

**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) |
| Scottish & Newcastle Pub Company (Management) Limited 2-4 Broadway Park South Gyle Broadway EDINBURGH EH12 9JZ |

| |
|---|
| Number of premises licence or club premises certificate (if known) |
| PREM/02251/006 |

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) x

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 that falls within the jurisdiction of Morley Neighbourhood Policing Team.

Due to excessive and serious crime and disorder problems at the premises and inadequate management, I applied for a review of the Premises Licence of the Slip Inn in January 2012 and the hearing was held on 1st March at Leeds Civic Hall where the Premises Licence was revoked.

The police insistence on revocation at that hearing was based around the fact that no offer was made to change any of the management of the premises by Scottish and Newcastle or their lessee Terence Benson who was also Premises Licence Holder at that time.

After the hearing tentative negotiations commenced between police, licensing authority and solicitors acting for Scottish & Newcastle to try and find some way to prevent the necessity of the completion of the revocation process, should this have been upheld at Magistrates Court

on the date yet to be set. Scottish and Newcastle then took on the mantle of being Premises Licence Holders, replacing Mr Benson.

The Slip Inn's legal team appealed this decision and the premises continued to trade as normal. Sadly, around this time the Slip's Designated Premises Supervisor passed away, although I had made clear that I would have required his removal under a new management structure anyway.

I said that I would agree to the matter being remitted back to the Licensing Sub-Committee with a view to further premises licence conditions being imposed as opposed to revocation, if new management was installed and the Slip was being run satisfactorily with a vast reduction in the previous issues evidenced.

Police made it clear that should this be an option there had to be a complete overhaul of the management of the Slip Inn and a sustained period of time where Crime & Disorder levels were kept low and that Mr Benson must not have any control of the running of the premises.

Unfortunately, on the death of the Designated Premises Supervisor the premises continued to trade as normal without a new DPS being appointed and local authority licensing staff had to drive the process of pointing out this illegality and get those in authority to have it rectified.

The new DPS, Ashley Stone, was appointed and found to be suitable to the police, although the recruitment process was questionable. The recruiting person was the bar manager of the Slip Inn, part of the pre Premises Licence Review management, and who was asked to stop on and work at the premises on the appointment of what was effectively his new boss.

On 26 March 2012, after this recruitment process and the day before Mr Stone took up post the Slip Inn was raided by police under the authority of a Misuse Of Drugs Act search warrant where a small amount of controlled substances was found in the bar manager's living quarters, for which he admitted possession and later received a Fixed Penalty Notice.

On Monday 24 April 2012 I attended at the Slip Inn for a pre-arranged appointment with management and legal representatives. The DPS presented as someone who was willing to, and capable of running the Slip properly and in accordance with regulations.

A few days later a police officer contacted me and complained that an assault had occurred at the Slip Inn on the night of the 24th, the same day that I had visited the pub as described, and that CCTV footage he'd requested from the premises was not available and the system had not been working due to a "power cut". The time that the "power cut" was said to have encompassed included the time I was at the premises where I saw that all the electric was on and the CCTV was working. I was sat in the room where all the monitors were situated and viewed the bar footage as we spoke. No valid reason was ever provided to explain the absence of the CCTV footage.

On 28th April 2012 another very serious incident took place at the Slip Inn where Mr Benson, who was on duty in the premises, and the bar manager were assaulted by two males, one of whom was on the local Pubwatch banned list. At the time it was apparent that the pub management were trying to do their job and that as a result of this incident after the 2 suspects were charged and bailed that they received threats and at least two instances of damage to the windows at the Slip. When the assault case came to court in November, however, Mr Benson's actions were not so credible, and will be described later in this section.

Crime, Disorder and Intelligence reports and calls for police service since that time, plus apparent breaches in premises licence conditions of the Slip Inn were above the level

expected and anticipated for premises not just under police and local authority scrutiny but also threat of a licence revocation.

Some time shortly after the assault on the bar manager on 28 April he left the employ of the Slip Inn.

On 1 June 2012 I attended at the Slip to a pre-arranged meeting to check from all sides that the new management structure was still in place and working. I raised the observation that the bar manager had left when earlier the partnership between him and the new DPS had been promoted as a competent and cohesive unit. At that time I was surprised to see Mr Benson in the upstairs living quarters. I questioned this, and was told that he took no part in the running of the business but had a financial interest in it and fetched and carried stock occasionally. I did not believe this but had no evidence to disprove it at this stage. I was told quite clearly by solicitors representing Scottish & Newcastle that they could not prevent him attending at the premises and that he had a right to be there.

On Thursday 19 July 2012 I rang the DPS to find out if there were any issues he wished to identify pre-the remitted hearing scheduled for 30 July. Being a Thursday and having previously agreed that the DPS should be at, and live on the premises Thursdays-Sundays inclusive I was surprised to find he was not there. I then tracked him down to his other licensed premises in the North West Leeds area whereupon he informed me that he was not at the Slip Inn, had not been there for a week, and had no intention of returning. In response to my enquiry as to why, he said that he had fallen out with Terry Benson who controlled all aspects of the business. Mr Stone resigned as DPS with immediate effect on my advice and confirmed this in writing to police and the local authority almost immediately.

The resignation was disappointing but the failure of the Premises Licence Holder or nominee not to act upon this when it must have been known the previous week Mr Stone had left for good was inexcusable.

Another DPS, Charlene Hill, was appointed the following day, 20th July.

On Monday 30 July 2012 at a non-contested hearing at sub-committee the revocation of the Slip Inn licence was cancelled and substituted with additional Premises Licence conditions, with the agreement of all parties.

On 17 August 2012 a client at the Slip Inn was caught by another customer offering to sell drugs in the pub. The person was detained by the same customer outside after being challenged and assaulted by him and detained for police. Slip Inn staff took no part in the incident.

On 18 August 2012 a Section 19 Closure Notice was served on the Slip Inn for inability to download/provide CCTV footage in relation to a theft of a customer's purse there, where there was a named suspect. The CCTV was viewable and clearly identified the suspect committing the offence, but could not be downloaded. The notice was accepted by a Jordan Buchan who gave his job title as "Supervisor".

On 22 August Jordan Buchan was appointed DPS for the Slip Inn. The reasons for Ms Hill's departure were not given, or the criteria for her, and Mr Buchan's recruitment not specified. I had issues around Mr Buchan being in control of what I class as vulnerable premises, not least of all around his youthful age, but no grounds to formerly object. It is not known how much time, if any, Ms Hill physically spent at the Slip Inn.

On Sunday 16 September 2012 an assault on staff members and affray took place at the Slip Inn where one man was arrested by officers after he had to be incapacitated with CS Spray.

They were met with a hostile crowd and were in danger of being attacked and overpowered. The suspect assaulted one officer by spitting at him full in the face. The pub staff and door staff member refused to make any complaints. This incident could have turned out potentially a lot more serious than it did, and the fact that it didn't was due to the professionalism of the attending officers.

On Saturday 29th September 2012 the Slip Inn was served with another Section 19 Closure Notice after CCTV for an incident the previous day was neither provided, nor available as the hard drive was full. Jordan Buchan signing as "Supervisor" accepted the notice. He later provided a completely ridiculous and implausible reason for the system not to have been working which has been discredited by a police CCTV expert. On service of this notice, quite bizarrely, the door staff member on duty announced that he did not want to work at the Slip any more and walked off, leaving the premises unable to trade and having to close early, and remain closed the following day pending the recruitment of another door security person.

By the beginning of November 2012 it was obvious that Mr Benson was the person running the Slip Inn, and had been for the whole of the year, despite the changes in licence holder and personnel that had been made since the licence review in March. Documentary evidence exists to prove this.

On 3 November 2012 at about 8.15pm a serious fight started at the Slip Inn involving a number of people. This was recorded on CCTV and took place when the pub was full with other members of the public. The DPS Jordan Buchan was in charge at the time and when the incident had been dealt with by police refused to provide a witness statement to officers on the grounds that he feared reprisals. This was despite the fact that he knew the main offender and was the Designated Premises Supervisor with a responsibility to uphold the licensing objectives. There were two door staff members on duty on this occasion who were criticised by police because they did not eject people from the premises when this was required, and when disorder broke out they did not deal with it satisfactorily. One male was later arrested in connection with this incident.

On Wednesday 14 November 2012 at about 10.15pm another fight occurred at the Slip Inn where one of the protagonists from the 3 November incident attended with an associate and assaulted Buchan and another staff member after demanding and being refused details of the doorman involved on the 3rd.

Coincidentally, on 14th November at Leeds Crown Court, the trial started of the two males involved in the affray and assault on Terry Benson and the bar manager that took place on 28 April, and described earlier in this section on page 4 of this document. At court Benson, who had to be summonsed to attend, recanted his earlier version of events, retracted his witness statement given at the time, despite the facts contained in it being clearly corroborated on seized CCTV, and claimed that the incident never took place and that the injuries he received were as a result of falling over. This was clearly a deliberate and false account leading to the acquittal of two defendants who had clearly committed the offences with which they had been charged. At the very least, this conduct was a gross dereliction of duty by someone responsible for the running of licensed premises. In his witness statement he gave a very clear account of being assaulted and referred to himself as "Landlord of the Slip Inn, a position he has held for the last six and a half years".

The events of March-December 2012 and actions of Slip Inn management and supervision with regard to the overall control and supervision of the premises have not matched the agreements and expectations made between West Yorkshire Police and other authorities when agreeing to waive the premises licence revocation on 1 March 2012, and substitute with conditions.

That agreement was made on the basis of Mr Benson having no role in the running of the premises, a sustained reduction in crime and disorder, and adherence to Premises Licence conditions thereby enabling a community asset to be preserved. It is clear to me that the current licence holders have no sway over their tenant's activities, or if they do then they have no appetite to act, and that the current management regime is as unfit for purpose as that which preceded it, due to its similarities.

The premises have not improved since the last Premises Licence Review. The current management cannot be allowed to continue to operate the Slip Inn in the way that they do, and have done for some time and the aggravating factor now is their refusal to cooperate with police enquiries and prosecutions. Preventing bringing offenders to justice by way of not providing evidential CCTV, and at the higher end of the scale not giving evidence (in statement form or by court attendance) in connection with criminal cases is an aggravating factor that is not acceptable. This not only does "not uphold" the licensing objectives but it deliberately thwarts them.

The levels of violence and disorder caused by this one pub are unacceptable, and not sustainable for a small, provincial market town. The premises have been given more than enough opportunity and it is not an exaggeration to say that the vast majority of the local population are fed up of the Slip Inn and support this action.

The application is for this Premises Licence to be revoked.

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
PS 2380 Maxfield – Holbeck Police Station
DC 4000 Coulton – Holbeck CID
Samantha Jane Longfellow (Leeds City Council)
PC 4846 Dickie – Morley Police Station
PC 5966 Wilson – Morley Police Station
PC 4314 Dixon – Morley Police Station

DVD exhibits x 2

Copy Decision Letter – Slip Inn Premises Licence Review – 1 March 2012

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 5th

Month January

Year 2012

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

Yes;

(1) Verbally at Premises Licence Review proceedings on Thursday 1 March 2012 at Leeds Civic Hall.

(2) In writing to the Licensing Authority and the PLH's representatives subsequently, prior to a non-contested hearing at Civic Hall on Monday 30 July 2012.

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 7 December 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.