



Licensing Act 2003 Sub-Committee

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|---------------|--|
| Date: | Thursday, 30 July 2009 |
| Time: | 10.00 am |
| Venue: | Round Room - Wallasey Town Hall |

Contact Officer: Anne Beauchamp
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Website: <http://www.wirral.gov.uk>

AGENDA

1. **APPOINTMENT OF CHAIR**
2. **DECLARATIONS OF INTEREST**

Members are asked to consider whether they have personal or prejudicial interests in connection with any item(s) on this agenda, and, if so, to declare them and state what they are.

3. **NAME OF PREMISES: HOYLAKE GENERAL STORES, HOYLAKE ROAD, BIRKENHEAD (Pages 1 - 48)**
4. **NAME OF PREMISES: J & P OFF LICENCE, 119 KING STREET, WALLASEY (Pages 49 - 70)**

LUNCH BREAK

5. **NAME OF PREMISES: FARMERS ARMS, 43 NEW CHESTER ROAD, NEW FERRY (Pages 71 - 154)**
6. **ANY OTHER URGENT BUSINESS ACCEPTED BY THE CHAIR**

To consider matters which the Chair accepts as being urgent.

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WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE

LICENSING ACT 2003 SUB-COMMITTEE – 3 JULY 2009

REPORT OF THE DIRECTOR OF REGENERATION

**NAME OF PREMISES: HOYLAKE GENERAL STORES, HOYLAKE ROAD,
BIRKENHEAD**

NAME OF APPLICANT: TRADING STANDARDS

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to consider an application for the review of a Premises Licence under the provisions of the Licensing Act 2003.

2.0 RELEVANT BACKGROUND

2.1 Hoylake General Stores currently have a Premises Licence to allow the following Licensable Activity:

Supply of Alcohol

Monday to Saturday 08:00 to 23:00

Sunday 10:00 to 22:30

2.2 A copy of the Premises Licence setting out the above hours and conditions attached to the Licence is available.

2.3 The Licensing Act 2003 Sub-Committee may, having regard to the application for review and any relevant representations, take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- Modify the Conditions of the Licence.
- Exclude a licensable activity from the scope of the Licence.
- Remove the Designated Premises Supervisor.
- Suspend the Licence for a period not exceeding three months.
- Revoke the Licence.

The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives.

3.0 APPLICATION

3.1 An application has been received from Trading Standards to review the Premises Licence for the premises known as Hoylake General Stores. The Trading Standards Manager has advised that the grounds for review are in relation to the protection of children from harm following an underage sale taking place at the premises.

3.2 Further information to support the above grounds for review is included within the application which is available.

4.0 RELEVANT REPRESENTATIONS

4.1 Merseyside Police have made a representation in support of the application by Trading Standards which relates to the protection of children from harm. A copy of the representation is available.

4.3 There have been no representations received from interested parties or from the following Responsible Authorities:

Wirral Area Child Protection Committee
Environmental Health
Fire Authority
Planning Authority

5.0 FINANCIAL AND STAFFING IMPLICATIONS

5.1 There are no financial implications and my existing Licensing staff will deal with this application.

6.0 EQUAL OPPORTUNITIES IMPLICATIONS

6.1 There are none arising from this report.

7.0 LOCAL AGENDA 21 IMPLICATIONS

7.1 There are none arising directly from this report.

8.0 LOCAL MEMBER SUPPORT IMPLICATIONS

8.1 The premises are located in the Birkenhead and St James Ward.

9.0 HUMAN RIGHTS IMPLICATIONS

9.1 Article 6 and Article 1 of the First Protocol which is concerned with the protection of property is most likely to have a particular impact.

10.0 COMMUNITY SAFETY IMPLICATIONS

10.1 Effective control of Licensing Legislation can assist in raising standards and improve the perception of community safety.

11.0 PLANNING IMPLICATIONS

11.1 There are no planning implications arising from this report.

12.0 BACKGROUND PAPERS

12.1 Application form applying to review a Premises Licence.

12.2 Representation received from Merseyside Police.

13.0 **RECOMMENDATIONS**

- 13.1 The Licensing Act 2003 Sub-Committee are asked to consider the application for the review of a Premises Licence in respect of the above premises.

Alan Stennard
Director of Regeneration

This report was prepared by Richard Leyland who can be contacted on 691 8478.

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Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

LICENSING

17 MAY 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 John Malone

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 Hoylake Convenience Store & Off License, 24-26A Hoylake Road, Bidston, Wirral, CH41 7BX. | |
| Post town Birkenhead | Post code (if known) CH41 7BX |

| |
|---|
| Name of premises licence holder or club holding club premises certificate (if known) Robert Leyland |
|---|

| |
|---|
| Number of premises licence or club premises certificate (if known) LN/206000575 |
|---|

1) a responsible authority (please complete (C) below)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

| |
|---|
| Wirral Trading Standards Wallasey Town Hall Brighton Street Wallasey CH44 8ED |
| Telephone number (if any) 0151 691 8640 |
| E-mail address (optional) Johnmalone@wirral.gov.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

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

Licence representations made by Trading Standards follow a protocol agreed between the local authority and Merseyside Police and considered by Wirral's Environment Overview and Scrutiny Committee on the 28th January 2009. A copy of the protocol is attached at 1.

On 18th February 2009 a sale of a 700ml bottle of WKD blue was made to an 14 year old volunteer acting on the instructions of Trading Standards. The volunteer had to specifically ask for the alcohol which is stored behind the till. The seller, Anne marie Kelly was later issued with an £80 Penalty Notice for Disorder. A copy of the interview is attached at 2.

The Designated Premises Supervisor (DPS), Gaynor Marie Hinchcliffe and the Premises Licence Holder Robert Leyland were interviewed by Trading Standards and explained the steps they take to prevent underage sales of alcohol. Copies of the interviews are attached at 3 and 4 respectively.

Ms Hinchcliffe confirmed during a tape recorded interview that there is no refusals register in place, staff training is done on an ad hoc basis and there are no training records in place for staff members. The CCTV system is currently broken and there is a lack of Think 21 posters despite being provided with a training pack by Trading Standards in August 2007.

A report has been submitted for prosecution for a breach of section 146 of the Licensing Act 2003

SEEKING A LICENCE REVIEW WHILST OFFENCES ARE BEING INVESTIGATED

The following advice is available at page 85 of the guidance issued by the DCMS under section 182 of the Licensing Act 2003 (attached at 5)

11.24 As explained above, it is not the role of a licensing authority to determine the guilt or innocence of individuals charged with licensing or other offences committed on licensed premises. There is therefore no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. As stated above, at the conclusion of a review, it will be for the licensing authority to determine on the basis of the application for the review and any relevant representations made, what action needs to be taken for the promotion of the licensing objectives in respect of the licence in question, regardless of any subsequent judgment in the courts about the behaviour of individuals

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

LICENSING OBJECTIVE - THE PROTECTION OF CHILDREN FROM HARM

The purpose of prohibiting the sale of alcohol to under 18s is to protect young people from harm and to protect the wider community from anti-social behaviour.

The DCMS guidance (attached at 6) states;

11.25 There is **certain criminal activity** that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. These are the use of the licensed premises:

For the purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people

Harm to young people

In 2007 Trading Standards Northwest, an umbrella organisation for Trading Standards authorities, commissioned research into the alcohol purchasing and drinking habits of 15 and 16 year olds. In total 11,724 questionnaires were returned and the following results were noted;

29% who drank alcohol admitted to having been violent whilst drunk - this figure rose to 32% amongst young males.

15% claimed to have been in a car with a young person who had been drinking.

12% stated that they had regretted having sex after drinking alcohol

EXERCISE OF DUE DILIGENCE WITHIN THE PREMISES

The store was advised during a Trading Standards visit in August 2007 about displaying Think 21 posters and implementing and maintaining a refusals register. A refusals register has not been implemented. The only poster on display was advertising Pass approved citizencard. They were also made aware of a free training session at Wallasey Town Hall in September 2007. No one from the store attended.

On the 10th February 2009 the premises were invited to a further free training session to be held at Birkenhead Town Hall. No response was received from the premises however, the DPS was made aware of the training session following the sale and she attended on 4th March 2009.

The training session covers their legal responsibilities under the Licensing Act 2003 and provides practical guidance to prevent the sale of alcohol e.g. effective staff training, maintaining up to date training records, use of a refusals book, adopting a Think 25 policy.

In view of the fact that they have received advice visits and invitations to the free training sessions there is a clear failure to implement staff training or maintain a refusals log.

A suspension of the licence for a short period of time may be a justified action until such time as staff undergo sufficient training.

PROPOSED LICENCE CONDITIONS

In view of gaps in good practice Trading Standards ask that the following conditions be attached to the licence;

- 1 The Premises must adopt a Think 25 policy and display of the appropriate posters.
- 2 The Premises must only accept a passport, a photo driving licence or PASS accredited identification in support of till checks.
- 3 The Premises must maintain a refusal log with regular checks by responsible authorities on request to ensure that it is being used.
- 4 Staff must attend training on underage sales provided by Trading Standards.
- 5 All staff working at the premises must receive regular updated training in respect of preventing the sale of alcohol to persons under 18 years of age and training records kept and maintained.
- 6 Records of training must be supplied to the Licensing Authority when this training has taken place.
- 7 The Premises Licence Holder shall maintain an adequate CCTV system. Access to the system will be made available to responsible authorities at their request.
- 8 That the Designated Premises Supervisor successfully complete Level 2 National Certificate for Designated Premises Supervisors

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

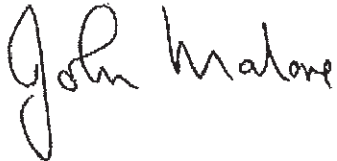
If you have made representations before relating to this premises please state what they were and when you made them

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 1st May 2009

Capacity Trading Standards Manager

| | |
|---|------------------|
| 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.

Licence review application

**Hoyle Convenience & Off Licence, 24-26 Hoyle Road, Bidston,
Wirral, CH41 7BX**

CONTENTS

Licence review application

Attachments

- 1 Licence review protocol
- 2 Copy of PACE interview with Annemarie Kelly
- 3 Copy of PACE interview with Gaynor Marie Hinchcliffe
- 4 Copy of PACE interview with Robert Leyland
- 5 Paragraph 11.24 of DCMS guidance
- 6 Paragraph 11.25 of DCMS guidance

SCHEDULE 1

REGULATION OF THE SALE OF ALCOHOL TO PERSONS UNDER 18

INTRODUCTION

The Department of Culture, Media and Sports have issued guidance concerning the application of licensing procedures. In relation to the licensing objective for the protection of children from harm this guidance states:

There is certain criminal activity that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. These are the use of the licensed premises: for the purchase and consumption of alcohol by minors, which impacts on the health, educational attainment, employment prospects and propensity for crime of young people.

(Paragraph 11.25 Guidance issued under section 182 of the Licensing Act 2003 by The Department of Culture, Media and Sports)

In view of the importance of this stated public policy objective the following indicates the framework for the regulation of the sale of alcohol to minors.

CRIMINAL PROCEEDINGS - AN OFFENCE UNDER SECTION 146 OF THE LICENSING ACT 2003

Decisions to prosecute for offences of selling alcohol to under 18s will be taken in accordance with Wirral's enforcement policy. (Currently under review). A decision to issue a penalty notice for disorder will be taken on a case by case basis.

All our decisions will have regard to current statutory guidance and codes of practice, particularly the Regulators' Compliance Code, the Code for Crown Prosecutors and the Human Rights Act.

Test purchasing activity will follow guidance issued by LACORS.

(A practical guide for those organisations involved in the conduct of test purchasing operations involving young people and the sale of age-restricted products Date of Issue: April 2006)

APPLICATION FOR A REVIEW OF A PREMISES LICENCE - ESCALATION PROCESS

The purpose of the Licence review escalation process is to provide an internal framework to ensure that licence reviews are sought in a proportionate and consistent manner.

The function of the licensing authority is not only remedial but where, crime is involved, wider considerations come into play, including the prevention of crime, and, if not punishment, at least deterrence.

(R (Bassetlaw District Council) v Worksop Magistrates' Court; [2008] WLR (D) 350)

All licence review applications will have regard to the guidance issued under section 182 of the Licensing Act 2003 by The Department of Culture, Media and Sports.

| Licence review escalation process | | |
|---|--|---|
| Sale of alcohol to a minor | Application of diligence in the premises | Use of premises licence review procedure |
| 1 st sale | Good diligence in place | Warning/advisory letter to the premises licence holder outlining licence review process |
| 1 st sale | Poor application of diligence or no diligence in place | Review of the premises licence to consider the addition of conditions to ensure good practice |
| 2 nd sale in a 12 month period | Good diligence in place | Review of the premises licence to consider the addition of conditions to ensure good practice |
| 2 nd sale in a 12 month period | Poor application of diligence or no diligence in place | Review of the premises licence to consider suspension or revocation for breach of conditions |

PERSON SERVING NOT OWNER

SELLER DETAILS

Full Name: ANNEMARIE KELLY

Home Address: 2A MERCER ROAD
BIDSTON / BIRKENHEAD.

Post Code: CH43 7SL

Telephone Number: 0151 653 0568

Date and Place of Birth: 16 / 08 / 77 BIRKENHEAD.

Position: SALES ASSISTANT.

At this point, I must caution you and tell you that you do not have to say anything, but it may harm your defence if you do not mention when questioned something which you later rely on in Court. Anything you do say may be given in evidence. You are not under arrest, and are free to leave at any time, you may obtain legal advice before answering any questions. Do you understand that?

Response YES.

Q If, at any time during the interview you wish to take legal advice, please tell me and the interview will be stopped. Do you understand?

Response YES. QUITE HAPPY.

Time Of caution: 14:44 am/pm

Persons present: JAMES GARRETT.

Q What is your position in the business?

Response SALES ASSISTANT. A NEW ONE.

Q Did you know it was an offence to sell intoxicating liquor to persons under the age of 18?

Response YES.

AB.

This is
Ref. No.
Exhibit No.
Referred to in my statement
Signed Dated



I'VE HAD A REALLY BAD DAY.
I'VE GOT A POORLY KID, WENT TO TESCO AND SHE SLICED
HER LEG OPEN - I'M WORRYING ABOUT HER.

Q Why did you sell intoxicating liquor to this child?

Response I DIDN'T REALISE SHE WAS SO YOUNG. I ALWAYS ASK
I FEEL TERRIBLE. I'D HATE ANYBODY TO SERVE MY CHILD.

Q Did you make any enquiries regarding the age of the purchaser on this occasion?

Response DON'T THINK I DID YOU KNOW.

If yes, what enquiries took place? If no, why not?

~~_____~~
~~_____~~
~~_____~~

Q Are you paid a wage by the licensee?

Response YES. I ONLY DO 4 HOURS / WEEK.

Q How long have you worked in this shop?

Response APPROX. AUGUST 2008.

Have you been given any instructions by the owner(s) of this shop about selling intoxicating liquor to persons under 18 years of age?

YES, WE WERE TOLD TO ASK FOR I.D.

Q If yes, what were these instructions?

Response _____
~~_____~~
~~_____~~
~~_____~~

Response _____

Q Did you know it was an offence to sell intoxicating liquor to persons under the age of 18?

Response _____

Q Why did you sell intoxicating liquor to this child?

Response _____

Q Did you make any enquiries regarding the age of the purchaser on this occasion?

Response _____

If yes, what enquiries took place? If no, why not?

Q Do you have a refusals book?

Response _____

Q How long have you been trading from these premises?

Response _____

It is an offence to sell intoxicating liquor to any person under the age of 18 years and you will be reported for the offence. Do you wish to make any comment?

Declaration:

I have read the above information and agree that it is a fair and balanced account of what was said.

Signed: _____ **Time:** _____ **Date:** _____

Witnessed:

Name: _____ **Time:** _____ **Date:** _____

Name: _____ **Time:** _____ **Date:** _____

UNDERAGE INTOXICATING LIQUOR SALES

Premises Visited: HOYLAKE CONVENIENCE STORE & OFF LICENSE

~~Names~~ _____

Address: 24-26A HOYLAKE ROAD

BIDSTON, WIRRAL

Post Code: CH41 7BX 0151 670 9026

Date of Visit: 18/02/2009 Time: _____

Item(s) Purchased: 1 x 700ml WKD BLUE

Price: £ 3.09

I am (name): ANDREW BUSHELL from ^{TRADING STANDARDS} ~~Merseyside Police~~. You have

just sold this 14 year old child (show photograph Ref

No:) intoxicating Liquor (enter details) 1 x 700ml WKD BLUE

~~Date and Place of Birth:~~ _____

It is an offence to sell intoxicating liquor to someone under 18 years of age. I therefore need to speak to you about this matter.

Age Check material displayed? Yes No "NO ID NO SALE" CITIZEN CARD APPLICATION FORMS.

Q Are you the licensee of this shop?

Response Yes Go to YELLOW sheets (licensee made sale)

Yes Go to GREEN sheets (employee made sale but licensee interview)

No Go to PINK sheets (employee made sale)

LICENSEE OF PREMISES/LICENSEE MADE SALE

OWNER DETAILS

Full Name: _____

Home Address: _____

Post Code: _____

Telephone Number: _____

Date and Place of Birth: _____

Ownership Details: Sole Trader/Partnership/Ltd Company

Name(s): _____

Home Address/ Registered Office: _____

At this point, I must caution you and tell you that you do not have to say anything, but it may harm your defence if you do not mention when questioned something which you later rely on in Court. Anything you do say may be given in evidence. You are not under arrest, and are free to leave at any time, you may obtain legal advice before answering any questions. Do you understand that?

Response _____

Q If, at any time during the interview you wish to take legal advice, please tell me and the interview will be stopped. Do you understand?

Response _____

Time Of caution: _____ am/pm

Persons present: _____

Q What is your position in the business?

Q Were these instructions given to you in writing?

Response DON'T THINK SO. DON'T REMEMBER SIGNING ANYTHING.

Q When were you last reminded about the law about selling intoxicating liquor by the owner (s)?

Response ~~THIS~~ ~~JUST~~ ~~AS~~ I DON'T KNOW.

Q How was this reminder given to you?

Response VERBALLY.

Q Does the owner ever test to see if you know what the law is about selling intoxicating liquor to children? If, yes how does (s)he do this?

Response NO. DON'T KNOW IF HE DOES WITH THE

OTHERS. I'M ONLY HERE 4 HOURS A WEEK, THE

OTHER STAFF WORK LONGER HOURS.

Q Do you have a refusals book? (If yes, ask to see it)

Response I DON'T THINK SO.

It is an offence to sell intoxicating liquor to any person under the age of 18 years and you will be reported for the offence? Do you wish to make any comment?

Response NO.

Declaration:

I have read the above information and agree that it is a fair and balanced account of what was said.

Signed: A. Kelly Time: 2:54 Date: 18-2-09

Witnessed:

Name: A. M. Hall Time: 14:54 Date: 18/02/09

Name: J. A. Carruth Time: 14:54 Date: 18/2/09

3

METROPOLITAN BOROUGH OF WIRRAL

TRADING STANDARDS

RECORD OF PACE TAPE RECORDED INTERVIEW

| | |
|--|--|
| NAME & ADDRESS OF PERSON INTERVIEWED: Gaynor Marie Hinchcliffe 43 Hebrin Road Birkenhead Wirral | PLACE OF INTERVIEW: Wallasey Town Hall, Wallasey Wirral CH44 8ED |
| D.O.B OF INTERVIEWEE: 09/08/1962 | DATE OF INTERVIEW: 03.03.2009 |
| TIME COMMENCED: 10.15am TAPE REF. NO: JAG3 INTERVIEWING OFFICER: James Garrett – Assistant TSO | CONCLUDED: 10.32am EXHIBIT REF. NO: JAG4 OTHER PERSON(S) PRESENT: Andrew Bushell – Senior ATSO |

DECLARATION: This record consisting of 12 pages is the exhibit JAG4 referred to in my statement made and signed by me.

Officers Name: JAMES GARRETT

Signature: J.A. Garrett

- JG This interview is being tape recorded I am James Garrett and the other officer present is?
- AB Andrew Bushell
- JG What is your full name please?
- GH Gaynor Marie Hinchcliffe
- JG and your address?
- GH 43 Hebrin Road, Bidston, Birkenhead
- JG and your date of birth?
- GH 9.8.62
- AB Sorry can you repeat your address for us it is just that bit slower it is because the tape has got to pick it up?



GH 43 Hoblin Road, Bidston, Birkenhead

AB Thank you

JG The date is the 3 March 2009 and the time is 10.15 am. This interview is being conducted in an interview room at Wallasey Town Hall at the conclusion of the interview I will give you a notice explaining what will happen to the tapes. At this point I now must caution you. You do not have to say anything but it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence. You are not under arrest and you may leave at any time and you may obtain legal advice before answering any questions, do you understand all that?

GH I do

JG Ok at approximately 2.20 pm on Wednesday the 18 February 2009 as part of a Trading Standards test purchase operation 2 volunteers entered Hoylake Convenience and General Stores on Hoylake Road and a 14 year old volunteer was sold a 700 ml bottle of WKD Blue. Can you just confirm to me your role at Hoylake General Store?

GH I am the licensee for Hoylake Stores

JG and how long have you been the licensee?

GH About 3 – 4 years now...I can't remember to be truthful with you

JG Was that as the Designated Premises Supervisor?

GH Yes

JG Have you worked anywhere else at all?

GH No

JG Have you had any previous experience of selling age restricted products at all?

GH Before I worked there?

JG Yes

GH No

JG None at all?

GH No

JG Have you undergone the BIIAB Course have you?

GH Yes

JG Can you tell me how old someone has to be before you can legally sell alcohol to someone?

GH 18

JG Do you as DPS conduct any training yourself at all?

GH No but if somebody starts new the age is like a 21 policy if they don't look 21 always ask for id if they don't have any id we don't serve them

JG Ok and is that just done with new members of staff is it?

GH All of us know that yeah

JG Right how regularly do you train your staff?

GH Well the staff have worked there for a long time really except for the new girl Anne Marie

JG Right

GH But she was aware that she shouldn't have sold it

JG Ok

AB So the Think 21 is done as a new member of staff starts

GH Yes

AB So you told them them and then

GH Yes

AB you are happy for them to work in the shop?

GH Yes

JG Do you operate refresher training then with the staff ...you are saying there that there is some older members of staff you know I mean would they have just been told initially you know...what I am trying to get at is how regular is the training....or reminders?

GH Oh all the time it is all the time really

JG How often is all the time?

GH Well once every couple of weeks

JG Ok

AB That is just verbal is it ...you remind them?

GH Yes

AB As far as think 21 when they start they are given a little bit of information...training

GH Yes

AB if you like but from then on it is just an ad hoc verbal reminder

GH Yes

AB There is no formal training?

GH No

AB at a regular basis

JG So there is nothing written down at all anywhere?

GH Yeah we have got a form up an Over 21 form up

JG How do you mean like a poster?

GH Yeah a poster thing by the till

JG Ok just staying with the point of training at the minute is there anything written down...do any of the staff have training records at all?

GH No, No

JG Ok in respect of the seller Anne Marie Kelly how long has she worked at your store?

GH Last year about August or September

JG Ok and what training has she undergone in respect of alcohol and other age restricted products with yourself?

GH Only you know the 21 policy and that is if they don't look 21 don't sell it to them or ask for id first you know

JG Ok, and have you spoken to Anne Marie Kelly since the sale?

GH Yes

JG and what was said?

GH I am disgusted that she sold it really cos you know what I mean we have sold it for a while and we have never had any trouble apparently she knew when she did it but she had had a bad day or we were thinking of sacking her but it is not fair really she knows now

AB Unlikely to do it again do you think?

GH Pardon?

AB Anne Marie is unlikely to do ...

GH Oh definitely she won't do it again no

JG Do you have any till prompts in place at all you know it is like an epos system where you scan the product and then it flashes up with an age check on the till?

GH No

JG You said about posters there can you just tell me what if any posters you have got up around the store?

GH No it is just a thing with leaflets in it you know to get the id that you need

JG The citizen card?

GH Yes

JG Ok

GH and there was another one on the door but I don't think it is on the door now ...an over 21 policy ?????? don't sell alcohol unless you are 21 unless you have got id

JG Ok is there any thing else you want to add on at this point?

AB Not to do with the posters no

JG Ok do you have a refusals register or a refusals log in place?

GH A book

JG Yes a book or a refusals log

GH To be truthful we did have a book ages ago but I know everybody there and so do the people who work there cos we have worked there for

years and we know everyone around the area and we never really used it to be truthful it is only on the odd occasion that we do knock people back you know if someone new comes in that we don't know ...only that really

JG Do you work in the store yourself?

GH Yes

JG Ok how often do you work in the store?

GH I only work 6 hours a week really

JG Right

GH Cos I have got me little grandson so

JG How many people work in the store?

GH 5 of us altogether

JG 5 of you and are they mostly part time?

GH Yes

JG How do you know they are making refusals if you are there only a short time in a week?

GH Well I am always in and out of there but they tell me

JG Right ok

GH and to be truthful we don't really knock people back cos we know everybody it is only like if a stranger comes into the shop if you know what I mean if he doesn't look 21 then they will knock him back

JG But there is nowhere for them to log it basically even if a stranger came in there is no where really for them to ...

GH Just don't serve them and send them on

JG Yeah but it is not noted down anywhere

GH Well we could sort that out and get the book back up and going I suppose

AB Who works the most hours in the shop then...Anne Marie Kelly?

GH No she only does a couple of hours

AB 2 hours a week

GH No she does 4

AB and you do 6 so that covers 8 hours in a week, who does the majority

GH Maureen, there is Maureen, Linda and Jackie

AB They do the rest between the 3 of them?

GH Yes

AB Ok

JG Have staff been made aware at all about this refusals register or refusals log or is it just basically...

GH Yes because when we first got the licence and when we first started selling alcohol we did have the book but to be truthful we never ever wrote in it so we haven't bothered since

JG Ok

GH But we will get that back

JG and that was just based on the reason that you tend to know people locally?

GH Yes cos we have all lived up there all our lives if you know what I mean so...

JG Right ok are you familiar with what are the acceptable forms of id or proof of age

GH Yes picture id with the age on it

JG Ok such as give us an example

GH Driving licence, passport I wouldn't accept a birth certificate cos no picture you see

JG Ok yes that is right and as I say there is passport, driving licence and

GH Student card

JG well citizencard tend to be the approved ones with the pass hologram on them

GH Yes

- AB We recommend not to accept student cards because there are a lot of fake ones about or
- GH Is there?
- AB on the student card but the citizen card is a good one if you want to accept that one
- GH Ok
- AB which is the leaflet that you do have in the shop
- GH Yes
- AB that one there if you accept those cards then you probably can't go wrong really with that card
- GH Yes
- JG Since this sale have you done any thing differently at all or has anything been implemented?
- GH Well we had a meeting about it because of what has gone on and everybody knows it is a 21 policy and to be truthful Anne Marie knew herself
- JG Right ok so have you just basically had a staff meeting and just advised or reminded them of the Think 21 policy?
- GH Yes
- JG Is there anything that you are going to do differently at all in the future?
- GH Well we will get that book going as you said we will get that book going
- JG Yes
- GH em and I don't think we have done anything wrong up to now it was just stupidity on Anne Marie's part to be truthful
- JG Yes...one of my colleagues came out to visit back in 2007 and the exact date was exactly 10 August 2007 and basically did a checklist it was a food visit together with an underage sales visit as well and has basically just done a brief checklist and some of the main points from that was going back to the point of sale posters. Are posters displayed? No...Comments ...Advise could display Think 21 posters in the pack so basically there was a 'no id no sale' pack or a pack anyway left back in August 2007 with yourself enclosing Think 21 posters is there any reason why those aren't up?

- GH I think they was on the door one was up on the door and one was you know when you go in the shop there is like a big like thing with the till on I think there was one there I think may be the kids have ripped them down but we will get more posters and put them up in different places where they can't be damaged.
- JG Ok right because I think when we visited the scene there seemed to be pretty much a lack of any sort of posters at all relating to 21 policies or alcohol sales at all it seemed to be mostly or ...I think the only thing from memory we could see was the just the citizencard application forms. Also going back to the issue of the refusals register it was noted that you kept a refusals register but it wasn't maintained and it was pretty much for the reasons you said and you were advised actually well not you specifically but Jackie Lynch was the person who was seen on that day
- GH Yes
- JG Does she still work there?
- GH Yes
- JG She was advised on that day by one of my colleagues it was in your best interests to keep the record maintained and to use basically the example in the pack there... was there any reason why after that advice it wasn't done?
- GH Well to be truthful we still haven't used it sobut I will make sure it gets up and going I will make sure the posters go up they will definitely be up by tomorrow I think this has given everybody a good shake you know
- JG Ok that is fine I don't think there is anything else I want to comment on that but there isis there anything you want to add about that
- AB Not about this document no
- JG A letter went out to you as well on the 10 February it went to Hoylake General Stores on 24 - 26 Hoylake Road it is dated the 10 February a copy for the benefit of the tape is there relating to an underage sales training course have you seen that?
- GH No, when is it tomorrow?
- JG The training course is tomorrow but the letter is dated 10 February and it relates to an underage sales training course that we are running at Birkenhead Town Hall it is tomorrow. They went out to a variety of premises across Birkenhead and Oxtan and Prenton and the Bidston area and well basically we haven't had a response from yourself, have you got any comment to make on that?

GH I haven't received it that is why then

JG Right ok

AB We will talk after the interview about that because

GH Ok

AB Cos if people can attend then we then we still have got spaces

GH I will come definitely yeah

AB We will talk about that then when we stop the interview

GH Ok then

JG I have got nothing further to add

AB Just a quick one on there do you have any CCTV in the shop?

GH No it is not working

AB It is not working?

GH No

AB Ok

GH It is getting fixed but it is not working at the moment but we did have it

AB Yeah

GH We have got it, it is just that it is broke the video part of it is broke

AB Right when it does work do you have any cameras outside of the shop?

GH No it is all in the shop

AB Ok

GH There is one as you come into the shop and there is one further down but all the alcohol is behind the till anyway

AB Ok am I right in thinking that the alcohol you have is just on that one shelf next to the tobacco gantry?

GH Yes

AB Ok so you don't have any alcohol fridges or such like?

GH Well the fridge is broke as well

AB Oh right ok so if someone wanted alcohol do they have to ask for it or

GH No they have to ask for it yeah it is all behind

AB In the area where your shop is do you have any problems with kids causing trouble?

GH No cos I know everybody you see it is easy to move them on I believe the other fella further up does he has a lot of troublethe police are always there but with us

AB Cos you are local and you

GH Know everybody you see

AB Do you often get young people asking for alcohol?

GH Yes

AB People under 18 trying it on

GH Yes

AB You doand they are I take it...what happens then?

GH Well to be truthful I know a lot of them and I just tell them to get off if you know what I mean

AB Yes

GH and ciggies they do try for ciggies as well

AB As well

GH No I wouldn't serve them

AB The other problem that occurs as well not at your shop in particular but in general is what we call proxy sales and that is when kids will hassle or ask an adult outsidehey mate go and buy us a can of this, go and buy us a bottle of this do you ever have anything going on in that area...

GH No we don't really, no, no

AB Right yeah ok that covers my part yeah

JG I have just got one other question

GH Ok

JG The Premises Licence Holder is Robert Leyland

GH Yes

JG What role if any does he play, does he work in the store at all?

GH No

JG Does he ever show up or

GH Yes he does turn up every day to make sure everything is alright but he doesn't work in the shop

AB Is he the ultimate boss if you like?

GH Yes

AB He is the owner?

GH Yes

JG As I say he does tend to be at the store

GH Yes he does call every day or we have got his number and if there is any problems we just ring him

JG Ok alright I have no further questions have you got anything further to add at all?

GH No

JG Ok in that case if no one has anything further to add I will be switching off the tapes and the time is 10.32 am.

4

METROPOLITAN BOROUGH OF WIRRAL

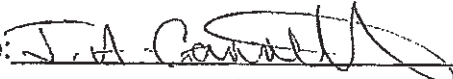
TRADING STANDARDS

RECORD OF PACE TAPE RECORDED INTERVIEW

| | |
|---|---|
| NAME & ADDRESS OF PERSON INTERVIEWED: Robert Leyland 5 Laird Close Birkenhead Wirral | PLACE OF INTERVIEW: Wallasey Town Hall, Wallasey Wirral CH44 8ED |
| D.O.B OF INTERVIEWEE: 29.05.1950 | DATE OF INTERVIEW: 13.03.2009 |
| TIME COMMENCED: 1.09pm | CONCLUDED: 1.24pm |
| TAPE REF. NO: JAG6 | EXHIBIT REF. NO: JAG6 |
| INTERVIEWING OFFICER: James Garrett | OTHER PERSON(S) PRESENT: Andrew Bushell |

DECLARATION: This record consisting of 10 pages is the exhibit JAG6 referred to in my statement made and signed by me.

Officers Name: JAMES GARRETT

Signature: 

JG This is a tape recorded interview I am James Garrett and the other officer is?

AB Andrew Bushell

JG What is your full name?

RL Robert Charles Leyland

JG What is your home address?

RL 5 Laird Close Birkenhead

JG and have you got a postcode?

RL To be honest I can't think of it but I can always get it back to you if you want



JB Ok what is your date of birth?

RL 29.5.50

JG Ok the date is the 13 March 2009 and the time is 1.09pm. This interview is being conducted in an interview room at Wallasey Town Hall at the conclusion of the interview I will give you a notice explaining what will happen to the tapes. You do not have to say anything but it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence. You are not under arrest and you may leave at any time and you may obtain legal advice before answering any of our questions, do you understand?

RL Yes that is fine

JG Ok at 2.20 pm on Wednesday 18 February 2009 as part of a Trading Standards Test Purchase Operation 2 volunteers entered Hoylake Convenience and Off Licence on Hoylake Road in Bidston and a 14 year old was sold a 700ml bottle of WKD Blue. Can you just confirm to me the type of business...are you a sole trader or Limited Company or are you in a partnership at all?

RL No I am not in a partnership with anybody and I am not a Limited Company

AB So you are the sole owner ...it is a business?

RL Yesthere is no one else involved

JG ok

RL I have been there 6 years and we have never had ...not one blot against us

JG Ok Can you just confirm the name of the business please?

RL Hoylake Stores

AB Ok

RL Why it is called Hoylake Stores I don't know because when I go to a cash and carry people see ...and sometimes you see people from Hoylake and they say where is your shop I didn't know there was a shop in Hoylake I says no it is in Bidston but it is Hoylake Road and the lad who had it before me he named it ...daft really like...

JG and can you confirm you are the Premises Licence Holder?

RL Yes

JG Of Hoylake Stores and Convenience...

RL Yes

JG and you are able to speak on behalf of Hoylake Stores

RL Yes

JG How long have you been the Premises Licence Holder?

RL 6 years... well I have had the shop 6 years I think ...did the licence come a year or two later I am not sure

JG I am not too sure myself

RL It was originally licensed when we took it but we let the licence lapse and then we re applied

JG Ok are you the Premises License Holder or Designated Premises Supervisor at any other premise?

RL No

JG Just this one?

RL Yes

JG Do you know how old someone has to be to purchase alcohol?

RL Yes 18

JG Ok how many Personal Licence Holders work at the store

RL Just me and Gaynor...Gaynor Hinchcliffe you had her in didn't you?

JG Yes... last week

RL She is a smashin' girl

AB In addition to you two are there any other members of staff who aren't Personal Licence Holders but work for you?

RL Yes I have got like 4 girls ...the silly part about it of the 3 girls I have got working for me.... Anne Marie who served the kids which is unbelievable she has worked in an off licence for 18 months. I have got 2 other girls who work for me they work in an off licence and 1 works in a club in Laird Street...Our Ladies

AB Mmm

RL So it just shouldn't happen

AB So she is used to serving alcohol

RL Yes I think she told you she had had a row with her boyfriend Anne Marie the girl who served you, you know the way women get they get in a tizzy she had been to Tesco's, her little daughter fell over banged her leg, she wasthey go to bits they have a little problem they come in and her mind wasn't on things she can't believe it her self what she done

AB Yeah

RL Neither can I but it is done and that is it

JG What do you see your role as within the company as being on the licence as the Premises Licence Holder?

RL Well I don't serve behind the counter I just stock the shop in and out stock the shop make sure everything there make sure everything is alright I am in and out umpteen times during the day, wholesalers, stocking the shelves one thing and another to be honest I couldn't stand being on the till...

AB Dealing with the public do you mean?

RL You know I just...it just doesn't suit me I just couldn't do it you know.... the people are smashin' as I say, we know everybody up there like sometimes you will get ...someone will come in of an evenin' and you know the people and you know they don't buy beer off you and they will suddenly ask and you will see kids outside and we will chase them and we will say to people did them kids ask you to come in and buy somethin' here? er, er I say just leave it, don't it is not just us that gets in trouble you get in trouble

AB Correct

RL Cos you are providing the kids...oh I didn't know I am sorry about that it has happened a couple of times you know ...mainly people know that they can't get away with nothin' cos we know everyone

AB Unfortunately that is quite a common thing with the kids asking outside

RL Yeah, yeah well there is a bus stop you see outside and you get kids congregatin' and you get someone as I say someone you know who just comes in for bread or milk and they will suddenly ask you like for a bottle of WKD or the cheap cider

AB Yes

- RL and you know and you say to them are you getting it for them kids...oh no, no I said well you better hadn't because you have got to watch it
- AB Yes
- RL We will watch you as you go outside, see if you give it to the kid and they go oh it is alright it doesn't matter and the next day he will come back in and say I was going to get something for the kids I apologise and I say well we are trying to run a business ...it is getting harder and harder the way the world is goin' to run a shop
- AB Yes
- RL It is getting harder and harder
- AB Yes
- JG Are you there pretty much every day?
- RL Oh yes every day backwards and forwards 7 days a week yes
- JG Do you yourself have a policy in place about training staff at all or do you pass any information on to the DPS Gaynor Hinchcliffe?
- RL Well they know everything cos like I said they have worked in off licenses as I say Anne Marie worked in Bargain Booze in Laird Street for 18 months
- JG Yes
- RL I mean what can you do I mean I can't be there with them 24 hours a day can i?
- JG But as a policy you have not sort of advised Gaynor Hinchcliffe in her role as DPS that everything she should be doing relating to staff training
- RL Yes Gaynor knows apparently did you send something to the shop some weeks ago for these 2 hour classes that you are doing?
- JG Correct
- RL Yeah well we never got it
- JG Right
- RL I mean I am not kidding you we never got it now that could have gone to the flat above cos we are number 24 - 26 Hoylake Road ...flat above is number 24a and number 26a and often you get new postmen on

who's fillin' in when somebody is on holiday or they have changed postmen and it goes to the wrong place but what I am gonna do ...they are all gonna becoming on classes oh aye yes

JG That might be down to what is on your premises licence actually it says 24 – 26a Hoylake Road is that not right?

RL No that is not us

JG That is not you...right?

RL No we are 24 – 26

JG You probably need to get in touch with licensing and get

RL the address changed

JG because that is what it says

RL Yeah

AB That is an easy change they will be able to change that for you

RL Yes

AB So on our system we may have ended up using what is on your licence to write to you so that is perhaps why.

RK Cos if it has gone to 26a it is the flat above

AB Yeah so what we can do as you say we will make sure that we invite you to the next one and you can get your staff on to that.

RL That will be smashin' we will all be here if I have to get a whip to them

AB Ha

RL honest it is ridiculous we shouldn't be here you know ...I mean you lads are doing your job and that is it that is fine

JG Are you familiar with a Think 21 or a Think 25 policy

RL Yes

JG Could you just explain that to us?

RL Well anyone who we are suspicious of ask for id if they look young...to ask for id they have got to look haven't they...what....21 it is going up all the time isn't it cos of all of these things going on

- AB Yes
- RL you have got to have it that they look 21...the girls they all know that they all know that all I am doing now is repeating to you what they all know and yet it happened it is bizarre.
- JG Ok all I want to do now is go through some of the points that Gaynor Marie.Hinchcliffe raised when she was here last week and we interviewed her. We asked whether she as a DPS conducts training herself she replied basically no but if somebody starts we will tell them about the 21 policy, they ask for id and if we don't have id we don't serve them
- RL Yes
- JG Have you got any comments on that or anything that you want to add?
- RL No that is right
- JG We asked her also whether there was any formal training in place her response simply was no, have you got any comments on that?
- RL Well actually yes what more training does a person need than like the girl who served these kids who worked for 18 months in a Bargain Booze in Laird Street
- JG Yes I think the problems were highlighted...that has come out a few times that a lot of the training is done verbally and there aren't any formal training records
- RL Well we have learnt that now
- JG sort of written staff training
- RL Yes
- JG you know regular refreshers
- RL Yeah, yeah
- JG in terms of writing and questions
- RL you see we never thought this problem would arise because these girls are switched on who work for me ...they are good girls
- JG Yes
- RL I mean she was that cut up...Anne Marie she never told me for 5 days that you's had been in

- AB Yes
- RL and then obviously she had to tell me but she came to the house and seen me and said I av got somthin' to tell ya this was on the Monday after the Wednesday when you's were there and I couldn't believe it and I thought she was absolutely broken hearted
- AB Yeah
- RL now your first thing is ...shall I shout at her should I tell her off for being so stupid but when I seen the state of her you know I more or less broke down I felt sorry for her I do in all honesty because she just couldn't believe that she had done it ...unbelievable
- JG We also asked whether there is a refusals book in place?
- RL Yeah
- JG to basically log the staff refusals her response was we did have a book ages ago but I know everybody there and we never really used it
- RL Yeah
- JG We did have a book to be truthful but we never wrote in it and have never bothered since, have you got any comments on that?
- RL Yes well there is a book in place now and everything will be noted down.
- JG Yes
- RL everything will and these girls will be coming to your next class if we have to hand cuff them
- JG Gaynor Hinchliffe confirmed as well that she works 6 hours a week at the store
- RL Yes
- JG Do you think that is long enough potentially in her role as Designated Premises Supervisor
- RL Emm
- JG to have control over the day to day running of the place?
- RL She is in and out all day in the shop herself
- JG Right

- RL Cos they are all friends who work there and she'll swap behind the counter cos they all smoke like I mean I don't smoke but she will pop in and the girl behind the counter do you mind if I go for a smoke and they swap all the time doing it so actually she is there a lot more than what she gets paid for...and the other girls Anne Marie she is smashin' they are in and out all the time and they can't do enough for you they are really good girls.
- AB Am I right in thinking they live local to the shop in that area?
- RL 2 minutes away
- AB Yes
- RL Anne Marie is Mercer Road which is 150 yards, Gaynor is Hoblin Road which would be 300 yards away
- AB So they are always in the area
- RL they are always there and janglin'
- AB Ha, ha
- RL and spying
- JG Gaynor also confirmed that CCTV is fitted but it is not working at the moment
- RL Yeah
- JG You are aware of that?
- RL Yeah it went on the blink some weeks back
- JG Right I have got no further questions then at the moment
- AB I have got none, no
- JG Have you got anything that you want to add or clarify to what you have already said or any further comment?
- RL No I understand everything and as I say this shouldn't have happened and it has happened and we have got to deal with it
- AB Ok I am assuming the staff now have become a lot more pro active in this since the sale?
- RL Ooh yeah to put it mildly
- AB Everyone is getting refused?

- RL Well it is bizarre because these girls who work for me as I say they work in off licenses other jobs
- AB Sorry just to clarify at the same time they have got other jobs in other licensed premises?
- RL Yeah a couple of them have
- AB Yeah
- RL Well there is 3 so you wouldn't expect would you Anne Marie worked in Bargain Booze in Laird Street so you wouldn't expect a girl like that would serve 2 kids that come in at 2.30 in the afternoon it is utter lunacy I can't believe I know it has happened but I can't believe it has happened even now when I go over ... I shouldn't have been here she shouldn't have served the kids how has that happened?
- AB Yes
- RL It is a bizarre lapse on her cos she's argued with her boyfriend and I told her she shouldn't bring that into the shop you know you shouldn't bring that mind set into the shop she was upset over the little girl – the little girl fell over she had to get bandaged up and the accident book in Tesco's so she is fraught over that
- AB Yes
- RL You's just come at the right time for you's but the wrong time for her you know it is just bizarre
- JG Ok if you have got nothing further to add then I will hand you that notice I explained to you about at the start of the interview about the tapes is there anything else you want to add or clarify?
- RL No it is all clear I understand you lads are only doing your jobs
- JG Ok I will terminate the interview at the time is 1.24pm

- for the purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;
- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of racist activity or the promotion of racist attacks;
- for unlawful gaming and gambling; and
- for the sale of smuggled tobacco and alcohol.

11.26 It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered. We would also encourage liaison with the local Crime and Disorder Reduction Partnership.

11.27 It should be noted that it is unlawful to discriminate or to refuse service on grounds of race or by displaying racially discriminatory signs on the premises. Representations made about such activity from responsible authorities or interested parties would be relevant to the promotion of the crime prevention objective and justifiably give rise to a review.

REVIEW OF A PREMISES LICENCE FOLLOWING CLOSURE ORDER

11.28 Licensing authorities are subject to certain timescales, set out in the legislation, for the review of a premises licence following a closure order. The relevant time periods run concurrently and are as follows:

- when the licensing authority receives notice that a magistrates' court has made a closure order it has 28 days to determine the licence review. The determination must be made before the expiry of the 28th day after the day on which the notice is received;
- the hearing must be held within 10 working days, the first of which is the day after the day the notice from the magistrates' court is received;
- notice of the hearing must be given no later than 5 working days before the first hearing day. There must be five clear working days between the giving of the notice and the start of the hearing.

REVIEWS ARISING IN CONNECTION WITH CRIME

- 11.22 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises or money laundering by criminal gangs or the sale of contraband or stolen goods there or the sale of firearms. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts of law. The role of the licensing authority when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure that the crime prevention objective is promoted. Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. Some reviews will arise after the conviction in the criminal courts of certain individuals but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go behind any finding of the courts, which should be treated as a matter of undisputed evidence before them.
- 11.23 Where the licensing authority is conducting a review on the ground that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licensee and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any necessary steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual holder of the premises licence.
- 11.24 As explained above, it is not the role of a licensing authority to determine the guilt or innocence of individuals charged with licensing or other offences committed on licensed premises. There is therefore no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. As stated above, at the conclusion of a review, it will be for the licensing authority to determine on the basis of the application for the review and any relevant representations made, what action needs to be taken for the promotion of the licensing objectives in respect of the licence in question, regardless of any subsequent judgment in the courts about the behaviour of individuals.
- 11.25 There is certain criminal activity that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. These are the use of the licensed premises:
- for the sale and distribution of Class A drugs and the laundering of the proceeds of drugs crime;
 - for the sale and distribution of illegal firearms;
 - for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;

Police - Notification of Representation

Date: 190509

LICENSING

22 MAY 2009

| | |
|--------------------------|---|
| Name | Sgt D Peers |
| Title | Licensing Sergeant |
| Postal address | Licensing Section, Manor Road Police Station, Manor Road, Wallasey CH44 1DA |
| Contact telephone number | 0151 777 2944 |

| | |
|----------|-------------------------------|
| Premises | Hoylake General Stores |
| Address | 24 - 26 Hoylake Road, Bidston |

| Which of the four licensing Objectives does representation relate to? Please state yes or no. | Yes Or No | Please detail the evidence supporting the representation. Or the reason for the representation. Please use separate sheets if necessary |
|---|-----------|--|
| The protection of children from harm | Y | <p>Merseyside Police support the review application dated 11th May 2009 from Trading Standards in respect of the above premises.</p> <p>This premises has not been subject of a test purchase by Merseyside Police. It has been visited on several occasions with the intention of attempting a test purchase however the prevalence of local youths in the vicinity has prevented the test.</p> <p>The sale of alcohol to underaged persons can lead to serious health problems and can also make young persons more likely to become a victim of crime. It is known that the consumption of alcohol by young persons can lead to increased anti social behaviour and this Area of Birkenhead does suffer with anti social behaviour.</p> <p>It is clear from the review application that the due diligence demonstrated is woeful and that this is despite the fact that there is regular correspondence communicated to all licensed premises regarding sales to under aged persons and the need for proper due diligence.</p> |
| Public safety | | |
| The prevention of crime and disorder | | |
| The prevention of public nuisance | | |

| | | |
|--|--|--|
| | | |
|--|--|--|

| | |
|---|---|
| <p>Suggested condition(s) that could be added to the licence to remedy the representation.</p> <p>OTHER</p> | <p>Merseyside Police support all conditions suggested by Trading Standards.</p> |
|---|---|

OPeg Sgt 6007

Licensing Act 2003 Premises Licence

Hoylake General Store

24-26 Hoylake Road, Bidston, Wirral, CH41 7BX
Tel: 0151 670 9026

Licensable Activities Authorised by this Licence and the hours permitted are as follows:

| | |
|-----------|-----------------------------|
| | • Sale by Retail of Alcohol |
| Monday | 08:00 to 23:00 |
| Tuesday | 08:00 to 23:00 |
| Wednesday | 08:00 to 23:00 |
| Thursday | 08:00 to 23:00 |
| Friday | 08:00 to 23:00 |
| Saturday | 08:00 to 23:00 |
| Sunday | 10:00 to 22:30 |

The Licence authorises supplies of alcohol for consumption off the premises.

Opening hours of Premises:

| |
|--|
| |
|--|

Non-Standard Timings:

| |
|--|
| Good Friday 08:00 to 22:30 Christmas Day 12:00 to 15:00 19:00 to 22:30 |
|--|

Wirral Licensing Authority, Wirral Metropolitan Borough Council, hereby grant this Premises Licence to:

| |
|---|
| Mr Robert Leyland Hoylake General Store 24-26 Hoylake Road Bidston CH41 7BX |
|---|

| |
|---------------------------------|
| Telephone Number: 0151 670 9026 |
|---------------------------------|

Details of Designated Premises Supervisor:

| |
|---|
| Miss Gaynor Marie Hinchliffe 43 Hoblyn Road Bidston Wirral CH43 7ST |
|---|

| |
|---------------------------------------|
| Personal Licence number: LN/205000912 |
|---------------------------------------|



Alan Stennard
Director of Regeneration
(Authorised Officer)

| | |
|---|--|
| <p>Mandatory conditions where licence authorises supply of alcohol</p> | <p>(1) Where a premises licence authorises the supply of alcohol, the licence must include the following conditions.</p> <p>(1) The first condition is that no supply of alcohol may be made under the premises licence-</p> <ul style="list-style-type: none">a) at a time when there is no designated premises supervisor in respect of the premises licence, orb) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended. <p>(2) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.</p> |
|---|--|

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE

LICENSING ACT 2003 SUB-COMMITTEE – 3 JULY 2009

REPORT OF THE DIRECTOR OF REGENERATION

NAME OF PREMISES: J & P OFF LICENCE, 119 KING STREET, WALLASEY

NAME OF APPLICANT: TRADING STANDARDS

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to consider an application for the review of a Premises Licence under the provisions of the Licensing Act 2003.

2.0 RELEVANT BACKGROUND

2.1 J & P Off Licence currently have a Premises Licence to allow the following Licensable Activity:

Supply of Alcohol

| | |
|--------------------|----------------|
| Monday to Saturday | 08:00 to 23:00 |
| Sunday | 10:00 to 22:30 |

2.2 A copy of the Premises Licence setting out the above hours and conditions attached to the Licence is available.

2.3 The Licensing Act 2003 Sub-Committee may, having regard to the application for review and any relevant representations, take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- Modify the Conditions of the Licence.
- Exclude a licensable activity from the scope of the Licence.
- Remove the Designated Premises Supervisor.
- Suspend the Licence for a period not exceeding three months.
- Revoke the Licence.

The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives.

3.0 APPLICATION

3.1 An application has been received from Trading Standards to review the Premises Licence for the premises known as J & P Off Licence. The Trading Standards Manager has advised that the grounds for review are in relation to the protection of children from harm following an underage sale taking place at the premises.

3.2 Further information to support the above grounds for review is included within the application which is available.

4.0 RELEVANT REPRESENTATIONS

4.1 Merseyside Police have made a representation in support of the application by Trading Standards which relates to the protection of children from harm. A copy of the representation is available.

4.3 There have been no representations received from interested parties or from the following Responsible Authorities:

Wirral Area Child Protection Committee
Environmental Health
Fire Authority
Planning Authority

5.0 FINANCIAL AND STAFFING IMPLICATIONS

5.1 There are no financial implications and my existing Licensing staff will deal with this application.

6.0 EQUAL OPPORTUNITIES IMPLICATIONS

6.1 There are none arising from this report.

7.0 LOCAL AGENDA 21 IMPLICATIONS

7.1 There are none arising directly from this report.

8.0 LOCAL MEMBER SUPPORT IMPLICATIONS

8.1 The premises are located in the Liscard Ward.

9.0 HUMAN RIGHTS IMPLICATIONS

9.1 Article 6 and Article 1 of the First Protocol which is concerned with the protection of property is most likely to have a particular impact.

10.0 COMMUNITY SAFETY IMPLICATIONS

10.1 Effective control of Licensing Legislation can assist in raising standards and improve the perception of community safety.

11.0 PLANNING IMPLICATIONS

11.1 There are no planning implications arising from this report.

12.0 BACKGROUND PAPERS

12.1 Application form applying to review a Premises Licence.

12.2 Representation received from Merseyside Police.

13.0 **RECOMMENDATIONS**

- 13.1 The Licensing Act 2003 Sub-Committee are asked to consider the application for the review of a Premises Licence in respect of the above premises.

Alan Stennard
Director of Regeneration

This report was prepared by Richard Leyland who can be contacted on 691 8478.

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Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

LICENSING

11 MAY 2009

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 John Malone

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 J & P Off Licence, 119 King Street, Wallasey, Wirral, CH44 0BZ | |
| Post town Wallasey | Post code (if known) CH44 0BZ |

| |
|--|
| Name of premises licence holder or club holding club premises certificate (if known) Mr James Arthur Bennett |
|--|

| |
|---|
| Number of premises licence or club premises certificate (if known) LN/206000599 |
|---|

1) a responsible authority (please complete (C) below)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

| |
|---|
| Wirral Trading Standards Wallasey Town Hall Brighton Street Wallasey CH44 8ED |
| Telephone number (if any) 0151 691 8640 |
| E-mail address (optional) Johnmalone@wirral.gov.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

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

Licence representations made by Trading Standards follow a protocol agreed between the local authority and Merseyside Police and considered by Wirral's Environment Overview and Scrutiny Committee on the 28th January 2009. A copy of the protocol is attached at 1.

There has been one sale of alcohol from the premises to a 14 year old volunteer.

On 15th April 2009 a sale of a 700ml bottle of WKD Iron Brew was made to an underage volunteer acting on the instructions of Trading Standards. The volunteer had to specifically ask for the alcohol, which is stored behind the till. The volunteer was not asked for any identification nor asked their age. The seller, Mr Bennett, was interviewed following the sale and it transpired that he is the Designated Premises Supervisor and is the Premises Licence Holder.

The store does not operate a refusals log nor is there any training in place. Mr Bennett has failed to produce any due diligence as a means of proving his statutory defence. There do not appear to be any posters relating to a Think 21 or 25 policy.

The 14 year old volunteer was used for test purchasing alcohol for three days during the Easter school holidays. A total of nineteen premises were tested across the Wirral and only one sale, at J&P Off Licence, was made to the volunteer. On the day of the sale two other premises were tested and they both asked the volunteer for identification and subsequently refused to serve alcohol. A copy of the interview with Mr Bennett is attached at 2.

Mr Bennett has been reported for prosecution for a breach of section 146 of the Licensing Act 2003.

SEEKING A LICENCE REVIEW WHILST OFFENCES ARE BEING INVESTIGATED

The following advice is available at page 85 of the guidance issued by the DCMS under section 182 of the Licensing Act 2003 (attached at 3)

11.24 As explained above, it is not the role of a licensing authority to determine the guilt or innocence of individuals charged with licensing or other offences committed on licensed premises. There is therefore no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. As stated above, at the conclusion of a review, it will be for the licensing authority to determine on the basis of the application for the review and any relevant representations made, what action needs to be taken for the promotion of the licensing objectives in respect of the licence in question, regardless of any subsequent judgment in the courts about the behaviour of individuals

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

LICENSING OBJECTIVE - THE PROTECTION OF CHILDREN FROM HARM

The purpose of prohibiting the sale of alcohol to under 18s is to protect young people from harm and to protect the wider community from anti-social behaviour.

The DCMS guidance (attached at 4) states;

11.25 There is **certain criminal activity** that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. These are the use of the licensed premises:

for the purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people

Harm to young people

In 2007 Trading Standards Northwest, an umbrella organisation for Trading Standards authorities, commissioned research into the alcohol purchasing and drinking habits of 15 and 16 year olds. In total 11,724 questionnaires were returned and the following results were noted;

29% who drank alcohol admitted to having been violent whilst drunk - this figure rose to 32% amongst young males.

15% claimed to have been in a car with a young person who had been drinking.

12% stated that they had regretted having sex after drinking alcohol

EXERCISE OF DUE DILIGENCE WITHIN THE PREMISES

The store does not operate a refusals log nor is there any training in place for any other members of staff. Mr Bennett has failed to produce any due diligence as a means of proving his statutory defence. There do not appear to be any posters relating to a Think 25 policy.

A suspension of the licence for a short period of time may be a justified action until such time as staff undergo sufficient training.

PROPOSED LICENCE CONDITIONS

In view of these gaps in good practice Trading Standards ask that the following conditions be attached to the licence;

- 1 The Premises adopt a Think 25 policy and display of the appropriate posters.
- 2 The Premises only accept a passport, a photo driving licence or PASS

accredited identification in support of age checks.

- 3 The Premises maintain a refusal log to be made available on request to authorised officers under the Licensing Act 2003.
- 4 Staff must attend training on underage sales provided by Trading Standards.
- 5 All staff working at the premises must receive regular updated training in respect of preventing the sale of alcohol to persons under 18 years of age and training records kept and maintained.
- 6 Records of training must be to be made available on request to authorised officers under the Licensing Act 2003.
- 7 That the Designated Premises Supervisor successfully complete BIIAB Level 2 National Certificate for Designated Premises Supervisors

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

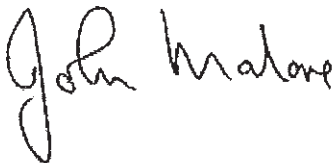
If you have made representations before relating to this premises please state what they were and when you made them

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 17th May 2009

Capacity Trading Standards Manager

| | |
|---|------------------|
| 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.

Licence review application

J & P Off Licence, 119 King Street, Wallasey, Wirral, CH44 0BZ

CONTENTS

Licence review application

Attachments

- 1 Licence review protocol
- 2 Copy of PACE interview with James Arthur Bennett
- 3 Paragraph 11.24 of DCMS guidance
- 4 Paragraph 11.25 of DCMS guidance

SCHEDULE 1

REGULATION OF THE SALE OF ALCOHOL TO PERSONS UNDER 18

INTRODUCTION

The Department of Culture, Media and Sports have issued guidance concerning the application of licensing procedures. In relation to the licensing objective for the protection of children from harm this guidance states:

There is certain criminal activity that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. These are the use of the licensed premises: for the purchase and consumption of alcohol by minors, which impacts on the health, educational attainment, employment prospects and propensity for crime of young people.

(Paragraph 11.25 Guidance issued under section 182 of the Licensing Act 2003 by The Department of Culture, Media and Sports)

In view of the importance of this stated public policy objective the following indicates the framework for the regulation of the sale of alcohol to minors.

CRIMINAL PROCEEDINGS - AN OFFENCE UNDER SECTION 146 OF THE LICENSING ACT 2003

Decisions to prosecute for offences of selling alcohol to under 18s will be taken in accordance with Wirral's enforcement policy. (Currently under review). A decision to issue a penalty notice for disorder will be taken on a case by case basis.

All our decisions will have regard to current statutory guidance and codes of practice, particularly the Regulators' Compliance Code, the Code for Crown Prosecutors and the Human Rights Act.

Test purchasing activity will follow guidance issued by LACORS.

(A practical guide for those organisations involved in the conduct of test purchasing operations involving young people and the sale of age-restricted products Date of issue: April 2006)

APPLICATION FOR A REVIEW OF A PREMISES LICENCE - ESCALATION PROCESS

The purpose of the Licence review escalation process is to provide an internal framework to ensure that licence reviews are sought in a proportionate and consistent manner.

The function of the licensing authority is not only remedial but where, crime is involved, wider considerations come into play, including the prevention of crime, and, if not punishment, at least deterrence.

(R (Bassetlaw District Council) v Worksop Magistrates' Court; [2008] WLR (D) 350



All licence review applications will have regard to the guidance issued under section 182 of the Licensing Act 2003 by The Department of Culture, Media and Sports.

| Licence review escalation process | | |
|---|--|---|
| Sale of alcohol to a minor | Application of diligence in the premises | Use of premises licence review procedure |
| 1 st sale | Good diligence in place | Warning/advisory letter to the premises licence holder outlining licence review process |
| 1 st sale | Poor application of diligence or no diligence in place | Review of the premises licence to consider the addition of conditions to ensure good practice |
| 2 nd sale in a 12 month period | Good diligence in place | Review of the premises licence to consider the addition of conditions to ensure good practice |
| 2 nd sale in a 12 month period | Poor application of diligence or no diligence in place | Review of the premises licence to consider suspension or revocation for breach of conditions |

2

UNDERAGE INTOXICATING LIQUOR SALES

Premises Visited: J & P

Name: _____

Address: 119 KING STREET, WALLASEY
WALLASEY.

Post Code: CH44 0BZ

Date of Visit: 15/04/09 Time: 12:15

Item(s) Purchased: 1 x 700ml WKD

Price: £ 3.10

I am (name): ANDREW BUSHELL from ^{TRADING STANDARDS,} Merseyside Police. You have

just sold this 14 year old child (show photograph Ref

~~No:~~) intoxicating Liquor (enter details) 1 x 700ml WKD.

Date and Place of Birth: _____

It is an offence to sell intoxicating liquor to someone under 18 years of age. I therefore need to speak to you about this matter.

Age Check material displayed? Yes / No

Q Are you the licensee of this shop?

Response Yes Go to YELLOW sheets (licensee made sale)
Yes Go to GREEN sheets (employee made sale but licensee interview)
No Go to PINK sheets (employee made sale)

This is PACE interview with seller
Ref. No. _____
Exhibit No. AB/TS965/002
Referred to in my statement
Signed A. Bell Dated 22/04/2009

LICENSEE OF PREMISES/LICENSEE MADE SALE

OWNER DETAILS

Full Name: JAMES BENNETT

Home Address: 1 CANTERBURY ROAD

WALLASEY

Post Code: CH44 9BN

Telephone Number: 0151 630 6185 (HOME) 0151 630 4021 (WORK)

Date and Place of Birth: 03/11/56 WALLASEY

Ownership Details: Sole Trader/Partnership/Ltd Company

Name(s): JIMMY'S OFF LICENCES

Home Address/ Registered Office: _____

At this point, I must caution you and tell you that you do not have to say anything, but it may harm your defence if you do not mention when questioned something which you later rely on in Court. Anything you do say may be given in evidence. You are not under arrest, and are free to leave at any time, you may obtain legal advice before answering any questions. Do you understand that?

Response YES

Q If, at any time during the interview you wish to take legal advice, please tell me and the interview will be stopped. Do you understand?

Response YES

Time Of caution: 12:35 pm

Persons present: JAMES GARRETT

Q What is your position in the business?

Declaration:

I have read the above information and agree that it is a fair and balanced account of what was said.

Signed: J. Bennett Time: 12:39 Date: 15/04/09

Witnessed:

Name: A. Bell Time: 12:39 Date: 15/04/09

Name: J. A. Connolly Time: 12:39 Date: 15/04/09

REVIEWS ARISING IN CONNECTION WITH CRIME

- 11.22 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises or money laundering by criminal gangs or the sale of contraband or stolen goods there or the sale of firearms. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts of law. The role of the licensing authority when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure that the crime prevention objective is promoted. Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. Some reviews will arise after the conviction in the criminal courts of certain individuals but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go behind any finding of the courts, which should be treated as a matter of undisputed evidence before them.
- 11.23 Where the licensing authority is conducting a review on the ground that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licensee and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any necessary steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual holder of the premises licence.
- 11.24 As explained above, it is not the role of a licensing authority to determine the guilt or innocence of individuals charged with licensing or other offences committed on licensed premises. There is therefore no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. As stated above, at the conclusion of a review, it will be for the licensing authority to determine on the basis of the application for the review and any relevant representations made, what action needs to be taken for the promotion of the licensing objectives in respect of the licence in question, regardless of any subsequent judgment in the courts about the behaviour of individuals.
- 11.25 There is certain criminal activity that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. These are the use of the licensed premises:
- for the sale and distribution of Class A drugs and the laundering of the proceeds of drugs crime;
 - for the sale and distribution of illegal firearms;
 - for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;

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4

- for the purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;
- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of racist activity or the promotion of racist attacks;
- for unlawful gaming and gambling; and
- for the sale of smuggled tobacco and alcohol.

11.26 It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered. We would also encourage liaison with the local Crime and Disorder Reduction Partnership.

11.27 It should be noted that it is unlawful to discriminate or to refuse service on grounds of race or by displaying racially discriminatory signs on the premises. Representations made about such activity from responsible authorities or interested parties would be relevant to the promotion of the crime prevention objective and justifiably give rise to a review.

REVIEW OF A PREMISES LICENCE FOLLOWING CLOSURE ORDER

11.28 Licensing authorities are subject to certain timescales, set out in the legislation, for the review of a premises licence following a closure order. The relevant time periods run concurrently and are as follows:

- when the licensing authority receives notice that a magistrates' court has made a closure order it has 28 days to determine the licence review. The determination must be made before the expiry of the 28th day after the day on which the notice is received;
- the hearing must be held within 10 working days, the first of which is the day after the day the notice from the magistrates' court is received;
- notice of the hearing must be given no later than 5 working days before the first hearing day. There must be five clear working days between the giving of the notice and the start of the hearing.

01517772939
Police - Notification of Representation

Date: 180509

| | |
|--------------------------|--|
| Name | Sgt D Peers |
| Title | Licensing Sergeant |
| Postal address | Licensing Section, Manor Road Police Station, Manor Road, Wallasey CH44 1DA |
| Contact telephone number | 0151 777 2944 |

| | |
|----------|-----------------------------------|
| Premises | J & P off licence |
| Address | 119 King Street, Wallasey CH44OBZ |

| Which of the four licensing Objectives does representation relate to? Please state yes or no. | Yes Or No | Please detail the evidence supporting the representation. Or the reason for the representation. Please use separate sheets if necessary |
|---|-----------|---|
| The protection of children from harm | Y | <p>Merseyside Police support the review application dated 11th May 2009 from Trading Standards in respect of the above premises.</p> <p>This area has been test purchasing at off licences across Wirral for several years and this off licence has refused sales in the past. Trading standards and the Police continue to offer advice and guidance to all licensed premises in respect of their responsibilities and particularly in relation to due diligence. The standards of due diligence produced across the Area differs greatly among premises but clearly the due diligence offered on this occasion is nil and it is particularly alarming that the seller also proved to be the DPS.</p> <p>The sale of alcohol to underaged persons can lead to serious health problems and can also make young persons more likely to become a victim of crime. It is known that the consumption of alcohol by young persons can lead to increased anti social behaviour and this Area of Wallasey does suffer with anti social behaviour.</p> |
| Public safety | | |
| The prevention of crime and disorder | | |
| The prevention of public nuisance | | |

01517772939

| | |
|---|---|
| <p>Suggested condition(s) that could be added to the licence to remedy the representation.</p> <p>OTHER</p> | <p>Merseyside Police support all conditions suggested by Trading Standards.</p> |
|---|---|

DPG SF600

Licensing Act 2003 Premises Licence

J & P Off Licence

119 King Street, Egremont, Wirral, CH44 0BZ

Licensable Activities Authorised by this Licence and the hours permitted are as follows:

| | • Sale by Retail of Alcohol |
|-----------|-----------------------------|
| Monday | 08:00 to 23:00 |
| Tuesday | 08:00 to 23:00 |
| Wednesday | 08:00 to 23:00 |
| Thursday | 08:00 to 23:00 |
| Friday | 08:00 to 23:00 |
| Saturday | 08:00 to 23:00 |
| Sunday | 10:00 to 22:30 |

The Licence authorises supplies of alcohol for consumption off the premises.

Opening hours of Premises:

| |
|--|
| |
|--|

Non-Standard Timings:

| |
|---|
| Christmas Day 12:00 to 15:00 and 19:00 to 22:30 Good Friday 08:00 to 22:30 |
|---|

Wirral Licensing Authority, Wirral Metropolitan Borough Council, hereby grants this Premises Licence to:

| | |
|--|---------------------------------|
| James Arthur Bennett 1 Canterbury Road Wallasey Wirral CH44 9BN | Telephone Number: 0151 630 6185 |
|--|---------------------------------|

Details of Designated Premises Supervisor:

| | |
|--|--|
| James Arthur Bennett 1 Canterbury Road Wallasey Wirral CH44 9BN | Telephone Number: 0151 630 6185 Personal Licence number: LN/205000779 |
|--|--|



Alan Stennard
Director of Regeneration
(Authorised Officer)

| | |
|---|--|
| <p>Mandatory conditions where licence authorises supply of alcohol</p> | <p>(1) Where a premises licence authorises the supply of alcohol, the licence must include the following conditions.</p> <p>(1) The first condition is that no supply of alcohol may be made under the premises licence-</p> <ul style="list-style-type: none">a) at a time when there is no designated premises supervisor in respect of the premises licence, orb) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended. <p>(2) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.</p> |
|---|--|

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE
LICENSING ACT 2003 SUB-COMMITTEE – 3 JULY 2009

REPORT OF THE DIRECTOR OF REGENERATION

NAME OF PREMISES: FARMERS ARMS, 43 NEW CHESTER ROAD, NEW FERRY
NAME OF APPLICANT: MERSEYSIDE POLICE

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to consider an application for the review of a Premises Licence under the provisions of the Licensing Act 2003.

2.0 RELEVANT BACKGROUND

2.1 The Farmers Arms currently has a Premises Licence to allow the following Licensable Activities:

Supply of Alcohol

| | |
|--------------------|----------------|
| Monday to Saturday | 11:00 to 00:00 |
| Sunday | 12:00 to 23:30 |

Hours Open to the Public

| | |
|--------------------|----------------|
| Monday to Saturday | 11:00 to 00:30 |
| Sunday | 12:00 to 00:00 |

Regulated Entertainment (Live Music and Recorded Music)

| | |
|--------------------|----------------|
| Monday to Saturday | 11:00 to 00:00 |
| Sunday | 12:00 to 23:30 |

Entertainment Facilities (Entertainment Facilities of a Similar Description)

| | |
|--------------------|----------------|
| Monday to Saturday | 11:00 to 00:00 |
| Sunday | 12:00 to 23:30 |

2.2 A copy of the Premises Licence setting out the above hours and conditions attached to the licence is available.

2.3 The Licensing Act 2003 Sub-Committee may, having regard to the application for review and any relevant representations, take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- Modify the Conditions of the Licence.
- Exclude a licensable activity from the scope of the Licence.
- Remove the Designated Premises Supervisor.
- Suspend the Licence for a period not exceeding three months.
- Revoke the Licence.

The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives.

3.0 **APPLICATION**

3.1 An application has been received from Merseyside Police to review the Premises Licence for the premises known as the Farmers Arms, 43 New Chester Road, New Ferry. Merseyside Police have advised that the grounds for review are in relation to the prevention of crime and disorder and public nuisance following a number of incidents of disorder occurring at the premises over the past 12 months.

3.2 Further information to support the above grounds for review is included within the application which is available.

4.0 **RELEVANT REPRESENTATIONS**

4.1 There have been no representations received from Interested Parties or from the following Responsible Authorities:

Wirral Area Child Protection Committee
Trading Standards
Environmental Health
Planning Authority
Fire Authority

5.0 **FINANCIAL AND STAFFING IMPLICATIONS**

5.1 There are no financial implications and my existing Licensing staff will deal with this application.

6.0 **EQUAL OPPORTUNITIES IMPLICATIONS**

6.1 There are none arising from this report.

7.0 **LOCAL AGENDA 21 IMPLICATIONS**

7.1 There are none arising directly from this report.

8.0 **LOCAL MEMBER SUPPORT IMPLICATIONS**

8.1 The premises are located in the Bromborough Ward.

9.0 HUMAN RIGHTS IMPLICATIONS

9.1 Article 6 and Article 1 of the First Protocol which is concerned with the protection of property is most likely to have a particular impact.

10.0 COMMUNITY SAFETY IMPLICATIONS

10.1 Effective control of Licensing Legislation can assist in raising standards and improve the perception of community safety.

11.0 PLANNING IMPLICATIONS

11.1 There are no planning implications arising from this report.

12.0 BACKGROUND PAPERS

12.1 Application form applying to review a Premises Licence.

12.2 Operating Schedule relating to the Premises Licence for the Farmers Arms.

13.0 RECOMMENDATIONS

13.1 The Licensing Act 2003 Sub-Committee are asked to consider the application for the review of a Premises Licence in respect of the above premises.

Alan Stennard
Director of Regeneration

This report was prepared by Richard Leyland who can be contacted on 691 8478.

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01517772939

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

LICENSING

7 MAY 2009

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 David Peers

(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 Farmer Arms 43 New Chester Road | |
| Post town New Ferry | Post code (if known) CH62 1AA |

| |
|---|
| Name of premises licence holder or club holding club premises certificate (if known) Admiral Taverns |
|---|

| |
|--|
| Number of premises licence or club premises certificate (if known) LN/206001121 |
|--|

Part 2 - Applicant details

I am

- 1) an interested party (please complete (A) or (B) below) Please tick yes
- 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)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

| |
|--|
| Name and address David Peers, Sergeant 6555 Wallasey Police Station Manor Road Wallasey CH441DA |
| Telephone number (if any) 0151 7772944 |
| E-mail address (optional) 6555@merseyside.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 checked="" type="checkbox"/> |
| <input type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input type="checkbox"/> |

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

There have been nineteen reported incidents, mainly disorder in the last twelve months.

There have been two police reports of after hours sales.

There have been three breach notices issued for after hours sales with one including none payment of pubwatch fees.

Many of these incidents involve violence and drunkenness. It is believed that this is undermining the licensing objective of crime and disorder and the prevention of public nuisance.

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

There are a number of incidents reported at The Farmers Arms as follows:

DPS from 28/5/08 Erica Frazer

- 12th July 2008 04.10 hours large group leaving drunk. As per police report by Sergeant Bioletti.
- 14th July 2008 00.45 hours loud noise 25+ plus people drinking when police entered a disturbance three people arrested. As per police report by Sergeant Bioletti.
- 22nd July 2008 breach notice issued for failing to clear premises.
- 26th July 2008 midnight loud music.
- 22nd July 2008 breach notice issued regarding 14/7/08.

DPS from 7/8/09 Wayne Challinor

- 23rd August 2008 00.36 hours male assaulted.
- 12th September 2008 ex DPS being threatened.
- 23rd September 2008 breach notice issued for after hours 19/9/08 witnessed by licencing officers Cons Cottrell, Barrell and failure to pay pubwatch fees.
- 13th October 2008 19.45 hours ten under 18 year olds drinking and smoking cannabis.
- 14th October 2008 22.00 hours 5+ fifteen year olds drinking.
- 15th November 2008 21.49 hours male assaulted hit with a glass.
- 18th December 2008 midnight fight in progress and 1 male suspected of having a handgun. this later was identified as a pool cue and a male had been assaulted
- 25th December 2008 02.20 hours male assaulted
- 10th January 2009 00.52 hours disturbance involving 7 people possibly ejected from premises.
- 29th January 2009 23.19 hours male assaulted in doorway of premises.
- 21st February 2009 00.24 hours 6 males fighting inside and outside premises.
- 13th March 2009 20.01 hours report of drug taking.
- 27th March 2009 23.33 hours 10 people fighting.
- 28th April 2009 16.00 hours male yielding garden rake.
- 1st May 2009 23.10 hours report of fight 1 male arrested.
- 2nd May 2009 00.18 hours disturbance involving 6+ people.
- 3rd May 2009 22.22 hours male and female fighting.

Taking the overall history of these premises into account there can be no doubt that the frequency of incidents at these premises has increased and it compares poorly with other similar establishments nearby.

Some of these incidents have been of a serious nature and the incident involving a suspected handgun was a drain on police resources.

Most of the above incidents are occurring late in the evening and after the premises licensing hours.

Merseyside Police are particularly concerned about incidents of violence and disorder. The police have a duty and responsibility to try and reduce the risks of persons receiving such injuries.

Clearly the above incidents severely undermine the crime and disorder licensing objective. Attempts have been made to discuss the issues with the DPS but to no avail. It is therefore necessary to call the premises into review to reduce or eliminate these incidents occurring.

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

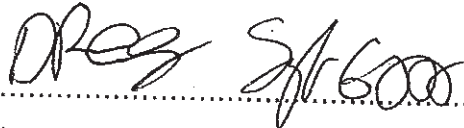
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

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 6th May 2009

Capacity Licensing Sergeant

| | |
|---|-----------|
| 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.

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FARMERS ARMS

Mar 30 10:50 2009

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| INCIDENT HISTORY RECORDS |
+-----+

Incident#: MP0903271622 Entry: 27-Mar-2009/23:33:23

Type: 122 - Violence Against The Person
Grade: 2 Src: 9 Resp Code: 1RNF Level: 1

Location: FARMERS ARMS @ 43 NEW CHESTER RD , WIRRAL ^CH62 1AA
Loc Info: Dispatch Group: A3CI Beat: A721

Caller: [REDACTED]
Address: [REDACTED]
Phone 1: [REDACTED] 2: 3:
Etnicity:

CallerStatus: W Witness

REMARKS

| Date/Time | Remarks |
|-------------------------|--|
| 27-Mar-2009 23:33:23 | INFT REPORT BIG FIGHT AT ABOVE LOCATION |
| 23:33:48 | THERE ARE APPROX 10+ PEOPLE INVOLVED ...MALES AND FEMALES INFT SAYS HE CAN STILL SEE THEM NOW ...NO NAMES KNOWN |
| 23:34:43 | NO WEAPONS SEEN OR MENTIONED NO AMBO NEEDED STILL FIGHTING |
| 23:34:56 | SAYS IT STARTED INSIDE PH BUT THEY ARE NOW O/S |
| 23:42:49 | CCTV MONITORING NO PERSON OUTSIDE THE PREM *****INCIDENT RESULT***** ABSOLUTELY NOTHING GOING ON AT ALL. |

INCIDENT SUMMARY

| Status | Status Date | By | At |
|--------|----------------------|-------|--------|
| WAI | 27-Mar-2009/23:33:23 | 32758 | LSCR11 |

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farmers

Feb 23 08:33 2009

+-----+
| INCIDENT HISTORY RECORDS |
+-----+

Incident#: MP0902210033 Entry: 21-Feb-2009/00:24:15

Type: 122 - Violence Against The Person
Grade: 1 Src: 9 Resp Code: 1RNF Level: 1

Location: FARMERS ARMS @ 43 NEW CHESTER RD , WIRRAL ^CH62 1AA

Loc Info: Dispatch Group: A3CI Beat: A721

Caller: [REDACTED]
Address: [REDACTED]
Phone 1: [REDACTED] 2: 3:
Ethnicity:

CallerStatus: W Witness

REMARKS

| Date/Time | Remarks |
|-------------------------|--|
| 21-Feb-2009 00:24:15 | 6 MALES FIGHTING INSIDE & OUTSIDE THE PREMS NO WEAPONS INVOLVED |
| 00:24:56 | ALL IC1 MALES APPROX 18 - 25 YOA NO INJURIES AT PRESENT FIGHT HAS MOVED OUTSIDE THE PUB |
| 00:26:00 | LOI MARKER DOESNT APPEAR RELEVANT |
| 00:30:19 | am87 set off speed camera on the A41 |
| 00:31:50 | |
| 00:32:42 | NOTHING APPARENT ON SCENE FROM PATROL |
| 00:32:45 | AM87 REQUEST FOR PATROL TO STILL MAKE BUT SLOW DOWN cctv didnt capture anything outside, they will recheck the tape. |
| 00:33:36 | |

THERE IS A GROUP OF PEOPLE ABOUT HOWEVER NO ONE MAKING THEM SELFS KNOWN TO PATROL AND NO I/PS

PATROL SPEKEING WITH THE LISENCE HE STATES THAT THERE WAS A SCUFFLE HOWEVER THEY HAVE ALL MADE OFF AND IS ALL QUITE

00:33:50

LICENSE REQUESTING PATROL TO ENTER THE PREMS TO CHECK THE PREMS OUT

00:34:15

AM87 STILL REQUESTING PATROL TO MAKE TO ASSIST WITH CHECKING THE PUB OUT INSIDE

00:36:17

AM87 JUST CLEARING THE PUB OUT

00:36:20

CCTV MONITORING

00:39:43

THE PUB HAS NOW BEEN CLEARED OFF ALL OCCUPANTS AND FUTHER PATROL CANELLED FROM MAKING

00:49:42

*****INCIDENT RESULT*****

ALL PARTIES HAD LEFT ON ARRIVAL OF PATROL. PATROL HAS SPOKEN TO THE LICENCEE AND CLEARED THE REST OF THE PUB OUT.

INCIDENT SUMMARY

| Status | Status Date | By | At |
|--------|----------------------|-------|--------|
| WAI | 21-Feb-2009/00:24:15 | 35768 | LNCC15 |
| DSP | 21-Feb-2009/00:26:56 | 34942 | ACR9 |
| ENR | 21-Feb-2009/00:26:56 | 34942 | ACR9 |
| ONS | 21-Feb-2009/00:31:23 | 34942 | ACR9 |
| CLR | 21-Feb-2009/00:47:58 | 25497 | ACR3 |
| CLS | 21-Feb-2009/00:50:20 | 23132 | ACRSGT |

RESOURCE SUMMARY

| Unit | Date/Time | Status |
|------|----------------------|--------|
| AS37 | 21-Feb-2009/00:26:56 | DSP |
| AS37 | 21-Feb-2009/00:26:56 | ENR |
| AS37 | 21-Feb-2009/00:39:48 | AV |
| AM87 | 21-Feb-2009/00:27:07 | DSP |
| AM87 | 21-Feb-2009/00:27:07 | ENR |
| AM87 | 21-Feb-2009/00:31:23 | ONS |
| AM87 | 21-Feb-2009/00:31:24 | ONS |
| AM87 | 21-Feb-2009/00:47:58 | AV |
| AM38 | 21-Feb-2009/00:27:37 | DSP |
| AM38 | 21-Feb-2009/00:27:37 | ENR |
| AM38 | 21-Feb-2009/00:39:50 | AV |

INCIDENT CHRONOLOGY

| Date/Time | Action | Description | [Wks/Pers] |
|-------------|--------|-------------|----------------|
| 21-Feb-2009 | | | |
| 00:24:15 | ENTRY | | [LNCC15/35768] |
| 00:24:56 | SUPP | | [LNCC15/35768] |

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Jan 30 00:09 2009

Page 1

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| INCIDENT HISTORY RECORDS |
+-----+

Incident#: MP0901291559 Entry: 29-Jan-2009/23:19:44

Type: 122 - Violence Against The Person
Grade: 1 Src: 9 Resp Code: 1RNF Level: 1

Location: FARMERS ARMS @ 43 NEW CHESTER RD , WIRRAL ^CH62 1AA

Loc Info: Dispatch Group: A3CI Beat: A721

Caller: [REDACTED]
Address: [REDACTED]
Phone 1: [REDACTED] 2: 3:
Ethnicity:

CallerStatus: V Victim

REMARKS

| Date/Time | Remarks |
|-------------------------|--|
| 29-Jan-2009 23:19:44 | INFT STTAEs THAT THERE IS A FELLA BEING BEATEN UP BY 2 MALES INFT IS ON THE BUS PASSING |
| 23:20:15 | THIS WAS HAPPENNING IN THE DOORWAY OF THE PUB - THEN THE MALES DRAGGED HIM TO THE ROAD SIDE |
| 23:20:55 | THE OFFENDER WAS WEARING A GREEN PARKER SYLE LONG COATAGED 20+....IC1.....SHAVEN HEAD ...DARK EYEBROWS |
| 23:20:57 | POSS STILL IN THE DOORWAY OF THE PUB |
| 23:21:53 | ONTO CCTV THE INJURED MALE IS STILL ON THE FLOR - HE HAS A WHITE TSHIRT ON AND BLUE TRACKSUIT BOTTOMS NOT KNOWN IF HE IS CONCIOUS |
| 23:22:57 | AMBO REQUIRED LOC INFO STATES TO TREAT ALL CALLS AS URGENT / LOC |
| 23:22:59 | HIST CHECKED - VARIOUS REPORTS / ACT PLN NOTE D |
| 23:23:21 | AMBO LOG - 4512499 |
| 23:23:23 | AM78 CAMERAS A41. |
| | ALL QUIET ON CCTV OUTSIDE |

23:25:38 8712 ACTIVATED SPPED CAM A41
 23:33:38

PATROL HAVE SPOKEN TO 1 MALE HE IS VERY XXX AND REFUSES TO SAY WHAT HAS GONE ON. HE HAS BEEN CHECKED PNC, KNOW NOT WANTED ETC. PATROL ALSO SPOKE TO STAFF AT THE P/H THEY TOO REFUSED TO SAY WHAT (IF ANYTHING HAS GONE ON).

30-Jan-2009
 00:09:27

*****INCIDENT RESULT*****
 PATROL SPOKE TO A XXX MALE WHO REFUSED TO SAY WHAT, IF ANYTHING HAD OCCURED. PATROL MADE ENQS IN THE P/H ALSO TO NO AVAIL.
 LOG PRINTED TO LICENSING FOR THEIR INFO.

INCIDENT SUMMARY

| Status | Status Date | By | At |
|--------|----------------------|-------|--------|
| WAI | 29-Jan-2009/23:19:44 | 34482 | LSCC17 |
| DSP | 29-Jan-2009/23:20:37 | 25755 | ACR3 |
| ENR | 29-Jan-2009/23:20:37 | 25755 | ACR3 |
| ONS | 29-Jan-2009/23:24:40 | 30942 | ACR5 |
| CLR | 29-Jan-2009/23:34:46 | 25755 | ACR3 |

RESOURCE SUMMARY

| Unit | Date/Time | Status |
|------|----------------------|--------|
| AM78 | 29-Jan-2009/23:20:37 | DSP |
| AM78 | 29-Jan-2009/23:20:37 | ENR |
| AM78 | 29-Jan-2009/23:24:40 | ONS |
| AM78 | 29-Jan-2009/23:24:41 | ONS |
| AM78 | 29-Jan-2009/23:34:43 | AV |
| 8712 | 29-Jan-2009/23:27:10 | DSP |
| 8712 | 29-Jan-2009/23:27:10 | ENR |
| 8712 | 29-Jan-2009/23:27:15 | ONS |
| 8712 | 29-Jan-2009/23:34:46 | AV |

INCIDENT CHRONOLOGY

| Time | Action | Description | [Wks/Pers] |
|-------------|--------|--|----------------|
| 29-Jan-2009 | | | |
| 23:19:44 | ENTRY | | [LSCC17/34482] |
| 23:20:15 | SUPP | | [LSCC17/34482] |
| 23:20:37 | DE | AM78 (PTLVEH) O/2740 | [ACR3/25755] |
| 23:20:55 | SUPP | | [LSCC17/34482] |
| 23:20:57 | SUPP | | [ACR5/30942] |
| 23:21:53 | SUPP | | [LSCC17/34482] |
| 23:22:12 | CHNG | CallerName: <empty> ==> RICHIE HIGHLAND CallerLocation: <empty> ==> 7 CROSSWAYS ,WIRRAL ^CH62 3NE | [LSCC17/34482] |
| 23:22:57 | SUPP | | [LSCC17/34482] |

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| INCIDENT HISTORY RECORDS |
+-----+

Incident#: MP0901100070 Entry: 10-Jan-2009/00:52:07

Type: 122 - Violence Against The Person
Grade: 1 Src: 9 Resp Code: 1RNF Level: 1

Location: FARMERS ARMS @ 43 NEW CHESTER RD , WIRRAL ^CH62. 1AA
Loc Info: Dispatch Group: A3CI Beat: A721

Caller: [REDACTED]
Address: [REDACTED]
Phone 1: [REDACTED] 2: 3:
Etnicity:

CallerStatus: W Witness

REMARKS

Date/Time Remarks

10-Jan-2009
00:52:07 REPORT OF VIOLENCE

INFMT STATES THAT THERE IS A GROUP OF APPROX 7 PEOPLE
OUTSIDE S/L TRYING TO GET IN. THERE ARE NOW WEAPONS SEEN.

INFMT BELIEVES THAT THEY HAVE HAD A DISPUTE WITH SOMEONE
INSIDE THE PH AND ARE TRYING TO GET AT THEM.

ALL DRESSED IN CASUAL CLOTHING, MOSTLY MALES...INFMT CAL
SEE ONE FEMALE.

INFMT ADVISED OF GRADING
00:52:56
MALES ARE NOW WALKING TOWARDS BIRKENHEAD.
00:54:04 av08 making from some distance
00:54:25 above should say NO WEAPONS
00:55:21 ALL QUIET O/S THE PUB...ONE FEMALE LOOKING THRU THE
WINDOW..NO GROUP OF MALES

00:56:03
FROM PATROL THERE IS NOTHING AT THIS TIME SEEN

00:56:12
 00:57:34 AK64 IS MAKING TO THE AREA WITH A CAGED VEH
 01:01:02 AM 68 HAS CANCELED PATROLS FROM MAKING
 01:02:07 ONE MALE ARRESTED FOR D/D
 *****INCIDENT RESULT*****
 NO DISTRUBENCE WHEN PATROL ON SCENED ONE MALE HAS BEEN
 ARRESTED D/D WCS EXCEPTING
 01:57:06 NICHE ** 0509003711 ** D&D

INCIDENT SUMMARY

| Status | Status Date | By | At |
|--------|----------------------|-------|-------|
| WAI | 10-Jan-2009/00:52:07 | 33501 | LSCR8 |
| DSP | 10-Jan-2009/00:53:06 | 25953 | ACR10 |
| ENR | 10-Jan-2009/00:53:06 | 25953 | ACR10 |
| ONS | 10-Jan-2009/00:55:40 | 34942 | ACR7 |
| CLR | 10-Jan-2009/01:01:19 | 34942 | ACR7 |
| CLS | 10-Jan-2009/01:02:07 | 34942 | ACR7 |

RESOURCE SUMMARY

| Unit | Date/Time | Status |
|------|----------------------|--------|
| AV08 | 10-Jan-2009/00:53:06 | DSP |
| AV08 | 10-Jan-2009/00:53:06 | ENR |
| AV08 | 10-Jan-2009/00:57:07 | AV |
| AM68 | 10-Jan-2009/00:53:56 | DSP |
| AM68 | 10-Jan-2009/00:53:56 | ENR |
| AM68 | 10-Jan-2009/00:55:40 | ONS |
| AM68 | 10-Jan-2009/01:01:19 | AV |

INCIDENT CHRONOLOGY

| Date/Time | Action | Description | [Wks/Pers] |
|-------------|---------|---|---------------|
| 10 Jan-2009 | | | |
| 00:52:07 | ENTRY | | [LSCR8/33501] |
| 00:52:07 | MISC | Mobile caller x,y coords: 331775,385816 | [LSCR8/33501] |
| 00:52:40 | CHNG | CallerName: <empty> ==> MISS DONNA FERNLEY CallerLocation: <empty> ==> 62 NEW CHESTER ROAD | [LSCR8/33501] |
| 00:52:56 | CHNG | Details Entered | [LSCR8/33501] |
| 00:52:57 | INCMSGU | W/LSCR8, any desc of the weapons? | [ACR3/23466] |
| 00:53:06 | DE | AV08 (NHDVAN) O/4603,5506,6817,8939 | [ACR10/25953] |
| 00:53:24 | INCMSGU | W/ACR3, APOLOGIES THAT SHOULD SAY **NO WEAPONS** | [LSCR8/33501] |

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Farmers arms

Jan 5 15:49 2009

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| INCIDENT HISTORY RECORDS |
+-----+

Incident#: MP0812250199 Entry: 25-Dec-2008/02:20:55

Type: 122 - Violence Against The Person
Grade: 1 Src: 9 Resp Code: 1RNF Level: 1

Location: 43 NEW CHESTER RD , WIRRAL ^CH62 1AA (FARMERS ARMS)
Loc Info: OPPOSITE JOHN MACEFIELD
Dispatch Group: A3CI Beat: A721

Caller: [REDACTED]
Address: [REDACTED]
Phone 1: [REDACTED] 2: 3:
Et hnicity:

CallerStatus: W Witness

REMARKS

| Date/Time | Remarks |
|-------------------------|--|
| 25-Dec-2008 02:20:55 | *** ASSULT *** |
| 02:21:40 | INFT IS REPORTING MALE IS BEING ATTACKED SHE THINKS THE PUB IS THE FARMERS ARMS ... WHIHC INFT STATES THE MALE HAS PIECE OF WOOD AND IS BANGING ON THE DOOR OF THE FARMERS ARMS |
| 02:21:48 | MALE IS WEARING STRIPE TOP AGED APPROX 17... SMALL IN HEIGHT AND BUILD MALE IS ON FOOT |
| 02:22:13 | CONFIRM LOCATION THERE ARE SEVERAL FARMERS ARMS ON THE WIRRAL. |
| 02:22:21 | INFT IS WAITING ROUND THE CORNER AS SHE IS WORRIED TO GO BACK TO THE PUB |
| 02:23:54 | INFT STATES SHE ONLY KNOWS THE PUB AS THE FARMERS ARMS NEW FERRY ... SHE DOESNT KNOW THE EXACT ADDRESS STAES THE PUB IS BY ICELAND THE PUB IS CALLED THE JOHN MACEFIELD OPPOSITE ... WEATHERSPOONS |
| 02:24:05 | CANNOT MAKE CONTACT WITH INFT....I DONT BELIEVE CORRECT |

LOCATION HAS BEEN GIVEN

02:25:11 CCTV AT NEW FERRY STUCK
 02:30:25 FROM PATROL THERE IS NO ONE OUT IN THE STREET AND MAKING THEM SELFS KNOWN
 02:32:44 MALE LOCATED MATTHEW WALLACE, BEL ON A CURFEW, HAS BEEN STOPPED BY 4603
 02:32:56 THE MALE HAS NOW GONEAND THE INFT IS IN THE FLAT ABOVE THE PUB AND DOSE NOT WISH TO SEE A PATROL AS SHE HAS NOW SET THE ALARMS TO THE PH AND WILL NOT GO DOWN
 02:46:26 ONE MALE ARRESTED FOR BREECH AM78 ENGAGED ARRESTED
 02:47:11 NO REPORTS OF ANY ASSUALT AND THERE WAS NO I/P MAKING THEM SELFS KNOWN
 04:25:44 *****RESULT*****
 04:26:06 OCCURENCE NUMBER FOR THE MALE IS 0508130458 REFERS *****INCIDENT RESULT***** AS PER RESULT ON THE LOG

INCIDENT SUMMARY

| Status | Status Date | By | At |
|--------|----------------------|-------|--------|
| WAI | 25-Dec-2008/02:20:55 | 40365 | LSCC11 |
| DSP | 25-Dec-2008/02:21:52 | 34942 | ACR3 |
| ENR | 25-Dec-2008/02:21:52 | 34942 | ACR3 |
| ONS | 25-Dec-2008/02:24:14 | 34942 | ACR3 |
| WAI | 25-Dec-2008/02:25:42 | 22369 | ACRSGT |
| DSP | 25-Dec-2008/02:26:57 | 34942 | ACR3 |
| ENR | 25-Dec-2008/02:26:57 | 34942 | ACR3 |
| ONS | 25-Dec-2008/02:29:58 | 34942 | ACR3 |
| CLR | 25-Dec-2008/02:46:41 | 34942 | ACR3 |
| CLS | 25-Dec-2008/04:26:06 | 34942 | ACR3 |

RESOURCE SUMMARY

| Unit | Date/Time | Status |
|------|----------------------|--------|
| AM37 | 25-Dec-2008/02:21:52 | DSP |
| AM37 | 25-Dec-2008/02:21:52 | ENR |
| AM37 | 25-Dec-2008/02:24:14 | ONS |
| AM37 | 25-Dec-2008/02:25:42 | AV |
| AL84 | 25-Dec-2008/02:26:57 | DSP |
| AL84 | 25-Dec-2008/02:26:57 | ENR |
| AL84 | 25-Dec-2008/02:32:14 | ONS |
| AL84 | 25-Dec-2008/02:46:41 | AV |
| AM78 | 25-Dec-2008/02:29:58 | DSP |

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Farmers Arms

Dec 19 05:47 2008

Page 1

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| INCIDENT HISTORY RECORDS |
+-----+

Incident#: MP0812181579 Entry: 18-Dec-2008/23:59:07

Type: 114 - Firearms
Grade: 1 Src: 1 Resp Code: 1RNF Level: 1

Location: FARMERS ARMS @ 43 NEW CHESTER RD , WIRRAL ^CH62 1AA
Loc Info: OUTSIDE THE FARMERS ARMS
Dispatch Group: A3CI Beat: A721

Caller: ANON MALE
Address:
Phone 1: [REDACTED] 2: 3:
Etnicity:

CallerStatus: W Witness

REMARKS

| Date/Time | Remarks |
|-------------------------|--|
| 18-Dec-2008 23:59:07 | FIGHTING GOING OFF AND MALE HAS GUN INFT STATES THAT LADS ARE FIGHTING AND ONE HAS A BROWN HANDLE MOUZER GUN OR SOMETHING INFT STATES HE SAID IT WAS HIS GRANDADS FROM THE WALL OR SOMETHING HE SAID PEOPLE HAVE BARRICADED THEMSELVES IN THE FARMERS PUB THE INFT HAS NOW CLEARED THE LINE NO OTHER INFO |
| 19-Dec-2008 00:00:06 | RECALLED PHONE RINGING OUT SORRY TEXT SHOULD HAVE SAID IT WAS HIS GRANDADS FROM THE WAR |
| 00:00:41 | RV POINT NEW CHESTER ROAD/BOUNDARY ROAD..... |
| 00:00:42 | T/K BEBINGTON ROAD SCHOOL LANE NEW FERRY |
| 00:01:50 | AWAITING DEPLOYMENT INSTRUCTIONS |

00:02:53 INFTRANG FROM TK ON SCHOOL LANE / BEBINGTON ROAD

00:03:41

tunnels aware ARV's enr - B'Head tunnel - will have booths cleared.

00:03:47

ARVs going at full resposne

HR14

HR15

00:04:27

ENSURE THESE INSTRUCTIONS FROM THE FIM ARE COMPLIED WITH

I AM THE SILVER COMMANDER, NO ACTION IS TO BE TAKEN BY AREA STAFF WITHOUT CONSULTATION WITH ME

INFORM AREA C.I.M. (NAME ON LOG) AND HAVE R.V.P. NOMINATED WITH SAFE ROUTE IN. The CIM will be Bronze Commander for the outer cordon for the duration of the firearms incident, please ensure this is transmitted to him / her.

AREA STAFF TO MAKE R.V.P., BUT NOT TO MAKE TO THE SCENE UNTIL ADVISED SAFE TO DO SO

INFORM AMBULANCE SERVICE - REQUEST ATTENDANCE AT R.V.P.

DEPLOY FIREARMS CONTAINMENT DOG TO R.V.P.

ENTER TALKGROUP ON LOG

CONTINUE TO DEVELOP INTELLIGENCE TO CLARIFY THREATS AND FACILITATE ONGOING REVIEW IN ACCORDANCE WITH CONFLICT MANAGEMENT MODEL

00:04:54 Patrols to make to the RV point & await instruction. CIM on route.

sgt toll

00:05:33

I have innstructed the control room to ring the pub to get further info

Insp Frodsham FIM

00:07:16 TELEPHONING P/H NOW

00:08:25

I am Paul Frodsham, a trained Police Firearms Incident Commander. I am conversant with the Conflict Management Model (CMM). My rationale for the deployment instructions arises from my application of the CMM to these

circumstances.

INFORMATION / INTELLIGENCE

The information is as per that outlined in the above text. I have instructed the control room to arrange further development of the intelligence in relation to this incident. This is a spontaneous incident and a police response is required. Intelligence at present suggests the subject posing a threat is unknown

Their capability is lethal - armed with firearm
Their intention appears to be unknown

THREAT ASSESSMENT

My assessment is that the threat is towards the general public (non police)
The threat may also extend towards police officers deployed to the incident (police)

Based on current intelligence my assessment of the threat level towards non police is unknown

Based on current intelligence my assessment of the threat towards police officers who are trained and equipped with PPE is unknown

The known threat gives me reason to suppose that in the course of their duty, AFOs may have to protect themselves or others from a person who is in possession of or has immediate access to a firearm or who is otherwise so dangerous that the officers' use of a firearm may be necessary.

STRATEGY

Identify, locate and contain the threat
Minimise risk of harm to members of the public
Maximise the safety of armed officers deployed to the incident
Maximise the safety of unarmed staff deployed to the incident
Neutralise the threat from the subject(s) in a manner that minimises the use of force and risk posed to themselves and others
Deal with the commission of offences using appropriate powers
Secure and preserve evidence
Return the location to normality as soon as possible

00:08:54

POWERS & POLICY

The police are duty bound to protect the public from such threats whilst maximising their own safety, and that of the subject(s). Any allegations of offences should be investigated and suspected offenders dealt with according to powers of arrest / summons / penalty notice etc. Evidence should be secured and preserved accordingly.

In issuing firearms to police officers I have considered the incident and applied the Conflict Management Model.

I have considered the use of reasonable force and ECHR and believe that the issue of police firearms in accordance with these instructions is lawful, justified and proportionate and follows a legitimate aim. ARVs are equipped with less lethal options, i.e. CS, baton guns, taser and these will also be considered as options, prior to firearms should our response need to be escalated beyond the use of Tactical comms and physical restraint.

TACTICAL OPTIONS

ARVs have been briefed to attend and identify, locate and contain any threat, then report back to me. However, if reporting back to me would be impractical and / or cause danger they have authority to deal dynamically - at full response if necessary.

The Bronze Commander is:8672

When I receive that update I will brief further:

The tactical adviser is aware of this incident.

ACTIONS

ARVs briefed and deployed in accordance with the above. I will continue to apply the CMM as intelligence is developed while I retain command of the incident.

Insp. Frodsham FIM

00:09:25

AMBO requested - 446 9228 refers will make to RV point - they have been adv to avoid the Farmers PH.

00:11:47

Supt McNaughton informed and asks that FIM retains command

Insp Frodsham FIM

00:12:38 MOBILE 07792250811 FROM RPREVIOUS LOGS IN NOT AVAILABLE

T/P FOR PUB 645 2482 DOES NOT ACCEPT INCOMING CALLS,
ATTEMPTING TO FIND ALTERNATIVE NUMBER

00:14:15 APOLOGIES T/P SHOULD BE 0151 645 2481....FOR PUB.

00:14:56 HP15 AT SCENE ALL APEARS QUIET

00:15:38

C/D CONTACTED RE DOG PATROL, ALL ENGAGED ST HELENS

00:18:38 HR14 IS SPEAKING WITH PEOPLE FROM INSIDE...STATES IS SAFE
FOR AREA PATROLS TO MAKE TO SCENE

00:19:15

Have spoken to landlord *** Wayne Challinor : 07956 519 719
*** he is currently enr to s/l following a call from his
nephew stating he has been bottled and glassed. There has
been no mention of firearm to Challinor from his nephew who
is bar manager currently inside premises. There is no
landline for the PH either.

Challinor making to RVB point will be in Green mondeo *** M
34 YKF ***

00:20:42

WH17 CON 1622 INFORMED, WILL MAKE IF REQUIRED

00:22:43 FROM AS57 - ARV HAVE SPOKEN WITH A/P WHO HAS BEEN ASSAULTED
- THERE HAS BEEN NO MENTION OF ANY FIREARM HAVING BEEN
SEEN.

THE A/P HAS NASTY INJURY TO MOUTH...OFFENDER NOT KNOWN AT
THIS TIME..OCCURRED IN DOORWAY OF PREMS....REQUEST FOR
NIGHT CID TO BE INFORMED

00:25:16

Update from Bronze that there has been an altercation, it
appears that the IP does not know where the mention of a
gun has come from. They are about to check CCTV to see if
that can assist. If that does not show evidence of a
firearm, this matter will be stood down as a firearms
incident and revert to an area investigation.

Insp Frodsham FIM

00:25:56

FEX 574 refers

00:25:57 ALCOHOL OPERATING HOURS ACCORDING TO INNKEEPER IS UP TO
2400HRS ...NON ALCOHOLIC OPERATING HOURS IS UP TO 0030 HRS

00:26:02 D/C RYLANCE INFORMED

00:28:06 A/P IS A [REDACTED]

00:39:13 IS THE MANAGER OF THE PUB AND LIVES ABOVE
00:39:36 HP15 ACTIVATED SPEED CAMERA NEW CHESTER RD

Further update from Bronze, there is no evidence of a firearm being involved. The incident is now stood down as a firearms matter and is now an area investigation.

Insp Frodsham FIM

00:42:13 BELIEVED TO HAVE BEEN HALF OR PART OF A SNOOKER CUE FROM INSIDE A/L.

MALE OFFENDER DESCRIBED AS

WHITE
SUN BED TAN
6FT 02 TALL
WELL BUILT
AGED APPROX 30
NO DESC OF CLOTHING.

00:42:55 CLARIFICATION - HALF SNOOKER CUE WAS WEAPON THAT CAUSED INJURY TO A/P

00:44:47 ARV'S HAVE VIEWED CCTV FROM INSIDE A/L AND THERE IS NO EVIDENCE OF ANY FIREARM INSIDE THE PUB

00:47:40 APH HAVE BEEN CONTACTED - THERE ARE NO POLICE OFFICERS ON HOSPITAL DUTIES TONIGHT.

01:33:18 from ao91 this is to remain as a crime scene until csi have examined the property.....con 5746 is following up to aph to obtain mg11 from ap....con 2114 is standing by scene,.

01:39:16 csi ref ' 7mg3v7' refs

03:31:56 VICTIMS CLOTHING HAS BEEN SEIZED AND BOOKED INTO CRIME PROPERTY

CE538663 REFERS

04:46:32 2242 IS PRESENTLY AT SCENE FARMERS ARMS....

8001 WILL BE TAKING OVER @ 06:30

05:04:49 MG11 AND CLOTHING FROM A/P HAS BEEN PLACED IN B'HEAD GEO An FI4 will be submitted detailing this incident so that the firearms info is properly recorded. Insp Farrar

05:43:35 A/P HAS NOW RETURNED TO A/L.....HE HAS RECEIVED APPROX 12 STITCHES TO A FACE WOUND....A/P WILL BE ATTEMPTING TO GET SOME SLEEP

INCIDENT SUMMARY

| Status | Status Date | By | At |
|--------|----------------------|-------|--------|
| ----- | ----- | ----- | ----- |
| WAI | 18-Dec-2008/23:59:07 | 40757 | LSCC12 |

21:55:23 BLUE T SHIRT AND DARK TRAINERS

21:59:04 CONTACTING AMBOIN CASE GLASS IS STILL IN INFTS HEAD

22:16:00 AMBO REF 4431353
I HAVE RECALLED INF, STATES THAT HE IS JUST BEING SEEN BY AMBO AND WILL BE GOING TO APH..INF WILL RECALL WHEN HE GETS HOME ..LOG AND T/P NOS PASSED

LOG HELD AWAITING RECALL

16-Nov-2008
09:46:46 HAVE TRIED THE MOBILE TEL NO FOR THE INFORMANT SAYING UNAVAILABLE AT THE MOMENT TO SEND A TEXT

12:10:20 AM81 REFS
AM71 SN 0485
AM42 SN 0198
AM41 REFS

12:12:11 STILL UNABLE TO CONNECT TO INFTS MOB

13:43:17 PATROL GETTING NO REPLY FROM THE PREMISES -HAVE LEFT A NOTE ASKING TO RECALL WHEN HE IS AVAILABLE

19:50:58

STILL AWAITING RECALL

17-Nov-2008
08:31:53 PHONE STILL ON ANSWERPHONE.

INCIDENT SUMMARY

| Status | Status Date | By | At |
|--------|----------------------|-------|--------|
| WAI | 15-Nov-2008/21:49:59 | 34422 | LSCC11 |
| DSP | 16-Nov-2008/12:22:41 | 32771 | ACR3 |
| ENR | 16-Nov-2008/12:22:41 | 32771 | ACR3 |
| DSP | 16-Nov-2008/12:22:48 | 32771 | ACR3 |
| WAI | 16-Nov-2008/12:22:48 | 32771 | ACR3 |
| ENR | 16-Nov-2008/13:35:00 | 32771 | ACR3 |
| ONS | 16-Nov-2008/13:42:18 | 32771 | ACR3 |
| WAI | 16-Nov-2008/13:43:20 | 32771 | ACR3 |

F SOURCE SUMMARY

| Unit | Date/Time | Status |
|------|----------------------|--------|
| 2478 | 16-Nov-2008/12:22:41 | DSP |
| 2478 | 16-Nov-2008/12:22:41 | ENR |
| 2478 | 16-Nov-2008/12:22:48 | AV |
| 2478 | 16-Nov-2008/12:22:48 | DSP |
| 2478 | 16-Nov-2008/13:35:00 | DSP |
| 2478 | 16-Nov-2008/13:35:00 | ENR |
| 2478 | 16-Nov-2008/13:42:18 | ONS |
| 2478 | 16-Nov-2008/13:43:20 | AV |

INCIDENT CHRONOLOGY

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Oct 14 22:01 2008

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| INCIDENT HISTORY RECORDS |
+-----+

Incident#: MP0810141398 Entry: 14-Oct-2008/22:00:44

Type: 326 - Licensing
Grade: 3 Src: 2 Resp Code: 1RNF Level: 1

Location: FARMERS ARMS @ 43 NEW CHESTER RD , WIRRAL ^CH62 1AA
Loc Info:
 Dispatch Group: A3CI Beat: A721

Caller: REFUSED
Address: REFUSED
Phone 1: REFUSED 2: 3:
Locality:

CallerStatus: W Witness

REMARKS

| Date/Time | Remarks |
|-------------------------|--|
| 14-Oct-2008 22:00:44 | <p>YTHS DRINKING UNDERAGE AT A/L</p> <p>APPROX 5 OR 6 YTHS,,, MALES AND FEMALES AGED 14 - 15 YRS - SHE STATES THEY ARE IN A TERRIBLE STATE AND WHERE ARE THE PARENTS , , ,</p> <p>ONE FEMALE HAS SHORT BLONDE HAIR WRN DARK TRKST</p> <p>ANOTHER GIRL WRN SHORT BLACK SKIRT</p> <p>INFT BLVS THE LAD RUNNING THE PUB IS CALLED **DANNY MOSS** BUT THERE IS NO LICENSEE AND ANOTHER BARSTAFF MEMBER KNOWN ONLY AS ***JOHN***</p> <p>INFT STATES SHE IS TIRED OF REPORTING THIS THEY WERE THERE LAST NIGHT AND NOTHING SEEMS TO HAVE BEEN DONE ABOUT IT, THEY STAND OUTSIDE FOR A SMOKE AND INTIMIDATE PEOPLE PASSING BY</p> <p>I TOOK THE LOG LAST NIGHT AND I CANNOT FIND IT ON LOC HIST</p> |

INCIDENT SUMMARY

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Farmers arms

Oct 13 19:45 2008

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| INCIDENT HISTORY RECORDS |
+-----+

Incident#: MP0810131368 Entry: 13-Oct-2008/19:45:27

Type: 326 - Licensing
Grade: 3 Src: 2 Resp Code: 1RNF Level: 1

Location: FARMERS ARMS PUBLIC HOUSE @ NEW CHESTER ROAD ,NEW FERRY ^C H62
Loc Info: Dispatch Group: A3CI Beat: A721

Caller: REFUSED
Address: REFUSED
Phone 1: REFUSED 2: 3:
Locality:

CallerStatus: W Witness

REMARKS

Date/Time Remarks

13-Oct-2008
19:45:27 LICENSING

INFT JUST BEEN AT A/L SAYS THERE IS APPROX 10 YTHS INSIDE
DRINKING AND OUTSIDE SMOKING CANNABIS
(FROM THE SMELL) , , , , , ALL IC1 MALES AND FEMALES UNDER 18

SHE STATES ONE GIRL JUST FELL OVER - SHE STATES IT IS
DISGUSTING , , , ONE OF HER FRIENDS HAS JUST GONE IN TO GET
ONE OF HER KIDS OUT OF THE P/H

ALL DESC AS YOUNG WITH JEANS AND TRACKIES , NFD

NO CCTV AS FAR AS SHE IS AWARE

NUMEROUS ASB ON LOC HIST

WILL PRINT FAO LOCAL NHOOD AND INTELL

INCIDENT SUMMARY

| Status | Status Date | By | At |
|--------|----------------------|-------|--------|
| ----- | ----- | ----- | ----- |
| WAI | 13-Oct-2008/19:45:27 | 33677 | LNCC11 |



A' District Licensing Office
Wallasey Police Station
Manor Road, Wallasey
CH44 1DA

Tel: 0151 777 2946
Fax: 0151 777 2939

BREACH OF LICENCE NOTIFICATION – LICENSING ACT 2003 AND SECTION 19 OF THE CRIMINAL JUSTICE AND POLICE ACT 2001

At 11:10 on 23/9/08 a licensing visit was conducted at the below premises

THE FARMERS ARMS
NEW FERRY

It has been identified that the following items breached one or more conditions of the premises licence

ON 19/9/08 REMAINED OPEN TO MEMBERS OF THE PUBLIC
AFTER HOURS (01.15 HOURS)
TO BECOME A MEMBER OF PUBWATCH

Where a Police Officer, or an authorised officer from the local authority, is satisfied that any premises are being, or within the last 24 hours have been used for the unlicensed sale of alcohol, including being in breach of its licence conditions, he may serve under subsection (3) a closure notice in respect of the premises.

You now have seven days to rectify the matters outlined above. If the matters are not corrected within seven days you will be issued with a closure order under Section 19(3) of the Criminal Justice and Police Act 2001.

It is an offence for a person to intentionally obstruct Police Officer or authorised local authority officers from exercising these powers. Any person convicted of obstructing a Police Officer is liable to a fine not exceeding £5,000, or to one month's imprisonment, or to both. Any person convicted of obstructing an authorised local authority officer is liable to a fine not exceeding £5,000.

This document may be disclosed to other responsible bodies as detailed within the Licensing Act 2003. It may be referred to and disclosed in any licensing hearing in relation to the premises mentioned and should be treated as a formal warning.

A copy of this letter has been retained on Police files.

Officer issuing warning letter

Name CORRIGAN CON 8290 Signed [Signature] 8290

Date 23/9/08

Person on whom this letter has been served (If applicable)

Name JOHN MICHAEL PARKINSON Signed [Signature]

Date 23/9/08

100%

[REDACTED]

DRIVING A BLACK VEH.....DARK COLOURED AS AUNTY WAS APPROACHED BY THE MALE IN THE CAR

INFT DOES NOT KNOW ANY PERSONAL DETAILS OF THE MALE.

MALE HAS ALSO IN THE PAST THREATENED TO KILL HIS EX-WIFE, HIS MOTHER, HIS BROTHER AND THEIR 2 CHILDREN ALSO SHOT SOMEONE WITH A CROSSBOW.

LOC INFO REFERS TO THE THREAT ASSESSMENT.

INFT IS CONCERNED AS HAS FAMILY MEMBERS IN THE AREA....REQUESTS EXTRA ATTENTION

20:28:16

noted

20:29:38

Can we contact the informant and clarify what it is that she is reporting & what expectations she has.
Sgt Toll

20:30:33

SORRY THIS HAS LOST ME COMPLETLEY !
IS INFMT OUT OF THE COUNTRY OR AT THE FARMERS ARMS

20:44:45

FEMALE IS OUT OF THE COUNTRY.....AS WAS ADVISED TO DO SO AS MALE HAS RECENTLY BEEN RELEASED FROM PRISON.

SHE HAS BEEN INFORMED BY FAMILY MEMBERS AND STAFF AT HER PUB THAT THE MALE HAS BEEN IN THE AREA RECENTLY LOOKING FOR THIS FEMALE.

20:53:35

LOG NEEDS TO BE BROUGHT TO THE ATTN OF THE FCIU

20:55:27

THERE IS NO POINT DEPLOYING A PATROL TO THE A/LOC AS THE INFT IS OUT OF THE COUNTRY ...I WILL INFORM THE CIM

21:02:48

CIM INSP WESTBY ADVISED AND WILL VIEW THE LOG

21:03:07

LOG ALSO PRINTED FOR INFO IN CASE A THREAT ASSESSMENT IS REQUIRED

13-Sep-2008

02:45:30

I HAVE REVIEWED THE LOG AND I HAVE TASKED INTELL UNIT TO PRODUCE A PROFILE FOR HURST IN PREPARATION FOR A POSSIBLE THREAT ASSESSMENT. DETAILS ARE REQUIRED FOR HURST ARE

1. ANY PRISON LICENCE DETAILS

2. ANY PROBATION DETAILS

3. RELEASE ADDRESS

DETAILS REQUIRED FROM COONEY ARE

1. WHEN SHE IS RETURNING HOME

2. HAVE THERE BEEN ANY DIRECT THREATS MAD FROM HURST TO HER.

09:22:15 A/INSP WESTBY
 from insp Draper log to be forwarded to intell pls.....
 15-Sep-2008
 10:24:04 REGARDING GEOFFREY ALAN HIRST, 12/11/75:

WIRRAL THREAT ASSESSMEN 76/08 COMPLETED BY DC 6297 MACKAY
 (DVU BEBINGTON) ALREADY IN FORCE IN RELATION TO [REDACTED]

10:31:14 *****INCIDENT RESULT*****
 AS TEXT

INCIDENT SUMMARY

| Status | Status Date | By | At |
|--------|----------------------|-------|-------|
| WAI | 12-Sep-2008/20:17:12 | 33278 | LNCC8 |
| CLS | 15-Sep-2008/15:42:58 | 33667 | ACC6 |

INCIDENT CHRONOLOGY

| Date/Time | Action | Description | [Wks/Pers] |
|-------------|----------|--|-----------------|
| 12-Sep-2008 | | | |
| 20:17:12 | ENTRY | | [LNCC8/33278] |
| 20:21:31 | INCMMSGU | W/ACRS GT, FOR YOUR INFO THANKS | [LNCC8/33278] |
| 20:28:16 | SUPP | | [ACR3/31194] |
| 20:29:38 | SUPP | | [ACRS GT/24092] |
| 20:30:33 | SUPP | | [ACR3/31194] |
| 20:31:02 | INCMMSGU | W/LNCC8, PL SEE LAST | [ACR3/31194] |
| 20:44:45 | SUPP | | [LNCC8/33278] |
| 20:45:19 | INCMMSGU | W/ACR3, INFT IS AWAY FROM THE COUNTY PLEASE SEE TEXT | [LNCC8/33278] |
| 20:53:35 | SUPP | | [ACR9/26067] |
| 20:55:27 | SUPP | | [ACR9/26067] |
| 21:02:48 | SUPP | | [ACR9/26067] |
| 21:03:07 | SUPP | | [ACR9/26067] |
| 21:03:22 | PRINT | Sent to WALL4P | [ACR9/26067] |
| 13-Sep-2008 | | | |
| 01:40:39 | MISC | AV03 ENG ARREST AS38 AM48 AM37 ALL ENG ARREST AM87 REFS AM77 #0099 | [ACR3/30942] |
| 02:32:37 | PRINT | Sent to WRIP | [BHEAD28/24803] |
| 02:45:30 | SUPP | | [BHEAD28/24803] |
| 09:17:12 | CHNG | Grade: 3 ==> 4 | [ACR3/33667] |
| 09:22:15 | SUPP | | [ACR9/32001] |
| 09:22:27 | CHNG | CUR DG: A3CI ==> AITL | [ACR9/32001] |
| 15-Sep-2008 | | | |
| 09:32:37 | PRINT | Sent to WALL4P | [WALL11/24168] |
| 09:56:33 | PRINT | Sent to WALL4P | [WALL7/31318] |
| 10:24:04 | SUPP | | [WALL11/24168] |
| 10:24:35 | LOCOVR | | [WALL11/24168] |

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farmers arms

Aug 28 08:23 2008

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+-----+
| INCIDENT HISTORY RECORDS |
+-----+

Incident#: MP0808230062 Entry: 23-Aug-2008/00:36:03

Type: 122 - Violence Against The Person
Grade: 2 Src: 9 Resp Code: 1RNF Level: 1

Location: FARMERS ARMS @ 43 NEW CHESTER RD , WIRRAL ^CH62 1AA
Loc Info:

Dispatch Group: A3CI Beat: A721

Caller: [REDACTED]
Address: [REDACTED]
Phone 1: [REDACTED] 2: 3:
Ethnicity:

CallerStatus: V Victim

REMARKS

| Date/Time | Remarks |
|-------------------------|---------|
| 23-Aug-2008 00:36:03 | ASSAULT |

CALLER STATES HE IS IN THE LOC ADDRESS , HAS BEEN ASSAULTED BY MALE IN THE BAR.
HE WAS TALKING TO THE MALE...THE MALE TURNED NASTY AND HIT CALLER AT THE BACK OF HIS HEAD AND CALLED HIM NAMES
CALLER AND OFFENDER STILL IN THE PH.....
NO INJURIES
PH IS ABOUT TO CLOSE
CALLERS PHONE CLEARED.

BOTH PARTIES HAVEE HAD A DRINK..
CALLER STATES HE IS NOT DRUNK

NOTHING RELEVANT LOC HISTORY
NO LOC INFO
NO ACTION PLAN
THERE HAS BEEN NO FIGHT...
CALLER DID NOT RETALIATE..
GRADE 2 AS NO ONE FIGHTING HOWEVER THE PH IS ABOUT TO CLOSE..

00:36:26 LOC INFO FOR DOMESTICS...

00:57:58 HAVE TRIED TO CONTACT INFT BY TEL - IT IS NOT POSS TO
CONNECT CALL

01:08:18

FURTHER CALL FROM INFT FROM TK ... OUTSIDE A/L

STATES HE IS AWAITING PATROL OUTSIDE THE P/H

A FEMALE HAS SMASHED HIS PHONE UP WHEN SHE KNEW HE IS
CALLING

01:17:20

patrol inside p h

01:37:38

RESULT

INFT HAD DRUNKEN VERBAL ARGUEMENT, NO COMPLAINT
NO ASSAULT

I IDENT SUMMARY

| Status | Status Date | By | At |
|--------|----------------------|-------|-------|
| WAI | 23-Aug-2008/00:36:03 | 32855 | LSCC4 |
| DSP | 23-Aug-2008/00:56:06 | 23466 | ACR3 |
| ENR | 23-Aug-2008/00:56:06 | 23466 | ACR3 |
| ONS | 23-Aug-2008/01:17:13 | 32001 | ACR9 |
| CLR | 23-Aug-2008/01:37:43 | 23466 | ACR3 |
| CLS | 23-Aug-2008/01:51:25 | 23466 | ACR3 |

RESOURCE SUMMARY

| Unit | Date/Time | Status |
|------|----------------------|--------|
| AM87 | 23-Aug-2008/00:56:06 | DSP |
| AM87 | 23-Aug-2008/00:56:06 | ENR |
| AM87 | 23-Aug-2008/01:17:13 | ONS |
| AM87 | 23-Aug-2008/01:37:43 | AV |

I IDENT CHRONOLOGY

| Date/Time | Action | Description | [Wks/Pers] |
|-------------|---------|--------------------------------|---------------|
| 23-Aug-2008 | | | |
| 00:36:03 | ENTRY | | [LSCC4/32855] |
| 00:36:26 | SUPP | | [LSCC4/32855] |
| 00:56:06 | DE | AM87 (PTLVEH) O/2498,4891,6539 | [ACR3/23466] |
| 00:57:04 | PRINT | Sent to BROM1P | [ACR3/23466] |
| 00:57:58 | SUPP | | [ACR3/23466] |
| 01:08:18 | SUPP | | [ACR3/23466] |
| 01:17:13 | ONS | AM87 | [LSCC5/33519] |
| 01:17:20 | SUPP | | [ACR9/32001] |
| 01:17:20 | SUPP | | [ACR9/32001] |
| 01:37:38 | SUPP | | [ACR3/23466] |
| 01:37:43 | CLEAR | AM87 | [ACR3/23466] |
| 01:37:43 | CLOSURE | | [ACR3/23466] |



A District Licensing Office
Wallasey Police Station
Manor Road, Wallasey
CH44 1DA

Tel: 0151 777 2944
Fax: 0151 777 2939

BREACH OF LICENCE NOTIFICATION – LICENSING ACT 2003 AND SECTION 19 OF THE CRIMINAL JUSTICE AND POLICE ACT 2001

At 1100 on 22/7/08 a licensing visit was conducted at the below premises

FARMERS ARMS NEWCHESTER ROAD
NEW FERRY

It has been identified that the following items breached one or more conditions of the premises licence

PREMISES STILL OPEN TO PUBLIC AT 0100 HRS 14/7/08

SHOULD HAVE CLOSED 2330 HRS

2 PERSONS SUBSEQUENTLY ARRESTED D+D

Where a Police Officer, or an authorised officer from the local authority, is satisfied that any premises are being, or within the last 24 hours have been used for the unlicensed sale of alcohol, including being in breach of its licence conditions, he may serve under subsection (3) a closure notice in respect of the premises.

You now have seven days to rectify the matters outlined above. If the matters are not corrected within seven days you will be issued with a closure order under Section 19(3) of the Criminal Justice and Police Act 2001.

It is an offence for a person to intentionally obstruct Police Officer or authorised local authority officers from exercising these powers. Any person convicted of obstructing a Police Officer is liable to a fine not exceeding £5,000, or to one month's imprisonment, or to both. Any person convicted of obstructing an authorised local authority officer is liable to a fine not exceeding £5,000.

This document may be disclosed to other responsible bodies as detailed within the Licensing Act 2003. It may be referred to and disclosed in any licensing hearing in relation to the premises mentioned and should be treated as a formal warning.

A copy of this letter has been retained on Police files.

Officer issuing warning letter

Name S BARRELL

Signed

Date 22/7/08

Person on whom this letter has been served (If applicable)

Name

Signed

Date

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FARMERS ARMS

Jul 26 00:04 2008

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+-----+
| INCIDENT HISTORY RECORDS |
+-----+

Incident#: MP0807260003 Entry: 26-Jul-2008/00:00:52

Type: 217 - Noise
Grade: 3 Src: 9 Resp Code: 1RNF Level: 1

Location: FARMERS ARMS @ 43 NEW CHESTER RD , WIRRAL ^CH62 1AA
Loc Info:
 Dispatch Group: A3CI Beat: A721

Caller: [REDACTED]
Address: 1 [REDACTED]
Phone 1: [REDACTED] 2: 3:
Ethnicity:

CallerStatus: V Victim

REMARKS

| Date/Time | Remarks |
|-------------------------|--|
| 26-Jul-2008 00:00:52 | LOUD MUSIC FROM PUBLIC HOUSE INFMNT IS BEING DISTURBED FROM MUSIC FROM FARMERS ARMS BEHIND HIS HOUSE INFMNT HAS A 4 DAY OLD DAUGHTER AND AN UNWELL WIFE DISTURBANCE IS MAKING THINGS WORSE INFMNT IS NOT SURE WHETHER IT IS A PRIVATE PARTY |
| 00:02:31 | GRADED 3 FOR ATTENTION OF ANY PASSING PATROLS LOC INFO REFERS TO TAU FOR PUB.....VARIOUS LOC HIST |

INCIDENT SUMMARY

| Status | Status Date | By | At |
|--------|----------------------|-------|--------|
| WAI | 26-Jul-2008/00:00:52 | 40070 | LNCC14 |

INCIDENT CHRONOLOGY

| Date/Time | Action | Description | [Wks/Pers] |
|-----------|--------|-------------|------------|
| ----- | ----- | ----- | ----- |

RESOURCE SUMMARY

| Unit | Date/Time | Status |
|------|----------------------|--------|
| AS77 | 14-Jul-2008/01:00:36 | DSP |
| AS77 | 14-Jul-2008/01:00:36 | ONS |
| AS77 | 14-Jul-2008/05:39:24 | AV |
| AM77 | 14-Jul-2008/01:00:42 | DSP |
| AM77 | 14-Jul-2008/01:00:42 | ONS |
| AM77 | 14-Jul-2008/02:30:36 | AV |
| AM78 | 14-Jul-2008/01:00:49 | DSP |
| AM78 | 14-Jul-2008/01:00:49 | ONS |
| AM78 | 14-Jul-2008/01:47:03 | AV |

INCIDENT CHRONOLOGY

| Date/Time | Action | Description | [Wks/Pers] |
|-------------|---------|---------------------------|--------------|
| 14-Jul-2008 | | | |
| 01:00:17 | ENTRY | | [ACR3/33667] |
| 01:00:36 | DOS | AS77 (PTLSGT) O/3025 | [ACR3/33667] |
| 01:00:42 | DOS | AM77 (PTLVEH) O/4352-8939 | [ACR3/33667] |
| 01:00:49 | DOS | AM78 (PTLVEH) O/2184 | [ACR3/33667] |
| 01:02:09 | SUPP | | [ACR3/33667] |
| 01:03:45 | SUPP | | [ACR3/33667] |
| 01:04:11 | SUPP | | [ACR3/33667] |
| 01:04:25 | SUPP | | [ACR3/33667] |
| 01:05:31 | SUPP | | [ACR3/33667] |
| 01:47:03 | CLEAR | AM78 | [ACR3/33667] |
| 02:30:36 | CLEAR | AM77 | [ACR3/33667] |
| 05:39:24 | CLEAR | AS77 | [ACR3/33667] |
| 05:39:24 | CLOSURE | | [ACR3/33667] |
| 05:40:10 | PRINT | Sent to WLICP | [ACR3/33667] |

MERSEYSIDE POLICE

FILE
No.

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|---------|---------------------|---------------|----------|
| Area: | A | Area Ref. No. | A7 |
| Station | BROMBOROUGH | | |
| From | CON 4352 STEWART | Tel. Ext | 72590 |
| To | A/SGT 3025 BIOLETTI | Date | 17/07/08 |

Subject - **FARMERS ARMS PUBLIC HOUSE, NEW CHESTER
ROAD, NEW FERRY, WIRRAL**

On Thursday 17th July 2008 I attended the above location where I spoke to Erica FRAZER. She stated that she had left the PH in the hands of Joanne TAYLOR while she was on holiday. She said that, during her holiday, Joanne had gone away & left the PH under the control of her sister Sara TAYLOR. Sara was looking after the PH during the weekend of 11th to 13th July.

FRAZER handed me a till roll from Friday 11th July. However, I did not see her retrieve the roll so do not know if she has ripped any of it off, that may detail later transactions on this date. FRAZER stated that she could not find the till roll from Sunday 13th July. She also stated that she did not know how to use the CCTV system or download any footage from it, & nor did anyone else who worked at the PH. FRAZER stated that the VMU had attended the PH following a previous incident & downloaded the necessary footage themselves.

Con 4352 STEWART
A Block Bromborough Patrol

MERSEYSIDE POLICE

FILE
No.

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|---------|--------------------------|---------------|------------|
| Area: | Wirral | Area Ref. No. | A7 |
| Station | Bromborough | | |
| From | A/Sgt 3025 Pete Bioletti | Tel. Ext | 72546 |
| To | Licensing Dept. | Date | 14/07/2008 |

Subject -

FARMER'S ARMS P/H NEW FERRY.

Over the past weekend there have been a number of issues regarding the Farmer's Arms Public House, New Ferry. Firstly, at about 04:10 hours on Saturday 12th July, a patrol, Constable 4352, passed the P/H and saw that there were a large group of people leaving the premises, a number of whom were very drunk. Unfortunately, due to the volume of emergency calls during that shift, we were unable to make any follow up enquiries although Constable Stewart did notify the licensing department via an email.

At about 00:45 hours on Monday 14th July, patrols were called to shops opposite the Farmers Arms on an unrelated incident. Whilst they were there the officers noticed that there was a great deal of noise coming from the Farmers Arms and there seemed to be a lot of people still in the premises although the doors were shut. On concluding enquiries on the initial incident, I decided to visit the Farmers Arms to check what was going on and to try and assess if any licensing offences were being committed. On approaching the P/H I saw a number of people leaving the P/H via the front door. One of them, a male, was staggering and carrying a ¾ full pint glass of beer. He was advised by a patrol and the glass was disposed of and the male initially moved away but then became disorderly by shouting abuse back down the road at the patrols. This male was then arrested drunk and disorderly. I then approached the premises, banged on the door for entry but could hear from inside voices shouting "FUCK OFF". On trying again I was let into the P/H. On entering the main bar I could see about 25-30 people still drinking, there was a male behind the bar but I did not see him serving and it transpired that he was one of the customers and was very drunk. I spoke to the female who stated that she was in charge and that she was the sister of the licensee who was away on holiday. Unfortunately, due to subsequent disorder and arrests that had to be made soon after this conversation, I was unable to get the female's details. On asking her what time they were licensed to sell alcohol up until, she could not answer and stated she did not know. As the customers were being advised to leave the premises a female customer threw a drink at Constable Stewart and she was arrested. As patrols were monitoring the customers leaving the premises, a second male became disorderly and he too was arrested. Constable 2114 McCabe remained at the scene and told the female that he required the till roles from both tills but staff stated they were unable to provide them and gave him a till receipt. They also stated that cctv was stored on a hard drive that they could not access. I have created a log, 0807140227, for a patrol to reattend and seize till rolls, cctv and obtain all details.

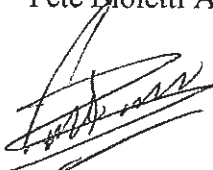
The three arrested are: [REDACTED], these are all under the same occurrence # 0508092105. The arresting officers statements all evidence the conditions inside the Farmers Arms and Con Stewart's statement contains the significant

statement made by the female she subsequently arrested, when told to leave the premises she stated "FUCK OFF I ONLY JUST BOUGHT THIS FUCKIN' DRINK" this was after 01:00 hrs!

I hope this is of some use to you, all three have been issued PND's. I'm next on duty Thursday 17th July 1400 – 2400 hrs and am more than willing to do "walk throughs" over our weekend of E.P's and would appreciate any guidance or information.

Thanks.

Pete Bioletti A/Sgt 3025

A handwritten signature in black ink, appearing to read "Pete Bioletti", with several horizontal lines drawn underneath it.

FARMERS

May 5 08:55 2009

Page 1

+-----+
| INCIDENT HISTORY RECORDS |
+-----+

Incident#: MP0905031483 Entry: 03-May-2009/22:22:14

Type: 122 - Violence Against The Person
Grade: 1 Src: 1 Resp Code: 1RNF Level: 1

Location: FARMERS ARMS @ 43 NEW CHESTER RD , WIRRAL ^CH62 1AA
Loc Info:

Dispatch Group: A3CI Beat: A721

Caller:
Address:
Phone 1: ██████████ 2: 3:
Ethnicity:

CallerStatus: W Witness

REMARKS

Date/Time Remarks

03-May-2009
22:22:14

FIGHT IN PROGRESS

MALE AND FEMALE FIGHTING IN STREET OUTSIDE ALOC.

MALE HAS HIT FEMALE.....FEMALE ON THE GROUND

GETTING FURTHER DETAILS

22:22:24 NO WEAPONS SEEN

22:22:47 MALE DESC - WHITE, APPROX 28 YEARS OLD, WEARING WHITE
TRACKIE TOP

22:23:09 *****MALE AND FEMALE FIGHTING ON THE ROAD*****

22:23:12 FEMALE - WHITE, APPROX 23 YEARS OLD, WEARING WHITE TOP AND
BLACK PANTS, HAS SHORT BLONDE HAIR

22:24:00 INFT IS A MEMEBER OF STAFF IN HE PUB..

22:24:08 STATES MALE IS RAGGING THE FEMALE EVERY WHERE...

CCTV VIEWING AREA - FEMALE WITH SHORT BLOND HAIR IS
ASSAULTING A MALE O/S

FEMALE HAS BLACK SHINY LEGGINGS AND A WHITE TOP.

MALE IS OF STOCKY BUILD WITH GREY HOODED TOP AND JEANS

22:24:13 CLEARED AS SAID HAD TO GO BACK AND SERVE...

22:24:15 INFT REFUSED TO GIVE PERSONAL DETAILS.
T/P TAKEN FROM ICCS

LOC HIST CHECKED
LOI CHECKED
ACTION PLAN NOTED
PRIORITY NOT LISTED

22:26:38 FROM CCTV FEMALE HAS BEEN HITTING HERSELF WITH HER SHOE IN THE FACE. MALE HAS NOT RESPONDED

22:26:59 AM74 ACTIVATED CAMERAS A41

22:27:45 MALE AND FEMALE HAVE GONE DOWN EARLE STREET

22:29:35 FROM CCTV FEMALE WAS ATTACKING MALE THE WHOLE TIME - MALE DID NOT RETALIATE.

22:35:08 BOTH MALE AND FEMALE ARE VERY XXX. NO PERSON MAKING ANY COMPLAINT OF ASSAULT, NO VISIBLE INJURIES.

22:35:50 MALE IS REFUTING ANY ALLEGATIONS OF ASSAULT
BOTH PARTIES ARE BEING QUIET CIVIL JUST VERY DRUNK

22:42:20 FEMALE IS GOING TO HER MOTHERS AND MALE WISHES TO GO TO HIS FRIENDS
FEMALE HAS BEEN RETURNED TO HER HOME ADDRESS OF 716 NEW CHESTER ROAD

22:42:44 MALE HAS BEEN RETURNED TO ROCKFIELD PH

22:45:31 *****INCIDENT RESULT*****

MALE HAS REFUTING ANY ALLEGATIONS OF ASSAULT AND IS NOT MAKING ANY FORMAL COMPLAINT. BOTH PARTIES VERY XXX.

FEMALE AND MALE HAVE BEEN RETURNED TO SEPERATE ADDRESSES TO PREVENT ANY FURTHER BREACH OF PEACE.

PATROL WILL COMPLETE A VPRF1, WHICH WILL BE SIGNED BY 1642.

INCIDENT SUMMARY

| Status | Status Date | By | At |
|--------|----------------------|-------|--------|
| WAI | 03-May-2009/22:22:14 | 40370 | LNCC2 |
| DSP | 03-May-2009/22:22:41 | 24490 | ACR3 |
| ENR | 03-May-2009/22:22:41 | 24490 | ACR3 |
| ONS | 03-May-2009/22:28:40 | 24490 | ACR3 |
| CLR | 03-May-2009/22:43:39 | 31502 | ACR9 |
| CLS | 03-May-2009/22:46:24 | 23466 | ACRSgt |

+-----+
| INCIDENT HISTORY RECORDS |
+-----+

Incident#: MP0905020031 Entry: 02-May-2009/00:17:20

Type: 122 - Violence Against The Person
Grade: 1 Src: 9 Resp Code: 1RNF Level: 1

Location: FARMERS ARMS @ 43 NEW CHESTER RD ,WIRRAL ^CH62 1AA
Loc Info:

Dispatch Group: A3CI Beat: A721

Caller: SAM MOSS - STAFF

Address:

Phone 1: [REDACTED] 2: 3:

Ethnicity:

CallerStatus: W Witness

REMARKS

| Date/Time | Remarks |
|-------------------------|---|
| 02-May-2009 00:17:20 | inft states there is a group of males o/s trying to kick the door down |
| 00:18:19 | males are barred from the p/h - they have cracked a front window |
| 00:18:52 | approx 6/7 males & females aged 20/30 yoa inft was in the back of the p/h so cant give desc of clothing |
| 00:19:36 | NOTHING ON CCTV |
| 00:19:41 | inft stating the males have made off - possibly down towards the abbotsford p/h. |
| | inft had to clear the line and make back to the bar area so call ended nfd. |
| 00:21:50 | *****INCIDENT RESULT***** NO OFFENCES IT WAS PERSON STRYING TO GET STAFF ATTENTION NO COMPLAINTS FORTHCOMING |

AS:16
 [REDACTED]
 [REDACTED]
 WIRRAL
 CRO 75453/01V
 MALE
 [REDACTED]

SCAR 5 PRCD 5

OFFENDS ON BAIL (2) *HOME DETENTION CURFEW DNA CONFIRMED

LAST KNOWN ADDRESS AS AT 29/08/08 (HOME)

[REDACTED]
 [REDACTED]

RECORD LAST UPDATED 12/11/08 13:01
 PAGE AS..... HELP
 ABANDON TRANSACTION? N..

23:26:38

23:27:00

23:34:42

STN REQUESTED 1 X MALE ADULT D & D

WCS CLEARED

*****INCIDENT RESULT*****

STAFF AT LOCATION HAVE BEEN SPOKEN TO - NO DAMAGE TO PREMISES.

1 X MALE ARRESTED D & D

LODGED AT WIRRAL CUSTODY SUITE

INCIDENT SUMMARY

| Status | Status Date | By | At |
|--------|----------------------|-------|-------|
| WAI | 01-May-2009/23:09:17 | 31502 | ACR10 |
| DSP | 01-May-2009/23:09:42 | 33530 | ACR3 |
| ENR | 01-May-2009/23:09:42 | 33530 | ACR3 |
| ONS | 01-May-2009/23:16:42 | 33530 | ACR3 |
| CLR | 01-May-2009/23:28:54 | 31502 | ACR10 |

Licensing Act 2003 Premises Licence

The Farmers Arms

43 New Chester Road, New Ferry, Wirral, CH62 1AA
Tel: 0151 645 2481

Licensable Activities Authorised by this Licence and the hours permitted are as follows:

| | • Sale by Retail of Alcohol | • Live Music • Recorded Music | • Entertain facilities of similar desc |
|-----------|-----------------------------|----------------------------------|--|
| Monday | 11:00 to 00:00 | 11:00 to 00:00 | 11:00 to 00:00 |
| Tuesday | 11:00 to 00:00 | 11:00 to 00:00 | 11:00 to 00:00 |
| Wednesday | 11:00 to 00:00 | 11:00 to 00:00 | 11:00 to 00:00 |
| Thursday | 11:00 to 00:00 | 11:00 to 00:00 | 11:00 to 00:00 |
| Friday | 11:00 to 00:00 | 11:00 to 00:00 | 11:00 to 00:00 |
| Saturday | 11:00 to 00:00 | 11:00 to 00:00 | 11:00 to 00:00 |
| Sunday | 12:00 to 23:30 | 12:00 to 23:30 | 12:00 to 23:30 |

The Licence authorises supplies of alcohol for consumption on/off the premises.

Opening hours of Premises:

Monday to Saturday 11:00 to 00:30
Sunday 12:00 to 00:00

Non-Standard Timings:

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.

A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.

A further additional hour every Christmas Eve.

A further additional hour every Boxing Day.

To reflect existing New Year's Eve/Day hours

Wirral Licensing Authority, Wirral Metropolitan Borough Council, hereby grants this Premises Licence to:

Admiral Taverns (Nevada) Limited
150 Aldersgate Street
London
EC1A 4EJ

Registered Number: 06076004

Details of Designated Premises Supervisor:

| | |
|--|---|
| Carlton Jon Gregory Wilson-Jones 23 Thornhill Close Chester Meadows Broughton Flintshire CH4 0EB | Personal Licence Number: FCC0532 Flintshire County Council |
|--|---|



Alan Stennard
Director of Regeneration
(Authorised Officer)

| | |
|---|--|
| <p>Mandatory conditions where licence authorises supply of alcohol</p> | <p>(1) Where a premises licence authorises the supply of alcohol, the licence must include the following conditions.</p> <p>(1) The first condition is that no supply of alcohol may be made under the premises licence-</p> <ul style="list-style-type: none">a) at a time when there is no designated premises supervisor in respect of the premises licence, orb) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended. <p>(2) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.</p> |
|---|--|

General – all four licensing objectives

Following an assessment of the premises and its surrounding area the following is proposed:

- 30 minute drinking up time will allow appropriate dispersal, use of lavatories etc.
- In order to further the licensing objectives the licensee reserves the right to move the fire appliances, AWP machines, cigarette machines and or any other similar temporarily in a fixed location which may impact on the ability of individuals on the premises to use exits or escape routes without impediment.

The prevention of crime and disorder

The Farmers Arms is a community local outlet with most of its customers local. I am an active member of the PubWatch scheme and I supervise all customers leaving the premises so they leave in a quiet and orderly manner.

Public safety

I have fire fighting equipment around the premises. I have carried out disability discrimination assessment on site and have a smoking charter in place.

The prevention of public nuisance

The outlet has no adjoining residence. It is of solid brick built construction which retains the sound very well, I keep my windows shut when I have entertainment on in the pub. I always monitor customers leaving the outlet.

The protection of children from harm

No children are allowed on the premises.

01517772939
 RECORD OF VISITS

Untitled

Printed 24-Jun-2009 10:18 By 22384

| VIS_DATE | VIS_TIME | DESCRIPTION |
|------------|----------|---|
| 04/05/2009 | 15:15 | CLOSURE NOTICE ISSUED |
| 28/04/2009 | 16:00 | REPORT OF DRUNKEN MALE YIELDING A GARDEN RAKE HAD ENTERED PREMS. ENTERED PREMS AND SEARCHED - NEGATIVE MALE HAD LEFT PRIOR TO POLICE ARRIVAL. |
| 17/04/2009 | 23:05 | LICENSED VISIT FOR INTEL PURPOSES. DPS NOT PRESENT STAFF SPOKEN TO. |
| 19/03/2009 | 17:00 | VISIT RE PROBLEMS FOR INTEL |
| 30/09/2008 | 12:05 | CALLED RE PUBWATCH NON PAMENT HAS NOW PAID |
| 23/09/2008 | 11:15 | BREACH NOTICE ISSUED FOR OUT OF HOURS DPS TO JOIN PUBWATCH |
| 19/09/2008 | 01:15 | BREACH AFTER HOURS |
| 19/09/2008 | 00:25 | BREACH NOTICE ISSUED FOR AFTER HOURS |
| 07/08/2008 | 11:05 | VISIT RE NO DPS PREMS CLOSED |
| 22/07/2008 | 11:30 | ISSUE BREACH FOR NOT CLOSING PREMS AFTER 23.30 HOURS |
| 20/06/2008 | 09:05 | PREMS CLOSED MESSAGE LEFT FOR NEW DPS |
| 16/05/2008 | 11:15 | DPS IN TENERIFE, CLAIMS TO BE ON HOLIDAY MEMO TO FILE |
| 20/07/2007 | 19:40 | ENFORCEMENT VISIT ALL IN ORDER |
| 18/07/2007 | 15:00 | REQUEST RE CCTV MESSAGE LEFT FOR DPS TO CONTACT |
| 20/02/2007 | 11:10 | LICENSING VISIT |
| 14/01/2007 | 23:21 | VISIT AFTER REPORT OF WINDOW SMASHED. DPS HAPPY FOR OFFENDER TO PAY FOR THE DAMAGE AND DOES NOT WISH TO MAKE A COMPLAINT |
| 30/11/2006 | 14:30 | ROUTINE ENFORCEMENT VISIT, ALL IN ORDER |
| 01/01/2005 | 20:10 | VISIT TO SEARCH FOR OFFENDER OF NEARBY ASSAULT BELIEVED TO BE IN PUB, NEGATIVE. ALL IN ORDER |

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RECORD OF INCIDENTS

Untitled

Printed 24-Jun-2009 11:35 By 22384

INC_DATE INC_TIME DESCRIPTION

21/06/2009 00:23 INFT STATES HER HUSBAND HAS BEEN ASSAULTED AT PREMS HE HAS A HEAD INJURY I/P ATTENDED APH HAD HIS HEAD GLUED,

20/06/2009 23:36 INFT STATING HER FRIEND HAS RANG HER TO SAY THAT HER STEP FATHER IS BEING ASSAULTED AT PREMS, STATES GLASSES ARE BEING THROWN AND HER MUM WAS TRYIN TO GET HIM OUT OF THE PREMS , NOD WHEN PATROL ATTEND.

11/05/2009 15:58 PREMS HAS BEEN CLOSED BY WIRRAL LICENSING FOR NOT HAVING A DPS

27/03/2009 23:33 INFT REPORTING A FIGHT O/S LOC APPROX 10 PEOPLE MALES AND FEMALES CCTV MONITORING ABSOLUTELY NOTHING GOING ON

13/03/2009 20:01 INFT STATES PEOPLE ARE STONED AT PREMS ANON CALL

14/02/2009 00:24 6 MALES FIGHTING INSIDE AND O/S PREMS. PATROLS ATTEND ALL PARTIES HAVE LEFT . PATROL HAS SPOKEN TO THE LICENSEE AND CLEARED THE REST OF THE PUB OUT.

29/01/2009 23:19 INFT STATING A MALE IS BEING BEATEN UP BY 2 MALES IN THE DOORWAY OF THE PREMS. ALL QUIET ON CCTV PATROL ATTEND SPEAK TO XXX MALE HE IS REFUSING TO SAY WHAT IF ANYTHING HAS HAPPENED NOD

10/01/2009 00:52 INFT STATES THAT THERE IS A GROUP OF APPROX 7 PEOPLE O/S TRYING TO GET IN INFT BELIEVES THEY HAD A DISPUTE WITH SOMEONE IN SIDE THE PREMS AND ARE TRYING TO GET AT THEM. ALL QUIET ON PATROL ARRIVAL 1 MALE ARRESTED D&D

25/12/2008 02:20 INFT STATES MALE IS BEING ATTACKED A MALE HAS A PIECE OF WOOD AND IS BANGING ON THE DOOR OF THE PREMS. 1 MALE ARRESTED BREACH

18/12/2008 23:59 INFT STATES MALES ARE FIGHTING AND 1 HAS A GUN. DPS HAS BEEN ADVISED AND IS ENROUTE TO PREMS BAR MANAGER HAS BEEN ASSAULTED WITH A POOL CUE AND HAS A INJURY TO HIS MOUTH I/P RECIEVED 12 STITCHES.

09/12/2008 INTEL SUGGESTS THAT UP TO 5 PERSONS ARE SELLING COCAINE OR TABLETS EVERY EVENING IN THE CORRIDOR AND TOILETS OF THE PREMS

29/11/2008 00:58 3 FEMALES TRYING TO GAIN ACCESS INTO THE PREMS AND THEY WERE REFUSED SOME SORT OF ALTERCATION HAS TAKEN PLACE BUT NO OFFENCES DISCLOSED.

15/11/2008 21:49 INFT STATES HE HAS BEEN HIT WITH A GLASS OVER THE HEAD AT PREMS. STATES MALE APPROACHED HIM AND SMASHED THE GLASS OVER HIS HEAD. LETTER OF NON COMPLIANCE SENT.

14/10/2008 22:00 APPROX 5 TO 6 YOUTHS DRINKING AT PREMS THEY ARE IN A TERRIBLE STATE . INFT STATES SHE PHONED UP LAST NIGHT BUT NOTHING HAS BEEN DONE ABOUT IT.

13/10/2008 19:45 INFT STATES APPROX 10 YOIUTHS DRINKING AND SMOKING DRUGS AT PREMS ALL UNDER AGE.

12/09/2008 20:17 INFT IS OUT OF THE COUNTRY A MALE HAS BEEN ASKING ABOUT HER WHO HAS JUST GOT OUT OF PRISON THERE IS A THREAT ASSESMENT FOR THIS

Page 1

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Untitled

23/08/2008 00:36 CALLER STATES HE IS IN THE PREMS AND HAS BEEN ASSAULTED BY A MALE. HE WAS TALKING TO THE MALE THEN THE MALE TURNED NASTY AND HIT CALLER. PATROL ATTEND DRUNKEN VERBAL ARGUMENT NOD

26/07/2008 00:00 INFT IS BEING DISTURBED FROM MUSIC FROM PREMS

26/12/2007 00:48 INFT STATING SOMEONE HAS BEEN CUT OPEN MALE HAS BEEN BOTTLED IN THE EYE. OFFENDER STILL AT SCENE. PATROL ATTEND ARREST MALE SEC 18. I/P HAVING CT SCAN. WEAPON USED WAS AN ASHTRAY.

22/11/2007 17:20 INFT STATING HER 3 YR OLD SON WAS KICKED IN THE HEAD SHE DOES NOT KNOW WHO THE MALE IS. PATROL ATTEND HOME ADDRESS OF FEMALE ALL CHILDREN SAFE AND WELL AND ALLEDGED ASSAULT DID NOT TAKE PLACE.

03/11/2007 21:29 4 MALES FIGHTING O/S LOC ALL CAME FROM LOC. MALE BEING CHASED. MALES WHO CHASED MALE NO BACK AT PH ALL QUIET.

10/08/2007 23:25 REPORT THAT THERE IS A PARTY GOIN ON AT PREMISES AND THEY DONT HAVE AN EXTENDED LICENCE.

24/06/2007 00:55 REPORT OF ASSAULT AT PREMISES.

03/06/2007 23:37 REPORT OF ASSAULT

06/04/2007 19:29 INFORMANT REPORTING HE HAS BEEN ASSAULTED BY ANOTHER MALE INSIDE PREMISES

14/01/2007 23:21 MALE SMASHED WINDOW OF PREMISES WHEN LEAVING

04/07/2006 02:09 COMPLAINT OF FIGHTING INSIDE PREMISES. MALE HAS BEEN EJECTED FOR FIGHTING AND HIS GIRLFRIEND IS STILL INSIDE, MALE WILL NOT LET HER GO

21/06/2006 05:04 XXX FEMALE STATING PEOPLE OPENLY SNORTING DRUGS INSIDE PREMISES AND MUSIC IS VERY LOUD

19/06/2006 19:16 MALES FIGHTING OUTSIDE PREMISES

22/04/2006 23:26 FEMALE ASSAULTED BBY BOYFRIEND

26/03/2006 00:22 ASSAULT. MALE ON FLOOR WITH HEAD INJURY

05/03/2006 22:16 REPORT THAT THERE ARE PEOPLE DOING DRUGS IN THE TOILETS OF THE PREMISES

04/03/2006 16:31 MALE REPORTING HE HAS BEEN ASSAULTED AT PREMISES LAST NIGHT APPROX 2200 BY A KNOWN MALE

01517772939

Untitled

25/02/2006 00:08 MALE AND FEMALE ASSAULTED INSIDE PREMISES

24/02/2006 23:51 COMPLAINT FROM LANDLORD, DRUNKEN MALE INSIDE PREMISES
BEING ABUSIVE

11/01/2006 12:20 MALE REFUSING TO LEAVE PREMISES. HE IS BARRED FROM

25/12/2005 21:25 REPORT OF ASSAULT

20/12/2005 20:08 DRUNKEN FEMALE REFUSING TO LEAVE PREMISES

11/12/2005 19:52 REPORT OF ASSAULT

17/11/2005 18:29 FEMALE HAS BEEN ASSAULTED

29/09/2005 21:54 MALE ARRESTED D&D

20/09/2005 20:37 FEMALE ASSAULTED BY MALE

16/08/2005 23:16 ASSAULT BY FEMALE

24/03/2005 17:47 DRUNKEN FEMALE WHO IS BARRED FROM PREMISES, REFUSING TO
LEAVE. LEFT PRIOR TO ARRIVAL OF PATROL

17/01/2005 20:33 DRUNKEN MALE AT PREMISES WHO IS BARRED AND REFUSING TO
LEAVE. MALE EJECTED, NO FURTHER ACTION FROM POLICE

09/12/2004 20:22 MALE HAS BEEN ASSAULTED WITH BASEBALL BAT

01/12/2004 20:05 STAFF CALLED STATING MALE REFUSING TO LEAVE PREMISES.
MALE EJECTED FROM PATROL

31/07/2004 16:09 LARGE SCALE DISTURBANCE, MALE HAS BEEN GLASSED. PATROL
CONDUCTED WALK THROUGH, PREMISES ALL IN ORDER

05/07/2004 17:10 FEMALE REFUSING TO LEAVE PREMISES. ARRESTED D+D

16/06/2004 16:03 DRUNKEN MALE HAS BEEN ASSAULTED

01517772939

Untitled

01/06/2004 17:00 REQUEST FOR POLICE FROM CUSTOMER AT PREMISES. SUSPECTED
FALSE CALL

20/07/2003 17:38 MALE IS KICKING OFF INSIDE PREMISES, HAS DONE SOME DAMAGE
IN THE TOILETS. ONE MALE ARRESTED FOR CRIM DAM

08/05/2003 22:54 MALE HAS BEEN EJECTED FROM THE PUB, IS NOW KICKING AT THE
DOOR. MALE GONE PRIOR TO ARRIVAL OF PATROL, INFORMANT WILL RING CRB FOR CRIME
NUMBER FOR DAMAGE TO DOOR

08/04/2003 18:46 REPORT OF FEMALE BEING ASSAULTED BY HER EX BOYFRIEND WHO
IS SAID TO BE SCHITZOPHRENIC AND HAS JUST BEEN RELEASED FROM PRISON. DVU ARE
AWARE OF HIM. MALE MADE OFF BEFORE ARRIVAL OF PATROL. FURTHER CALL TO SAY THAT
MALE IS NOW OUTSIDE I/P'S HOME. PATROL ATTENDED AND ARRESTED HIM.

26/02/2003 21:44 MALE HAS BEEN COMING IN AND OUT OF PREMISES THREATENING
STAFF. HAS NOT COMMITTED ANY OFFENCES BUT HAS THROWN BEER ABOUT. MALE HAS NOW
LEFT BUT PASSING ATTENTION WILL BE GIVEN TO AREA

22/02/2003 22:32 ASSISTANCE REQUIRED TO EJECT DRUNKEN MALE WHO IS REFUSING
TO LEAVE. ONE DRUNKEN MALE EJECTED

12/10/2002 22:50 FEMALE REFUSING TO LEAVE, EJECTED FROM PREMISES AND WARNED

11/10/2002 22:32 7/8 MALES THREATENING STAFF, REQUEST ASSISTANCE TO EJECT
THEM. PATROL CANCELLED, MALES HAVE NOW LEFT

01517772939

R. AMLAS A-113

Jun 22 08:42 2009

Page 1

+-----+
| INCIDENT HISTORY RECORDS |
+-----+

Incident#: MP0906201789 Entry: 20-Jun-2009/23:36:50

Type: 122 - Violence Against The Person
Grade: 1 Src: 9 Resp Code: 1RNF Level: 1

Location: FARMERS ARMS @ 43 NEW CHESTER RD , WIRRAL ^CH62 1AA
Loc Info:

Dispatch Group: A3CI Beat: A721

Caller: ~~XXXXXXXXXXXX~~
Address: ~~XXXXXXXXXXXX~~ BROUGH ^CH62 7EW
Phone 1: ~~XXXXXXXXXXXX~~ 2: 3:
Ethnicity:

CallerStatus: T Third Party

REMARKS

Date/Time Remarks

20-Jun-2009
23:36:50

ASSAULT

INFT STATES THAT HER FRIEND HAS RANG HER TO SAY THAT HER
STEP FATHER IS BEING ASASULTED AT AB LOCN

23:37:19

large fight.....loud disturbace heard in the background

23:37:22

HER FRIEND RANG HER TO SAY THAT HER STEP DAD ** ALAN ** WAS
IN THE PUB , WITH HER MUM, 2 MALES CAME IN AND BATTERED HIM
FOR NOTHING

23:37:38

SHE SAID THAT THERE WERE GLASSES BEING THROWN AND HER MUM
WAS TRYING TO GET HIM OUT OF THE PUB

23:38:11

23:39:00

STEP DAD IS 40 ISHSHE IS ASKING FOR AMBO TO THE PUB
manager states they are throwing glasses and bottles

thinks someone my be injured

there are alot of people involved and more are jumping in
no other weapons seen

01517772939

Jun 22 08:42 2009

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female could not hear me as so noisy...ended call as she had to assist

23:39:20 ONTO AMBO
23:40:07 AMBO LOG - 4657042
23:41:32

LOC HISTORY NOT RELEVANT / LOC INFO NOT RELEVANT / ACTION PLAN NOTED

23:42:31 3731 ACTIVATED THE CAMERA ON NEW CHESTER ROAD.
23:43:16 AS37 SPEED CAMERA HOYLAKE ROAD OS THE GRANGE PH
23:43:35 SORRY - CCTV SHOWS A MALE BEING RESTRAINED - ADVISED PATROLS EN ROUTE

23:44:22 AM75 PATROLS STILL TO MAKE NUMEROUS INSIDE THE PREMS STILL KICKING OFF PATROL IS NOT GOING TO ENTER UNTIL FURTHER PATROLS ARRIVE.

23:44:55 AM75 -ENTERING THE PUB.. FURTHER PATROLS ARRIVING ON SCENE
23:48:59 TS30 PATROLS STILL TO MAKE SLOW DOWN
23:55:27 AM75 - FEMALE STOPPED HER SAYING THE BELOW MALE IS INVOLVED.

~~REDACTED~~ - HE HAS NO INJURIES STOP FORM COMPLETED.

21-Jun-2009

00:05:16 AM75 - THERE ARE STILL PERSONS MILLING AROUND THE PRECINCT AND THE FARMERS

00:06:56 CCTV ADVISED AND WILL MONITOR

01:48:32 No offences disclosed at THE FARMERS ARMS.Pub emtied obvious disturbance however there were no offences disclosed. On leaving the scene member of the public alerted me to a male who had been assaulted in a nearby chip shop. 1 male "GORMAN" arrested sus section 47 assault. occurance 0509078678

no cctv of incident

05:18:49 *****INCIDENT RESULT*****

RESULT AS PER TEXT.

INCIDENT SUMMARY

| Status | Status Date | By | At |
|--------|----------------------|-------|-------|
| WAI | 20-Jun-2009/23:36:50 | 33510 | LSCC9 |
| DSP | 20-Jun-2009/23:38:42 | 25497 | ACR10 |
| ENR | 20-Jun-2009/23:38:42 | 25497 | ACR10 |
| ONS | 20-Jun-2009/23:43:24 | 25497 | ACR10 |
| CLR | 21-Jun-2009/05:16:48 | 23759 | ACR3 |
| CLS | 21-Jun-2009/05:18:49 | 23759 | ACR3 |

RESOURCE SUMMARY

| Unit | Date/Time | Status |
|------|-----------|--------|
|------|-----------|--------|

01517772939

Jun 24 14:27 2009

Page 1

+-----+
| INCIDENT HISTORY RECORDS |
+-----+

Incident#: MP0906210044 Entry: 21-Jun-2009/00:23:57

Type: 122 - Violence Against The Person
Grade: R Src: 9 Resp Code: 1RNF Level: 1

Location: 25 MERSEY BANK RD ,WIRRAL ^CH62 1BP
Loc Info:

Dispatch Group: A3CI Beat: A721

Caller: TRACY BROOKS
Address: 25 MERSEY BANK RD ,WIRRAL ^CH62 1BP
Phone 1: 07731863226 2: 3:
Ethnicity:

CallerStatus: W Witness

REMARKS

Date/Time Remarks

21-Jun-2009
00:23:57 ***ASSAULT***

INFMT ADVISED THAT HER HUSBAND HAS BEEN ASSAULTED WHILST THEY WERE IN THE "FARMERS ARMS" IN NEW FERRY..THIS HAPPENED AT 23.45HRS..

INFMTN ADVISED THAT 2 MALES ASSAULTED HER HUSBAND,.. "ALAN BROOKS"...46YOA..HE WAS HIT IN THE HEAD.....HE IS BLEEDING FROM THE FRONT OF HIS HEAD...ABOVE HIS EYE

POSSIBLY NEEDS AMBO..HE KEEPS TRYING TO GO TO SLEEP...

00:24:26 ONTO AMBO NOW....
NO LOC INFO AT A/L..
LOC HIST SHOWS UNRELATED INCIDENTS AT A/L..
00:26:11 AMBO LOG:...4657080....
01:04:51 MALE HAS NOW BEEN CONVEYED TO APH IN THE AMBO.
01:08:06 7816 IS THE HOSPITAL PERSON HE WILL LOCATE THE MALE AND OBTAIN DETAILS NEEDED
01:51:03 ALAN JOHN BROOKES 45 YRS 29/6/63 IS AT APH WITH FACIAL INJURIES.....SAYS HE WAS ASSAULTD IN THE PUB BY CARL BRADY AND CARL LANE...AP IS RATHER XXX AT THIS TIME CANT REMEMBER HIS MOBILE NUMBER AND ITS UNLIKELY HE WILL BE KEPT

01517772939

Jun 24 14:27 2009

Page 2

IN OVERNIGHT

01:55:31 HAVING SPOKEN TO AM75 THIS IS NOTHING TO DO WITH THE OTHER ASSAULT AT THE FARMERS ARMS SN 1789

02:18:52 MALE HAS NOT BEEN SEEN BY THE DR YET

11:33:55

HAVE RECALLED AND SPOKEN TO ALLAN BOTH MALES KNOWN HE HAS HAD HIS HEAD GLUED

17:49:23 please kpi with a realistic time for a patrol to attend

18:05:36 I HAVE TRIED TO RING THE INFT BACK TO KPI BUT THE LINE IS JUST RINGING OUT.

22-Jun-2009

09:43:50

FROM #VP - VEHICLE COULD BE A HYUNDAI GETZ - LOTS OF LOCAL KEEPERS - WITHOUT FURTHER INFO - LIKE COLOUR - UNABLE TO PROGRESS AT THIS TIME

10:16:30

PATROL HAS ATTENDED - NO REPLY

10:17:19 TEXT RE VEHICLE ON WRONG LOG....

10:19:15

PATROL HAS LEFT A NOTE AFTER GETTING NO REPLY - WILL DLA LOG AWAITING RECALL FROM A/P

15:38:44 MESSAGE ALSO LEFT ON THE INFT'S MOBILE ASKING HER TO RING HERE TO ADVISE WHEN THEY ARE AVAILABLE.

18:31:02 STILL AWAITING CONTACT FROM MESSAGES LEFT ON INFO PHONE

18:34:49

RECALLED INFT WHO PUT ME ONTO HER HUSBAND, HE IS AVAILABLE FOR THE NEXT HR - ADVISED THERE ARE NPA AT THE MOMENT, HE IS THEN ONLY AVAILABLE NEXT WEEKEND. CAN THIS BE SENT THROUGH TO CSD PLEASE?

18:45:41 yes - pls advise the inft that csd will make an appt for her to be seen.

18:48:58

CSD - CAN YOU MAKE AN APPOINTMENT PLEASE. INFT IS ONLY UP FOR THE NEXT HR AS UP EARLY FOR WORK.

19:44:28 Contacted the inft, who stated that her husband was asleep. I info'd her that we needed to speak with her husband to take a report of assault.

The inft stated that her husband will recall police 23/06/09.....3069 CSD

23-Jun-2009

09:22:10

PHONED ABOVE MOBILE AND SPOKE WITH ALAN BROOKS , THE AGGRIEVED. APPOINTMENT MADE FOR A NOMINATED OFFICER TO ATTEND AT 25 MERSEYBANK ROAD AT 19.30 HRS. ON THURSDAY 25.06.09.

8206 CSD..

INCIDENT SUMMARY

01517772939

Jun 24 10:20 2009

Page 1

+-----+
| INCIDENT HISTORY RECORDS |
+-----+

Incident#: MP0904280719 Entry: 28-Apr-2009/15:20:05

Type: 122 - Violence Against The Person
Grade: 1 Src: 9 Resp Code: 1RNF Level: 1

Location: FARMERS ARMS @ 43 NEW CHESTER RD , WIRRAL ^CH62 1AA
Loc Info: TWDS NEW FERRY
Dispatch Group: A3CI Beat: A721

Caller: [REDACTED]
Address: [REDACTED]
Phone 1: [REDACTED] 2: [REDACTED] 3: [REDACTED]
Ethnicity:

CallerStatus: W Witness

REMARKS

Date/Time Remarks

28-Apr-2009
15:20:05

VIOLENCE

INFT STATES THAT HIS SON TONY AGED 26 YO HAS RAN OUT OF S/L
CARRING A WOODEN RAKE SHOUTING THAT HE IS GOING BACK TO
S/L.....TO GET HIM

HIS SON HAS BLOOD COMING FROM HIS HEAD

MTF

15:21:06

INFT STATES THAT HIS SON IS VERY XXX AND WAS VERY ANGRY

INFT THINKS THAT HE IS GOING BACK FOR RETRIBUTION ON THE
PERSON WHO HAS CUT HIS HEAD

15:22:13

[REDACTED] ESC AS IC1 AGED 26YO F510 BALDINH BROWN HAIR...IN A
SKINHEAD

WEARING A WHITE T SHIRT AND DARK TROUSERS AND WHITE
TRAINERS

15:22:33

INFT STATES THAT HIS SON HAS FLIPPED

01517772939

Jun 24 10:20 2009

Page 2

15:25:08 DELAY IN DEPLOYING WAS DEALING WITH OFFICERS SAFETY ISSUE
ON SN 688

15:31:52 AS74 AND AM74 WILL DO A WALK THOUGH OF THE PH

15:35:18 LICENCEE HAS BEEN SEEN THERE HAS BEEN NO PROBS IN THE
PHTHE MALE WAS THERE WITH THE RAKE 5 MINS AGO BUT HAS
SINCE LEFT

15:41:29 THERE IS NO TRACE AT ALL BY THE SHOPS

16:15:25 *****INCIDENT RESULT*****
OPENES WRONG CODETHIS IS NOT A REPORTABLE CRIME AT
THIS TIMETHERE IS NO TRACE OF THE DRUNKEN MALE AT ALL
IN NEW FERRY AWAIT HIS RE CALL SHOULD HE WISH TO REPORT ANY
ASSAULT

INCIDENT SUMMARY

| Status | Status Date | By | At |
|--------|----------------------|-------|-------|
| WAI | 28-Apr-2009/15:20:05 | 34422 | LSCC9 |
| DSP | 28-Apr-2009/15:23:13 | 31194 | ACR3 |
| ENR | 28-Apr-2009/15:23:13 | 31194 | ACR3 |
| ONS | 28-Apr-2009/15:27:28 | 31194 | ACR3 |
| CLR | 28-Apr-2009/16:13:02 | 31194 | ACR3 |
| CLS | 28-Apr-2009/16:15:25 | 31194 | ACR3 |

RESOURCE SUMMARY

| Unit | Date/Time | Status |
|------|----------------------|--------|
| AM74 | 28-Apr-2009/15:23:13 | DSP |
| AM74 | 28-Apr-2009/15:23:13 | ENR |
| AM74 | 28-Apr-2009/15:31:36 | ONS |
| AM74 | 28-Apr-2009/15:41:57 | AV |
| AS74 | 28-Apr-2009/15:23:44 | DSP |
| AS74 | 28-Apr-2009/15:23:44 | ENR |
| AS74 | 28-Apr-2009/15:34:42 | ONS |
| AS74 | 28-Apr-2009/15:42:00 | AV |
| AM75 | 28-Apr-2009/15:24:23 | DSP |
| AM75 | 28-Apr-2009/15:24:23 | ENR |
| AM75 | 28-Apr-2009/15:27:28 | ONS |
| AM75 | 28-Apr-2009/16:13:02 | AV |

INCIDENT CHRONOLOGY

| Date/Time | Action | Description | [Wks/Pers] |
|-------------|--------|---|---------------|
| 28-Apr-2009 | | | |
| 15:20:05 | ENTRY | | [LSCC9/34422] |
| 15:21:06 | SUPP | | [LSCC9/34422] |
| 15:21:37 | EXPIRE | Incident status (WAI) timer expired after 90 SEC | |
| 15:22:13 | SUPP | | [LSCC9/34422] |
| 15:22:33 | SUPP | | [LSCC9/34422] |
| 15:23:13 | DE | AM74 (PTLVEH) O/6001 | [ACR3/31194] |

01517772939

278



Merseyside Police
Record of Visit to Licensed Premises

W 04202

Name & Address of Premises: **FARMERS ARMS, NEW CHESTER RD,
NEW FERRY**

Date: **28/4/09** Time: **16.00**

Officer(s) visiting: **A/SGT 7388 / 3731 / 6051**

Name of Licensee: **NOT RECORDED**

Licensee present: **YES** / NO

Person in charge: **NOT RECORDED**

Doorscheme Applies: YES **NO**

Doorpersons present: **NO.**

Name:

Badge No:

Register / Duty State / Incident Book in order: YES / NO

General Comments:

Report of drunken male yielding a garden rake had entered P/H. Entered & searched - negative male had left prior to police arrival.

Licensing Offences disclosed: YES / **NO**

Breaches of PEL: YES / **NO**

Further report YES / **NO**

01517772939

278

Oct 14 22:01 2008

Page 1

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| INCIDENT HISTORY RECORDS |
+-----

Incident#: MP0810141398 Entry: 14-Oct-2008/22:00:44

Type: 326 - Licensing
Grade: 3 Src: 2 Resp Code: 1RNF Level: 1

Location: FARMERS ARMS @ 43 NEW CHESTER RD ,WIRRAL ^CH62 1AA
Loc Info: Dispatch Group: A3CI Beat: A721

Caller: REFUSED
Address: REFUSED
Phone 1: REFUSED 2: 3:
E nicity:

CallerStatus: W Witness

REMARKS

Date/Time Remarks

14-Oct-2008
22:00:44

YTHS DRINKING UNDERAGE AT A/L

APPROX 5 OR 6 YTHS,,,MALES AND FEMALES AGED 14 - 15 YRS -
SHE STATES THEY ARE IN A TERRIBLE STATE AND WHERE ARE THE
PARENTS ,,,

ONE FEMALE HAS SHORT BLONDE HAIR WRN DARK TRKST

ANOTHER GIRL WRN SHORT BLACK SKIRT

INFT BLVS THE LAD RUNNING THE PUB IS CALLED **DANNY MOSS**
BUT THERE IS NO LICENSEE AND ANOTHER BARSTAFF MEMBER KNOWN
ONLY AS ***JOHN***

INFT STATES SHE IS TIRED OF REPORTING THIS THEY WERE THERE
LAST NIGHT AND NOTHING SEEMS TO HAVE BEEN DONE ABOUT IT,
THEY STAND OUTSIDE FOR A SMOKE AND INTIMIDATE PEOPLE
PASSING BY

I TOOK THE LOG LAST NIGHT AND I CANNOT FIND IT ON LOC HIST

INCIDENT SUMMARY

01517772939

FILE MEMO

Farmers Arms PH, 43 New Chester Road, New Ferry

Information received that DPS Joanne Cooney has left country and does not intend returning. Visited premises 1130 16.5.08. DPS not present but has left in charge

Erica Frazer
9 Mayfields North
New Ferry
Personal licence no LN206000904

Brother of DPS in pub and he contacted Joanne for me. Initially stated she was on holiday and would be back next week. I suggested an appointment and she then stated was not sure she would be back quite so soon as one of her children was having a difficult time after she (DPS) had split up with partner. She told me her intention was to return asap as she is to have renovations carried out on pub.

I told her she is allowed as DPS to go on holiday but any longer term plans would require a change of DPS. Insufficient for closure at this stage but to be monitored.

Area manager David Littler 07824 491234 from Admiral Taverns spoken to and will contact DPS to find out what is happening.

DP 6555 16.5.08

01517772939
MERSEYSIDE POLICEFILE
No.

| | | | |
|---------|--------------------------|---------------|------------|
| Area: | Wirral | Area Ref. No. | A7 |
| Station | Bromborough | | |
| From | A/Sgt 3025 Pete Bioletti | Tel. Ext | 72546 |
| To | Licensing Dept. | Date | 14/07/2008 |

Subject -**FARMER'S ARMS P/H NEW FERRY.**

Over the past weekend there have been a number of issues regarding the Farmer's Arms Public House, New Ferry. Firstly, at about 04:10 hours on Saturday 12th July, a patrol, Constable 4352, passed the P/H and saw that there were a large group of people leaving the premises, a number of whom were very drunk. Unfortunately, due to the volume of emergency calls during that shift, we were unable to make any follow up enquiries although Constable Stewart did notify the licensing department via an email.

At about 00:45 hours on Monday 14th July, patrols were called to shops opposite the Farmers Arms on an unrelated incident. Whilst they were there the officers noticed that there was a great deal of noise coming from the Farmers Arms and there seemed to be a lot of people still in the premises although the doors were shut. On concluding enquiries on the initial incident, I decided to visit the Farmers Arms to check what was going on and to try and assess if any licensing offences were being committed. On approaching the P/H I saw a number of people leaving the P/H via the front door. One of them, a male, was staggering and carrying a ¾ full pint glass of beer. He was advised by a patrol and the glass was disposed of and the male initially moved away but then became disorderly by shouting abuse back down the road at the patrols. This male was then arrested drunk and disorderly. I then approached the premises, banged on the door for entry but could hear from inside voices shouting "FUCK OFF". On trying again I was let into the P/H. On entering the main bar I could see about 25-30 people still drinking, there was a male behind the bar but I did not see him serving and it transpired that he was one of the customers and was very drunk. I spoke to the female who stated that she was in charge and that she was the sister of the licensee who was away on holiday. Unfortunately, due to subsequent disorder and arrests that had to be made soon after this conversation, I was unable to get the female's details. On asking her what time they were licensed to sell alcohol up until, she could not answer and stated she did not know. As the customers were being advised to leave the premises a female customer threw a drink at Constable Stewart and she was arrested. As patrols were monitoring the customers leaving the premises, a second male became disorderly and he too was arrested. Constable 2114 McCabe remained at the scene and told the female that he required the till roles from both tills but staff stated they were unable to provide them and gave him a till receipt. They also stated that cctv was stored on a hard drive that they could not access. I have created a log, 0807140227, for a patrol to reattend and seize till rolls, cctv and obtain all details.

The three arrested are:- CAIRNS, CLAYWORTH and BROWN, these are all under the same occurrence # 0508092105. The arresting officers statements all evidence the conditions inside the Farmers Arms and Con Stewart's statement contains the significant

01517772939

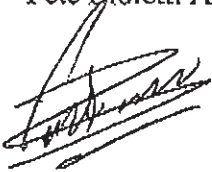
104a

statement made by the female she subsequently arrested, when told to leave the premises she stated "FUCK OFF I ONLY JUST BOUGHT THIS FUCKIN' DRINK" this was after 01:00 hrs!

I hope this is of some use to you, all three have been issued PND's. I'm next on duty Thursday 17th July 1400 - 2400 hrs and am more than willing to do "walk throughs" over our weekend of E.P's and would appreciate any guidance or information.

Thanks.

Pete Bioletti A/Sgt 3025



01517772939
MERSEYSIDE POLICEFILE
No.

| |
|--|
| |
|--|

| | | | |
|---------|---------------------|---------------|----------|
| Area: | A | Area Ref. No. | A7 |
| Station | BROMBOROUGH | | |
| From | CON 4352 STEWART | Tel. Ext | 72590 |
| To | A/SGT 3025 BIOLETTI | Date | 17/07/08 |

Subject - **FARMERS ARMS PUBLIC HOUSE, NEW CHESTER
ROAD, NEW FERRY, WIRRAL**

On Thursday 17th July 2008 I attended the above location where I spoke to Erica FRAZER. She stated that she had left the PH in the hands of Joanne TAYLOR while she was on holiday. She said that, during her holiday, Joanne had gone away & left the PH under the control of her sister Sara TAYLOR. Sara was looking after the PH during the weekend of 11th to 13th July.

FRAZER handed me a till roll from Friday 11th July. However, I did not see her retrieve the roll so do not know if she has ripped any of it off, that may detail later transactions on this date. FRAZER stated that she could not find the till roll from Sunday 13th July. She also stated that she did not know how to use the CCTV system or download any footage from it, & nor did anyone else who worked at the PH. FRAZER stated that the VMU had attended the PH following a previous incident & downloaded the necessary footage themselves.

Con 4352 STEWART
A Block Bromborough Patrol

01517772939

RESTRICTED (when complete)

MG11W

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1)

Statement of: Erica Evelyn Susan FRAZER URN

Age if under 18: over 18 (if over 18 insert 'over 18') Occupation: Licensee

This statement (consisting of _____ page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false or do not believe to be true.

Signature: [Signature] Date 17/07/08

Tick if witness evidence is visually recorded (supply witness details on rear)

I am the above named & currently work as the Designated Premises Supervisor at the **PARTNER'S ARMS PUB** CHASE on **NEW CHESTER ROAD, NEW FELRY WIREDA**. On Thursday 17th July 2008 at about 4:30pm I gave Constable 4352 STEWART Hill rolls from the pub. I present them as the following exhibits - a till receipt from Friday 18th July - EESF/1. I could not find the till receipt from Sunday 13th July.

I cannot work the CCTV system, so cannot download any footage. Neither can anyone else who works here.

Signature: [Signature] Signature witnessed by: [Signature]

01517772939



A' District Licensing Office
Wallasey Police Station
Manor Road, Wallasey
CH44 1DA

Tel: 0151 777 2944
Fax: 0151 777 2939

BREACH OF LICENCE NOTIFICATION – LICENSING ACT 2003 AND SECTION 19 OF THE CRIMINAL JUSTICE AND POLICE ACT 2001

At 1100 on 22/7/08 a licensing visit was conducted at the below premises

FARMERS ARMS NEWCHESTER ROAD
NEW FERRY

It has been identified that the following items breached one or more conditions of the premises licence

PREMISES STILL OPEN TO PUBLIC AT 0100 HRS 14/7/08
SHOULD HAVE CLOSED 2330 HRS.
2 PERSONS SUBSEQUENTLY ARRESTED D+D.

Where a Police Officer, or an authorised officer from the local authority, is satisfied that any premises are being, or within the last 24 hours have been used for the unlicensed sale of alcohol, including being in breach of its licence conditions, he may serve under subsection (3) a closure notice in respect of the premises.

You now have seven days to rectify the matters outlined above. If the matters are not corrected within seven days you will be issued with a closure order under Section 19(3) of the Criminal Justice and Police Act 2001.

It is an offence for a person to intentionally obstruct Police Officer or authorised local authority officers from exercising these powers. Any person convicted of obstructing a Police Officer is liable to a fine not exceeding £5,000, or to one month's imprisonment, or to both. Any person convicted of obstructing an authorised local authority officer is liable to a fine not exceeding £5,000.

This document may be disclosed to other responsible bodies as detailed within the Licensing Act 2003. It may be referred to and disclosed in any licensing hearing in relation to the premises mentioned and should be treated as a formal warning.

A copy of this letter has been retained on Police files.

Officer issuing warning letter

Name S BARRELL

Signed [Signature]

Date 22/7/08

Person on whom this letter has been served (If applicable)

Name

Signed [Signature]

Date

6. Aug. 2008 16:46

01517772939

No. 4453

PAGE

21/27

P. 1

K. FRAZER

9 Mayfields North

New Ferry

Wirral

Club LAS

6.8.08.

To whom it may concern

I am

writing to you to inform you that
I wish to resign from being the
D.P.S. at the premises of
The Farmer's Arms New Chester Rd
New Ferry Your Cooperation would be
much appreciated with this matter
and for it to take immediate
effect.

Yours Sincerely
S. J. Ob.

01517772939



MERSEYSIDE POLICE

Merseyside Police

Record of Visit to Licensed Premises W 11108

Name & Address of Premises:

- ① 2150 DANCY'S NEW BRIGHTON 83
- ② 2155 MAGGS HEAD NEW BRIGHTON 44
- ③ 22-15 LETHERSPONS HOVLACE 132

Date: 19/9/09 Time:

- ④ 22-17 THE SHIP HOVLACE 185
- ⑤ 22-19 BAN ONE HOVLACE 551
- ⑥ 22-21 AUNA HOVLACE 242

Officer(s) visiting: 8290 / 8489

- ⑦ 2223 BLUE ANGLON HOVLACE 381

Name of Licensee:

- ⑧ 2225 PUNCH TOWN HOVLACE 344 Licensee present: YES / NO

Person in charge:

- ⑨ 2230 CURA HOVLACE 35
- ⑩ 2232 LG TOOGS HOVLACE 557

Doorscheme Applies: YES / NO

- ⑪ 2233 ESKIMO HOVLACE 554

Doorpersons present:

- ⑫ 2235 JACK RABBITS HOVLACE 332
- ⑬ 2250 KINGS GAP HOVLACE 503

Name:

- ⑭ 2345 MILLHOUSE MORGTON 66 Badge No:

719 ⑮ 0012 LEE MANUIN CHANNING CROSS

278 ⑯ 0025 FARMERS ARMS NEW FERRY

278 ⑰ 0075 FARMERS ARMS NEW FERRY

416 ⑱ 01-30 OLD HOUSE ^{AT} ~~HOUSE~~ HOME

Register / Duty State / Incident Book in order: YES / NO All in order

General Comments:

- ⑬ CLOSURE NOTICE ISSUED BY 8290
- ⑰ BREAK AT TEN HOURS. REBECCA PENNY BAN PERSON SPOKEN TO

Licensing Offences disclosed: YES / NO

Breaches of PEL: YES / NO

Further report YES / NO

01517772939
278**FILE MEMO****Premises:** FARMERS ARMS NEW FERRY**Date:** 20/9/08**Officer:** 8290/8489**Action Taken:**

At 00.25 hours 20/9/08 whilst on licensing patrol could clearly see large number of people inside pub drinking. Due to numbers premises not entered assess situation re uniform presence.

At 01.15 hours return to premises see people inside playing pool and drinking. Whilst there door opened and a female appeared Rebecca Penny barstaff. Informed her who we were and licensing offence, she stated she would clear pub. Premises not entered, due to numbers.

Returned 23/9/08 issue breach for remaining open and to become pubwatch member.

Karl

01517772939



A District Licensing Office
Wallasey Police Station
Manor Road, Wallasey
CH44 1DA

Tel: 0151 777 2946
Fax: 0151 777 2939

BREACH OF LICENCE NOTIFICATION – LICENSING ACT 2003 AND SECTION 19 OF THE CRIMINAL JUSTICE AND POLICE ACT 2001

At 11.10 on 23/9/08 a licensing visit was conducted at the below premises

THE FARMERS ARMS
NEW FERRIS

It has been identified that the following items breached one or more conditions of the premises licence

ON 19/9/08 REMAINED OPEN TO MEMBERS OF THE PUBLIC
AFTER HOURS (01.15 HOURS)
TO BECOME A MEMBER OF PUBWATCH

Where a Police Officer, or an authorised officer from the local authority, is satisfied that any premises are being, or within the last 24 hours have been used for the unlicensed sale of alcohol, including being in breach of its licence conditions, he may serve under subsection (3) a closure notice in respect of the premises.

You now have seven days to rectify the matters outlined above. If the matters are not corrected within seven days you will be issued with a closure order under Section 19(3) of the Criminal Justice and Police Act 2001.

It is an offence for a person to intentionally obstruct Police Officer or authorised local authority officers from exercising these powers. Any person convicted of obstructing a Police Officer is liable to a fine not exceeding £5,000, or to one month's imprisonment, or to both. Any person convicted of obstructing an authorised local authority officer is liable to a fine not exceeding £5,000.

This document may be disclosed to other responsible bodies as detailed within the Licensing Act 2003. It may be referred to and disclosed in any licensing hearing in relation to the premises mentioned and should be treated as a formal warning.

A copy of this letter has been retained on Police files.

Officer issuing warning letter

Name CORRIGAN CON 8290

Signed [Signature] 8290

Date 23/9/08

Person on whom this letter has been served (if applicable)

Name JOHN MICHAEL PARKINSON

Signed [Signature]

Date 23/9/08

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To WHOM IT MAY CONCERN, I AM WRITING
 TO INFORM YOU THAT I AM NO LONGER
 THE D PS OF THE FARMERS ARMS IN NEW
 FERRY IT CLOSED ON WEDNESDAY 6th MAY
 AND I HAVE HEARD IT HAS REOPENED
 ON THE 8th MAY WITHOUT MY KNOWING
 AS FAR AS I WAS AWARE IT WAS STILL
 CLOSED SO I WOULD LIKE MY NAME
 REMOVED ASAP

Yours Sincerely,

W. Chalk

01517772939



**CLOSURE NOTICE MADE UNDER SECTION 19 OF THE
CRIMINAL JUSTICE AND POLICE ACT 2001**

Date and Time of Closure Notice 11/5/09 15.15

Police Force or Local Authority MERSEYSIDE

Person Making the Notice Lorraine Signature *[Handwritten Signature]*

Name (if applicable) and Address of the affected Premises
THE FARMERS Arms Near Formby

Steps which may be taken to end the alleged unauthorised use of the premises, or to prevent it from re-occurring

NO DPS FOR PREMISES
LETTER RECEIVED BY PREVIOUS
DPS

The person (if applicable) on whom the closure notice has been served.

Name, LORRAINE Signature *[Handwritten Signature]*

LORRAINE DAVIDSON

07877196574



01517772939



COPY

TERMINATION OF CLOSURE NOTICE MADE UNDER SECTION 22 OF THE CRIMINAL JUSTICE AND POLICE ACT 2001

Date/Time of Termination Notice..... 12/5/09 17:20.....

Police Force or Local Authority..... MERSEYSIDE.....

Person Making the Notice..... S. BARRELL..... Signature..... S. BARRELL.....

Name (If applicable) and Address of the affected Premises.....
FARMERS ARMS NEW CHESTER ROAD
NEW FERRY.....

Notice is hereby given that the previous Closure Order, issued under Section 19 of the Criminal Justice and Police Act 2001, is now terminated due to the fact that the need for the said order has now ceased.

This order is effective immediately from the time of service

The Person on whom the termination notice has been served

Name..... A.D. COONEY..... Signature..... [Signature].....

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Jun 25 09:46 2009

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| INCIDENT HISTORY RECORDS |
+-----+

Incident#: MP0906250353 Entry: 25-Jun-2009/09:44:08

Type: 326 - Licensing
Grade: 3 Src: 2 Resp Code: 1RNF Level: 1

Location: FARMERS ARMS PUBLIC HOUSE @ NEW CHESTER ROAD ,NEW FERRY ^C H62
Loc Info:
Dispatch Group: A3CI Beat: A721

Caller: [REDACTED]
Address: [REDACTED]
Phone 1: [REDACTED] 2: [REDACTED] 3: [REDACTED]
Ethnicity:

CallerStatus: W Witness

REMARKS

Date/Time Remarks

25-Jun-2009
09:43:04

*****LICENCING*****

INF REPORTS TAHAT MALE WAS SEEN LAST NIGHT AT 2000
URINATING OUTSIDE THE PUB

INF WANTS THIS NOTED AGAINST THEIR LICENCE

MALE WAS 18-25

INF STATES THAT THIS MUST BE SENT TO LICENCING OFFICER OR
NEIGHBOURHOOD OFFICERS TO UPDATE LICENCE

09:43:49 LOC HITS..N/A
LOC INFO..NONE
A/PLAN.NONE

09:44:38 NOTED THANKS

INCIDENT SUMMARY

| Status | Status Date | By | At |
|--------|----------------------|-------|-------|
| ----- | ----- | ----- | ----- |
| WAI | 25-Jun-2009/09:44:08 | 41553 | LSCR9 |

INCIDENT CHRONOLOGY

| Date/Time | Action | Description | [Wks/Pers] |
|-----------|--------|-------------|------------|
|-----------|--------|-------------|------------|

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R. AMMUS ARMS

Jun 22 08:42 2009

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| INCIDENT HISTORY RECORDS |
+-----+

Incident#: MP0906201789 Entry: 20-Jun-2009/23:36:50

Type: 122 - Violence Against The Person
Grade: 1 Src: 9 Resp Code: 1RNF Level: 1

Location: FARMERS ARMS @ 43 NEW CHESTER RD , WIRRAL ^CH62 1AA

Loc Info: Dispatch Group: A3CI Beat: A721

Caller: [REDACTED]
Address: [REDACTED] BURGUGH ^CH62 7EW
Phone 1: [REDACTED] 2: 3:
Ethnicity:

CallerStatus: T Third Party

REMARKS

| Date/Time | Remarks |
|-------------------------|---|
| 20-Jun-2009 23:36:50 | ASSAULT |
| 23:37:19 | INFT STATES THAT HER FRIEND HAS RANG HER TO SAY THAT HER STEP FATHER IS BEING ASASULTED AT AB LOCN |
| 23:37:22 | large fight.....loud disturbance heard in the background |
| 23:37:38 | HER FRIEND RANG HER TO SAY THAT HER STEP DAD ** ALAN ** WAS IN THE PUB , WITH HER MUM, 2 MALES CAME IN AND BATTERED HIM FOR NOTHING |
| 23:38:11 | SHE SAID THAT THERE WERE GLASSES BEING THROWN AND HER MUM WAS TRYING TO GET HIM OUT OF THE PUB |
| 23:39:00 | STEP DAD IS 40 ISHSHE IS ASKING FOR AMBO TO THE PUB manager states they are throwing glasses and bottles thinks someone my be injured there are alot of people involved and more are jumping in no other weapons seen |

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Jun 22 08:42 2009

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female could not hear me as so noisy...ended call as she had to assist

23:39:20 ONTO AMBO
23:40:07 AMBO LOG - 4657042
23:41:32

LOC HISTORY NOT RELEVANT / LOC INFO NOT RELEVANT / ACTION PLAN NOTED

23:42:31 3731 ACTIVATED THE CAMERA ON NEW CHESTER ROAD.
23:43:16 AS37 SPEED CAMERA HOYLAKE ROAD OS THE GRANGE PH
23:43:35 SORRY - CCTV SHOWS A MALE BEING RESTRAINED - ADVISED PATROLS EN ROUTE

23:44:22 AM75 PATROLS STILL TO MAKE NUMEROUS INSIDE THE PREMS STILL KICKING OFF PATROL IS NOT GOING TO ENTER UNTIL FURTHER PATROLS ARRIVE.

23:44:55 AM75 -ENTERING THE PUB.. FURTHER PATROLS ARRIVING ON SCENE
23:48:59 TS30 PATROLS STILL TO MAKE SLOW DOWN
23:55:27 AM75 - FEMALE STOPPED HER SAYING THE BELOW MALE IS INVOLVED.

HE HAS NO INJURIES STOP FORM COMPLETED.

21-Jun-2009

00:05:16 AM75 - THERE ARE STILL PERSONS MILLING AROUND THE PRECINCT AND THE FARMERS

00:06:56 CCTV ADVISED AND WILL MONITOR

01:48:32 No offences disclosed at THE FARMERS ARMS.Pub emtied obvious disturbance however there were no offences disclosed. On leaving the scene member of the public alerted me to a male who had been assaulted in a nearby chip shop. 1 male "GORMAN" arrested sus section 47 assault. occurance 0509078678

no cctv of incident

05:18:49 *****INCIDENT RESULT*****

RESULT AS PER TEXT.

INCIDENT SUMMARY

Table with 4 columns: Status, Status Date, By, At. Rows include WAI, DSP, ENR, ONS, CLR, and CLS with corresponding dates and times.

RESOURCE SUMMARY

Table with 3 columns: Unit, Date/Time, Status

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Handwritten: (P... ..)

Jun 22 08:45 2009

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+-----+
| INCIDENT HISTORY RECORDS |
+-----+

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Incident#: MP0906210044 Entry: 21-Jun-2009/00:23:57

Type: 122 - Violence Against The Person
Grade: 3 Src: 9 Resp Code: 1RNF Level: 1

Location: 25 MERSEY BANK RD ,WIRRAL ^CH62 1BP

Loc Info:

Dispatch Group: A3CI Beat: A721

Caller: [REDACTED]

Address: [REDACTED] WIRRAL ^CH62 1BP

Phone 1: [REDACTED] 2: 3:

Ethnicity:

CallerStatus: W Witness

REMARKS

| Date/Time | Remarks |
|----------------------|---|
| 21-Jun-2009 00:23:57 | ****ASSAULT*** |
| | INFMT ADVISED THAT HER HUSBAND HAS BEEN ASSAULTED WHILST THEY WERE IN THE "FARMERS ARMS" IN NEW FERRY..THIS HAPPENED AT 23.45HRS.. |
| | INFMTN ADVISED THAT 2 MALES ASSAULTED HER HUSBAND, ... [REDACTED] .HE WAS HIT IN THE HEAD.....HE IS BLEEDING FROM THE FRONT OF HIS HEAD...ABOVE HIS EYE |
| | POSSIBLY NEEDS AMBO..HE KEEPS TRYING TO GO TO SLEEP... |
| | ONTO AMBO NOW.... |
| 00:24:26 | NO LOC INFO AT A/L.. |
| | LOC HIST SHOWS UNRELATED INCIDENTS AT A/L.. |
| 00:26:11 | AMBO LOG:...4657080.... |
| 01:04:51 | MALE HAS NOW BEEN CONVEYED TO APH IN THE AMBO. |
| 01:08:06 | 7816 IS THE HOSPITAL PERSON HE WILL LOCTATE THE MALE AND OBTAIN DETAILS NEEDED |
| 01:51:03 | [REDACTED] IS AT APH WITH FACIAL INJURIES.....SAYS HE WAS ASSAULTD IN THE PUB BY [REDACTED] .AP IS RATHER XXX AT THIS TIME CANT REMEMBER HIS MOBILE NUMBER AND ITS UNLIKELY HE WILL BE KEPT |

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Jun 22 08:45 2009

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IN OVERNIGHT
 01:55:31 HAVING SPOKEN TO AM75 THIS IS NOTHING TO DO WITH THE OTHER
 ASSAULT AT THE FARMERS ARMS SN 1789
 02:18:52 MALE HAS NOT BEEN SEEN BY THE DR YET
 11:33:55
 HAVE RECALLED AND SPOKEN TO ALLAN
 BOTH MALES KNOWN
 HE HAS HAD HIS HEAD GLUED
 17:49:23 please kpi with a realistic time for a patrol to attend
 18:05:36 I HAVE TRIED TO RING THE INFT BACK TO KPI BUT THE LINE IS
 JUST RINGING OUT.

INCIDENT SUMMARY

| Status | Status Date | By | At |
|--------|----------------------|-------|-------|
| WAI | 21-Jun-2009/00:23:57 | 40072 | LNCC2 |
| DSP | 21-Jun-2009/00:58:27 | 23759 | ACR3 |
| ENR | 21-Jun-2009/00:58:27 | 23759 | ACR3 |
| ONS | 21-Jun-2009/01:01:24 | 31194 | ACR9 |
| WAI | 21-Jun-2009/01:01:41 | 31194 | ACR9 |

RESOURCE SUMMARY

| Unit | Date/Time | Status |
|------|----------------------|--------|
| AM87 | 21-Jun-2009/00:58:27 | DSP |
| AM87 | 21-Jun-2009/00:58:27 | ENR |
| AM87 | 21-Jun-2009/01:01:24 | ONS |
| AM87 | 21-Jun-2009/01:01:41 | AV |

INCIDENT CHRONOLOGY

| Date/Time | Action | Description | [Wks/Pers] |
|-------------|---------|---|--------------------------------|
| 21-Jun-2009 | | | |
| 00:23:57 | ENTRY | | |
| 00:24:26 | SUPP | | [LNCC2/40072] |
| 00:24:39 | ACTPLAN | Plan Code: VIOLENCE Plan Number: 2291 | [LNCC2/40072] [LNCC2/40072] |
| 00:26:11 | SUPP | | |
| 00:37:36 | XREF | #MP0906201789 | [LNCC2/40072] |
| 00:53:57 | EXPIRE | Incident status (WAI) timer expired after 30 MIN | [ACR9/31194] |
| 00:58:27 | DE | AM87 (PTLVEH) O/5265,7091 | |
| 01:01:24 | ONS | AM87 | [ACR3/23759] |
| 01:01:41 | PREMP | AM87 | [ACR9/31194] |
| 01:04:51 | SUPP | | [ACR9/31194] |
| 01:08:06 | SUPP | | [ACR3/23759] |
| 01:08:19 | CHNG | Grade: 2 ==> 4 | [ACR9/31194] |
| 01:51:03 | SUPP | | [ACR9/31194] |
| 01:55:31 | SUPP | | [ACR9/31194] |
| 01:55:54 | CHNG | Grade: 4 ==> 3 | [ACR9/31194] [ACR9/31194] |

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