

Reference: 2011/00632/01SRAP

Hearing:

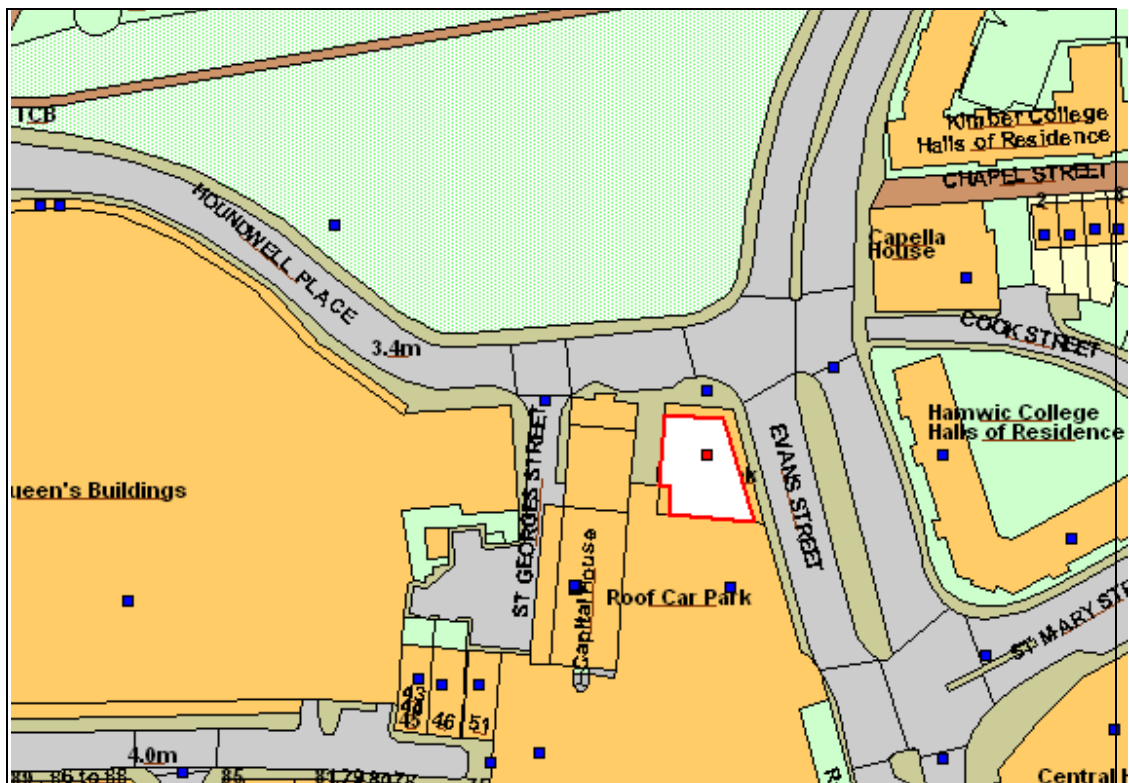
21st April 2011

Application for Review of Premises Licence

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

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

Application Valid Date: 10th March 2011



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Representation From Responsible Authorities

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

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

Other Representations

Name	Address	Contributor Type
None		

Legal Implications

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

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

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

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



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

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

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

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

Premises or Club Premises details

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

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

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

Details of responsible authority applicant

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





RESTRICTED

G90

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

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

RESTRICTED



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

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

- | | |
|---|-------------------------------------|
| | <i>Select one or more
boxes</i> |
| 1) The prevention of crime and disorder | <input type="checkbox"/> |
| 2) Public safety | <input type="checkbox"/> |
| 3) The prevention of public nuisance | <input type="checkbox"/> |
| 4) The protection of children from harm | <input checked="" type="checkbox"/> |

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

This review is brought by Hampshire Constabulary as a responsible authority under the Licensing Act 2003, in light of recent test purchase failures at The Royal Oak public house. We believe that these failures can be directly linked to the poor staff training currently delivered at the venue.

Hampshire Constabulary request that the following conditions be applied to the current licence to prevent any future failures. We also request that the venue be subject to a period of closure as a deterrent but also to ensure that any conditions that are applied to the licence, could be properly implemented to support the four licensing objectives.

The conditions that Hampshire Constabulary would seek to have added to the current licence are:

- 1) Challenge 25 - There will be a Challenge 25 policy operated at the premise. Challenge 25 meaning that the holder of the premises licence shall ensure that every individual who appears to be under 25 years of age seeking to purchase or be supplied with alcohol at or from the premises shall produce means of identification acceptable to the licensing authority proving that individual to be 18 years of age or older. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.
- 2) All staff who sell alcohol will be trained to NCPLH (National Certificate of Personal License Holder) level. All sales of alcohol must be directly supervised and authorised by a personal licence holder until such staff have achieved training to NCPLH level.
- 3) Staff are trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18; that records are kept of such training, which are signed and dated by the member of staff who has received the training; that staff receive refresher training every six months as a minimum and that records are signed and dated by the member of staff and records are kept of this refresher training. Records will be available for inspection by Hampshire Constabulary and the Licensing Authority.
- 4) For the Designated Premises Supervisors to be trained to BIIAB Level 2.



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

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

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

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

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

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

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

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

CCTV warning signs to be fitted in public places.

Recordings to be kept for a minimum of 28 days.

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

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

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

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

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

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



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

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

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

Second test purchase failure:

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

A further meeting was held at The Royal Oak on 04/02/11 following this second failure. This was held with the DPS and a representative of Trust Inns. During this meeting the DPS was asked about any changes he had made since the last meeting with the police. He had not implemented a Challenge 25 police or introduced a refusals book. There had not been any improvement in the training package and there were no regular training records for any staff. No assistance had been sought from Test Inn/Heineken Brewery with regards to this. They did dismiss the second member of staff that failed the test purchase.

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

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

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

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

If yes please state the date of that application:

 / /
 Day Month Year



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

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

Please tick

I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate

It is an offence, liable on conviction to a fine up to level 5 on the standard scale, under Section 158 of the Licensing Act 2003 to make a false statement in or in connection with this application

Signature of Officer Completing

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

Signature of Authorising Officer (Inspector or above)

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

Royal Oak – Index for review application

HAC/RO/1 – statement of PC 3135 COLE

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

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

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

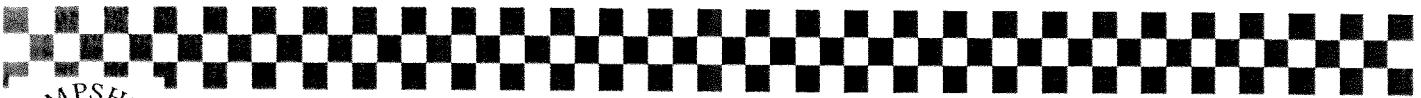
HAC/RO/5 – statement of PC 20920 PRIOR, dated 21/01/2011.

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

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

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

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



WITNESS STATEMENT

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

URN: | | |

Statement of: PC 3135 COLE

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

Occupation: Police Officer

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:

Date:

PC 3135 COLE

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

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

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

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

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

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

I had no further dealings with this matter.

Signature: Signature witnessed by:



MAC/RO/01



MAC/20/02

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

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:

Date:

13/11/10

PC 24368 ASHBY

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

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

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

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

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

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

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

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

Signature:

Signature witnessed by:





RESTRICTED (when complete)

WITNESS STATEMENT

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

URN: | | |

Statement of: PC JONATHAN HARRIS

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

Occupation: Police service

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:

Date: 13/11/2010

PC JONATHAN HARRIS

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

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

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

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

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

Signed :

Signature witnessed by :

PC JONATHAN HARRIS

HAC/120103



WITNESS STATEMENT

MG11
Page 1 of 3

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

URN: | | |

Statement of: Nicholas HOLLOWAY-MOGER

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

Occupation: Police Constable

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:

Date: 21st January 2011



.....
Nicholas HOLLOWAY-MOGER


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

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

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

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

Signature: 


..... Signature witnessed by:



HAC/20/04



WITNESS STATEMENT

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

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

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

I had no further dealings.

Signature: _____

.. Signature witnessed by:



MAC/20/05



HAMPSHIRE CONSTABULARY

RESTRICTED – For Police and Prosecution Only

WITNESS STATEMENT

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

URN //

Statement of : Natasha Astrid PRIOR

Age if under 18:	Over 18	(if over 18 insert 'over 18')	Occupation:	Police Constable 20920
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This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false, or do not believe to be true.	
Signature: _____	Date: 21/01/2011

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

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

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

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

Signed : Natasha PRIOR

Signature witnessed by : _____



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

The 4 Objectives to the Licensing Act 2003

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

OPERATING SCHEDULES - What are they?

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

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

OFFENCES

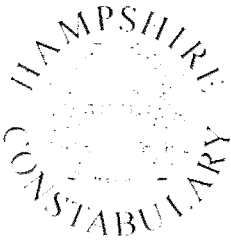
- **Selling alcohol when a sale is not authorised** by an appropriate licence may render the seller **liable for a £20,000 fine and/or 6 months imprisonment.**
 - It is an offence to sell alcohol outside of your operating schedule. This can carry a **fine of £20,000 and/or 6 months imprisonment.**
 -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

MAC/20/07

I sign below to confirm that I am over 18 and have fully understood my responsibilities as someone who sells alcohol and can be fined on the spot £30 for being in breach of the licensing act 2003.

Please read leaflet and sign this form confirming that you have read it. Thanks

NAME	SIGNATURE	DATE
[Signature]	[Signature]	20/10/07
[Signature]	[Signature]	21/10/07
[Signature]	[Signature]	22/10/07
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Hampshire Constabulary
Chief Constable Alex Marshall

HAC/RC/08

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22 November 2010

Dear Sir,

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

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

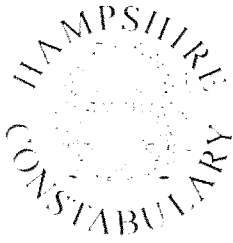
- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

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

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

I can confirm that it was agreed that:

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



Hampshire Constabulary
Chief Constable Alex Marshall

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

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

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

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

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

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

Yours faithfully,

PC 24288 HARRIS
Violent Crime & Licensing Department

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

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

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

Who is the qualification for?

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

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

What does the qualification cover?

The BIIAB Level 2 NCDPS covers the following topics:

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