

By 13/11/09

Last Reps
16/10/09

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 you're 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, Chief Inspector David Pascoe on behalf of the Chief Officer of Police

apply for the review of a premises licence under Section 51 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

The Victory Public House,
Farleigh Lane
Farleigh Bridge
Barming

Post town Maidstone

Postcode (if known)

ME16 9NB

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

Lee Gaul

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

MAID0185/LPRM/0888

Part 2 – Applicant Details

I am,

Please tick yes

- 1 An interested party (please complete (A) or (B) below)
 - a) a person living in the vicinity of the premises ☐
 - b) a body representing persons living in the vicinity of the premises ☐
 - c) a person involved in business in the vicinity of the premises ☐
 - d) a body representing persons involved in business in the vicinity of the premises ☐
- 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)

Appendix A

Please tick

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title (eg, 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

Email address (optional)

(A) Details of Other Applicant

Name and address

Telephone number (if any)

Email address (optional)

(B) Details of Responsible Authority Applicant

Kent Police Palace Avenue Maidstone Kent ME15 6NF
Telephone number (if any) 01622 604403/01622 604402 (PC Barbara Murray)
Email address (optional) licensing.midkent@kent.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 |
| 2 | Public safety | |
| 3 | The prevention of public nuisance | |
| 4 | The protection of children from harm | X |

Please state the ground(s) for review (please read guidance note 1)

The police are requesting the Licensing Committee to review the above premises license following an incident of disorder at the premises. Following the incident 5 persons were arrested for public order offences. 4 of these persons were aged 15, 16 and 17 years of age. They had been drinking alcohol at the premises during the evening and this had been sold to them by the DPS.

Please provide as much information as possible to support the application (please read guidance note 2)

On Saturday 26th August 2009 during the early evening a live music session was taking place at the pub. A group of young lads were in the pub and there was an exchange of words between them and a band member. The DPS, Ms Sally Hillier agreed to call the group a taxi and it was booked to arrive at 2130 hours. The taxi had not arrived by 2140 hours and the group were asking where it was. The taxi

finally arrived a few minutes later and the group left. As they walked out of the pub one of the group assaulted a member of the band by hitting him around the back of the head. The assaulted man then picked up a bottle or glass and threw it at the group, who were walking out of the pub. Immediately the door at the other end of the pub was thrown open and the group came back in shouting that one of them was bleeding. A fight then started with pool balls and tables being thrown and the group of lads attacking the band member. The group then ran off towards the river throwing glasses, bottles, plant pots and anything else they could find onto the road.

Police attended and arrested 5 men for public order offences. It was found that one of them was 15 years old, two were 16 years and one was 17 years old. During interview they all admitted that they had been drinking alcohol in the pub that evening. The 15 year old stated in interview that he had drunk 4 to 5 pints. The officer dealing with the incident has stated that there is no CCTV fitted in the pub.

The DPS, Sally Hillier, attended at Maidstone Police Station on Thursday 10th September 2009 and was formally interviewed under caution by PC Barbara Murray. She admitted serving the youths lager during the evening. She said that she had seen them in the pub before and assumed that they were over 18 years and had not asked any of them for identification. Ms Hillier was reported for selling alcohol to a person under the age of 18.

It became apparent during the interview that the youths had been in the premises on previous occasions and Ms Hillier believed that other members of staff had sold them alcohol

In view of the above I ask that the Licensing Committee impose the following conditions on the premises licence in order to promote the above licensing objectives: -

1. CCTV to be fitted to a standard agreed to by the police that complies with 'The CCTV Code of Practice (2008 edition)' produced by the Information Commissioners Office, with all public areas (including all access and egress points) covered.
2. The CCTV system will be maintained and serviced on a regular basis and records kept to that effect.
3. CCTV shall be operational at all time that members of the public and/or staff are on the premises.
4. Images will be retained for a period of at least one calendar month by whatever means the licence holder deems appropriate.
5. The Police, Local Authority or Trading Standards will have access to these immediately on request.
6. The Police, Local Authority or Trading Standards will be allowed to take a recording by way of tape, CD Rom or any other means of the image within 24 hours of the initial request being made by either the Police or

Local authority.

7. All staff selling alcohol will be trained to BII level 1 in Responsible Alcohol Retailing.
8. The DPS, Sallyanne Hillier, will retake and pass the BIIPHL course.
9. All staff at the premises will be trained in Challenge 25.
10. Challenge 25 posters will be prominently displayed in all areas of the premises including at the point of entry and at all till points.
11. Any person who appears to be under 25 years will be required to produce identity proving their age if purchasing alcohol.
12. The only ID acceptable will be a passport, photographic driving licence, or a pass marked accredited identification such as citizen card.
13. All staff training will be auditable or be available to any police officer, local authority licensing officer or trading standards officer at any reasonable time.
14. The premises licence will be suspended until all the conditions above are met.

Have you made an application for review relating to this premises before
If yes, please state the date of that application

Please tick yes

☐

Day Month Year

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

Appendix A

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

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 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date 10th September 2009

Capacity - Mid Kent Police Licensing Officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5) PC Barbara Murray Police Station Palace Avenue	
Post town Maidstone	Postcode ME15 6NF
Telephone number (if any) 01622 604403 or 07980 770428	
If you would prefer us to correspond with you using an email address, please provide your email address (optional) Barbara.murray@kent.pnn.police.uk	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.

Appendix A

2. Please list any additional information or details, for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example, solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.