


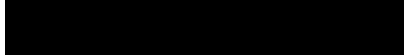
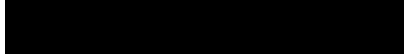
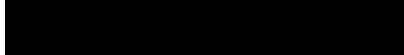

Documents to be relied on by  
Wiltshire Police

Review Hearing of The Premises  
Licence

New Inn, High Street, Amesbury,  
Wiltshire, SP4 7DL

In the presence of  
Wiltshire Licensing Sub Committee

REVIEW BUNDLE  
NEW INN, AMESBURY  
CONTENTS

- 1 Application to Review
- 2 Application to Review, Appendix 1
- 3 Statement of Alastair DAY
- 4 Representation from Mrs Vicky BROWN, Environmental Health Officer, Public Protection
- 5 Representation from Mrs Linda HOLLAND, Licensing Manager, Public Protection
- 6 Representation from 
- 7 Representation from 
- 8 Representation from 
- 9 Representation from 
- 10 Representation from 
- 11 Formal Warning Letter to New Inn Dated 15/11/21

**COPIES OF POLICE INCIDENT LOGS TO BE SENT UNDER SEPARATE COVER**

# Wiltshire Council

Where everybody matters

## Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

#### I Wiltshire Police Licensing Officer

*(Insert name of applicant)*

**apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

#### Part 1 – Premises or club premises details

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>  The New Inn 10-16 High Street	
<b>Post town</b> Amesbury	<b>Post code (if known)</b> SP4 7DL

<b>Name of premises licence holder or club holding club premises certificate (if known)</b>  Keystone Public Houses Ltd
---

<b>Number of premises licence or club premises certificate (if known)</b>  LN/000043211
---

#### Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

X

3) a member of the club to which this application relates  
(please complete (A) below)

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

Please tick ✓ yes

Mr

Mrs

Miss

Ms

Other title  
(for example, Rev)

**Surname**

**First names**

Please tick ✓ yes

I am 18 years old or over

**Current postal  
address if  
different from  
premises  
address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address  
(optional)**

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)

**Please state the ground(s) for review (please read guidance note 2)**

The grounds for review are as follows:

This application to review the premise licence issued to the New Inn, High Street, Amesbury, Wiltshire, SP4 7DL, relates to the Premises Licence Holders inability and/or failure to promote the licensing objectives under the Licensing Act 2003 and failure to comply with certain conditions attached to the premises licence.

Furthermore, there is an apparent lack of management and individual responsibility which has resulted in the over-sales of alcohol, serving persons who are drunk and allowing known drug users and drug dealers onto the premises.

Wiltshire Police are in receipt of an application for a Variation to the Premises Licence to be granted under the provision of the Licensing Act 2003 and Wiltshire Police have submitted an objection to that variation application on the grounds that if it were to be granted, it would undermine the following licensing objectives:

- The Prevention of Crime and Disorder
- The Prevention of Public Nuisance
- Public Safety.

Wiltshire Police have no confidence in the ability of the management/premises licence holder to uphold the licensing objectives, most notably those highlighted above.

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address	
Wiltshire Police, Bourne Hill Police Station, Bourne Hill, Salisbury, Wiltshire, SP1 3UZ	
Telephone number (if any)	01225256457
E-mail address (optional)	Alastair.Day@wiltshire.police.uk

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

- Please tick one or more boxes ✓
- 1) the prevention of crime and disorder
  - 2) public safety
  - 3) the prevention of public nuisance
  - 4) the protection of children from harm

**Please provide as much information as possible to support the application (please read guidance note 3)**

**Please See Appendix 1 attached**

Please tick ✓ yes

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

If yes please state the date of that application

Day	Month	Year

**If you have made representations before relating to the premises please state what they were and when you made them - N/A**



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 understand that if I do not comply with the above requirements my application will be rejected

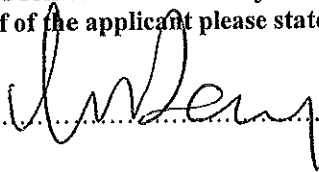
**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 3 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....Alastair M DAY.....



Date

.....30/11/21.....

Capacity

.....Wiltshire Police Licensing Officer (South)

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 6)  
**Bourne Hill Police Station, Bourne Hill**

**Post town** Salisbury

**Post Code**  
SP1 3UZ

**Telephone number** 01225 256457 (if any)

**If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)** Alastair.Day@wiltshire.police.uk

**Notes for Guidance**

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

NEW INN - APPLICATION TO REVIEW - APPENDIX 1

Amesbury town centre consists of a number of small businesses and residents (80% residential) and contains 4 main licensed premises within the areas of Salisbury Street and High Street.

Over an extended period of time and now certainly since the re-opening of licensed premises on the 19/7/21 there has been a very high number of complaints from members of the public concerning things such as loud music, urinating/vomiting on residents property and in residents doorways and multiple reports of fighting/disorder in both of those streets.

Two of the licensed premises, namely The Bell Inn and The George Hotel close at 23:59. The Bell has been observed to always close dead on time, but The George Hotel often closes early, sometimes as early as 21:00 hrs.

The remaining two main licensed premises, namely The New Inn and The Kings Arms stay open until 02:30 hrs on a Thursday, Friday and Saturday night and it is between the hours of 23:59 - 02:30 on those days where almost all the incidents take place.

Historically there has always been a considerable number of drink/drug related incidents in this small town but since 19/7/21 there has been 17 (to date) reports made to the police concerning The New Inn either directly i.e. at or inside the premises or very nearby that can be attributed to over-intoxicated clientele who've come from the premises. This includes incidents of disorder/fighting in both large and small groups, assaults of various degrees of severity and over-intoxication. It is also felt that drug use and drug dealing is a regular occurrence at the premises.

Large numbers of over-intoxicated clientele are often observed to be leaving the New Inn between the hours of 02:00 - 02:30 hrs on Thursday, Friday and Saturday nights.

The subject of over-intoxication has been discussed numerous times over the last few months either directly with the DPS, Mr Nathan MUIRHEAD or discussed in open forum at local Pubwatch meetings where, more often than not, a representative from the pub has been in attendance. All Pub watch members are fully aware of the issue of over-intoxication in the town and the misery it brings to residents. Again, it must be emphasised that the over-intoxication is observed to be taking place between the hours of 23:59 - 03:00 hrs.

During recent discussions, Mr MUIRHEAD has displayed a level of ignorance towards the issues caused by over-intoxication and has appeared unconvinced/disbelieving of what has been described to him by Police Licensing Officer, Mr Alastair DAY.

The observations are that the New Inn is the main source of the over-intoxication in the town, despite the many discussions between police licensing, the DPS and other representatives from the pub.

Additionally, there has been a high number of complaints regarding loud music coming from the pub causing considerable public nuisance to the residents of Salisbury Street and the surrounding areas. This nuisance is on-going despite several months of engagement with both Wiltshire Council Environmental Health Officer (Vicky BROWN) and Police Licensing Officer (Alastair DAY). In respect of these on-going complaints Mr MUIRHEAD was directed to produce a noise management plan (NMP) and install sound limiting equipment within The Stables part of the premises. This equipment was inspected several months ago by aforementioned Vicky BROWN and Alastair DAY and the volume was set at a level that, at that time could not be heard by local residents with their windows open and that limit was locked into the equipment and the password only known to police and council authorities. Both live and recorded music must be plumbed into that equipment so that the sound level does not exceed the level that was set. However, on a recent visit and meeting at the pub, that equipment had been removed from The Stables part of the pub and replaced with different equipment from inside the pub, the sound limiter on which was observed to working intermittently and was easily adjustable. The removal of the original equipment is viewed by the police as a deliberate attempt to circumnavigate the sound level that was agreed and written into the NMP.

The latest complaint regarding noise from music emanating from the pub is from the weekend of 19/21 November 2021, many months after engagement started with responsible authorities.

Mr MUIRHEAD recently applied to vary the conditions of his current licence to include the use of a part of the pub called The Jaeger Bar and to extend the use of the area known as The Courtyard. Following the submission of that application it was noted by licensing staff that his current licence contains a condition that the use of the courtyard shall cease at or before 23:30 hrs. The Courtyard has historically been in continual use for several years up until 02:00 hrs on a Thursday, Friday and Saturday evening but the condition hadn't been enforced as, due to an oversight it hadn't been spotted. Mr MUIRHEAD was arguably aware of this condition but has continually used the courtyard after 23:30 hrs for many years. However, this condition was immediately pointed out to him and he was directed by both Council Licensing Officer (Carla ADKINS) and PLO Alastair DAY that the use of the courtyard after 23:30 hrs must cease with immediate effect until such times as a variation to that condition had been agreed. Mr MUIRHEAD initially argued that he didn't feel that this condition could be enforced, and it was again reiterated to him that it would be from thereon in.

However, during the evening of Saturday the 13/11/21 PLO Alastair DAY spoke to Mr MUIRHEAD at The New Inn and the focus of that discussion was on the use of courtyard and the fact that its' use should cease at or before 23:30 hrs that evening. Mr MUIRHEAD agreed that this was the case. He was also informed that another visit would be made after that time to ensure compliance.

Mr DAY returned to the pub at 01:00 hrs in company with a police officer and both observed the courtyard in full use with the area containing approximately 50-60 people, several of whom were consuming alcohol. This observation went on for approximately 10 mins before a member of the door staff was asked to find Mr MUIRHEAD who was in The Stables building. During this short period several very intoxicated persons were also observed to leave the premises as well.

The matter was pointed out to Mr MUIRHEAD and he was notified that it would be reported to Wiltshire Council Licensing as a clear breach of his premises licence conditions.

Following that visit, Mr DAY returned to the premises at a little after 02:00 hrs on the morning of 14/11/21 to observe clientele leaving the pub and it could be clearly seen that many were over-intoxicated. In particular, 2 females came out of the courtyard gate and into the pub car park in a very intoxicated state and went on to cause a considerable public order incident in the street. These females had been present in the pub during the visit at 22:00 hrs 13/11. It would be fair to describe their level of intoxication as being way past a score of 10 on scale of 1 to 10.

This incident caused a high level of public nuisance, so much so that the Manager of The George Hotel opposite came out into the street to complain and he was followed by paying residents in the hotel who'd been awoken by all of the screaming and shouting and police presence.

Mr MUIRHEAD was able to observe the whole incident as he was present in the car park at the time.

Subsequently to these incidents, Mr MUIRHEAD was issued with a formal warning in respect of both breaching a condition of his premises licence (use of the courtyard) and a breach of S.141 of the Licensing Act 2003, serving alcohol to a person who is drunk.

It is acknowledged that not all the issues in Amesbury are caused solely by over-intoxication and that some incidents can be attributed to the illegal use of drugs and several dealers have been identified and arrested.

During the evening of 3/10/21 one of those identified dealers was arrested directly outside The New Inn and was found to be in possession of several hundred pounds in cash and over 8 grams of the class B drug, ketamine. It was confirmed by door staff at the New Inn that this drug dealer had been inside the pub for several hours. There is police intelligence available that illustrates a clear personal link between this dealer and a former member of the New Inn door staff and the police suspect that this member of staff was facilitating drug dealing within the premises and that person was employed by the pub at this time but has since been dismissed over another matter.

On the 9/11/21, a female was found in Salisbury Street in what can only be described as a stupefied state. Thankfully she was accompanied by her boyfriend. She had previously been in The Bell and it was staff there who called the police. Subsequent enquiries have revealed that she had been in The New Inn from approximately 19:30 - 22:30 and that her boyfriend had consumed 14 or 15 double rums and she herself

had consumed approximately 12 alcoholic drinks. She was in a very vulnerable state and ended up being taken to hospital where blood samples have been taken for toxicology.

Following the events of 13/14 Nov '21 a meeting was arranged at the premises for the 17/11/21 to discuss these matters. Present at that meeting was the licence holder and his partner, the Local police commander Inspector Tina OSBORN, PLO Alastair DAY and Wiltshire Council Environmental health Officer Vicky BROWN. During this meeting the licence holder and his partner were specifically asked about measures that they have in place to deter drug users and/or drug dealers coming into the premises. The answer that was given was that if they didn't let drug users/drug dealers into the premises then they wouldn't have any customers!

This has caused grave concerns for the police in that it now presents a real possibility that the licence holder may knowingly be allowing drug use/dealing to take place on the premises?

Further to that meeting an incident took place at the premises in the early hours of the morning of 26/11/21 whereby customers are seen to be leaving the premises in a very intoxicated state, one of whom was subsequently arrested for being drunk & disorderly. Other customers, also highly intoxicated are seen to leave the premises and head into Salisbury Street where they start shouting and swearing loudly and then verbally abuse police officers who are trying to deal with the earlier detainee. This is another illustration that the licence holder seems incapable of upholding the licensing objectives and continues to over serve alcohol to customers despite the high level of engagement, explanation and encouragement that has taken place over the last 12 months.

Engagement with residents and a local residents committee highlights the level of misery that they have put up with for a very long period of time and a large percentage of their vitriol is directed at this particular premises, the New Inn.

Police body worn video footage is stored on police systems and can be made available for viewing. Properly redacted incidents reported to the police and subsequently logged will be presented in appendix style along with records of complaints from local residents.

Wiltshire Police are seeking Revocation of the Premise Licence, as there is no confidence in the ability of the management to provide any demonstrable compliance with or promotion of the Licensing Objectives, together with Licensing Act Offences.

**RESTRICTED (when complete)**

WITNESS STATEMENT

(CJ Act 1967, s9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70)

The MG11 back sheet must be completed and submitted with this statement

URN

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Statement of: Alastair Michael DAY

Age if under 18: O18 (if over 18 insert 'over 18') Occupation: Licensing Officer

This statement (consisting of 4 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: 22/12/21

X if witness evidence is visually recorded (Supply witness details on rear)

In this statement I will be referring to a premises called The New Inn, High Street, Amesbury, SP4 7DL.

I will also be referring to the following people:

- Mr Nathan MUIRHEAD, licence holder of The New Inn
- Miss Elle SRONG, partner of Mr MUIRHEAD
- Inspector Tina OSBORN, Wiltshire Police Commander for Amesbury
- Sergeant James OSMENT, Amesbury Police
- Mrs Vicky BROWN, Wiltshire Council Environmental health Officer
- Mrs Carla ADKINS, Wiltshire Council Licensing Officer
- former member of door staff team at The New Inn

At about 22:00 hrs on the evening of Saturday 13/11/21 I made the first of several visits to Amesbury licensed premises in company with PC John PAGAN and 2 x Royal Military Police personnel and one of those visits was to The New Inn where I had a conversation with Nathan MUIRHEAD in the rear courtyard. One of the subjects that was discussed was the fact that the use of the courtyard was to cease at or before 23:30 hrs, in accordance with his current licence conditions. He agreed that this was the case and he had been reminded of this fact twice in the previous few days by both me and Mrs Carla ADKINS.

Not only was he reminded of this fact, but I also thought it fair to tell him that I would be back at some point after 23:30 hrs to check that this aspect of his licence conditions was being observed.

At about 01:00 hrs on Sunday the 14/11/21 I attended the car park of The New Inn with PS OSMENT where we stood by the gated entrance to the rear courtyard. During the several minutes that we were there we witnessed a substantial number of people in the courtyard, several of whom were clearly consuming alcohol and it was some time before I spoke

Signature:

Signature witnessed by: \_\_\_\_\_

**RESTRICTED (when complete)**

**RESTRICTED (when complete)**Continuation statement of Alastair Michael DAY

with a member of the door staff and asked him to find Mr MUIRHEAD to discuss the matter. Whilst waiting for Mr MUIRHEAD, a female member of the door staff, [REDACTED] escorted a male and female couple out of the gate who were clearly way over-intoxicated. They tried to get back in but were escorted back out again and a couple of the door staff started telling people in the courtyard that they weren't allowed to consume alcohol there.

I spoke with Mr MUIRHEAD in the car park and made him aware of what I'd witnessed, and that Council Licensing would be notified. He was eager to deflect the conversation from what the issue was and only seemed keen to discuss other aspects of the pub.

I later returned to the Salisbury Street/New Street areas at about 02:00 hrs to observe the dispersal of customers from both the Kings Arms and The New Inn. The operation at the Kings Arms had been fine all evening and I had no concerns about that premises and so I positioned myself by a police vehicle that was parked pretty much opposite the car park of The New Inn.

There was quite a large group of customers milling around in the car park, some waiting for taxis and others standing around chatting in varying degrees of intoxication. My attention though was then drawn to two females who appeared out of the courtyard who were clearly very, very intoxicated, way past a score of 10 on a scale of 1 to 10. These two were already having a debate that started to become quite heated and voices became raised before escalating into fully blown public order incident, both screaming and shouting at each other, pushing and shoving each other, most of the time into the road (High Street). Police officers were intervening and at one point it seemed likely that one of the females would have to be arrested? I had observed these same 2 females in the pub during my earlier visit at approximately 22:00 hrs.

The screaming and drunken disorder was such that both the Manager and residents from The George Hotel opposite were coming out into the street, clearly angry and complaining at what was going on.

Police at the scene managed to calm both females down and one of their partners came to collect her.

The incident has been captured on several police officers BWV and is available to view.

I again spoke to Mr MUIRHEAD after the incident who, having witnessed the whole incident himself, did display a degree of acceptance that this type of disorder is being caused in the main by the over sales of alcohol and he agreed with me that the two females were very intoxicated. Up until this point he has displayed a level of denial that such disorder is taking place on a regular basis and has also stated in written form that the condition relating to the use of his courtyard 'couldn't be enforced'?

The events I have described above constitute two clear breaches of both S.141 of the Licensing Act 2003 and Mr MUIRHEADS' licence conditions regarding the use of the rear courtyard. Equally concerning is the fact that these

Signature: 

Signature witnessed by: \_\_\_\_\_

**RESTRICTED (when complete)**

**RESTRICTED (when complete)**

Continuation statement of Alastair Michael DAY

incidents have occurred soon after all of the Amesbury town centre DPS' had been given a fair amount of warning regarding the ramping up of enforcement visits in an effort to tackle the disorder issues but that warning seems to have been met with very little regard as far as The New Inn is concerned.

Subsequently, a formal warning letter was sent to Mr MUIRHEAD by Carla ADKINS, Wiltshire Council.

Following these 2 incidents Mr MUIRHEAD informed me that he has sacked one of his door staff [REDACTED] and that he was going to apply to vary the DPS for The New Inn removing himself and proposing his partner Elle STRONG as the new DPS. That application has since been received.

I will now talk about a meeting that took place at The New Inn at 11:00 hrs on the morning of the 17th of November 2021. Present at that meeting was me, Inspector Tina OSBORN, Mrs Vicky BROWN, Mr Nathan MUIRHEAD and Miss Elle STRONG.

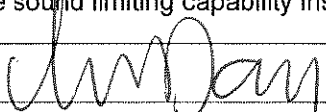
The purpose of this meeting was to discuss recently received noise complaints and to examine the noise limiting equipment that had previously been examined by Mrs Vicky BROWN and myself during a visit on the 23/3/21. This equipment was installed in a part of the premises called The Stable. During that inspection, a level of volume was set that could not be heard by occupants of the nearest residential property and that level was locked into the equipment and then password protected. That password was only known to me and Mrs Vicky BROWN.

The meeting was also arranged to discuss recent events and took place in the front bar seating area at the pub and, amongst other things that was discussed, was the subject of drug abuse in the town and I asked Mr MUIRHEAD and Elle STRONG what mechanisms they had in place to deter the use and sales of illegal drugs. Their joint response was that, if they didn't let drug users and dealers into the premises, they wouldn't have any customers! I asked them to repeat what they'd said so that I was sure that I'd heard their response correctly and they repeated their response but added that they know who the drug users and dealers are and that they try and 'keep an eye' on them.

We then moved as a group into the part of the premises called The Stable, the purpose of which was to examine the sound limiting equipment that had been installed several months earlier and to check that the volume limit that had been previously agreed and locked in by Mrs Vicky BROWN, was still working?

Mr MUIRHEAD proceeded to play some music, but I soon became concerned that the equipment being used did not look the same as what I'd seen installed on the 23/3/21? Furthermore, the volume on this new equipment seemed to be easily adjusted, which shouldn't be possible, and the limiter didn't seem to cut in when it was supposed to. Both me and Vicky BROWN enquired as to where the original equipment was and Mr MUIRHEAD explained that it had been replaced by this current equipment which was originally inside the main pub. Effectively, this change of equipment not only contravenes Mr MUIRHEADS own Noise Management Plan (NMP) but also by-passes the sound limit that was set by Vicky BROWN and me during our visit of 23/3/21, following noise complaints. It is the view of Wiltshire Police that this was done blatantly to circumnavigate the sound limiting capability inside The Stable.

Signature: \_\_\_\_\_



Signature witnessed by: \_\_\_\_\_

**RESTRICTED (when complete)**

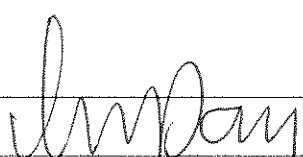


**RESTRICTED (when complete)**

Continuation statement of Alastair Michael DAY

Following that meeting, I was directed by Inspector Tina OSBORN to prepare an application to have the premises licence for The New Inn reviewed with a view to having that licence revoked or, alternatively impose further conditions on the current premises licence if a Licensing Sub Committee aren't of the view to revoke.

Signature: \_\_\_\_\_



Signature witnessed by: \_\_\_\_\_

**RESTRICTED (when complete)**

20th December 2021

Mrs Adkins  
Public Protection Services  
Licensing Team  
Wiltshire Council  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JQ

Environmental Control and  
Protection Team  
Public Protection Services  
Wiltshire Council  
Bourne Hill  
Salisbury  
Wiltshire Council  
SP1 3UZ

Dear Mrs Adkins

#### **New Inn High Street Amesbury – Licence Review**

The Environmental Control and Protection Team are in receipt of the consultation on the Wiltshire Police application for review of premises licence LN/000043211 held by Keystone Public Houses Limited. I have covered the Amesbury area for investigation of noise complaints since July 2020 and supported colleagues covering the area for a number of years prior to that. I am therefore responding to the consultation on behalf of the Environmental Control and Protection Team. Our team is mainly concerned with the 'Prevention of a Public Nuisance' Licensing Objective.

Since 2018 we have been regularly involved with licence consultations and the investigating noise complaints about The New Inn. We have investigated complaints mainly in relation to noise from loud music emanating from the main pub, courtyard when music is played outside, and from the function room now known as 'The Stables'. Along with colleagues in the Licensing Team and Police we have also received complaints about noise and antisocial behaviour caused by members of the public in Amesbury Town Centre late and night and in the early hours of the morning.

The Licence holder has a Noise Management Plan (NMP) in place which has been developed over the years and amended when it has become apparent that changes to noise control are required. Adherence to the noise management plan has, at times, been inconsistent. There are also a number of conditions on the licence which relate to the control of noise from music. There is a condition which states: 'A noise limiter will be provided to limit the sound from both live and recorded music to prevent public nuisance.' During my involvement, until recently, there has been a noise limiter in the main pub to ensure compliance with this condition. The Live Music Act 2012 means certain conditions are disapplied before 23:00.

I will give a brief summary of our involvement with the premises in the last 12 months.

In February/March 2021 the function room, now called The Stables, was refurbished and sound insulation was installed. I was made aware the licence holder intended to apply for a full variation for regulated entertainment in there until 02:00. The Stables was already licenced to have regulated entertainment until 00:30. Given the history of our involvement, I suggested rather than apply for the variation straight away, they trial the 02:00 regulated entertainment using Temporary Event Notices and apply for the variation once that had shown music until 02:00 could take place without causing a public or statutory nuisance

I visited 23.03.2021 at 20:30 with Alastair Day to inspect The Stables and help set the noise limiter. The noise limiter at this time was not a standard noise limiter, it was a level that could be set on software so it could not be exceeded. The level could then be password protected. This was not ideal but we were assured by Mr Murihead that once the level was set it could not be changed unless the password was used. A PCSO went to the nearest resident's property and listened with the resident while Alastair and I stayed in The Stables with Mr Muirhead. The volume was adjusted so it was just below the level where it was audible inside the resident's property. We then set the software and password protected it from any changes, only myself and Alastair Day knew the password.

On 12<sup>th</sup> April 2021 outdoor venues such as pubs were permitted to re open and on 17<sup>th</sup> May up to 30 people were allowed to mix outdoors. On 21<sup>st</sup> June all legal limits on social were planned to be lifted but this relaxation was delayed until 19<sup>th</sup> July 2021.

I received noise complaints from a resident about music taking place outside at the New Inn on 22<sup>nd</sup> May and 29<sup>th</sup> May 2021. Advice was given to Mr Muirhead about control of music noise levels. Given the locality, regular events with music outside at the New Inn are not recommended because it is very difficult to play music at a level required for entertainment and not adversely impact at residential properties. Prior to Covid, outside music only took place 2 or 3 times a year for the 'music festivals'. However, considering the challenging time the hospitality industry had been through, that music noise level should have been restricted to avoid customers having to raise their voices and that outside music was only planned for once a week until restrictions were lifted we decided to apply a light touch to the plans for music outside for a couple of weeks. The most impacted resident was also able to accept this this given the circumstances.

Social distancing restrictions were then extended until 19<sup>th</sup> July. Mr Muirhead cancelled some planned events but intended to continue with outside music approximately once a week. I visited the evening of 3<sup>rd</sup> July 2021 to observe the noise levels at the nearest residential property. Our opinion of the music noise level that night was that if residents were regularly subject to noise at that level it would constitute a public nuisance and a statutory nuisance under the Environmental Protection Act 1990. We were also concerned about the music level for customers as we found it at a level significantly above that which would cause customers to have to raise their voices. In the 12 months prior to this a considerable amount of advice had been given to Mr Muirhead about music noise levels during the pandemic. Our experience on this evening was that this advice was not being followed. I forwarded these concerns to the Covid Compliance Officer.

After informing Mr Murihead of our observations on 3<sup>rd</sup> July he said he amended the schedule so the performances on 10<sup>th</sup> and 17<sup>th</sup> July would be quieter; they would be acoustic and a duo. We did not receive complaints about noise on these weekends. From 24<sup>th</sup> July, other than the planned music festival, music would be inside. A number of TENS for music in the Stables until 02:00 were applied for over the summer and autumn.

The way the noise limiting device matter has been managed is indicative of the way noise management at the pub often seems to be approached. It falls to the authorities to notice matters that need attention for compliance rather than management having firm control over compliance and noise management.

There has appeared to be a willingness by the Licence holder to work with us and to put in place measures to control music noise. However, the practical application of these measures has been inconsistent which has results in disturbance for residents and a comparatively high level of involvement from this department over a number of years. I therefore support Wiltshire Police's concerns about the ability of the Licence holder to comply with the 'Prevention of a Public Nuisance' Licencing Objective.

If you would like to discuss the contents of this letter please contact me.

Yours sincerely

Mrs Vicky Brown  
**Senior Environmental Health Officer**  
Tel: 01380 826322  
Email: [vicky.brown@wiltshire.gov.uk](mailto:vicky.brown@wiltshire.gov.uk)

17 December 2021

Mrs Adkins  
Public Protection Services  
Licensing Team  
Wiltshire Council  
Monkton Park  
Chippenham  
Wiltshire  
SN15 1ER

Public Protection Services  
Licensing Team  
Wiltshire Council  
County Hall  
Bythesea Road  
Trowbridge  
BA14 8JN

Our ref: LN/000043211

Dear Mrs Adkins

**Re: Licensing Act 2003 – Review Application**  
**Premises: New Inn High Street Amesbury**

The Licensing Authority is in receipt of the review application by Wiltshire Police for premises licence LN/000043211 held by Keystone Public Houses Limited.

As the officer delegated to respond on behalf of the Licensing Authority, I am writing in support of the Police application. Having considered the review application and the evidence contained within, the Licensing Authority has a number of serious concerns relating to the management of the premises.

It is the view of the Licensing Authority that the premises licence holder has not demonstrated their ability to manage the premises in a sufficient manner to enable the promotion of the licensing objectives, The Prevention of Crime and Disorder, Public Safety, and the Prevention of Public Nuisance.

The Licensing Authority has significant concerns given the levels of consumption and indifferent management of intoxication that is associated with the current level of disorder and the impact it is having on the local community. The review highlights that on occasions the intoxication levels of patrons leaving the New Inn are excessive, the possible and increased vulnerability of those who have been permitted to consume too much alcohol undermines the licensing objective of public safety.

The Licence holder has demonstrated during their interactions with the Licensing Department that whilst comprehending the necessary requirements to operate a licensed premise under the Licensing Act 2003, that compliance can sometime be overlooked, and staff awareness of what the licence requirements are and need for conditions to be compiled with is lacking.

Earlier in the year Mr Muirhead created a new Jager bar in an area that was not covered by the premises licence. Mr Muirhead was unaware of the area covered on the licence and was also unaware of the licensable activities permitted in each area.

The Licensing Authority expects responsible licence holders to comply with their licence and not complain it's the fault of the authorities for not enforcing. Even during the period of consultation for the review the communication between staff and management does not demonstrate

effective management of a late night venue with high volumes of customers and worrying intoxication levels.

The Licensing Authority is aware that Police concerns have been growing in relation to the number of incidents linked to the New Inn which has also been subject to considerable concerns raised by the local community in the past few years in relation to noise break out from the premise and the lateness of the operating hours.

The accumulation of concerns and incidents which have led to this review application by the Police clearly demonstrate the licence holder's failure to ensure patrons safety, highlight a lack of compliance with the licence issued, poor management of customers intoxication levels effectively and a failure to promote the Licensing Objectives.

The Licensing Authority wrote a formal warning to the licence holder on the 15<sup>th</sup> November 2021, in relation to their failure to comply with the conditions attached to the premises licence, namely, "*The use of the external drinking area will cease at or before 23:30hrs*" at the premises.

The licencing authority, having considered the review application made, are supporting the application as the Licence holder has not demonstrated they are promoting the four licensing objectives therefore continuation of the current premises operating practices without intervention is likely to seriously undermine the prevention of public nuisance, prevention of crime and disorder and public safety.

The concerns raised by Wiltshire Police relating to drugs and consumption levels, leading to antisocial and sometime violent behaviour of their customers and the ineffectiveness of the licence holder to understand that their premises needs robust management to operate in the late night economy which leaves the Licensing Authority with no other conclusion than to support revocation of the licence.

If you have any queries regarding the content of this letter, please contact me.

Yours Sincerely



Linda Holland  
**Licensing Manager – Public Protection**  
Tel. 01249 706410  
Email: [publicprotectionnorth@wiltshire.gov.uk](mailto:publicprotectionnorth@wiltshire.gov.uk)

## Day, Alastair

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**From:** Adkins, Carla <carla.adkins@wiltshire.gov.uk>  
**Sent:** 20 December 2021 10:50  
**To:** Adkins, Carla  
**Subject:** FW: New inn AMESBURY-LICENCE LN000043211, review WK202125402

-----Original Message-----

**From:** [REDACTED]  
**Sent:** 08 December 2021 08:30  
**To:** PublicprotectionNorth <PublicprotectionNorth@wiltshire.gov.uk>  
**Cc:** [REDACTED]  
**Subject:** New inn AMESBURY-LICENCE LN000043211, review WK202125402

I would to support the recent review by the police licencing due to poor management, excess alcohol sales, drug use and public disorder.

I would support Alistair Day, Police Licensing for the following;

I believe that their licence should be reviewed due to the amount of issues this is causing in our local town Amesbury.

- 1) the amount of crime and disorder
- 2) public safety
- 3) public nuisance

I am concerned that the current licensee could apply to transfer to designated premises supervisor which could be an existing member of staff or a relative. This may not improve the existing problems we all have to experience with this pub.

Amesbury at night is not a safe place now due to excessive drinking and suspected drug issues and long licensing hours.

[REDACTED] t

Sent from my iPad

## New Inn, Amesbury LN000043211 Review WK202125402

I fully support a Review of the Licence for The New Inn called for by the Police.

The Crime and Disorder, Public Safety, Public Nuisance and Child Protection categories of a Licence are all included in the Anti-Social Behaviour because of the poor New Inn management.

For a long time, residents have been reporting problems from this property in the middle of this old part of town which is both commercial (20%) and Residential (80%) (There should be my copious Diary notes filed with Public Protection)

### Problems,

**1. Music.** Our house is about 50 yds from The New Inn property and we have suffered with their loud "music" long enough. The sound levels and the vibrations have been monitored by the council prior to this review. The sound limiters do not work, for whatever reason. eg. 24th Oct , 30th Oct , 20th November 2021. We could hear the "music" above our television in our double -glazed lounge, windows closed! Vibrations could be felt when touching the walls.

**2. Street Noise** is generated when customers leave, frequently behaving anti-socially eg. shouting, fighting, yelling in the street, using our doorway for urinating, vomiting , using the pavement and shop fronts to urinate, Breaking shop windows, Breaking plant pots and Playing with wheelie bins. (photos available) Their noise regularly wakes us up, especially Thursday, Friday and Saturday nights. The people can be out there until 3.30 am, after 2.0am closing time. They are often so drunk they don't seem to know where they are.

Our families are reluctant to stay at weekends knowing that it is fairly certain that they will be woken up in the early hours. The grandchildren have been woken and frightened by the noise and the drunks' vocabulary being shouted out, is not what you would want young children, or the general public, to hear.

**3. Broken Glass** in the streets is dangerous to people, children and adults. Apart from slipping on it, pieces get stuck in shoes and transferred indoors. Glass comes from broken glasses and broken windows. Pets i.e. dogs are in danger of cutting their feet on the fragments left by the revellers.

All this property damage is expensive for owners and not good for the day-time economy. Shoppers and visitors don't want to walk around glass and dollops of vomit on our streets; they will go elsewhere.

**4. Transport.** Not many of the customers live locally so as to be able to walk home and there is no provision for transportation of customers at 2.0am. There is very little parking for taxis or friends to wait while collecting the customers. All this adds to anti-social street noise at **1.0 and 2.0 am onwards.**

We need to have this Licence reviewed and the Times of Opening reduced so that the streets can be quiet by midnight as appropriate to a small country town. The Hours REDUCED so that the residents can obtain the necessary sleep for good health and healthy functioning in our jobs whether paid or unpaid! Streets quiet by mid-night!

It is not right that police should have to spend their time "nannying" inebriated people because of irresponsible publicans

I do not wish this licence to be passed to any of the existing staff of the New Inn as the philosophy of the present management is quite out of keeping with this small 'village' part of town, **the conservation area!**

Kind Regards,

(Please acknowledge the receipt of this email.)



**Day, Alastair**

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**From:** Adkins, Carla <carla.adkins@wiltshire.gov.uk>  
**Sent:** 20 December 2021 10:49  
**To:** Adkins, Carla  
**Subject:** FW: New inn amesbury - LN000043211 , review WK202125402

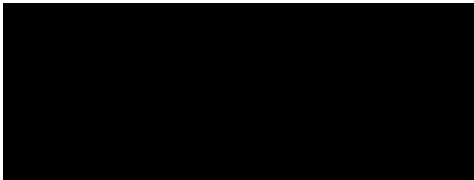
-----Original Message-----

**From:** [REDACTED]  
**Sent:** 15 December 2021 17:30  
**To:** PublicprotectionNorth <PublicprotectionNorth@wiltshire.gov.uk>  
**Subject:** New inn amesbury - LN000043211 , review WK202125402

I support the police for the review of the new inn license. Reasons being

- 1/ VOMIT -which we have to put up nearly every Thursday, Friday and Saturday, which is not very nice when walk Salisbury Street and the High Street to do your shopping.
- 2/ URINATING -which they do in the entrance of Seymour Gardens ( which is where we live)
- 3/ STREET NOISE -which we have to put up with sometimes before closing and certainly after the pub is closed, which can go to after 3am in the morning. There is no way we can leave our bedroom windows open weekends.
- 4/LOUD MUSIC- which we can hear sometimes, especially after 11pm.

We are a residents that live in the centre of amesbury and have put up this over many years now.  
My address is



Regards ^

Sent from my iPad

**Day, Alastair**

---

**From:** Adkins, Carla <carla.adkins@wiltshire.gov.uk>  
**Sent:** 20 December 2021 10:55  
**To:** Adkins, Carla  
**Subject:** FW: License Review of the New Inn, Amesbury.

**From:** [REDACTED]  
**Sent:** 14 December 2021 16:40  
**To:** PublicprotectionNorth <PublicprotectionNorth@wiltshire.gov.uk>  
**Subject:** License Review of the New Inn, Amesbury.

This email is a response to the upcoming license review for the New Inn, Amesbury - License LN000043211, Review WK202125402.

Dear Sir,

I support the review for the license for this establishment, which I believe should be revoked because of the repeated failure of the licensee to abide by the terms of the license.

The license should be revoked for the prevention of Public Nuisance. This occurs frequently at weekends (Thursday, Friday and Saturday night) as this venue closes in the small hours. Brawls, mass urination, vomiting often going on for hours.

The license should be revoked for public Safety. Anyone out on the streets in this environment, including the drunks, is not safe.

The license should be revoked for the Prevention of Crime and Disorder. Gathering together in a public place is not against the law, but aggressive behavior and urinating in public are offenses according to Wiltshire Police. The same for smashing windows, the latest being the Pet Shop on Salisbury Street.

The license should be revoked on the basis of Child Safety. The following morning there are multiple traces of urine and vomit plus broken glass.

Best Regards

Please acknowledge receipt of this email.

**From:**

**Sent:** 09 December 2021 17:33

**To:** PublicprotectionNorth <[PublicprotectionNorth@wiltshire.gov.uk](mailto:PublicprotectionNorth@wiltshire.gov.uk)>

**Subject:** The New Inn Licence WK/202125402

References:

A. License LN000043211.

B. Review WK202125402.

I gather a review of the New Inn Licence is about to be undertaken, please accept my comments on this particular public house in Amesbury.

- a. The rowdy nature of the clients that are attracted to this property in the evenings causes considerable anxiety to the general public who might be in the vicinity. Foul language, drunken behaviour, occasional fights, vomit and urine and occasionally defecation appear on the street .
- b. From the Public Safety viewpoint this is an alarming situation and does cause fear and distress when accessing the private homes within close proximity. Noise is also a major factor overall.
- c. I cannot say specifically whether crimes have been committed, I've not witnessed these, however local residents have I believe suffered. Disorder is a common factor towards the evenings end of drinking time.

I highlight these factors not because I wish to see the establishment closed down, but rather to have the facility properly managed and exercising far more rigid control of customers before they become over intoxicated.

I trust you will take these aforementioned factors into full consideration when undertaking your Licencing Review of this establishment.

Yours faithfully,

15 November 2021

Mr N Muirhead  
The New Inn  
High Street  
Amesbury  
Wiltshire  
SP4 7DL

Licensing Team  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Our Ref: WK/202124209

Dear Mr Muirhead,

**FORMAL WARNING  
LICENSING ACT 2003  
SECTION 136 – ACTING OTHERWISE IN ACCORDANCE WITH A LICENCE  
SECTION 141 – SALE OF ALCOHOL TO A PERSON WHO IS DRUNK**

Wiltshire Police have notified the Licensing Authority that around 01:00hrs on Sunday 14<sup>th</sup> November 2021 they observed customers of the New Inn both over-intoxicated and consuming alcohol in the outside area at the back of the premises.

It is a breach of Section 141 of the Licensing Act 2003 to serve alcohol to a person who is drunk.

Allowing customers to drink in the outside area after 23:30hrs is a breach of the condition of your licence. You were reminded of this condition in an email to you on Monday 8<sup>th</sup> November 2021, and this was confirmed to you verbally during a telephone conversation later the same day.

By breaching this condition, you are committing an offence under the Licensing Act 2003. The penalty for offences under the Licensing Act 2003 are six months imprisonment and/or a fine of no set amount (previously capped at £20,000). Such offences may also result in your licence being called into review.

Yours sincerely



**Carla Adkins  
Public Protection Officer (Licensing)**

DDI: 01249 706438  
Internal: 21438  
Email: [carla.adkins@wiltshire.gov.uk](mailto:carla.adkins@wiltshire.gov.uk)