

Application for the review of a premises licence **APPENDIX 1**
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 Constable 113 D.Bryan

(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 The Prince of Wales 101 Harborough Road Kingsthorpe	
Post town Northampton	Post code (if known) NN2 8DZ

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

Number of premises licence or club premises certificate (if known) PLO516

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)

Please tick

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 Constable 113 D.Bryan Northamptonshire Police Authority Campbell Square Police Station The Upper Mounts Northampton NN1 3EL
Telephone number (if any) 08453 700 700 EXT 8634
E-mail address (optional) david.bryan@northants.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"/> |

<p>Please state the ground(s) for review (please read guidance note 1)</p> <p>The police call for a review of the premises licence PL0516 under the licensing objectives of the Prevention of Crime and Disorder, the Protection of Children from Harm, and Public Safety.</p> <p>On the evening of the 28th of March 2008 a warrant under the Misuse of Drugs Act 1971 was executed at the Prince of Wales Public House.</p> <p>The operation was based on intelligence received by the police which i will detail later in this review.</p> <p>The operation involved the Police, NBC Licensing Department and Northamptonshire Trading Standards Officers.</p> <p>The total amount of personnel deployed on this operation was 57 including 1 dog handler and a general duties dog and three handlers with passive drug detecting dogs.</p> <p>The police intelligence unit receive information from various sources, police officers, members of the public, partner agencies and registered police informants.</p> <p>There is a process that has to been followed before any warrant can be sworn out and granted.</p> <p>The first phase is intelligence has to be gathered and validated by the police intelligence unit.</p> <p>This intelligence is then taken to an officer of the rank of Inspector whereby the</p>

credability of the intelligence is interrogated if the Inspector feels that the intelligence is credible then he will sign the paperwork and authorise the warrant.

The next phase is to swear out the warrant before the local magistrates, again the intelligence is relayed to the magistrates who must decide if the intelligence is credible enough for the warrant to be granted. The magistrates granted the warrant.

As you can see the intelligence used to obtain the warrant had to pass through 3 rigorous vetting stages before the warrant was granted which would indicate that the intelligence was substantial.

The intelligence indicated that the premises licence holder and staff knowingly allowed illegal drug use and supply on the premises.

That it was common knowledge that the 'smoking' shelter situated in the premises public garden area was known as the 'Drugs Den'

That the premises licence holder knew that customers were still on the premises drinking intoxicating liquor until 02:00am on a regular basis. The premises has a licence for the sale of alcohol until 23:00hrs

Police Intelligence indicates that the premises licence holder directs customers smoking cannabis or about to inside his premises to the smoking shelter 'Drugs Den' in the public garden area.

Clearly the intelligence implicates the premises licence holder and as such it was on this information that the premises licence holder was not approached prior to the warrant being executed.

On the night of the operation the premises licence holder was not present on the premises, clearly this was not discovered until police officers entered the premises.

The Designated Premises Supervisor was present Marie Haynes and a number of persons were searched under the Misuse of Drugs Act 1971, of note which from a police licensing perspective are of concern are the following three persons (I have there names and addresses and dates of birth however due to this hearing being a public hearing would rather not mention there personal details but can supply them to the committee on request)

A 17 year old male who was found in possession of cannabis (2 bags) the male was also in possession of a bank pass book that had cocaine residue on the surface.

A 16 year old male who was found in possession of cannabis (1 bag)

Both males were together and were drinking alcohol which they stated to police officers they had purchased on the premises.

In the smoking shelter (Drugs Den) a 16 year old male was found in possession of cannabis, the officers could not state whether the youth had been drinking alcohol or not, they could only state that there were a number of alcoholic drinks on the table in the shelter.

Other customers were searched on the premises as the intelligence suggested drugs were being used and supplied on the premises. One officer details he stopped and was involved in searching 4 juveniles in the smoking shelter that the passive drugs dog indicated to its handler that these juveniles may have come into contact with illegal substances, negative result.

I had concerns in relation to the premises licence and i served a closure notice under Section 19 of the Criminal Justice and Police Act 2001 in relation to the non display of the premises licence summary which is an offence in itself. I also had concerns in relation to fire safety on the premises which through NBC Licensing Department has been highlighted to Northamptonshire Fire and Rescue Service (No risk assessment available no fire safety records available no emergency lighting records available the D.P.S. could not produce them) I noticed that there was not any signage in relation to the illegal use of drugs on the premises and that the police would be notified if anybody was found to be carrying on this activity and no C.C.T.V. system (Although this is not a requirement of the premises licence)

A quantity of other items were seized x5 rolls of industrial cable was discovered in the cellar area amongst the beer barrels when the D.P.S was confronted about thses items she had no knowledge about them. This seems to concern me as the D.P.S. was the only member of staff on the premises and if a beer barrel needed to be changed then the cellar would have to be entered and to state that she was unaware of the items seems inconsistent to the police.

Finally i can inform the committee that the premises licence holder is currently under investigation by Northamptonshire Police in connection with Criminal Activity carried on in the premises.

I would ask the committee to consider revocation of the premises licence for the Prince of Wales as the premises is associated with criminal activity not only in relation to drugs but also to juveniles drinking alcohol on the premises. The three juveniles were cautioned for possession of the cannabis.

If revocation is not considered as the preferred option by the Licensing Committee then i would ask that they consider the installation of a C.C.T.V. system on the premises covering all the licensed areas including inside the smoking shelter with signage in each room to state that C.C.T.V. is in operation on the premises. The system should be digital and operating at all times the premises is open for business, any recordings are to be handed over to the police on request and without delay and are to be retained for one calendar month.

Also that the premises becomes a member of the Northampton Pubwatch Scheme and adheres by its rules.

However as mentioned before the police would consider a decision to revoke the licence as the preferred route so that the premises cannot operate in the future and any potential future criminal activity will not be taking place on the premises.

Please provide as much information as possible to support the application. APPENDIX 1
(please read guidance note 2)

APPENDIX 1
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

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If you have made representations before relating to this premises please state what they were and when you made them
None

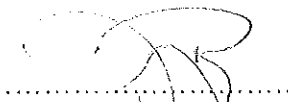
Please tick yes

- I have sent copies of this form and enclosures to the 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 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 18.04.2008

Capacity Northamptonshire Police Licensing Officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
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. The ground(s) for review must be based on one of the licensing objectives.
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.