

# Licensing (Licensing and Gambling) Sub-Committee

Thursday, 7th August, 2014  
at 9.30 am

## PLEASE NOTE TIME OF MEETING

Conference Room 3 - Civic  
Centre

This meeting is open to the public

### **Members**

3 Members drawn from the Licensing Committee

### **Contacts**

Democratic Support Officer

Karen Wardle

Tel: 023 8083 2302

Email: [karen.wardle@southampton.gov.uk](mailto:karen.wardle@southampton.gov.uk)

Head of Legal and Democratic Services

Richard Ivory

Tel. 023 8083 2794

Email: [richard.ivory@southampton.gov.uk](mailto:richard.ivory@southampton.gov.uk)

## **PUBLIC INFORMATION**

The Members of the Licensing Committee are Councillor Galton, Lewzey, Lloyd, Painton, Parnell, Pope, Spicer, Tucker Vassiliou and Whitbread.

### **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:-

- Determination of applications for review of premises licences and club premises certificates;
- Determination of representations to applications for premises licences and club premises certificates, variations and various permits;
- Determination of police objections to applications for:
  - Variation of designated premises supervisors
  - Transfer of premises licences
  - Personal licences for the sale of alcohol
- Determination of objections to temporary event notices.

### **Relevant Representations**

Those who have made relevant representations may address the meeting about the matter in which they have an interest. New matters, not raised within a written representation, can not be relied upon at the hearing.

**When dealing with Licensing Act matters the Sub-Committee must 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 must only take into account the statutory Licensing Objectives below:-**

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way, and

Protecting children and other vulnerable persons from being harmed or exploited by gambling

### **Southampton City Council's Priorities**

- Jobs for local people
- Prevention and early intervention
- Protecting vulnerable people
- Affordable housing
- Services for all
- City pride
- A sustainable Council

### **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.

### **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.

### **Dates of Potential Meetings Municipal Year 2014/15**

<b>2014</b>	<b>20 NOVEMBER</b>
<b>19 JUNE</b>	<b>4 DECEMBER</b>
<b>3 JULY</b>	<b>18 DECEMBER</b>
<b>17 JULY</b>	<b>2015</b>
<b>31 JULY</b>	<b>8 JANUARY</b>
<b>14 AUGUST</b>	<b>15 JANUARY</b>
<b>28 AUGUST</b>	<b>5 FEBRUARY</b>
<b>11 SEPTEMBER</b>	<b>19 FEBRUARY</b>
<b>25 SEPTEMBER</b>	<b>5 MARCH</b>
<b>9 OCTOBER</b>	<b>19 MARCH</b>
<b>23 OCTOBER</b>	<b>9 APRIL</b>
<b>6 NOVEMBER</b>	<b>23 APRIL</b>

## 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 Licensing Act 2003 (Hearings) Regulations 2005 and the Council Procedure Rules as set out in Part 4 of the Constitution, so far as it is applicable.

### **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 "Disclosable Pecuniary Interest" or "Other Interest" they may have in relation to matters for consideration on this Agenda.

### **DISCLOSABLE PECUNIARY INTERESTS**

A Member must regard himself or herself as having a Disclosable Pecuniary Interest in any matter that they or their spouse, partner, a person they are living with as husband or wife, or a person with whom they are living as if they were a civil partner in relation to:

- (i) Any employment, office, trade, profession or vocation carried on for profit or gain.
- (ii) Sponsorship:

Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

- (iii) Any contract which is made between you / your spouse etc (or a body in which the you / your spouse etc has a beneficial interest) and Southampton City Council under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.

- (iv) Any beneficial interest in land which is within the area of Southampton.

- (v) Any license (held alone or jointly with others) to occupy land in the area of Southampton for a month or longer.

- (vi) Any tenancy where (to your knowledge) the landlord is Southampton City Council and the tenant is a body in which you / your spouse etc has a beneficial interests.

- (vii) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of Southampton, and either:

- a) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or
- b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

## **Other Interests**

A Member must regard himself or herself as having an 'Other Interest' in any membership of, or occupation of a position of general control or management in:

Any body to which they have been appointed or nominated by Southampton City Council

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

Any body whose principal purpose includes the influence of public opinion or policy

## **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 PECUNIARY INTERESTS**

In accordance with the Localism Act 2011, and the Council's Code of Conduct, Members to disclose any personal or pecuniary 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.

### **4 STATEMENT FROM THE CHAIR**

### **5 EXCLUSION OF THE PRESS AND PUBLIC**

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

### **6 APPLICATION FOR REVIEW OF A PREMISES LICENCE – DORCHESTER ARMS, 38 – 40 ONSLOW ROAD, SOUTHAMPTON SO14 0JG**

Report of the Head of Legal and Democratic Services, detailing an application for review of the premises licence in respect of Dorchester Arms, 38-40 Onslow Road, Southampton SO14 0JG, attached.

Wednesday, 30 July 2014

HEAD OF LEGAL AND DEMOCRATIC SERVICES

This page is intentionally left blank

# Agenda Item 6

**DECISION-MAKER** Licensing (Licensing and Gambling) Sub-Committee

**SUBJECT** Hearing to Consider an application for Review of a premises licence –  
Dorchester Arms, 38 – 40 Onslow Raod, Southampton SO14 0JG

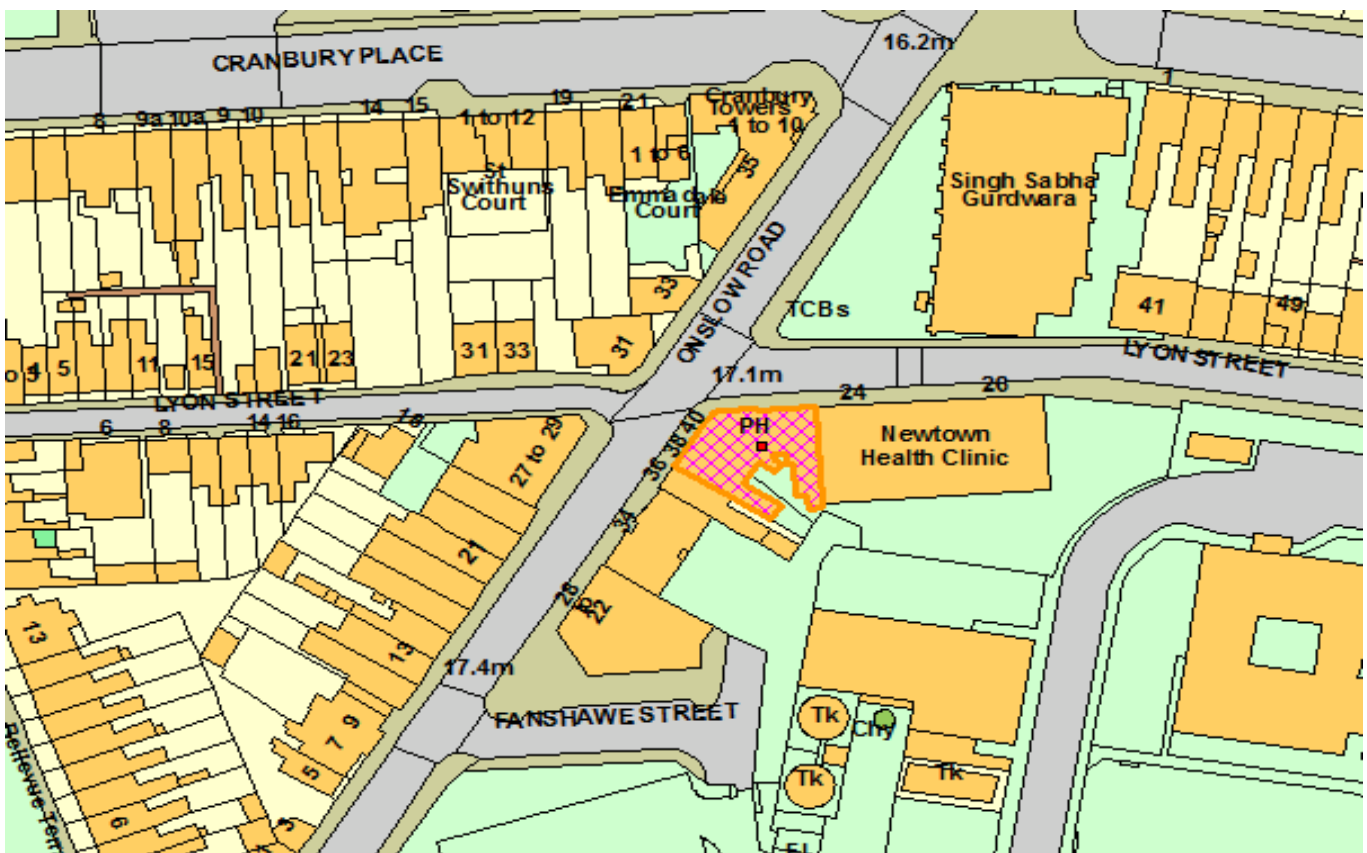
**DATE OF HEARING** Thursday 07 August 2014

**REPORT OF** Head of Legal and Democratic Services

**E-mail** [licensing@southampton.gov.uk](mailto:licensing@southampton.gov.uk)

**Application Date :** 16 June 2014      **Application Received** 17 June 2014

**Application Valid :** 17 June 2014      **Reference :** 2014/02325/01SRAP



© Crown copyright and database rights 2014 Ordnance Survey 100019679 .Representation From Responsible Authorities

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

Environmental Health - Licensing	Yes
Planning & Sustainability - Building Control - Licensing	No Response Received
Primary Care Trust - Public Health Manager	No Response Received
Police - Licensing	No
Trading Standards - Licensing	No Response Received

### ***Other Representations***

<b>Name</b>	<b>Address</b>	<b>Contributor Type</b>
Enterprise Inns	3 Monkspath Hall Road, Solihull, West Midlands, B90 4SJ	Lease/Freeholder

### **Legal Implications**

1. Part 3 of the Licensing Act 2003 provides that a responsible authority or any other person may apply for review of a premises licence.
2. In such circumstances, the applicant for the review must serve a copy of the review application on the holder of the premises licences, the licensing authority and each of the responsible authorities.
3. On receipt of an application for review, officers will consider its validity under delegated powers. Reasons for rejection, in whole or in part, include:
  4. • that the grounds for review are not relevant to one of more of the licensing objectives and;
  5. • that the application is frivolous, vexatious or repetitious, unless it is made by a responsible authority.
6. The licensing authority must display a prescribed notice of the review application on the outside or adjacent the premises, on the authority's website and at the Civic Centre; the notice must remain on display for 28 days and any interested party or the responsible authorities may make representations in that period.
7. The licensing authority is then required to hold a hearing to consider the review.
8. In doing so the sub-committee must give appropriate weight to:
  - the steps that are appropriate to promote the licensing objectives;
  - the representations (including supporting information) presented by all the parties;



- its own statement of licensing policy
  - the Statutory Guidance
9. In determining an application for review, the legislation provides that 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.
10. The Licensing Act 2003 provides for appeal to the Magistrates' Court against the sub-committee's decision in relation to an application for review by the premises licence holder and any other party who made a representation to the application.
11. In considering this application the sub-committee will sit in a quasi-judicial capacity and is thus obliged to consider the application in accordance, in particular, with both the Licensing Act 2003 (Hearings) Regulations 2005 (as amended) 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.
12. The sub-committee must also have regard to:
- *The Crime and Disorder Act 1998*  
Section 17 of the Crime and Disorder Act 1998 places the sub-committee 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.
  - *The 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 sub-committee 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 sub-committee 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 sub-committee 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.
13. Copies of the application for review and the representations to it are annexed to this report.



Application for the review of / Representation in respect 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 24272 Cherry, 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.
Make a representation about a premises licence/club premises certificate



Premises or Club Premises details

Table with 2 columns: Postal address of premises, Postcode (if known). Values: Dorchester Arms, 38-40 Onslow Road, Southampton, SO14 0JG

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

Number of premises licence or club premises certificate (if known) 2014/01284/01SPRT

Details of responsible authority applicant

Form fields for Mr/Mrs/Miss/Ms, Surname: CHERRY, First Names: Jackie, Current postal address, 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 / Representation in respect 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 [ ]
4) The protection of children from harm [ ]

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

Hampshire Constabulary who are a responsible Authority under the Licensing Act 2003 are requesting a review of the premises licence for The Dorchester Arms, Onslow Road, Southampton.

Hampshire Constabulary are minded to request that consideration is given for the licence to be revoked because Raymond BIRD is both the current Premises Licence holder (PLH) and Designated Premises Supervisor (DPS) and as evidenced below is unsuitable to hold any of these licences as he continues to resist implementing reasonable steps in order to support the licensing objectives of preventing crime and disorder and promoting public safety.

Police records show that since June 2013 there have been ongoing licensing problems associated with the Dorchester Arms following 10 months of Police working with BIRD both in his role as an acting DPS and then confirmed DPS to improve the venue and uphold the licensing objectives, BIRD he is still not adhering to the conditions.

An impromptu visit to The Dorchester Arms on Friday 28th June 2013 by Licensing officer PC WOOD raised a query regarding a member of door staff being unlicensed. PC WOOD spoke with Raymond BIRD who was in charge that evening, (BIRD was present in the role of shadowing as a DPS in the view of taking over this responsibility in the future) and a male B I who was stood on the main entrance door. I was dressed in a black shirt, trousers, shoes, and a big black long jacket - I confirmed that he does not hold an SIA licence but that he wasn't acting as door staff, he was just checking ID on entry to the premises. PC WOOD explained to BIRD that this might constitute an activity which, as it is controlling access to the premises, ought to be conducted by SIA staff. (Annex A)

Sunday 30th June 2013 at approx 2330hrs occurrence reference 44130239778 relates to a Violent incident which occurred at The Dorchester Arms resulting in 3 separate assaults and criminal damage to the venue. There were at least 20 males fighting roughly divided into two groups. There was suspicion that one of the agg'd in this incident had been hit with a glass or bottle, BIRD disputed that he believes the male was injured with a ring or a bracelet. A statement from one of the agg'd states he was hit over the head with a bottle whilst another claims to have been kicked and punched. (Annex B)



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

5 males were subsequently arrested, 4 went onto be charged for Affray only.

All 4 charged received suspended prison sentences for Affray receiving either a 9 or 12 month suspension for 18 months on condition of a suspended sentence.

Owing to the severity of this incident, a visit from Police Licensing team was required.

On 2/7/13 Licensing officer PC NORRIS attended the Dorchester Arms and conducted a spring clean visit. The purpose of this visit was to go through all the licensing objectives, conditions on the Premises Licence and any problems that had recently been raised. This meeting was conducted with BIRD and Sharlene WARNER the Designated Premises Supervisor (DPS) at that time.

At this meeting PC NORRIS advised both BIRD and DPS that there was a strong possibility that The Dorchester Arms would be taken to review owing to the recent incident of disorder at this venue. There was only one member of staff on duty at the time . Police were called and BIRD was upstairs. There were in excess of 20 males fighting. From viewing CCTV it was evident that something was going to occur from body language and BIRD should have been called sooner and this may have been prevented. This shows a lack of training by staff that they haven't observed their customers and recognised signs and symptoms of alcohol related behaviour.

Additionally a member of staff was not willing to provide a statement which again does not support the licensing objectives. DPS and BIRD advised that they would speak to the staff member to advise that they expect their staff to co-operate with Police should incidents occur.

BIRD had also allowed one of the offenders to leave the venue who was then chased by Police and arrested. BIRD advised that he was not aware that the male needed to be spoken to at that time. This raises concern that BIRD may not support the Licensing objectives deliberately or does not understand the responsibilities he has as the DPS to assist the Police. (Annex C)

This visit was followed up with a spring clean letter from PC NORRIS. A copy of the letter was sent to both BIRD and DPS for their attention, the letter outlined what had been spoken about in the meeting. This was an opportunity for BIRD to work with the Police and support the Licensing objectives by implementing some if not all of the conditions proposed. (Annex D)

Information was then received that CCTV footage recorded during the violent incident at the Dorchester Arms on Sunday 30th June, 2013 had been viewed by one side of the assailants from this incident. This prompted a further visit by PC CONWAY on Friday 5th July, 2013 who spoke with BIRD advising that this action was a breach of the Data Protection Act. (Annex E)

Following the spring clean and subsequent issues at the Dorchester Arms a meeting was held with a regional manager from Enterprise Inns the Premises Licence Holders. All of the



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

concerns Police had with the running and current management of the Dorchester Arms were discussed. An agreement was made for the proposed conditions to be added formally to the Premises Licence. It was hoped that the addition of these conditions would aid the premises in supporting the Licensing objectives and prevent the venue being taken to a review, with the conditions incorporated into the Premises licence this would hopefully assist the premises in moving forward. (Annex F)

Monday 22nd July, 2013 a further meeting was held with both the DPS and BIRD over further concerns that the CCTV footage recorded from the Dorchester Arms system has ended up on "YOU TUBE". Both deny any involvement. BIRD asked if this incident would affect his application to become the new DPS. This breach of Data Protection highlights grave concerns over BIRD and the DPS's managerial ability to run an efficient business where laws, procedures and Licensing conditions have been continuously flaunted. BIRD stated that he had learnt a lot from this incident, and wanted to continue to work with Police. BIRD pointed out that the CCTV system had been installed completely from their own funds.

BIRD advised that he is implementing the conditions imposed on the premises licence. BIRD is also trying to source training material from other chains in order to provide training. This gives concern that the brewery are not supporting its venues giving more responsibility to the DPS's.

BIRD suggested another meeting is arranged in order to discuss concerns. PC CONWAY suggested that BIRD makes a 'plan' of what can be done / gaps in his knowledge etc in order to allay concerns and build his experience to becoming a strong DPS. (Annex G)

Friday 2nd August 2013 PC NORRIS updated the regional manager of Enterprise Inns that Police were looking to take the Dorchester Arms to review. The regional manager thought that as long as the conditions were agreed there would be no need for a review however, PC NORRIS advised him that although WARNER is the DPS, BIRD had been running the venue during this contentious period. PC NORRIS advised the regional manager that the Police ideally would not want BIRD or WARNER put in the role of DPS. PC NORRIS also informed the regional manager that the draft conditions received so far were not in depth enough at the moment and further discussions needed to take place. (Annex H)

The same day an E-mail was received from the Council Licensing Department advising that they had received a package containing a DVD regarding the violent incident of the 30th June 2013 that appears to be from the Dorchester Arms CCTV system. The recordings are such they appear to have been recorded direct from the CCTV system onto the disk rather than a film of what was seen on a screen playing on the CCTV. This again raises a question of Data Protection issues. It also undermines work within the community as this leads to unnecessary community tension between Asian families; It also accentuates our concerns about the managerial capabilities of both BIRD and WARNER. (Annex J)

Over the next 3 months Police continued to work with BIRD, he advised that the conditions are now in place and he is working to promote the Licensing objectives. (Annex K)

The minor variations to the Premises licence Police had requested owing to previous issues



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

was still not authorised. PC NORRIS advised Enterprise Inns solicitors that the Police will take action regarding this matter shortly if nothing is received imminently. (Annex L)

New Premises licence received which shows BIRD as the new DPS and Premises licence holder (PLH). BIRD was also advised at this time quite strongly that he needed to comply with the premises conditions and that he would be given no leeway. (Annex M)

Due to operational changes within the Police a further visit wasn't made with BIRD and the Dorchester Arms until Wednesday 23rd April 2014. PC CHERRY the new Licensing officer for this area conducted another spring clean to see if the premises licence conditions were being adhered to still. Unfortunately most of the conditions that had been agreed and the DPS had previously advised that he was adhering to had now stopped being implemented. BIRD admitted that he hadn't completed the incident and refusal book since December 2013 owing to being too busy. Polycarbonates that had been added to the conditions hadn't even been ordered so again a further breach. Training packages were still being reviewed, BIRD hadn't completed the Level 2 DPS course which he had been given 3 months to do. Although toilet checks were being conducted they were not being recorded. BIRD did though have a new £4000 CCTV system installed which he states he had recently purchased, this was all up and running at the time of my visit. BIRD was advised that he was breaching his Premises licensing conditions and therefore not upholding the Licensing objectives. (Annex N)

A few days later Saturday 26th April 2014 at approx 2200hrs an Anti Social Behaviour noise complaint was received by Police. PC Conway who was on duty for Licensing attended the Dorchester Arms and was able to confirm that indeed the music was extremely loud. Additionally the fire door had been left open during this time, it was where the band was set up, PC CONWAY asked for this to be closed which they did. Although the music remained on it was turned down to a more appropriate level. This again emphasises that basic laws are not being adhered to, Health and Safety and Environmental Health are but two that have been contravened on this occasion alone. (Annex P)

Recently on Saturday 3rd May 2014 there was an assault within the Dorchester Arms. One of the customer had an altercation with a member of bar staff which resulted in the member of staff assaulting the customer. (Annex Q)

On police attendance CCTV was unavailable, BIRD advised that the system was currently broke, although only 2 weeks prior it was newly installed and working. Police asked BIRD about a member of his bar staff called Michelle, BIRD denied knowing any one of this name. Michelle has been employed by BIRD for a number of weeks and had been brought up in the last spring clean visit by PC CHERRY owing to concerns Police had with employing her in this role. A statement from PC SPENCER has been obtained which documents this visit and conversation with BIRD. (Annex R)

A few days later a follow up visit was made to the Dorchester Arms by Acting Sgt DINEEN, a female member of staff was working behind the bar, when asked her name she confirmed her name as being Michelle. A statement from Acting Sgt DINEEN has been obtained which documents this visit and conversation with Michelle MARLOW. (Annex S)



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

This behaviour by BIRD demonstrates that he is not responsible in the position of a DPS, he continuously breaches his premises conditions and is undermining the Licensing objectives. By lying to the Police he has shown he is not trustworthy, there is dishonesty which leads one to believe whether the CCTV was actually broken, and whether he was just trying to protect himself.

Two days later on Monday 5th May 2014 there was a further Public order incident involving family members of the Asian males involved in the previous violent incident. A report was received by Police that 2 large groups of Asian males were squaring up to each other outside the Dorchester Arms in the road however some of the males had just come out from the Dorchester Arms. Although on this occasion this Public order incident didn't come to anything it just proves that there is still community tension in the area. Following the previous violent incident within the Dorchester Arms these males should have been barred. By BIRD allowing these males to continue to use the Dorchester Arms it has exasperated the situation, it sends out the wrong message, allows the wrong sort of customers to use the venue, and ensures that problems which the Dorchester Arms are experiencing are not going to go away and in fact may well get worse. (Annex T)

Police have no faith in BIRD as the PLH or DPS and would like to remove him from these positions. This needs to be done by revocation of the licence.

This action needs to be taken as currently the venue is not adhering to its conditions even after Police Licensing have spent a lot of time working with BIRD. There continues to be incidents at the Dorchester Arms whereby BIRD is not supporting the police or the Licensing objectives, appearing to blatantly withhold vital evidence and information.

The Police have not taken this decision lightly but feel that despite the same issues and concerns occurring there is continued resistance from Enterprise Inns and BIRD to take reasonable steps to prevent crime and disorder, and prevent public nuisance, therefore a revocation of licence has been sought.

Should revocation be considered too severe a penalty by the panel then we recommend that Enterprise Inns remove BIRD from both the Premises Licence Holder and as the DPS; with the venue under new management, Hampshire Constabulary propose that the venue reopens with revised reduced opening hours which will make the venue into a standard pub, this may assist in changing the clientele wishing to use the venue, which ultimately will assist with preventing late night public order incidents.

Once the venue has a new DPS, and the conditions have been successfully implemented and adhered to, then that may be the time to reconsider a variation to extend the opening hours to what they are now but not before.

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



Application for the review of / Representation in respect of a Premises licence or Club Premises certificate under the Licensing Act 2003

If yes please state the date of that application:

/ / Day Month Year

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
I have sent a copy of this representation to the principal licensing officer of Southampton City Council

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 CHERRY Collar Number: 24272
Signature: Date: 16/6/14

Signature of Authorising Officer (Inspector or above)

Name INSPE. MIKE HAWES Collar Number: 1476
Signature: Date: 16/06/14



## Index

A	Working sheet produced by PC Wood regarding her visit to the venue and the issue regarding door staff
B	Occurrence summary describing the violent incident that had occurred at the venue involving approx 20 people
C	Working sheet produced by PC Norris regarding spring clean visit made to the venue
D	Licensing letter sent to venue following spring clean visit
E	Working sheet produced by PC Conway following visit to venue regarding intel received that persons involved in recent violent incident were allowed to view footage
F	Working sheet produced by PC Conway detailing meeting she held with regional manager of Enterprise Inns
G	Working sheet produced by PC Conway detailing meeting held with both the DPS Warner and tenant Bird from the venue
H	Working sheet produced by PC Norris regarding phone call with regional manager re looking to go to review
J	E-mail received from SCC regarding CCTV footage from the venue which has been leaked onto YOU TUBE
K	Working sheet produced by PC Norris detailing her meeting with Bird whereby they went through the premises licence conditions again
L	Notification of e-mail sent to Enterprise Inns solicitors chasing variation to premises licence paperwork
M	Copy of new premises licence with variation
N	Working sheet produced by PC Cherry detailing spring clean visit conducted at venue with new DPS Bird
P	Occurrence summary detailing ASB noise incident at venue, PC Conway attended
Q	Occurrence summary detailing assault that occurred at venue between a customer and member of bar staff
R	Witness statement from PC Spencer attending officer to assault incident who details that DPS Bird doesn't know anybody called Michelle
S	Witness statement from A/SGT Dineen who attended the venue a couple of days after the incident and spoke with a member of bar staff called Michelle
T	Occurrence summary that originated from the venue and spilled out onto the road involving members of same family as previous violent incident

## y Occurrence Report

Hampshire Constabulary

Printed: 28/04/2014 17:12 by 24272

Occurrence: 44080536715 Z Prem Licence (Management Occurrence)

Author: #24191 WOOD, B.  
Entered by: #24191 WOOD, B.

Report time: 30/06/2013 04:05  
Entered time: 30/06/2013 04:05

**Remarks:**

Visit 28/06/13

**Report:****The Dorchester, St Marys**

Query raised that door staff were unlicensed. Spoke with Ray BIRD (owner), and a male, stood on the door, dressed in black shirt, trousers, shoes, and a big black long jacket - B I S. I confirmed that he does not hold an SIA licence but that he wasn't acting as door staff, he was just checking ID on entry to the premises. I explained to Ray that I felt that this might constitute an activity which, as it is controlling access to the premises, ought to be conducted by SIA staff, but that I would have to check. Ray was extremely defensive, advising that he had done exactly this when he worked at a Weatherspoons, and that he had been told by police that he ought to do this. I advised him that it was in his interests to double check, and that was all I was recommending!

See below for info. I think, that providing he stands inside (ie not a visible deterrent) rather than outside, that he is just about OK to not be licensed!

***Manned Guarding***

*Manned guarding activity includes any of the following:*

*guarding premises against unauthorised access or occupation, against outbreaks of disorder or against damage;*

*guarding property against destruction or damage, against being stolen or against being otherwise dishonestly taken or obtained;*

*guarding one or more individuals against assault or against injuries that might be suffered in consequence of the unlawful conduct of others.*

*All of the above includes providing a physical presence, or carrying out any form of patrol or surveillance, as to deter or otherwise discourage it from happening or to provide information, if it happens, about what has happened.*

***Door Supervision***

*A Door Supervisor licence is required if manned guarding activities are undertaken in relation to licensed premises\*, except where the activity only involves the use of CCTV equipment or falls within the definition of cash and valuables in transit or close protection. A Door Supervisor licence is required if you are performing this activity on behalf of yourself or your*

R

*employer or your services are supplied for the purposes of or in connection with any contract to a consumer.*

*\*'in relation to licensed premises' means when those premises are open to the public, at times when alcohol is being supplied for consumption, or regulated entertainment is being provided, on the premises.*



- Same person / 4413024804 / Violent crime; Other / 06/07/2013 15:53 / 20130706 15:53:31:517
- Same person; Same property / 4413024644 / Violent crime / 05/07/2013 15:28 / 20130705 15:28:26:490 / Involved in the assault were a number of the family including: 399413 aka from Bitterne Road. He was repeatedly punching whilst he was on the floor. 209897 (who has a long pony tail) tried to intervene at that point and was pushed off. / ID not confirmed), who was wearing a pink shirt at the time 461179, who was wearing a checked shirt at the time. He was pushing and kicking others. / 169676, who was wearing a white printed shirt. / Only one person was arre
- Same event; Same person / 44130240571 / Other / 01/07/2013 15:22 / 20130701 15:22:42:617 / It is believed the offenders are taxi drivers. They are thought to be Sikh and meet at the GURDWARA temple on a Sunday morning. / The aggrieved also attends the same temple. Concerns over possible community tensions / issues if victim and offenders attend at the same time. Also mention of "WHAT STAYS IN THE TEMPLE STAYS IN THE TEMPLE". Therefore the police may not be called and may not state what happens when inside the temple.
- Same event / 44130240473 / Assault / 01/07/2013 14:19 / 20130701 14:19:13:717 / fight in local public house involving two family groups, reports he was kicked and punched in the head whilst trying to protect his father. RELATED MASTER OCC - 44130239778
- Same event; Same person / 44130240497 / Criminal damage / 01/07/2013 14:31 / 20130701 14:31:14:670 / Large fight in DORCHESTER ARMS public house between 2 separate asian families. Suspect identified as
- Same address; Same event; Same person / 44130240478 / Assault / 01/07/2013 14:21 / 20130701 14:21:50:787 / Agg'd was at the Dorchester PH having a drink with friends. He was then approached by who demanded the agg'd buy him a pint. This was refused by the agg'd. The suspect then began pushing him, he was taken to the ground and the suspects 3 sons began kicking him. Police were called see x-ref
- Same address; Same event / 44130240439 / Assault / 01/07/2013 13:59 / 20130701 13:59:56:640 / Agg'd was reporting that he was sitting in the PH having a drink, two persons were having an argument, one of the males pulled another relative to the ground and started kicking him, then several others joined in (sons of the aggressor). The agg'd tried to rescue his brother in law from the kicks, the males then started beating up the agg'd. Police were called see X/Ref

**Involved persons:**

- [G2] / Witness / DOB: (64) Gender: Male / ROAD SOUTHAMPTON, HAMPSHIRE United Kingdom SO14 0ES (OCU: 1 WESTERN, District: S SOUTHAMPTON, Sector: SE CENTRAL SOUTHAMPTON EAST, Beat: 1SE03 NEWTOWN) (Mobile) Id #: 635711
- [G1] [R:A1] / Witness / DOB: (41) Gender: Male / ROAD SOUTHAMPTON, HAMPSHIRE United Kingdom SO15 3ET (OCU: 1 WESTERN, District: S SOUTHAMPTON, Sector: SY SHIRLEY SOUTH, Beat: 1SY01 REGENTS PARK & FREEMANTLE) (Land line) Id #: 357069 PNC Id: 91/106752U
- [G2] / Vulnerable witness; Witness; Other / DOB: (54) Gender: Male / ROAD SOUTHAMPTON, HAMPSHIRE United Kingdom SO14 0BT (OCU: 1 WESTERN, District: S SOUTHAMPTON, Sector: SE CENTRAL SOUTHAMPTON EAST, Beat: 1SE03 NEWTOWN) Id #: 70080
- [B;G1] [R:A1] / Witness / DOB: (33) Gender: Male / ROAD, SOUTHAMPTON, HAMPSHIRE United Kingdom SO14 0BT (OCU: 1 WESTERN, District: S SOUTHAMPTON, Sector: SE CENTRAL SOUTHAMPTON EAST, Beat: 1SE03 NEWTOWN) (Land line) Id #: 799494 PNC Id: 06/758626J

- [G1] / Charged; Suspect; Warrant withdrawn / DOB: (51) Gender: Male  
 SOUTHAMPTON, HAMPSHIRE United Kingdom SO16 7FF (OCU: 1 WESTERN,  
 District: S SOUTHAMPTON, Sector: SP PORTSWOOD, Beat: 1SP05 BASSETT) (Land line) ) Id #:  
 1667902 PNC Id: 82/55022D  
 (Mobile)  
 [B]  
 (Mobile)  
 (Mobile)  
 [B]  
 (Land line)
- BIRD, RAYMOND PETER [G3] / Witness / DOB: (32) Gender: Male ONSLOW ROAD  
 SOUTHAMPTON, HAMPSHIRE United Kingdom SO14 0JG (DORCHESTER ARMS) (OCU: 1 WESTERN,  
 District: S SOUTHAMPTON, Sector: SE CENTRAL SOUTHAMPTON EAST, Beat: 1SE03 NEWTOWN) ) Id #:  
 258296  
 (Mobile)  
 (Land line)
- [G1] / Other / DOB: (24) Gender: Male AVENUE,  
 SOUTHAMPTON, HAMPSHIRE United Kingdom SO14 0LS (OCU: 1 WESTERN, District: S SOUTHAMPTON,  
 Sector: SE CENTRAL SOUTHAMPTON EAST, Beat: 1SE03 NEWTOWN) ) Id #: 748500 PNC Id: 08/650484U  
 (Mobile)  
 [B]
- [G3] / Other / DOB: (62) Gender: Male ROAD, SOUTHAMPTON,  
 HAMPSHIRE United Kingdom SO14 0DL (OCU: 1 WESTERN, District: S SOUTHAMPTON, Sector: SE  
 CENTRAL SOUTHAMPTON EAST, Beat: 1SE03 NEWTOWN) (Land line) , Id #: 2023691 PNC  
 Id: 12/437781F  
 (Land line)
- [VI;G1] / Arrested; Charged; Suspect / DOB: (28) Gender: Male  
 SOUTHAMPTON, HAMPSHIRE United Kingdom SO16 5FD (OCU: 1 WESTERN,  
 District: S SOUTHAMPTON, Sector: SL BITTERNE NORTH, Beat: 1SL03 THORNHILL) (Land line)  
 ) Id #: 399413 PNC Id: 03/377104Q  
 (Mobile)  
 (Mobile)  
 (Land line)  
 (Mobile)  
 (Mobile)  
 [B]
- [B;G1] / Arrested; Charged; Suspect / DOB: (27) Gender: Male  
 SOUTHAMPTON, HAMPSHIRE United Kingdom SO16 7FF (OCU: 1 WESTERN, District:  
 S SOUTHAMPTON, Sector: SP PORTSWOOD, Beat: 1SP05 BASSETT) (Land line) ) Id #:  
 149494 PNC Id: 07/112328B  
 (Land line)  
 (Mobile)  
 (Mobile)  
 [B]  
 (Mobile)  
 [B]
- [G4V] / Other / DOB: (37) Gender: Male STREET  
 SOUTHAMPTON, HAMPSHIRE United Kingdom SO14 0NG (OCU: 1 WESTERN, District: S SOUTHAMPTON,  
 Sector: SE CENTRAL SOUTHAMPTON EAST, Beat: 1SE03 NEWTOWN) (Mobile) ) Id #:  
 952129  
 (Mobile)  
 (Mobile)  
 (Land line)
- [G1] [R:A2] / Arrested; Charged; Suspect / DOB: (30) Gender: Male  
 BRISTOL, AVON England BS16 7BX (OCU: X FOREIGN FORCE, District: X FOREIGN  
 FORCE Sector: XX FOREIGN FORCE, Beat: XXXXX FOREIGN FORCE) ) Id #: 169676 PNC Id: 02/299346F

(Mobile)  
(Land line)  
[B]

[G2] / Aggrieved; Witness / DOB: (41) Gender: Male  
BERNARD STREET # FLA. SOUTHAMPTON, HAMPSHIRE United Kingdom SO14 3JT (OCU: 1  
WESTERN, District: S SOUTHAMPTON, Sector: SE CENTRAL SOUTHAMPTON EAST, Beat: 1SE01 ST  
MARYS) (Land line) Id #: 392621 PNC Id: 91/122631

(Mobile)  
(Land line)  
(Mobile)  
(Mobile)

- [G1] / Arrested; No further action; Suspect; Witness / DOP (29)  
Gender: Male ROAD SOUTHAMPTON, HAMPSHIRE United Kingdom SO14 0ES  
(OCU: 1 WESTERN, District: S SOUTHAMPTON, Sector: SE CENTRAL SOUTHAMPTON EAST, Beat: 1SE03  
NEWTOWN) Id #: 252479 PNC Id: 01/62855K

(Mobile)  
(Mobile)  
(Land line)  
(Mobile)

**Involved addresses:**

- 38-40 ONSLOW ROAD [R:A3] / Dispatch address; Occurrence address / SOUTHAMPTON, United Kingdom  
SO14 0JG (DORCHESTER ARMS) (OCU: 1 WESTERN, District: S SOUTHAMPTON, Sector: SE CENTRAL  
SOUTHAMPTON EAST, Beat: 1SE03 NEWTOWN)

**Involved comm addresses:**

- (Mobile) / Originating

**Involved vehicles:**

**Involved officers:**

- Reviewing officer / WHITE, D. / #6871 / Hamp / Police staff / QFT
- Reviewing officer / READ, M. / #10551 / Hamp / Police staff / QFT
- Assisting officer / PRICE, C. / #382 / Hamp / Police officer / SOUTHAMPTON CIT A
- Witness / PRIOR, K. / #6834 / Hamp / Police staff / DIGITAL FORENSIC UNIT
- Witness; Other assisting employee / HOUSE, D. / #6567 / Hamp / Inactive employee / USER ARCHIVE
- Assisting officer / INTERNATIONAL LIAISON AND ENQUIRY TEAM / Hamp / Assignable
- Assisting officer; Witness / WAGHORN, A. / #3437 / Hamp / Police officer / FREEMANTLE & REGENTS PARK  
SNT
- Crime scene investigator / HENNESSEY, E. / #11806 / Hamp / Police staff / SCENES OF CRIME  
SOUTHAMPTON (HAMPSHIRE AND ISLE OF WIGHT CONSTABULARY, 12-18, POLICE HQ HAMPSHIRE  
United Kingdom (POLICE) (OCU: 3 NORTHERN, District: O WINCHESTER & EAST HANTS, Sector: OB  
WINCHESTER RURAL SOUTH, Beat: 3OB00 WINCHESTER RURAL SOUTH) )
- Arresting officer; Detecting officer; Officer in case; Witness / BOSWORTH, J. / #3406 / Hamp / Police officer /  
SOUTHAMPTON CIT A
- Assisting officer; Witness / NAGRA, S. / #20443 / Hamp / Police officer / SOUTHAMPTON CITY CENTRE SNT
- Supervising officer / JACKSON, W. / #2802 / Hamp / Police officer / WESTERN AREA CID A
- Assisting officer / YEARSLEY, S. / #3726 / Hamp / Police officer / WESTERN AREA CID D
- Officer in case / WINCHESTER SNT SECTOR / Hamp / Assignable
- Assisting officer; Interviewing officer / CLARKE, D. / #25759 / Hamp / Police officer / SOUTHAMPTON WEST  
TPT D
- Interviewing officer / SKINNER, R. / #24261 / Hamp / Police officer / SOUTHAMPTON CIT D
- Assisting officer / CUTTING, N. / #2616 / Hamp / Police officer / WESTERN CHILD ABUSE INVESTIGATION

TEAM (SOUTHAMPTON CENTRAL POLICE STATION, SOUTHERN ROAD, SOUTHAMPTON, HAMPSHIRE United Kingdom SO15 1AN (POLICE) (OCU: 1 WESTERN, District: S SOUTHAMPTON, Sector: SY SHIRLEY SOUTH, Beat: 1SY01 REGENTS PARK & FREEMANTLE) )

- Attending officer; Witness / SPENCER, S. / #25070 / Hamp / Police officer / SOUTHAMPTON WEST TPT D
- Attending officer; Witness / CAREY, T. / #1238 / Hamp / Police officer / SOUTHAMPTON WEST TPT D
- Assisting officer; Attending officer / SHEEHY, C. / #25391 / Hamp / Inactive employee / USER ARCHIVE
- Attending officer / WILKINS, J. / #24276 / Hamp / Police officer / SHIRLEY NORTH SNT
- Arresting officer; Assisting officer / HARRISON, W. / #22595 / Hamp / Police officer / CENTRAL SNT D

***Involved property:*** \_\_\_\_\_

***Modus operandi:*** \_\_\_\_\_

•

*Author:*

*Report time:*

*Entered by:*

*Entered time:*

**Reports:**



## Supplementary Occurrence Report

Hampshire Constabulary	
Printed:	28/04/2014 17:16 by 24272
Occurrence:	<b>44080536715 Z Prem Licence (Management Occurrence)</b>

Author: #21071 NORRIS, S.  
 Entered by: #21071 NORRIS, S.

Report time: 04/07/2013 11:01  
 Entered time: 04/07/2013 11:01

**Remarks:**

Vist to premises on 2/7/13

**Report:**

**Staff Training**

No formal training package in place. Verbal only. Explained that it is hard to appraise the level of training provided if there is no formal package in place. Discussed the merits of structured training both for the dps and the member of staff. I will attach the current condition wording and have advised that licensing are willing to attend training sessions if so required. There are very few members of staff other than the lease holder and the dps. Ideally staff members should not be serving until the dps is confident that they are aware of the laws in relation to underage, drunks proxy sales etc.

**Incident Book**

There is an incident book in place which was started in March this year when the current lease holder took over the premises. There are entries however there needs to be far more detail included. Entry needs to explain exactly what happened, what the member of staff did, why did they do it, descriptions and names if known of those involved.

**Refusals Book**

No specific book and one refusal in the incident book but not much detail. Staff need to record refusals of alcohol to be able to demonstrate to the dps/leaseholder that challenges are taking place. Refusal book and incident book can be combined.

**Challenge 25**

Venue operates challenge 21 and will also not allow under 18's into the venue. Posters are on display in the venue but in the absence of a refusals book it is hard to check that challenges are taking place.

**CCTV**

There is a reasonable cctv system in place and the majority of the venue is covered with a couple of blind spots. The system is currently only storing for a week. It is currently recording live time and it was suggested if this was changed to the minimum 4 frames per second this could increase the storage time. Currently able to download to usb. It was explained that we

are unable to accept usb so venue can transfer from usb to a disc.

### **Other Issues**

Recent incident of disorder at the venue discussed. There was only one member of staff on duty at the time. Police were called and the leaseholder who was upstairs. There were in excess of 20 males fighting. From viewing cctv it is evident that something was going to occur from body language and the lease holder should have been called sooner and this could have been prevented. Member of staff was not willing to provide a statement which does not support the licensing objectives. DPS and leaseholder not happy with this and they will be speaking to the staff member to advise that they expect their staff to co-operate with police should incidents occur. Lease holder had allowed one of the offenders to leave the venue who was then chased by police and arrested. He advised that he was not aware that the male needed to be spoken to at that time. There is suspicion that one of the agg'd in this incident had been hit with a glass or bottle and the use of polycarbonate was discussed. The leaseholder disputes that it was a glass or bottle and believes the male was injured with a ring or bracelet. The venue were going to look at the cost of polycarbonate even if it was to be used at the venue at specific times only. The statement from the agg'd states he was hit over the head with a bottle.

There had been a visit by licensing on the Friday evening and a member of staff dressed all in black had been on the door of the premises checking id's. He was not SIA registered and stated that he was not 'door staff'. He and the venue were advised that having somebody on the door just to check id was not really necessary as bar staff should be checking anyway and the general assumption would be that they were doorstaff and there would be an expectation of that person to intervene should there be any issues. If the person on the door was not happy with a persons id then what would they then be doing? Advised that following that visit an SIA registered member of door was employed for the Saturday evening and in future door staff will be SIA registered. The leaseholder is also going to do an SIA course.

Licensing Link was discussed. Venue are going to enquire as to the cost of joining as they feel this would be beneficial to them. They were also advised that should not be concerned about calling police to the venue if required. Positive action by a venue would not be held against them.

I advised the Venue that there was a strong possibility that they would be taken to review. There are many improvements that need to be made in order to promote the licensing objections.

PC 21071 NORRIS



**Hampshire Constabulary**  
Chief Constable Andy Marsh

Mr Raymond Bird  
Dorchester Arms  
38-40 Onslow Road  
Southampton  
SO14 0JG

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

**Our ref:** 44080536715

**Telephone:** 0845 045 45 45

**Direct dial:** 0845 045 45 45

**Fax No:** 0845 045 45 45

**Deaf/speech impaired minicom:** 01962 875000

**Email:** [western.licensing@hampshire.pnn.police.uk](mailto:western.licensing@hampshire.pnn.police.uk)

4<sup>th</sup> July 2013

Dear Sir,

This letter is with regard to our meeting on 2<sup>nd</sup> July 2013 at The Dorchester Arms, Southampton. At the meeting a number of issues were discussed and are summarised on the attached sheet.

As we discussed, the Hampshire Constabulary are committed to working with the licensees in promoting the four licensing objectives i.e. –

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

At this time, the police consider that further measures could be taken to ensure the licensing objectives are actively being promoted. We may look to take the matter further and this could be by a review of the premises licence.

Yours faithfully,

PC 21071 NORRIS  
Violent Crime Reduction & Licensing Team  
Southampton Central Police Station



## Hampshire Constabulary Chief Constable Andy Marsh

### Meeting at The Dorchester Arms on 2<sup>nd</sup> July 2013

Persons present during the meeting – Raymond Bird (Leaseholder) Sharlene Warner (dps), PC 21071 Norris, and PC 22237 CONWAY

#### Training

**Venue:** There is no formal training package in place. There are very few staff members and they all know what they are doing. They are initially advised with reference to checking id's and Challenge 21.

**Police:** In order to demonstrate due diligence and support the licensing objectives you need to implement a training schedule and I have suggested using the links below for guidance. These links were formed by conducting a simple search on the internet where there are numerous companies and literature available regarding due diligence training. It is not a recommended or definitive list, but is an example of the variety of courses available. All training conducted should be recorded, signed, and dated by both the member of staff and yourself.

**Service Excellence Passport (£2.50 each)**

<http://www.abvtraining.co.uk/index.htm>

**Flow, Licensing & social responsibility (£36.00)**

<http://www.flowhospitalitytraining.co.uk/hospitality-training/licensing-training>

**BIIAB Level 1 Award in Responsible Alcohol retailing training course (£55.00)**

<http://www.accesstraining.co.uk/Training-Courses-And-Consultancies/Licensed-Trade-Courses/BIIAB-Level-1-Award-in-Responsible-Alcohol-Retailing/>

**Act 2003 Ltd DVD & training package (£69.99)**

[http://www.act2003.co.uk/underage\\_dvd.htm](http://www.act2003.co.uk/underage_dvd.htm)

**Licensing Matters Due diligence training packages (price varies)**

<http://www.licensingmatters.net/duediligence.html>

We are also able to offer specific training input to run alongside any training meeting that you conduct. If you would like us to attend and offer an input please get in touch.

Below is an example of a training condition which is often attached to premises licences and may be used as a form of guidance when introducing your training package:

*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 records are to be kept of this refresher training which should be signed and dated by the member of staff who received that training.*



## Hampshire Constabulary Chief Constable Andy Marsh

*In addition to their training a written test related to the training given will be conducted before the staff member is permitted to sell or authorise alcohol. The test will consist of a minimum of ten questions of which the pass rate is 80%. Anyone who fails to reach the prescribed pass rate will be retrained and re-tested. Anyone not attaining the pass rate will not be permitted to sell or authorise the sale of alcohol until the pass rate is attained. There will be a minimum of two sets of questions to be used in the training which will be rotated upon each subsequent six month training session.*

All training records will be made immediately available for inspection by Hampshire Constabulary and any responsible 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.

### **Refusals/Incident Log**

**Venue:** There is an incident book in place but no refusals book. Incidents are being recorded.

**Police:** I was pleased to see you have an incidents book. This was started in March this year which is when Mr Bird took over as the lease holder. I would recommend that you record a time when the incident took place to assist in the future. Although there are entries in relation to incidents far more detail is required. There are no records of refusing people when they are drunk or challenging guests for identification, although we were told this takes place. Mr Bird advised that he makes the entries in the incident book. I have advised that the member of staff witnessing the incident or involved in the incident is the person who makes the entry. They will know far more detail and should be able to provide a detailed entry. The use of a refusals book also demonstrates to Mr Bird and the dps that staff are making refusals. I would recommend a page a day diary which can be used to record numerous different items including incidents, ejections, refusals, challenges for ID, toilet checks, suspicions, and positive actions in relation to the licensing objectives. I have recommended that all refusals are fully documented, to include the name of the person if known, the reason for the refusal, and action taken (were they asked to leave the premises or allowed to remain on the premises?).

Below is an example of a Refusal/Incident log condition which is often attached to premises licences and may be used as a form of guidance:

*An incident/refusals book will be provided and maintained at the premises. It will be retained on the premises for 12 months 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, along with all refusals to sell alcohol. 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.*



## Hampshire Constabulary Chief Constable Andy Marsh

*At the close of business on each day the incident/refusals book will be checked by the manager on duty where any entries will be reviewed and signed. Should there be no incidents then this will also be recorded at the close of business in the incident book.*

### CCTV

**Venue:** There is a cctv system in place which covers most areas of the venue. There are a couple of blind spots. Mr Bird thought the system stored images for 2 weeks but it is currently only a week. It is downloaded to usb.

**Police:** We were unable to view downloaded footage as we cannot accept footage on usb and explained that we need this to be downloaded to CD/DVD. Images need to be stored for 28 days so that evidence is not lost.

The following is an example of a CCTV condition often added to licences and may be used as a form of guidance if you decide to upgrade your CCTV system:

*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. 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.*

**Venue:** Understood why usb is not acceptable and would be able to transfer to disc. They will try and adjust the system so that it stores for longer

### Challenge 25

**Venue:** Operate Challenge 21 and do not allow under 18's into the venue.

**Police:** It is good that a Challenge policy is in place however Challenge 25 is now the preferred option as it provides a larger margin for staff to operate within which protects the staff from making errors and serving underage children. Although you state Challenge 21 is in place this is hard to evidence as you do not currently use a refusals book. I have attached the current condition wording in relation to Challenge 25 for your assistance.



## Hampshire Constabulary Chief Constable Andy Marsh

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.

'Challenge 25' posters shall be displayed in prominent positions at the premises.

### Other Issues

A large scale disorder had taken place at the venue on the 30<sup>th</sup> June 2013. At the time of the incident there was only one female member of bar staff on duty and Mr Bird who was on the premises but in his living accommodation. The cctv was viewed and it is evident that something was going to occur from the body language of the males. Mr Bird should have been called downstairs earlier and the disturbance could have been prevented. The same member of staff was unwilling to provide a statement in relation to this incident even though she is a witness. Mr Bird provided a statement and it was suggested that staff members are informed that it is a condition of their employment that they provide statements if they are witnesses to any incidents with in or connected to the premises in order to support the licensing objectives. As staff do not currently make entries in the incident book there is in reality a significant amount of information missing in relation to this incident that the member of staff would have been able to provide. The agg'd in the incident is alleging that he was struck over the head with a bottle. Mr Bird was under the impression that the injury had been caused by jewellery. We had a discussion in relation to the use of polycarbonate bottles and glasses. Mr Bird was not averse to this even if polycarbonate was introduced at certain times and on certain days and is going to look into the cost of this and speak to the Brewery.

There had been a visit to the venue on Friday 28<sup>th</sup> June by PC 24191 WOOD who had expressed concerns regarding a male on the door of the premises who was dressed in black and checking identification of persons entering the premises. This male was not SIA registered and stated he was not a member of door staff. The general assumption would have been that he was a member of door staff and there would be an expectation for that person to intervene should there be an incident. If there was a problem with anybody's identification how would this person have dealt with it? Following this visit Mr Bird employed an SIA registered member of door staff and is going to do an SIA course himself. He had taken on the police concerns.

Licensing Link was also discussed. This venue has a late licence and by the admission of the dps does not have regular trade on Thursday, Fridays and Saturdays as they pick up a lot of passing trade and are in the vicinity of many other licensed premises. It would be beneficial for them to hear about



## Hampshire Constabulary Chief Constable Andy Marsh

other venues that have ejected or refused entry to persons so that they are not allowed entry to this venue and also advise others if they themselves have had cause to eject or refuse somebody. The venue will make enquiries with Licensing Link

Mr Bird and the dps were informed that the premises were very likely going to be taken to review. There are many improvements that need to be made in order to promote the licensing objectives.



## Supplementary Occurrence Report

Hampshire Constabulary

Printed: 28/04/2014 17:26 by 24272

Occurrence: **44080536715 Z Prem Licence (Management Occurrence)**

Author: #22237 CONWAY, S.  
Entered by: #22237 CONWAY, S.

Report time: 07/07/2013 02:38  
Entered time: 07/07/2013 02:38

### Remarks:

VISIT 05/07

### Report:

2020 hrs - Attended The Dorchester to speak to Management regarding recent information that the staff have allowed members of the family (involved in the violent disorder at the venue on the 30/06/13) to view the CCTV. At the venue we spoke to Ray Bird, the lease holder. He stated that he had already been spoken to by the beat officer and did not know if the information was true but was in the process of contacting all his staff. He stated that he did not know if any of his staff would do this. Sharon advised him that the venue should not be showing their footage to any persons, other than police, as per the Data Protection Act. Venue very quiet during our visit.

## Supplementary Occurrence Report

Hampshire Constabulary

Printed: 28/04/2014 17:40 by 24272

Occurrence: **44080536715 Z Prem Licence (Management Occurrence)**

Author: #22237 CONWAY, S.

Report time: 15/07/2013 15:11

Entered by: #22237 CONWAY, S.

Entered time: 15/07/2013 15:11

### Remarks:

Meeting with Andrew Gardner (area manager)

### Report:

A Gardner, area manager for Enterprise, attended SC for a meeting as arranged (1200 15/07). PS Wood was also present.

GARDNER confirmed that Ray BIRD is currently the tenant, having taken over from DPS Sharlene Warner's brother Micheal in April 2013. Sharlene has been DPS since April 2012, when she and her brother took over the tenancy. It is expected that BIRD will become the DPS when his personal licence comes through, and the premises licence will be transferred should BIRD take on a permanent tenancy.

The points raised by the spring clean letter was discussed. GARDNER was also advised that information has come to light since the meeting of issues giving rise to concern about the management of the premises - namely clips of CCTV footage appearing on Youtube and intel that customers were being allowed to bring their own alcohol.

The incident 30/06 was discussed. It was pointed out to A Gardner, that, although this incident could have happened on any premises, the Licensing role was to look at whether there was anything would could prevent further issues, and the management of the incident prior to, during and after. Due to this incident having an impact on community tensions, issues of management coming from The Dorchester were a concern.

The points raised in the letter were discussed.

Training, challenge policy, CCTV, refusals and incidents book were all willing to be implemented. GARDNER was advised that there were some issues with the CCTV that need addressing (storage, media to which footage is downloaded on), but the main issues was the access which was not in accordance with the Data Protection Act or Freedom of Information Act, and has added to the community tension surrounding the initial disorder.

BIRD has also agreed with GARDNER for polycarbonate glasses to be used for specific events, but GARDNER could not elaborate on what events were being proposed.

With regards to SIA staff, GARDNER confirmed that the requirement for doorstaff to be SIA registered had been clarified with BIRD and the DPS, and BIRD would only be using SIA staff in the future. It was suggested that SIA staff would be required for the night time economy (Friday / Saturday) and football, in line with other NTE expectations.

At this point, it was clarified with GARDNER that police would be looking for all these points to be implemented as formal conditions, rather than a verbal agreement. The reasons for formal conditions being:

- 1) if BIRD is to remain as GARDNER was implying, then these measures need to be formal conditions to promote the licensing objectives and promote minimum standards.
- 2) if the tenancy is surrendered, then police and Enterprise will be in a similar position, as any verbal agreement

would not be enforceable.

With regards to staff not providing statements when they witness incidents, GARDNER stated that he could not see how a condition forcing this issue could be made. It was pointed out that staff need to be trained as to the expectations and responsibilities in upholding the licensing objectives, and that there is an expectation for key independent witnesses to provide accounts to police. Issues surrounding statements and court attendance can be addressed, but staff do need to know and be more fully trained / supported as to expectations. With the reluctance of staff to provide statements, it raises the question as to whether the other allegations surrounding management have some merit.

The access to the CCTV footage was discussed as a concern with the management of the venue, particularly as the information had been raised with BIRD, and he had provided a number of excuses which the clips rule out (eg BIRD suggested footage filmed at the time from the cameras - the clips have sound, none of which is the noise of a fight progressing, and it is clear that the footage is marked 'playback' or from an angle which rules out recording at the time of the incident.) This raises a trust issue between BIRD and police, and again contributes to supporting some of the other allegations.

It was also raised that the management seems ineffective at this time, the impression being that the DPS has relinquished some control to BIRD, as he is the tenant and prospective DPS.

GARDNER asked if there would be any objection to BIRD being the DPS should the personal licence be granted. PS Wood advised that the full impact of the actions highlighted during the investigation can not be measured at this stage, so police cannot say either way whether police would find BIRD to be a suitable DPS.

GARDNER advised that he will be in contact with a response to the letter and meeting.

## Supplementary Occurrence Report

Hampshire Constabulary

Printed: 29/04/2014 14:46 by 24272

Occurrence: 44080536715 Z Prem Licence (Management Occurrence)

Author: #22237 CONWAY, S.  
Entered by: #22237 CONWAY, S.

Report time: 22/07/2013 14:35  
Entered time: 22/07/2013 14:35

**Remarks:**

meeting with DPS & tenant

**Report:**

DPS Sharlene Warner and Tenant Ray Bird attended SC.

Concerns were raised with them that management was not effective during the period with BIRD being the tenant whilst waiting for his personal licence and WARNER not having the control expected as the DPS. Both agreed and WARNER confirmed that she was fully aware that she was responsible for what happens in the premises, but that she was supporting BIRD as he still wanted to take over the premises in full.

The wider issues of the CCTV being viewed / recorded and the implications following that, BIRD and WARNER denied any knowledge of allowing the footage being viewed, WARNER stating that she was unable to operate the footage. WARNER also stated that she was unaware of the legislation or any codes of practice surrounding CCTV. BIRD and WARNER were aware that clips had been uploaded onto CCTV. Further implecations still surfacing include people completely unrelated to the incident having access to describe in detail actions of people involved (letter to council re taxi licenses which was not revealed)

Both stated that all members of staff had been asked and had denied knowledge. They had not reviewed their footage to assist in discovering who had allowed access, but both doorstaff and their glass collector has access to the system through an app for livetime view, and the installer has access to private areas of the pub. However, BIRD suggested that the male heard on one of the clips was in fact the person who installed the system, who also lives in the flat above. BIRD denied that the male was him, as he stated that he was not at the premises ont he Thursday following the incident. Unfortunately the system is only storing approx 9 days, so allegations cannot be checked.

BIRD asked how this incident will affect any application to be DPS. BIRD stated that he had learnt a lot from this incident, and wanted to continue to work with police. He pointed out that the CCTV system was installed completely from their own funds, as well as the incident book. BIRD is also trying to source training material from other chains in order to provide training.

BIRD has suggested that another meeting is arranged in order to discuss our concerns. I have suggested that he makes a 'plan' of what can be done / gaps in his knowledge etc in order to allay concerns and build his experience to become a strong DPS.

## Supplementary Occurrence Report

Hampshire Constabulary

Printed: 29/04/2014 14:38 by 24272

Occurrence: **44080536715 Z Prem Licence (Management Occurrence)**

Author: #21071 NORRIS, S.

Report time: 02/08/2013 15:47

Entered by: #21071 NORRIS, S.

Entered time: 02/08/2013 15:47

**Remarks:**

Telephone call with area manager.

**Report:**

A Gardner spoken to ref the new leak of cctv. Informed that we are more than likely going to review. He stated that he thought from the result of the meeting with Sharon and Simon that as long as conditions were agreed there would be no review and he thought that Ray and Sharlene were a different issue, I advised him that in reality they are one and the same we are not happy with the way the premises is being run and ideally do not want Ray or Sharlene as DPS. I informed him that the draft conditions received so far are not in depth enough at the moment and further discussions need to take place.

PC 21071 NORRIS

## Supplementary Occurrence Report

Hampshire Constabulary

Printed: 29/04/2014 14:39 by 24272

Occurrence: **44080536715 Z Prem Licence (Management Occurrence)**

Author: #21071 NORRIS, S.

Report time: 08/08/2013 11:42

Entered by: #21071 NORRIS, S.

Entered time: 08/08/2013 11:42

**Remarks:**

E-mail received from [redacted] on 2/8/13

**Report:**

**From:** [redacted]

**Sent:** 02 August 2013 14:21

**To:** LICENSING WESTERN Mailbox

**Subject:** Dorchester Arms

Hi,

Can you please forward this onto D. [redacted] for me. Also worth noting and considering action against the Dorchester including Data protection matters.

Today at least 2 councillors and I suspect it may even be all our councillors have received in the post a package from [redacted] concerning the fight in the Dorchester Arms. He had asked me to revoke the private hire licences of the [redacted] charged and is threatening us with a judicial review as I have declined to revoke at this time. I am waiting for the court case to conclude before making a decision as there is no obvious threat to the general public. Included in the package is a DVD that appears to be from the Dorchester Arms CCTV system. The recordings are such they appear to have been recorded direct from the CCTV system onto the disk rather than a film of what was seen on a screen playing the CCTV.

I doubt there is compliance with the Data Protection Act in such distribution.

## Supplementary Occurrence Report

Hampshire Constabulary	
Printed:	29/04/2014 14:59 by 24272
Occurrence:	<b>44080536715 Z Prem Licence (Management Occurrence)</b>

Author: #21071 NORRIS, S.  
 Entered by: #21071 NORRIS, S.

Report time: 08/08/2013 13:48  
 Entered time: 08/08/2013 13:48

**Remarks:**

Meeting with Ray Bird

**Report:**

Mr Bird wanted to discuss improvements being made at the venue.

CCTV is now password protected and the system has been raised slightly to 6ft high but cannot be resited owing to poor wi fi signal. Mr Bird still adjusting the settings to try and increase the storage. If it can not be done by changing the settings he will buy a new system. Kitchen door to be kept closed at all times and staff informed not to allow persons behind the bar or into the kitchen.

The female member of staff who refused to provide a statement and was causing some issues has now left.

Mr Bird has been online investigating training packages and has decided to go with the Flow.licensing training programme. He currently has 2 members of staff and is employing 2 more shortly and will conduct a training session with all members and he would like a licensing input. Date to be confirmed.

Incident book/refusals book is now in place and being used. Door staff also have their own which is kept on the premises.

2 members of staff have now completed their SIA badge.

Mr Bird is willing to use polycarbonate on match days. I discussed the use of polycarbonate after 22 30 hrs on Fridays and Saturdays and he was supportive of this. He did state that Enterprise are not keen on polycarbonate but he may buy his own if the brewery do not support.

Venue now operates Challenge 25.

Mr Bird still looking into Licensing Link. He is concerned that he may have customers that do not cause him any issues that may be on the red card scheme.

Mr Bird has spoken with all his staff in relation to the policies surrounding CCTV and viewing of CCTV and they have signed to say they understand.

Mr Bird is still very concerned about his not being able to become the dps. I said that a decision had not been made with regards that and the criminal proceedings need to be completed. I did say however that we would be looking for whoever the dps was to be trained to level 2. Mr Bird was in agreement with this.

Mr Bird was asked to remind staff that when doorstaff are used at the premises and allow entry to persons that does not guarantee that they are either old enough or sober enough to be served alcohol. That is for the barstaff to be personally satisfied.

Doorstaff should be strict on allowing entry as Mr Bird has stated that the venue starts to get busy around 23 30hrs when other pubs are closing. Doorstaff should be vigilant with regards to persons in drink.

Mr Bird wanted to reiterate that he is keen to work with the police and wants the Dorchester to be a well run establishment.

PC 21071 NORRIS



Annex L

## Supplementary Occurrence Report

Hampshire Constabulary

Printed: 29/04/2014 15:01 by 24272

Occurrence: **44080536715 Z Prem Licence (Management Occurrence)**

Author: #21071 NORRIS, S.

Report time: 07/11/2013 09:49

Entered by: #21071 NORRIS, S.

Entered time: 07/11/2013 09:49

**Remarks:**

Minor variation

**Report:**

I have chased the solicitors who are also chasing Enterprises Inns. I have informed him that we will not wait much longer before taking other actions.

PC 21071 NORRIS



**Schedule 12  
Part A  
Premises Licence**

Regulation 33,34

**Premises licence number** 2014/01284/01SPRT

**Part 1 – Premises details**

**Postal address of premises, or if none, ordnance survey map reference or description,**  
  
Dorchester Arms  
38-40 Onslow Road  
Southampton  
SO14 0JG

**Telephone number**

**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  
Provision of late night refreshment  
Supply by retail of alcohol

**The times the licence authorises the carrying out of licensable activities**  
  
Films  
Monday 08:00 - 00:30  
Tuesday 08:00 - 00:30  
Wednesday 08:00 - 00:30  
Thursday 08:00 - 03:00  
Friday 08:00 - 03:00  
Saturday 08:00 - 03:00  
Sunday 08:00 - 00:30

Indoor sporting events

Monday	12:00 - 00:30
Tuesday	12:00 - 00:30
Wednesday	12:00 - 00:30
Thursday	12:00 - 03:00
Friday	12:00 - 03:00
Saturday	12:00 - 03:00
Sunday	12:00 - 00:30

Live music

Monday	12:00 - 00:30
Tuesday	12:00 - 00:30
Wednesday	12:00 - 00:30
Thursday	12:00 - 03:00
Friday	12:00 - 03:00
Saturday	12:00 - 03:00
Sunday	12:00 - 00:30

Recorded music

Monday	08:00 - 00:30
Tuesday	08:00 - 00:30
Wednesday	08:00 - 00:30
Thursday	08:00 - 03:00
Friday	08:00 - 03:00
Saturday	08:00 - 03:00
Sunday	08:00 - 00:30

Performances of dance

Monday	12:00 - 00:30
Tuesday	12:00 - 00:30
Wednesday	12:00 - 00:30
Thursday	12:00 - 03:00
Friday	12:00 - 03:00
Saturday	12:00 - 03:00
Sunday	12:00 - 00:30

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

Monday	12:00 - 00:30
Tuesday	12:00 - 00:30
Wednesday	12:00 - 00:30
Thursday	12:00 - 03:00
Friday	12:00 - 03:00
Saturday	12:00 - 03:00
Sunday	12:00 - 00:30

Provision of late night refreshment

Monday	23:00 - 01:00
Tuesday	23:00 - 01:00
Wednesday	23:00 - 01:00
Thursday	23:00 - 03:30
Friday	23:00 - 03:30
Saturday	23:00 - 03:30
Sunday	23:00 - 01:00

**Supply by retail of alcohol**

Monday	10:00 - 00:30
Tuesday	10:00 - 00:30
Wednesday	10:00 - 00:30
Thursday	10:00 - 03:00
Friday	10:00 - 03:00
Saturday	10:00 - 03:00
Sunday	10:00 - 00:30

**The opening hours of the premises**

Monday	08:00 - 01:00
Tuesday	08:00 - 01:00
Wednesday	08:00 - 01:00
Thursday	08:00 - 03:30
Friday	08:00 - 03:30
Saturday	08:00 - 03:30
Sunday	08:00 - 01:00

**Where the licence authorises supplies of alcohol whether these are on and / or off supplies**

Alcohol is supplied for consumption both on and off the premises

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Raymond Bird  
Dorchester Arms  
38-40 Onslow Road  
Southampton  
SO14 0JG

Electronic Mail

**Registered number of holder, for example company number, charity number (where applicable)**

**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Raymond Bird

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

Licence Number: 2013/01931/02SPEN  
Licensing Authority: Southampton City Council

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 25th day of March 2014

**Head of Legal & Democratic Services**

Licensing – Southampton City Council  
Southampton & Eastleigh Licensing Partnership  
PO Box 1767  
Southampton  
SO18 9LA

## 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 (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
  - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
    - (i) the outcome of a race, competition or other event or process, or
    - (ii) the likelihood of anything occurring or not occurring;
  - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
- 5 The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- 6 The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 7 (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.  
(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

8 The responsible person shall ensure that -

(a) where any of the following alcoholic drinks sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25ml or 35ml; and
- (iii) still wine in a glass: 125ml; and

(b) customers are made aware of the availability of these measures.

## **Annex 2 – Conditions consistent with the operating Schedule**

- 1 Permission to apply on twelve occasions per year to hold events outside of the operating times, where details of the activity and arrangements put in place to control it, are notified to the Licensing Authority and Police ten days beforehand, with the Police given their written consent in the case of each activity.
- 2 On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.
- 3 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.

4 1) CCTV

(i) The premises shall have sufficient cameras located within the premises to cover all public areas including outside of the premises covering the entrance and exit. The system will be able to cope with strobe lighting (where used) and all levels of illumination throughout the premises as well as outside areas.

(ii) CCTV warning signs to be fitted in public places.

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

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

(v) 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.

(vi) 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.

(vii) 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.

(viii) 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.

(ix) In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Hampshire Western Police Licensing Unit within 24 hours.

2 Incident book

(i) 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.

(ii) 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.

(iii) 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.

(iv) 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 debrief 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.

3) Refusals book

(i) A written log shall be kept of all refusals including refusals to sell alcohol. The Premises Licence Holder shall ensure that the refusals log is checked, signed and dated on a weekly basis by the store manager/manageress.

(ii) The refusals log will be kept and maintained at the premises and will be available for inspection immediately upon request by Hampshire Constabulary and any responsible authority.

(iii) The record of refusals will be retained for 12 months.

4) Challenge 25

(i) 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.

(ii) 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.

(iii) 'Challenge 25' posters shall be displayed in prominent positions at the premises.



#### 5) Training

(i) 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.

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

(iii) In addition to their training a written test related to the training given will be conducted before the staff member is permitted to sell or authorise alcohol. The test will consist of a minimum of ten questions of which the pass rate is 80%. Anyone who fails to reach the prescribed pass rate will be retrained and re-tested. Anyone not attaining the pass rate will not be permitted to sell or authorise the sale of alcohol until the pass rate is attained. There will be a minimum of two sets of questions to be used in the training which will be rotated upon each subsequent six month training session.

(iv) All training records will be made immediately available for inspection by Hampshire Constabulary and any responsible 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.

#### 6) Polycarbonate

The use of polycarbonate vessels at the premises will be risk assessed and the use of polycarbonate vessels used in accordance with the determination of that risk assessment. This will include home football matches. The risk assessment and rationale behind the decision made will be recorded and the records will be kept for 12 months and will be available for inspection immediately on request by Hampshire Constabulary and any Responsible Authority.

#### 7) DOOR SUPERVISORS

(i) On every Friday, Saturday and New Years Eve and any Sunday preceding public holidays there shall be a minimum of 2 SIA registered door staff from 22:00 hours to closing.

(ii) On Saturdays and Sundays when Southampton FC are playing home league or cup fixtures then door staff will be employed from 2 hours before the advertised kick off until kick off For evening kickoffs, and other fixtures then door staff will be provided subject to a risk assessment In order that there is no ambiguity then these provisions do not apply to reserve games or friendlies

(ii)The Licensee(s) shall maintain a duty register giving details of every person at the place licensed engaging in licensable conduct, as defined in section 25 and paragraph 8 of schedule 2 of the Private Security Industry Act 2001, and the Licensee(s) shall immediately provide, on request by any authorised Officer of the Licensing Authority, Police Officer, or authorised Officer of the Security Industry Authority, the following details: -

(i) the licence number, name, date of birth and residential address of that person;

(ii) the time at which that person commenced that period of duty, with the signed acknowledgement of that person;

(iii) the time at which that person finished that duty that period of duty, with the signed acknowledgement of that person;

(iv) any times during the period of duty when the person was not on duty;

(v) if that person is not an employee of the Licensee(s), the name of the person by whom that person is employed or through whom the services of that person were engaged;

(vi) the duty register shall be so kept that it can be readily inspected by a authorised Officer of the Licensing Authority, Police Officer, or authorised Officer of the Security Industry Authority

(vii) the duty register shall comprise of a bound book with pages consecutively numbered and

the Licensee(s) shall ensure that it is kept in a secure environment in order to prevent unauthorised access or alteration to the same.

#### 8) Designated Premises Supervisor

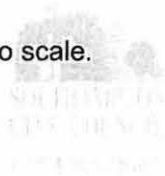
The DPS shall complete a nationally recognised Level 2 DPS course, if not already so attained, within 3 months of the issue of the licence and any subsequent DPS shall attain such qualification within 3 months of appointment.

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

1 None

**Annex 4 – Plans**

Plan not reproduced to scale.



## Supplementary Occurrence Report

Hampshire Constabulary	
Printed:	29/04/2014 15:06 by 24272
Occurrence:	<b>44080536715 Z Prem Licence (Management Occurrence)</b>

Author: #24272 CHERRY, J.  
 Entered by: #24272 CHERRY, J.

Report time: 24/04/2014 09:12  
 Entered time: 24/04/2014 09:12

**Remarks:**

spring clean visit Dorchester Arms

**Report:**

**Dorchester Arms Spring clean Wednesday 23<sup>rd</sup> April, 2014 @ 1200hrs**

**Meeting with Raymond Bird DPS**

**Premises licence**

Premises licence displayed on wall behind bar

**Authorised personnel to sell alcohol**

List not currently displayed, Raymond Bird has taken the list down and has not replaced it, he has advised that this will be reproduced and displayed alongside the premise licence

**CCTV**

CCTV, the premises has a new cctv system, 16 camera's covering all general areas, entrance and exits. Password protected, date and time correct, 2 terrabytes of memory resulting in approx 55 days retention of footage, Raymond Bird competent in downloading footage etc.

**Incident Book**

Incident book is out of date; no incidents have been recorded since the end of last year 2013. Raymond Bird advised that he is in breach of his premises licence as this is a condition on his licence; he apologised and stated that he would remedy this immediately. Advised that when he is completing then he has to use as much detail and description as possible this will assist him should there be any repercussions.

**Refusals Book**

Refusals book again this is out of date, up until the end of last year all refusals were being recorded, unfortunately since the beginning of this year this hasn't been completed. Again I advised Raymond Bird that he is in breach of his premises licence as this is a condition specific to his licence, he again apologised and advised that he would instigate this procedure again immediately.

**Challenge 25**

Challenge 25 is being operated at these premises, posters are displayed in prominent places and Raymond Bird advised that there isn't too much of an issue with this age as his normal clientele is of an older generation. However this cannot be checked as the refusals are not being updated regularly.

**Toilet Checks**

Toilet checks are carried out hourly; however you did advice that you have an app on your phone which shows you cctv located near to the toilets. Should you catch 2 people in the same cubicle then they are ejected from the premises, and also if you see any other drug activity.

I advised that we recommend 30 minute checks and that we like all checks to be recorded. He advised that although he has stated the checks are hourly they are more frequent owing to the app.

**Training**

Raymond Bird has purchased a training package through Enterprise, the training covers many different areas of licensing and public house activities. Ie food hygiene, recognising under age drinking etc. All staff have to undertake this training, each member of staff have their own individual password so they can access the package remotely; Raymond Bird is able to check results and monitor the package etc through a supervisory role. I recommended that training be refreshed every 6 months.

**Polycarbonates**

Polycarbonates have still not been introduced at the Dorchester, advised that this is another breach of his licence as it is a condition placed on the licence specifically; you advised that you have some receptacles on order which will arrive in the next couple of weeks, definitely before the start of the next football season.

**DPS course**

This course has still not been booked even though it was a recommendation placed on your premises licence. You advised that this course will be booked within the next couple of weeks, you have had financial problems so have been juggling finances to purchase priority items.

I advised that I would return towards the end of May for a fresh visit; all of these conditions need to be in place at that time or else I will have no alternative but to take this premises licence to review.

You agreed that everything will be in place by that time.

### Occurrence details

Hampshire Constabulary	
Printed:	06/05/2014 10:22 by 24272
Occurrence:	<b>44140146294</b>

**Occurrence details:**

Report no.: 44140146294  
 Occurrence Type: ASB Nui - Noise  
 Occurrence time: 26/04/2014 22:00 - 26/04/2014 22:06  
 Reported time: 26/04/2014 22:06  
 Occurrence address: 38-40, ONSLOW ROAD, SOUTHAMPTON, HAMPSHIRE United Kingdom SO14 0JG (DORCHESTER ARMS) (OCU: 1 WESTERN, District: S SOUTHAMPTON, Sector: SE CENTRAL SOUTHAMPTON EAST, Beat: 1SE03 NEWTOWN)  
 Clearance status: Filed on 1st submission  
 Concluded: Yes  
 Concluded date: 28/04/2014  
 Summary: INFT IS REPORTING LOUD MUSIC FROM THE PUB HE IS SAYING IT IS MUCH LOUDER THAN NORMAL AND IT IS PREVENTING HIM FROM GOING TO SLEEP ADVISED THAT THEY PROBABLY HAVE A LICENCE FOR THE MUSIC AND IT WILL STOP AT ABOUT MIDNIGHT BUT THE MALE WAS VERY IRATE. SENT TO THE DESK POSS CLOSE FOR LICENCING ENQS? CFT RESEARCHING CFT RESEARCH RMS - INFT - NO RELEVANT REPORTS DASH IT - 6X DRUGS INTEL DORCHESTER - 1X ROWDY WM FOR RES - DV, VIOLENT, ESCAPER LOC HIST - 1X NUISINC CFT MAPPING -1X ROWDY SAFETY NET - NO RELEVANT REPORTS SAFETY NET PERSON - NO RELEVANT REPORTS ASB RESPONSE MATRIX - STANDARD SRS 14042600120 REFERS SV70 - HAVE ATTENDED AND SPOKEN WITH THE LICENCEE. THEY HAVE TURNED THE MUSIC DOWN WHICH WAS INCREDIBLY LOUD. THEY HAVE A LICENCE UNTIL 0300 \*\*\* RESULT \*\*\* \*OFFICER ATTENDED - SPOKEN WITH THE LICENCEE. THEY HAVE TURNED THE MUSICDOWN WHICH WAS INCREDIBLY LOUD. THEY HAVE A LICENCE TILL 0300\*

Remarks:

**Involved persons:**

- WESTERN AREA NTE 2014 [G1] / Other / (Bus/Org to record all Western Area NTE related crime, incidents and intelligence - Owned by Insp Justin Roberts) 2360500
- [VI;G1] / Person reporting / DOB: Gender: Male  
 SOUTHAMPTON, HAMPSHIRE United Kingdom  
 (OCU: 1 WESTERN, District: S SOUTHAMPTON, Sector: SE CENTRAL SOUTHAMPTON EAST, Beat: 1SE03 NEWTOWN) (Land line: Id # PNC I:  
 (Mobile  
 (Mobile)  
 (Land line,  
 [B]

**Involved addresses:**

- 38-40 ONSLOW ROAD / Dispatch address; Occurrence address / SOUTHAMPTON, United Kingdom SO14 0JG (DORCHESTER ARMS) (OCU: 1 WESTERN, District: S SOUTHAMPTON, Sector: SE CENTRAL SOUTHAMPTON EAST, Beat: 1SE03 NEWTOWN)
- / Reporting person address / SOUTHAMPTON, United Kingdom  
 (OCU: 1 WESTERN, District: S SOUTHAMPTON, Sector: SE CENTRAL SOUTHAMPTON EAST, Beat: 1SE03 NEWTOWN)

**Involved comm addresses:**

Anna Q

## Occurrence details

Hampshire Constabulary	
Printed:	06/05/2014 10:30 by 24272
Occurrence:	<b>44140155274</b>

**Occurrence details:**

Report no.: 44140155274  
 Occurrence Type: Assault  
 Occurrence time: 03/05/2014 01:00 - 03/05/2014 01:15  
 Reported time: 03/05/2014 11:46  
 Occurrence address: 38-40, ONSLOW ROAD, SOUTHAMPTON, HAMPSHIRE United Kingdom SO14 0JG (DORCHESTER ARMS) (OCU: 1 WESTERN, District: S SOUTHAMPTON, Sector: SE CENTRAL SOUTHAMPTON EAST, Beat: 1SE03 NEWTOWN)  
 Clearance status: New  
 Concluded: No  
 Concluded date:  
 Summary: Aggd has called police to state that she had an altercation with a bar staff member fro the Dorchester pub. A female called Michelle was verbally abusive and this lead to a minor assault, swelling to the right cheek.

Remarks:

**Involved persons:**

- OSBOURNE, LAURA [G2] [R:A1] / Aggrieved / DOB: [REDACTED] - Gender: Female  
 SOUTHAMPTON, HAMPSHIRE United Kingdom SO15 5SA (OCU: 1 WESTERN, District: S SOUTHAMPTON, Sector: SN SHIRLEY NORTH, Beat: 1SN01 SHIRLEY) (Land line)  
 Id # [REDACTED] PNC [REDACTED]  
 (Mobile)  
 (Mobile)  
 (Mobile)  
 (Mobile)  
 (Land line)  
 (Land line)

**Involved addresses:**

- 38-40 ONSLOW ROAD [R:A3] / Dispatch address; Occurrence address / SOUTHAMPTON, United Kingdom SO14 0JG (DORCHESTER ARMS) (OCU: 1 WESTERN, District: S SOUTHAMPTON, Sector: SE CENTRAL SOUTHAMPTON EAST, Beat: 1SE03 NEWTOWN)

**Involved comm addresses:**

- (Mobile) [REDACTED] Originating

**Involved property:**

**Modus operandi:**

**Reports:**

## Witness Statement

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Court Act 1980. s.5B

Statement Of: Simon Spencer

URN:

Age (If Under 18): Over 18

Occupation: Police Officer

1 18/05/2014 05:29:

I am Police Constable 25070 Simon SPENCER currently stationed at Southampton Central Police Station in Hampshire Constabulary.

- 5 On the 3rd May 2014 I was on duty and in full uniform was made aware via out control room of an assault report that needed to be taken. I was told the assault took place the night before at the Dorchester Arms located on Onslow Road, Southampton, the aggrieved stated that she had been assaulted by a barmaid called Michelle. As I was near to the Dorchester Arms I attended the public house first and spoke with the landlord, I arrived
- 10 around 1215hrs. The landlord advised me that the CCTV was not currently working and therefore did not capture the assault, the landlord was aware of the incident that took place but stated that he did not witness it as he was changing a barrel. The landlord further stated that he had spoken with the aggrieved from the assault this morning and was aware that she was going to be calling the police and that he did not know who Michelle was. I
- 15 then asked to the incident book as the landlord advised that the Doorman had dealt with the incident I was then informed that the incident book had not been written up and in fact it would be written up when the doorman returned for work later in the day.

I informed the licensing department of my conversation with the landlord.

This statement 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: Digitally signed by PIN Date: 18/05/2014 05:38

Witness To Signature: N/A Date: N/A

Statement Started

18/05/2014 05:29

Statement Completed

18/05/2014 05:38

RESTRICTED (when complete)

MG11T

**Witness Statement**

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Court Act 1980. s.5B

Statement Of: Jim Dineen

URN:

Age (If Under 18): Over 18

Occupation: Police Officer

- 1 14/05/2014 16:44: I am Temporary Police Sergeant 24210 Jim Dineen of Hampshire Constabulary currently stationed at Southampton Central Police Station.
- On Saturday 5th April 2014 I was on duty in full uniform when I attended a report of a robbery on Onslow Road, Southampton. I spoke to the aggrieved party, . born
- 5 : who stated that some items he had initially believed stolen had been handed back to him by the "barmaid" at the Dorchester Arms. He also said he had been drinking inside the Dorchester Arms most of the night.
- I therefore went into the Dorchester Arms and saw a female standing behind the bar who I took to be the barmaid. I asked whether she had found and returned any property to
- 10 and she agreed she had and showed me where she had found it. She also produced a lead from behind the bar which she had found there which proved to belong to . She identified herself as Michelle Marlow of . but declined to give me her phone number. She spoke to a male member of staff who was present who gave his name as Ray and he agreed that if I needed to contact her I could
- 15 call him on : .
- When I entered Marlow's details onto our computer system as a witness to the incident I saw a photograph of her which came up automatically and I can confirm that Marlow was the female who was working as a barmaid that night.
- I make this statement because on 3rd May 2014 I heard a call on the radio about an assault
- 20 at the Dorchester Arms where the suspect was named as the barmaid Michelle. An officer had reported that he had spoken to the landlord who, it was reported, had denied knowing anyone called Michelle. I made the control room aware of my previous attendance and the likely identity of the suspect and I also alerted our licensing department as I felt that the landlord may not have been wholly truthful to police.

This statement 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: Digitally signed by PIN Date: 14/05/2014 17:12

Witness To Signature: N/A Date: N/A

Statement Started

14/05/2014 16:44

Statement Completed

14/05/2014 17:12



## Occurrence details

Hampshire Constabulary

Printed: 06/05/2014 10:33 by 24272

Occurrence: **44140156822**

### Occurrence details:

Report no.: 44140156822  
 Occurrence Type: Assault  
 Occurrence time: 05/05/2014 00:39 - 05/05/2014 02:34  
 Reported time: 05/05/2014 00:39  
 Occurrence address: 38-40, ONSLOW ROAD, SOUTHAMPTON, HAMPSHIRE United Kingdom SO14 0JG (DORCHESTER ARMS) (OCU: 1 WESTERN, District: S SOUTHAMPTON, Sector: SE CENTRAL SOUTHAMPTON EAST, Beat: 1SE03 NEWTOWN)  
 Clearance status: Filed on 1st submission  
 Concluded: Yes  
 Concluded date: 05/05/2014  
 Summary: ST2B : LARGE GROUP OF ASIAN MALES SQUARING UP TO EACH OTHER PUB IS SAYING THE MALES HAVE BEEN INSIDE - 2 FAMILIES OPPOSING EACH OTHER CAN SGT BE MADE AWARE SC96 - THERE WAS AN ASSAULT BETWEEN 2 FAMILIES - ANE LEFT WITH THE MALES SC05 - ANE FAMILY \*\*\* RESULT \*\*\* no further calls incident created due to possible tension males left whilst police on scene

Remarks:

### Involved persons:

- WESTERN AREA NTE 2014 [G1] / Other / (Bus/Org to record all Western Area NTE related crime, incidents and intelligence - Owned by Insp Justin Roberts) 2360500
- , / Person reporting

### Involved addresses:

- 38-40 ONSLOW ROAD / Dispatch address; Occurrence address / SOUTHAMPTON, United Kingdom SO14 0JG (DORCHESTER ARMS) (OCU: 1 WESTERN, District: S SOUTHAMPTON, Sector: SE CENTRAL SOUTHAMPTON EAST, Beat: 1SE03 NEWTOWN)

### Involved comm addresses:

### Involved property:

### Modus operandi:

### Reports:

BY EMAIL AND POST

Licensing Team  
Southampton City Council  
Licensing Team  
PO Box 1767  
Southampton  
SO18 9LA

**Our ref:** RJT/MJM/98454-19843-6

**Your ref:**

**Date:** 4<sup>th</sup> July 2014

**E-Mail:**

Dear Sirs,

**re: Licensing Act 2003 – Review Proceedings  
Dorchester Arms, Onslow Road, Southampton**

We act on behalf of Enterprise Inns PLC. Our client is the freeholder owners of these premises and we have received a copy of the application for review of the premises licence issued by Hampshire Police.

We would be grateful if you would accept this letter as a formal representation on behalf of our client. Enterprise Inns PLC owns around 6000 public houses in England and Wales. Over 99% of these premises are the subject of lease/tenancy agreements by which the tenant operates his/her/its own business out of our client's premises. The lease/tenancy agreement makes it clear that all operational responsibility for the premises lie with the tenant. The Dorchester is the subject of a 4 year lease agreement in favour of the premises licence holder, Raymond Bird, who has been operating these premises under that lease since March 2013.

Please note, we take a wholly neutral stance with regard to the allegations against our client's tenant raised in the application for review. As our client has no operational responsibility for these premises, it cannot comment on those allegations. It does, however, refute the allegation made on page 6 of the application that there is "continued resistance from Enterprise Inns..."

Indeed, it appears to Enterprise Inns that the cause of the difficulties at these premises is Mr Bird's operation of the premises. Indeed the application for review indicates as such. In the circumstances, Enterprise Inns PLC is currently engaged in negotiations with Mr Bird such that he will leave the premises shortly and not have anything to do with their operation moving forward.

Queens Gardens, Hull, HU1 3DZ T 01482 324252 F 0870 600 5984 E info@gosschalks.co.uk W www.gosschalks.co.uk DX 11902 - Hull

Partners: Simon Lunt, Ian Lanch, Richard Llewellyn, Neil Johnson, Clare Johnson, Robert Thomson, Jonathan Beharrell, Nigel Beckwith, Zoë Carmichael, Mark Teal, Stephen Walker, Robert Hastie, Richard Taylor, Andrew Johnson, Jonathan Peet, James Phinn, Justin Graves, Matthew Fletcher, Andrew Tarbutt, Ted Flanagan, Kate Groves, Craig Beetham, Stephen Dillon, Chris Groves, Paul Plaxton, James Houston, Victoria Quinn, Andrew Bell, Charlotte Chilcott

Associates: Julia Williams, Rachel Garton, Phil Osborne, Nathalie Stewart

Partnership Secretary: Martin Haldenby

This firm is authorised and regulated by the Solicitors Regulation Authority under number 61213 Page 52 of 53

In the event that Mr Bird has not left the premises by the time this application is considered by the Committee then we respectfully suggest that he is removed as DPS. We anticipate, however, that by the time that this matter comes before the Committee, Mr Bird will have left the premises and Enterprise Inns PLC will be premises licence holder having transferred the licence from Mr Bird's name to itself.

Thereafter, Enterprise Inns PLC will liaise with the Police about a suitable operator to operate these premises in the future.

At this stage, we would be grateful if you would acknowledge receipt of this representation and advise as to the date of the hearing.

We look forward to hearing from you.

Yours faithfully

**GOSSCHALKS**

This page is intentionally left blank