

Reference: 2012/00198/03SRAP

Hearing:

22nd March 2012

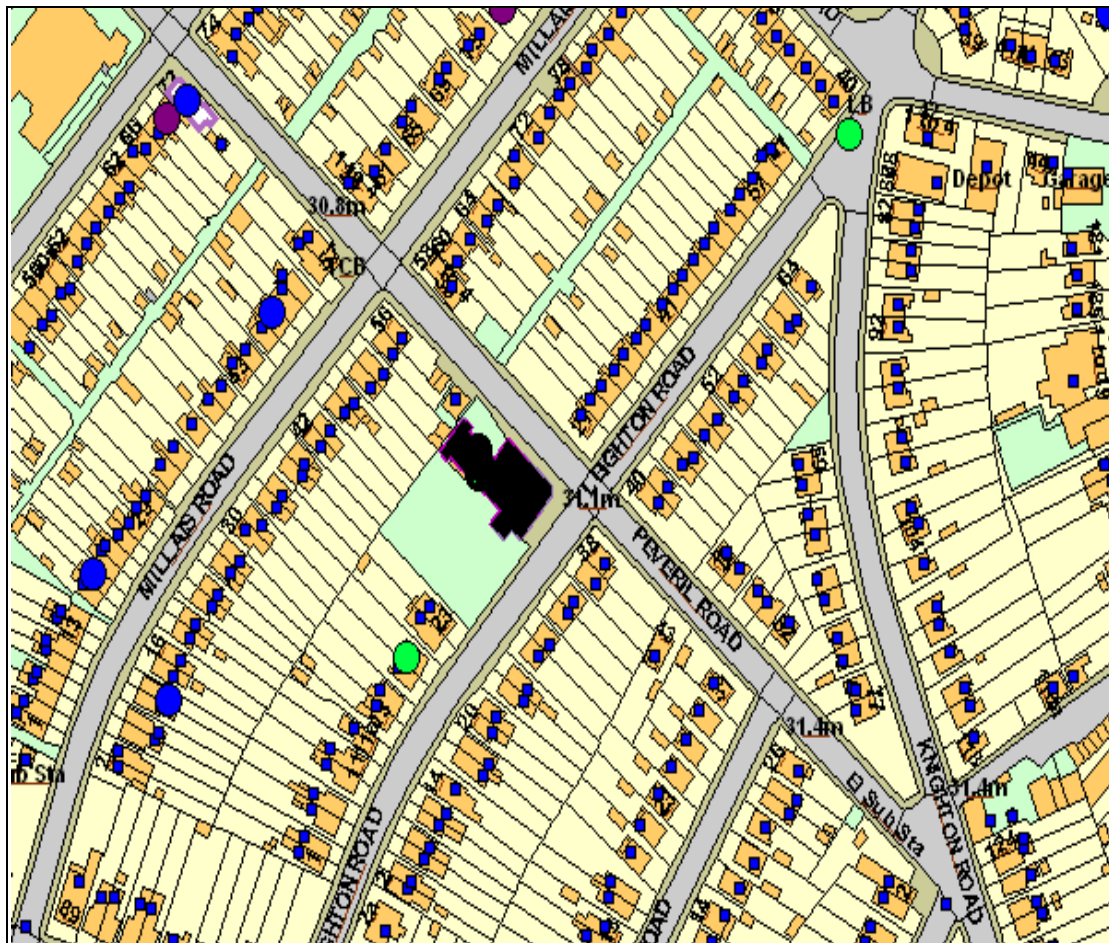
Application for Review of Club Premises Certificate

Premises Name: Woolston Trades And
Labour Club
Premises Address: Winchester House
25 Leighton Road
Southampton
SO19 2FS

Application Date: 20th January 2012

Application Received Date: 26th January 2012

Application Valid Date: 26th January 2012



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Representation From Responsible Authorities

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

Other Representations

Name	Address	Contributor Type
None Received		

Legal Implications

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

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

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



Hampshire Constabulary
Chief Constable Alex Marshall

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

Southampton Central Police Station
Civic Centre
Southampton
Hampshire
SO14 7LG

Telephone: 0845 045 45 45

Our ref:
Your ref:

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

25th January 2012

Dear Sir,

On behalf of Hampshire Constabulary, I submit the following application for a review of the club premises licence of Woolston and District Trades and Labour Club, Leighton Road, Southampton.

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

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

Despite numerous meetings with club representatives to address police concerns, the club continues to breach conditions on its licence. Therefore, I submit this application to review the club premises licence of Woolston and District Trades and Labour Club.

Yours faithfully

PC 24288 Harris

Violent Crime & Licensing Department





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

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

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

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

Premises or Club Premises details

Table with 2 columns: Postal address of premises, Postcode (if known). Values: Woolston and District Trades and Labour Club, 25 Leighton Road, Southampton, SO19 2FS

Name of premises licence holder or club holding club premises certificate (if known)
Woolston and District Trades and Labour Club

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

Details of responsible authority applicant

Form with fields for title (Mr, Mrs, Miss, Ms, Other), surname (HARRIS), first names (Jon), current postal address (Southampton police station), postcode (SO15 1AN), daytime telephone number, and optional e-mail address.

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





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

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

*Select one or more
boxes*

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

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

This review is brought by Hampshire Constabulary as a responsible authority under the Licensing Act 2003, as it believes the club is failing in its obligation to promote licensing objectives, particularly in relation to prevention of crime and disorder and the protection of children from harm.

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

- 1) Revocation of the clubs premises licence

In summary, the police evidence to support this application is as follows:

On 15th June 2011, PC Bailey from Bitterne police station contacted the police licensing team in relation to concerns with the club. He had been dealing with an assault allegation involving a 7 year old aggrieved, which occurred inside the premises. He was firstly concerned that there appeared to be no record of who was coming into the premises and no one was able to produce footage from the CCTV system. PC Bailey further attended the club premises with the club secretary on 21st June 2011 and was told that a copy of the CCTV would be produced for him by 29th June 2011. CCTV was never produced in relation to this matter and when PC Harris spoke to the club secretary on 18th August 2011, he was advised that there was a problem with the CCTV system, which only became apparent following the assault in June. The power pack for the system was faulty and the system was not operative. This meant that despite identifying that the system was inoperative, nothing was done to rectify the fault until police intervened. It had almost been 2 months and the premises had been operating without CCTV, selling alcohol in breach of its licence. The club secretary was asked to rectify the problem within a 2 week period or police would look to report him for a breach of the licence.

The club president contacted police on 2nd September 2011 to advise it had been difficult to locate the correct power pack, but that it was on order and should be delivered by courier the next day. They would then attempt to get the system back up and running.





[REDACTED]

**Application for the review of a
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PC Lindley and PC Harris attended the club premises on 17th September 2011 to see if the CCTV system was back in operation. A committee member who was the only one present at the time spoke with officers. Police were informed that the system was back up and running, but the only person to have access to it was the club secretary who was not available. Police requested that they were contacted and attend the premises. Police were then met by a steward for the club who although made it clear that she was not working, was visibly very drunk, slurring her words and unsteady on her feet. Whilst speaking with the steward, she made a number of comments making it clear that she was unconcerned by her drunkenness. She made no attempt to hide it and almost became involved in an argument with the committee member over who was in charge. Officers highlighted it was likely that offences had been committed by bar staff, as they would have served the steward whilst she was drunk.

The steward could open the locked cupboard to where the CCTV system was located, but no one other than the club secretary knew the passcode to access the system. It was explained to all parties that in accordance with the licence, CCTV footage should be available to police immediately upon request. The committee member and steward were advised at the time that a meeting would need to be called with the club secretary to address all the concerns that had been raised.

After arranging a meeting with the club secretary, PC Harris and PC Lindley reattended the premises on 20th October 2011. The club secretary was not present at the meeting and police were told that he was stepping down and retiring shortly. A committee member who was present was due to take over the role. Police concerns that had been raised with the club secretary prior to the meeting, appeared not to have been passed onto the committee members. They were not aware of the conditions on the clubs licence and were unable to produce recorded footage from the CCTV system. Pictures from the system could be viewed, but the images were of poor quality and again were in breach of the licence. Other breaches in the licence were then identified, as in accordance with the licence, 'All bar staff shall be trained in the law governing the supply of alcohol to members and guests, and in particular regarding the requirements of Challenge 21 and persons under the age of 18 years. All staff shall be trained on induction and such training shall be repeated twice per year. Records of training shall be kept at the Club, shall bear the signature of each trainee and shall be made available to police officers and authorised officers of the licensing authority on request'. The committee were not able to produce any training documents. The police passed a 30 page document to the committee to assist them in producing a due diligence package. The club chairman was spoken to on 14th December 2011 and at this time, the training package had still not been produced.

PS Marshman visited the premises on 5th November 2011 at 2000 hours. No one answered the buzzer when he tried to gain access, but he was able to enter the building as someone walked out. He was met by a committee member who was very defensive initially and informed him he should give 48 hours notice prior to attendance. Once this was resolved the committee member was asked about CCTV and if she could produce a copy of recorded footage. PS Marshman was informed that staff were all being trained on how to use the system the following week.



[REDACTED]

**Application for the review of a
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The committee member was then asked to produce the signing in book, which was for all members and guests of members who were aged 13 to 17 years old, as per the condition on the licence. The book was last filled in on 1st November 2011 and yet there was a 13 year old and a 14 year old on the premises at the time and they had not been signed in. A book used to sign in non members was poorly filled in with membership numbers missing and signatures missing. The committee member advised police that they could not control the door and that people just came on in as others left. PS Marshman suggested a committee member could sit on the door which would rectify these problems. Prior to leaving, PS Marshman asked to see the club premises certificate. This was not on display and the committee member did not know where it was located. PS Marshman advised that it would be necessary to have another meeting to discuss these further issues.

PS Marshman and PC Harris met with the new club secretary and two other committee members on 14th November 2011. Police were advised that three committee members were now trained in the use of the CCTV system and believed that it was capable of retaining recorded footage for 30 days - as per the licence. The club secretary tried to produce a copy of recorded footage on VHS tape, but clearly still had problems in using the system and the tape recorder kept pushing the tape out and as a result, no recorded footage could be produced. The system has to be stopped from live recording to enable the user to view recorded footage. It was checked to see how far back footage was retained and it only went back to 29th October 2011 which was 17 days. This highlighted that the system really needed to be replaced, as it was not fit for purpose and was in breach of the club premises licence in so many ways. Police were advised by the committee that they would look to obtain a new system soon which they hoped would address the quality issue.

The club premises licence was still not on display and again could not be located. The club secretary was advised to obtain a new one from the council. The members of the committee were asked whether they produced a due diligence training pack following the meeting with PC Harris on 20th October 2011. The club secretary advised he had passed the 30 page document to bar staff to read, but no one had gone through it with them. It was reiterated that in passing the document, the idea was to obtain relevant information from it and not just pass it to staff to read. A committee member then informed police that she would produce a pack and deliver to the bar staff. Police expressed more concern over the poor records of members and guests being signed in and the book for 13 to 17 year olds not being completed. The club secretary and the committee members were again advised to use a committee member on the door to complete records. Officers requested that the club provide an update regarding these issues no later than 28th November 2011.

The club failed in contacting police to advise of an update as per the request and then failed a test purchase operation on 3rd December 2011, where a member of bar staff served a child alcohol. Two children under the age of 18 and two undercover officers were able to walk into the premises unchallenged in this instance. This was little over two weeks after the last meeting where due diligence and door control was expressed as a serious concern. PC Harris recontacted the club secretary on 14th December 2011 to discuss the test purchase failure. PC Harris also enquired about the CCTV system and if it had been updated. The club secretary advised that the person that was going to provide them a new system had gone away for three months and therefore, there had been no changes. When asked about



R [REDACTED]

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

the due diligence training, bar staff had not received anything further and only since the test purchase failure had they started to place a committee member on the door.

Despite considerable effort from police, numerous meetings with committee members, suggestions and advice, the club continues to breach conditions on its licence. It is because of the clubs protracted response to rectify the problems that exist, police would have little confidence in the club adhering to any new conditions, hence its request for a revocation of the clubs licence.

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

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

Please tick

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

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

Signature of Officer Completing

Name PC HARRIS Collar Number: 24288
Signature: [REDACTED] Date: 19/01/2012

Signature of Authorising Officer (Inspector or above)

Name JOHN MCGONIGLE Collar Number: 1399
Signature: [REDACTED] Date: 20/01/2012

Harris, Jonathan

From: Marshman, Ivan
Sent: 15 June 2011 09:11
To: Bailey, Simon
Cc: Harris, Jonathan; Sullivan, Michael
Subject: RE: Occ 44110245326 WOOLSTON TRADE & LABOUR CLUB

Simon,

Thanks for letting us know. Feel free to let them know you'll be speaking to us.

One of my team will be visiting to address the issue.

Thanks

Ivan

PS 3555 MARSHMAN

Violent Crime & Licensing Sgt
Southampton Central Police Station
Southern Road,
Southampton.
SO15 1AN
Tel [REDACTED]
Ex 325

From: Bailey, Simon
Sent: 14 June 2011 19:18
To: Marshman, Ivan
Subject: Occ 44110245326 WOOLSTON TRADE & LABOUR CLUB

Hi Ivan,

I just wanted to make you aware of a incident I am dealing with where a child and been allegedly assaulted by a adult.

The agg'd is a 7yr old, the parents are only wishing for police to locate the male and give words of advice.

The managers and staff are unsure of who the person is as it was not noted down and there is no record of who comes and goes into the club. The manager states that members do not have to sign in and guest are supposed to sign in but there is no record or monitoring of this.

Bar staff who was working on this date state the above and said there is no record of who's who at the club.

There is only CCTV on the front door but the manager was being evasive and was not wishing to assist. I explained I will be coming anyway to view the footage on 20/06/11.

I think she was more concerned about the club being reported than a child allegedly being assault on the premises she didn't seem bothered about this matter.

I will be speaking to her further about this and will inform her that I have contacted Licensing

about persons not being recorded at the club, if this is acceptable to do so.

Regards

PC 25076 Simon Bailey
C Shift SNIT
Bitterne

Working Sheet

Hampshire Constabulary

Printed: 29/12/2011 17:37 by 24288

Occurrence: 44110245326 Child abuse @12/06/2011 16:58

Author: #25076 BAILEY, S. Report time: 21/06/2011 22:06
 Entered by: #25076 BAILEY, S. Entered time: 21/06/2011 22:06
 Remarks: 21/06/11 CCTV footage not available to be veiwed at this time

I attended the Woolston Trade and labour club and spoke to [REDACTED] Club Secretary (CS) who deals with the CCTV footage.

CS - The machine was not working and could show any footage around the time of the incident. [REDACTED] said he will try and get a copy of any footage an hour eityher side of the incident.

CS - CCTV only cover the front door, the bar and inside enterance to the club. [REDACTED] was given the description of the male who alledgedly assaulted the agg'd. He or other members of staff do not know of this male but once copy of the CCTV is viewed then staff will ook out for the male and pass details of the male to Police. A copy of the CCTV will be sent to myself to veiw upon my return to work on 29/06/11.

If no staff can I dentify this male then this matter will be submitted for filling

The agg'd has been updated with the above infomation.

PC 25076

[REDACTED]



Working Sheet

Hampshire Constabulary

Printed: 29/12/2011 17:55 by 24288

Occurrence: **44100406749 Z Prem Licence (Management Occurrence)**

Author: #24288 HARRIS, J.

Report time: 02/09/2011 15:53

Entered by: #24288 HARRIS, J. (CP)

Entered time: 02/09/2011 15:53

Remarks: Call rcvd from club president [REDACTED] RE CCTV

CP -
CS -

The above called this afternoon and advised they ahve had to search the country for a replacement power pack for their system. It has been ordered and should arrive by courier tomorrow. [REDACTED] will then attempt to get the system up and running. [REDACTED] is currently on holiday so advised [REDACTED] that everytime premise is open they are breaching conditions. If an incident was to occur and cctv could not be produced, they would likely end up at review.



Working Sheet

Hampshire Constabulary

Printed: 17/01/2012 10:03 by 24288

Occurrence: **44100406749 Z Prem Licence (Management Occurrence)**

Author: #24288 HARRIS, J.

Report time: 30/10/2011 03:15

Entered by: #24288 HARRIS, J.

Entered time: 30/10/2011 03:15

Remarks: Meeting with committee

PC LINDLEY and I met with the committee of the club on Thursday 20 October. I explained the problems with the CCTV in that it was not in operation for a number of months and therefore, the premises was open in breach of its licence. We put them under pressure to resolve the problem which was a new power pack for the system and it was replaced in two weeks. However, when PC LINDLEY and I last attended, we were met by a drunk stewardess and no one knew the code to the CCTV system or how to burn off footage. I then went through the conditions and explained why it was so important that they adhered to them. It would appear that they were not fully aware of the conditions and Mr CS - [redacted] the licence holder, clearly had not passed on any of my concerns. He was not even at the meeting and would appear to have washed his hands of the club as he is relinquishing himself as the clubs licence holder. This is being passed on to Mr [redacted] who was present.

CS -
Jew -
S.

I explained that they need to have at least one member that is always on duty who knows how to use and burn footage off the CCTV system. They said that they will get onto this immediately.

I explained that i had concerns with regards to due diligence because of their own stewardess being drunk on the premise. I asked if they had training (which they should have and retain due to conditions) but there was nothing in place. The committee realised this must be addressed and said they were embarassed that these things were not in order already. I have left them with some information in order to assist them in creating a due diligence pack. They would then like licensing to assist with the training of their staff which i offered to them. I will arrange this for a later date.

CCTV was viewed which does cover all the main areas although the quality is quite poor on the majority of the cameras as they are covering large areas. I highlighted my concerns over this and the committee explained that around June next year, the premises will be knocked down and replaced by a smaller building which will have a whole new cctv system in it. They did show me plans of the new building.

The ion track results were also advised to the committee. They did not believe they had any sort of drug problem at the premises and were shocked to hear of the results. They were really supportive of taking action with regards to this and said they would welcome the use at ion track at the premises.

Working Sheet

Hampshire Constabulary

Printed: 17/01/2012 10:03 by 24288

Occurrence: 44100406749 Z Prem Licence (Management Occurrence)

Author: #3555 MARSHMAN, I.

Report time: 06/11/2011 04:10

Entered by: #3555 MARSHMAN, I.

Entered time: 06/11/2011 04:10

Remarks: Visit 5/11/11

Woolston Trade & Labour club

Visited premises at 20.00 hours on the 5/11/11. I gained access as someone was coming out of the venue as the buzzer was ignored. Whilst waiting at the bar there were several people under 18 in premises. A committee member came out to meet me and took me into the bar area without a pool table. I now know this to be [redacted] she started off very aggressively by saying that I needed 48 hours notice to enter the premises. I explained that yes 48 hours notice is required however I could request to see her premises certificate and whilst here she could provide some CCTV to ensure she wasn't in breach of her licence. This was met with your not licensing and PC Harris was my boss? I pointed out I was licensing (but this didn't matter any police officer could request this) and I was actually the supervisor of PC Harris.

committee member - CM

CM - [redacted] became less defensive but could not download the CCTV as she said they were all being trained on Tuesday. She seemed to think that although the cameras were of poor quality she didn't have to upgrade then until building works had been done. I explained that she would have to if they wished to operate as we would report them and if necessary take them to review their licence. I then asked to view their signing in log for people who were aged between 13-17 years old. This was last filled in on 1/11/11. I asked about the children in the other room and she said she would sort it. However, I asked her to accompany me to ask their ages ... they were 13 years old and 14 years old and not signed in. She advised this would be addressed (I explained that this was also a breach of her licence). I have to say when the Dad of the children became a little upset she did put him in his place in order to stop him becoming agitated with me being present.

I also looked at the that covers the associate members (members from other clubs who sign in) This was last signed on 1/11/11 and appeared in order. But the book that signs people in who aren't members was poorly filled in. Membership numbers left out- people not signing it etc. Also [redacted] admitted that they couldn't control the door and people just came on in when other people left (as I did). I explained a committee member could sit on the door as she explained they couldn't afford door staff. She wasn't too keen on this but it needs addressing.

- CM

Finally I went to see her premises certificate only to find it wasn't on display and she didn't know where it was. A meeting needs to be held again..... and

RESTRICTED

[REDACTED]

consideration into reporting for the offence . Tight time frames are need for the improvements as they don't seem to understand the importance or the licensing objectives.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Hampshire Constabulary
Chief Constable Alex Marshall

Mr B Morris
Woolston Trade and Labour Club
25 Leighton Road
Southampton
Hampshire
SO19 2FS

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

Telephone: 0845 045 45 45

Our ref: 44100406749
Your ref:



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

7th November 2011

Dear Sir,

This letter is in reference to our licence meeting on the 20th October 2011 at Woolston Trade and Labour Club. At the meeting a number of issues and concerns were discussed and are summarised on the attached sheet.

As you are aware Southampton Police are committed to working with the licensees in supporting the four licensing objective 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 are concerned with the venue, as two of the clubs licence conditions are clearly being breached. Breaches of the clubs licence are taken very seriously and could result in the licence being reviewed or a summons to court. The Police Licensing unit will continue to monitor the premises and further visits will be conducted in order to check that the conditions are now being adhered to. Should we get further incidents and yet the issues not been addressed, then we would look to take the matter further and this could be by a review of the clubs licence.

Yours Sincerely

PC 24288 Harris
Violent Crime Reduction & Licensing Team
Southampton Central Police Station



Meeting at Woolston Trade & Labour Club 20/10/2011

Drunk stewardess

Police – informed committee that on our previous visit to the premises, we met a stewardess (Miss Casey) who was very drunk and admitted this. She was argumentative with a committee member at the time of the visit as to who was in charge and did not believe it was a problem for her to be drunk if she was not working. Police highlighted that an offence of serving alcohol to a drunk and having a drunk on a premises had been committed. This gave a very poor representation of the venue.

Venue – The committee agreed with the police view of this incident and wanted to know what exactly was said by Miss Casey. The committee advised they would be speaking with Miss Casey with regards to this.

CCTV

Police – Advised that the club had been in breach of its CCTV condition, as the club had been operating whilst the system was faulty and not functioning. Although it is now repaired, the club is still breaching the condition as at the time no one was able to produce recorded footage on the request of police. The CCTV system does not produce images of an acceptable quality which is also in breach of the licence. Most cameras cover large areas and although persons are identifiable up close, persons far away cannot be identified. The CCTV problems need to be rectified no later than 21st November 2011 or the premises should not operate after this date.

Venue – The committee advised that it was not aware of the condition and will ensure that certain employees are trained in its use. As the premise will be knocked down mid way through next year, the committee advised it did not wish to spend money on replacing CCTV equipment as the new premises will have a new system. (Please note, that if the CCTV system is not upgraded to an acceptable level, the premises should not operate).

Incident book

Police – There was no incident book currently being used. Police explained the benefits of maintaining a diarised book.

Venue – The committee explained they understood why this would be important and was happy to use an incident book and get one in place immediately.

Refusals log

Police – Advised the benefits of maintaining a log with regards to due diligence.

Venue – The licensee advised that he would maintain a record within the incident book.



Hampshire Constabulary
Chief Constable Alex Marshall

Due Diligence training pack

Police – Currently no due diligence package in place which is a breach of the clubs conditions. All staff should be trained on induction and this training repeated twice a year with records maintained as per the condition. Police offered to attend a due diligence training event, run by the club to reinforce what is said to staff. A due diligence training pack was left with the committee to assist in producing their own training pack. Police will contact the club 2 weeks from the date of letter to follow this up.

Venue – Welcomed assistance from police and will produce a due diligence package.

Working Sheet

Hampshire Constabulary

Printed: 17/01/2012 10:05 by 24288

Occurrence: **44100406749 Z Prem Licence (Management Occurrence)**

Author: #24288 HARRIS, J.

Report time: 14/11/2011 14:16

Entered by: #24288 HARRIS, J.

Entered time: 14/11/2011 14:16

Remarks: Meeting with club chairman

PS MARSHMAN and i met with Bob Morris the new head chairman and two committee members including [redacted] - CM - committee member

Bob confirmed that the stewardess [redacted] had been verbally warned regarding her drunk behaviour during a previous police visit. Any further incident would result in her receiving a written warning.

CCTV - the 3 of them had allegedly been trained up on the CCTV, but Bob who took it upon himself to try and operate it still had great difficulty in doing so. The system they believed recorded for 30 days, but it had only saved footage back to 29/10/11 which is only 17 days in total. Most of the pictures from the cameras are poor and the identity of people in a court of law would not be possible. They advised they are getting a new system soon which they hoped would resolve the quality. I made it clear that it may not only be the system that needs replacing but the cameras also. Bob did try to copy footage onto a tape, but the player kept pushing the tape out.

Door staff (non sia) - PS MARSHMAN expressed concern over the fact he was able to walk in on another night without being challenged. We explained that the committee should have someone on the door using signing in books etc to record who is on the premises. A seperate book should also be retained for 13-17 year olds, which they do have but is not being completed all of the time.

Club premises licence - was still not on display and could not be located. Asked they obtain a new licence from the council.

Due diligence - Bob stated he had given staff the paperwork i gave them and had asked them all to read it. I reiterated as i did at the time that the relevant information should be taken from the pack and put into their own training package and then delivered to them verbally. [redacted] advised that she had offered to do this as she used to be a teacher. - CM.

All of the above, the club will provide police with an update no later than 28/11/2011. It is no expected that they will have all these matters completely resolved, but good progress should be made.

[Redacted]

MG11

WITNESS STATEMENT

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

Statement of: PC 24191 WOOD [Redacted] URN
Age if under 18: 018 (if over 18 insert 'over 18') Occupation: Police Constable

This statement (consisting of [Redacted] 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: [Redacted] (witness) Date: 03/12/11

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

I am PC 24191 Bethan WOOD of Hampshire Constabulary, currently stationed at Southampton Central police station, attached to the Violent Crime & Licensing Team.

On the 3rd December 2011 from 1800hrs I conducted a test purchase operation with two test purchasers, one of whom was 17 years old and the other 16 years old. I was in company with PC 20920 PRIOR throughout.

Section 149 and 152 of the Licensing Act 2003 allows for the test purchaser to buy alcohol without committing an offence and for us to direct them to buy alcohol without an offence being committed.

The operation involved three plain clothes officers, PC 24133 SMITH, PC 20488 THOMAS, and SO 9398 CHARNLEY. Their role in the operation was to monitor the test purchaser at all times, ensure their safety, and give evidence in relation to any offences committed.

At around 2000hrs I directed PC's SMITH, and THOMAS, and SO CHARNLEY together with the two test purchase volunteers into Woolston Trade and Labour Club, LEIGHTON ROAD, WOOLSTON. It was suggested that the officers purchased drinks and then witnessed the two test purchase volunteers attempt to purchase alcohol. Shortly after entering the premises PC PRIOR received a phone call from PC SMITH to advise that a sale had been made. We attended the premises and on the way in to the premises were shown by PC SMITH the two bottles of WKD and Cider that had been purchased.

On entering the premises it took a little while to locate PC THOMAS and SO CHARNLEY. Myself and PC PRIOR originally went towards the main bar area where it was clear from the music and volume of voices that there was a function ongoing. Just prior to walking through the door into this room, a male, approximately 60yrs of age, sat on a chair by a table just outside advised that he was the 'door staff' and asked if there was a problem. I advised him of the fact that an offence had taken place and that we were entering in order to deal with this. We then located PC THOMAS and SO CHARNLEY in the small bar area next door. As I entered this area, an elderly lady who I believe to be called [Redacted] approached me in a forthright fashion. She was clearly drunk. She was clutching a pint of beer, her speech was slurred and she was unsteady on her feet. [Redacted] demanded to know what power we had to be on the premises and made it quite clear that she did not want us to be there. I believe she told me that I had no right to be there. Forming the opinion that [Redacted] was drunk I went straight to the bar area where SO CHARNLEY

-CM
-CI

CM - committee member



identified the member of staff who had made the sale. This member of staff, who identified herself to me as [REDACTED] and [REDACTED] accompanied us into a side room.

I explained that [REDACTED] had failed a test purchase operation. At 2010hrs I cautioned [REDACTED]. Her response was "IT'S JUST MANIC HE DID LOOK OLD ENOUGH". [REDACTED] advised that she hadn't asked for any ID for the test purchaser. At 2014hrs [REDACTED] was reported for the offence of supplying alcohol to a person under the age of 18yrs on behalf of a club contrary to S146 (3) of the Licensing Act 2003, and cautioned, to which she then made no direct reply. [REDACTED] was issued with Fixed Penalty Notice 2024168 2 in relation to this matter.

BAR STAFF.

Signature: [REDACTED] Signature witnessed by:

1162

1162

1162



WITNESS STATEMENT

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

URN: | | |

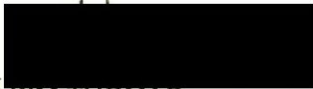
Statement of: PC KIM THOMAS

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

Occupation: Police service

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: 03/12/2011

PC KIM THOMAS

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

I am PC 20488 Kim THOMAS of Hampshire Constabulary currently stationed at Shirley Police Station. On Saturday 3rd December 2011 I took part in a police operation with the Licensing Team based at Southampton Central Police Station. On this date I worked with my colleagues PC 24133 SMITH and SO 9398 CHARNLEY. We were operating in plain clothes. We were assisted by 2 uniformed officers who were PC 20920 PRIOR and PC 24191 WOOD. Also part of the team were two volunteers who were acting as Test Purchasers for the evening. Both were aged under 18.

At 2000hrs we attended Woolston Trade and Labour Club on Leighton Road in Southampton. Entry to this premises should be restricted by a buzzer system however, on our arrival, we were able to walk straight in the main the door. Once through this, we were able to walk through another set of doors and past a member of staff completely unchallenged. PC SMITH and SO CHARNLEY went to the bar, I stood back. The two test purchasers were stood in front of me. The male test purchasers asked a lady behind the bar for a bottle of Bulmers Cider and a bottle of WKD Blue. The female who I would describe as having black and red hair wearing a denim jacket with the sleeves cut off served him without asking his age or asking for ID. The Test Purchasers removed their drinks from the bar area and were seized by PC SMITH. I then identified the female to PC PRIOR before leaving the premises.

I had no further dealings with the premises or the items seized after this.

Signed :



PC KIM THOMAS

Signature witnessed by :

Page 24 of 28



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 RUSSELL SMITH
Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police service

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: 03/12/2011
PC RUSSELL SMITH

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

I am PC 24133 SMITH of Hampshire Constabulary, currently attached to Southampton Central Police Station. On Saturday 3rd December 2011 I was on duty in plain clothes and conducting a test purchase operation with the Licencing Team, PC 20920 PRIOR and PC 24191 WOOD.

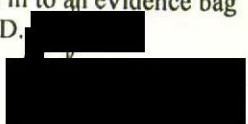
The purpose of the operation was for a test purchaser, aged under 18, to enter a licensed premises in order to attempt to purchase alcohol.

In relation to my involvement in the test purchase operation, at 2000 hours I attended the WOOLSTON TRADES and LABOUR CLUB, SOUTHAMPTON in the company of SC 9398 CHARNLEY and PC 20488 THOMAS (also in plain clothes), along with a male and female test purchaser.

Before our arrival at the premises I had been told that we may have to press a buzzer to gain entry and then sign in as a guest. However, as we arrived we all proceeded straight into the premises and into the bar area. Whilst at the bar area, the test purchaser requested a Bottle of Bulmers cider and a bottle of WKD.

A female behind the counter served the test purchaser the alcohol and I advised the Licencing team to attend the premises for this reason.

At 2000 hours I seized these bottles and left the premises with the bottles. I emptied these and placed them in to an evidence bag with seal number D02332515. I can exhibit these as: - RLS/WTLC/01 - Empty bottle of Bulmers and WKD.



Signed : 
PC RUSSELL SMITH

Signature witnessed by : _____



Working Sheet

Hampshire Constabulary

Printed: 17/01/2012 10:05 by 24288

Occurrence: **44100406749 Z Prem Licence (Management Occurrence)**

Author: #24288 HARRIS, J.

Report time: 14/12/2011 11:25

Entered by: #24288 HARRIS, J.

Entered time: 14/12/2011 11:25

Remarks: Spoke to chairman re tp failure

As above, spoke with Bob Morris. Advised that in light of the test purchase failure we will look to have the premises licence reviewed.

I asked what had been done regarding the measures we suggested and was disappointed with the update.

The CCTV - no additions have been made to the system. Bob advised that the person that was going to provide them with another system is away for 3 months. He then said that they are looking in to it as it is a priority.

Due diligence - we were informed at the last meeting that [redacted] - CM (committee member) was putting together the due diligence and would go through this with bar staff. This has not happened yet.

A written warning was issued to the bar staff that served the alcohol to the t/p.

Only since the t/p failure, Bob advised that they are having committee members on the door all the time, especially on a Friday and Saturday.

I am booked with other matters this week and then will vbe on annual leave from next so suggested that we would discuss this all early in the new year.



[Redacted]

WITNESS STATEMENT

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

Statement of: Simon BAILEY URN
Age if under 18: over 18 (if over 18 insert 'over 18') Occupation: Police Constable

This statement (consisting of 3 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: [Redacted] (witness) Date: 25/01/12

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

I am Police Constable 25076 BAILEY of the Hampshire Constabulary and I am currently based at Bitterne Police Station in Southampton.

On 12th June 2011, I was investigation an assault on a minor at the Woolston Trade and Labour Social club. A member of the Social club [Redacted] had reported to Police that her child [Redacted] had had an altercation with some other children in the play room at the Woolston Trade and Labour Social club. One of the parents of the other children involved has reacted to strongly to pushing him over in the stomach and kept him in the play room briefly against his wishes.

On the 13/06/11 I spoke the manager on the phone who is actually the Steward of the Social Club [Redacted] to inquire about the incident and to see if there are any witnesses or members of staff who might have seen the incident.

[Redacted] stated that she has no knowledge of this incident being reported to her by any other members of staff. She states that only members had attended the club on 12/06/11 and no other guest were seen.

She went on to say that members do not have to sign in when they attend the club. She also stated the CCTV will not clearly show who has come and gone from the Social club at the time of the reported incident.

I feel she was being evasive about this matter and about the CCTV system. I explained that I will be attending the Social club to view the CCTV footage. The member of staff who was on duty at the time of the incident is a [Redacted]. I spoke to him by telephone on 14th June 2011.

[Redacted] states that he did not see or hear the incident between the children in the play room or the adult who had allegedly assaulted the aggrieved.

Signature: [Redacted] witnessed by:

He stated that one of the members of the club told him that some children have been seen fighting in the play room area and a pool cue was used hit another child. There was no mention of any adult assaulting a child in the play room.

[Redacted] did not remember the informant's name

[Redacted] went on to mention that he did see the a child believed to be aggrieve who was now seen crying and being consoled by his mother back in the public bar area. [Redacted] also mentioned that a male possibly seen near to the playroom matched the brief description given. He stated that this male is not known to the social club or him. This male has been seen before coming to the Social club once or twice within a month ago along with his kids and a female believed to be his partner.

[Redacted] explained that there is CCTV footage of who comes and goes into the club, however there is no record of members or guests at the Social club. I feel this is lacking supervision by the management. He also explained there is no door staff to check persons entering the club as this is down to the committee decision, but as yet this has not been actioned by them.

After speaking with [Redacted] and [Redacted] my concern is that if there has been other incidents in the past or possibly a future incident there is no record to say who is who only the footage from the front door CCTV.

I then made contact the Licensing team at Southampton Central Police Station to make them aware of this matter and my concerns and the issues concerning the signing in of members and their guest at the club.

I was informed that the committee staff member who is responsible for the downloading the CCTV at the social club is [Redacted].

On the 20th June 2011 I attended the Social club I attended the Woolston Trade and labour club and spoke to [Redacted]. Upon speaking with him about the incident he was unaware that an incident had happened and it had only been brought to his attention in brief conversation with [Redacted] when Police first made contact with [Redacted].

[Redacted] went to review the CCTV footage of the incident, unfortunately the machine was not working and could show any of the footage around the time of the incident. [Redacted] said he will try and get a copy of any footage an hour either side of the incident. CCTV only covers the front door, the bar area and inside entrance to the club. [Redacted] was given the description of the male who had allegedly assaulted the aggrieve. He explained that once he was able to speak to another committee member and recover the footage. Once a copy of the CCTV is viewed and obtained he will ask staff look out for the male seen on the CCTV and pass the details of the male to Police.

The investigation did not move forward as the aggrieves parents declined to support Police prosecution. As they felt this would be to much for their child to endure and the lack of CCTV evidence and witnesses.

I was never contacted back from the Social Club with an outcome of the CCTV footage if it was ever reviewed or copied.

I had no other dealings with the Woolston Trades and Labour club.

Signature: [Redacted] Signature witnessed by: