



LICENSING SUB-COMMITTEE

**MEETING TO BE HELD IN CIVIC HALL, LEEDS ON
THURSDAY, 1ST MARCH, 2012 AT 10.00 AM**

MEMBERSHIP

Councillors

J Dunn - Ardsley and Robin Hood;
C Townsley - Horsforth;
G Wilkinson - Wetherby;

**Agenda compiled by:
Tel No:
Governance Services
Civic Hall
LEEDS LS1 1UR**

**Helen Gray
247 4355**

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<u>PRELIMINARY PROCEDURES</u> ELECTION OF THE CHAIR	
2			APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded) (*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)	

Item No	Ward	Item Not Open		Page No
3			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1) To highlight reports or appendices which:</p> <p>a) officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>b) To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>c) If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of those parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information</p> <p>2) To note that under the Licensing Procedure rules, the press and the public will be excluded from that part of the hearing where Members will deliberate on each application as it is in the public interest to allow the Members to have a full and frank debate on the matter before them.</p>	
4			<p>LATE ITEMS</p> <p>To identify any applications as late items of business which have been admitted to the agenda for consideration</p> <p>(the special circumstances shall be identified in the minutes)</p>	

Item No	Ward	Item Not Open		Page No
5			<p>DECLARATIONS OF INTEREST</p> <p>Members are reminded to declare any interests at the start of the hearing on each application for the purpose of Section 81 (3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of conduct</p> <p><u>HEARINGS</u></p>	
6	Morley South;		<p>"SLIP INN" - REVIEW OF A PREMISES LICENCE FOR THE SLIP INN, ALBION STREET, MORLEY LEEDS LS27 8DT</p> <p>To consider the report of the Head of Licensing and Registration on an application received for the Review of the Premises Licence held at The Slip Inn, Albion Street, Morley. The application has been made by West Yorkshire Police under the provisions of Section 51 of the Licensing Act 2003</p> <p>(Report attached)</p>	1 - 80



Originator: Mrs Bridget Massey
Tel: 0113 2474095

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: 1st March 2012

Subject: Review of a Premises Licence for:
The Slip Inn, Albion Street, Morley, Leeds, LS27 8DT

Electoral Wards Affected:

Morley South

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

This report informs Members of an application for the review of a Premises Licence made by West Yorkshire Police in respect of The Slip Inn, Albion Street, Morley, Leeds, LS27 8DT under Section 51. of the Licensing Act 2003. The Licensing Authority is now under a duty to review the Premises Licence held in respect of The Slip Inn.

1.0 Purpose of this Report

1.1 This report provides Members with the background and history to the making of the review. The report sets out the relevant law when reviewing licences under the Licensing Act 2003 ("the Act"). Finally, this report informs members of the options available to them when reviewing a premises licence.

2.0 Background Information

2.1 An application to convert and vary a Justice's Licence was received in 2005. Representations were received from West Yorkshire Police, Leeds City Council Environmental Noise Nuisance Team and Leeds City Council Health and Safety Team. Conditions were agreed and the licence was duly granted.

Enforcement Action

In August 2010 a complaint was received that a 17 year old minor was selling alcohol without supervision. A warning letter was sent to the designated premises supervisor no further action was taken.

- 2.2 The premises currently have the benefit of a Premises Licence issued under the Licensing Act 2003 for the following licensable activities to take place during the stated hours:

Sale by retail of alcohol	
Every Day	10:00 - 00:00
Performance of Recorded Music	
Every Day	10:00 - 00:00
Provision of Facilities for Making Music	
Every Day	10:00 - 00:00

- 2.3 The premises licence allows the premises to be open to the public during the following times:

Everyday	10:00 - 00:30
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- 2.4 The Premises Licence Holder is Mr Terence Benson

- 2.5 The Designated Premises Supervisor for the premises is Gerald Lennon

- 2.6 A copy of the current Premises Licence is attached at **Appendix A** for the benefit of members.

- 2.7 A map detailing the location of the premises is attached at **Appendix B**.

3.0 Main Issues

- 3.1 The review is being sought by West Yorkshire Police on the grounds of crime and disorder, public nuisance, public safety and protection of children from harm. A copy of the review application is located at **Appendix C**.

- 3.2 Documentary evidence to support the review of the grounds described above can be found at **Appendix D**.

- 3.3 As part of the review procedure details of the review and an outline of the grounds on which the review was requested must be displayed at the premises for a period of 28 days commencing the day after the application was received, this being **2nd February 2012**.

- 3.4 Notices providing details of the review were duly placed on prominent display at the premises on **6th January 2012**, which are then checked on a regular basis. The notices were removed at the end of the 28 day consultation period.

- 3.5 Section 51 of the Act places the Licensing Authority under a duty to review the premises Licence in respect of . The Licensing Authority must then follow a

procedure set out in the Licensing Act 2003. A summary of this procedure is attached to this report by way of a flow chart at **Appendix E**.

4.0 Relevant Representations

4.1 Under the Act representations can be received from responsible authorities or interested parties. Representations must be relevant and, in the case of an interested party, must not be frivolous or vexatious.

4.2 Representations have been received from responsible authorities . Members are invited to consider the representation from Environmental Noise Protection Team attached at **Appendix F**.

4.3 Representations have been received from local Ward Members and are attached at **Appendix G** for Members consideration.

4.4 A representation has been received from a local resident, Members are invited to consider the background papers.

5.0 Matters Relevant to the Application

5.1 Members of the Licensing Sub Committee must make decisions with a view to promoting the licensing objectives which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

5.2 In making their decision Members are obliged to have regard to guidance issued under Section 182 of the Act, a copy of the relevant section is attached at **Appendix H** and the council's licensing policy (paragraphs 5.99 to 5.117). Members must also have regard to the relevant representations made and evidence they hear.

6.0 Implications for Council Policy and Government

6.1 It is the stated licensing policy of the Council that when considering a review the authority will take into account all relevant circumstances but will view the matters listed in paragraph 12.13 of the policy with particular seriousness.

7.0 Legal and Resource Implications

7.1 There are no resource implications in determining the review.

7.2 The Act provides the right to appeal on any decision reached on review. The right of appeal is to the Magistrates Court.

8.0 Recommendations

8.1 Members are requested to determine this review. The Committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- To modify the conditions of the licence (which includes adding new conditions or any alteration or omission of an existing condition)
- Exclude any licensable activities to which the application relates.
- To remove the Designated Premises Supervisor.
- To suspend the licence for a period not exceeding 3 months
- To revoke the licence

8.2 Members may alternatively decide that no action is necessary and that the circumstance of the review does not require the Committee to take any steps to promote the licensing objectives.

8.3 Members should note the Guidance also suggests it is open to Members to issue an informal warning to the licence holder or to recommend improvement within a particular time. However the Guidance further provides that where responsible authorities have already issued such warnings, the issuing of another warning should not be repeated.

8.4 Members of the Licensing Committee are asked to note that they may not take any of the steps outlined above merely because they consider it desirable to do so. It must actually be necessary in order to promote the licensing objectives.

Background Papers

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Statement of Licensing Policy
- Representation from a resident in support of West Yorkshire Police and letters of support for the Slip Inn from members of the public.

Premises Licence

Premises Licence Number:

Appendix A

Public Register Copy

Licence Issued on:

20/08/2005

Premises Address: Slip Inn, Albion Street, Morley, Leeds, LS27 8DT

Licensable activities authorised by this licence: Sale by retail of alcohol, Performance of Recorded Music, Provision of Facilities for Making Music,

Times for licensable activities

Sale by retail of alcohol

Every Day 10:00 - 00:00

Performance of Recorded Music

Every Day 10:00 - 00:00

Provision of Facilities for Making Music

Music

Every Day 10:00 - 00:00

Opening hours of premises

Monday 10:00 - 00:30

Tuesday 10:00 - 00:30

Wednesday 10:00 - 00:30

Thursday 10:00 - 00:30

Friday 10:00 - 00:30

Saturday 10:00 - 00:30

Sunday 10:00 - 00:30

Opening hours of premises

Alcohol sales are permitted for consumption both on and off the premises

Premises Licence Holder(s): Mr Terence Benson, The Slip Inn, Albion Street, Morley, LS27 8DT

Designated Premises supervisor: Gerald Lennon

**Access to the premises by children is restricted.
Detailed in full on Part A of this licence.**

Licence Issued under the authority of:



T N Jackson
Assistant Chief Executive
(Corporate Governance)

Licence produced on 02/02/2010

Annex 1 – Mandatory conditions

1. Only individuals licensed by the Security Industry Authority may be used at the premises to guard against:-
 - a. unauthorised access or occupation (e.g. through door supervision), or
 - b. outbreaks of disorder, or
 - c. damage
2. No supply of alcohol may be made under this licence
 - a. At a time when there is no designated premises supervisor in respect of the premises licence, or
 - b. At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
3. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Embedded restrictions attached to the licence by virtue of grandfather rights.

4. Alcohol shall not be sold or supplied except during the hours stated on this licence and:
 - a. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
 - b. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
5. The above restrictions do not prohibit:
 - a. the taking of the alcohol from the premises, (unless the alcohol is supplied or taken in an open vessel,) during the first thirty minutes after above hours;
 - b. the consumption of the alcohol on the premises by persons taking meals there during the first thirty minutes after the above hours, if the alcohol was supplied for consumption ancillary to those meals.
 - c. consumption of the alcohol on the premises by, or, the taking, sale or supply of alcohol to any person residing in the licensed premises;
 - d. the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of alcohol so ordered;
 - e. the sale of alcohol to a trader or club for the purposes of the trade or club;
 - f. the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's Naval, Military or Air Forces;
 - g. the taking of alcohol from the premises by a person residing there; or
 - h. the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
 - i. the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption

of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

6. Where the number of children attending the entertainment exceeds 100 the licensee shall ensure that the provisions of Section 12 of the Children and Young Persons Act 1933 are complied with.

Annex 2 – Conditions consistent with the Operating Schedule

Additional details in respect of Licensable Activities authorised by this licence

7. Sale by retail of alcohol

Seasonal Variations:

None

Non Standard Timings:

None

8. Performance of Recorded Music

Location where activity will take place:

This activity will take place indoors.

Activity Details:

None defined

Seasonal Variations:

None

Non Standard Timings:

None

9. Provision of Facilities for Making Music

Location where activity will take place:

This activity will take place indoors.

Activity Details:

None defined

Seasonal Variations:

None

Non Standard Timings:

None

10. Concerns in respect of children

None defined

Conditions consistent with the operating schedule relating to the licensing objectives

General – All four licensing objectives

11. None

The prevention of crime and disorder

12. Crime and Disorder

Adopt the Check 21 proof of age scheme in accordance with guidance issued by West Yorkshire Police, or another approved proof of age scheme.

13. Participate in a local pubwatch scheme or licensing association, (where one exists) that is recognised by West Yorkshire Police.
14. No irresponsible sales promotions of alcoholic beverages shall be offered to customers.
15. No customers carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public.

Public safety

16. Public Safety Conditions Agreed with Environmental Health and Safety

1. Before opening to the public, checks will be undertaken to ensure all access to the premises are clear for emergency vehicles. Regular checks will be undertaken when the premises is open.
2. Written records of all accidents and safety incidents involving members of the public will be kept. These will be made available at the request of an authorised officer.
3. Regular safety checks of the premises including decorative and functional fixtures, floor surfaces and equipment (including electrical appliances) to which the public may come into contact, must be undertaken. Records of these safety checks must be kept and made available for inspection by an authorised officer.
4. During opening hours the cellar door must be kept locked or adequately supervised to prevent unauthorised access by the public.
5. Electrical installations will be inspected on a periodic basis (at least every 3 years or at a frequency specified in writing) by a suitably qualified and competent person. Inspection records/certificates will be kept. These will be made available at the request of an authorised officer.
6. If used, any temporary electrical wiring and distributions will be inspected by a suitably qualified and competent person before they are put into use. An inspection record/certificate will be retained for inspection by an authorised officer.
7. Safety glass that is impact resistant or shielded to protect it from impact will be used all areas where the public may come into contact with it.
8. All floor surfaces will be suitably slip resistant, kept in good condition and free of obstructions to prevent slips, trips and falls.

24. 9. A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner.
25. 10. A suitably trained First Aider or appointed person will be provided at all times when the premises are open.
26. 11. Adequate and appropriate First Aid equipment and materials will be available on the premises.
27. 12. A procedure for dealing with unwell members of the public will be in place including those who appear to be affected by alcohol or drugs. Staff will be appropriately trained in such procedures.
28. Public Safety
- All fire doors will be maintained effectively self closing and shall not be held open other than by approved devices.
29. Notices detailing the actions to be taken in the event of fire or other emergencies, including how the fire brigade shall be summoned, are to be prominently displayed.

The prevention of public nuisance

30. No regulated entertainment of any type shall take place outside the premises in any areas which are within the licence holders control after 22:00hrs save for any special event seven days notice of which has been given to the licensing authority and police.
31. When amplified musical entertainment is taking place inside the premises after 22:00hrs windows and doors, save for entrance and exit purposes, will be kept shut.
32. A sign will be located at the exit(s) requesting that customers leaving the premises do so quietly and with consideration to neighbours.

The protection of children from harm

33. Protection of Children from Harm
- No one under the age of 16 will be allowed to enter or remain on the premises after 22:00hrs save on Christmas Eve and New Years Eve.

Annex 3 – Conditions attached after a hearing by the licensing authority

General – all four licensing objectives

34. None

The prevention of crime and disorder

35. None

Public safety

36. None

The prevention of public nuisance

37. None

The protection of children from harm

38. None

Annex 4 - Plans

The plans for these premises are as those submitted with the application. A copy of which is held by Leeds City Council Licensing Authority.

PREM/02251/002 Slip Inn

Albion Street, Morley, LS27 8DT



Km 0.02 0.04 0.06 0.08 0.1 0.12 0.14 0.16 0.18 0.2 0.22 0.24

This map is based upon the Ordnance Survey's Digital Data with the Permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office

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Date:	20 February 2012
Scale:	1:1500
Comments:	Appendix B

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**WEST YORKSHIRE
POLICE**

CA - City & Holbeck

Licensing Department

Millgarth Police Station
Millgarth Street
Leeds
LS2 7HX

Tel: 0113-2413067

Fax: 0113-2413123

Email:

robert.fullilove@westyorkshire.pnn.police.uk

Website:

Your ref:

Our ref

5 January 2012

**Entertainment Licensing Section
Leeds City Council
Civic Hall
Leeds
LS1 1UR**

RE: APPLICATION FOR REVIEW OF PREMISES LICENCE - (PREM/02251):

PREMISES:

**Slip Inn
Albion Street
Morley
LS27 8DT**

In accordance with Section 51 Licensing Act 2003, I hereby serve the application on the following-:

PREMISES LICENCE HOLDER:

**Terence Benson
Slip Inn
Albion Street
Morley
LS27 8DT**

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NOT PROTECTIVELY MARKED

Yours faithfully,



**Rob Fullilove
Police Sergeant 4581
Leeds District Licensing**

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I, Sergeant 4581 Robert G FULLILOVE

Apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description

**Slip Inn
Albion Street
Morley**

Post town LEEDS

Post code (if known) LS27 8DT

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

Terence BENSON

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

PREM/02251

Part 2 – Applicant details

I am

Please tick yes

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

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First Names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post Town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address; Sergeant 4581 Robert G Fullilove

West Yorkshire Police
Leeds District Licensing Department
Millgarth Police Station
Millgarth Street
LEEDS LS2 7HX

Telephone number (if any) 01132 413067

E-mail address (optional) robert.fullilove@westyorkshire.pnn.police.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|---|
| 1) the prevention of crime and disorder | x |
| 2) public safety | x |
| 3) the prevention of public nuisance | x |
| 4) the protection of children from harm | x |

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

The Slip Inn is a small public house situated within Morley town centre. The premises licence holder is Terence Benson who lives on the premises. The Designated Premises Supervisor is Gerald Lennon. It falls within the jurisdiction of Morley Neighbourhood Policing Team.

Through the spring and summer of 2011 incidents of crime and disorder began to increase at the Slip, some involving extreme violence, and the majority due to over-intoxication of customers. This was coupled with mounting evidence suggesting that the management were not in control of the premises either through their absenteeism, inaction when incidents occurred, or an over-fondness for socialising with, rather than supervising their clientele when they were working at the premises. Local police concerns were exacerbated by the fact that the Slip accounted for more calls for police service than any other licensed establishment in the entire NPT area.

Amongst a series of violent, drink-related incidents to occur in 2011, the first of the two most serious ones occurred on the night of 23-24 July 2011 when a fight erupted in the public bar area well after the end of both the permitted hours for authorised licensable activities and closing time of the premises. Later examination of the CCTV footage for that very violent incident showed a number of other causes for concern, e.g. unauthorised dancing taking

place, lewd behaviour of the clientele, excess intoxication through drink and/or drugs, smoking on the premises and serving after time. This was aggravated by a clear indication from CCTV footage that the till was not being used, and in fact its use was being circumvented after hours and that an accounting/recording system was in place for unauthorised alcohol sales that did not involve purchases being rung through the till.

I and local authority officers met with the Premises Licence Holder and DPS together with the local police commander for the area at lunchtime on 20/10/11 and discussed the allegations and incidents, and required the Slip's management to immediately bring about an improvement in the way the premises were being run. I was not reassured by the fact that both men turned up to what I viewed as an important meeting smelling strongly of alcohol. However, an assurance was given by them that all the issues identified would be rectified and Messrs Benson and Lennon would improve their supervision of the premises and its customers particularly in the areas leading to reducing violence and sales to drunks.

Within ten days of this meeting, on 30/10/11 police received an emergency call to attend at the Slip Inn to an ongoing fight, when on arrival they found very, very intoxicated customers, one who had been thrown out after falling asleep in the bar area in a drunken stupor and having wet herself.

On the afternoon of 3 November 2011 I paid an unsolicited courtesy visit to the Slip Inn to check on progress where I found Mr Lennon sitting at a table in the public bar area consuming beer with a customer. In addition there was clear evidence that someone was smoking cigarettes in the premises. Mr Lennon was intoxicated. Mr Benson was not present.

On the evening of 26 November 2011 the most serious incident of all occurred at the Slip Inn where a lengthy brawl erupted over a significant period of time during which two males were punched to the head and knocked unconscious in the public bar in separate fights. During this extended but sporadic brawl none of the pub staff called 999 and seemed intent on just rearranging furniture and on clearing up after the participants as the fight moved locations within the pub. There was no management duty of care shown to the injured parties or the other customers who were not involved in the incident. After the event the manager claimed not to have seen the incident apart from sparse parts on the live CCTV feed upstairs but the footage clearly shows her in the bar area for the full period merely trying to replace overturned furniture and tidy up. No staff member offered first aid to the 2 unconscious males; this is left to other customers.

During the two most serious incidents Mr Benson is seen in the public bar area of the premises but particularly in the second one doing little to help.

These two are serious incidents. They form part of a continuing chain of apathetic management and control at the premises. I provide clear evidence that responsible authorities have tried to engage with the Slip Inn management and give them the necessary help, and the chance to rectify matters at the pub. Face to face meetings, warning letters and outright threats of a premises licence review have failed to achieve any success. Therefore it has become necessary to invoke licence review proceedings in order to establish some mandatory remedial action at the Slip Inn to uphold the licensing objectives.

Please provide as much information as possible to support the application

(Please read guidance note 2)

The information supporting this application is contained in basic form in the above section and is supplemented by Criminal Justice Act witness statements from the following people:

PS 4581 Fullilove

Inspector Paul Sullivan – Morley Neighbourhood Policing Team

PC 524 Sedgley - Morley Neighbourhood Policing Team

Paul Rix – Leeds City Council Entertainment Licensing Section

Other written/visual documentation;

Letter to DPS/Premises Licence holder dated 26/10/2011

Letter to DPS/Premises Licence Holder dated 4/11/2011

Minutes of meeting dated 20/10/2011

Email Series

DVD's marked RGF/1 and RGF/2 depicting serious violence at the premises.

Please tick yes

Have you made an application for review relating to these premises before?

If yes please state the date of that application

Day

Month

Year

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

No previous representations made.

Please tick yes

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

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 3 – Signature (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 5 January 2012

Capacity

Licensing Officer.....

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

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

5. This is the address which we shall use to correspond with you about this application.

Meeting - 1345hrs, Thursday 20/10/2011 at Morley Police Station re Slip Inn, Albion Street, Morley.

Present:

Terry Benson – Premises Licence Holder
Gerald Lennon – Designated Premises Supervisor
Inspector Paul Sullivan – Morley NPT Commander
PS 4581 Fullilove – Leeds District Licensing
Paul Rix – Leeds City Council Entertainment Licensing

RF opened the meeting with introductions, and thanked TB and GL for their attendance. He reiterated that the purpose of the meeting was to explore issues that had become prevalent at the Slip Inn over the last few months, namely;

Disorder/assaults
Drunkenness/drug misuse
Alcohol sales after permitted trading hours
Self-service by customers in the absence of bar staff
Deliberate circumvention of the till for ringing in sales
Smoking inside the premises

RF said all the above led to police suspicions as to who was in charge of the premises, and what degree of control they actually exercised. The meeting was to constructively and jointly put an end to these problems. The police had an obligation under the 2003 Licensing Act to work with premises in the first instance and this was what this meeting was all about.

Asked how long they had been at the premises TB said 6 years, GL said 2-3 years. They'd had few problems in that time needing intervention by the police but TB said the Slip had been on a police action plan in the last couple of years due to drugs issues and young kids coming in, but he had barred them and that problem had been solved. He thought he did OK running the pub but he hadn't been helped by the recent death of his partner. GL said that CCTV had been an issue but he had now had it improved to the required standard.

RF recalled 2 incidents of assault/fighting that had occurred inside the Slip Inn on the evening of Saturday 23rd July 2011 into the Sunday morning. DVD footage obtained from the pub by investigating officers showed, in addition to the incidents, a significant proportion of the clientele in an excessively intoxicated state, simulated fully clothed sexual acts during dancing (the dancing not being a condition on the premises licence) and also smoking inside the premises. It also showed the till being switched off and cash drawer removed at the end of permitted trading hours, but then for a period customers helping themselves to bottles and other drinks from behind the bar in the absence of TB and the 2 barmaids who had left the bar area. After a short period the 2 females returned and began dispensing more drinks – recording sales by way of a one-key depression of the till and an entry in a

small book next to it on the left hand side, with no cash rung through although a till receipt was sometimes produced and put with the book. RF stated that he saw bar staff smoking as well and activity in the pub continuing until he stopped watching the DVD at 02.24hrs – the legitimate alcohol sales end time being midnight with the premises having to be closed and empty of clientele by 12.30am. It wasn't known what time the Slip actually shut on that night.

TB said that on this night he went to bed early and let a few customers stay back. He admitted that this happened on the "odd night". He said he didn't know a lot of this had happened and was annoyed because this was all money coming out of his pocket. He asked why he would have provided the full CCTV if he had known it contained evidence that was being used to further the police case.

PS told TB and GL that he had used powers under the licensing act in other areas where he had worked and was not averse to using them again. He said that if there was disorder or noise nuisance he would use Section 161 Closure powers and this would lead to an automatic premises licence review and that if serious offences were committed then TB and GL were responsible. It was a responsible position being a licensee and crime and disorder problems at the Slip needed to be nipped in the bud.

TB said that one female staff member had already been sacked 2-3 weeks ago for allowing after hours drinking and he would call a staff meeting to reinforce rules and requirements of the law. RF said he would be quite happy to attend at such a meeting to advise their staff and as an act of support for TB and GL.

TB said he had employed a manager a few weeks ago to help in supervising the premises but when questioned further amended this to say that this male was actually the DJ who locked up on a night when TB wasn't about, and did a bit of clearing up.

RF asked TB if he ever noticed any evidence of smoking in the bar area when he opened up in the morning. He claimed that "once" he found an ash tray inside that had been brought in from the beer garden. RF said that smoking in the workplace/licensed premises was viewed as serious by the council and health & safety people and this alone could be used as a legitimate reason to review the premises licence or instigate a prosecution.

PR outlined problems encountered at previous council/police visits to the pub and told TB and GL that dates had very recently just been set for further visits in the Morley area and that the Slip would definitely be getting further visits. A discussion took place about serving to drunks inside the pub and PR warned them of further action should there be offences disclosed. He reminded them that their closing time every day was 12.30 am by which time there should be no persons on the premises.

PS said he had been in post at Morley NPT for 6 months and the only licensed premises he'd had cause to visit in an operational sense in the entire sector was theirs.

RF raised the subject of a recent drugs warrant executed at the business and residential parts of the Slip recently, and the suspicion that customers were intoxicated on site. TB said the place had been searched about 5 times in 5 years now and little, if anything had been found. PS said that drugs warrants were not sworn out on a whim and Magistrates required hard evidence to grant one. TB said that anyone caught with drugs in the pub was kicked out.

PS told TB and GL that they needed to spend a lot more time at the Slip than they were currently doing and that they had to leave this meeting understanding that there are problems at the premises and it was up to them to sort them out.

GL asked if a fixed penalty notice could be served to staff that sold alcohol to drunks and was told that this was correct.

TB said he had been unaware of the things he had been told at this meeting but he would act on them. He bemoaned the fact that after hours sales appeared to be coming out of his pocket.

PS queried how such losses were not detected and queried who was responsible for stock checks and audits at the Slip as these would surely show up discrepancies. TB and GL said they were.

RF asked about anecdotal evidence received by the police that TB was opening the Slip Inn at 9am on a morning, an hour earlier than permitted, to allow hardened drinkers to start buying alcohol earlier. He denied this ever happened.

In conclusion PS thanked TB and GL once again for attending and giving an undertaking to deal proactively with the issues raised but stated that if they failed to do so there was a real risk of the premises licence being reviewed, and urged them to work with RF and the licensing department wherever possible and to take up the offer of staff training. RF said it was a long time since a Morley licensed premises was subject to a licence review but the Slip fell into the same sort of category as the previous pub that had been reviewed.

1500hrs – meeting concluded.

R Fullilove
PS 4581



WEST YORKSHIRE POLICE

City & Holbeck

Licensing Department

Millgarth Police Station
Millgarth Street
Leeds.
LS2 7HX

Tel: 0113 241 3067

Fax: 0113 241 3123

Email:

robert.fullilove@westyorkshire.pnn.police.uk

Website:

Our ref:

26 October 2011

Mr Terence Benson
The Slip Inn
Albion Street
Morley
LEEDS LS27 8DT

Private & Confidential

Licensing Issues – Slip Inn – Meeting 20 October 2011

Dear Mr Benson;

Thank you both for coming to see Inspector Sullivan, Paul Rix and myself at Morley Police Station last week to discuss issues at the Slip Inn.

This letter has also been sent to Mr Lennon by email at his request.

To summarise the matters we discussed relating to the premises, these were;

- An increase in disorder and assaults
- Drunkenness/drug misuse and over-intoxication of customers
- Alcohol sales before and after permitted hours
- Self-service by customers in the absence of bar staff
- Deliberate circumvention of till procedures to conceal after-hours alcohol sales
- Smoking inside the premises

Most of the above are evidenced on CCTV footage seized from the Slip Inn from the night of Saturday 23/Sunday 24 July 2011 which we discussed at the meeting. In addition to the after-hours drinking and other matters there was clear evidence of deliberate sale and supply of alcohol by bar staff that was recorded in a way to ensure payment was received but not recorded by the till.

You stated that you had gone to bed and left others in charge of the premises on this night but in common with a few other occasions you had allowed "a few customers to stay back", a practice you

allow occasionally. It was made clear to you that alcohol sales should cease at midnight and your premises should be empty and closed at 1230am each day.

You stated that you had sacked one female bar staff member recently for allowing after-hours sales and that you had given the DJ some additional managerial responsibility at the premises to cater for when you were not present, although whether he was in fact a manager or just a helper remains to be seen. You stated that it was your intention to hold a staff training session where you would outline your personal and collective responsibility to adhere to licensing laws. I told you that I was willing to attend this training session and help reinforce your message in an attempt to support you.

We outlined the seriousness of the smoking issues, and that although this was not strictly a police matter the relevant local bodies such as council and Health & Safety would enforce the law on smoking inside work premises and public places such as pubs and clubs and if necessary prosecute or supply evidence to police for prosecution or licence review purposes.

As reiterated by Mr Rix and Inspector Sullivan, licensed visits to the Slip Inn by police and local council staff will continue to take place on a regular basis into 2012 both to ensure compliance with the law and just as importantly to show support for you and your staff.

I sympathise with the fact that you have had a close family bereavement recently which can't have helped with your day-to-day running of the premises, but as suggested at our meeting you should try to rely more on Mr Lennon to assist you in providing a more consistent and substantial management style, and ask the local police or this department to help you where necessary.

Should the problems we have discussed not be addressed to the satisfaction of Leeds City Council Entertainment Licensing section, this department or that of your local Neighbourhood Policing Team I will have no option but to implement Premises Licence Review proceedings which as you will be aware attract a range of sanctions.

Please feel free to contact me if you have any queries or comments regarding the contents of this letter.

Yours sincerely,

Rob Fullilove
Sergeant 4581
Licensing Department

CC: Paul Rix, Leeds City Council Entertainment Licensing Department, Civic Hall, LEEDS LS1 1UR

Inspector Paul Sullivan, Morley Police Station, Corporation Street, Morley, LEEDS LS27 9NB



WEST YORKSHIRE POLICE

City & Holbeck

Licensing Department
Millgarth Police Station
Millgarth Street
Leeds.
LS2 7HX

Tel: 0113 241 3067
Fax: 0113 241 3123
Email:
robert.fullilove@westyorkshire.pnn.police.uk
Website:

Our ref:

4 November 2011

Mr Terence Benson
The Slip Inn
Albion Street
Morley
LEEDS LS27 8DT

Private & Confidential

Licensing Issues – Slip Inn – Visit To The Premises - 3 November 2011

Dear Mr Benson;

I refer to the letter of 26 October 2011 I sent you following our meeting of 20th October at Morley Police Station and the issues therein that I confirmed you needed to rectify at the Slip Inn in order to satisfy West Yorkshire Police, the Local Authority and our partner agencies that the premises were being run in a fit and proper manner.

I made an unannounced visit to the Slip Inn at 4.30pm yesterday to see you, and find out if you were having any problems and to show my support. Gerald Lennon was in attendance but sat at a table in the bar with customers, obviously socialising, and had a pint glass of beer in front of him being filled from cans of Kronenbourg, which he was in the process of consuming. To say he was disorientated and startled by my visit is an understatement. He was under the influence of alcohol.

In addition, it was quite obvious to me that somebody was smoking cigarettes in the premises due to the hazy atmosphere and strong smell of cigarette smoke. You were warned specifically about the matter of allowing smoking in the premises when we spoke on 20th October.

How Mr Lennon chooses to manage the pub is ultimately a matter for him, but in my experience the running of problematic premises is not helped by licensees who are too friendly with the clientele to the extent of drinking alcohol with them in the public bar area – with or without getting to a stage where they are intoxicated.

The degree of supervisory management attached to the Slip Inn is still way short of my expectations, and I anticipate those of the other attendees of our meeting last month. You, as Premises Licence Holder must start to exercise some managerial control over the venue and its employees.

I reiterate: should the problems we have discussed not be addressed to the satisfaction of Leeds City Council Entertainment Licensing section and partner departments, this office or your local Neighbourhood Policing Team I will have no option but to implement Premises Licence Review proceedings which as you will be aware attract a range of sanctions.

Please feel free to contact me if you have any queries or comments regarding the contents of this letter.

Yours sincerely,

Rob Fullilove
Sergeant 4581
Licensing Department

CC: Paul Rix, Leeds City Council Entertainment Licensing Department, Civic Hall, LEEDS LS1 1UR

Inspector Paul Sullivan, Morley Police Station, Corporation Street, Morley, LEEDS LS27 9NB

Gerald Lennon, Designated Premises Supervisor (by email)

Richard Bilsborough/John Tootle, Leeds City Council Health & Safety (by email)

>>

>> Dear Mr Lennon;

>>

>> Please find attached a letter summarising my visit to the Slip Inn
>> yesterday. A hard copy is on its way to Mr Benson in the post

>>

>> Regards

>>

>> Rob Fullilove

>> Sergeant

>> Leeds District Licensing

>> 01132 413067

>>

>>

>> ----- Forwarded by Robert Fullilove/901019/POLICE/WYP on 04/11/2011 11:09

>> -----

>>

>

> Dear Mr Fullilove,

>

> I am sending you this e-mail with regard to your visit to the Slip Inn on
> 3rd Nov and your e-mail to me dated 4th Nov 2011. I would just like to say
> that the issues me and Mr Benson discussed with you regarding problems at
> the Slip Inn were addressed by myself at the recent staff meeting held on
> 31st October. One of these issues raised was to 'stay aware of people
> supposedly smoking on the premises'. We have never had a problem with this
> matter although I have stressed the importance of this issue to the staff.
> With regard to me drinking cans of Kronenbourg and pouring them into a
> glass whilst socialising with customers. I never realised this to be a
> problem? 'yes' I was under the influence of alcohol (which probably happens

> at the most once a month) but had all my faculties about me and would have
> been completely in control in the unfortunate event of any hostile
> situation arising. Could i also add that i don't drink lager and that the
> cans of Kronenbourg were for the consumption of the person who's company i
> was in.
> Myself and Mr Benson are trying our best to address the problems
> discussed at the meeting on the 20th October, hence: we now have a manager
> on site.

>
> I would like to thank you for showing your support in the matters mentioned
> at the recent meeting at Morley Police Station and also on your visit to
> the Slip Inn.

>
> I hope that the Slip Inns recent problems will have been addressed to yours
> and the other licensing departments satisfaction by myself and Mr Benson
> during any-more announced or unannounced visits.

>
> Please feel free to contact me regarding any queries or comments on the
> contents of this letter.

>
> Yours sincerely

>
> Gerald Lennon (Designated Premises Supervisor, Slip Inn)

> Subject: RE: Slip Inn Confirmatory Letter : NOT PROTECTIVELY MARKED

> To: gez44@live.co.uk

> From: robert.fullilove@westyorkshire.pnn.police.uk

> Date: Mon, 7 Nov 2011 20:09:42 +0000

>
> Dear Mr Lennon;

>
> Thank you for the below reply to my letter.

>
> I am not going to get into a war of words by email but there are a couple
> of points you make that I take issue with:-

>
> What beer you were drinking and what receptacle it was originally dispensed
> from are irrelevant. There were two pint glasses in front of yourself and
> the customer, one each, both half full of beer and a number of Kronenbourg
> cans on the table. If his was Kronenbourg and yours was bitter from the
> bar pump then I accept that. The point I was making was that in view of
> the problems at the premises, the criticism of the management style, and
> within two weeks of a formal meeting with police to improve things the DPS
> is found at the wrong side of the bar, intoxicated and drinking with
> customers in mid-afternoon does not inspire confidence that my words and
> those of the other parties present at our meeting have been at all heeded.

>
> Regarding the smoking issue, at the meeting you were not told to "stay
> aware of people 'supposedly' smoking on the premises" - you were told that
> concrete evidence had been seen on DVD of customers actually smoking in the
> Slip Inn, that it was illegal and you had to stamp it out before you landed
> a hefty fine. Furthermore, smoking inside is classified as "crime" and can
> be used as evidence in a Premises Licence Review

2

3

> In addition to these issues and since I last wrote to you I am reliably
> informed that the police have been called to the Slip twice in this last
> week to deal with incidents that could have been avoided.
>
> I note your declared intention to improve matters at the premises but this
> needs to happen sooner rather than later.
>
> Regards
>
> Rob Fullilove
> Sergeant
> Leeds District Licensing
> 01132 413067
>

3



Gerald Lennon
<gez44@live.co.uk>
08/11/2011 17:06

To <robert.fullilove@westyorkshire.pnn.police.uk>
cc
bcc

Subject RE: Slip Inn Confirmatory Letter : NOT PROTECTIVELY
MARKED

Dear Mr Fullilove,

On behalf of Mr Benson and myself with regard to your last e-mail i do take heed on the
issues raised by yourself regarding problems at the Slip Inn and i promise to improve matters
at the pub.

Yours sincerely

Gerald Lennon

4

RESTRICTED (when complete)

WITNESS STATEMENT

(Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B;
Criminal Procedure Rules, r.27.2)

NICHE Ref. No:

URN:

Statement of: Matthew Sedgley

Date of birth: Over 18

Occupation: PC 524

This statement (consisting of: 5 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:

Date: 18th December 2011

Check box if witness evidence is visually recorded (supply witness details on rear)

I am a Police Constable in the West Yorkshire Police and currently stationed at Morley Police station within City and Holbeck Division, Leeds.

I am currently the investigating officer for an offence of Affray that occurred on Saturday 26th November 2011 at the Slip Inn public House, Albion Street, Morley crime reference 13110548055 refers.

On Sunday 27th November 2011 at 13:15 hours I attended at the Slip Inn public house in order to review the CCTV footage of the incident. On arrival I spoke with a female I know to be Donna SEED who introduced herself as the manager. I asked Donna to review the CCTV for the events of the previous night however she was unable to operate the system and did not know the pass code to enter and search the date and time facility, I asked her if anyone else knew how to review the system but she said the previous landlady who had passed away was the only one who knew the access code.

Due to this I seized the full recording unit to prevent the loss of the footage and to enable it to be taken to the police imaging unit to be downloaded.

On Tuesday 29th November I attended at the imaging unit with the CCTV system where I viewed the footage, The CCTV system records the images of four cameras.

Camera 1 shows a view of the left side of the bar facing back towards the left front entrance. The bar is on the left of the camera view and to the right is a row of tables with a benched seating area.

Signature:

Signature witnessed by:

MG11

RESTRICTED (when complete)

(Revised 1.9.11)

NICHE Ref. No:		URN:	
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Continuation Statement of Matthew Sedgley

Camera 2 shows a view that is 90 degrees to the left of camera 1. This is at the back of the public house and shows the end of the bar on the right side with a view of the pool table.

Camera 3 shows the left entrance door from inside the pub on the right side with a view of the front of the bar area on the left side.

Camera 4 shows a payment till behind the bar.

There are no cameras that show the entrance door on the right side of the pub and no coverage of any of the seating areas on the right side of the pub. The pub also has a seated area enclosed in a yard at the rear of the pub that has no CCTV coverage.

It is my opinion that the CCTV system in place is out dated, there is no facility for any member of management or staff to record any incident should it be required and no member of staff or management are able to work the CCTV system. Of the four cameras that are in place only three are covering the customer areas with the majority of the pub left uncovered.

A master copy of the CCTV was produced and from this a working copy produced. The footage is shown to start at 20:24:50 hours which is one hours later than the actual time. The incident runs for 8 minutes and 53 seconds before all people involved have left the pub. Exhibit MRS1

The CCTV footage shows the following events that have been summarised:

20:24:50 A female member of bar staff walks up to a table on the right side of Camera one and removes several unfinished drinks from the table. A verbal altercation takes place between the bar staff member and a female who was sat at the table. A drink is thrown from an unknown person off the camera view from the right side. A group of males then begin to push and shove each other before numerous punches are thrown. The member of bar staff is unable to stop the fight as more people become involved.

Signature:

Signature Witnessed by:

NICHE Ref. No:		URN:	
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Continuation Statement of Matthew Sedgley

At 20:27:24 Donna SEED the manager comes to try to separate the males who are now on the floor. The males continue to fight on the floor as Donna attempts to separate them to no gain. The males separate. SEED is unable to push the male in the yellow T-shirt out of the pub and he continues to try to push past her.

At 20:28:22 the male in the Yellow T-shirt leaves the pub and SEED and the female member of staff hurry to tidy up the tables and chairs that have been disturbed during the fights.

At 20:28:46 the male in the Yellow T-shirt re enters the pub and attempts to continue the fight. SEED attempts to push the male out and points towards the outside but she is unable to get him to leave and he continues to shout towards the other group of males. A customer of the pub then becomes involved and attempts to get the male to leave; SEED then leaves the customer with this male and continues to tidy the disturbed furniture with the other member of bar staff.

At 20:30:32 the male in the Yellow T-shirt then gets past the customer and goes towards the group. He is then punched by a male in a green T-shirt and is knocked unconscious a male in a blue hooded top and the male in the green T-shirt then begin to fight resulting in the male in the green T-shirt being knocked unconscious. As both males are laying on the floor unconscious SEED and the other member of staff continue to tidy the furniture and offer no first aid assistance leaving this to other customers in the pub

At 20:31:57 SEED approaches the unconscious male in the yellow T-shirt and the unconscious male in the green T-shirt gets to his feet, This male stumbles around the pub for a few seconds before leaving.

Signature:

Signature Witnessed by:

NICHE Ref. No:		URN:	
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Continuation Statement of Matthew Sedgley

At 20:33:18 the male in the yellow T-shirt gets to his feet and has to be restrained again by another customer. The males then have another heated argument inside the pub as SEED cleans the tables and moves the furniture around.

At 20:35:12 the male in the Yellow T-shirt leaves

At 20:36:00 the male in the yellow T-shirt re enters the pub and starts a fight with the male who had earlier restrained him.

At 20:36:12 the male in the yellow T-shirt leaves again

I spoke with SEED on the day after the incident who stated that she did not see the incident and noticed something going on while she was watching the live CCTV system and went down to see what was happening but the fight had ended. The CCTV shows this is clearly not the case and SEED was present for the majority of the incident. SEED also stated she did not know any of the details of who was involved.

I have since this date visited SEED with a view to obtaining a written statement from her. At first SEED stated she was too busy and I left my contact details along with tours of duty however SEED did not make contact with me. I then re visited SEED who again told me she could not provide a statement at that time and it was arranged for me to attend on Monday 12th November to speak with her. I attended on this date at the arranged time and was informed SEED had gone out.

Since the incident four males have been arrested for Affray, during interviews two have stated they cannot remember the events due to the amount they had to drink. From speaking with customers within

Signature:

Signature Witnessed by:

NICHE Ref. No:		URN:	
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Continuation Statement of Matthew Sedgley

the pub who wish to remain anonymous they have stated that the males involved are constantly drinking excessive amounts within the pub and this often leads to trouble and fights starting.

The male in the yellow T-shirt re enters the pub on several occasions after the initial incident with customers and staff unable to remove him or prevent him from entering; this has aggravated the problem and resulted in himself and a second male being knocked unconscious. It is my opinion that while the males are fighting and once the males are knocked unconscious that SEED and the other member of staff are trying to tidy up the pub to make it appear if nothing has happened.

I have worked within Morley neighbourhood policing team for just over three years. During my time at this station I have attended more calls to the Slip Inn than any other pub in the area, most of which have involved customers drinking excessive amounts before any trouble has started. The pub is notorious in the area with local residents as a place for trouble and excessively drunk people.

Signature:

Signature Witnessed by:

WITNESS STATEMENT

(CJ ACT 1967, s.9;MC Act 1980, ss.5A(3)(a) and 5b;MC Rules 1981, r.70)

Statement of John Paul Rix

Age/Date of Birth – Over 21 Occupation – Senior Liaison & Enforcement Officer

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 for prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Date:

Signature :

I am the above named person. I am employed full - time as a Senior Liaison and Enforcement Officer with Leeds City Council's Entertainment Licensing Section. My duties include investigating licensed premises contrary to the Licensing Act 2003. I have delegated authority under the said Act. I have responsibility for amongst others the LS27 area of Leeds.

On Thursday 29 October 2011 at 13:30 I attended at Morley police station for an action plan meeting for the premises known as the Slip Inn, Albion Street, Morley. This meeting had been called by officers from West Yorkshire Police, Sergeant Fullilove, Leeds licensing officer and Inspector Sullivan Morley, Neighbourhood Policing Team (NPT) due to the increasing number of issues emanating from the subject premises, namely, disorder/assaults, drunkenness/drug misuse, alcohol sales after permitted trading hours, self-service by customers in the absence of bar staff, deliberate circumvention of the till for ringing in sales and smoking inside the premises.

Present from the premises were the Premises Licence Holder Mr Terrence Benson and the Designated Premises Supervisor as named on the Premises Licence Mr Gerald Lennon. At the time of the meeting I could smell what I believed was intoxicating liquor from the breath of both men.

Sergeant Fullilove explained to the two that the purpose of the meeting was to address the issues as described above and to ascertain who actually was in charge of the premises on a day to day basis.

I explained at this meeting that the premises was likely to feature in the forthcoming West Yorkshire Police and LCC Licensing joint visits and that enquiries would be made at the time of these visits into compliance of the conditions attached to the premises licence granted to the Slip Inn.

Both men stated their intention to be more actively involved in the day to day management of the premises following from this meeting.

On the night of the 26 November at 17:50 I attended the Slip Inn, Morley, in company with officers from the Morley NPT. At the time of the visit the Premises Licence Holder (Benson) and the Designated Premises Supervisor (Lennon) were not present. A single female bar staff was behind the bar and when requested she called for the duty manager to come downstairs. There were approximately twenty to thirty customers present in various states of inebriation.

The manager Donna Seed attended the bar area but seemed more concerned that her just delivered pizza was going cold than the breaches in licensing conditions that were being put to her, the Part B Licence was not displayed to the public and there were no Check 21 posters displayed. Also the drug swipe test proved positive in the gents toilets. Both myself and the WYP officers present made the judgement she was under the influence of drink. It was difficult to impress upon the lady the points arising from the visit and especially the importance of not allowing the serving of alcohol to persons "drunk".

The intention was to revisit the premises later in the evening after conducting visits elsewhere. After a period of time that same evening an incident occurred at the subject premises. Later still, and as a result of our drive, by it was decided not to return that evening.

On the evening of 3 December at 23:12 again in company with WYP NPT. I attended the subject premises. At the time of the visit the Premises Licence Holder (Benson) and the Designated Premises Supervisor (Lennon) were not present. Donna Seed was again called to the bar area by the bar staff. This time she did not appear in drink. I advised her again about the acceptable display of the Part B licence. At this point an incident involving a customer resulted in our departure from the premises.

We returned to the premises at 23:35 that same evening and I resumed my conversation with Seed. I pointed out that the Check / Challenge 21 signage seemed to have appeared in the short time I was away. She admitted she had put them up in my absence.

We resumed from the premises after Seed had shown us CCTV footage of the preceding incident which proved to be inconclusive.

Signature :

Ref No:



Witness Statement

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70)

Crime Ref. No: [] URN: []

Statement of Robert Geoffrey FULLILOVE

Date of birth: Over 18 Occupation: Police Sergeant 4581

This statement (consisting of: 10 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 anything which I know to be false or do not believe to be true.

Dated: 4 January 2012

Signature:

Tick if witness evidence is visually recorded [] (supply witness details on rear)

I am a sergeant in the West Yorkshire Police currently stationed as supervisor in charge of the Leeds District Licensing Department at Millgarth Police Station in central Leeds.

I have jurisdiction over approximately two and a half thousand such premises in the whole of the Leeds area, approximately three hundred of which are in the city centre.

My role involves the police supervision of Leeds area licensing officers and also liaison with/operational responsibility for licensed premises, predominantly in the City & Holbeck Divisional areas. I am also tasked with implementing various remedial and enforcement procedures on those who do not fulfil their required responsibilities as responsible operators.

Within my area of responsibility is the Slip Inn, Albion Street, Morley. This witness statement is made to provide evidence for premises licence review proceedings against that establishment.

Signature:

Signature Witnessed by:

O 1901019:SlipPLRCJA doc

Continuation Statement of Robert Geoffrey FULLILOVE

In the summer of 2011 I was contacted by a number of officers, predominantly supervisors, from the Morley Neighbourhood Policing Team who asked me if I was aware of increasing crime and disorder problems at the Slip. Some of these calls for service were effectively brawls involving customers who were excessively intoxicated. The overall problems were being aggravated by a management team at the Slip Inn who were not providing an effective supervisory control either by not being physically present at the premises enough and, anecdotally, when they were there they being too fond of socialising with the customers instead of supervising and controlling them.

In August 2011 I was made aware of an incident that had occurred at the Slip on the night of Saturday 23rd July and received from Sergeant Abbott a CD copy of the premises CCTV one of his officers had seized whilst in the process of investigating the incident and crime reports relating to it. I produce this CD as exhibit RGF/1. I have viewed the footage and summarise its contents as follows:

The footage is dated 23/7/11 and when correlated with recorded incidents obviously has the time clock one hour behind actual time. Where I quote such as "2330hrs" below as per the footage clock the actual time when that section took place is half past midnight. The footage is shown as simultaneous 4-camera coverage, each covering a quarter of the viewing screen which does not make for easy viewing.

The premises licence for the Slip states that alcohol sales should cease and the pub be closed at 12.30am every day – therefore when the CCTV clock shows 2330hrs.

Pre-2300hrs the footage shows the pub in normal operation but with patrons getting more intoxicated as 2300 is reached. Dancing is taking place (though no provision for dancing is present on the premises licence) and as there is no live band present this makes the presumption that recorded music is being played. Both males and females are seen staggering around drunkenly exchanging greetings of a friendly and sometimes intimate nature. By around 2300hrs it is quite clear that the mood has changed

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Signature Witnessed by:

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Continuation Statement of Robert Geoffrey FULLILOVE

and a lot of people present are very drunk, some wandering round in a slow and deliberate way bumping into, and struggling to avoid each other in the act of dancing/avoiding dancers and in their general movement through the premises.

23:00 Camera 2, large built female in purple lifts her top and flashes her breasts at someone to the right off-camera.

2302: Same female subject to a sexual/indecent assault by a male who approaches her from the rear, grabs her groin area then simulates sexual intercourse from behind her. She does not seem to object to this, in fact quite the opposite.

2344: Till switched off and cash drawer removed by staff.

2347: Argument apparent between females in the bar area.

2350: Persons going behind the bar and helping themselves to drink in the absence of bar staff. Some pushing and shoving starting between customers in the bar area,

2351: Bar staff member dispensing drink and operating a recording system in a book next to the till which is switched off and minus its cash drawer.

2352: Full-blown fight between female customers including kicking and punching. Parties separated temporarily by others. This continues sporadically until 2354.

0000: Camera 2; customers smoking in the premises

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Continuation Statement of Robert Geoffrey FULLILOVE

0001: Camera 1; customers smoking in the premises

0002: Camera 4, bar staff serving well after permitted hours.

0008: Bar staff member in the public bar area smoking.

0026: Bar staff still serving and sales clearly not being rung through the till, which is still not in use.

0039: Camera 2 and 4. Evidence of a "tally" system for recording sales in a book next to the till, drink served and this is accompanied by the printing off of a receipt from the till and put on its left hand side but no money changes hands. Camera 2; customer can be seen smoking.

0046: Cameras 1 and 3, a group of customers smoking around a table.

0150: Footage concluded with people still in the premises socialising (effectively nearly 3am).

Following review of this material I asked Morley NPT Inspector Paul Sullivan if he would like to be present in a meeting with the management of the Slip to discuss improving the operation of the premises to fully outline the local police perspective and reinforce the need for positive and expeditious change. I explained that there was an option to go straight to review of the premises licence but under the Licensing Act we had an obligation to explain the police and local authority position to the management and help them to solve their problems prior to taking enforcement action.

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Continuation Statement of Robert Geoffrey FULLILOVE

This meeting took place at Morley Police Station at 1345hrs Thursday 20th October 2011. Also present in addition to Inspector Sullivan and myself were Premises Licence Holder Terry Benson, DPS Gerald Lennon, and Paul Rix from Leeds City Council's Entertainment Licensing Section. Both Mr Benson and Mr Lennon smelled of intoxicants on their arrival. Throughout the meeting, which concluded at 3pm I sensed a degree of denial by Mr Benson and Mr Lennon of matters and factual evidence put to them, but a grudging realisation that they needed to improve their management performance. I produce the Minutes of this meeting attached to the premises review file.

I also produce on the file the confirmatory letter I sent to both parties summarising this meeting, dated 26 October 2011.

At about 4.30pm Thursday 3 November 2011 I made an unannounced visit to the Slip Inn to see what progress the management was making since our meeting of 2 weeks previously. Mr Benson was not present but Mr Lennon was. I found him to be sitting with a customer at a table in the public bar area consuming, and quite visibly under the influence of alcohol. It was quite apparent that at first Mr Lennon didn't immediately recognise me and I had to jog his memory. As I spoke to him I clearly smelled that someone was smoking cigarettes in the premises but couldn't see who, or where this was taking place.

I took Mr Lennon outside and told him in the strongest possible terms that I didn't consider that this was adequate supervision of the premises and his actions were in direct contravention of what he and Mr Benson had promised me they would do when we had spoken at the previous meeting and told him to go back in and sort things out.

I wrote to both men again on 4 November 2011 summarising the facts of my visit and the fact that the supervisory management of the pub was still way short of my expectations and that I expected an

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Continuation Statement of Robert Geoffrey FULLILOVE

improvement. I explained that a Premises Licence Review would be an option if premises management and supervision were not improved soon. I produce a copy of this letter on the premises licence review file.

On 5th November 2011 I received an email from Mr Lennon in answer to the above-mentioned letter, the content of which I did not find at all satisfactory and there follows a short series of exchanges between us lasting up until 8th November. I produce this email series on the premises licence review file.

On 5 November 2011 I was re-contacted by Inspector Sullivan who told me that incidents were still occurring at the Slip, one of which that caused him great distaste which was a disturbance caused by customers taking photographs of a male in the pub who was having a heart attack or seizure – appalling behaviour towards a sick man.

On Saturday 26th November 2011 another large disturbance took place at the Slip where sporadic and very violent fighting took place and where two males were knocked unconscious in separate parts of this incident and were laid prone on the floor for some time whilst attempts were made to revive them. I have viewed the CCTV footage of this incident which is truly disturbing even viewed through the eyes of a police officer of many years' experience. One can only assume what the feelings must have been of a normal member of the public not used to such violence and whose only wish was to have a quiet night out. Coupled with this there are continued grave concerns regarding the actions (or lack of them) of staff on duty in the Slip while this incident was ongoing, particularly in respect of duty of care towards not only injured persons, but other customers. A full account of this incident, description of the CCTV footage and other information is contained in the witness statement of PC 524 Sedgley which is attached to the premises licence review file. I produce the CCTV footage of this incident as an exhibit (RGF/2).

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Continuation Statement of Robert Geoffrey FULLILOVE

I have examined the West Yorkshire Police WEBSTORM incident recording system back to 1 May 2011 in relation to calls for service at the Slip Inn and have found twenty listed incidents up to 2 January 2012. These are restricted documents, not produced as exhibits, and are summarised as below, but I will have them present at any premises licence review or other formal hearings to answer questions on them, if required:-

0230hrs 13/5/11 Log 119; Female under-age 16yrs has been served alcohol in the Slip Inn all night then assaulted by being punched in the face. Caller states they are now having a lock-in at the pub. Officers attend – no assault, nuisance only. A number of uncooperative people were spoken to in the pub.

2127hrs 17/5/11 Log 1594; Inebriated female reporting assault on her partner by another male. Pub manager confirms assault has taken place but complainant has left and would not subsequently cooperate with police. No crime submitted.

0007hrs 4/6/11 Log 17; Named male has come upstairs into the pub and kicked a door open while staff cashing up. Crime report submitted for burglary.

0338hrs 10/6/11 Log 187; Originally this call stated this was an attempt break in – written off as 3 males who have been drinking in the pub all night returned and were banging on the windows trying to get back in.

0055hrs 24/7/11 Log 136; Female caller reporting assault – incident as described above 23-24/7/11 depicted in DVD RGF/1.

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Continuation Statement of Robert Geoffrey FULLILOVE

0104hrs 24/7/11 Log 155; Separate female caller reports an assault on herself by another female because the other woman took her seat – this incident is part of that described above.

2332hrs 1/8/11 Log 2231; Operational police executing drugs search warrant on the premises. Drugs paraphernalia seized but no controlled substances.

1910hrs 7/8/11 Log1399; Male caller asking for police assistance as his estranged partner is blind drunk in the Slip Inn, has been there all day and is there with his 2 year old son. Officers attended and took the child to his father. Female was in drink but not drunk.

0017hrs 13/8/11 Log 30; Male caller states the landlord's son, Ashley Benson, is outside waiting to smash his face in and is in fear of assault. Both parties were spoken to and advised.

0104hrs 15/8/11 Log 82; Caller was reporting an aggressive male in the pub making threats. The dispute was over an elderly woman who is very drunk and semi-collapsed at the scene. Ambulance called. Lots of shouting and drunken behaviour in the background according to the 999 operator, everyone seems drunk. The woman was dealt with by ambulance staff.

2148hrs 20/8/11 Log 1794; Male reporting that landlord's son Ashley Benson has stolen his phone and will not return it and hit him when he asked for its return. A fight between the two then reported. The caller was arrested for criminal damage on police arrival and advised to speak to local police re the phone on his release.

2249hrs 26/8/11 Log 1837; Report of a large fight at the Slip Inn. 3 persons arrested for Affray by police.

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Continuation Statement of Robert Geoffrey FULLILOVE

1458hrs 22/9/11 Log 872; Male drinking inside the premises wanted for Breach of Court Order. Officers attend and arrest him and he is found in possession of drugs.

0113hrs 30/10/11 Logs 132/143; Very intoxicated male rang three times within minutes (2 recorded as incident logs) stating his girlfriend had been beaten up in the pub and then that the fight was ongoing. He then proceeded to be uncooperative and abusive to the operator. Officers attend and write the logs off as "Male and female have been in the pub all evening, they are both very, very drunk. The female has fallen asleep and wet herself in the pub. Staff have removed her outside and the male ran off".

1549hrs 2/11/11 Log 1576; Ambulance crew at the Slip requesting urgent police assistance. They were dealing with a 30 year old male patient suffering from a stroke/CVA who was unconscious. Another customer was taking photographs of this and as he regained consciousness the patient became angry and upset and the atmosphere became potentially violent.

1607hrs 6/11/11 Log 1175; Manager of the Slip called 999 reporting an assault on him by a named customer who has punched him on the back of the head then thrown a glass of beer when refused service.

1927hrs 26/11/11 Log 1385/1390; Callers states that there are 7-12 people fighting with each other outside the premises. This is the incident referred to in exhibit RGF/2 and PC Sedgley's statement.

0018hrs 22/12/11 Log 25; Report of three males in the premises throwing drinking glasses around. Damage has been caused. Glasses have been thrown across the bar and into the optics. The males have made off. Manager states the pub CCTV is "not working".

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Continuation Statement of Robert Geoffrey FULLILOVE

2043hrs 31/12/11 Log 1265; Report of a fight in the premises, then report of females fighting outside.

No disorder on police arrival and two males spoken and sent on their way

0051hrs 2/1/12 Log 47; Report that the landlord's son Ashley Benson has beaten up a female at the Slip Inn by smashing her head against a door. On arrival of the police he denies the offence, no-one will cooperate with the police but the CCTV is examined and shows the assault being committed and he is arrested for assault. Whilst dealing with the assault officers arrest another male for drunk and disorderly at the pub.

Due to the nature and frequency of the incidents listed at the Slip Inn, the failure of the current management over a lengthy period to tackle identified problems at the premises and the effects of these incidents on crime, disorder and public safety a premises licence review is applied for.


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Signature Witnessed by:

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WITNESS STATEMENT

(Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B;
Criminal Procedure Rules, r.27.2)

NICHE Ref. No:	<input type="text"/>	URN:	<input type="text"/>
Statement of:	Paul Sullivan		
Date of birth:	Over 18	Occupation:	Police Inspector
This statement (consisting of: 4 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:		Date:	12/12/11

Check box if witness evidence is visually recorded (supply witness details on rear)

I am a Police Officer within the West Yorkshire Police currently serving within the City and Holbeck Division in Leeds.

I would describe myself as an experienced Police Officer with over 20 years service. I have previously worked in a wide range of departments including Criminal Investigation Department, Response Policing, Custody and the Professional Standards Department.

During May 2011, I took up post of Neighbourhood Policing Inspector for the Morley area.

The Morley Policing area is made up of Morley Town taken together with the outlying areas such as Gildersome, Drighlington, Tingley Ardsley and Thorpe. There are estimated to be over 65,000 residents.

I also have responsibility for the White Rose Shopping Centre which has an estimated daily footprint of over 10,000 people. The area also houses many other retail and industrial businesses and there are over 20 schools.

The area is serviced by a large number of licensed premises.

I would say that parts of my responsibilities are to reduce crime, antisocial behaviour and the fear of crime. To this end it is absolutely vital to me that all of the licensed premises not only adhere to

Signature:



Signature witnessed by:

MG11

RESTRICTED (when complete)

(Revised 1.9.11)

NICHE Ref. No:		URN:	
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Continuation Statement of Paul Sullivan

their licence conditions but they work together with my teams to help reduce any risk to the public.

Since my arrival at Morley, I have repeatedly been made aware of incidents taking place at the Slip Inn, Albion Street, Morley. These incidents all appear to relate to alcohol related disorder resulting in Police resources having to go into dangerous situations to restore safety and law and order.

Since my time in post I have had no concerns over the many other licensed venues in my area.

Risk of harm and injury is greatly increased when vulnerable individuals are exposed to alcohol. It is absolutely vital that the Licensee and their staff carry out an assessment of all patrons before any alcohol is sold. Following the recent increase in drink related incidents, I now have a genuine concern that this not taking place and particularly this premises is not being managed properly.

This poor management has resulted a significant increase in calls for service from both the Police and Ambulance Services.

I am aware the venue is managed through Mr Terry Benson, the Premises Licence Holder and Mr Gerald Lennon who is the Designated Premises Supervisor.

Following the increase in calls for service a meeting was arranged by the Police with the venue managers in order to highlight and address the issues.

At 1:45 pm on Thursday 20th October 2011, I met with Mr Terry Benson and Mr Gerald Lennon together with Sgt Robert Fullilove Licensing supervisor and Mr Paul Rix from Leeds City Council Entertainment Licensing department.

The purpose of the meeting was to discuss a number of recent incidents resulting in calls for Police service to the venue and address how the management could be supported.

Signature:



Signature Witnessed by:

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Continuation Statement of Paul Sullivan

Mr Terry Benson and Mr Gerald Lennon were advised that following a review of the CCTV at the premises it was discovered that there were incidents of disorder/assaults, drunkenness/drug misuse, alcohol sales after permitted trading hours, self-service by customers in the absence of bar staff, deliberate circumvention of the till for ringing in sales and smoking inside the premises.

Both denied knowledge of these activities.

It was explained that the behaviour was unacceptable and that they should both take more of an active role in the running of the premises. Both were advised that the Local Police would fully support them with any issues. I felt that both Mr Terry Benson and Mr Gerald Lennon were interested in making changes at the venue.

I am aware that since this meeting there have been further calls for service. The following incidents are fully recorded on the Police systems,

The first incident relates to Police log number 1576 on the 2nd November 2011, Officers were called to the Slip Inn to the report of customers taking inappropriate phone footage of a man suffering a heart attack in the bar. A Disturbance then took place between customers over this behaviour and the Police attended to restore order.

The second incident relates to Police log number log 0914 on the 4th November 2011, following information bar staff were serving a male on the pub watch banning list. This male is known to everyone in the town as a violent individual with a history of fighting in pubs when intoxicated.

The third incident occurred on 26th November 2011, when a member of the public called the Police to report the Slip Inn bar staff apparently deleting CCTV of a violent fight involving three men. The incident was caught on the CCTV and clearly showed two males being beaten unconscious. The CCTV was viewed by officers and clearly shows bar staff serving people

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Signature Witnessed by:

MG11a

RESTRICTED (when complete)

(Revised 1.11.10)

NICHE Ref. No:		URN:	
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Continuation Statement of Paul Sullivan

intoxicated and not dealing with the problems before they get out of hand. Mr Terry Benson was present throughout this incident and appeared to do nothing to intervene or prevent harm.

No calls for assistance were made by any member of staff from the Slip Inn.

Following these incidents, I have serious concerns that without any licence intervention taking place, it will only be a matter of time before someone is fatally injured. If it is decided to allow this venue is to remain open I would like to see an enhancement of the licence conditions as follows:-

1. High Quality CCTV to be installed covering all areas of the venue.
2. Bar Supervisor to be employed in addition to the sales staff.
3. SIA Registered Door Staff to be employed on Friday and Saturday nights and at times likely to involve high numbers attending such as special events.

Signature:



Signature Witnessed by:

RESTRICTED

Ref No:



Witness Statement

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70)

Crime Ref. No:

URN:

Statement of Robert Geoffrey FULLILOVE

Date of birth: Over 18

Occupation: Police Sergeant 4581

This statement (consisting of: 3 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 anything which I know to be false or do not believe to be true.

Dated: 16 February 2012

Signature:

Tick if witness evidence is visually recorded (supply witness details on rear)

I am a sergeant in the West Yorkshire Police currently stationed as supervisor in charge of the Leeds District Licensing Department at Millgarth Police Station in central Leeds.

This witness statement is supplementary to the one I made on 4 January 2012 concerning an application to review the premises licence of the Slip Inn at Morley.

I wish to provide additional evidence to the licensing sub-committee in respect of this matter. The first document I produce is a letter from Trish Dobson, Senior Environmental Health officer from Leeds City Council's Environmental Protection Team, dated 19 January 2012.

Since I made my original statement I have re-interrogated the West Yorkshire Police Incident Management system (Webstorm) and identified four more calls for police service to the Slip Inn which are as follows:

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Signature Witnessed by:

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Continuation Statement of Robert Geoffrey FULLILOVE

1928hrs 4/1/12 Log 1218; Concerned female caller reporting under-age youths, some as young as 14 years old drinking alcohol (Jaeger Bombs) in the premises and some of them look to have been taking drugs. Officers attending reported that these were children belonging to the family of the owners who had come down to play pool. They could not prove that they had been drinking alcohol.

1118hrs 23/1/12 Log 452; Anonymous female caller rang in to say that 4 or 5 males were "kicking off" at the premises and it was a dispute over drugs and that one of the males had a big bag of cannabis.

When asked how she knew it was cannabis she replied "Because I'm not daft". On officers' arrival the males had gone but the officers reported to the control room that the landlady was obtuse and un-cooperative.

Immediately following the officers' attendance at this call I received an unsolicited email from one of them expressing displeasure at the attitude of the Slip Inn management. The email is from PC 3286 Smith, timed and dated 1205hrs 23/1/12, and I produce it as an exhibit. I find the content very disappointing.

1725hrs 5/2/12 Log1162; Caller reporting that someone has told her that property stolen from her in a burglary (laptop) is currently being sold inside the Slip Inn. Officers attend and the 2 persons, a male and female, are arrested and detained.

1646hrs 7/2/12 Log 1005; Report of an assault outside the premises. The caller is the male party arrested in the incident described above. He complains he has been with the co-accused arrested female in the Slip Inn and they have been verbally abused and called "burglars". He has been

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Continuation Statement of Robert Geoffrey FULLILOVE

assaulted and he fears for the female who is still inside the pub. When officers arrive she has left of her own accord and no crime reported is submitted as the male will not give a statement.

I have researched the West Yorkshire Police crime and intelligence recording system (Niche) from last spring to present day and found that since the end of May 2011 eleven crimes are recorded as being committed in the Slip Inn. These consist of four assaults (three actual bodily harm and one domestic common assault), two of affray, two theft and one each of drunk and disorderly, drugs possession and burglary.

In that same time period eighteen separate pieces of intelligence were received in respect of the Slip Inn, sixteen of which relate to drugs sale, supply or use within the premises. The other two relate to stolen goods being sold within, and a fight where an allegation is made the participants attempted to have the CCTV footage of the incident erased from the Slip's CCTV system. The drugs intelligence in itself is a massive amount for any premises for that time period, even for a city centre nightclub and particularly disturbing as it relates to a small pub in a relatively rural area.

A search warrant sworn out under the Misuse of Drugs Act 1971 was executed by officers at The Slip Inn on 5 August 2011 with no gain.

It is my opinion that the current management regime at the Slip Inn, its overall attitude and methods of working plus the lax controls over alcohol supply and the availability of drugs within the premises have all contributed, and continue to contribute to its current problems.

Signature:

Signature Witnessed by:

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Entertainment Licensing
Leeds City Council
40 Great George Street
Leeds
LS1 3DL

Environmental Protection Team
Leeds City Council
Knowsthorpe Gate
Cross Green
Leeds LS9 0NP

Contact: Trish Dobson
Tel: 0113 3951162
Fax:

Our reference: PREM/02251/002
19 January 2012

Dear Sir/Madam

**RE: APPLICATION FOR REVIEW OF PREMISES LICENCE, THE SLIP INN
ALBION STREET, MORLEY, LEEDS, LS27 8DT.**

I refer to your e mail dated 5th January 2012 regarding the application to review the premises licence of the above premises by West Yorkshire Police.

Following examination of the information held by this Department, I can confirm that the following matters have been brought to the attention of this service. Where action has been taken, this will be indicated.

A complaint was investigated in 2005 regarding hygiene at the premises. A food hygiene inspection was subsequently carried out.

Between 2006 and 2010 there have been four investigations carried out with regard to uncontained waste in the yard to the rear of the pub, arising from the Slip Inn. A legal notice was served in 2008, although it was subsequently established that ownership of the yard was nothing to do with the Slip Inn.

A further unsubstantiated complaint was made in 2009 relating to smoke from a wood burning stove, again in the yard to the rear of the pub. The complaint was made by a local business although was never witnessed independently by officers from this Department. A letter was sent to both the Landlord and the owner of the pub.

Between 2007 and 2010 three complaints have been made relating to noise arising from the pub. The complaints were referred by both local residents and an officer from Licensing. These related to noise associated with activities both inside and outside the premises including loud music, DJ and karaoke, behaviour of patrons leaving, noise from customers using the smoking area to the rear of the premises, noise from fighting, taxis arriving and leaving beeping horns and sitting with engines revving. The Landlord was both written and spoken to and advice given regarding these incidents.



There are currently no on going complaints under investigation and this section has no further relevant comments to make.

Yours faithfully



Trish Dobson
Senior Environmental Health Officer



Fullilove, Rob

From: Smith, Simon [simon.smith@westyorkshire.pnn.police.uk]
Sent: 23 January 2012 12:05
To: Fullilove, Rob
Subject: Slip Inn Public House, Morley [NOT PROTECTIVELY MARKED]

PS Fullilove,

on Monday 23rd January myself and PC4454 McNalus attended the above location following a report of a fight involving 4-5 people, on our attendance it was clear that this had not been the case and the call deemed to be malicious however whilst on scene a female who identified herself as the landlady, she stated that she was not happy with our attendance and that we were putting her customers off by being there, she stated that she didn't want us in the pub and asked us to leave as she had a review coming up in the coming weeks and this didn't look good, she appeared very anti-police stating that we never turn up when she has had to call in the past.

submitted for your information and attention.

Simon

PC3286 Smith
Team 4 Response.

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Review of Premises Licence

Application for a review received.

- Is the application completed correctly?
- Is the application relevant to the Licensing Objective?
- Is the interested party relying on frivolous, vexatious or a repetitious ground?
- Has the applicant notified responsible authorities and Licence holder?

Notify the applicant as soon as possible that the ground is frivolous, vexatious or a repetition.

Licensing Authority must advertise the review

- Advertisement placed - At or near premises subject to review
- At offices of Licensing Authority
- On leeds.gov.uk

The advert must include the following details

- a) The address of the premises subject to review
- b) The dates between which interested parties & Responsible Authorities may make representations
- c) The grounds of the application for review
- d) The postal address, web site address ,licensing register details etc
- e) That it is an offence to knowingly or recklessly to make a false statement in connection with the review.

The advert is placed for no less than 28 consecutive days starting with the day *after* the application was given to the applicant.

The Licensing Authority must hold a hearing

The hearing must be held within 20 working days beginning with the day *after* the end of the period during which representations may be made



The Licensing Authority must give notice of the hearing, no later than ten working days before the day of the hearing

Notice of the review hearing must be given to
a) The premises licence holder
b) Those that made relevant representations

Representations from interested parties must not be vexatious, frivolous or a repetition.

- A ground for review already specified in an earlier review application of the same premises which has already been determined; or
- Representations considered when the premises licence was first granted; or
- Representations which would have been made when the application for the premises licence was first granted and which were excluded then due to a provisional statement being issued; and
- A reasonable interval has not elapsed since a previous review or the grant of the licence.

Notification that a representation is frivolous, vexatious or repetitious must be given in writing before the review is determined.

ENVIRONMENTAL NOISE PROTECTION SUPPORT FOR WYP REVIEW



Entertainment Licensing
Leeds City Council
40 Great George Street
Leeds
LS1 3DL

Environmental Protection Team
Leeds City Council
Knowsthorpe Gate
Cross Green
Leeds LS9 0NP

Contact: Trish Dobson
Tel: 0113 3951162
Fax:

Our reference: PREM/02251/002
19 January 2012

Dear Sir/Madam

**RE: APPLICATION FOR REVIEW OF PREMISES LICENCE, THE SLIP INN
ALBION STREET, MORLEY, LEEDS, LS27 8DT.**

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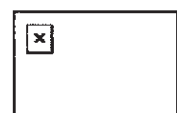
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There are currently no on going complaints under investigation and this section has no further relevant comments to make.

Yours faithfully



Trish Dobson
Senior Environmental Health Officer

WARD COUNCILLORS SUPPORT TO WYP REVIEW

Massey, Bridget

From: Finnigan, Cllr Robert
Sent: 06 January 2012 09:27
To: Massey, Bridget
Subject: RE: REVIEW - SLIP INN MORLEY

I fully support this review. Can you arrange for me to make representations to the Licensing Committee?

Thanks

Cllr R Finnigan

From: Massey, Bridget
Sent: 05 January 2012 16:23
To: Councillors All; town.clerk@morley.gov.uk
Cc: Mulcahy, John; Raper, Nicola; Holder, Stephen; Carville, Philomena; Kennedy, Seamus; Holden, Susan
Subject: REVIEW - SLIP INN MORLEY

Dear Colleagues

Application to Review a Premises Licence Pursuant to Section 51 of the Licensing Act 2003.

Re: Slip Inn Albion Street Morley Leeds LS27 8DT

Prem: 02251

I write to inform you that West Yorkshire Police have made an application under section 51 of the Licensing Act 2003 to the Licensing Authority in order to carry out a review of the licence for the above premises.

We are bound by the legislation to accept the application if it relates to one or more of the licensing objectives and meets other requirements. The application received is considered valid and relates to issues surrounds all four objectives

Crime and Disorder
Public Nuisance
Public Safety
Protection of Children from Harm

A public notice at or near the site of the premises informing people of the review will be in place from tomorrow. The notice will be displayed for 28 consecutive days which is in line with the requirements of the Act. The consultation period will commence tomorrow 6th January 2012 and conclude at midnight on 2nd February 2012.

The purpose of this period is to invite further representations from interested parties to help inform the review process. If you wish to make a representation in this capacity, or as a representative of your local constituents who reside within the vicinity, can you please ensure that it is received by this department within the aforementioned time scale.

Bridget Massey
Licensing Officer
Entertainment Licensing
Leeds City Council
Tel: 0113 2474095
Fax: 0113 2243885
email: bridget.massey@leeds.gov.uk

www.leeds.gov.uk

If you would like to offer feedback to Entertainment Licensing on the service you have received please visit our [customer feedback form](#).

Massey, Bridget

From: Finnigan, Cllr Robert
Sent: 11 January 2012 13:45
To: Massey, Bridget
Subject: RE: SLIP INN

Many thanks for your e mail.

We get reports of intimidation of passing residents during the evening time, issues of noise and broken glass and reports of fighting. These are the areas I would want to cover.

Regards

Robert Finnigan

From: Massey, Bridget
Sent: 10 January 2012 15:14
To: Finnigan, Cllr Robert
Subject: SLIP INN

Dear Councillor Finnigan

Thank you so much for your interested party form.

I have spoken to West Yorkshire Police and they are very happy that you are willing to comment on the review and your support is much appreciated.

Could you give me some indication as to what issues you have experienced with the Slip Inn? So we have some idea of what you wish points you wish to put to the Committee.

An early response would be appreciated.

Kind regards

Bridget

Bridget Massey
Licensing Officer
Entertainment Licensing
Leeds City Council
Tel: 0113 2474095
Fax: 0113 2243885
email: bridget.massey@leeds.gov.uk
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2251/002

Interested Party Representation (Form IPR1)



Leeds

CITY COUNCIL

Section 1 - Licence application details

Please indicate as appropriate :

- I wish to object to the following application:
- I wish to support the following application:

Applicant name (if known):
West Yorkshire Police Service

Applicant premises name and address:
*Ship Inn
Albion Street,
Morley LS27 8DT*



Application for a	Premises Licence <input type="checkbox"/>	Club Premises Certificate <input type="checkbox"/>
Application to vary an existing	Premises Licence <input checked="" type="checkbox"/>	Club Premises Certificate <input type="checkbox"/>



NB : If you are acting as a representative, please go to Section 3.

Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Other <u><i>CLL</i></u>
Surname	<i>FINNIGAN</i>
First name(s)	<i>ROBERT</i>

Address (incl postcode):
*MBI Office, Town Hall, Queen Street,
Morley, W Yorks LS27*

It is essential that you provide your full residential address (or business address if you are objecting from a business). The Licensing Authority needs to be satisfied that you live or have business on the vicinity of the premises. Without this information your representation will not be accepted.

Please note that a full copy of your representation (including your name and address) will be sent to the applicant and will be a public document at any hearing of this matter.

Please refer to our Guidance Note - GN-M Guidance on making representations, for further information and alternative options.

Section 3 - Representative details

If you represent residents or businesses in the vicinity please complete details below

Name of Representative/
Organisation

Full postal address
(incl postcode)

Please indicate capacity :

- E.g. Representative of Residents Association
Ward Councillor
Parish Council
MP
Trade Association

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

Other (please specify) _____

Section 4 - Representation grounds

The representation is relevant to one or more
of the following licensing objectives:

Please tick relevant box(es)

- Prevention of crime and disorder
Prevention of public nuisance
Protection of children from harm
Public safety

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

Please select :

- I object to the application being granted at all
 I object to the application being granted in its current form*

*If you choose this option remember to tell us in the next section what changes you would prefer to see.

The grounds of the representation is based on the following:

I support the Police application for
a ban on the basis of the
above listed grounds as the Slip Inn
has failed to promote any of these
objectives

I wish to speak at the committee
hearing

You need to complete this box as fully as possible. If you do not then the Licensing Authority may not be able to assess the relevance of your representation.

Please attach supporting documents/further pages as necessary - please number all additional pages.

Try to be as specific as possible and give examples, e.g. on 1 February I could hear loud music from the premises between 10pm and 1am. I am concerned that if the premises open until 2am this will cause a nuisance to me and other residents of the street.

Signed:



Date:

6/1/2017

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11. Reviews

THE REVIEW PROCESS

- 11.1 The proceedings set out in the 2003 Act for reviewing premises licences represent a key protection for the community where problems associated with the licensing objectives are occurring after the grant or variation of a premises licence.
- 11.2 At any stage, following the grant of a premises licence, a responsible authority, or an interested party, may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.
- 11.3 The Regulations allow applications for reviews to be made electronically, as long as the licensing authority agrees and the applicant submits a subsequent written application. The licensing authority may also agree in advance that the application need not be given in writing. However, these applications are outside the formal electronic application process and may not be submitted via businesslink or the licensing authority's electronic facility.
- 11.4 In addition, a review of the licence will normally follow any action by the police to close down the premises for up to 24 hours on grounds of disorder or noise nuisance as a result of a notice of magistrates' court's determination sent to the licensing authority.
- 11.5 Licensing officers may not initiate their own reviews of premises licences, but elected members of the licensing authority may request reviews if they are concerned about licensed activities at a premises or such matters are brought to their attention (see paragraph 8.15 above). Officers of the local authority who are specified as responsible authorities under the 2003 Act, such as environmental health officers, may also request reviews on any matter which relates to the promotion of one or more of the licensing objectives.
- 11.6 Representations made by a department of the local authority which is a responsible authority should be treated by the licensing authority in precisely the same way that they would treat representations made by any other body or individual.
- 11.7 In every case, the representation must relate to particular premises for which a premises licence is in existence and must be relevant to the promotion of the licensing objectives. After a licence or certificate has been granted or varied, a complaint relating to a general (crime and disorder) situation in a town centre should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.
- 11.8 Representations must be in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing.
- 11.9 It is important to recognise that the promotion of the licensing objectives relies heavily on a partnership between licence holders, authorised persons, interested parties and responsible authorities in pursuit of common

aims. It is therefore equally important that reviews are not used to drive a wedge between these groups in a way that would undermine the benefits of co-operation. It is good practice for authorised persons and responsible authorities to give licence holders early warning of their concerns about problems identified at the premises concerned and of the need for improvement. A failure to respond to such warnings is expected to lead to a decision to request a review.

- 11.10 Where the request originates with an *interested party* – e.g. a local resident, residents' association, local business or trade association – the licensing authority must first consider whether the complaint made is relevant, vexatious, frivolous or repetitious.
- 11.11 Further information for interested parties about the review process is available in "Guidance for interested parties: applying for a review" which can be found on the DCMS website.

REPETITIOUS REPRESENTATIONS

- 11.12 Relevance, vexation and frivolousness were dealt with in paragraphs 9.8 – 9.13 above. A *repetitious representation* is one that is identical or substantially similar to:
- a ground for review specified in an earlier application for review made in relation to the same premises licence which has already been determined; or
 - representations considered by the licensing authority when the premises licence was first granted; or
 - representations which would have been made when the application for the premises licence was first made and which were excluded then by reason of the prior issue of a provisional statement;

and, in addition to the above grounds, a reasonable interval has not elapsed since that earlier review or the grant of the licence.

- 11.13 Licensing authorities are expected to be aware of the need to prevent attempts to review licences merely as a second bite of the cherry following the failure of representations to persuade the licensing authority on earlier occasions. It is for licensing authorities themselves to judge what should be regarded as a reasonable interval in these circumstances. However, the Secretary of State recommends that more than one review originating from an interested party should not be permitted within a period of twelve months on similar grounds save in compelling circumstances or where it arises following a closure order.
- 11.14 The exclusion of a complaint on the grounds that it is repetitious does not apply to responsible authorities which may make more than one request for a review of a premises within a 12 month period.
- 11.15 When a licensing authority receives a request for a review from a responsible authority or an interested party or in accordance with the closure procedures described in Part 8 of the 2003 Act, it must arrange a hearing. The arrangements for the hearing must follow the provisions set out by the Secretary of State in regulations. The details may be viewed on the DCMS website. The Secretary of State considers it particularly important that the premises licence holder is fully aware of the representations made in respect of the premises, any evidence supporting the representations and that they or their legal representatives have therefore been able to prepare a response.

POWERS OF A LICENSING AUTHORITY ON THE DETERMINATION OF A REVIEW

11.16 The 2003 Act provides a range of powers for the licensing authority on determining a review that it may exercise where it considers them necessary for the promotion of the licensing objectives.

11.17 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. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the holder of the licence. However, where responsible authorities like the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to concerns, licensing authorities should not merely repeat that approach.

11.18 Where the licensing authority considers that action under its statutory powers are necessary, it may take any of the following steps:

- to modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;

- to exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
- to remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- to suspend the licence for a period not exceeding three months;
- to revoke the licence.

11.19 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns which the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than a necessary and proportionate response.

11.20 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.

11.21 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems which impact upon the licensing objectives.

11.22 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as a necessary means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is necessary and proportionate to the promotion of the licensing objectives.

REVIEWS ARISING IN CONNECTION WITH CRIME

11.23 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.

11.24 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.

11.25 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.

11.26 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;
- 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.

11.27 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.

11.28 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

11.29 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.

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