

**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 SIAN KALYNKA on behalf of 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 LONGS BAR, VICTORIA ROAD	
Post town SWINDON	Post code (if known)

Name of premises licence holder or club holding club premises certificate (if known) ARKELLS BREWERY LIMITED
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Number of premises licence or club premises certificate (if known) 881050944PREM
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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

SIAN KALYNKA
POLICE LICENSING OFFICER
SWINDON POLICE STATION GABLECROSS,
SHRIVENHAM ROAD,
SOUTH MARSTON,
SWINDON,
SN3 4RB

Telephone number (if any)

01793 507874

E-mail address (optional)

sian.kalynka@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
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>

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

- Wiltshire Police have been conducting test purchase operations since February 2010 and Longs Bar have failed on two separate occasions.
- The premises is failing to adhere to the licensing objective of the protection of children from harm and committing criminal offences by serving alcohol to children under the age of 18.

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

Wiltshire Police began conducting test purchase operations in February 2010. It is widely accepted that incidents of disorder linked to the night time economy are also linked to the excessive consumption of alcohol. The knock-on effect for police and other agencies is tremendous. Under-age alcohol sales by on-licensed premises may contribute to this and place young people at risk of becoming victims of crime and of developing long term health issues.

The first test purchase operation took place on the 27th February 2010 and occurred in the main night time economy areas of Swindon the Town Centre and Old Town. Letters were sent to all Town Centre and Old Town licensed premises on the 4th January 2010 to warn that a test purchase operation would be taking place and that Longs may be tested as part of this operation. The letter is exhibited at Appendix 1.

A test purchase attempt by a 15 year old and 17 year old volunteer resulted in a sale of alcohol being made on 27th February 2010 at Longs Bar. The volunteers entered the premises and were not asked for any identification and were not challenged in anyway by door staff or bar staff. They were served at the bar and one female purchased a WKD and the other purchased a Smirnoff Ice.

Following the positive sale of alcohol to a person under 18 Licensing Officer Siân Kalyinka met with the premises duty manager on Friday 12th March 2010.

During the meeting the following concerns were highlighted.

- No staff training or any training records could be produced so it was clear that staff were not aware of their responsibilities under the Licensing Act 2003.
- There was no record of refusals behind the bar showing that people were being asked for identification and service refused if necessary.
- SCRIP radio was not used at the venue which prevented them from communicating with other premises in the area that there may be groups of young people going to various venues.
- No proof of age material such as "NO ID,NO SALE" or "Challenge 21" was displayed around the premises or the till area

The letter sent highlighting my concerns is attached at Appendix 2. Challenge 21 posters and an example refusal record sheet were also included in the letter.

On this occasion no premises that failed were issued a Fixed Penalty Tickets as this first operation was a warning to the premises to get their training process in order.

Since this first operation in 2010 Wiltshire Police have carried out 4 test purchase operations in the Old Town area the last being the 19th March 2011. In 2010 the failure rate was 50% and over a period of 13 months this had reduced to just 5% with only 1 premise failing.

Longs Bar did not fail any further test purchase attempts by Wiltshire Police until 27th October 2012.

A test purchase attempt by two 17 year old volunteers resulted in a sale of alcohol being made at Longs Bar. The volunteers entered the premises and were not asked for any identification and were not challenged in anyway by door staff or bar staff.

They were served at the bar and purchased a Smirnoff Ice and a pint of lager.

It was disappointing to note that over 50% of premises in Old Town that were tested failed this operation on the 27th October 2012.

This highlights that without continued testing and reminders premises become complacent.

An attempt to attend the premises on Saturday the 27th October was made however they had closed for the evening. Mr Mike SHERIDAN the Designated Premises Supervisor was invited to attend Gablecross Police station on Monday 29th October 2012 at 11.00hours so that an £80 Fixed Penalty Notice could be issued to him and details of the server could be obtained.

Whilst at the station Mr SHERIDAN was asked about training at the premises. Mr SHERIDAN produced documents showing that training was issued to staff when they begin at the premises and that they have till prompts on the tills to remind staff about verifying customer's ages.

It was highlighted that staff training should be ongoing and delivered at regular intervals which could be every 3 months or 6 months.

Mr SHERIDAN also stated he would be discussing the matter with his door company.

In summary there have been breaches of the licensing objective of the protection of children from harm at the premises which is also a criminal offence resulting in the issuing of Fixed Penalty Notices to the DPS and bar staff at the premises.

The premises in the main does not suffer from alcohol related crime and disorder and is generally well run and several things have been put in place to prevent any further underage sales.

I ask the following to be considered in addition or alongside the sanctions the licensing committee may or may not be considering.

1-The premises will have a minimum of 3 SIA door supervisors on a Friday and Saturday evening and they will be provided at any other time on a risk assessed basis. The door supervisors will wear high visibility clothing at all times.

2- No persons under 18 shall be allowed into the premises after 7 p.m.

3- A Challenge 21 policy will apply to the premises and all staff serving alcohol trained in the operation of the scheme so that anyone attempting to buy alcohol who appears to be aged 21 or under will be asked for identification of age in the form of either a valid passport, photo driving licence, government issued identity card, or PASS accredited card or its equivalent successor card, and if none is supplied or that supplied unacceptable a sale will be refused and a record kept of the refusal. Staff selling alcohol will be subject to refresher training every 3 months and records of training shall be kept. Records of refusals and training shall be made available to enforcement officers on request.

4- The Designated Premises Supervisor will belong to the Pub watch scheme and any alternative area network designed to promote the licensing objectives. The DPS will attend a majority of Pub watch meetings in each calendar year and will comply with the terms of the Pub watch scheme regarding the exchange of information and enforcement of banning procedures

6- No private functions for anyone under the age of 21 should occur at the premises

7- The till prompt will be in operation at all times the premises is open for trade.

8- CCTV equipment which is fit for purpose and which covers all trading areas and entrance areas shall be provided and maintained in working condition when the premises are open for business. The CCTV product will be maintained for a minimum of 28 days and made available to enforcement bodies on request. There shall be someone qualified to use the equipment on site at all times during trading hours.

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

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 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 01/11/12

.....

Capacity Police Licensing Officer

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

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Post town	Post Code
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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.