments had been made to the CCTV system. Now that it was the New Year, they were planning to do the necessary upgrades and have someone look at the system the following Monday. PC 24288 HARRIS reminded the designated premise supervisor that all CCTV had been requested by the investigating officer, which had not been completed at the time. This was because the memory stick connection was still faulty, although he intended on taking it to a specialist shop the following day. During the visit, the incident book was also checked. It was being used, but the entry in relation to the serious assault was only 4 lines long. The designated premise supervisor was told that we would expect a much more detailed entry for a serious incident and this had previously been explained. They were also asked if they sold "quadvods" and we were advised that it was not something that they advertised and they do not sell 4 shots, but it would not stop people from buying 2 lots of double shots and then putting them in a pint glass.

On the 8th January 2010, PC 24288 HARRIS received an email from PC 3745 David King who is the Safer Neighbourhood Officer for the Bevois Valley area and investigating officer for the assault. He had attended Clowns and spoke with the designated premise supervisor who he said advised him that both hard drives at the premise were not working on New Years Eve and therefore no footage could be provided. It is apparent that the system had not been checked up until this time and because of this a potentially serious case could be lost at court.

PC 24288 HARRIS spoke with the designated premise supervisor over the telephone on 12th January 2011, in relation to the email that he had received from PC 3745 King. The designated premise supervisor advised that he was not completely without a hard drive and it would still hold footage for 8 days. He had one hard drive out of 4 running and had ordered 3 new ones to replace the faulty drives. Police were further advised that an electrician would be attending the following week to provide a quote for new cameras and



**Application for the review of a
Premises licence or Club Premises certificate
under the Licensing Act 2003**

then they would update us.

Police had not heard from the designated premise supervisor by Friday 14th January 2011 so a telephone call was made to him. As there was no reply, a call was subsequently made to the licensee. The problems with the CCTV were discussed and he advised that replacement hard drives had been ordered and cameras had been bought to cover Clowns bar and he believed his son, the designated premise supervisor had this all in hand.

The new CCTV system in Clowns Bar was also reviewed during the visit. There were 4 new cameras installed as part of a new system, as the camera that was in there previously, was linked into the same system as Jesters. Initially, the designated premise supervisor was not able to gain access to the system, as he did not remember the password. A telephone call to the person who set up the system was then made which solved this problem. Although the cameras were of good quality and provided good coverage of the bar, the designated premise supervisor had no idea how long footage could be saved for and he did not know the frames per second of recorded footage. There were no discs to copy footage so we were not able to check the quality of the playback. At the time of our visit, the system had recorded 4 days of footage which equated to 39% of the total hard drive memory. It certainly did not appear as though the system would be capable of recording 28 days of footage. The designated premise supervisor advised an electrician would be coming out the following week although he could not say which day. We were also informed at this time that there were now 4 cameras inside Jesters that were faulty and we had not been made aware of this until this time. It would seem that a relaxed approach has been adopted by management with regards to CCTV, which has been evidenced above.

Due to the failings with the premise initially updating its CCTV and the problems with the premise producing CCTV footage for a serious incident, police felt it necessary for CCTV conditions to be added to the licence of Clowns Bar. This would ensure they have a CCTV system to the satisfaction of Hampshire constabulary and ensure they are able to provide CCTV promptly. PS 3555 Marshman and PC 24288 Harris attended Clowns Bar on 24th January 2011 to discuss this. The licensee, his wife and his son were present. We discussed the concerns over the sell of "quadvods" and the licensee initially said something similar to "when we sold them". He then said it was something that was never promoted or actively sold as a "quadvod" although it did not stop students from buying two doubles and then putting them together. PS Marshman did challenge this comment and suggested as a responsible licensee, he should be challenging this type of behaviour and preventing it from happening in his venue. The licensee did accept that the perception of a "quadvod" or 4 shots of vodka is particularly poor. As previously stated, the offender of the last serious assault stated in interview that he had drunk a quadvod in Clowns.

Both the licensee and designated premise supervisor have said that they have never promoted or actively sold "quadvods", however, the drink is clearly known to be sold from Clowns / Jesters and this is reflected in the student's comments on various social network sites dating back to 2006 and most recently, January 2011. There is a user review on the website beerintheevening.com, dated 31 July 2006. In this review the user states that Clowns and Jesters is the best place to go in your fresher's year. It is described as the cheapest and most cheerful place to go and home to the legendary quadvod. The



Application for the review of a Premises licence or Club Premises certificate under the Licensing Act 2003

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

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

Signature of Officer Completing

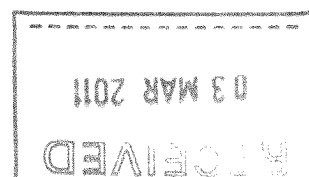
Name PC 24288 HARRIS Collar Number: 24288
Signature: Date: 15/02/11

Signature of Authorising Officer (Inspector or above)

Name DCU Asumma Collar Number: INSP 3427
Signature: Date: 15/02/11

Clowns Review – index

- JLH/01 – 1 page – Initial licensing visit to Clowns
- JLH/02 – 2 pages – Letter to Clowns
- JLH/03 – 2 pages – Occurrence summary
- JLH/04 – 1 page – David King, working sheet CCTV request
- JLH/05 – 2 pages – Further licensing visit to Clowns
- JLH/06 – 1 page – Email from David King regarding CCTV
- JLH/07 – 1 page – CCTV update, hard drive faulty
- JLH/08 – 1 page – Telephone call to licensee regarding CCTV
- JLH/09 – 1 page – Licensing visit
- JLH/10 – 1 page – email from DPS son, advising of progress with CCTV
- JLH/11 – 2 pages – Licensing visit quadvod/conditions/CCTV
- JLH/12 – 2 pages – Review of Clowns 2006
- JLH/13 – 1 page – Quadvod Facebook
- JLH/14 – 2 pages – Facebook further reference to quadvod
- JLH/15 – 1 page – Student discount 2008
- JLH/16 – 1 page – The Student Room
- JLH/17 – 1 page – Bebo profile
- JLH/18 – 1 page – Twitter
- JLH/19 – 1 page – Wessex Scene
- JLH/20 – 2 pages – Sotontab
- JLH/21 – 1 page – Facebook, banned quadvod



Working Sheet

Hampshire Constabulary

Printed: 07/02/2011 11:52 by 24288

Occurrence: **44080535768 Z Prem Licence (Management Occurrence)**

Author: #24288 HARRIS, J. Report time: 25/11/2010 15:33
 Entered by: #24288 HARRIS, J. Entered time: 25/11/2010 15:33
 Remarks: Licensing visit clowns/jesters

Today i attended Jesters/clowns with PS MARSHMAN in order to conduct a licensing visit.

Bevois Valley in general was discussed and the fact that there is a large number of drunk/vulnerable people found in the area. DPS [REDACTED] was advised that there would be more police presence in the area and that we would look to capture evidence of where the drunk people are coming from.

Door staff are taught in house and SIA registered. They are employed every night they are open. Licensing link is used and it was suggested if someone is ejected that police are contacted to consider S27 dispersal.

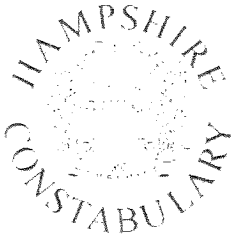
There is a diarised incident book, but [REDACTED] admitted that this is not really used as no one has been checking it. It was suggested that any incidents are recorded and in the event of no incidents that this was marked clearly and countersigned by him. A refusals tally was also suggested.

There are a number of drinks promotions on a Monday night including 50p shots & £1.50 mixers. Concerns were expressed over this and should incidents occur on a Monday, questions would be asked. [REDACTED] was advised to risk assess and consider the licensing objectives in relation to the promotions.

CCTV is old and the quality is fairly poor. There is only 1 camera in Clowns Bar and two cameras are not working in Jesters including garden (view from above) and dance floor. There is one other camera on the dance floor, but the quality is very poor and the strobe lighting clearly effected it. The camera located outside the premise was poor. The reg on a licence plate cannot even be made out. Most remaining areas inside are covered but again the quality is not great.

The CCTV system can only hold footage at present for 9 days and it was suggested that it should hold footage for a minimum of 28 days. The facility where a memory card can be inserted is also broken and although [REDACTED] stated he could provide police with a copy of cctv, this would only be after recording the footage onto his iphone. It was explained that this was not good enough.

[REDACTED] was informed of test purchasing. He stated that they operate a strict students only policy and that all persons id is checked so this should not be a problem for them.



Hampshire Constabulary
Chief Constable Alex Marshall

Clowns Wine Bar / Jesters
114 – 118 Bevois Valley Road
Southampton
Hampshire
SO14 0JZ

Southampton Central Police Station
Civic Centre
Southampton
Hampshire
SO14 7LG

Our ref:
Your ref:

02 December 2010

Dear Sir,

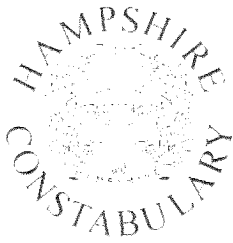
Following our meeting at Clowns Wine Bar on 22 November 2010, I would like to confirm our discussions and bring to your attention our concerns over procedures you currently operate within your business.

As a responsible licensee, you should be promoting the four licensing objectives- they are:

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

Having reviewed your CCTV system, we were most concerned that camera 8 (dance floor) and camera 12 (garden top view) were not in operation. If a serious incident was to occur in your venue in one of these areas, you would not be able to provide police with any evidence. We expect your system to be able to retain footage for a minimum of 28 days and that staff are able to produce footage to police upon request. I understand that your systems facility to copy downloaded footage is currently broken, and although you stated you could copy it to a mobile phone, this is not acceptable. Clearly, it is an extremely important area to have a fully operational system and shows a failure in promoting the licensing objectives. I understand that you will have a CCTV company in to look at your system and I would expect our concerns to be addressed.

You have a diarised incident book, but this was not being used. I explained that we expect you to record details of incidents and sign the entry at the end of each day. Even if no incidents occur, this should be marked in the book. In order to promote the licensing objectives and to demonstrate good practice, we recommend that you have a refusals tally which would show persons refused alcohol, persons underage and non students. Having discussed this with you, you advised that you would start to operate this procedure.



Hampshire Constabulary
Chief Constable Alex Marshall

We also discussed your cheap drinks promotions on a Monday night. Although you do not have reported incidents, it does concern us that you are selling full strength shots at 50p. You need to risk assess your drinks promotions and consider how these relate to the licensing objectives. If incidents were to occur on a Monday night, this would be considered a failing under the licensing objectives and we would request for your promotions to be stopped.

Hopefully we can work together regarding these issues which will highlight your commitment to supporting the four licensing objectives.

Please can you contact me within 14 days of this letter to update me regarding your CCTV system.

Yours faithfully,

PC 24288 HARRIS
Violent Crime & Licensing Department

Occurrence summary

Hampshire Constabulary

Printed: 08/02/2011 10:00 by 24288

Occurrence: 44110000775 Assault @31/12/2010 23:31

Date/Time: between.... 31/12/2010 23:25 and 31/12/2010 23:40

Clearance status: Under investigation

- Involved person(s):
- 1) [Person reporting] [REDACTED] M [REDACTED] E [REDACTED] (OCU: 5 SOUTHAMPTON, District: S CENTRAL SOUTHAMPTON, Sector: SP PORTSWOOD, Beat: 5SP02 ST DENYS)), Id #:465787
 - 2) [Aggrieved] [REDACTED] T [REDACTED] (OCU: 5 SOUTHAMPTON, District: S CENTRAL SOUTHAMPTON, Sector: SP PORTSWOOD, Beat: 5SP04 SWAYTHLING) (Mobile [REDACTED])
 - 3) [Witness] [REDACTED] X [REDACTED] (OCU: X FOREIGN FORCE, District: X FOREIGN FORCE, Sector: XX FOREIGN FORCE, Beat: XXXXX FOREIGN FORCE) (Mobile [REDACTED]), Id #:1849586
 - 4) [Witness] [REDACTED] (OCU: X FOREIGN FORCE, District: X FOREIGN FORCE, Sector: XX FOREIGN FORCE, Beat: XXXXX FOREIGN FORCE) (Mobile [REDACTED]), Id #:1849587
 - 5) [Witness] [REDACTED] (OCU: X FOREIGN FORCE, District: X FOREIGN FORCE, Sector: XX FOREIGN FORCE, Beat: XXXXX FOREIGN FORCE) (Mobile [REDACTED]), Id #:1849588
 - 6) [Witness] [REDACTED] (OCU: 5 SOUTHAMPTON, District: S CENTRAL SOUTHAMPTON, Sector: SP PORTSWOOD, Beat: 5SP03 HIGHFIELD) (Mobile [REDACTED]), Id #:1849589
 - 7) [Other] CLOWNS WINE BAR (114-118, BEVOIS VALLEY ROAD SOUTHAMPTON, HAMPSHIRE United Kingdom SO14 0JZ (CLOWNS WINE BAR) (OCU: 5 SOUTHAMPTON, District: S CENTRAL SOUTHAMPTON, Sector: SP PORTSWOOD, Beat: 5SP02 ST DENYS))
 - 8) [Arrested; Suspect] [REDACTED] (OCU: X FOREIGN FORCE, District: X FOREIGN FORCE, Sector: XX FOREIGN FORCE, Beat: XXXXX FOREIGN FORCE)), Id #:1849537, PNC Id:11/20066C
 - 9) [Witness] [REDACTED] (OCU: 5 SOUTHAMPTON, District: S CENTRAL SOUTHAMPTON, Sector: SP PORTSWOOD, Beat: 5SP02 ST DENYS) (Mobile [REDACTED]), Id #:1849591

Involved address(es): 1) [Dispatch address; Occurrence address] 114-118, BEVOIS VALLEY ROAD SOUTHAMPTON, HAMPSHIRE United Kingdom SO14 0JZ (JESTERS NIGHT CLUB) (OCU: 5 SOUTHAMPTON, District: S CENTRAL SOUTHAMPTON, Sector: SP PORTSWOOD, Beat: 5SP02 ST DENYS)

Involved vehicle(s):

- Involved officer(s):
- 1) #25396 BOWLES, B. (Assisting officer)
 - 2) #3745 KING, D. (Arresting officer; Officer in case)
 - 3) #24084 CHANNELL, H. (Interviewing officer)

4) #20370 SCAMELL, P. (Assisting officer)

Flag(s):

Summary: Suspect has approached a group of 4 males in a bar and without provocation has pushed one of the males when walking passed. Suspect has then been involved in a physical disagreement with the group of males. The suspect has then been knocked to the floor knocking over a stool in the process. The suspect has then picked up the stool throwing the stool into the group of males and causing facial injuries to one of the males in the group.

Remarks:

JLH/04.

Working Sheet

Hampshire Constabulary

Printed: 02/02/2011 15:10 by 24288

Occurrence: **44110000775 Assault @31/12/2010 23:31**

Author: #3745 KING, D.

Report time: 05/01/2011 16:55

Entered by: #3745 KING, D.

Entered time: 05/01/2011 16:55

Remarks: CCTV requested

CCTV requested from [REDACTED], landlord of CLOWNS 30 minutes either side of incident.

PC3745 David KING

Working Sheet

Hampshire Constabulary

Printed: 07/02/2011 11:52 by 24288

Occurrence: **44080535768 Z Prem Licence (Management Occurrence)**

Author: #24288 HARRIS, J.

Report time: 08/01/2011 02:13

Entered by: #24288 HARRIS, J.

Entered time: 08/01/2011 02:13

Remarks: Licensing visit

Tonight i attended Clowns with PC CHANNELL and we spoke with DPS [REDACTED]

[REDACTED] was asked about his CCTV and what actions had been taken to improve it since our last meeting. At this time, nothing has been done to improve the system. [REDACTED] stated that they could not afford to pay for it last year, but as it is the start of the term, he intended on having the issues looked at on Monday. I raised the issue with the hard drive again as at present it only holds footage for 14 days. I informed him we would like 28 days. He will look into a new hard drive.

The memory stick connection is still faulty and [REDACTED] said he has not been able to produce the footage for the most recent GBH. Not that the incident was covered, as there is no camera in the area where it occurred, but any CCTV of the offender being at the premise has been requested by the OIC. I was not aware on the last occasion we visited, but the bar goes around the far side to where our meeting was held and this is where the assault occurred. I informed [REDACTED] that there needs to be coverage of this area. The system that they have will only allow 16 cameras which they have and [REDACTED] advised that if another camera was put in place in Clowns Bar, they would have to loose one from downstairs. [REDACTED] was told that we would not want any less coverage, but i suggested that perhaps as there were two cameras in the garden, a wide angle lens could be put on it and the other camera placed in the bar. He suggested the use of a diy camera kit and i said this would not be acceptable. [REDACTED] will now contact a CCTV engineer asap to discuss options and update me by the end of next week 14/01/10.

An incident book has been introduced and is being used. There were entries for last year and most were adequate. For the GBH that occurred on 31/12/10 i would expect more detail as there were only around 4 lines. [REDACTED] was told that we would expect much more detail when its a serious incident or when door staff have got hands on and forcibly removed someone from the venue. It was not being signed off and i have reiterated that this should be done.

[REDACTED] was asked about the selling of "quad-vods" as the d/p for the GBH stated he had brought one at Clowns bar as well as pre loading on alcohol before going out. He said that they do not advertise it and do not sell 4 shots. He explained that some people might by two lots of two shots and then put them into a pint

glass. I have asked that he speaks with all his bar staff about "quad vods" shots and ensure they are not selling.

██████ has been passed a contact card and he has advised he will contact me by next Friday with an update on the CCTV. I have warned him that we would expect the issues to be addressed or we may look to have conditions added to his licence by way of a review.

Working Sheet

Hampshire Constabulary

Printed: 07/02/2011 11:52 by 24288

Occurrence: **44080535768 Z Prem Licence (Management Occurrence)**

Author: #24288 HARRIS, J. Report time: 08/01/2011 18:35
Entered by: #24288 HARRIS, J. Entered time: 08/01/2011 18:35
Remarks: Email rcvd from Beat officer David King

Having only spoken with DPS [REDACTED] yesterday reagrding his CCTV issues, i was told that he had not been able to download footage in relation to the GBH that occurred on 31/12/10. He was intending on taking the unit to an engineer local who said he could fix it. However, in coming in today, i have received the following email from the local beat officer (David King) who is investigating the matter:

John

I have just been to CLOWNS and [REDACTED] has informed me that both hard drives at the club were not working on New Years Eve. In short they had no CCTV running that night!

The [REDACTED] family need to sort this out immediately. I can't believe they are operating with no CCTV.

Le me know what happens on this front. I don't feel they should be running such an operation without CCTV and as you said it will compromise their license.

For your information.

David

PC 3745 David KING
SP SNT Beat 2
Portswood Police Station
15-17 St Denys Road
Southampton SO17 2GN
Int: 721282, Tel: 0845 045 45 45

I have telephoned [REDACTED] to ask what has happened since last night, but in light of this it does suggest that he did not try to look at any footage until last night.

JUL/07

Working Sheet

Hampshire Constabulary

Printed: 07/02/2011 11:52 by 24288

Occurrence: **44080535768 Z Prem Licence (Management Occurrence)**

Author: #24288 HARRIS, J.

Report time: 12/01/2011 13:42

Entered by: #24288 HARRIS, J.

Entered time: 12/01/2011 13:42

Remarks: Update over CCTV from [REDACTED]

I have spoken to [REDACTED] and he states that they are not completely without a hard drive and footage is still being recorded but only 1 of the four hard drives are working. He has ordered three new ones and will have them replaced shortly. He will then be back up to 30 days. ~~*****~~

He is having an electrician in this week to provide a quote for the new cameras / moving them and he will update me by the end of the week.

JLH/08

Working Sheet

Hampshire Constabulary

Printed: 07/02/2011 11:52 by 24288

Occurrence: **44080535768 Z Prem Licence (Management Occurrence)**

Author: #24288 HARRIS, J.

Report time: 17/01/2011 12:07

Entered by: #24288 HARRIS, J.

Entered time: 17/01/2011 12:07

Remarks: CCTV update

Call made to [REDACTED] as i had not heard from him on Friday 14/01/11 regarding the update on his CCTV.

No answer so message left. I then called father [REDACTED] and discussed the CCTV. He said the hard drives have been ordered and cameras have been brought to cover the main bar. He believed his son [REDACTED] was in process of sorting everything out.

JLH/09.

Working Sheet

Hampshire Constabulary

Printed: 07/02/2011 11:52 by 24288

Occurrence: **44080535768 Z Prem Licence (Management Occurrence)**

Author: #24288 HARRIS, J.

Report time: 20/01/2011 11:08

Entered by: #24288 HARRIS, J.

Entered time: 20/01/2011 11:08

Remarks: Visit to premise on 18/01/11

I attended Clowns on 18th Jan to conduct a licensing visit, but found only 3 customers on the premise at 0005 hours. I spoke with manager [REDACTED] who advised they had only had a few customers drift in throughout the evening. Jesters was not even going to be opening. As it was so quiet, there was no point in conducting the licensing visit.

JLH/10.

Working Sheet

Hampshire Constabulary

Printed: 07/02/2011 11:52 by 24288

Occurrence: **44080535768 Z Prem Licence (Management Occurrence)**

Author: #24288 HARRIS, J.

Report time: 21/01/2011 11:26

Entered by: #24288 HARRIS, J.

Entered time: 21/01/2011 11:26

Remarks: Email rcvd from [REDACTED] regarding CCTV

APA.

I am writing to inform you on Jesters' progress with the CCTV so far....

Clowns now has 4 cameras set up and recording at a cost of £450.

I've had a quote to fix/install/move the cameras in Jesters. This has come in at a further £400 and we have got the work booked in for the week after next, 1st Feb.

The hard drives that needed replacing in the CCTV control box for Jesters have been ordered and will be fitted as soon as they arrive. Hopefully over the next couple of days. In the mean time we can still hold approx 8 days of footage (24 hours a day).

Hopefully this will all be to your satisfaction. I will email you as soon as it's all completed so you can take a look. Clown's is ready to view anytime from now.

Kind regards

[REDACTED]
Jesters Nightclub

JLH/11
2 pages

Working Sheet

Hampshire Constabulary

Printed: 07/02/2011 11:52 by 24288

Occurrence: **44080535768 Z Prem Licence (Management Occurrence)**

Author: #24288 HARRIS, J.

Report time: 26/01/2011 09:05

Entered by: #24288 HARRIS, J.

Entered time: 26/01/2011 09:05

Remarks: Licensing visit Monday 24/01/11

PS MARSHMAN and i attended the premise at 1100 and met with both [REDACTED] and [REDACTED] to discuss them having conditions added to their licence regarding CCTV and incident book.

The following matters were first discussed:

Quadvod [REDACTED] first of all said something similar to "when we sold them" and then said that it was something that was never promoted or actively sold as a "quadvod". However, he said it does not stop students from buying two doubles and then putting them together. PS MARSHAN challenged him on this comment and suggested that as a responsible licensee he could be saying to people that he does not want this going on in his venue. [REDACTED] also stated that the shots are only 25cl and not 35cl like they are in the centre of town. His son [REDACTED] also commented that 4 shots is no stronger than 1 pint of lager. [REDACTED] did take on board that the perception of a quadvod is bad.

CCTV - An additional CCTV system has been installed in Clowns. There are now 4 cameras providing good coverage and the cameras appear to provide good pictures. However, camera 1 needs adjusting, as from viewing recorded footage it had dropped and because of this, its coverage has subsequently been reduced at this time. This camera now covers the area where the assault that took place on 31/12/10. Further, [REDACTED] was initially unable to gain access to the system as he could not remember the password. He also did not know how long the system would be capable of recording footage for or what frames per second it recorded at. From searching the system he did find some data that suggested it was 25 frames per second, but this is to be confirmed when recorded footage is available. He did not have any discs to be able to record footage at the time.

At the moment 4 days of recording has taken up 39% of the total hard drive memory. It certainly would not appear to cover anywhere near to 28 days, but this may be because the motion sensors were not working. [REDACTED] has advised that he has spoken to his electrician and he will be coming out next week although he could not say which day. He will also be looking at 2 more cameras in Jesters as 4 cameras are now out in total. We have asked that he confirms all of the above when we visit next week.

[REDACTED] was asked if he would consider having conditions added to his licence for CCTV, but outright refused. He stated that he has never had conditions on his licence, he has always tried to work with police and the CCTV work we requested has now been completed so why would conditions need to be added.

Printed by: 24288 Date: 07/02/2011 11:52 Computer: SC150 Page 1 of 9

We explained that despite our visit last November, no amendments were made to the CCTV system. They then had the serious assault in December and no CCTV was available. There was then a break down in communication, the beat officer was being told that he would get CCTV footage from inside the premise from the night the incident occurred, he was then told that there was no footage as the hard drives had gone down and when i contacted [REDACTED] was told that 3 out of 4 hard drives was down so only 8 days of footage was being recorded.

[REDACTED] would not agree to conditions and even suggested he would go through the courts to prevent it. He also had an issue with an Inspector Taylor who he had dealings with 15 years ago and said he tried to do the same to them back then with his regime. [REDACTED] added that once we leave licensing there would be nothing stopping a new regime from putting more things on his licence. We added that this cannot be done without evidence and good reason.

[REDACTED] is aware that we will be taking his licence to review as we would like conditions added to his licence. I have also sent an email to PC Dave King from SP asking him to detail what he was advised about the CCTV.

JLH/12.
2 pages.**CLOWNS, SOUTHAMPTON**[back to pub details](#)**USER REVIEWS OF CLOWNS, SOUTHAMPTON**

please note - reviews on this site are purely the opinion of site visitors, so don't take them too seriously.

OK... This is THE BEST place to go in your fresher's year. I would just like to make everyone clear - the pub up above is called Clowns and the nightclub underneath is Jesters. Hence why it's called Clowns and Jesters!! Yes the dancefloor may be tiny; yes if you wear baggy trousers they will soak up much of the piss/ sick/ booze that forms a lovely layer on the floor; but for a fresher - it is the cheapest and most cheerful place to go. Monday nights atm are student nights and home to the legendary quad-vod (and will virtually guarantee getting laid), wednesdays are AU night, but anytime, you will enjoy it at Jesters. Prices not on a student night are still good; i.e. a dbl spirit n mixer for 2 pounds, or i think a beer for 2pounds also. Every trip to jesters will leave you smiling. Highly advisable to pay a visit to Ali's kebab and burger van when you get back to Wessex Lane though.

Report this for removal

[REDACTED] 1 Jul 2006 03:37

Do they still sell Juicy lucys! 4 quid and green with enough booze to kill a donkey. fond memories .

Report this for removal

[REDACTED] 29 Mar 2006 21:46

What a great place. Before you die, everyone should experience the joy of a jug of Juicy Lucy down Clowns on a Friday afternoon. Ahhhhh, the best days of my life....

Report this for removal

[REDACTED] 25 Sep 2005 22:15

you can tell him from me, i would love it, love it if this closed down

Report this for removal

[REDACTED] 24 Feb 2005 14:31

Simply awesome!!

Report this for removal

[REDACTED] 1 Feb 2005 21:03

First went here when I was a student in '95. My graffiti has finally gone. Still had the pool table when I went there last year. Preparing the Juicy Lucy for this weekend's Fireworks bash - that's a point, does anyone know what's in Juicy Lucy?

Report this for removal

[REDACTED] 3 Nov 2004 16:48

This place kicks ass but always say it is rubbish coz then it will never be too busy to buy drinks. 2 quid for quods and mixer 1-7 fridays dogs nuts

Report this for removal

[REDACTED] 9 Sep 2004 15:24

I worked in this establishment for 8 years and love the place, the booze and the birds are cheap.... Nuff said lads?

Report this for removal

[REDACTED] 4 Aug 2004 01:42

Clowns rocks, literally. I worked there for eight years, so am pretty clued up with the place. Juicy Lucy is its host drink, a potent green cocktail. Lots of cheap Booze, cheap thrills, cheap laughs, and cheap girls. for a hell of a night out, guaranteed laugh, and maybe something else.....

Report this for removal

[REDACTED] 4 Aug 2004 01:36

friday 1-7! carnage. £2 Quad Vod, Nuff said

Report this for removal

[REDACTED] 28 Mar 2004 23:39

This place has been going for years. It is truly terrible but in the same breath one of the best student venues in the country! Its tiny and very dated but such good fun. Let loose, wear clothes you don't care about and drink (lots) - your sure to have a good night! Not for those with a stiff upper lip!

Report this for removal

[REDACTED] 5 Mar 2004 18:36

I love it! Notorious for quad vods, Juicy Lucy's, vomiting students and really bad toilet facilities especially in Jesters. But it's packed on Mondays, Wednesdays (with sports teams singing rude songs, playing drinking games and giving each other abuse!) and Fridays (happy hour 1-7pm). Free to hire on Tuesdays and Thursdays.

Report this for removal

[REDACTED] 3 Mar 2004 22:25

simply THE place to be on a Monday or Friday if you're a student. The lack of mood-lighting or leather sofas will be forgotten as soon as you realise how cheap the drinks are, and how many of your mates are there too. Oh, and on a Monday be sure to visit the sister nightclub Jester's nextdoor. At 50p a pint, it would be rude not to.

Report this for removal

[REDACTED] 4 Oct 2003 23:51

Should be one of the most legendary student places in the country let alone Southampton. Friday afternoons are fairly rammed, so it can get a little warm. Don't wear shoes that you value, don't expect to leave sober. Do expect to

really rammed, so it can get a little warm. Don't wear shoes that you value, don't expect to leave sober. Do expect to go to Jesters "nightclub" next door/underground, do try Juicy Lucy's and Quad vods. A must visit place if only to say you've been
Report this for removal

[REDACTED] 23 Jul 2003 11:44

Home of the legendary happy hour 'quad vod' for £2.00 and generally packed to the rafters with pissed students. Don't go there if you want to sit down or value your personal health and cleanliness.
Report this for removal

[REDACTED] - 3 Apr 2003 13:14

Restaurant Coupons

Amazing Daily Deals. Get 90% off at Local Restaurants. Sign Up Now!
kgbdeals.co.uk

-70%...Restaurant Coupons

... Sushi, Steaks, Salad, Pasta ... Derby's best Restaurants: -70%
www.GROUPON.co.uk/Restaurant_Coupon

Wetherspoons

Get this weeks free Wetherspoons Voucher now, and save on the bill.
www.VoucherCodes.co.uk/Wetherspoons

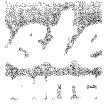
Ads by Google

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JLH/13.



Facebook helps you connect and share with the people in your life.



Quad vod

Discussion Board

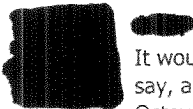
Topic:

Displaying all 7 posts.



Could u get a jug's worth of Quad vod..... and what would it be like?

Discuss



It would, by definition, have 4 shots of vodka and then probably be more diluted than say, a pint's worth of quad vod. If you're getting a jug, probably best opt for the Octovod...



No you are wrong! A jug of quad vod consists of 4 quad vods therefore 16 shots of vodka and tastes the same as normal quad vod if you mix it. £10 on a monday night if you can get a jug.



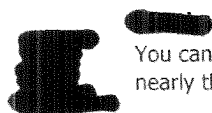
although i those jugs hold 4.5 pints if you fill them up nice and high, better go for 18 shots just to be safe.



I stand corrected. I'll have an octakaidecaquadvod please!



Thats what im talking about... OHHHH YEAH



You can get mixer jugs, we've done it. A jug of vodka orange contains 16 shots and nearly three cartons of orange. All for a £10 note!

JLH/14
2 pages



Facebook helps you connect and share with the people in your life.

Where is best to go out in Southampton?

Discussion Board

Topic:

Displaying all 2 posts.



The CUBE on SUSU is cheap and easy
Jesters is simply cheap and a great place to sway with the dance floor crowd
ECS people tend to like the hobbit for it's random drinks and massive beer garden.



Monday :- Jesters (Bevious Valley, get U6 to traffic lights past tescos turn off or U1 and get off at Blockbuster and walk down road). Its not advertised, but its the door beside its attached bar - Clowns. Jesters is student night, free before 9:30 (typically) then goes up in price to about £4. Drinks: £3 a bottle of wine, 50p per shot / snakebite / pint. £2 for quad-vod and mixer. Beginning of the year its very buzy so advise getting a guest list (entry before 9:30) - number is [redacted]. Make sure you get a jesters card on your first visit and put a photo on it and keep it, it ensures cheaper entry in future!

Tuesday :- Cant help you here, perhaps someone else could fill in the blanks!

Wed :- Jesters again! They took on AU nights from the Uni due to licencing issues. Be prepared for nakedness etc thought!

Thurs:- Being a crinkly 4th year its been a while since i ventured out! Someone else post here!

Fri :- Kinki - At the Uni CUBE, good night, especially for first years

Sat :- Fat Poppa's - CUBE - good night for a less chessy night.

Sun :- Snakebite Sunday - Walkabout - below bar. Get the U1 down, past the station, past asdas then get off. Its 'below bar' which means its below the big gate thing in the middle of town! Keep walking. Its opposite For Your Eyes Only for those of you that want to make a detour!

Other good nights out / pubs:

Gordon Arms: Voted best local. Friendly and always full of students. Free pub quiz on Mondays.

Hobbit :- Open till late most nights (past 2pm) Often has live music, bit of an alternative pub and can look daunting, but most of the people are friendly (they are all however covered head to foot in tatoos and piercings!)

Ikon :- Student night on Wednesdays i think. There will be alot of Solent Uni people

there, alot of 'friendly' rivalry with them. Can be a good night out, expensive though. Advise to avoid at weekends as full of locals!

Jumping Jaks :- Only been there a few times but always had a good night. Its in the lesuire world complex with the cinema

Crown :- Near Uni - behind the physics building ish (on Highfield Lane). Does great food!

Reflex :- 80's club... need i say more! Tues / Fridays i think are good nights.. Tues are getting pretty quiet now though

Sobar:- This year seems under rated, its only problem is it sometimes plays the music too loud for the sort of pub it is! Big outside area, good choice of drinks with £2 pints Mon-Thurs. Nice place with pool table. Recommended! (Sit outside if the music too loud! god i sound old!)

Good Pub Crawl Routes:

Starting at uni:

Stags -> Crown -> Highfield -> Mitre -> Terminal -> Gordon Arms -> Clowns -> Sobar -> Jesters

Ending at Uni:

Sobar -> Clowns -> Hobbit -> Gordon Arms -> Terminal -> Mitre -> Cinos* -> Stags -> Cube

Other places to try:

Rhinos: Bedford Place - Not too bad, quite small and sweaty though, R&B downstairs, dance / cheese upstairs.

Flares - London Road: If you fancy pulling a 40 year old this is the place to be!

Cowheards - The Avenue: Common place to meet your parents, do reasonable food and drinks

Flemming Arms (for those in Wessex Lane) - Another good place to take the parents. Good food.

Things to Avoid / Look out for:

Upper end of Wessex Lane / Flowers Estate: Watch out at night as 'gangs' can form who are particually anti-student. Its rare but does happen.

Drink Spiking: It can happen anywhere, even sadly in Jesters. Again fairly rare, but its not worth the risk. DO NOT travel home alone / get a taxi if you have too. Its not common but again it does happen, and not just to women. A friend of mine was mugged after being drugged.

Ikon - Weekends, can be a bit rough, try not to advertise you are students / stay out of trouble!

Summary:

There are alot of good places in southampton to try. Just make sure you dont travel alone and dont get sooo drunk that you dont know what you are doing. If you notice a friend behaving weirdly, make sure you keep your eye on them and dont let them go home with a stranger regardless of what they say.

JLH/IS



Official Southampton Student Discount Information is on Facebook

http://www.facebook.com/group.php?gid=94779670284



Official Southampton Student Discount Information

Info

Basic Info

Official Southampton Student Discount Information

Join this group to be kept up to date with latest discounts in Southampton. Nightlife, Food & Retail...

Here are some goodies...

TOP 9 STUDENT DISCOUNTS IN SOUTHAMPTON

- 1. For a start, Jesters on a Monday is 50p a pint, £2.50 a quad vod, Entrance is £4 - they are mental nights.. <http://tinyurl.com/3qcmk6>.
- 2. Odeon Cinemas will give you a good 10% discount if you show your student card.
- 3. There is a freshers guide that is given out on concourse at the start of the year - this contains LOADS...

Open: All content is public.

Contact Details

Southampton, United Kingdom

More results...

Join this group to be kept up to date with latest discounts in Southampton. Nightlife, Food & Retail...

Here are some goodies...

TOP 9 STUDENT DISCOUNTS IN SOUTHAMPTON

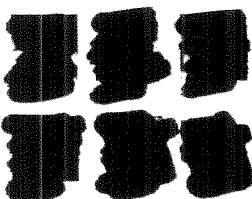
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Open: All content is public.

Admins



Members



Pages

JLH/16



Re: Going clubbing but completely sober? Help!

The only time I've tried to go clubbing sober, after 15 minutes, I whipped out a tenner, 10 shots later I was the same as my friends.



17-10-2009: 17th October 2009 19:28

#11

[Redacted]
Respected Member

Join Date: May 2009
Posts: 217

Re: Going clubbing but completely sober? Help!

I doubt the experience will be pleasant really. Slightly drunk though, you should be fine.



17-10-2009: 17th October 2009 19:34

#12

[Redacted]
Adored and Respected Member

Join Date: Sep 2006
Posts: 492

Re: Going clubbing but completely sober? Help!

clubbing sober is like jacking off with no penis. no matter how hard you try you will never have fun.



17-10-2009: 17th October 2009 19:57

#13

[Redacted]
Overlord in Training

Join Date: Oct 2008
Posts: 2,958

Re: Going clubbing but completely sober? Help!

Originally Posted by dffjr
Are you implying that you would enjoy clubbing more if you're hyper than if you were sober? Why would that be the case? I don't imagine clubbing being any better if I just drank a couple of cups of coffee beforehand.

God, that would be awful. You would have your hyperanxious caffinated mind running in circles overanalysing your every move, your inhibitions would be as high as ever, the caffiene would intensify the sharp treble from the music instead of dulling it, you would get dehydrated really fast, you would be less relaxed, it would generally be crap.



17-10-2009: 17th October 2009 20:00

#14

[Redacted]
TSR Hall

Join Date: May 2008
Location: Uk
Posts: 9,430

Re: Going clubbing but completely sober? Help!

tipsy instead of drunk then.....



17-10-2009: 17th October 2009 20:00

#15

[Redacted]
Exalted and Worshipped Member

Join Date: Apr 2009
Posts: 945

Re: Going clubbing but completely sober? Help!

Originally Posted by CurlyBen
Nothing wrong with going clubbing sober, unless it's Jesters! (ask anyone at Southampton!) It's generally not quite as eventful, but as long as everyone isn't sat down being sensible it tends to be good fun. And even if you don't get quite as much out of the night, the next morning is much nicer!

I've been to Jesters sober, bad times were had. I've also been and downed 2 quad vods in a row, bad times were had for 10 minutes then I had an awesome night.



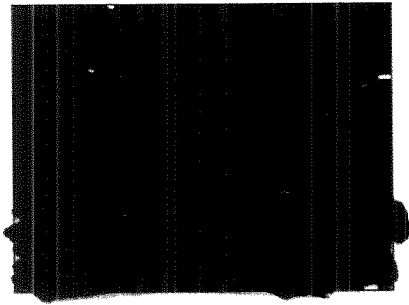
17-10-2009: 17th October 2009 20:01

#16

[Redacted]
Peer Of The TSR Realm

Join Date: Sep 2006
Location: Manchester
Posts: 1,892

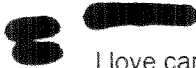
JLH/17



Me, Myself, and I

I have just finished my first yr in Southampton, what an awesome yr despite the fact I now have no voice and being sick has become a daily occurrence. What have I learnt - JESTERS is amazing, quad vods are cheap and rose is a killer!! Nxt yr I aim not to block any sinks, destroy anything and get loads of love woop woop x x x x

The Other Half Of Me



I love carrying u home!!

Female, 25
from UK

Profile views: 675
Last active: Dec 29
www.bebo.com [REDACTED]



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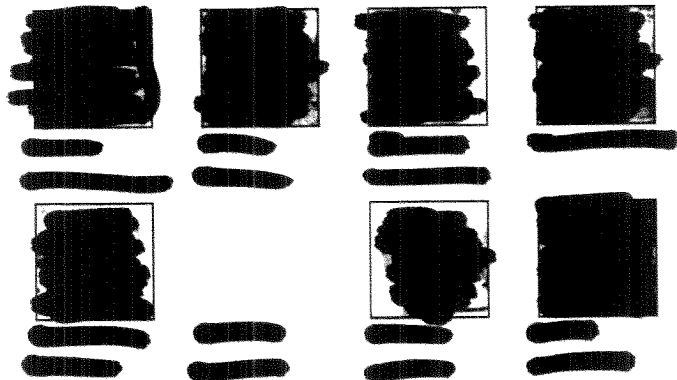
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16 of



JLH/18

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No more quadvods at Sobar and possibly Jesters? Maybe that'll keep some of the twats away. Maybe they'll just buy two doubles. [5:57 AM Jan 5th](#) via [TweetDeck](#)



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JLH/19
↓ pages

Sobar Stops Selling Quadvods

5 January 2011 12:44 am

111 Comments

12 [Share](#)

Portswood's student club Sobar no longer sells quadvods of any sort. According to a barman at the venue, the alcoholic drink of four vodka shots and a mixer of choice has been banned from their venue after they have been prevented from selling the drink at future club nights by local authorities.



Students are also banned from buying two doubles and asking for a pint glass. The unnamed barman claimed, 'the police will come down hard on us if we continue doing it'. The barman soon added, 'make sure you moan loudly when you walk past the bouncers on the way out'. It is unknown whether Jesters is also set to become victim to the clamp on quadvods as the venue was closed tonight. One student who regularly attends Sobar said, 'This is a travesty, an absolute f****g joke. Why now? I only have 6 months of Uni left'.

The Scene will update this article once it is known whether Jesters will also be affected by the clamp down on the sale of quadvods.

Like 1,190 people like this.

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- The Politics of Christmas Cards
- Union Council discusses lots, decides little



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- Explosion in Eastleigh
- 'Voldemort' Found In Southampton

111 Comments »

Type your comment here

Name Email (will not be shared)

Notify me of followup comments via e-mail

- [Redacted comment]
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JLH/20

Groupon

SHOES

-70%

Here



Students OUTRAGED after Local Council BANS QUADVODS from being sold in Sobar

5 January 2011 02:07 pm

2 Comments

4

Students OUTRAGED after Local Council BANS QUADVODS from being sold in S..

The Wessex Scene reported last night that our beloved student club, Sobar, has been banned by local authorities from selling quadvods, the standard drink of choice in Sobar and Jesters.

This move is no doubt one by the local council to cut down on students drinking and ruin our fun. Apparently it has also been because of the number of fights occurring.

There is already a **Facebook group** set up with over 1000 members mourning the loss.

One student commented, "Quodvods are the pinnacle of our student society – it's an absolute travesty they've been banned."



Sobar has even stopped students asking for two doubles and a pint glass.

Another said, "We have to fight these authorities – they think it'll stop us getting more drunk. Nope – it'll just make us queue longer. Thanks A LOT."

Reports are suggesting that Jesters is safe – and the quadvods are there to stay for the time being.

4 likes. [Click here](#) to see what your friends like.

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Agenda Item 8



Reference: 2011/00632/01SRAP

Hearing:

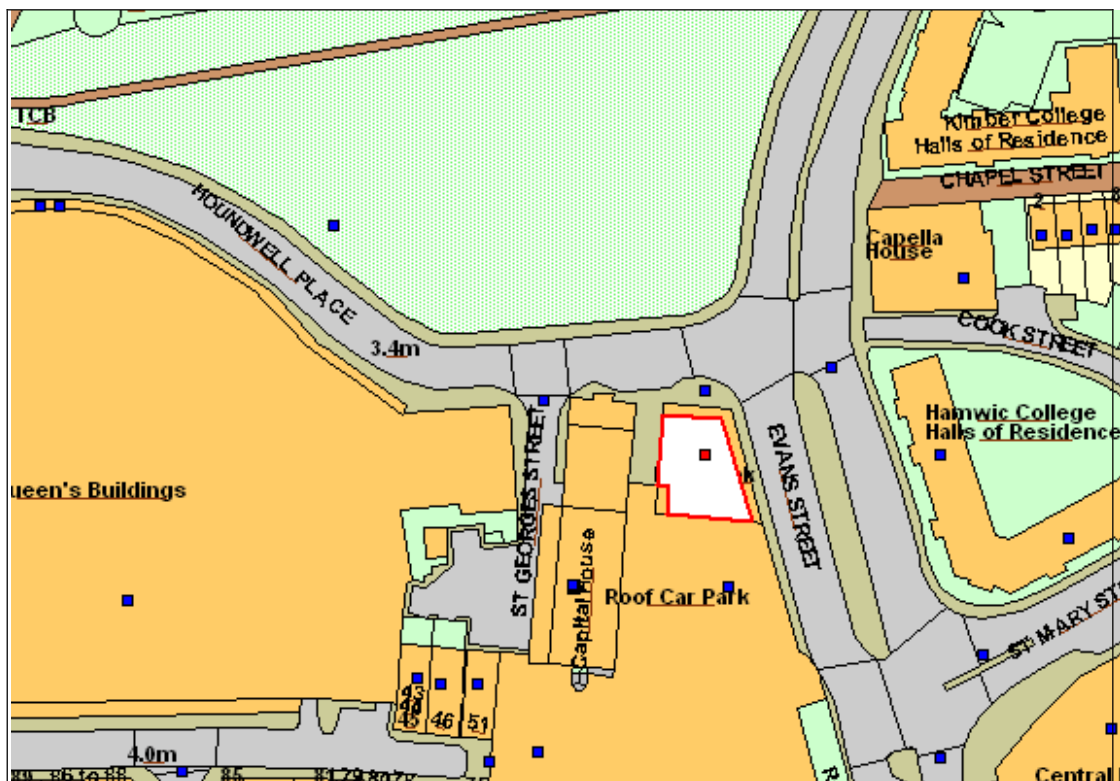
21st April 2011

Application for Review of Premises Licence

Premises Name: Royal Oak
 Premises Address: Houndwell Place
 Southampton
 SO14 1HU

Application Date: 10th March 2011
 Application Received Date: 10th March 2011

Application Valid Date: 10th March 2011



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Representation From Responsible Authorities

Responsible Authority	Satisfactory?	Comments
Child Protection Services - Licensing	No Response Received	
Hampshire Fire And Rescue - Licensing	Yes	

Environmental Health - Licensing	No Response Received	
Planning & Sustainability - Building Control - Licensing	No Response Received	
Planning & Sustainability - Development Control - Licensing	No Response Received	
Hampshire Constabulary - Licensing	No	
Trading Standards - Licensing	Yes	

Other Representations

Name	Address	Contributor Type
None		

Legal Implications

1. Part 3 of the Licensing Act 2003 provides that a responsible authority of a resident or business in the vicinity (interested party) may apply for review of a premises licence.
2. The grounds of review applications must relate to one or more of the licensing objectives.
3. In such circumstances, the applicant for the review must serve a copy of the review application on the holder of the premises licences, the City Council and each of the responsible authorities.
4. On receipt of the application for review, the officers will consider its validity, under delegated powers. Reasons for rejection, in whole or in part, include:
 - that the grounds for review are not relevant to one of more of the licensing objectives and;
 - (in the case of an application not made by a responsible authority), that the application is frivolous, vexatious or repetitious.
5. The City Council must, within one day of receiving the application for review, display a prescribed notice of the review application on the outside or adjacent the premises; the notice must remain on display for 28 days and any interested party in the vicinity or the responsible authorities may make representations in that period.

6. Unless the applicant, licence holder, interested parties and responsible authorities agree that a hearing is unnecessary, the City Council is then required to hold a hearing to consider the review.
7. The sub-committee, in considering the application for review, must have regard to the adopted Statement of Licensing Policy and evidence before it at the hearing.
8. The Licensing Act 2003 provides that, in determining an application for review, the sub-committee may take any (or none) of the following steps, as it considers necessary:
 - modify the conditions of the licence;
 - exclude a licensable activity from the scope of the licence;
 - remove the designated premises supervisor;
 - suspend the licence for a period not exceeding three months;
 - revoke the licence.
9. The Licensing Act 2003 makes provision for appeal to the Southampton Magistrates' Court against the sub-committee's decision in relation to an application for review.
10. In considering this application the sub-committee will sit in a quasi-judicial capacity and is thus obliged to consider applications in accordance with both the Licensing Act 2003 (Hearings) Regulations 2005, and amending secondary legislation and the rules of natural justice. The practical effect of this is that the sub-committee must make its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching its decision.
11. Copies of the application for review and the Police objection are annexed to this report.
12. The sub-committee must also have regard to:-
13. *Crime and Disorder Act 1998*

Section 17 of the Crime and Disorder Act 1998 places the Council under a duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.
14. *Human Rights Act 1998*

The Act requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the Council to act in a way that is incompatible (or fail to act in a way that is compatible) with the rights protected by the Act. Any action undertaken by the Council that could have an effect upon another person's Human Rights must be taken having regard to the principle of proportionality - the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the Council which affects another's rights must be no more onerous than is necessary in a democratic society. The matters set out in this report must be considered in light of the above obligations.



Application for the review of a Premises licence or Club Premises certificate under the Licensing Act 2003

Before completing this form, please refer to FPP 07001 (Licensing (Licensing Act 2003))

I PC 24084 Hayley Channell, on behalf of the Chief Officer of Hampshire Constabulary, (Insert name of applicant)

[X] Apply for the review of a premises licence.

[] Apply for the review of a club premises certificate. (Select as applicable)

Premises or Club Premises details

Table with 2 columns: Postal address of premises, Postcode (if known). Values: Royal Oak Houndwell Place Southampton, SO14 1HU

Name of premises licence holder or club holding club premises certificate (if known) Trust Inns Limited Blenheim House Foxhole Road Ackhurst Park Chorley Lancashire PR7 1NY

Number of premises licence or club premises certificate (if known) 2009/01360/01SPRT

Details of responsible authority applicant

Form with fields for title (Miss [X]), surname (Channell), first names (Hayley), current postal address (C/o Southampton Central Police Station), postcode (SO15 1AN), daytime telephone number (02380 674768), and e-mail address (southampton.licensing@hampshire.pnn.police.uk)





RESTRICTED

G90

**Application for the review of a
Premises licence or Club Premises certificate
under the Licensing Act 2003**

Page 2 of 6

Hampshire Constabulary is a responsible authority and the applicant has the delegated authority of the Chief Officer of Police in respect of his responsibilities under the Licensing Act 2003

RESTRICTED



Application for the review of a Premises licence or Club Premises certificate under the Licensing Act 2003

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 state the grounds for review which must be based on one or more of the licensing objectives together with supporting information:
This review is brought by Hampshire Constabulary as a responsible authority under the Licensing Act 2003, in light of recent test purchase failures at The Royal Oak public house. We believe that these failures can be directly linked to the poor staff training currently delivered at the venue.
Hampshire Constabulary request that the following conditions be applied to the current licence to prevent any future failures. We also request that the venue be subject to a period of closure as a deterrent but also to ensure that any conditions that are applied to the licence, could be properly implemented to support the four licensing objectives.
The conditions that Hampshire Constabulary would seek to have added to the current licence are:
1) Challenge 25 - There will be a Challenge 25 policy operated at the premise. Challenge 25 meaning that the holder of the premises licence shall ensure that every individual who appears to be under 25 years of age seeking to purchase or be supplied with alcohol at or from the premises shall produce means of identification acceptable to the licensing authority proving that individual to be 18 years of age or older. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.
2) All staff who sell alcohol will be trained to NCPLH (National Certificate of Personal License Holder) level. All sales of alcohol must be directly supervised and authorised by a personal licence holder until such staff have achieved training to NCPLH level.
3) Staff are trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18; that records are kept of such training, which are signed and dated by the member of staff who has received the training; that staff receive refresher training every six months as a minimum and that records are signed and dated by the member of staff and records are kept of this refresher training. Records will be available for inspection by Hampshire Constabulary and the Licensing Authority.
4) For the Designated Premises Supervisors to be trained to BIAB Level 2.



**Application for the review of a
Premises licence or Club Premises certificate
under the Licensing Act 2003**

5) The premise holder or his nominated representative will maintain membership of any existing Barwatch scheme, or join any future scheme, which is not currently in existence and approved/supported by the local police. He/she will ensure co-operation with the relevant scheme, abide by any rules and ensure meetings are regularly attended.

6) An incident book will be provided and maintained at the premises and there will be a daily debrief of door staff at the close of business to the reasonable satisfaction of Hampshire Constabulary. The incident book will remain on the premises at all times and will be available to police upon request.

7) CCTV - The premises shall have sufficient cameras located within the premises to cover all public areas including outside of the premises covering the entrance and exit. The system should be able to cope with strobe lighting and all levels of illumination throughout the premises as well as outside areas.

The CCTV system must be operating at all times whilst the premises are open for licensable activity.

All equipment shall have a constant and accurate time and date generation.

There shall be sufficient members of trained staff available during operating hours to be able to provide viewable copies at the request of the Police or authorised officer. Any images recovered must be in a format that can be readily taken away and viewed on any computer operating on any Windows based program acceptable to the police, or DVD player. This will be without the requirement for additional software to be installed.

Records must be made on a weekly basis and kept for inspection to show that the system is functioning correctly and that data is being securely retained.

CCTV warning signs to be fitted in public places.

Recordings to be kept for a minimum of 28 days.

The DPS or premises manager must be able to demonstrate that the CCTV system has measured to prevent recordings being tampered with, i.e. password protected.

All systems, signage, hardware and procedures are to be installed and implemented to the reasonable satisfaction of Hampshire Constabulary and approved in writing.

As stated above the venue has failed two test purchases by selling alcohol to juveniles, which does not support 1 of the licensing objectives - the protection of children from harm. The following information provides further details on the failures.

On 13/11/2010 a staff member sold 2 bottles of WKD blue to 2 test purchasers. She was issued with a fixed penalty notice for the offence in the presence of the Designated Premises Supervisor. The staff member was retained as staff by the venue as she was described as a good employee and hard worker. This staff member had received her initial staff training on 31/01/2010 (approximately 10 months earlier) and there was no record of her having received any further training since this date.

On 19/11/2010 a meeting was held at the premise between the police and the DPS to discuss the first test purchase failure. During this meeting it was agreed that to avoid any future failings the DPS would be implementing the following:

1) Identification would be requested from everyone due to being a student-based venue.



Application for the review of a Premises licence or Club Premises certificate under the Licensing Act 2003

- 2) If any further staff fail a test purchase, they will be dismissed.
- 3) Staff will be trained about asking customers for identification and if they encountered a large group they will inform the DPS so that he can carry out the checks instead.
- 4) Test Inn and Heineken Brewery will be assisting in reviewing the current training package.

During this meeting the police also suggested that the DPS could implement Challenge 25 and maintain an incident/refusals book in order to try and prevent his staff from serving alcohol to underage persons again in the future.

Second test purchase failure:

On 21/01/2011 another staff member sold a bottle of Becks and a Smirnoff Ice to 2 test purchasers. This staff member was issued with a fixed penalty notice for the offence and was later dismissed by the venue. This staff member had received her training on 18/01/2011 - just 3 days earlier. This therefore shows that the staff training provided by the venue was inadequate, otherwise this staff member would have undoubtedly asked for ID according to what was agreed at the previous meeting.

A further meeting was held at The Royal Oak on 04/02/11 following this second failure. This was held with the DPS and a representative of Trust Inns.

During this meeting the DPS was asked about any changes he had made since the last meeting with the police. He had not implemented a Challenge 25 police or introduced a refusals book. There had not been any improvement in the training package and there were no regular training records for any staff. No assistance had been sought from Test Inn/Heineken Brewery with regards to this. They did dismiss the second member of staff that failed the test purchase.

The 2 failures show that there is insufficient staff training provided at the venue. There is no evidence that the first staff member to fail the test purchase had received any further training since her initial training in January 2010 - almost a year before she failed the test purchase. The second staff member to fail had only received her training three days prior to her test purchase failure so any training she had received should have been perfectly fresh in her mind. It is clear that staff training needs to be vastly improved from the current system in order for the venue to support the licensing objectives and prevent any future sales of alcohol to children.

The DPS was asked about current staff training and he provided a small four page leaflet. This leaflet consists of a cover page, information on the two inside pages and then a signature strip on the last page. He stated that the training consists of staff reading the leaflet and then signing on the back to say that they have read it.

Further to any improvements made to the current staff training, it is clear that the current DPS would also benefit from further training - the suggested BIIAB Level 2 National Certificate for Designated Premises Supervisors.

Have you made an application for review relating to these premises before: Yes | No

If yes please state the date of that application:

/ /
Day Month Year



Application for the review of a Premises licence or Club Premises certificate under the Licensing Act 2003

If you have made representations before relating to this premises please state what they were

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

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

Signature of Officer Completing

Name Channell Collar Number: 24084
Signature: [Handwritten Signature] Date: 10/03/11

Signature of Authorising Officer (Inspector or above)

Name Inspector Ashman Collar Number: 3427
Signature: [Handwritten Signature] Date: 10/3/11

Royal Oak – Index for review application

HAC/RO/1 – statement of PC 3135 COLE

HAC/RO/2 – statement of PC 24368 ASHBY, dated 13/11/2010.

HAC/RO/3 – statement of PC 24288 HARRIS, dated 13/11/2010.

HAC/RO/4 – statement of PC 25399 HOLLOWAY-MOGER, dated 21/01/2011.

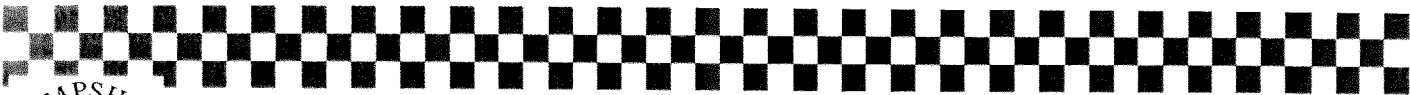
HAC/RO/5 – statement of PC 20920 PRIOR, dated 21/01/2011.

HAC/RO/6 – copy of staff training from the Royal Oak, provided to police on 03/02/2011.

HAC/RO/7 – copy of staff signatures for training provided to police on 03/02/2011.

HAC/RO/8 – copy of letter sent to the Royal Oak by police on 22/11/2010.

HAC/RO/9 – information regarding the BIIAB Level 2 National Certificate for Designated Premises Supervisors.



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: PC 3135 COLE

Age if under 18: O18 (if over 18 insert 'over 18')

Occupation: Police Officer

This statement (consisting of 1 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 in it, anything which I know to be false, or do not believe to be true.

Signature:

Date:

PC 3135 COLE

Tick if witness evidence is visually recorded (supply witness details on rear)

On 13th November 2010 I was on duty in plain clothes engaged in a test purchase operation with PC 24368 ASHBY to supervise 2 females under the age of 18 attempting to purchase alcohol in licensed premises.

At approximately 21.30hrs on the same day I entered the ROYAL OAK PUBLIC HOUSE, KINGSWAY, SOUTHAMPTON with PC ASHBY.

Shortly afterwards two females entered the bar who I shall identify as TP1 and TP2 respectively. They both approached the bar and at approximately 21.35hrs TP1 ordered two bottles of WKD from a white skinned female member of staff wearing a black top with short red hair which was tied back in a pony tail.

TP1 paid for the drinks and then handed both bottles to myself. TP1 and TP2 then left the premises whilst I waited for uniform colleagues to arrive.

I then handed both bottles to PC 20920 PRIOR and left the premises.

I had no further dealings with this matter.

Signature: Signature witnessed by:



MAC/RO/01



MAC/20/02

Statement of: PC 24368 ASHBY
Age if under 18: 0/18 (if over 18 insert 'over 18') Occupation: Police Constable
URN: | | |

This statement (consisting of 1 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 in it, anything which I know to be false, or do not believe to be true.

Signature:

Date:

13/11/10

PC 24368 ASHBY

Tick if witness evidence is visually recorded (supply witness details on rear)

I am PC 24368 ASHBY currently attached to Shirley police station.

On Saturday 13th November 2010 I was on duty in plain clothes on a test purchasing operation in Southampton City Centre with my Colleague PC 3135 COLE.

My role was to supervise persons under the age of 18 attempting to purchase alcohol.

At approx 21:30hrs I entered the Royal Oak Public House on Kingsway, Southampton with PC COLE.

Shortly afterwards two females, who I will identify as TP1 and TP2, entered the premises. They both approached the bar and at approx 21:35hrs TP1 ordered two bottles of WKD from a white skinned female wearing a black top, she had short red hair which was tied back in a ponytail.

TP1 paid for the drinks and then TP1 and TP2 handed both bottles to PC COLE and I exited the premises with both test purchasers

whilst PC COLE waited on the premises for uniformed colleagues to arrive.

Signature:

Signature witnessed by:



74100482285



HAC/20103

RESTRICTED (when complete)

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: PC JONATHAN HARRIS

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Police service

This statement (consisting of 1 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 in it, anything which I know to be false, or do not believe to be true.

Signature:

Date: 13/11/2010

PC JONATHAN HARRIS

Tick if witness evidence is visually recorded (supply witness details on rear)

I am PC 24288 HARRIS, employed by Hampshire constabulary and currently stationed at Southampton police station in the Licensing department.

At approximately 21:40 hours on Saturday 13 November 2010, I was on duty in full uniform when I attended THE ROYAL OAK in HOUNDWELL PLACE, SOUTHAMPTON, as a positive test purchase of alcohol had taken place to persons under the age of 18. On arrival at the premises, I was met by PC 3135 COLE. He then pointed out to me, the member of bar staff that he had seen serve the test purchasers alcohol. I now know this female to be Amy May HODGE 22/07/1991.

then introduced myself to HODGE and I pointed out the offence that she had sold alcohol to persons under the age of 18. I explained that the way I intended on dealing with the offence was by way of a penalty notice for disorder with a fine of £80.00.

Having completed the PND URN 20133790, I then said to HODGE "I AM REPORTING YOU FOR THE OFFENCE OF SELLING ALCOHOL TO PERSONS UNDER THE AGE OF 18". I then cautioned her to which she made no significant reply.

Signed :

Signature witnessed by :

PC JONATHAN HARRIS



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: Nicholas HOLLOWAY-MOGER

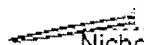
Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Police Constable

This statement (consisting of 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 in it, anything which I know to be false, or do not believe to be true.

Signature:

Date: 21st January 2011




.....
Nicholas HOLLOWAY-MOGER

Tick if witness evidence is visually recorded (supply witness details on rear)

I am Police Constable 25399 HOLLOWAY-MOGER. I am employed by Hampshire Constabulary and am currently stationed at Bitterne Police Station.

On the 21st January 2011 I was on duty in plain clothes with PC MELHUIISH 3094 and this statement relates to a test purchase operation, where PC MELHUIISH and I supervised a female and a male under the age of 18 years old attempting to purchase alcohol in licensed premises. I shall identify the female as Test Purchaser 1 and the male as Test Purchaser 2. I shall also mention the female bar tender who I will refer to as BAR TENDER

At approximately 2011hrs PC MELHUIISH and I attended the ROYAL OAK PUBLIC HOUSE. A few minutes later Test Purchaser 1 and Test Purchaser 2 entered the same licensed public house and proceeded to walk to the bar area and engage with BAR TENDER. Test Purchaser 1 and Test Purchaser 2, placed an order for some alcoholic beverages, these being 1 bottle of SMIRNOFF ICE and 1 bottle of BECKS. BAR TENDER then produced the requested alcoholic beverages' and paid in cash for the items. Test Purchaser 1 and Test Purchaser 2 then handed the bottle of SMIRNOFF ICE and BECKS to me. They then left the premises while I waited for

Signature:  Signature witnessed by: 



HAC/20/04



WITNESS STATEMENT

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

uniformed officers to arrive where I then handed to bottles of SMIRNOFF ICE and BECKS to PC PRIOR 20920.

I would describe BAR TENDER as a white female, about 5ft 8" tall, approximately 20 years old, short dark coloured hair. BAR TENDER was wearing a white cardigan type top with 2 dark coloured stripes running vertically over the shoulders to the front of it. I was observing BAR TENDER for about 1 minute. The bar was quite quiet and had lots of internal lighting so made my visibility very good. I was about 6 meters away from BAR TENDER at the time of this incident. I had no obstructions to my view. I have not seen BAR TENDER before but I would recognise them again as their hair style combined with their dress code made them more recognisable to me than others.

I had no further dealings.

[Handwritten signature]

[Handwritten signature]

Signature: *[Handwritten signature]*

.. Signature witnessed by:





HAC/20/05

HAMPSHIRE CONSTABULARY

RESTRICTED – For Police and Prosecution Only

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

URN //

Statement of : Natasha Astrid PRIOR

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Constable 20920

This statement (consisting of 1 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: 21/01/2011

Tick if witness evidence is visually recorded (supply witness details on rear)

I am PC 20920 PRIOR currently serving for Hampshire Constabulary at Southampton Central Police Station.

On the 21st January 2011 I was on a uniformed duty when I attended the Royal Oak Public House, Carlton Place in Southampton. On attendance there at around 2025 hours PC 25399 HOLLOWAY-MOGER handed me two bottles of alcohol, one bottle of Smirnoff Ice and another bottle of Becks. Both of these bottles were full when handed to me but subsequently emptied outside before being seized as evidence.

I can exhibit the Becks bottle as NAP/ROYALOAK/01 and the Smirnoff Ice bottle as NAP/ROYALOAK/02

Signed : Natasha PRIOR

Signature witnessed by : _____



Under the Licensing Act 2003 this a statutory requirement that all retail sales of alcohol must be made or **AUTHORISED** by a Designated Premises Supervisor who is also a Personal Licence Holder:

The 4 Objectives to the Licensing Act 2003

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

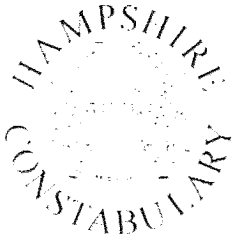
OPERATING SCHEDULES - What are they?

- The type of premises it is (e.g. bar, restaurant, hotel etc.)
- Activities that take place on these premises
- Times when these activities can be carried out (e.g. entertainment, sale of alcohol)
- Times open to the public
- Facilities information (e.g. number of bars, beer garden etc.)
- Duration of the licence
- Can alcohol be sold for consumption on or off the premises or both
- Name and address of Designated Premises Supervisor

It is an **OFFENCE** to withhold information or cause any obstruction to any police officer or any other licensed party who may visit your premises and request information from you as a staff member.

OFFENCES

- **Selling alcohol when a sale is not authorised** by an appropriate licence may render the seller liable for a **£20,000 fine and/or 6 months imprisonment.**
 - It is an offence to sell alcohol outside of your operating schedule. This can carry a **fine of £20,000 and/or 6 months imprisonment.**
 - It is a criminal offence for any person to sell alcohol to anyone under the age of 18. There are no exceptions this Consumer of alcohol exception - 16 or 17 year old's allowed to DRINK NOT BUY beer, wine or cider with a table meal. **BAR SNACKS ARE NOT TABLE MEALS.**
 - It is an offence to allow children under 16yrs unless accompanied by an adult into pubs.
 - It is an offence to sell alcohol to someone who is buying for someone under 18 (except for table meals, this must only be beer, wine and cider **ONLY**).
 - Every sale of anyone under 18 must be approved by a DPS, PLH or an authorised staff member
 - **PROOF OF AGE** - Ask to see a Driving Licence, Passport or any ID that carries a PASS logo. You must refuse service if you believe any of the above have been tampered.
 - You must not sell alcohol to someone who is drunk
 - It is an offence to knowingly allow disorderly conduct on licensed premises
 - It is an offence to allow ANY drug use on licensed premises
- All of the above carry fines between £80 up to £20,000 and/or 6 months imprisonment**



Hampshire Constabulary
Chief Constable Alex Marshall

HAC/20/08

Royal Oak
Houndwell Place
Southampton
Hampshire
SO15 1HU

Southampton Central Police Station
Civic Centre
Southampton
Hampshire
SO14 7LG

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Your ref:

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Direct dial: 02380670981

Fax No: 023 8067 4397

Deaf/speech impaired minicom: 01962 875000

Email: jonathan.harris@hampshire.pnn.police.uk

22 November 2010

Dear Sir,

Following our recent meeting regarding a test purchase failure at Royal Oak, I am writing to confirm what was discussed and agreed. Hampshire Constabulary are extremely concerned by the significant failings of your premise, which resulted in a 16 year old and a 17 year old female being served alcohol. This is in direct breach of licensing objectives.

As a responsible licensee, you should be aware of your obligation to promote the four licensing objectives -

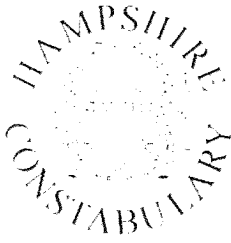
- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

During the meeting, we discussed the consideration of implementing new measures to prevent further incidents occurring, which could be perceived as undermining or breaching the four licensing objectives.

Since the test purchase failure, you have taken a number of actions to minimise the possibility of future incidents.

I can confirm that it was agreed that:

1. You stated you have a student based venue and to avoid any future failings, you have asked all bar staff to request identification from everyone.
2. You have informed all staff that should any fail a test purchase in future, they will be dismissed. On this occasion, the member of staff that served alcohol to persons underage has been retained, as you indicated she is generally a good employee and hard worker.



Hampshire Constabulary
Chief Constable Alex Marshall

3. Staff will be trained about asking customers for identification. If they encounter a large group, you have advised them to inform you so that you can carry out the identification checks yourself.
4. Test Inn and Heineken Brewery will be assisting you in reviewing your current training package.

During our meeting the following was also suggested to further assist you

1. Challenge 25 policy to be adhered to by bar staff. Posters to be displayed on premises informing customers of Challenge 25 policy.
2. A diarised incident book to be maintained by door staff and management. A refusals tally to be included for all staff and each day signed off by manager.

At present your business has very little in the way of conditions upon its license. I would have little choice but to seek to have conditions added via a review of your licence should further incidents occur and these issues were not addressed.

Hopefully we can work together regarding these issues which will highlight your commitment to supporting the four licensing objectives.

I look forward to hearing from you in the near future.

Yours faithfully,

PC 24288 HARRIS
Violent Crime & Licensing Department

MAC/EC/09

What is the BIIAB Level 2 National Certificate for Designated Premises Supervisors?

The BIIAB Level 2 NCDPS was developed in conjunction with local government, the police and the industry, to support the new post of designated premises supervisor created by the Licensing Act 2003.

It is designed to provide designated premises supervisors with an understanding of their role and the responsibilities both within the Licensing Act 2003, and other regulatory issues in addition to those covered in the Act. The qualification also addresses the practical day-to-day issues involved in running a licensed premises.

Who is the qualification for?

The BIIAB Level 2 NCDPS is a nationally recognised qualification for both existing designated premises supervisors, and those who may be required to take up this post in the future, working in any type of licensed premises including:

- pubs and bars
- hotels and restaurants
- off-licences, supermarkets and convenience stores
- sports and social clubs
- nightclubs and entertainment establishments
- and any other venue or site where alcohol is sold.

What does the qualification cover?

The BIIAB Level 2 NCDPS covers the following topics:

- the roles and responsibilities of the designated premises supervisor
- the licensable activities carried out in licensed premises
- the requirements of legislation and best practice to support the four licensing objectives
- how to conduct a risk assessment, and how it is used to underpin the operating schedule
- the relationship between the operating schedule and management controls.

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