

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

(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

Postal address of premises or, if none, ordnance survey map reference or description	
@Home 5, Bridge Street	
Post town Salisbury	Post code (if known) SP1 2ND

Name of premises licence holder or club holding club premises certificate (if known)
PLH = @Home Salisbury Ltd DPS = Ms Louella Adamson

Number of premises licence or club premises certificate (if known)
LN/000014727

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)

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

I am 18 years old or over

Please tick ✓ yes

**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)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

**Wiltshire Police
Salisbury Police Station
Bourne Hill
Salisbury
SP1 3SN**

Telephone number (if any)

01380 861742

E-mail address (optional)

Susan.Thurman-Newell@wiltshire.pnn.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 | x <input type="checkbox"/> |
| 2) public safety | x <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | x <input type="checkbox"/> |

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

This application to Review the Premise Licence issued to @Home relates to the Premises Licence Holders failure to comply with conditions attached to their premise licence and to promote the licensing objectives under the Licensing Act 2003.

Wiltshire Police are in receipt of an application for a Variation to the Premises Licence to be granted under the provisions of the Licensing Act 2003.

During the consultation period police were required to carry out an intervention in relation to a significant incident at the above premises, when officers in a patrol vehicle were flagged down, on 02/03/2019 at 00:20hrs in relation to a member of the public's concern for four children of a very intoxicated female, who had exited the premises.

In the light of this ongoing enquiry in relation to potential Offences under the Licensing Act 2003, Wiltshire Police submitted an Objection to the Variation of the grant of the Premises Licence on the grounds that the application proposed would undermine the licensing objectives - the prevention of crime and disorder, public safety and the protection of children from harm.

Whilst also awaiting the outcome of the police enquiries, a further significant incident occurred at the above premises, on 30/03/2019 at 22:15hrs, where police responded to a 999 call from the bar manager. On the response officers attendance it was evident that the bar manager, a member of her staff and a member of the public had been assaulted by a customer.

In the light of both of these ongoing investigations, where the licence holder has not made herself available to assist with Police enquiries and furthermore Police have noted issues around non-compliance with the premises licence, Wiltshire Police have no confidence in the ability of the management / licence holder to provide any demonstrable compliance with or promotion of the Licencing Objectives. In particular the prevention of crime and disorder, public safety and the protection of children from harm.

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

Wiltshire Police wish to bring to the Licensing Sub Committee's attention a number of Breaches of Conditions, being currently permitted by the Premise Licence Holder and Designated Premise Supervisor Ms. Adamson.

Furthermore there is a clear lack of management and individual responsibility, which culminated in unauthorised licensable activities.

The two significant incidents which occurred in @Home on Saturday 1st March 2019 and on 30th March 2019 give rise to Wiltshire Police's ongoing concerns around demonstrable management controls.

Wiltshire Police have an expectation that the management / licence holder will comply with the premise licence conditions. However, there has been noticeable non-compliance with those premise licence conditions, in particular in relation to the production of CCTV images for the first incident and the same non-compliance is currently being repeated in relation to the second incident.

Furthermore there is a lack of management support for the staff and a clear lack of staff training.

In my role as Licensing Officer I attended the premise, in company with the investigating police officer, on 9th March 2019. On speaking to the bar manager, who was on duty on 1st March, and subsequently on 30th March, I was advised that there was no till on the premise, they are currently utilising a cash box and a credit card reader. Wiltshire Police offer this as further evidence of poor management practices.

Additionally, there are real concerns in relation to the implementation of Challenge 25 and the lack of any ID checks being undertaken. The attention seemingly being placed on checking that customers had purchased entry tickets.

Following the incident on 1st March, there was a noticeable reluctance by the licence holder to engage with police. Personally, I left messages for Ms. Adamson to make direct contact, which were not responded to. The situation was the same on our attendance at the premise on 9th March, when I tried to make mobile contact to gain entry on more than one occasion, however when the investigating officer dialled Ms. Adamson's mobile number, she responded immediately. Wiltshire Police have an expectation that a Designated Premise Supervisor will be contactable and make themselves reasonably available, particularly in compliance with licence conditions.

In relation to the Incident on 1st March 2019; an ongoing Investigation is being undertaken, with a view to Offences under the Licensing Act 2003, namely; S.136 of the Licensing Act 2003 - Unauthorised licensable activities and S.141 of the Licensing Act 2003 - Sale of alcohol to a person who is drunk

In relation to the Incident on 30th March 2019; an ongoing Investigation is being undertaken, with a view to the following Offences namely; the Offence of Assault Occasioning Actual Bodily Harm contrary to Section 47 of the Offences Against the Person Act 1861 (x 1) and common assault (Battery) contrary to Section 39 of the Criminal Justice Act 1988 (x2).

Despite these ongoing criminal investigations and the knowledge that @Home is only permitted to sell Alcohol until 2200hrs and must be closed to the public at 2230hrs,

Wiltshire Police consider that there are enough licensing concerns to address, to require that they bring to the Licensing Sub Committees attention, the lack of management systems in place.

Wiltshire Police will provide Statements in relation to these ongoing investigations in support of this Review application, on a 'restricted' basis, to the licensing Sub-Committee. Wiltshire Police also request that the public be excluded from the hearing so as to ensure that the ongoing investigations are not compromised.

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 Licencing Objectives, together with Licensing Act Offences which are currently under police investigation.

Please tick ✓ yes

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

NO

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to the premises please state what they were and when you made them

None

Please tick ✓

yes

- I have sent copies of this form and enclosures to the premises licence holder or club holding the club premises certificate, as appropriate x
- I understand that if I do not comply with the above requirements my application will be rejected x

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 *S.Thurman-Newell*

.....

Date **4th April 2019**

.....

Capacity **Wiltshire Police Licensing Officer**

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Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

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.

From: [Thurman-Newell, Susan](#)
To: [Hould, Hannah](#)
Subject: @ Home, Bridge Street, Salisbury - Application for a Review of the Premise Licence
Date: 23 April 2019 12:42:23

Dear Ms. Hould,

In relation to my Review application submitted on the 4th April 2019, I would like to clarify that where I responded to the Question; **If you have made representations before relating to the premises please state what they were and when you made them and I responded with the answer; None.** This was because I believed the question was linked to the previous question relating to a previous application for a Review.

For clarification; I have, in fact, submitted an Objection to a Variation Application, submitted by the current Premise Licence Holder and Designated Premises Supervisor, Ms. Louella Adamson, which I have referred to in the Grounds for Review Section of my application for a Review of a Premise Licence under Section 51 of the Licensing Act 2002.

Please accept my apologies for any confusion this may have caused.

Please do not hesitate to contact me, should you require to discuss this matter further.

Regards

Mrs. S. Thurman-Newell

Licensing Officer

Wiltshire Police, Salisbury Police Station, Bourne Hill, Salisbury, SP1 3SN

Dial 101 Extension: 37742

Direct Dial: 01380 861742

Email: Susan.Thurman-Newell@wiltshire.pnn.police.uk

Web: www.wiltshire.police.uk

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