



Keeping our communities safe and reassured



Appendix 4(a)

Licensing Department
Tamworth Borough Council
Marmion House
Lichfield Street
Tamworth
Staffordshire B79 7BZ

Contact: PC 4025 Dave Evans
Direct Line: 01785 234772
Fax: 01785 233772
Our ref:
Your ref:
Date: 9th November 13

Dear Sir/Madam

**Review of Premise Licence: St George, 81 Caledonian, Tamworth, Staffordshire
B77 2ED**

Please find attached a review document and supporting evidence in relation to the police application for a review under Section 51 Licensing Act 2003 for the aforementioned premise.

If there are any queries in relation to this matter please feel free to give me a call.

Yours sincerely

PC 4025 Evans
Southern Licensing Unit
Burton Police Station
Horninglow Street
Burton on Trent
DE14 1PA 01785 234772

Cc other Responsible authorities and Premise licence holder

Depot Assets & Environment	
Date Received	11 NOV 2013
Cheque Received	
Job No	132273
Officer	







Licensing, Public Protection,
Assets and Environment
Marmion House
Lichfield Street
Tamworth
Staffordshire
B79 7BZ

Telephone - 01827 709 445

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Email - publicprotection@tamworth.gov.uk

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 **Police Constable 4025 D.Evans**

(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
St George , 81 Caledonian

Post town **Tamworth**

Post code (if known) **B772ED**

Name of premises licence holder or club holding club premises certificate (if known)
Admiral Taverns Piccadilly Limited, Milton Gate, 60 Chiswell Street , London , EC1Y 4AG

Number of premises licence or club premises certificate (if known)
07420758

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

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)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Pc Dave Evans c/o SOUTHERN LICENSING DEPARTMENT STAFFORDSHIRE POLICE BURTON POLICE STATION HORNINGLOW ROAD BURTON ON TRENT DE14 1PA
Telephone number (if any) 01785 234772
E-mail address (optional) David.evans@staffordshire.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 | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

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

The Police have requested the review of the premise licence

The Premise Licence Holder for the St George is listed as Admiral Taverns Piccadilly Limited with the Designated Premise supervisor listed as Mrs Michelle Jayne Briggs.

On Friday 27th September 2013 the St George was subject to a compliance testing operation where an under age person was sent into the premise in order that they could attempt to purchase alcohol from staff serving inside the premise.

The under age volunteer entered into the premise and was not challenged as to their age. They were not asked for identification or any proof of age and were subsequently sold alcoholic drinks

The seller of the alcoholic drinks was formally interviewed by way of contemporaneous notes by the Police in relation to a criminal enquiry into breaches of the licensing Act 2003.

Staffordshire Police believe in light of this offence being committed that the Premise licence holder and staff must do more in relation to the promotion of the licensing objectives in the areas of Prevention of crime and disorder and also the Protection of children from harm and we believe in view of these facts a review of the Premise licence is necessary in these circumstances.

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

Information to support the application

In relation to this review application the Police have attached appendices in relation to the areas of concern which are as follows:-

Appendix 1: Review Summary of breaches of license conditions

Appendix 2: Premise Licence

Appendix 3: Statement from Officers

Appendix 4: Interview notes of seller

Appendix 5: Incident List and Drugs readings.

The details of the underage sale are that on Friday 27th September 2013 a volunteer under the age of 18 years entered the St George in company with Plain clothes Police Officers from Staffordshire Police and also a Trading Standards officer in order that they could carry out a compliance purchase at 20:55 hours. The volunteer went to the bar area and purchased two bottles of WKD blue from an employee.

The volunteer was a female who was 15 years of age.

Prior to the operation the volunteer used in the compliance test was videoed and photographed. The volunteer was chosen because in the view of the Police officers participating in the operation she had a typical appearance of a child and in the interests of fairness to the premise employees was not selected because she looked falsely older than her actual years of age. She was selected because she clearly looked under the age of 18 years.

The 15 year old female volunteer asked the seller for two bottles of WKD blue which are alcoholic drinks sold in bottles. The volunteer was sold the two bottles of alcohol by the member of staff working behind the bar at the time. The volunteer was not asked for any proof of age identification prior to the sale of the alcohol taking place.

This sale is a criminal offence under the licensing Act 2003 and comes under section 146 of the Act which relates to the sale of alcohol to a person (child) under 18 years of age.

The seller was interviewed with regards to this offence shortly after the sale to the volunteer and fully admitted the matter. He stated that he had worked at the premise for about 18 months. He stated that he didn't think to ask how old they were. He stated that anyone who looked under 25 should be challenged for their identification. He stated that he had received training in relation to licensing about 2 weeks previously by the

Designated Premise supervisor in person. He was able to produce training records compiled by the Designated Premise supervisor. He was asked if there was a refusals register and he said there wasn't.

The seller was issued with a £90 fixed penalty ticket for the criminal offence committed by the sale of alcohol to a person under 18 years of age.

The sale of the alcohol to the volunteer and the failure to ask for any identification highlighted the fact that there have been a number of reported incidents at the premise.

Not including the sale to the volunteer there have also been 11 recorded incidents at the premise in the last 12 months involving drunkenness, crime and disorder, assault, injury and notable drugs readings which are included in this review.

An incident on the 20th March 2013 related to an assault on a 16 year old female who was inside the premise with other children.

An incident on 25th August 2013 involved large scale disorder which had started in the premise resulting in Staffordshire Police having to close the premise to prevent further disorder issues. Connected to this incident were public order offences, assaults involving pool cues, an aggravated burglary and the commitment of every Police resource available in the area and from other towns. A firearms Taser deployment was also authorised.

The premise also has a notable drugs problem from the readings obtained this year.

The St George already has conditions on the existing premise licence relating to underage sales and has the outdated challenge 21 policy albeit the seller has been trained in the challenge 25 policy now being operated in the Staffordshire area. By selling alcohol to the volunteer the premise is therefore also in breach of the licence conditions held on the licence.

Breaching conditions of the existing licence constitutes further criminal offences under Section 136 of the licensing Act 2003.

At this time the St George is failing to meet the licensing objectives and is contributing to the crime and disorder in the Tamworth area.

In light of the issue alluded to within this report Staffordshire Police believe a review of the premise licence is necessary under these circumstances.

We ask that the existing licence for the St George be improved and updated in order that the licensing objectives are achieved and ask that the following conditions be upgraded and included on the premise licence.

1. A CCTV register should be kept and signed daily by the designated premise supervisor.
2. A competent trained person in the use of and operation of the CCTV will at the premise or able to attend the premise as soon as is a practicable time that licensable activities take place and be able to fully operate the CCTV system to be able to down load in a recognised format any information requested by the Police.
3. All CCTV footage will be stored for a minimum of 31 days and be made available upon request to the Police or other responsible authority.
4. The date and time on the CCTV to be set to the correct time relating to BST/GMT.
5. Training should be undertaken for staff every three months and refreshed accordingly within the three months period by the designated premise supervisor or an appropriately accredited training provider on the law in relation to the sale of alcohol. Its individual member of staff should have a personal training record. The training record should be signed by the designated premise supervisor.
6. An incident register should be kept at the premise and signed weekly by the designated premise supervisor.
7. A refusals register should be kept at the premise for any persons refused alcoholic drinks by staff. This should be signed daily by the designated premise supervisor.
8. At each till there will be placed a date of birth check card which will be kept updated at all times with the current date of birth which a person must be born before to be aged 18 or over.
9. A strict written premise drugs policy will be put in place advising staff on how to deal with customers using illegal substances and how to deal with issues surrounding drugs related issues.
10. Clear signage will be put in place in prominent positions inside the premise advertising a zero drugs tolerance policy to customers.
11. A written policy will be put in place for half hourly checks by staff in relation to drugs usage in the toilet areas which is to be produced to the Police or other responsible authority immediately upon request.
12. The premise license holder will ensure that an age verification policy will apply to the premises whereby all staff will be trained to ask any customer attempting to purchase alcohol ,who appears to be under the age of 25 years (or older if the license holder so elects) to produce ,before buying alcohol, identification being a passport or photo card driving licence bearing a holographic mark or other form of identification bearing the customers photograph , date of birth and the proof of age standard scheme (or similarly accredited scheme) hologram.

We believe the evidence presented in relation to the underage sale the premise require the additional conditions to be added to the premise licence to ensure this offence does not happen again.

Staffordshire Police request that the Notice of Determination records that the Premise Licence Holder has been given clear warning that the Licensing Committee considers the sale of alcohol to children to be particularly serious and that any further sales of alcohol to children will result in a subsequent review of the Premise Licence by Staffordshire Police.

Should the conditions be attached fully and the warning given by the sub committee as outlined above the Police believe that the licensing objectives relative to prevention of crime and disorder and the protection of children from harm are likely to be met.

Please tick yes

Have you made an application for review relating to this 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 this 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 (See guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature

.....

Date 9th November 2013

.....

Capacity Licensing Constable

.....

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.

