

Licensing (Licensing and Gambling) Sub-Committee

Thursday, 10th May, 2012
at 9.30 am

PLEASE NOTE TIME OF MEETING

Conference Room 3 - Civic Centre

This meeting is open to the public
Members

Councillor Mrs Blatchford
Councillor Cunio
Councillor Parnell

Contacts

Democratic Support Officer
Sharon Pearson
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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 Seven Priorities

- More jobs for local people
- More local people who are well educated and skilled
- A better and safer place in which to live and invest
- Better protection for children and young people
- Support to the most vulnerable people and families
- Reducing health inequalities
- Reshaping the Council for the future

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 2012/13

2012	15TH NOVEMBER
10TH MAY	29TH NOVEMBER
31ST MAY	13TH DECEMBER
14TH JUNE	2013
28TH JUNE	3RD JANUARY
12TH JULY	17TH JANUARY
26TH JULY	31ST JANUARY
9TH AUGUST	14TH FEBRUARY
23RD AUGUST	28TH FEBRUARY
6TH SEPTEMBER	14TH MARCH
20TH SEPTEMBER	28TH MARCH
4TH OCTOBER	11TH APRIL
18TH OCTOBER	25TH APRIL
1ST NOVEMBER	

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 MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)

To approve and sign as a correct record the Minutes of the meeting held on 22nd March and 5th April 2012 and to deal with any matters arising, attached.

6 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.

Chair to move that in accordance with the Licensing Act 2003 (Hearings) Regulations 2005 that the press and public be excluded from the meeting in respect of Item 8. The information contained therein is potentially exempt as it relates to individual personal details and information held under the Data Protection Act 1998. In applying the public interest test the Sub-Committee should consider whether it is appropriate to disclose this information as the individual's legal expectation of privacy and the public interest in maintaining confidentiality may outweigh the public interest in the hearing taking place in public.

7 REVIEW OF PREMISES LICENCE - JOINER'S ARMS, 141 ST MARY STREET, SOUTHAMPTON, SO14 1NS

Report of the Head of Legal, HR and Democratic Services, detailing an application by Hampshire Constabulary for review of a premises licence in respect of Joiner's Arms, 141 St Mary Street, Southampton, SO14 1NS, attached.

8 VARIATION APPLICATION FOR PREMISES LICENCE - DPS VARIATION

Confidential report of the Head of Legal, HR and Democratic Services detailing an objection by Hampshire Constabulary to a DPS variation application, attached.

TUESDAY, 1 MAY 2012

HEAD OF LEGAL, HR AND DEMOCRATIC
SERVICES

Agenda Item 5

ITEM NO 5

To approve and sign as a correct record the Minutes of the meetings held on 22nd March and 5th April 2012 and to deal with any matters arising, attached.

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SOUTHAMPTON CITY COUNCIL
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 22 March 2012

Present: Councillors B Harris, Parnell and Thomas

Apologies: Councillor Cunio

101. **ELECTION OF CHAIR**

RESOLVED that Councillor Parnell be appointed Chair for the purposes of this meeting.

102. **APOLOGIES AND CHANGES IN MEMBERSHIP (IF ANY)**

The Panel noted that Councillor Harris was in attendance as a nominated substitute for Councillor Cunio, in accordance with Council Procedure Rule 4.3.

103. **STATEMENT FROM THE CHAIR**

The Chair informed the Sub-Committee that Councillor Drake had retired due to ill health and members passed a vote of thanks for his co-operation and hard work as a valued member of the Licensing and Gambling Sub-Committee.

104. **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

RESOLVED that the minutes of the meeting held on 8th March 2012 be signed as a correct record. (Copy of the minutes circulated with the agenda and appended to the signed minutes).

105. **EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED that in accordance with the Licensing Act 2003 (Hearings) Regulations 2005 that the press and public be excluded at a predetermined point whilst the Sub-Committee reached its decisions.

106. **APPLICATION FOR REVIEW OF CLUB PREMISES CERTIFICATE - WOOLSTON TRADES AND LABOUR CLUB, WINCHESTER HOUSE, 25 LEIGHTON ROAD, SOUTHAMPTON, SO19 2FS**

The Sub-Committee considered the application for review of a premises certificate in respect of Woolston Trades and Labour Club, 5 Leighton Road, SO19 2FS. (Copy of report circulated with the agenda and appended to the signed minutes).

Mrs Haws, President and Mr Morris Manager of Woolston Trades and Labour Club, Mr Edwards, Counsel for Woolston Trades and Labour Club, PC Lindley and PC Harris, Hampshire Constabulary were present and with the consent of the Chair, addressed the meeting.

The Sub-Committee determined that it could continue to hear and determine the application, despite an apparent administrative slip by the police when completing the application.

The Sub-Committee considered the decision in confidential session in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

RESOLVED

- (i) that the club premises certificate be suspended for a period of one calendar month. For the avoidance of doubt, the suspension applied only to the sale or supply of alcohol and no other licensable activity; and
- (ii) that the following condition be added to the certificate:-
 - there shall be a registered member of door staff or alternatively, a committee member on the door at all times the premises are open for the sale or supply of alcohol to members or guests, to check membership details, ensure members and guests are signed in as required and to check the age of those being admitted and ensure that details are correctly recorded.

REASONS

The Sub-Committee considered carefully the application for review of the premises certificate at Woolston Trades and Labour Club and gave due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance, the adopted statement of Licensing Policy, Human Rights legislation and representations, both written and given orally today by Hampshire Constabulary and the premises certificate holder.

It was raised by Counsel for the premises certificate holder that in light of the terms of the application, the legislation prevented a determination of the matter. The Sub-Committee considered very carefully all the circumstances of the application, including various correspondence making reference to a "club premises licence" which included a covering letter submitting the application and the body of the application similarly made reference to the "club premises licence". The advertisement / signage placed at the premises did correctly describe the application as one relating to a club premises certificate, as did a letter written by the police dated 29th February 2012, confirming the same. In all the circumstances the Sub-Committee determined that there was never any doubt as to which premises were the subject of the review (ie the club) and no party was unduly prejudiced by the administrative error. In addition, no reference was made in the application to the Section of the legislation under which it was made.

In light of all the evidence it was clear that the management of the premises was not to the standard required and that conditions were breached on several occasions and that in their own evidence, the premises certificate holder was unaware of the full extent of

the requirements placed upon them. The Sub-Committee held grave concerns with regards to the under-age sale of alcohol and similarly concerns that conditions were not being adhered to and police advice and assistance had been ignored.

In imposing a suspension for a period of one month it was hoped that this would act both as a deterrent, but also allow sufficient time for the committee to ensure that all the conditions attached to the certificate were brought to the attention of all committee members, staff and members of the club and sufficient measures were put in place to ensure ongoing compliance.

The Sub-Committee were satisfied that the evidence clearly showed a lack of supervision with regards entry to the premises and the consequent sale of alcohol. As a result it was considered necessary and proportionate to require that either an accredited member of door staff or a person of responsibility be present to monitor both aspects at all times the premises were open for the sale or supply of alcohol.

107. **APPLICATION FOR REVIEW OF PREMISES LICENCE**

The Sub-Committee considered the application for review of a premises licence. (Copy of report circulated with the agenda and appended to the signed minutes).

The Premises Licence Holder, Mr Dadds, Counsel for the Premises Licence Holder, Mr Marshall, Trading Standards and PC Lindley and PC Harris, Hampshire Constabulary were present and with the consent of the Chair, addressed the meeting.

At Counsel's request it was agreed by all parties that the Sub-Committee heard the application with the press and public excluded, in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

The Sub-Committee considered the decision in confidential session in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

RESOLVED that the premises licence be revoked.

REASONS

The Sub-Committee considered carefully the application for review of the premises licence and gave due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance, the adopted statement of Licensing Policy, Human Rights legislation, representations, both written and given orally today by Hampshire Constabulary, Trading Standards and the premises licence holder and the additional evidence produced at the hearing with the consent of all parties.

The Sub Committee accepted legal advice that matters relating to other premises should not be taken into consideration when determining the review of this premises licence and accordingly they were excluded from consideration.

The Sub-Committee considered the sale of counterfeit alcohol very serious and the potential health implications for consumption of such alcohol by those purchasing alcohol at the premises could not be understated. In this regard the Sub-Committee

considered the argument raised, that it was prevented by the Guidance from considering such, given that it related to public health and not public safety which concerned the physical aspects of the building itself and no more. That argument was rejected given the Guidance stating that public safety “was concerned with the physical safety of the people using the relevant premises”. If a consumer was ill as a result of consuming counterfeit alcohol it was considered that this affected their physical safety no less than a defective building. “Public health” was clearly referring to a wider section of the public and not the potential for harm to an individual as there was in this case.

The Sub-Committee noted the argument that the alcohol had been left behind by previous owners and the conflict in the evidence given as to when this type of counterfeit alcohol had been available. It made no determination on the point as it considered the failure to check on the validity of the alcohol in the first instance to be sufficient to show a lack of regard for the Licensing Objectives, which was emphasised by the fact that the premises had been the subject of a previous review and which therefore should have alerted the premises licence holder to the potential for an issue with the alcohol – irrespective of where it came from or when (and if) it had been purchased.

The Sub-Committee was satisfied that the sale of counterfeit and therefore most likely non-duty paid alcohol in this instance, in light of the previous proceedings and conditions imposed at that time were sufficient grounds for revocation, However, it noted that in addition there were clear breaches of conditions and the fact that the Challenge 25 policy had not been properly implemented had directly led to the sale of alcohol to a 17 year old girl. Underage sales are always taken very seriously.

The argument was raised that these proceedings effectively amounted to a “second bite of the cherry” and therefore fall foul of paragraph 11.13 of the Guidance. This argument was rejected on the basis that the Guidance referred specifically to taking proceedings where the previous had failed and that was not the case in this instance.

Accordingly, and in light of the significant evidence of the Police and Trading Standards relating to the sale of counterfeit alcohol combined with multiple breaches of conditions and an underage sale, the Sub-Committee was satisfied that revocation was the only option of all those available and that this was necessary and proportionate in all the circumstances.

SOUTHAMPTON CITY COUNCIL
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 5 April 2012

Present: Councillors Cunio, Osmond and Parnell

Apologies: Councillor Councillor Thomas

108. **ELECTION OF CHAIR**

RESOLVED that Councillor Parnell be appointed Chair for the purposes of this meeting.

109. **APOLOGIES AND CHANGES IN MEMBERSHIP (IF ANY)**

The Panel noted that Councillor Osmond was in attendance as a nominated substitute for Councillor Thomas, in accordance with Council Procedure Rule 4.3.

110. **EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED that in accordance with the Licensing Act 2003 (Hearings) Regulations 2005 that the press and public be excluded at a predetermined point whilst the Sub-Committee reached its decisions.

111. **APPLICATION FOR REVIEW OF PREMISES LICENCE - LONDIS NEWS, 48 LODGE ROAD, SOUTHAMPTON, SO14 6RJ**

The Sub-Committee considered the application for review of a premises licence in respect of Londis News, 48 Lodge Road, Southampton, SO14 6RJ. (Copy of report circulated with the agenda and appended to the signed minutes).

Mr Patel, Premises Licence Holder, Mr Gray (Solicitor for Mr Patel) and Mrs Hill, Trading Standards were present and with the consent of the Chair, addressed the meeting.

The Sub-Committee considered the decision in confidential session in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

RESOLVED

- (i) that the following agreed conditions be attached to the licence:-
- Hampshire Constabulary's condition relating to CCTV as set out on page 55 and 56 of the application; and
 - Trading Standard's condition relating to record keeping, subject to an agreed amendment as set out below:

“The premises licence holder must keep complete records such as invoices, receipts and delivery notes relating to alcohol and cigarettes obtained by him for sale from his shop. Records must include the name, address and telephone number of the supplier, the date of supply, the products supplied and their prices. Where items have been delivered to his shop by a supplier other than Booker or Londis by a vehicle, details of the vehicle registration, the name of the delivery person and contact details including the name, address and telephone number of the business must be kept. These details must be available on request to responsible authorities within 24 hours. The premises licence holder must be able to identify who supplied alcohol and cigarettes present at his premises.”; and

- (ii) that the licence be suspended for a period of 7 days.

REASONS

The Sub-Committee considered carefully the application for review of the premises licence and gave due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance, the adopted statement of Licensing Policy, Human Rights legislation, representations, both written and given orally today by Hampshire Constabulary, Trading Standards and the premises licence holder and the additional evidence produced at the hearing with the consent of all parties.

As the conditions had been agreed by all parties, the Sub-Committee saw no reason to deviate from that agreement.

It was noted that the premises licence holder had fully co-operated with Hampshire Constabulary and Trading Standards and had spent considerable sums of money improving systems within the store. Had these actions not been taken, the Sub-Committee would have seriously considered a substantially longer suspension. The Sub-Committee however, felt unable not to impose a suspension, bearing in mind the substantial amount of counterfeit items found at the store, the lack of record keeping which prevented the authorities from establishing how many items passed through the store and tracing the source of the items. In addition, the Sub-Committee felt that someone with the experience of this premises licence holder should have been better able to avoid these failings.

The Sub-Committee therefore felt a 7 day suspension was appropriate and proportionate.

Agenda Item 7



Reference: 2012/00510/01SRAP

Hearing:

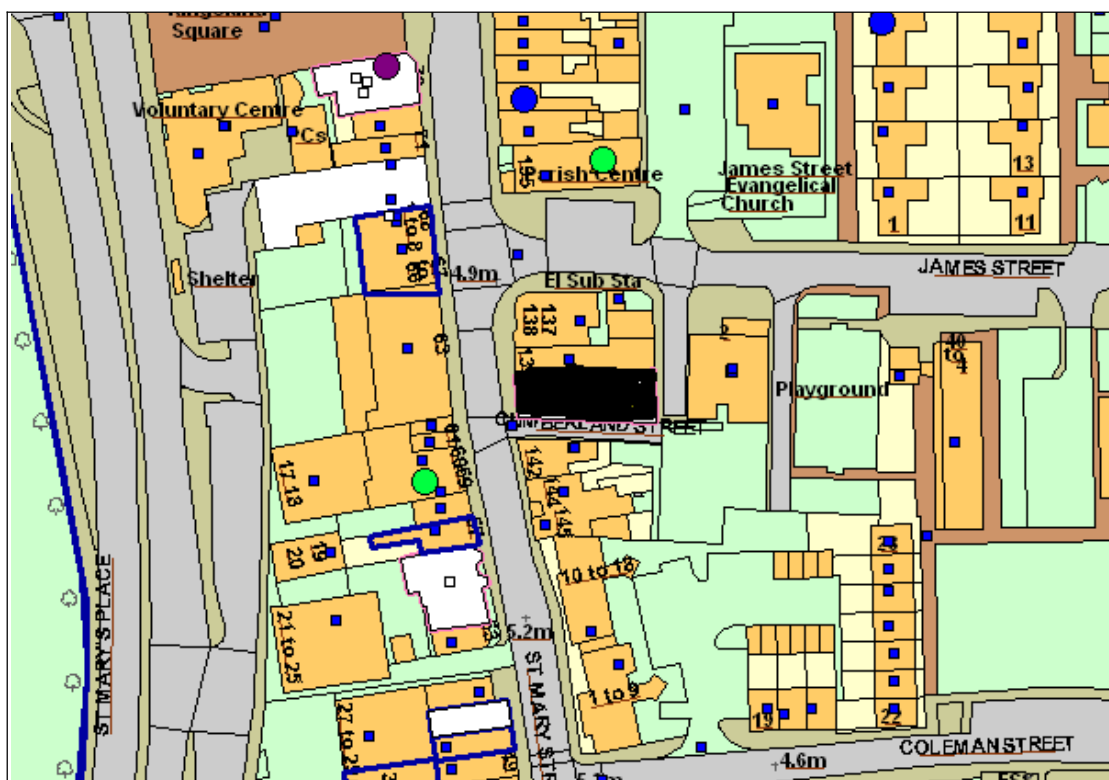
10th May 2012

Application for Review of Premises Licence

Premises Name: Joiner's Arms
Premises Address: 141 St. Mary Street
Southampton
SO14 1NS

Application Date: 6th March 2012
Application Received Date: 8th March 2012

Application Valid Date: 8th March 2012



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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	Yes	
Planning & Sustainability - Building Control - Licensing	Yes	
Planning & Sustainability - Development Control - Licensing	Yes	
Police - Licensing	No	
Trading Standards - Licensing	Yes	

Other Representations

Name	Address	Contributor Type
None Received		

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.



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 24191 Bethan Wood, 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:	Joiner's Arms 141 St Marys Street Southampton
Postcode (if known):	SO14 1NS

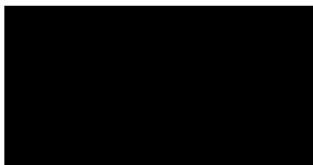
Name of premises licence holder or club holding club premises certificate (if known) Glen Lovell

Number of premises licence or club premises certificate (if known) 2006/01759/01SPRN

Details of responsible authority applicant

Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other title / Rank: PC
Surname: WOOD First Names: Bethan
Current postal address : Southampton Central Police Station Southern Road Southampton
Postcode: SO15 1AN
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 [X]
2) Public safety [X]
3) The prevention of public nuisance [X]
4) The protection of children from harm [X]

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.

On behalf of the Chief Officer of Police I am writing to request review of the above Premises Licence. The review is requested on the following grounds:

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

The police make this request based on the premises continued lack of support for the licensing objectives as evidenced below. The police seek to remedy this by adding the following conditions to the licence which, when complied with, will ensure that the licensing objectives are promoted fully.

Challenge 25

There will be a Challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual, who visually appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older.

Acceptable identification for the purposes of age verification will include a driving licence, passport or photographic identification bearing the "PASS" logo and the persons date of birth.

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.



[REDACTED]

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

Staff Training

Staff will be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunk persons and the refusal of sale due to intoxication. Records will be kept of such training which must be signed and dated by the member of staff who has received that training.

All staff will receive refresher training every six months as a minimum and that records are to be kept of this refresher training which should be signed and dated by the member of staff who received that training.

All training records will be made immediately available for inspection by Hampshire Constabulary and the licensing Authority upon request. Training records will be kept for a minimum period of two years. Training records will be kept on the licensed premises to which they relate to.

DPS Training

The DPS should complete a nationally recognised Level 2 DPS course.

Incident Book

An incident book will be provided and maintained at the premises. It will remain on the premises at all times and will be available to police for inspection upon request.

Any incidents that include physical altercation or disorder, physical ejection, injury, id seizure or drug misuse will be recorded in the incident book. The entry is to include an account of the incident and the identity of all person(s) involved (or descriptions of those involved if identity is not known). Should there be any physical interaction by members of staff and the public the entry will include what physical action occurred between each party. The entry shall be timed, dated and signed by the author.

If the member of staff creating the entry has difficulties reading or writing then the entry may be written by another staff member. This should however be read back to the person creating the entry and counter signed by the person who wrote the entry.

At the close of business on each day the incident book will be checked by the manager on duty where any entries will be reviewed and signed. If incidents have occurred the duty manager will de-brief door staff at the close of business. Should there be no incidents then this will also be recorded at the close of business in the incident book.

Refusals Book

A refusals book will be kept and maintained at the premises and will be available for police



[REDACTED]

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

inspection upon request. All refusals for the sale of alcohol and the reasons for refusal should be recorded. Any age challenge or identification seizures should also be recorded.

Door Staff

The premises shall employ at least two members of door staff at all times that they are open and a minimum of one additional member of door staff per 100 occupancy.

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.

CCTV warning signs to be fitted in public places.

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.

The recording system will be able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 28 days.

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.

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.

There shall be sufficient members of trained staff at the premises during operating hours to be able to provide viewable copies immediately to police on request when investigating allegations of offences or criminal activity. Any images recovered must be in a viewable format on either disc or VHS. Footage supplied in a digital format on CD or DVD will also have a copy of the CCTV system software enabled on the disc to allow playback.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Southampton Police Licensing Unit.

In summary, the Police evidence to support this request is, chronologically, as follows:

For over 12 months the police have been working with the premises, alerting them of concerns and incidents that had occurred, and giving advice as to how they might best



[REDACTED]

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support the licensing objectives. Unfortunately recommendations made have not been acted upon and Police feel that due to incidents which have occurred at the premises it is necessary for the above conditions to be added to the license in support of the licensing objectives.

On 11th December 2010 intelligence was submitted stating that during an event held at the premises, youths aged between 14 and 17yrs were allowed into the premises to see the bands (Item 1). Police attended, and observed that just yards away from the venue there was a large congregation of youths, some drinking alcohol. This was confiscated by the officers attending however, on advising door staff of this the reaction was "If it's round the corner there's not a lot I can do about it". The doorstaff were reminded that this sort of behaviour may well lead to anti-social behaviour, which would reflect badly on the premises. Officers continued to monitor the area and later on one of the same youths who had been seen drinking was ejected from the premises due to his actions inside. Having ejected him, the member of doorstaff advised that if he apologised he would be allowed back in. The youth did so, and re-entered the premises. This demonstrates lack of support for the licensing objectives, primarily the prevention of public nuisance and prevention of crime and disorder, but also protection of children from harm.

On 22nd January 2011 the premises was visited by Licensing Officers PC PRIOR and PC SULLIVAN specifically to speak with them about the intelligence submitted about youths being allowed into the premises contrary to police advice. PC PRIOR details in her account how there were large amounts of people outside the premises, empty alcohol cans and broken bottles in the road and on the pavement (Item 2). The solitary doorman is described as being 'overwhelmed', admitting that he could not cope on his own, and that there were insufficient staff on duty to maintain proper control of people, or to take alcohol off all those entering the premises who were under 18. The report goes on to say that a male, believed to be under 18 had a pint of beer confiscated from him whilst inside the premises. On questioning this, the doorman has advised that ID is requested at the bar not the door, and that they had no control over whether the alcohol was then passed on to younger persons as there were not the staff on duty to marshal this. This raises real concerns regarding the protection of children from harm, prevention of crime and disorder, and public safety. A further statement from PC BADHAM evidences how on the same evening, she observed youths drinking and acting in an antisocial manner outside the premises, could not identify any members of door staff, and describes the venue as being in 'absolute chaos' (Items 3 & 4). This further illustrates poor door management, and the premises lack of support for the licensing objectives.

On 10th February PS MARSHMAN and PC HARRIS visited the premises to speak with the Glen Lovell and Patrick Mulldowney (Item 5). The findings detailed in PC PRIOR's report of 22nd January were discussed and recommendations made including adoption of a policy to combat problems with groups congregating outside the premises, refusing entry to anyone seen drinking alcohol outside and placing notices to this effect. It was requested that doorstaff be clearly visible and have their ID on display at all times as this had also been noted by PC PRIOR.

Also discussed were issues surrounding CCTV and the incident book. At the time of



[REDACTED]

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visiting, the CCTV system hard drive had been out of order for nearly two months. The two outside cameras were also faulty and the stage/arena area was not covered by CCTV at all. Recommendations were made that the CCTV be fixed, and that it should be kept for a minimum of 28 days in order to support the licensing objective of prevention of crime and disorder. It was explained by Mr Lovell that financial restraints meant that any significant expenditure was not possible, but the premises agreed to update police monthly with progress made to restore CCTV coverage of the premises. Mr Lovell explained that he did not see the need to install a camera to cover the stage area as incidents did not occur here.

The incident book had not been used since 2008. Again, the benefits of this were explained, and Mr Lovell agreed to re-introduce this. In the letter sent to the premises following this visit PC HARRIS explains the detail required to be recorded in the book in order to demonstrate good support of the licensing objectives (Item 6). This includes recording any ejections, any force used, and also ensuring that if no incidents of note occur, recording this, with entries to be signed off by a supervisor at the end of the evening. A refusals log was also recommended, to keep records of all persons refused entry and all persons refused alcohol. It was conceded that this could be as simple as a 5 bar tally.

Despite this meeting, it emerged on the 1st March, just three weeks later, that a member of door staff had been working with an expired SIA licence, again undermining the licensing objectives of prevention of crime and disorder, and public safety (Item 7). PC HARRIS raised this with Mr Mulldowney who indicated that he realised there was a problem with the member of staff involved but also confirmed that he had indeed been working just the previous weekend (Item 8). Advice was passed, although formal action was not taken, and the following day a phone call was received from Mr Lovell advising that this member of staff would not be working on the door until his new licence had been issued (Item 9).

On 18th March police were notified that a new CCTV system had been installed, there were some teething problems but Mr Lovell advised that the engineer would be returning to rectify the problem (Item 10). On 2nd April PC HARRIS attended to view the CCTV. The weekend manager was on duty and neither she, or any other member of staff knew how to operate the system (Item 11). This was raised with Mr Mulldowney who advised that the person who installed the system would be providing training that week. CCTV is considered an important part of supporting the licensing objective of prevention of crime and disorder, and whilst clear effort has been made in installing a new system, at this stage it was still not operable in a manner that would be deemed by police to be adequate.

Furthermore, on 23rd April 2011 an incident occurred involving threats made to staff at the premises by a male believed to be in possession of a firearm (44110169468). A male was detained in relation to this incident. Police are only able to detain someone for a maximum of 24 hours before charging them and during this time sufficient evidence has to be obtained in order to support any charge. In this instance a charge and remand into custody was only brought after 23 hours and 50 minutes, demonstrating just how long it takes to conduct these enquiries. The premises were unable to download any CCTV footage of the incident within this time period and had to call the alarm company to request their attendance to do this (Item 12). The Crown Prosecution Service authorised a charge without having the CCTV present. Unfortunately, when PC Wood attended a meeting with Mr Mulldowney, and



[REDACTED]

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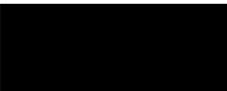
Michelle, the weekend manager, in January 2012, training still had not been completed and neither were able to produce a disc of footage (Item 24).

On 10th September 2011 police received a report, from more than one person, including doorstaff, that there was a fight ongoing at the premises (Item 13). On police arrival, although no complaints were made, people were observed to have visible injuries (Item 14). PC Wood spoke with the only member of door staff on duty following the incident (Item 15). He named the male involved in the incident, advising that this male was consistently at the root of problems at the premises and that he felt very uncomfortable with his presence at the premises. Despite this, the male was allowed entry and was never asked to leave. It is believed that this male was involved in the incident which led to four separate people reporting a fight, and several sustaining injuries. This shows that the premises is not supporting the licensing objectives of prevention of crime and disorder, prevention of public nuisance, and public safety. The member of door staff on duty went on to say that he had requested membership of Licensing Link (a form of pub-watch scheme that links licensed premises and enables information sharing regarding banned persons etc), but had received such negative feedback, including the threat of loss of his job, that he was unwilling to pursue it. Once again, there was only one member of door staff on duty, which was inadequate in dealing with the situation that occurred and casts continued doubt over the premises support of all four licensing objectives.

On 19th November 2011 a noise complaint was received by police (Item 16). PC Harris and PC Lindley attended (Item 17). Evidenced on body worn camera is the only member of door staff advising that he needed assistance, that one member of door staff was insufficient for this type of event, but that he needed his job, so couldn't push the matter. There were large amounts of people stood out in the road, and one person, who had been 'ejected kicking and screaming' from the premises, was being treated by ambulance. During the time that this ejection took place there had, owing to there being just the one member of door staff, been nobody managing the door. This is, again, not in support of the licensing objectives. The issues were brought to the attention of the duty manager, Michelle, who concurred with the thoughts of the attending officers (Item 18). In the subsequent meeting with Mr Mulldowney, admissions were made that having just one member of door staff that night was a mistake and PC Harris was assured that this would not happen again. PC Harris was also advised that all staff could now produce CCTV footage on request. Advice was given regarding demonstrating support of the licensing objectives, including providing written due diligence training. An email was subsequently sent by PC Harris to the DPS Mr Mulldowney containing a link to a website that may assist in producing training records, and it was requested that an update be provided within two weeks (Item 19).

On 23rd December 2011 information was received from PCSO Wright that he had confiscated two cans of lager from a 16yr old female outside of the premises (Item 20). This female was then allowed entry to the premises. It was only when PCSO Wright advised the member of door staff that the female was only 16, and had been drinking, that she was asked to leave (Item 21).

Finally, on New Years Eve 2011 two incidents occurred at the premises. PC Stead attended at just gone 0100hrs following a report that a male had been assaulted, causing a head



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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 PC Bethan Wood Collar Number: 24191
Signature:  Date: 06/03/2012

Signature of Authorising Officer (Inspector or above)

Name Insp 1399 MCGONIGLE Collar Number: 1399
Signature:  Date: 06/03/2012



Intelligence/street check summary

Intelligence Log: 44100520959 Anti-social behaviour; Other @11/12/2010 23:21

Overall grading

Source evaluation: B: Mostly reliable
 Intelligence evaluation: 1: True w/out reservation
 Handling code: 1: To other law enforcement agencies
 Usability: D: Developmental

Occurrence time:

Objectives: Anti-social behaviour; Other

Status: New submission

Summary: B11 (5) OP ERWOOD: At the JOINERS, ST MARY STREET there was an event being held, where youths between the ages of 14 - 17 were allowed entry into the venue to see bands. In JAMES STREET, just yards away from the venue, approx 35 - 40 of the youths were congregated, some drinking alcohol. Confiscations were made from the group. On giving advise to the doorstaff at the JOINERS, the response was that of 'if its round the corner, theres not alot I can do about it'. Doorstaff were reminded that the ASB that could arise from the large group, would be directly linked back to the venue. Also whilst standing near to the venue, one youth was ejected by doorstaff, due to his actions inside. The doorman, then said that if the lad apologised, he would be allowed back in, of which happened. The youth was one of those that had been drinking earlier.

Involved person(s): 1) OPERATION ERWOOD
 2) [Other] 5 OCU - SE01 2011

Involved address(es): 1) [Occurrence address] 0 ST. MARY STREET SOUTHAMPTON, HAMPSHIRE United Kingdom (OCU: 5 SOUTHAMPTON, District: S CENTRAL SOUTHAMPTON, Sector: SE CENTRAL SOUTHAMPTON EAST, Beat: 5SE01 ST MARYS)

Involved telephone #'s:

Involved vehicle(s):

Involved police:

Narrative:

HAMPSHIRE CONSTABULARY

Ⓜ RESTRICTED Ⓞ CONFIDENTIAL Ⓢ SECRET

Policing Purpose (Mandatory. Must be completed first)		?
What does this information make reference to?	For advice click on the yellow Help icon	
Is the reason for collecting and recording this information for any of the following purposes?	To preserve order	
IMPORTANT: Information cannot legally be held unless it supports any of the above policing purpose factors.		



Source Details

Full Name:			
Date of Birth:		Apparent Age:	
Agency:			
Address:	<div style="text-align: right;"> ⤴ ⤵ </div>		
Telephone No:		Mobile No:	
Gender:	<input type="text" value=""/>		
Provenance:			
Reference:			

Sanitisation for FIMU USE ONLY
Press Button to Sanitise

Information

(5) OP ERWOOD: At the JOINERS, ST MARY STREET there was an event being held, when youths between the ages of 14 - 17 were allowed entry into the venue to see bands. In JAME STREET, just yards away from the venue, approx 35 - 40 of the youths were congregated, so drinking alcohol. Confiscations were made from the group. On giving advise to the doorstaff JOINERS, the response was that of 'if its round the corner, theres not alot I can do about it'. Doorstaff were reminded that the ASB that could arise from the large group, would be directly linked back to the venue.

Also whilst standing near to the venue, one youth was ejected by doorstaff, due to his actions inside. The doorman, then said that if the lad apologised, he would be allowed back in, of whi happened. The youth was one of those that had been drinking earlier.

Any Action/Research taken by Submitting Person



Licensing Sgt emailed ref intel.

Risk Assessment: Must be completed if handling code 2, 3, 4 or 5 ?

1.	Does the information contain confidential material or sensitive material as identified in law?	No ▾
2.	Conditions/restrictions? if yes, are there any restrictions on use, or requirements for special handling, imposed by the person submitting the report?	▴ ▾
3.	Disseminate to:	▴ ▾
4a.	What are the ethical, personal or operational risks which are likely to result as a consequence of any dissemination or disclosure?	▴ ▾
4b.	What are the likely risks to the SOURCE as a consequence of any dissemination or disclosure?	▴ ▾
5.	What is the purpose of dissemination or disclosure? Is it for a policing purpose or a legislative requirement?	▴ ▾
6.	Having identified the risks, justify the decision making process. This must include the justification, authority, proportionality, accountability and necessity of a dissemination or disclosure.	▴ ▾

Version V1.1 last updated 10/05/2010

Working Sheet

Hampshire Constabulary

Printed: 21/02/2012 10:09 by 24191

Occurrence: **44080526690 Z Prem Licence (Management Occurrence)**

Author: #20920 PRIOR, N.

Report time: 22/01/2011 23:17

Entered by: #20920 PRIOR, N.

Entered time: 22/01/2011 23:17

Remarks: Licence Visit

PC SULLIVAN did record some of the visit on BWV but had to switch it off part way through to speak to someone.

The joiners was due for a visit because of the Intel 44100520959

As it happened the night we chose to visit was also an underage night with a local school band playing, before our attendance local units had been called due to underage youths repeatedly trying to get in with alcohol. They'd attended and I have requested an update from PC Badhams in relation to what evidence they can put forward.

On arrival there were large amounts of people outside, there were alcohol cans and bottles in the road and on the pavement as well as broken bottles. On walking up to the venue I looked up the side alley and a male and female were out by the bins but saw us and ducked back in the fire exit which did not appear to be being manned.

The doorman was spoken to and was without a doubt overwhelmed youths were walking in and out with any control, he stated that he could not deal with everything on the door on his own and that there was inadequate staffing inside the venue and that all night they had been taking alcohol off youths coming in. Just inside the door was a child with a pint of beer which the doorman initially said was 18 and as we were about to challenge this another person who was helping on the door, though not employed to, and was just inside saw this and immediately took the pint off the lad. I asked why there were pint glasses to which the doorstaff explained that they sold alcohol on these nights to anyone who shows ID at the bar, that he did not ID on the door because the events were for 14+ year olds. I questioned the logic in selling and he said that they had no control over those over 18 who brought alcohol and then gave it to underage and that there were not the staff to marshall that.

PC SULLIVAN made a good point in the fact that it was a school aged band playing so the majority of attendees were always going to be under 18, the tickets were sold for £5 in the schools

I asked to speak to the manager and he said that the manger was never on duty on a Saturday night

This is in need of a follow up meeting to address the clear problems with



Working Sheet

Hampshire Constabulary

Printed: 20/01/2012 14:46 by 24191

Occurrence: **44080526690 Z Prem Licence (Management Occurrence)**

<i>Author:</i>	#20920 PRIOR, N.	<i>Report time:</i>	26/01/2011 08:09
<i>Entered by:</i>	#20920 PRIOR, N.	<i>Entered time:</i>	26/01/2011 08:09
<i>Remarks:</i>	Update from attending officers called to Joiners Saturday night		

We were called there following a report from the doorstaff stating that there was a group of underage children who had been refused entry to the venue stood outside giving them abuse and drinking alcohol.

There was a incredibly large group of children stood outside the front, in the road and down the side of the venue. Looking at the group, I could not see anyone who I would have said was over 18 years old.

As we arrived, I could see various cans of lager and bottles of lager and Malibu on the ground outside the front of the venue. One bottle got thrown into the road smashing just in front of our police car.

On getting out of the car, I could not see anyone identifiable as doorstaff. I managed to push my way through the queue trying to get into the venue, taking cans of lager from people en route.

Just inside the very narrow doorway were two males who appeared to work at the venue as they were taking money from people coming in. I handed the cans of beer to them and one said that I wouldn't believe how many cans he had already confiscated from people.

One male said that they had had problems with two males who they had refused entry to as they had been drinking outside but didn't have any id. These males were not seen when I went back out.

To be honest, it was absolute chaos there, the venue had no control over any of the large group congregating outside and down the side of the building. Customers of the Joiners were clearly going into the off licene opposite and buying alcohol and drinking prior to going into the venue - judging by all the blue plastic carrier bags, cans of lager etc lying around.

There was no-one supervising people outside and there was no organisation regarding people coming in and paying etc. I saw no ID checks being made by doorstaff.

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

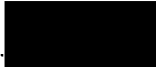
URN

Statement of: Constable 21007 S BADHAM

Age if under 18: Over 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:  (witness) Date: 25/02/2012

I am PC 21007 BADHAM currently stationed at Southampton Central Police Station. This statement relates to an incident which I attended on 22nd January 2011 at The Joiners on St Mary's Street.

At approximately 20:25 hours on Saturday 22nd January 2011 I was on duty and in full uniform in the company of PC 25073 STEPIN when we were deployed to a public order incident at The Joiners. We had been called by door staff at The Joiners, stating that there was a group of underage children who had been refused entry to the venue who were now stood outside giving them abuse and drinking alcohol.

On arrival in St Mary's Street, approaching The Joiners I could see that there was an incredibly large group of children stood outside the front, in the road and down the side of the venue. Looking at the group, I could not see anyone who I would have said was over 18 years old. It was clear that the venue had an event taking place which had attracted a large amount of young people.

As we arrived, I could see various cans and bottles of lager and a bottle of Malibu on the ground outside the front of the venue. One bottle got thrown into the road smashing just in front of our police car as I pulled up.


On getting out of the car, I could not see anyone identifiable as being door staff outside or at the front of the venue. I managed to push my way through the queue trying to get into the venue, taking cans of lager from people en route.

Just inside the very narrow doorway there were two males who appeared to work at the venue as they were taking money from people coming in. I handed the cans of beer to them and one said that I wouldn't believe how many cans he had already confiscated from people.

I established that the door staff had had problems with two males who they had refused entry to the venue as these males had been drinking outside but didn't have any id. These males were not seen when I went back out.

In my opinion it was absolute chaos there; the venue did not appear to have any control over any of the large group who were congregating outside and down the side of the building. Customers of the Joiners were clearly going into the off licence opposite and buying alcohol and drinking prior to going into the venue - judging by all the blue plastic carrier bags, cans of lager lying around etc.

There was no-one supervising people outside, and there was no organisation regarding people coming in and paying. I saw no ID checks being made by door staff during the period that I was stood in the doorway.

Signature:.....  Signature witnessed by:

Working Sheet

Hampshire Constabulary

Printed: 20/01/2012 14:53 by 24191

Occurrence: **44080526690 Z Prem Licence (Management Occurrence)**

Author:	#24288 HARRIS, J.	Report time:	16/02/2011 10:50
Entered by:	#24288 HARRIS, J.	Entered time:	16/02/2011 10:50
Remarks:	Licensing visit		

PS MARSHMAN and i attended the above premise on 10 february 2011 and spoke with Glen Lovell Dps and Pat (doorman).

We discussed an incident from 22nd January 2011, where there were concerns of underage drinking and issues outside with the youths. Glen advised that they had three rival schools in on the night which they did not anticipate. This caused a lot of the problems which they usually do not experience.

A number of suggestions were made including refusing entry to anyone seen drinking alcohol and notices being placed outside to make this clear. If another event was to be held like this, we recommended that alcohol was not sold simply due to the fact that most are underage.

On the night police attended, it was stated that door staff could not be easily identified. Glenn has been asked to remind all door staff to have their sia badges on display at all times.

The hard drive for their system has not been operative since xmas. The joiners is currently struggling with money, but they have said they will do all they can to work with us. They may not be able to replace this immediately, but i have asked they update me monthly with the progress. The same applies for there two outside cameras which were faulty and i have asked they consider a camera for the stage/arena area. At present they have only had 1 incident occur in this area. If more were to occur i have advised we would expect a camera to be installed.

The incident book for the venue had not been used since 2008. This will now be used and they understand how it can protect them. Refusals log will also be kept for those refused entry and those refused alcohol so they are seen to promote the licensing objectives.



Hampshire Constabulary
Chief Constable Alex Marshall

The Joiners
 141 St Mary Street
 Southampton
 Hampshire
 SO14 1NS

Southampton Central Police Station
 Civic Centre
 Southampton
 Hampshire
 SO14 7LG

Telephone: 0845 045 45 45

Our ref:
Your ref:

Deaf/speech impaired minicom: 01962 875000
Email: jonathan.harris@hampshire.pnn.police.uk

16 February 2011

Dear Sir,

Following our meeting at your venue on the 10th February 2011, I am writing to advice what was discussed and agreed.

We discussed an event that was held at your venue on Saturday 22nd January 2011. As I advised, police were called to your venue following a report from a member of door staff who stated that there were a group of underage children outside who were giving them abuse and drinking alcohol. Upon police attendance they were most concerned. There was a large group of youths waiting outside the front and at the side of the venue and cans of lager; bottles of lager and Malibu were on the ground. The officer could not see any easily identifiable door staff and on making their way to the door, seized a number of cans of lager from the queuing persons. Please could you remind all door staff to have their SIA door badges on display at all times.

I'm sure you can appreciate, that having a large group of youths drinking alcohol outside your venue will give a poor impression to the general public and it was agreed that you would look to introduce a policy to combat this problem. It was suggested that you would refuse entry to anyone drinking alcohol outside your venue and make this clear by the display of notices.

We understand your venue is for anyone 14 years plus and at the recent incident you had three rival schools in attendance, which caused a lot of the issues. If you were to hold a similar event with three school bands, it can be anticipated that most of your customers will be underage and therefore, alcohol should not be available. You agreed that should you hold an event like this again, you would not sell alcohol.

The CCTV system at your venue is currently without a working hard drive and it has been in this condition since Christmas. We expect all venues to have a system capable of retaining recorded footage for a minimum of 28 days as allegations can always be made at a later date. Two of your outside cameras are not functioning and you do not have a camera



Hampshire Constabulary
Chief Constable Alex Marshall

covering the stage/arena area. You advised you did not consider it necessary as incidents do not occur here. I have looked through our records and note that a complaint was made on 27th December 2010, where beer was being thrown around in the crowd. A male attempted to stop this and was punched in doing so. This would indicate a need for a camera in this area, although I am aware lighting may be an issue.

As a licensee, you are expected to promote the 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

In order to promote the licensing objectives, I would recommend that your CCTV system is repaired or has parts replaced to bring it up to the level we expect. You have advised that you would be renewing the CCTV. Please could you provide me with a timescale for the renewal.

Although you were in possession of an incident book, this had not been used since 2008, which is not acceptable. We recommend the use of a diarised incident book and you agreed to do this. It not only demonstrates good practice, but could possibly protect you and your staff if an allegation was made against them. If a member of door staff has to remove a person due to their behaviour, we would expect an entry detailing the incident and why force had to be used. If no incidents occur at the venue, we would like “no incidents” to be recorded and each entry to be signed off by the supervisor on the night.

In addition to an incident book, you agreed to retain a refusals log, which would detail persons refused entry and persons refused alcohol. This can be as simple as a 5 bar tally.

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

Yours faithfully,

PC 24288 HARRIS
Violent Crime & Licensing Department

Working Sheet

Hampshire Constabulary

Printed: 20/01/2012 15:29 by 24191

Occurrence: **44080526690 Z Prem Licence (Management Occurrence)**

Author: #24288 HARRIS, J.

Report time: 28/02/2011 18:35

Entered by: #24288 HARRIS, J.

Entered time: 28/02/2011 18:35

Remarks: Information rcvd regarding non sia door staff

I today called Joiners and spoke with Chris Stemp who is a promoter at Joiners and enquired as to whether they have a door man called Guy. Chris stated that Guy did used to work on the door but claimed that he had been working on reception taking money from the customers. He did not know of Guys surname but added that he works 1 or twice a week.

I have noted that there is an event at Joiners tomorrow night whilst i am on lates so i shall ensure i pay them a visit.



Working Sheet

Hampshire Constabulary

Printed: 20/01/2012 15:28 by 24191

Occurrence: **44080526690 Z Prem Licence (Management Occurrence)**

<i>Author:</i> #24288 HARRIS, J.	<i>Report time:</i> 01/03/2011 23:51
<i>Entered by:</i> #24288 HARRIS, J.	<i>Entered time:</i> 01/03/2011 23:51
<i>Remarks:</i> Licence visit	

I attended The joiners this evening and spoke with Patrick MULDOWNEY about a doorman called Guy after we had received information that he was operating without renewing his SIA licence. Patrick advised that Guy does usually work on the door on a friday and saturday and he added he did work last weekend. Patrick said that he had a couple of texts from Guy recently which suggested there was a problem. There was a delay in Guy receiving his new licence. I have advised that untl he receives his new licence then he should not be working on the door.



Working Sheet

Hampshire Constabulary

Printed: 20/01/2012 15:45 by 24191

Occurrence: **44080526690 Z Prem Licence (Management Occurrence)**

Author: #24288 HARRIS, J.

Report time: 02/03/2011 13:46

Entered by: #24288 HARRIS, J.

Entered time: 02/03/2011 13:46

Remarks: Telephone call from DPS

Gelen Lovell DPS has just telephoned to advise that Guy will not be working on the door until he receives his new sia licence. He supposedly applied for a new one but put incorrect details on his application for which case it was rejected. He has completed a new application and has been informed it is being processed.

Glen has also advised that CCTV is being replaced by the end of next week. They are having 4 colour cameras installed. He will contact me once installed.



Working Sheet

Hampshire Constabulary

Printed: 20/01/2012 15:46 by 24191

Occurrence: **44080526690 Z Prem Licence (Management Occurrence)**

<i>Author:</i> #24288 HARRIS, J.	<i>Report time:</i> 18/03/2011 15:52
<i>Entered by:</i> #24288 HARRIS, J.	<i>Entered time:</i> 18/03/2011 15:52
<i>Remarks:</i> CCTV installed	

The new system has now been installed and ready for me to view although one camera had developed a fault and is a funny colour. The engineer will be returning to rectify this.

I have discussed some recent intel with Glenn about customers drinking bottles outside. He refused to accept that this was happening but suggested i speak with Patrick as he is mainly on the door. I have discussed this with Mike and as suggested by PS Marshman will look to evidence this. Mike is on lates next week and i am on the following week and will look to obtain some body warn footage.

The other intel that i raised was the harlequins and dexter event in which previously caused issues. Glenn has advised that they will not be playing together at the next event, it will just be Harlequins. He appeared more concerned about where the information had come from other than the content. I suggested that he may wish to consider employing more door staff for the event.

I will attend next week to view the CCTV and discuss my concernas in more detail.



Working Sheet

Hampshire Constabulary

Printed: 20/01/2012 15:47 by 24191

Occurrence: **44080526690 Z Prem Licence (Management Occurrence)**

Author: #24288 HARRIS, J.

Report time: 11/04/2011 13:37

Entered by: #24288 HARRIS, J.

Entered time: 11/04/2011 13:37

Remarks: Licensing visit 02/04/11

Glenn was not present, weekend manager Michelle was covering. She did not know how to use CCTV and no one else did.

Have spoken to Patrick Muldowney who advised the person who installed should be training them all this Thursday. To monitor.

Working Sheet

Hampshire Constabulary

Printed: 20/01/2012 15:49 by 24191

Occurrence: **44080526690 Z Prem Licence (Management Occurrence)**

Author: #24288 HARRIS, J.

Report time: 03/05/2011 14:00

Entered by: #24288 HARRIS, J.

Entered time: 03/05/2011 14:00

Remarks: Incident 23/04/11

I have spoken with the DPS who has advised that the male arrested for threats to life (44110169468) incident is an ongoing problem for them. They state the male is often in drink and looking at his record is known for numerous public order incidents. He was already on bail for another matter when he committed this offence. The offender moans about people queing outside the premise and on this occasion made threats to shoot people with a shotgun.

I have liased with the OIC James GILES and asked if he obtained CCTV as it is not clear from the records. He advised that he watched the CCTV but could not obatin it at the time. The DPS has advised that the alarm company that installed it have been called out and burnt off a copy of the footage. He thought that this had been handed to police already. He will check with Michelle, the night manager who allegedly was also trained in using the system and had dealings with the footage.

I have spoken to e/h and am awaiting a call back from Peter Wainwright although i would consider this more of a m/h and drink problem with regards to the offender.

13

Event details

Event type: Public Order Other Incident
Reported time: 2011-09-10 22:51:53
Closure time: 2011-09-10 23:07:17
Call source: 999 CALL
Priority: EMERGENCY CONTACT
Complainant: [REDACTED]
Complainant phone number(s): [REDACTED]
Location: 141 ST MARY
THE JOINERS
SOUTHAMPTON
SO14 1NS

Dispatched officers**Event commentary**

2011-09-10 22:51:53: 20 TO 30 PEOPLE FIGHTING, DISPERSING SLIGHTLY GOING AWAY FROM THE JOINERS

2011-09-10 22:52:46: FCR MONITORING

2011-09-10 22:53:02: FURTHER CALL ON [REDACTED] DOORMAN AT ABOVE - REPORTING SAME, NO WEAPONS SEEN

2011-09-10 22:53:06: FURTHER CALL FROM [REDACTED] REPORTING 60-70 PEOPLE FIGHTING - INFT CAN NOT SEE IF ANY WEAPONS INVOLVED.

2011-09-10 22:53:21: CALL FROM [REDACTED] SOUTHAMPTON REPORTING LARGE BRAWL OUTSIE, INFT THINKS SOMEONE HAS BEEN HURT

2011-09-10 22:53:23: LARGE GROUP FIGHTING, NO WEAPONS SEEN BY INFT [REDACTED]

2011-09-10 22:53:28: POLICE AND AMBULANCE - REQUESTED FROM MALE MALE HAS BEEN ASSAULTED - IS KNOCKED OUT LINE DROPPED OUT

2011-09-10 22:53:35: VS- CHAPEL ROAD

2011-09-10 22:53:48: VS - TOWARDS MARYFIELD OVER FENCE.

2011-09-10 22:54:11: FURTHER CALL FROM [REDACTED] REPORTING THE SAME. GROUP OF PEOPLE HEADING BETWEEN THE JOINERS AND THE CHURCH.

2011-09-10 22:54:18: FURTHER CALL REPORTING GROUP FIGHTING, ADVISED POLICE ON ROUTE - 07854641165

2011-09-10 22:55:30: C1- FROM CCTV GFROUP FIGHTING ST MARYS ROAD

2011-09-10 22:56:12: SD53 - THREE WALKING AWAY WITH COLLEAGUE

2011-09-10 22:56:27: CALL FROM AMBULANCE TO SAY THEY ARE ATTENDING THIS LOCATION INC 1434.

2011-09-10 22:56:29: C1 - THREE ON CAMERA, ONE MALE WHITE T-SHIRT AND TWO WITH BLK T-SHIRTS

2011-09-10 22:56:50: SD05C - OTHER UNITS TO ST MARYS STREET.

2011-09-10 22:57:01: DG20 WITH SD72.

2011-09-10 22:57:43: MW16 - CAMERA ACTIVATION KINGS WAY

2011-09-10 22:58:54: DG20 - GOT ONE FIGHTING IN THE GARDENS. WITH SD72

2011-09-10 22:59:24: VS MONITORING

2011-09-10 22:59:48: SD73 - GROUP WALKED ROUND FROM US AND INTO JAMES STREET - MALE WITH BALD HEAD AGITATED WHEN WALKED OFF WITH FRIENDS - VS TO MONITOR

2011-09-10 23:00:13: SD53 - GROUP STOPPED. AIO. TWO INJURED PARTIES.

2011-09-10 23:02:28: SD53 - TWO INJURED PARTIES HAVE WALKED OFF AND DO NOT WANT TO DO ANYTHING. DOWN ALLEYWAY GOING BACK TOWARDS CITY CENTRE.

2011-09-10 23:03:41: DG20 - THORNE/CONNOR 16091993 - NO TRACE PNC, NO WARNINGS AND AIO RMS

2011-09-10 23:06:46: SD53 - ALL OVER SPILT DRINK, NO COMPLAINTS FROM ANYONE PLEASE CLOSE TO 21929 TO WRITE UP

2011-09-10 23:07:17: *** RESULT *** NO COMPLAINTS FORTHCOMING.

Working Sheet

Hampshire Constabulary

Printed: 17/02/2012 09:21 by 24191

Occurrence: **44110386515 ASB Nui - Rowdy and Inconsiderate Behaviour @10/09/2011 22:51**

Author: #2495 TURNER, S.

Report time: 20/09/2011 00:58

Entered by: #2495 TURNER, S.

Entered time: 20/09/2011 00:58

Remarks: OIC FINAL WORKING SHEET

OIC FINAL WORKING SHEET

This needs to be completed for ALL CRIMES

INVESTIGATION

Please provide an overview of your investigation

Details of allegation

Key enquiries and evidence revealed

Outcome of investigation (include rationale, MG3 or custody officers decision. No crime justification)

Large group of males appearing the be fighting in the road. On arrival a number of males were seen with injuries but then left refusing to give poilice. No one gave any details or wanted to talk to police. It would appear a fight started over a spilt drink. No CCTV evidence available. No other lines of enquiry.

VICTIM CODE

Specify date and method victim informed of outcome. Also what the victim has been told (e.g. whether the case has been filed and why, what they can expect next if anything etc)

No victim identified.

NATIONAL CRIME RECORDING STANDARDS (NCRS) COMPLIANCE

Before answering the following questions be aware that, if the alleged victim confirms that a crime has taken place but declines to support any police action a crime should still be recorded

Have any historic unreported crimes been detailed by the victim throughout the course of this investigation? if yes, where can this information be found

no

Have any other parties identified themselves as a victim of crime, e.g. 3rd/4th party assaulted or property damaged during incident? if Yes, where can this information be found?

no

DATA QUALITY

	YES	NO	N/A
Have all the relevant suspect/witnesses been created on the 'Involved Tab'?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has the 'Police Tab' been updated with the correct OIC and/or detecting officer?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has the suspect status been updated on the involved tab (NFA, charged etc)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
PNC Bureau circulation updated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Have CYP/R(s) been submitted?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DETECTIONS

	YES	NO
Is this crime detected?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Charge - Copy of MG3 with CPS advice on RMS?	<input type="checkbox"/>	<input type="checkbox"/>
Summons - Copy of MG04 on RMS?	<input type="checkbox"/>	<input type="checkbox"/>
Conditional caution/caution - Signed copy of C13/MG14 on RMS?	<input type="checkbox"/>	<input type="checkbox"/>
Reprimand/Final Warning - Signed copy of CYP/C on RMS?	<input type="checkbox"/>	<input type="checkbox"/>
Cannabis Street Warning - Signed copy of C12 & both sides of the ticket visible on RMS?	<input type="checkbox"/>	<input type="checkbox"/>
PND - Signed copy & both sides visible on ICR?	<input type="checkbox"/>	<input type="checkbox"/>
TIC - Signed copy of MG18 on RMS?	<input type="checkbox"/>	<input type="checkbox"/>
TIC - Signed copy of admission on RMS?	<input type="checkbox"/>	<input type="checkbox"/>

Where is the TIC admission recorded

	YES	NO
Community Resolution	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Youth Restorative Disposal (YRD)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

FORENSICS / PROPERTY

	YES	NO	N/A
If forensic samples were recovered can these be destroyed? (E-mail attending CSI)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Has all stolen/damaged property been listed on RMS?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



Was any property seized?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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What is the Station reference number?



Working Sheet

Hampshire Constabulary

Printed: 17/02/2012 09:23 by 24191

Occurrence: **44080526690 Z Prem Licence (Management Occurrence)**

Author: #24191 WOOD, B.

Report time: 11/09/2011 01:02

Entered by: #24191 WOOD, B.

Entered time: 11/09/2011 01:02

Remarks: Incident 44110386515

Above incident occurred outside The Joiners and involved persons from within the premise.

The solitary doorman was spoken to at the time by myself and PC PRIOR. He stated that the male involved was consistently at the root of problems at the premise. He believed this male to be Callum McCARTHY. Despite recognising McCARTHY and feeling uneasy about his presence, McCARTHY was never asked to leave. The doorman was unable to give a consistent reason as to why this was the case, initially stating that he couldn't remember the male, then citing several incidents that he had previously been involved in - all evidenced on body worn video.

Advice was given that any person who is not wanted in the premise should be clearly identifiable to staff, eg cctv stills should be circulated amongst staff/behind the bar etc. Advice also given regarding the benefit of Licensing Link not just for support for the staff, but also the intel/picture facilities.

A follow up visit will be required to address the following:

- 1) Suggestion that CCTV may not be adequate enough to identify persons
- 2) Single doorstaff - states he has requested membership of licensing link but nearly lost his job for doing so and therefore unwilling to ask again. He is dispondent and unwilling to do anything to upset the cart, it seems that this may well include asking persons to leave if this may cause issues.

Meeting to be arranged with DPS.

24191

Working Sheet

Hampshire Constabulary

Printed: 20/02/2012 10:03 by 24191

Occurrence: **44080526690 Z Prem Licence (Management Occurrence)**

Author: #24288 HARRIS, J.

Report time: 23/11/2011 12:40

Entered by: #24288 HARRIS, J.

Entered time: 23/11/2011 12:40

Remarks: Drum and bass night and only 1 sia

Jamie and i were called to the Joiners at 0000 on Sat gone due to a noise complaint. On attendance in parking in the road just down from the premises, a rolling bass line could be heard.

On the door there was only 1 sia who was not impressed that he had been left on his own. There was an ambulance at the side dealing with a person who had been ejected kicking and screaming by the doorman earlier. During this time, there was no one available to manage the door. Albeit, only about 80 inside, this was a drum and bass event which can attract problems. The concerns of the doorman was captured on BWV and the same concerns were shared by the night manager Michelle.

Meeting needs to be arranged with DPS patrick. The occurrence until today was incorrect showing Glenn Lovell as the DPS. This is not the case having checked the licence, it is Patrick. Updated accordingly. I have called the DPS but no answer so left message requesting call back.

Hampshire Constabulary

Printed: 20/02/2012 10:04 by 24191

Occurrence: **44080526690 Z Prem Licence (Management Occurrence)**

Author: #24288 HARRIS, J.

Report time: 24/11/2011 14:15

Entered by: #24288 HARRIS, J.

Entered time: 24/11/2011 14:15

Remarks: Meeting with DPS

Met with DPS this morning to discuss recent concerns over them only having 1 sia on duty. The most recent incident was a drum and bass night with around 80 people. The doorman himself (Guy) stated that he felt uncomfortable and had to leave the door to deal with an abusive female who refused to leave and during this time there was no one else to control the door. The DPS totally accepted he had made a mistake and advised he already had a meeting with Guy and night manager Michelle. He ensured me that it would not happen again. I went over licensing objectives and stressed how important it was to get it right. DPS advised he would ensure there is a minimum of 2 if not 3 sia on for these types of events in future.

CCTV is functioning o.k and everyone is now alleged to be able to produce footage on request. I forgot to ask for some footage at the end of the meeting so will do this on the next visit.

I did see their incident book. There is plenty of detail in the book although not the easiest to read. No incidents are also being recorded when appropriate and the premises has been open.

I asked about due diligence and the DPS said that he had nothing to show in writing. I will send him an email with further information to assist him in producing a training pack. He will likely delegate this to his night manager Michelle. I have requested an update in 2 weeks.

Wood, Bethan

From:
Sent:
To:
Subject:



Jon
PC 24288 HARRIS
Violent Crime & Licensing Department
DD: 

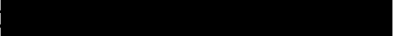
From:
Sent:
To:
Subject:



Hi Pat

Following our meeting earlier, here is the link to assist with the production of some training records. It is fairly wordy, but take from it what you feel is important for your bar staff. As I said, although it is not a requirement of the 2003 Licensing Act, it provides a defence to you as DPS if you can show you have trained your staff the best you can.

<http://www.icap.org/LinkClick.aspx?fileticket=QmsJ586LB4Q%3D&tabid=111>

Should you wish to find out anymore about the licensing link/yellow card scheme etc. Please contact the night time economy manager Chris Caesar at 

Kind regards
Jon
PC 24288 Harris

Working Sheet



Hampshire Constabulary

Printed: 31/01/2012 10:38 by 24191

Occurrence: **44080526690 Z Prem Licence (Management Occurrence)**

Author: #24191 WOOD, B.	Report time: 04/01/2012 15:06
Entered by: #24191 WOOD, B.	Entered time: 04/01/2012 15:06
Remarks: Email received by PCSO Wright regarding U18 drinker allowed in	

Yes she went back in and I had her ejected by the bouncer. Many Thanks.


 PCSO 14333 David Wright
 Safer Neighbourhoods Team
 Southampton Central Police Station
 Hampshire Constabulary
 0845 045 45 45


From: Wood, Bethan
Sent: 24 December 2011 16:53
To: Wright, David,14333
Subject: RE: The Joiners

Hi David,

Thanks for letting me know. Had she been in Joiners?

Thanks,

PC 24191 Bethan Wood

Violent Crime Reduction & Licensing Team

Southampton Central

Tel: 0845 045 45 45

Internal: 741 534



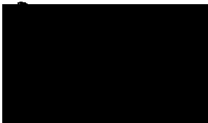
WITNESS STATEMENT

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

URN: | | |

Statement of: PCSO DAVID WRIGHT
Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police service

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 in it, anything which I know to be false, or do not believe to be true.

Signature:  Date: 09/12/2010

PCSO DAVID WRIGHT

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

I am PCSO 14333 WRIGHT employed by Hampshire Constabulary at Southampton Central Police Station.


This Statement is with regards witnessing a young female consuming alcohol outside The Joiners, St Mary Street, Southampton.

In my statement I will be referring to one person. The female I now know to be PETTIGREW Katie 20/05/1995 I will refer to as "PETTIGREW".

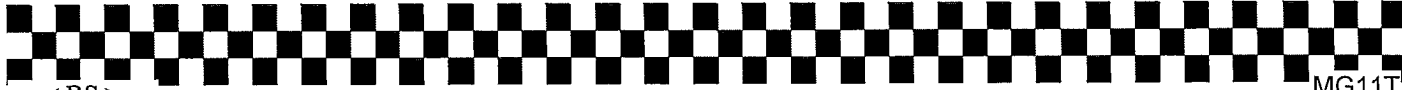
St Mary Street is an area of high complaint regarding antisocial behaviour and street drinking. The position where the female was drinking alcohol was directly in front of a licensed premises namely the The Joiners, St Mary Street. There are currently complaints by the community and businesses regarding groups of persons consuming alcohol not purchased in The Joiners and street drinking.

At 2135 on the 22/12/2011 I witnessed PETTIGREW sat on the pavement consuming alcohol outside The Joiners, St Mary Street, Southampton. Upon approaching PETTIGREW I explained to her that due to the fact that she had been seen drinking a can of Stella Beer I was detaining her for a search for more alcohol. Upon searching PETTIGREW another can of beer was found and confiscated. At the time of the search the door staff to The Joiners were not at the door and I had to enter the premises to speak to some one. I advised a female who stated that she was staff at the venue that PETTIGREW was under 18 and that she had been seen drinking alcohol outside and had re-entered the venue after the search was completed. I requested that the member of staff find the female and eject her from the premises based on this which they did. When I asked PETTIGREW if she had been in the Joiners she stated "YES"

The incident lasted for approx 3-5 minutes and at the time the incident took place I was within three to five feet of PETTIGREW and could clearly see her drinking a can of Stella Beer. I was with PCSO HAMMOND 15060 who

Signed :  Signature witnessed by :

PCSO DAVID WRIGHT



RESTRICTED – For Police and Prosecution Only

Witness contact details

URN: | | |

Home Address:

Post Code :

Home Telephone No:

Work Telephone No:

Mobile / Pager No:

Email address:

Preferred means of contact (specify details):

Best time of contact (specify details):

Gender: MALE

Date and Place of Birth:

Former name:

Ethnicity
Code:

Religion /
Belief:

DATES OF WITNESS NON-AVAILABILITY:

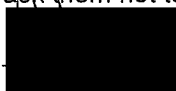
Witness Care

- a) Is the witness willing and likely to attend court?
If 'No', include reason(s) on form MG6. Yes No
 - b) What can be done to ensure attendance?
 - c) Does the witness require a Special Measures Assessment as a vulnerable or
intimidated witness? If 'Yes' submit MG2 with file. Yes No
 - d) Does the witness have any particular needs? Yes No
- If 'Yes' what are they? (Healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The Victim Personal Statement scheme (victims only) has been explained to me: Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to the police - what happens
next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter
(obtained in accordance with local practice): Yes No N/A
- e) I consent to my medical record in relation to this matter being disclosed to the
defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings if
applicable e.g. child care proceedings, CICA: Yes No N/A
- g) The information recorded above will be disclosed to the Witness Service so that they can
offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness:



PRINT NAME DAVID WRIGHT

Signature of parent / guardian /
appropriate adult:

PRINT NAME

Address and telephone
number if different from above:

Statement taken by:

PCSO WRIGHT 14333

Station:

Southampton Central

Time and place statement
taken:

Southampton Central Police Station 1645 01/02/2012



Working Sheet

Hampshire Constabulary

Printed: 31/01/2012 10:40 by 24191

Occurrence: **44120002255 Collapse/Illness/Injury @01/01/2012 01:13**

Author: #24422 STEAD, N.

Report time: 01/01/2012 06:14

Entered by: #24422 STEAD, N.

Entered time: 01/01/2012 06:14

Remarks: Initial attendance and NDM

Police were called to The Joiners, St Mary's Road, for a report of a male with his head 'cracked open'. The call to Police came from Ambulance.

On arrival PATRICK was outside having a bandage applied to a head wound.

On speaking to PATRICK it was clear that he was extremely intoxicated and had possibly taken something else because he was virtually incoherent, unable to provide much of an account and very unsteady on his feet.

In the time we were dealing with him the account changed at least 3 times, the location of the incident was given as, the toilets, inside the venue and also outside the venue in the street in separate accounts. The alleged offender was stated to be black and then white and finally not seen at all in separate accounts. Finally how the injury was actually caused was not established.

Door staff spoke to other staff members and customers who had seen PATRICK fall over several times and this is likely to be the actual cause of the injury.

The injury itself is a minor cut to the back of his head, it may require a steri strip or similar and PATRICK was taken to the Ice Bus to be treated.

Unfortunately at the time we attended The Joiners were not able to allow us to view the CCTV so we could not confirm if anything had been captured at all. This will have to be followed up over the course of the week.

PATRICK was so much in drink that we were not really able to get any more information from him and I do not believe he was able remember the incident himself.

At this stage PATRICK is not making an allegation of assault, this came third hand and it would appear to have been an assumption from door staff. There is no complaint of assault from PATRICK and unless the CCTV is able to show how the injury was caused there would be no evidence to show how it occurred. Unless there is evidence to corroborate or even suggest an assault having taken place this matter will be filed as an injury/illness.

PC 2442 STEAD

Event details

Event type:	Public Order Other Incident
Reported time:	2012-01-01 02:56:23
Closure time:	2012-01-01 03:15:05
Call source:	999 CALL
Priority:	EMERGENCY CONTACT
Complainant:	,
Complainant phone number(s):	07886986610
Location:	141 ST MARY THE JOINERS SOUTHAMPTON SO14 1NS

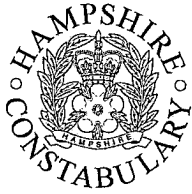
Dispatched officers

Event commentary

2012-01-01 02:56:23: . INFT IS A DOORMAN - PUNCH UP IN THE JOINERS AMRS - INFT IS STRUGGLING TO HOLD PEOPLE BACK AND WANTS POLICE ASAP...VERY HARD TO HEAR MY QUESTIONS. .

2012-01-01 03:03:42: CP51 - NO ONE MAKING ANY COMPLAINTS. PEOPLE HAVE LEFT.

2012-01-01 03:15:05: *** RESULT *** NO PERSONS MAKING COMPLAINTS



Hampshire Constabulary
Chief Constable Alex Marshall

Mr Patrick Muldowney
The Joiners
141 St Marys Street
Southampton
SO14 1NS

Police Licensing Unit
Southampton Central Police Station
Southern Road
Southampton
Hampshire
SO15 1AN

Our ref: 44080526690
Your ref:

Telephone: 0845 045 45 45
Direct dial: [REDACTED]
Fax No: 0845660037

Deaf/speech impaired minicom: 01962 875000
Email: southampton.licensing@hampshire.pnn.police.uk

13th February 2012

Dear Mr Muldowney,

This letter is in reference to our licence meeting held on the 31st January 2012 at The Joiners, Southampton. At the meeting we discussed matters in relation to due diligence, advice that has previously been given to you, and recent incidents at the premises. I have summarised these on the attached sheet.

As you are aware Southampton Police are committed to working with the licensees in supporting the four licensing objectives i.e. –

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

As we discussed it is disappointing that you had assured PC Harris that the advise he gave you nearly a year ago would be acted upon, but have not. I can assure you that you are not being targeted or visited with un-due frequency, as you explained you felt. However, where there have been incidents, and it is felt that you are not supporting the licensing objectives or taking appropriate action to ensure that you can demonstrate your support, then the licensing team will look to take the matter further. This is often by means of review of the premises licence. I have attached to this letter examples of conditions often added to premises licences in order that you have a better understanding of ways in which to support the licensing objectives.

Yours Sincerely,

PC 24191 WOOD
Violent Crime Reduction & Licensing Team
Southampton Central Police Station



Hampshire Constabulary

Chief Constable Alex Marshall

Meeting at Joiners 31/01/12

CCTV

Police: You were unable to operate your CCTV system and advised that you would have to contact the CCTV company in order to view or record footage. I looked at the positioning of your four cameras and note that there is still no camera on the dance floor, which was suggested by police some time ago. We discussed an incident that occurred on New Years Eve in which a male sustained an injury to his head. He was so drunk that he could not provide details of what had happened and it was not known whether an assault had taken place. Without being able to view CCTV police were unable to ascertain whether a crime had occurred or identify any offenders. It is suggested that you have instructions for how to use the CCTV system on site in order that it can be viewed and downloaded at all times that there are staff on the premises.

Venue: Advised that you will contact the CCTV company and arrange training.

Refusals/Incident Log

Police: You currently use a diarised book to record incidents and refusals. A new book has been started for 2012 but you also showed me the 2011 book. It appears that the 2011 book was used from the end of March onwards. The content in relation to incidents is initially good. However, there are few incidents recorded towards the end of the year, and absolutely nothing recorded for New Years Eve despite a customer sustaining a head injury (police attend), and Guy, your door man calling 999 to advise of a fight that he could not contain. There are also no refusals recorded in either the 2011 or 2012 book. Having no refusals recorded suggests that no refusals are made. It is suggested that you record challenges made for ID, refusals, and ejections in order to demonstrate effective due diligence and also your support of the licensing objectives. We discussed a recent incident when a PCSO confiscated alcohol from someone under 18 directly outside the venue and they were then allowed in. This demonstrates poor door practice and is something that needs to be improved upon.

Venue: Advised that ID is not asked for on the door as the premises caters for O14's. Tickets are taken on the door and ID is asked for at the bar. Agreed that refusals for anyone who is drunk or banned should be made on the door, and that refusals or challenges for ID made on the bar recorded. All staff should constantly risk assess and be vigilant, looking out for signs of drunkenness, people who may be under age, or anyone who appears vulnerable for any reason.

Training

Police: You currently have no training package in place. All your staff should receive due diligence training. This means educating your staff in order to prevent sales of alcohol to anyone under 18 years of age, or anyone who is drunk. It is an offence to make these sales,



Hampshire Constabulary

Chief Constable Alex Marshall

and failure to be able to evidence training of your staff could leave you liable for prosecution if another member of staff makes the sale. We would encourage you to put together a training package, to have each member of staff complete it, and to ensure that it is signed and dated by each staff member to confirm that this has taken place.

Venue: You advised that you have had a couple of 'meetings' with your staff since the last meeting with PC Harris to discuss what you called '21', and door staff. You stated that you weren't aware that you needed a formal training package and asked where you might get information regarding this from. I advised that a simple search for Due Dilligence Training Packs on the internet would provide you with an array of packages of differing levels. On returning to the police station I have been advised by PC Harris that he emailed you on the same day as your last meeting with a link to www.icap.org. You advised that you would look to create a formal training package and keep records of training as soon as possible. You asked Michelle, your bar manager, to look into this.

Age Verification Policy

Police: You don't currently have a written age verification policy. Amendments made to the Licensing Act last year require every licensed premises to have an age verification policy. As above, you advised that you had held a meeting in relation to '21'. Michelle advised that you operate a Challenge 25 policy. The conflicting opinions in relation to whether you operate Challenge 21 or Challenge 25 indicate that this policy needs to be written, and staff trained fully in its implementation. Adoption of an age verification policy, and recording its implementation provides significant evidence in support of the licensing objectives. I have included a couple of Challenge 25 posters as this is the recommended policy.

Venue: Advised that you would conduct full due diligence training, including Challenge 25 as soon as possible.

Door Staff

Police: Advised that on New Years Eve there was a further incident whereby your one member of door staff was unable to cope. This has been raised previously. It is extremely difficult for one member of door staff to maintain control of the premises on their own at the best of times. When an incident occurs the member of door staff has to leave their post to deal with it effectively. Furthermore, incidents often require more than one member of staff in order to deal with them safely and successfully. Having already raised this issue it is again disappointing to see the further incident on New Years Eve. Whilst I appreciate that there is often no warning of incidents occurring, a common sense approach would indicate that New Years Eve might require more than one member of door staff. When employed, door staff should ensure that they are clearly identifiable, and know to record any incidents in the incident book. Details should be kept of which door staff are on duty and when.



Hampshire Constabulary

Chief Constable Alex Marshall

Venue You stated that it was not possible to have increased door staff at all times due to the cost implications. However, you advised that on certain nights door staff levels are increased to two or three.



EXAMPLE OF PREMISES LICENCE CONDITIONS

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 on request of the Police or local authority when investigating allegations or offences. Any images recovered must be in a viewable format on either disc or VHS.

The recording system will be able to capture a minimum of 4 frames per second.

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 measures to prevent recordings being tampered with, i.e. password protected.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Southampton Police Licensing Unit.

Incident book

An incident book will be provided and maintained at the premises and there will be a daily debrief of door staff (where used) at the close of business which will be evidenced in writing by the Manager on duty. Should there be no incidents then this will also be recorded at the end of the shift in the incident book.

The incident book will remain on the premises at all times and will be available to police upon request.

The book shall detail in brief, incident of injury/ejection/refusals/drug misuse/ i.d seizure/age challenge. Where there is an injury, ejection of physical altercation the entry shall be timed, dated and signed by the author. If the member of staff involved has difficulties reading or writing then the entry may be written by another party. This should however be read back to the person involved and counter signed. Should there be any



Hampshire Constabulary

Chief Constable Alex Marshall

physical interaction by members of staff and public the entry will include what physical action occurred between each party.

Refusals book

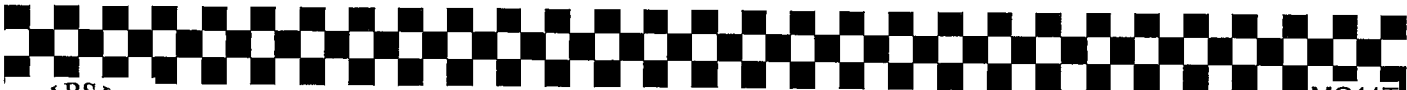
A refusals book to be kept detailing numbers , dates and times of incident and description of people refused service of alcohol with reasons why(Including incidents relating to disorder)to the reasonable satisfaction of Hampshire constabulary. The refusals book will remain on the premises at all times and will be available to police upon request.

Training

Staff are trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18; signs and symptoms of drunk persons, refusal of sale due to intoxication and 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 are kept of this refresher training. Records will be available for inspection by Hampshire Constabulary and the licensing Authority. Records will be kept for a minimum period of two years.

Challenge 21

There will be a Challenge 21 policy operated at the premises. Challenge 21 meaning that the holder of the premises licence shall ensure that every individual who appears to be under 21 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.



25

URN: | | |

Statement of: PC Nicholas Stead
Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Officer

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 in it, anything which I know to be false, or do not believe to be true.

Signature:



Date: 05/03/2012

PC Nicholas Stead

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

I am PC 24422 Stead of Hampshire Constabulary currently stationed at Southampton Central Police Station. I provide this statement in relation to an incident I attended at The Joiners Public House, St Mary's Street, Southampton.

On Sunday 1st January 2012 I was on duty in full uniform in the company of PC 21122 Marsh-Clasby. At approximately 0115 hours we attended The Joiners, St Mary's Street, Southampton for a report of a male who had been assaulted at that location.

On arrival I spoke with a male I now know to be [redacted] was very confused, he was very unsteady on his feet, was slurring his words and smelt strongly of intoxicating liquor, in my opinion he was drunk.

[redacted] initially stated he had been assaulted, when trying to establish more details about this incident his account changed so many times that it was not possible to get a clear idea of what had actually happened. It was clear that he was drunk and very confused and had a cut to his head but he gave three different locations for the incident, gave two very different descriptions of an offender (the first stating it was a black male and the second that it was a white male) and finally that he did not see who had assaulted him. [redacted] was also unable to give any sort of time for the incident.

On speaking to staff I was informed that [redacted] had been seen to fall over on several occasions whilst inside the venue. From the way he was presenting outside this appeared to be a very likely and realistic account for his injury. I asked to view the CCTV from the venue, the door supervisor went into the venue and returned stating that I would not be able to do this at that time, it was at this time he informed me that bar staff had witnessed [redacted] fall over inside the venue [redacted] was given medical attention and we resumed from the incident.

Signature: ...



Signature witnessed by:





**Schedule 12
Part A
Premises Licence**

Regulation 33,34

Premises licence number	2006/01759/01SPRN
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Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description,
Joiner's Arms 141 St. Mary Street Southampton SO14 1NS

Telephone number	02380225612
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Where the licence is time limited the dates
Not applicable

Licensable activities authorised by the licence
Films Indoor sporting events Live music Recorded music Performances of dance Anything similar to live music, recorded music or performances of dance Facilities for making music Facilities for dancing Provision of late night refreshment Supply by retail of alcohol

The times the licence authorises the carrying out of licensable activities																												
Films <table> <tr><td>Monday</td><td>11:00 - 23:30</td></tr> <tr><td>Tuesday</td><td>11:00 - 23:30</td></tr> <tr><td>Wednesday</td><td>11:00 - 00:30</td></tr> <tr><td>Thursday</td><td>11:00 - 00:30</td></tr> <tr><td>Friday</td><td>11:00 - 01:30</td></tr> <tr><td>Saturday</td><td>11:00 - 01:30</td></tr> <tr><td>Sunday</td><td>11:00 - 23:30</td></tr> </table> Indoor sporting events: <table> <tr><td>Monday</td><td>11:00 - 23:30</td></tr> <tr><td>Tuesday</td><td>11:00 - 23:30</td></tr> <tr><td>Wednesday</td><td>11:00 - 00:30</td></tr> <tr><td>Thursday</td><td>11:00 - 00:30</td></tr> <tr><td>Friday</td><td>11:00 - 01:30</td></tr> <tr><td>Saturday</td><td>11:00 - 01:30</td></tr> <tr><td>Sunday</td><td>11:00 - 23:30</td></tr> </table>	Monday	11:00 - 23:30	Tuesday	11:00 - 23:30	Wednesday	11:00 - 00:30	Thursday	11:00 - 00:30	Friday	11:00 - 01:30	Saturday	11:00 - 01:30	Sunday	11:00 - 23:30	Monday	11:00 - 23:30	Tuesday	11:00 - 23:30	Wednesday	11:00 - 00:30	Thursday	11:00 - 00:30	Friday	11:00 - 01:30	Saturday	11:00 - 01:30	Sunday	11:00 - 23:30
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Saturday	11:00 - 01:30																											
Sunday	11:00 - 23:30																											

Live music

Monday	11:00 - 23:30
Tuesday	11:00 - 23:30
Wednesday	11:00 - 00:30
Thursday	11:00 - 00:30
Friday	11:00 - 01:30
Saturday	11:00 - 01:30
Sunday	11:00 - 23:30

Recorded music

Monday	10:00 - 23:30
Tuesday	10:00 - 23:30
Wednesday	10:00 - 00:30
Thursday	10:00 - 00:30
Friday	10:00 - 01:30
Saturday	10:00 - 01:30
Sunday	11:00 - 23:30

Performances of dance

Monday	11:00 - 23:30
Tuesday	11:00 - 23:30
Wednesday	11:00 - 00:30
Thursday	11:00 - 00:30
Friday	11:00 - 01:30
Saturday	11:00 - 01:30
Sunday	11:00 - 23:30

Anything similar to live music, recorded music or performances of dance

Monday	11:00 - 23:30
Tuesday	11:00 - 23:30
Wednesday	11:00 - 00:30
Thursday	11:00 - 00:30
Friday	11:00 - 01:30
Saturday	11:00 - 01:30
Sunday	11:00 - 23:30

Facilities for making music

Monday	11:00 - 23:30
Tuesday	11:00 - 23:30
Wednesday	11:00 - 00:30
Thursday	11:00 - 00:30
Friday	11:00 - 01:30
Saturday	11:00 - 01:30
Sunday	11:00 - 23:30

Facilities for dancing

Monday	11:00 - 23:30
Tuesday	11:00 - 23:30
Wednesday	11:00 - 00:30
Thursday	11:00 - 00:30
Friday	11:00 - 01:30
Saturday	11:00 - 01:30
Sunday	11:00 - 23:30

Provision of late night refreshment

Monday	23:00 - 23:30
Tuesday	23:00 - 23:30
Wednesday	23:00 - 00:30
Thursday	23:00 - 00:30
Friday	23:00 - 01:30
Saturday	23:00 - 01:30
Sunday	23:00 - 23:30

This premises licence is issued by Southampton City Council as licensing authority under part 3 of the Licensing Act 2003 and regulations made thereunder

Dated this 24th day of August 2006

Licensing – Southampton City Council
PO Box 1344
Southampton
SO15 1WQ

Solicitor to the Council

Annex 1 – Mandatory Conditions

1 No supply of alcohol shall be made under the premises licence:

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor for the premises does not hold a personal licence or his personal licence is suspended.

2 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

3 The admission of children to films exhibited at the licensed premises is restricted in accordance with section 20 of the Licensing Act 2003.

4 Where any condition of this licence requires that, at specified times, one or more individuals must be at the premises to carry out a security activity, each such individual must be licensed by the Security Industry Authority, unless the Private Security Industry Act 2001 does not require them to be so licensed.

Annex 2 – Conditions consistent with the operating Schedule

1 B - Exhibition of Films

Films may be exhibited in the licensed premises, subject to the following:

No film shall be exhibited unless it has received a "U", "PG", "12", "12A", "15" or "18" certificate from the British Board of Film Classification or the licensing authority, or it is current news reel which has not been so certified.

Where a programme includes a film in the 12, 12A, 15 or 18 category no person appearing to be under the age of 12 (or unaccompanied in the case of a category 12A film), 15 or 18 as appropriate shall be admitted to any part of the programme; and the licence holder shall display in a conspicuous position a notice in the following terms - PERSONS UNDER THE AGE OF [INSERT APPROPRIATE AGE] CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME.

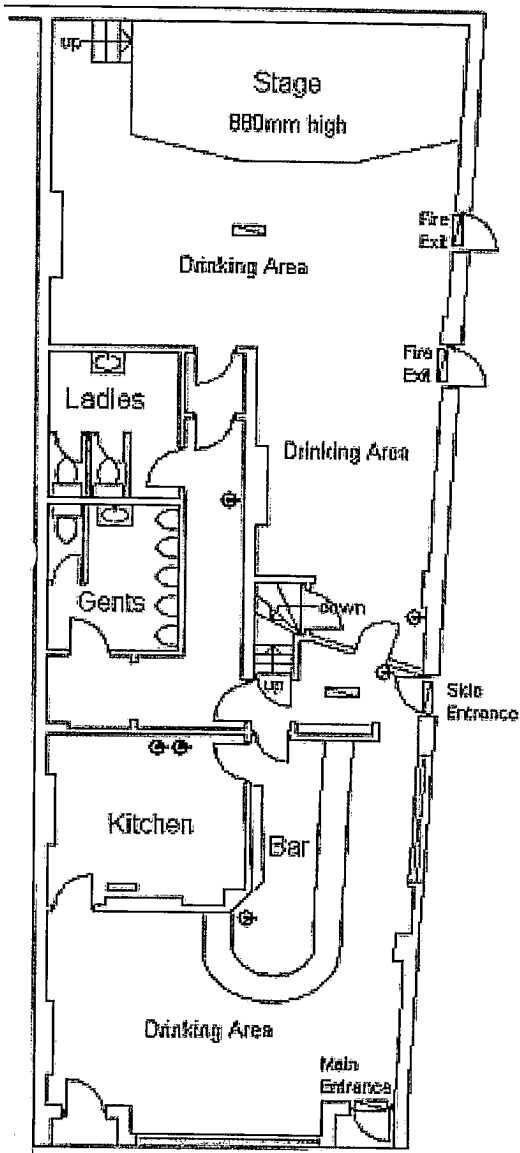
Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction. This condition does not apply to members of staff under the relevant age while on duty provided that the prior written consent of a parent or legal guardian of the member of staff has first been obtained.

Immediately before each exhibition at the premises of a film classified by the British Board of Film Classification or the licensing authority there shall be exhibited on screen for at least five seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the category of the film. For any film classified by the licensing authority, notices to be displayed both inside and outside the premises so that persons entering can readily read them and be aware of the category attached to any film or trailer.

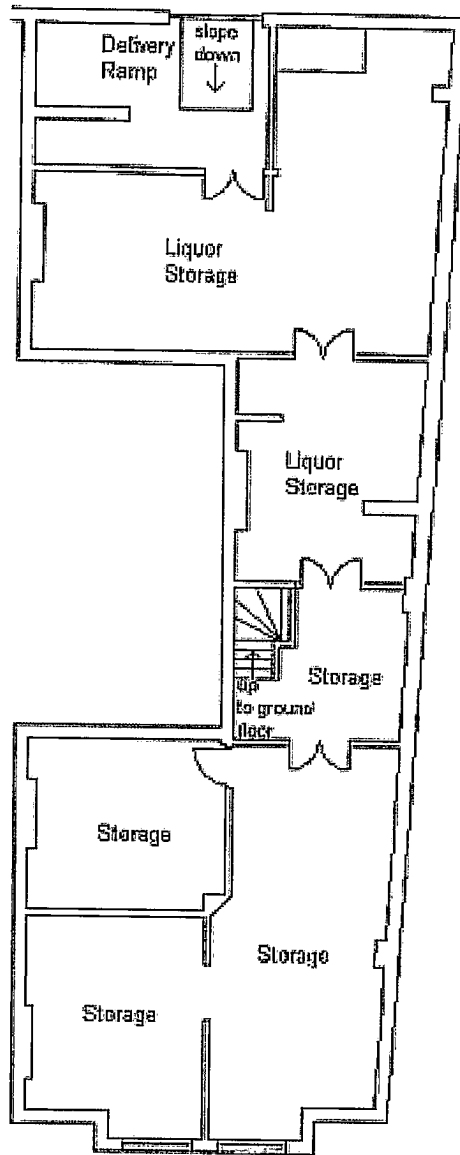
2 Windows and Doors will be kept closed during hours of business except as required for entry and exit.

Annex 3 – Conditions attached after a hearing by the licensing authority

1 None



Ground Floor Plan 1:100



Cellar Plan 1:100

Legend	
	Break glass fire alarm alert
	Fire Extinguisher
	Non-maintained emergency light unit to BS 5449
	Fire Blanket
	Fire Alarm sounder

Plan not reproduced to scale.

Agenda Item 8

by virtue of paragraph number 1, 2 of the Council's Access to information Procedure Rules

Document is Confidential

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