

**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.

Wiltshire Police
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apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Black Pearl 5A Church Street	
Post town TROWBRIDGE	Post code (if known) BA14 8DR

Name of premises licence holder or club holding club premises certificate (if known) Tammatha NEWBURY

Number of premises licence or club premises certificate (if known) WW12 0013 LAPRE
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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 Trowbridge Police Station Polebarn Road TROWBRIDGE WILTSHIRE BA14 7EP
Telephone number (if any)
E-mail address (optional)

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 | <input type="checkbox"/> |
| 4) the protection of children from harm | ✓ |

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

Crime and disorder

Incidents of violence and disorder have taken place on the premises.

Public safety

Members of the public involved in disorder at the premises have sustained injuries which required hospital treatment.

Protection of children

Children have been present on the premises and exposed to a serious incident of violence and disorder.

In addition, there have been numerous breaches of the premises licence and other concerns in respect of the management of the premises, which together further undermine the above licensing objectives.

Further detail of these together with background and incident detail is given below.

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

Tammatha NEWBURY has until recently been the licence holder and designated premises supervisor (DPS) at The Carpenters Arms, Roundstone Street. She held this position for twelve months. During this period the premises was the subject of violence, disorder and anti social behaviour.

In December 2011 NEWBURY was cautioned for offences under the Licensing Act 2003. In addition she was dealt with formally by Wiltshire Fire and Rescue and Wiltshire Council Environmental Health Officers.

The landlord of The Carpenters gave notice for her to quit the premises on 29th of March 2012.

At the same time NEWBURY made application to take over the premises formerly known as PEEWEES, Church Street, Trowbridge. Police objected to this application and her taking the role of DPS.

On the 20th of March 2012 Wiltshire Council Licensing Committee granted the licence following negotiation between Police and the applicant.

NEWBURY moved the DPS position to a Steven Phillip JAMES. The premises opened as the Black Pearl on or around 30th of March 2012.

On granting the licence the Committee attached twelve conditions. Each condition addressed specific concerns Police had in relation to in particular the 'the prevention of crime and disorder' and 'public safety'. Police find that there have been several breaches of one or more of these conditions.

Since opening there have been a number of incidents of disorder, including two incidents of serious violence at the premises, one on the 13th of April 2012 (log 0280 refers) which involved three males fighting on the premises, injuries were sustained including a deep laceration which required stitches and a broken nose, this was witnessed by five children on the premises. At least one person involved is named on the Trowbridge Pubwatch ban list.

On the 19th of April 2012 (log 0354 refers) two males were involved in a fight on the premises; injuries were sustained including a cut to the face and a laceration to the wrist. Police believe glass or bottles were used as weapons in this fight.

On the 20th of April 2012 Police were advised that the DPS had left the premises, on the same day the Police Licensing Officer attended the premises and NEWBURY was spoken to under caution regarding the unlawful sale of alcohol since the departure of the DPS.

On the 25th of April 2012 Police attended the premises to retrieve CCTV footage and carry out of licensed premises check. The premises licence holder was not available due to sickness, but her partner who is involved in the day to day running of the premises was able to provide details, which highlighted a number of further breaches of the premises licence.

On the 25th of April 2012 an Ann ROBSON applied to become the Designated Premises Supervisor. Police interviewed Ms ROBSON and found that there were no grounds to object to her application, advice was given in relation to the premises licence, it was explained the full compliance was essential. We emphasised that she should be present during all key trading times and that she would be required to familiarise herself with the premises licence.

On the 29th of April 2012 at 02.00 hours Police attended the premises and found that regulated entertainment was in progress, music was being played through amplification and patrons were dancing. At hearing the Licensing Committee restricted these activities to a terminal hour of midnight.

On the 30th of April 2012 Police contacted NEWBURY to remind her that she was due to meet with Police in the afternoon of the same date, she failed to attend this meeting.

Police have grave concerns regarding the fitness and suitability of this premises licence holder to promote the licensing objectives. The lack of regard for conditions specifically designed to reduce disorder, violence and injuries demonstrates a blatant disregard for the Licensing Act 2003.

Police have concluded that although the premises has only been open a short time the level of risk to public safety requires them to act swiftly in calling for a review of the premises licence.

Having reviewed the previous licensing history of this premises licence holder and having reviewed the incidents at The Black Pearl Police find that only the revocation of the licence would now fully promote the licensing objectives.

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
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

Please tick ✓

yes

- 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, 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

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

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Date **1st May 2012**

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Capacity **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) Jacqui GALLIMORE Wiltshire Police Trowbridge Police Station Polebarn Road TROWBRIDGE WILTSHIRE	
Post town Trowbridge	Post Code BA14 7EP
Telephone number (if any) 01225 794628	
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.