

**Democratic Services**

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Date: 23 July 2013

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**To: All Members of the Licensing Sub-Committee**

Councillor Manda Rigby  
Councillor Anthony Clarke  
Councillor Roger Symonds

Chief Executive and other appropriate officers  
Press and Public

Dear Member

**Licensing Sub-Committee: Monday, 29th July, 2013**

You are invited to attend a meeting of the **Licensing Sub-Committee**, to be held on **Monday, 29th July, 2013** at **2.00 pm** in the **Kaposvar Room - Guildhall, Bath**.

**Briefing**

Members of the Sub-Committee are reminded that the meeting will be preceded by a briefing at 1.30pm.

The agenda is set out overleaf.

Yours sincerely

Sean O'Neill  
for Chief Executive

**If you need to access this agenda or any of the supporting reports in an alternative accessible format please contact Democratic Services or the relevant report author whose details are listed at the end of each report.**

*This Agenda and all accompanying reports are printed on recycled paper*

## NOTES:

- 1. Inspection of Papers:** Any person wishing to inspect minutes, reports, or a list of the background papers relating to any item on this Agenda should contact Enfys Hughes, Sean O'Neill who is available by telephoning Bath democratic\_services@bathnes.gov.uk or by calling at the Riverside Offices Keynsham (during normal office hours).
- 2. Details of Decisions taken at this meeting** can be found in the minutes which will be published as soon as possible after the meeting, and also circulated with the agenda for the next meeting. In the meantime details can be obtained by contacting Enfys Hughes, Sean O'Neill as above.

Appendices to reports are available for inspection as follows:-

**Public Access points** - Riverside - Keynsham, Guildhall - Bath, Hollies - Midsomer Norton, and Bath Central, Keynsham and Midsomer Norton public libraries.

**For Councillors and Officers** papers may be inspected via Political Group Research Assistants and Group Rooms/Members' Rooms.

- 3. Attendance Register:** Members should sign the Register which will be circulated at the meeting.
- 4. THE APPENDED SUPPORTING DOCUMENTS ARE IDENTIFIED BY AGENDA ITEM NUMBER.**
- 5. Emergency Evacuation Procedure**

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are sign-posted.

Arrangements are in place for the safe evacuation of disabled people.

**Licensing Sub-Committee - Monday, 29th July, 2013**

**at 2.00 pm in the Kaposvar Room - Guildhall, Bath**

**A G E N D A**

1. EMERGENCY EVACUATION PROCEDURE

The Chair will draw attention to the emergency evacuation procedure as set out under Note 5 on the previous page.

2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

3. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to indicate:

(a) The agenda item number in which they have an interest to declare.

(b) The nature of their interest.

(c) Whether their interest is **a disclosable pecuniary interest** *or* an **other interest**, (as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests)

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer before the meeting to expedite dealing with the item during the meeting.

4. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

5. MINUTES: 4 JUNE 2013 (Pages 5 - 8)

6. REVIEW PROCEDURE (Pages 9 - 14)

The Chair will, if required, explain the review procedure.

7. APPLICATION FOR A REVIEW OF A PREMISES LICENCE FOR THE GREYHOUND HOTEL, 1 HIGH STREET, MIDSOMER NORTON BA3 2LE (Pages 15 - 128)

The Committee Administrator for this meeting is Enfys Hughes, Sean O'Neill who can be contacted on [democratic\\_services@bathnes.gov.uk](mailto:democratic_services@bathnes.gov.uk).



**BATH AND NORTH EAST SOMERSET COUNCIL**

**LICENSING SUB-COMMITTEE**

Tuesday, 4th June, 2013, 10.00 am

**Councillors:** Gabriel Batt, Manda Rigby (Chair) and Roger Symonds

**Officers in attendance:** Enfys Hughes, John Dowding (Senior Licensing Officer) and Maggie Horrill

**1 EMERGENCY EVACUATION PROCEDURE**

The Democratic Services Officer drew attention to the emergency evacuation procedure as set out on the agenda.

**2 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Councillor Gerry Curran sent his apologies, Councillor Roger Symonds was his substitute.

**3 DECLARATIONS OF INTEREST**

There were none.

**4 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR**

There was none.

**5 LICENSING PROCEDURE - HACKNEY CARRIAGE (TAXI) AND PRIVATE HIRE DRIVERS HEARING**

**RESOLVED** that the procedure for this part of the meeting be noted.

**6 EXCLUSION OF THE PUBLIC**

**RESOLVED** "that, having been satisfied that the public interest would be better served by not disclosing relevant information, in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items(s) of business because of the likely disclosure of exempt information as defined in paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the Act, as amended."

**7 CONSIDERATION OF CHANGE IN MEDICAL FITNESS - MRS T D**

The Sub-Committee considered the report which sought consideration of Mrs TD's medical fitness to continue to hold a combined hackney carriage/private hire driver's licence.

The applicant was not present and had not given any reason for not attending the meeting and had not provided the requested medical evidence having been given ample opportunity to do so. Therefore Members agreed that the issue be heard in her absence.

The Licensing Officer presented the report and stated that as part of the renewal process for her licence Mrs TD had declared that she had angina that was being treated medically. The Council Policy requires applicants to meet the medical standards of a Group 2 (Vocational) driver as laid down by the Driver and Vehicle Licensing Agency (DVLA). Group 2 is more stringent than Group 1 and applies to professional drivers of passenger carrying vehicles (PCVs) including taxi drivers and is justified as these drivers spend longer in their vehicles. Therefore the Licensing Officer had written to her on 8<sup>th</sup> March 2013 requesting that she get a letter from her GP stating that her angina was controlled and that she could meet the criteria for Group 2. After this letter Mrs D telephoned the office informing them again that her angina was 'medically controlled'. She was told again that the Council needed a letter from her GP confirming this. A further letter was sent on 11<sup>th</sup> April 2013 stating that as no information had been received the matter would be referred to the Council's Licensing Sub-Committee for its consideration. The criteria for Group 2 drivers who are diagnosed with angina was attached to the report at Annex D.

In the absence of the driver Members asked the Licensing Officer some questions. He confirmed that Mrs TD had informed Licensing of her medical condition when she renewed her licence.

The Licensing Officer left the meeting room and the Sub-Committee considered the matter.

Following the adjournment the Licensing Officer was invited to rejoin the Sub-Committee. He was advised that Members had considered the information before them and on the balance of probabilities found that Mrs TD was not a fit and proper person to hold a combined Hackney Carriage/Private Hire Drivers Licence and that the Sub-Committee had

**RESOLVED** that the combined Hackney Carriage/Private Hire driver's licence of Mrs TD be revoked under section 61(2B) of the Local Government (Miscellaneous Provisions) Act 1976 in the interests of public safety.

#### Reasons for the decision

Members considered the report of the Licensing Officer with regard to the disclosure by Mrs TD of her medical condition on her application to renew her combined Hackney Carriage/Private Hire Drivers Licence. In doing so they took into account the Local Government (Miscellaneous Provisions) Act 1976, the Council's Policy, the Human Rights Act 1998, the Equalities Act and case law.

Members were concerned that Mrs TD, who was licensed to drive a hackney carriage/private hire vehicle, had a medical condition that could impair her driving. Though it had been requested, Mrs TD had provided no letter from her GP confirming that she is medically fit enough to meet the standards for a Group 2 driver. She had been given ample opportunity to do this. They were also concerned about the length of time she may have had this condition as she had not informed the department until renewal of her licence. Members were concerned that Mrs TD was not taking the matter seriously and had not provided any written evidence as to how her condition was controlled. She was advised that the matter would be put before the Licensing Sub-Committee but had not taken the opportunity to attend and

had not given any reason as to why she did not attend. Members considered that without confirmation as to Mrs TD's fitness from her GP they were of the view that she is not a fit and proper person to continue to hold a combined Hackney Carriage/Private Hire Driver's Licence and were not satisfied that a member of their family or a loved one would be safe in a taxi driven by Mrs TD. Members considered that their decision was proportionate in light of the above and in the interests of public safety.

## **8 APPLICATION FOR HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE:- MR R M R**

The Sub-Committee considered the report which sought determination of an application by Mr RMR for the grant of a combined hackney carriage/private hire driver's licence.

The applicant was present. He confirmed he had read and understood the procedure for the meeting.

The Licensing Officer presented the report and stated that as part of the application process a Disclosure and Barring Service check was undertaken which had revealed a number of previous convictions. He circulated the Disclosure and Barring Service check, personal statement and references for Mr RMR. The applicant and officer withdrew from the meeting while Members took some time to consider these documents.

Mr RMR put his case and was questioned. Mr RMR then made a closing statement.

Following an adjournment it was

**RESOLVED** that a hackney carriage/private hire driver's licence be granted in respect of Mr RMR, subject to the standard terms and conditions.

### Reasons for the decision

Members determined an application by Mr RMR for a combined hackney carriage/private hire driver's licence. In doing so they took into account the Local Government (Miscellaneous Provisions) Act 1976, the Council's Policy, the Human Rights Act 1998, the Equalities Act and case law.

Members listened carefully to Mr RMR's representations, had regard to his Disclosure and Barring Service check, his written statement and references. Members noted that the convictions though serious were historic, occurring over 35 years ago, and fell outside the Council's Policy and Home Office Guidelines. They noted that before being made redundant he had been employed for 19 years with the same company and since that time he had found employment with his son's taxi firm. They therefore found Mr RMR to be a fit and proper person to hold a combined hackney carriage/private hire driver's licence and were satisfied that a member of their family or a loved one would be safe in a car driven by him.

The meeting ended at 11.25 am

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**



**LICENSING ACT 2003**

**LICENSING COMMITTEE HEARING PROCEDURE  
ALCOHOL, LATE NIGHT REFRESHMENT AND ENTERTAINMENT  
REVIEW OF PREMISES LICENCE / CLUB PREMISES CERTIFICATE**

- 1 The Chair will introduce Members of the Sub Committee and Officers present and explain the procedure to be followed.
- 2 The Licensing Officer will outline the nature of the matter to be considered by the Sub Committee.

*In the following paragraphs where the term “party” or “parties” is used in addition to other terms this will mean anyone to whom notice of this meeting has been given.*

- 3 (i) The Applicant for Review (“the Applicant”), or representative, addresses the Sub Committee. The Applicant may be asked relevant questions about the matters before the Sub Committee by the other parties, the Licence Holder and the Members.  
  
(ii) The Applicant or representative, may call witnesses in support of the application and each witness may be asked relevant questions by the other parties and the Members
- 4 (i) Any other persons making relevant representations (or their representative) will take it in turn to address the Sub Committee and may be asked relevant questions by the other parties, the Applicant, the Licence Holder and the Members.  
  
(ii) Any other persons (or their representative) may call witnesses in support of their representations and each witness may be asked relevant questions by the other parties, the Applicant, the Licence Holder and the Members.
- 5 Any Responsible Authority [defined in The Licensing Act 2003 s.69(4)] making a representation will address the Sub Committee. The Responsible Authorities may be asked relevant questions by the other parties, the Applicant, the Licence Holder and the Members.
- 6 The Licence Holder (or their representative) will address the Sub Committee. The Licence Holder may be asked relevant questions by the other parties, the Applicant and the Members.
- 7 The other parties will then be invited in turn to briefly summarise their points if they wish in the same order as before.
8. The Applicant will then be invited to briefly summarise the application.
- 9 The Chair will invite the Sub Committee to move into private session to enable the Sub Committee to deliberate in private in accordance with Paragraph 14(2) of the Hearings Regulations 2005. The Sub Committee will only reconvene to resolve any points of uncertainty on the evidence already given. During their deliberation the Sub Committee will be accompanied *for advice only* by the Legal Adviser and the Committee Administrator. The Sub Committee may retire to a private room or alternatively require vacation of the meeting room by all other persons.

- 10 When the Sub Committee resumes, the Chair will announce the decision in public; this will include the reasons (or advise that the decision will be released in writing with reasons within the statutory time limit in this instance 5 working days).

## Please Note:

- Where the Sub Committee considers it necessary to do so, it may vary this procedure.
- Decisions will generally be taken regardless of whether the Applicant is present. All notices and representations received from absent parties will be considered.
- Only in **exceptional circumstances** will the Sub Committee take into account any additional late documentary or other information produced by an existing party in support of their application/representation. This will be at the discretion of the Chair and with the agreement of all the other parties. No new representations will be allowed at the hearing.
- The hearing will take the form of a discussion. However, the Sub Committee will allow all parties to ask questions of another party present, as set out above, but formal cross examination will be discouraged.
- The Sub Committee will disregard any information or representation given by a party which is not relevant to the Application and the Licensing Act 2003.
- The Chair will allow the parties an equal maximum period of time in which to make representations. The amount of time will be at the discretion of the Chair, but in the interests of costs and efficiency will not normally exceed **twenty minutes**. This will include the time taken for the presentation and the summing up, but not the time taken for questions.

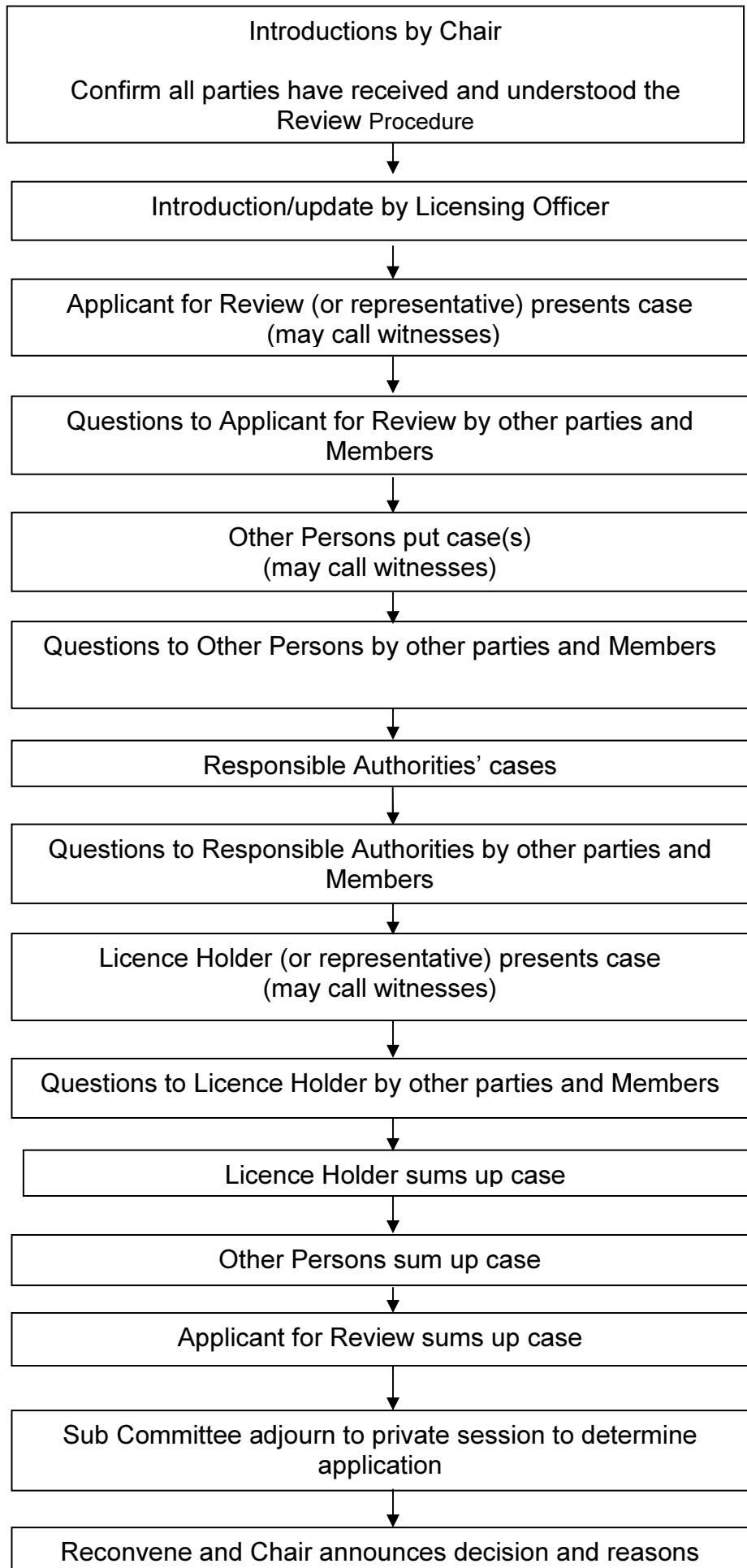
NB Where there is more than one party making relevant representations the time will be split between those parties. It is recommended that they arrive early to discuss the application with the other interested parties.

- The Chair may require any person attending the hearing who is behaving in a disruptive manner to leave the hearing and refuse to allow that person to return, or only allow them to return subject to certain conditions. Any person so excluded will however be entitled to submit to the Sub Committee any information which they would have been entitled to give orally had they not been required to leave.

Bath & North East Somerset Council is committed to taking decisions in an honest, accountable and transparent fashion, but on occasion may find it necessary to exclude members of the press and public based upon the legal framework given in the Local Government Act 1972 Schedule 12 (a). On these occasions decisions based on the above framework will be given.

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## LICENSING SUB-COMMITTEE PROCEDURE FOR REVIEWS



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<b>Bath &amp; North East Somerset Council</b>		
MEETING:	Licensing Sub - Committee	AGENDA ITEM NUMBER
MEETING DATE:	<b>Monday 29<sup>th</sup> July 2013</b>	
TITLE:	Application for a Review of a Premises Licence for the <b>Greyhound Hotel, 1 High Street, Midsomer Norton BA3 2LE</b>	
WARD:	Midsomer Norton	
<b>AN OPEN PUBLIC ITEM</b>		
<b>List of attachments to this report:</b>		
Annex A	Application for the Review of a Premises Licence	
Annex B	Copy of Current Premises Licence	
Annex C	Site Plan	
Annex D	Representation from TLT	
Annex E	Representation received from the Police in support of the Licensing Authority	
Annex F	Representation received from Environmental Protection in support of the Licensing Authority	
Annex G	Representations received from 'Other Persons' in support of the Licensing Authority	
Annex H	Additional Information served by the Licensing Authority	

**1 THE ISSUE**

- 1.1 An application has been received from Terrill Wolyn, Senior Licensing Officer for Bath & North East Somerset Council, for a Review of a Premises Licence under section 51 of the Licensing Act 2003, in respect of the **Greyhound Hotel, 1 High Street, Midsomer Norton, BA3 2LE**

**2 RECOMMENDATION**

- 2.1 That the sub-committee determines the application to Review the Premises Licence.

**3 FINANCIAL IMPLICATIONS**

- 3.1 The application for the review of the premises licence is free of charge and can therefore be contained by the non-chargeable element of the licensing budgets.

**4 THE REPORT**

- 4.1 An application has been received for the Review of the Premises Licence (**Annex A**).

4.2 The application relates to the following licensing objectives, namely;

- Prevention of Crime & Disorder;
- Public Nuisance; and
- Protection of Children from Harm

The alleged grounds for the Review are:

- For a period of almost 18 months the manner in which the premises has operated has undermined the specified licensing objectives;
- Persistent breaches under s.136 Licensing Act 2003 - non-compliance with certain conditions attached to the licence;
- The attitude exhibited by the current 'partner' at the premises when inspections have been carried out;
- Disregard for residents and the wider community.

4.3 The Licensing Authority may, having had regard to the application and any relevant representations, take any of the following steps (if any) as it considers necessary for the promotion of the licensing objectives:

**a) Modify the conditions of the Licence;**

**b) Exclude a licensable activity from the scope of the Licence;**

**c) Remove the Designated Premises Supervisor;**

**d) Suspend the Licence for a period not exceeding three months;**

**e) Revoke the Licence**

Where the Licensing Authority takes a step mentioned in 4.3 (a) or (b), it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

Any determination made by the Licensing Authority does not have effect until the end of the period given for appealing against the decision, or, if the decision is appealed against, until the appeal is disposed of.

4.4 The Licensing Authority will also have regard to the Council's Licensing Policy, the Statutory Guidance issued under Section 182 of the Licensing Act 2003, the Licensing Act itself, and, in particular, to:-

a) Sections 4, 9, 10, 13, 51, 52, 53, 182, and 183 of the Act.

b) Chapters 1, 2, 3, 8, 9, 10, 11 and 12 of the Statutory Guidance (as revised June 2013)

c) Paragraphs 3, 5, 6, 15, 18 - 20, 21, 24, 28, 33 - 37 and 40 - 45 inclusive, of the Policy.



- 4.5 An appeal may be made to the Magistrates Court within 21 days of the notification of the decision by the Council to the applicant for the review, the holder of the premises licence or any other person who made relevant representations in relation to the application.

On appeal the court may either dismiss the appeal, substitute the decision appealed against for any other decision which could have been made by the Licensing Authority, or remit the case to the Licensing Authority to dispose of it in accordance with the direction of the court. The court may make such Order for costs as it thinks fit.

- 4.6 The current Premises Licence (**Annex B**) permits the following licensable activities:

- 1) The **Sale of Alcohol** for consumption on or off the premises between the following hours:

Monday to Wednesday 11:00 to 00:00

Thursday 11:00 to 00:30

Friday and Saturday 11:00 to 02:00

Sunday 12:00 to 00:30

- 2) The **Performance of Live Music**, indoors only, between the following hours:

Monday to Wednesday 11:00 to 00:00

Thursday 11:00 to 00:30

Friday and Saturday 11:00 to 01:00

Sunday 12:00 to 00:30

- 3) The **Performance of Recorded Music**, indoors only, between the following hours:

Monday to Wednesday 11.00 to 00:00

Thursday 11:00 to 00:30

Friday and Saturday 11:00 to 01:00

Sunday 12:00 to 00:30

- 4) **Non-standard timings** for the sale of alcohol:

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

A further additional hour every Christmas Eve and Boxing Day, except when these days fall on a Friday and Saturday when the terminal hour for the sale of alcohol shall remain at 02:00 hours the following morning.

From normal activity start time on New Year's Eve until normal activity finishing time on New Year's Day.

5) Non-standard timings for regulated entertainment:

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

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

A further additional hour every Christmas Eve and Boxing day.

From normal activity start time on New Year's Eve until normal activity finishing time on New Year's Day.

6) **Opening hours** for the premises are:

Monday to Wednesday 08:00 to 00:30

Thursday 08:00 to 01:00

Friday and Saturday 08:00 to 02:30

Sunday 08:00 to 01:00

**Non-standard timings** for Opening Times:

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

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

A further additional hour every Christmas Eve and Boxing Day, except on Friday and Saturday when the closing time shall remain at 02:30 hours the following morning.

From normal opening time on New Year's Eve until normal closing time on New Year's Day.

7) The licence is subject to the following **conditions**:

**Annex 1 – Mandatory Conditions**

- No supply of alcohol may be made under the premises 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.

- Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010

1. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children: (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or (ii) drink as much alcohol as possible (whether within a time limit or otherwise); (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act); (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less; (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on (i) the outcome of a race, competition or other event or process, or (ii) the likelihood of anything occurring or not occurring; (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner. NB THIS CONDITION DOES NOT APPLY TO OFF SALES.

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability). NB THIS CONDITION DOES NOT APPLY TO OFF SALES.

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available. NB THIS CONDITION DOES NOT APPLY TO OFF SALES.

From 1 October 2010:

4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

5. The responsible person shall ensure that (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures (i) beer or cider: ½ pint; (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and (iii) still wine in a glass: 125 ml; and (b) customers are made

aware of the availability of these measures. NB THIS CONDITION DOES NOT APPLY TO OFF SALES.

- Any individual employed to carry out a security activity must be licensed by the Security Industry Authority.
- Licensing Act 1964 Section 77 rules apply.

Music singing and dancing must be a licensable activity allowed on the premises; and

The premises are structurally adapted and bona fide intended to be used for the purpose of providing for persons resorting to the premises music and dancing and substantial refreshment, to which the sale of intoxicating liquor is ancillary.

- The maximum number of persons allowed on the premises is 200.
- Subject to the standard terms and conditions attached to the public entertainment licence issued prior to the second appointed day.
- Substantial food shall be available at all times the premises are open until one hour before closing time.
- At least one door supervisor to be on duty when the premises are open till 00.30 hours or longer.

#### **Annex 2 – Conditions consistent with the operating schedule**

- Lighting installed and maintained in the exterior areas.
- No unaccompanied children allowed on the premises.
- No children allowed on the premises after 20.00 hours.
- No striptease, nudity or exhibition of restricted films allowed.

#### **Annex 3 – Conditions attached after a hearing by the Licensing Authority**

- No consumption of alcohol at the front of the premises at any time.
- No admission or re-admission after 12 midnight.
- No drinking outside the premises or in the courtyard after 11pm.
- All windows and doors to be kept closed after 10 pm except for access and egress.
- No bottles or glasses containing alcohol to be outside after 10 pm.
- No open containers of alcohol to leave the premises.

- A facility for people to dispose of cigarette ends before entering the premises to be provided.
- CCTV to be installed and maintained covering the bar, function room and courtyard areas. CCTV recordings to be kept for at least 30 days and made available to the police or licensing authority upon reasonable request.
- Signs to be erected and maintained at exits to remind people to leave quietly, to respect neighbours and not congregate in the street.
- A sign to be erected and maintained on the exterior of the premises with a contact telephone number for the Designated Premises Supervisor.
- The Designated Premises Supervisor to invite residents and businesses to a quarterly meeting.
- Two SIA registered door staff to be on duty on Friday and Saturday from 9 pm until the last customer has left the premises.
- The Designated Premises Supervisor to maintain a log of complaints.
- No pedestrian access or egress through the rear courtyard.
- The side smoking area to be screened and lit.
- No entry from or exit through the side door save for access and egress to the smoking area.
- The pavement frontage of the premises including at least 5 meters either side of the premises to be cleared of litter and detritus at the close of business each day.

4.7 A site plan is attached at **Annex C**.

4.8 In accordance with the requirements of the Act the applicant has served copies of the application upon the Licence Holder, Police, Fire Authority, Environmental Health, Development Control, Trading Standards, the Child Protection Agency and the Public Health Authority.

4.9 Notices were placed by the Licensing Officer outside the premises and in the public area of the Licensing Office at the One Stop Shop, Lewis House, Manvers Street, Bath BA1 1JG, for a period of 28 days, commencing the day after the application was served on the Licensing Authority.

4.10 A written representation in support of the premises has been received from TLT Solicitors acting on behalf of Punch Taverns (**Annex D**).

4.11 A representation has been received from the Police in support of the Licensing Authority (**Annex E**).

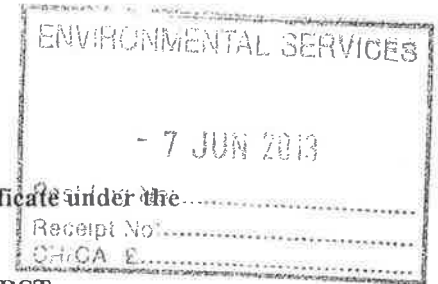
4.12 A representation has been received from Environmental Protection in support of the Licensing Authority (**Annex F**).

- 4.11 Representations have also been received in support of the Licensing Authority from Sue Dicks (Community Safety), Midsomer Norton Town Council and local residents (**Annex G**).
- 4.12 Additional information in support of the application has been served by Terrill Wolyn, Senior Licensing Officer on behalf of the Licensing Authority (**Annex H**).
- 4.13 This report has not been sent to the Trades Union because they would have no involvement in this application.

<b>Contact person</b>	Kirsty Morgan, Licensing Services, 01225 396719
<b>Background papers</b>	The Licensing Act 2003, Guidance issued under s.182 of the Act, Regulations issued under the Act, BANES Licensing Policy.

13/02/20

Bath & North East Somerset Council



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 Terrill Wolyn, Senior Licensing Officer, Bath & North East Somerset Council

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 - Premises or club premises details

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>	
The Greyhound Hotel 1 High Street Midsomer Norton	
<b>Post town</b>	<b>Post code (if known) BA3 2LE</b>

<b>Name of premises licence holder or club holding club premises certificate (if known)</b>
Punch Taverns Plc

<b>Number of premises licence or club premises certificate (if known)</b>
12/03601/LAPRE

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

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

Yes

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 ✓ yes

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

<b>Surname</b>	<b>First names</b>
<input type="text"/>	<input type="text"/>

I am 18 years old or over  Please tick ✓ yes

<b>Current postal address if different from premises address</b>	<input type="text"/>
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<b>Post town</b>	<input type="text"/>	<b>Post Code</b>	<input type="text"/>
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<b>Daytime contact telephone number</b>	<input type="text"/>
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<b>E-mail address (optional)</b>	<input type="text"/>
----------------------------------	----------------------

**(B) DETAILS OF OTHER APPLICANT**

<b>Name and address</b>
<input type="text"/>
<b>Telephone number (if any)</b>
<input type="text"/>
<b>E-mail address (optional)</b>
<input type="text"/>

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Licensing Authority Public Protection Service Bath & North East Somerset Council Lewis House Manvers Street Bath BA1 1JG
E-mail address (optional) licensing@bathnes.gov.uk

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

- |   |                                     |
|---|-------------------------------------|
|   | Please tick one or more boxes ✓     |
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety                        | <input type="checkbox"/>            |
| 3) the prevention of public nuisance    | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

**Please state the ground(s) for review (please read guidance note 2)**

The grounds for review are that for a period of almost 18 months the manner in which the premises has operated has undermined specific licensing objectives that provide the framework of the legislation namely:

- the prevention of crime and disorder;
- the prevention of public nuisance; and
- the protection of children from harm.

The attitude exhibited by the current "Partner" at the premises when inspections have been carried out, the blatant disregard for residents and the wider community, together with the persistent breaches in respect of conditions attached to the premises licence, has necessitated this request for the licence to be reviewed before the Licensing Sub-Committee.

The Secretary of States Guidance issued under s.182 Licensing Act states at Para. 11.1 that the process of review represents:

**"a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence....."**

Previous actions have been recorded for your information at Appendix 3.

Please provide as much information as possible to support the application (please read guidance note 3)

As Senior Licensing Officer I am requesting the review of the premises licence pertaining to the Greyhound Hotel on behalf of the Licensing Authority, in its capacity as a Responsible Authority.

The Review procedure forms part of the regulatory process provided by the Licensing Act 2003.

The objective of this Review therefore is not to punish, but to ensure the premises operates in compliance with any future authorisation and promotes the four licensing objectives.

The Licensing Authority prides itself on the excellent working relationships it has established and maintained with other partner agencies, local residents, residents associations and the licensing trade. We have for many years adopted a multi-agency approach to licensing enforcement following the creation of the Licensing Enforcement Group chaired by the Police. Inspections are targeted to problem premises, and a pragmatic approach is taken to enable premises to "get their house in order".

Unfortunately the lack of co-operation exhibited by the Designated Premises Supervisor Mr Marcus Trethewey, together with the continued breach of conditions, has rendered the situation untenable. The officer time that has been invested liaising with the Designated Premises Supervisor, the previous "Partner", the Partnership Development Manager for Punch, and a Risk Assistant for the premises licence holder, has proved unsuccessful with breaches still occurring at the premises to date. There has been no marked improvement following the involvement of the premise licence holder and the Authority is still awaiting some communication from Mr Kevin Day-McDonnell, the Partnership Manager responsible for the premises. Please see appendices 4 & 5.

Under s.136 Licensing Act 2003 a person commits an offence if:

"he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation" or

"he knowingly allows a licensable activity to be so carried on".

The offence includes the contravention of any of the licensing conditions.

Appendix 1 provides a comprehensive, chronological report of occasions where there have been breaches in respect of the licensing conditions. Notwithstanding the allegations made by local residents, the contravention of licensing conditions has been witnessed by street marshals, a Town Councillor, licensing, police and environmental health officers. For your information I have included the Street Marshals reports in Appendix 2.

The persistent breach of conditions serves as evidence of the premises undermining the prevention of crime and disorder objective.

The premises fails to comply on a regular basis with the following conditions:

- no admission or re-admission after midnight;
- no drinking outside the premises or in the courtyard after 11pm;
- the side smoking area to be screened and lit; and
- no entry from or exit through the side door save for access and egress to the smoking area.

The failure to comply with conditions deemed appropriate and necessary to protect local residents when a later licence was granted has had a detrimental effect on the prevention of public nuisance objective as well as the wider community. In recent months the Designated Premises Supervisor has demonstrated a blatant disregard for the well-being of his neighbours. During the last multi-agency visit it was again brought to Mr Trethewey's attention that his failure to enforce the condition restricting the use of the outside area was causing public nuisance to local residents. His response was that if his customers are in the outside area under a canopy he has erected, **he will not prevent them from drinking outside after 11pm.**

The premises caused further concern last summer when it sold to 2 under-age volunteers as part of a Test Purchase operation.

The continued contravention of conditions is having a detrimental effect on other licensed premises within this close knit community, who are complying with their authorisations. Furthermore the repeated failure to enforce the last entry condition means that some customers are already intoxicated before they arrive at the premises from nearby "feeder bars".

#### **Recommendation**

The Licensing Authority acknowledges the Greyhound Hotel has a place within Midsomer Norton's night time ecology and as such is not looking to revoke the premises licence. Neither is the Licensing Authority seeking the imposition of further conditions as it is evident beyond any doubt that the premise is unable to comply with the ones already in place.

In consideration of the above, and in recognition of the inability of the premises to comply with any requirement beyond 23:00 hours, the Licensing Authority proposes the only way to promote the licensing objectives at this specific premise, is to reduce the terminal hour for licensable activity to 23:30 with the premises closing to the public at midnight.

The Licensing Authority also proposes the removal of the current Designated Premises Supervisor, namely Mr Marcus Trethewey.

**Please note that CCTV evidence will be provided in due course as additional information in support of this application.**

Have you made an application for review relating to the premises before No

Please tick ✓ yes

If yes please state the date of that application

Day	Month	Year

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

N/A

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

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

**Part 3 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature *Terrill Wolyn*

Date **Friday 7 June 2013**

Capacity **Senior Licensing Officer on behalf of the Licensing Authority**

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 6)	
Ms Terrill Wolyn Licensing Authority Public Protection Service Bath & North East Somerset Council Lewis House Manvers Street	
<b>Post town</b> Bath	<b>Post Code</b> BA1 1JG
<b>Telephone number (if any)</b> 01225 396939	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b> licensing@bathnes.gov.uk	

#### Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

ENVIRONMENTAL SERVICES
- 7 JUN 2013
Post Log No: .....
Receipt No: .....
CH/CA £: .....

**The Greyhound Hotel**

**Record of complaints and breaches**

24.12.2011

Complaint received alleging at 00:30 a large number of people were drinking in the outside area, some spilling over onto the pavement outside in breach of the following conditions:

"No consumption at the front of the premises at any time"; and

"No drinking outside the premises or in the courtyard after 11 pm".

29.12.2011

Complaint received alleging that customers were still free to enter after half past midnight and customers were drinking outside the premises until 02:30, resulting in a sleepless night for residents. There was also an allegation that the Police had to attend the premises over Christmas due to violence.

03.01.2012

Complaint received in respect of the litter outside of the premises comprising of plastic glasses half filled with liquid, glass bottles and cans. There is a condition attached to the licence requiring that:

"The pavement frontage of the premises including at least 5 meters either side of the premises, to be cleared of litter and detritus at the close of business each day".

09.01.2012

Complaint received in relation to door staff. Reported as being "heavy handed" with one person allegedly being pushed into the road when refused entry to the premises.

01.05.2012

Further problems reported by residents as a result of non-compliance. Complaint that condition relating to no drinking in the outside area after 11 pm has been breached again causing nuisance to the residents. It was also alleged that customers of the Greyhound Hotel are taking drugs outside of the resident's home.

07.06.2012

Problems reported by local resident concerning customers of the Greyhound urinating in residents' doorways, taking drugs and the premises not adhering to the last entry time as stipulated on the premises licence.



20.07.2012

**Failed test purchase.** Premises sold to both volunteers.

17.09.2012

Reported breach of condition requiring DPS to meet with residents:

"The Designated Supervisor to invite residents and businesses to a quarterly meeting"

This condition has yet to be complied with despite it having effect from December 2011. Also no contact details displayed as required:

"A sign to be erected and maintained on the exterior of the premises with a contact telephone number for the Designated Premises Supervisor".

20.10.2012

The Street Marshals' Report states 3 males and one female taking pint glasses from the Greyhound.

06.11.2012

Complaint received from local resident alleging outside area is still being used beyond 11pm for drinking.

08.01.2013

Complaint received alleging manager is still allowing drinking in the outside area beyond 11 pm. The resident claims the "landlord" is taking no notice of the conditions imposed to protect the residents when the later licence was granted. Also there is no contact number on display as required by the Annex 3 condition that states:

"A sign is to be erected and maintained on the exterior of the premises with a contact telephone number for the Designated Premises Supervisor"

The absence of this sign was confirmed by police and licensing officers on 17.01.2013.

The resident also reported being disturbed by a fight outside of the premises at 01:30 on the previous Sat/Sun, alleging 2 D.J's from the Greyhound.

09.03.2013

Street Marshals remark on the "state of some of the customers" at 00:45.

19.04.2013

The Street Marshals' Report details how the premises is allowing people to drink outside in the "alley to the side of the building" after 23:00 hours. This is the area referred to in the conditions as "the courtyard" and on the plan attached to the premises licence as "outside area".

20.04.2013

At 00:15 the Street Marshals spoke with the licence holder of the Greyhound regarding the drinking outside and that they were informed that "it was ok if they were under his marquee erected after the conditions were attached to the licence".

22.04.2013

Licensing officer contacted by Town Cllr. Linda Dunford. She had received several complaints from residents living within the vicinity of the premises, in respect of the operation of the premises.

26.04.2013

During a multi-agency visit to the premises to address the concerns of the residents, the DPS, Marcus Trethewey, refused to enforce the condition "no drinking outside the premises or in the courtyard after 11pm" if his customers were standing under the canopy he had erected. He told the licensing officer to look up the meaning of the word "courtyard" and that they would have to "agree to disagree". Mr Trethewey expressed no interest whatsoever in relation to the detrimental effect his lack of compliance was having on the local residents.

27.04.2013

We returned to the premises at 00:00 as it became apparent that customers were still being admitted to the premises. The following breaches were witnessed by Police, Licensing and EHO officers:

"no admission or re-admission after midnight";

"no drinking outside the premises or within the courtyard after 11 pm"; and

"the side smoking area to be screened and lit"

27.04.2013

Despite a multi-agency visit less than half an hour earlier, the premises continued to allow people onto the premises and drinking in the courtyard at 00:40.

27.04.13

At 01:10 the Street Marshals' report states that the Greyhound is still allowing people to drink outside in the courtyard.

03.05.2013

At 23:05 Street Marshals' report state customers are in the outside area with drinks. At 00:15, the Marshals' report states that 5 persons were admitted to the premises in breach of the last entry condition.

05.05.2013

Breaches reported in respect of the last entry condition with several people being allowed entry to the premises at 00:05. Between 00:15 and 00:30 people were still being admitted to the premises and the Street Marshals have this on camera. At 01:00 hours more customers were allowed to enter, having been refused entry to Mallards.

05.05.2013

At 00:45 Street Marshals report that within a 15 minute period, over 30 people were allowed entry to the premises.

11.05.2013

At 00:30 the Marshals' report states the Greyhound were still allowing customers onto the premises.

18.05.2013

The Street Marshals report that the screen is missing from the smoking area and that the rear gate is also missing. In respect of the latter, the condition attached to the licence states:

"The side smoking area to be screened and lit"

At 00:45 the Street Marshals' report states that drinks are still being permitted in the outside area. This was also witnessed by Town Cllr Linda Dunford.

21.05.2013

Written complaint received from Town Cllr. Linda Dunford.

25.05.2013

The Street Marshals' Report states that at 00:55 the Greyhound was busy and still allowing customers to enter the premises in direct breach of the condition that there will be no entry or re-entry after midnight.

26.05.2013

The Street Marshals' Report states that at 23:30 the premises was busy with customers drinking in the smoking area detailed on premises licence as the "courtyard", beyond 11 pm.

31.05.2013

At 23:35 the Street Marshal's report that people are drinking in the smoking area in the courtyard of the Greyhound.

01.06.2013

At 23:35 the Street Marshal's report customers drinking in the smoking area of the Greyhound.

02.06.2013

At 00:40 the Street Marshal's report the Greyhound still allowing people onto the premises in breach of the last entry condition.



## Marshals Debriefing Form

<b>Location:</b>	Midsomer Norton
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<b>Date:</b>	Fri 19 <sup>th</sup> October 2012	<b>Shift:</b> (Start & Finish Times)	22.00 – 03.00
<b>Marshals:</b>	Dominik Krezsinski, Sandra Reakes & Marco Jones		

<b>Date:</b>	Sat 20 <sup>th</sup> October 2012	<b>Shift:</b> (Start & Finish Times)	22.00 – 03.00
<b>Marshals:</b>	Dominik Krezsinski & Norman Fenton		

Marshal Equipment – present & in good working order	<b>Fri</b>	Y	<b>Sat</b>	Y		
Contact made with CCTV at start of the shift	<b>Fri</b>	Y	<b>Sat</b>	Y		
No. of Incidents dealt with	<b>Fri</b>	6	<b>Sat</b>	7		
No. of Police attendances	<b>Fri</b>	0	<b>Sat</b>	3		
No. of Medic incidents – please also state how many resulted in Ambulance being called	<b>Fri</b>	0	1	<b>Sat</b>	1	1

<b>Environment – please detail any street light failure, noise disturbances, excessive littering:</b>
<b>Weather:</b>
<b>Local Events (gigs, live sport on TV etc):</b>
<b>Additional Observations / Recommendations:</b>
Number of glasses / bottles confiscated:  Friday: 3 Saturday 10

PTO

<b>Details of Incidents / Medic Responses</b>
<p><b>Friday 19<sup>th</sup> October 2012</b></p> <p>22:00 - Marshals signed on duty</p> <p>Meeting with BANES Council and Police - Patrolling town and showing presence to all Door Supervisors at the pubs / venues etc.</p> <p>03:00- Marshals signed off duty</p> <p><b>Saturday 20<sup>th</sup> October 2012</b></p> <p>22:00 - Marshals signed on duty</p> <p>22:40 - 3 Males and 1 female tried taking pint glasses from the Greyhound, Marshals asked them to leave the glasses on the side - all males refused and started getting aggressive. We called CCTV &amp; explained to the males why we were asking them to do this. The Door Supervisors then refused them entry so they all walked away.</p> <p>03:00 - Marshals signed off duty</p>

*I have carried out a debriefing session with the Security & Medical Personnel who worked these shifts.*

<b>Signature:</b>	<i>Dominik Krezsinski</i>	<b>Date:</b>	22/10/2012
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## Marshals Debriefing Form RESTRICTED & CONFIDENTIAL

<b>Location:</b>	Midsomer Norton
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<b>Date:</b>	Fri 8 <sup>th</sup> March 2013	<b>Shift:</b> (Start & Finish Times)	22.00 – 03:00
<b>Marshals:</b>	Norman Fenton & Joe Luckhurst		

<b>Date:</b>	Sat 9 <sup>th</sup> March 2013	<b>Shift:</b> (Start & Finish Times)	22.00 – 03.00
<b>Marshals:</b>	Norman Fenton & Joe Luckhurst		

Marshal Equipment – present & in good working order	<b>Fri</b>	Y		<b>Sat</b>	Y	
Contact made with CCTV at start of the shift	<b>Fri</b>	Y		<b>Sat</b>	Y	
No. of Incidents dealt with	<b>Fri</b>	3		<b>Sat</b>	1	
No. of Police attendances	<b>Fri</b>	1		<b>Sat</b>	1	
No. of Medic incidents – please also state how many resulted in Ambulance being called	<b>Fri</b>	0	0	<b>Sat</b>	1	1

<b>Environment – please detail any street light failure, noise disturbances, excessive littering:</b>
<b>Weather:</b>
<b>Local Events (gigs, live sport on TV etc):</b>
<b>Additional Observations / Recommendations:</b>

PTO

**Details of Incidents / Medic Responses****Friday 8<sup>th</sup> March 2013**

22:00hrs - Marshals signed on duty

23:35 - Greyhound not very busy, light on in porch of Catholic Church upon investigating found signs of drug use but no urination

01:00 - Greyhound closing

03:00 - Marshals signed off duty with CCTV

**Saturday 9<sup>th</sup> March 2013**

22:00hrs - Marshals signed on duty

We also had with us Julian SHEPHERD who was coming out as an observer with a view to starting Street Pastors in the area.

22:45 - Greyhound busy, Julian was introduced to Marcus the licensee to tell him about Street Pastors. Catholic Church clear

00:15 - Greyhound very busy, Catholic Church clear

00:45 - Greyhound starting to clear prior to closing, Julian is able to see the state of some of the customers and also the girls who walk around in bare feet

*I have carried out a debriefing session with the Security & Medical Personnel who worked these shifts.*

<b>Signature:</b>	<i>Norman Fenton</i>	<b>Date:</b>	10/03/2013
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## Marshals Debriefing Form RESTRICTED & CONFIDENTIAL

<b>Location:</b>	Midsomer Norton
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<b>Date:</b>	Fri 19 <sup>th</sup> April 2013	<b>Shift:</b> (Start & Finish Times)	23:00 – 03:00
<b>Marshals:</b>	Norman Fenton & Cemry Wilson		

<b>Date:</b>	Sat 20 <sup>th</sup> April 2013	<b>Shift:</b> (Start & Finish Times)	22:00 – 03.00
<b>Marshals:</b>	Norman Fenton & Cemry Wilson		

Marshal Equipment – present & in good working order	<b>Fri</b>	Y	<b>Sat</b>	Y		
Contact made with CCTV at start of the shift	<b>Fri</b>	Y	<b>Sat</b>	Y		
No. of Incidents dealt with	<b>Fri</b>	2	<b>Sat</b>	4		
No. of Police attendances	<b>Fri</b>	0	<b>Sat</b>	2		
No. of Medic incidents – please also state how many resulted in Ambulance being called	<b>Fri</b>	0	0	<b>Sat</b>	0	0

<b>Environment – please detail any street light failure, noise disturbances, excessive littering:</b>
<b>Weather:</b>
<b>Local Events (gigs, live sport on TV etc):</b>
<b>Additional Observations / Recommendations:</b>

PTO

<b>Details of Incidents / Medic Responses</b>
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<b>Friday 19<sup>th</sup> April 2013</b>
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23:00hrs - Marshals signed on duty

23:55 - Greyhound busy, Catholic Church clear.

00:40 - Greyhound still busy.

03:00 - Marshals signed off duty with CCTV

Summary: Greyhound are allowing people to drink in the alley to the side after 23:00 hrs. We believe from information given by Linda from council that this is in breach of licence conditions. The general evening has been quiet with no incidents to worry about.

<b>Saturday 20<sup>th</sup> April 2013</b>
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22:00hrs - Marshals signed on duty - 2 pastors also out Mart and Nick. Assistant Mayor came in and thanked us for doing a very good job both with the Marshalling and enforcing the DPPO - He asked about the Bodyworn CCTV Camera and said that they have the funds set aside to pay for the operation to happen.

22:30 - Greyhound empty, Catholic Church clear

23:40 - Greyhound busier, Church clear.

00:15 - Greyhound busier. Church clear. We spoke with the license holder of the Greyhound regarding the drinking outside, he said it was ok if they were under his marquee this was erected after conditions were attached to his licence - Please could this be clarified, and if necessary somebody from licensing speak with the licensee.

Summary: Some incidents but in general a good night, rubbish bins were full and rubbish on floor by Charcoal Grill and also at Skate park.

*I have carried out a debriefing session with the Security & Medical Personnel who worked these shifts.*

<b>Signature:</b>	<i>Norman Fenton</i>	<b>Date:</b>	21/04/2013
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## Marshals Debriefing Form RESTRICTED & CONFIDENTIAL

<b>Location:</b>	Midsomer Norton
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<b>Date:</b>	Fri 26 <sup>th</sup> April 2013	<b>Shift:</b> (Start & Finish Times)	23:00 – 03:00
<b>Marshals:</b>	Norman Fenton & Cemry Wilson		

<b>Date:</b>	Sat 27 <sup>th</sup> April 2013	<b>Shift:</b> (Start & Finish Times)	22:00 – 03.00
<b>Marshals:</b>	Norman Fenton & Cemry Wilson		

Marshal Equipment – present & in good working order	<b>Fri</b>					
Contact made with CCTV at start of the shift	<b>Fri</b>					
No. of Incidents dealt with	<b>Fri</b>	6			6	
No. of Police attendances	<b>Fri</b>	3			0	
No. of Medic incidents – please also state how many resulted in Ambulance being called	<b>Fri</b>	1	1	<b>Sat</b>	0	0

<b>Environment – please detail any street light failure, noise disturbances, excessive littering:</b>
<b>Weather:</b>
<b>Local Events (gigs, live sport on TV etc):</b>
<b>Additional Observations / Recommendations:</b>

PTO

### Details of Incidents / Medic Responses

#### Friday 26<sup>th</sup> April 2013

22:00hrs - Marshals signed on duty

23:40 – Met Sgt Canon outside of Greyhound, they were doing license checks.

00:40 – Greyhound still busy with people drinking in the courtyard, still letting the public in.

00:55 – Had a conversation with Geoff Canon & Licensing Officer over problems with Greyhound & Mallards. Agreed to continue infringements as we have been.

01:05 – Spotted a male getting into a taxi with a box & carrier of beer, also a bottle in his hand open, when asked where it came from he told us the Greyhound had sold it to him.

01:10 – Greyhound still allowing people to drink outside.

**Summary:** Eventful evening, Licensing & Police have praised us for our efforts with reporting pubs for infringements; the fights were over and dealt with very quickly. Greyhound as reported were stilling allowing the public in after midnight & still allowing people to drink outside as last as 01:10.

#### Saturday 27<sup>th</sup> April 2013

22:00hrs - Marshals signed on duty.

22:30 – On approaching Greyhound, the landlord was stood outside with a member of door staff, he saw us and went inside and also his door staff left the front of the building and went in through the side door to the bar. It was quite obvious that they were avoiding us. They have erected a piece of heras fencing as a screen across the side of courtyard; this prevents anybody viewing the public in the smoking area.

23:50 – Greyhound still busy, no response from staff. Church clear. Also people were in the courtyard of Greyhound with drinks after 23:00.

00:15 – Observing the Greyhound, they were still allowing people into the premises at this time.

00:30 – A group were seen coming down from Greyhound area; they had drinks which they said had come from the Greyhound and had been told it was ok to take them with them by the landlord.

00:45 – Round the back of Greyhound looking down onto the courtyard we could see the side door and the door staff were letting people in and people were still drinking in the courtyard.

01:30 – Mallards & Greyhound closed.

**Summary:** Greyhound's attitude towards us was one of aggression they obviously see us as a threat, they were blatantly flaunting the Licensing Rules for the premises, they were allowing drinks outside in courtyard and letting people out into the street with drinks, also after midnight they were letting people into the premises with no sign of trying to prevent them. Mallards also were letting people in late but they were keeping people out of the front garden area, then later they were letting people out of the pub with drinks, they did stop a few seen us observing them, even approaching us to say that the customers would not give them up, when we went to the customers they gave them up no problems, saying they did not know of the regulation.

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*I have carried out a debriefing session with the Security & Medical Personnel who worked these shifts.*

<b>Signature:</b>	<i>Norman Fenton</i>	<b>Date:</b>	28/04/2013
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## Marshals Debriefing Form RESTRICTED & CONFIDENTIAL

<b>Location:</b>	Midsomer Norton
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<b>Date:</b>	Fri 10 <sup>th</sup> May 2013	<b>Shift:</b> (Start & Finish Times)	22:00 – 03:00
<b>Marshals:</b>	Norman Fenton & Nathan Reakes		

<b>Date:</b>	Sat 11 <sup>th</sup> May 2013	<b>Shift:</b> (Start & Finish Times)	22:00 – 03.00
<b>Marshals:</b>	Norman Fenton & Nathan Reakes		

Marshal Equipment – present & in good working order	<b>Fri</b>		<b>Sat</b>			
Contact made with CCTV at start of the shift	<b>Fri</b>		<b>Sat</b>			
No. of Incidents dealt with	<b>Fri</b>	4	<b>Sat</b>	5		
No. of Police attendances	<b>Fri</b>		<b>Sat</b>			
No. of Medic incidents – please also state how many resulted in Ambulance being called	<b>Fri</b>	0	0	<b>Sat</b>	0	0

<b>Environment – please detail any street light failure, noise disturbances, excessive littering:</b>
<b>Weather:</b>
<b>Local Events (gigs, live sport on TV etc):</b>
<b>Additional Observations / Recommendations:</b>

PTO

Details of Incidents / Medic Responses
<p><b><u>Friday 10<sup>th</sup> May 2013</u></b></p> <p>22:00 - Signed on</p> <p>23:45 - Greyhound quiet. Catholic Church clear.</p> <p>01:00 - Greyhound quieter and Catholic Church clear.</p> <p>Summary: Tonight was very quiet no big issues to deal with as it was cold and wet, not many people on the street. Greyhound and Mallards were both adhering to their licensing registrations by not letting people in after midnight, also Mallards kept their frontage clear.</p> <p>Further to e-mail from Phil Millen of 26<sup>th</sup> March regarding communication between marshals and door staff this is difficult at the moment as both Greyhound and Mallards door staff fail to communicate with us they walk away when we approach. This makes it very difficult for us to relay any information to them.</p> <p><b><u>Saturday 11<sup>th</sup> May 2013</u></b></p> <p>22:00 - Logged on.</p> <p>22:30 - Greyhound quiet. Catholic Church clear.</p> <p>23:45 - Greyhound busy, but under control. Church clear.</p> <p>00:30 - Greyhound admitting people who have come from Mallards.</p> <p>01:00 - Greyhound still letting people in.</p> <p>01:30 - Mallards and Greyhound closed and people coming to bridge for taxis.</p>

*I have carried out a debriefing session with the Security & Medical Personnel who worked these shifts.*

<b>Signature:</b>	<i>Norman Fenton</i>	<b>Date:</b>	11/05/2013
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## Marshals Debriefing Form RESTRICTED & CONFIDENTIAL

<b>Location:</b>	Midsomer Norton
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<b>Date:</b>	Fri 17 <sup>th</sup> May 2013	<b>Shift:</b> (Start & Finish Times)	23:00 – 03:00
<b>Marshals:</b>	Norman Fenton & Cemry Wilson		

<b>Date:</b>	Sat 18 <sup>th</sup> May 2013	<b>Shift:</b> (Start & Finish Times)	22:00 – 03.00
<b>Marshals:</b>	Norman Fenton & Cemry Wilson		

Marshal Equipment – present & in good working order	<b>Fri</b>				
Contact made with CCTV at start of the shift	<b>Fri</b>				
No. of Incidents dealt with	<b>Fri</b>	5			4
No. of Police attendances	<b>Fri</b>	2			0
No. of Medic incidents – please also state how many resulted in Ambulance being called	<b>Fri</b>	0	0	<b>Sat</b>	0 0

<b>Environment – please detail any street light failure, noise disturbances, excessive littering:</b>
<b>Weather:</b>
<b>Local Events (gigs, live sport on TV etc):</b>
<b>Additional Observations / Recommendations:</b>

PTO



**Details of Incidents / Medic Responses****Friday 17<sup>th</sup> May 2013**

22:00 – Marshals signed on duty with CCTV.

22:30 - Greyhound steady, no barrier across court yard.

23:30 - Greyhound busier. Church clear.

00:30 - Greyhound busier door staff refusing to let entry, they were also telling people who were leaving that they won't get into Mallards as they have same time limit on entry.

01:30 - Mallards and Greyhound now shut. Very few people come from Mallards.

Summary: Not a busy night a few people drinking in street getting it from Mallards and Greyhound. Rubbish minimal.

**Saturday 18<sup>th</sup> May 2013**

22:00 - Logged on also on Cemry Wilson.

22:15 - Cricket Club close after game, Crossways busy met up with Linda Dunford and Paul Meyers who joined us in order to see what the streets are like now.

22:25 - Greyhound not very busy, screen still missing from smoking area, also rear gate is missing which I understand has to be locked shut during opening hours, customers can access Pole Barn Road via this route.

23:45 - Greyhound busier.

00:30 - Paul and Linda now back. Paul going now we go as far as Greyhound with him, Linda shows us a path that goes around the back of the big church whilst there we disturb 3 males who say that they are just cutting through to car park but as the lights are PIR and did not come on until we arrived this very unlikely Linda tells us it is a favourite haunt for drug users. We will check this out more often.

00:45 - Greyhound allowing drinks into smoking area this is witnessed by Linda.

01:10 - Check out car park in Pole Barn Road and rear of Greyhound. Talk with local resident who informs us of the drug taking that carries on at the rear of his property (the church yard).

01:25 - Greyhound starting to close.

Summary: Again uneventful full night. Rubbish minimal only a few drinks on the street these were given up quietly only 1 noise objector who went home.

*I have carried out a debriefing session with the Security & Medical Personnel who worked these shifts.*

<b>Signature:</b>	<i>Norman Fenton</i>	<b>Date:</b>	18/05/2013
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## Marshals Debriefing Form RESTRICTED & CONFIDENTIAL

<b>Location:</b>	Midsomer Norton
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<b>Date:</b>	Fri 24 <sup>th</sup> May 2013	<b>Shift:</b> (Start & Finish Times)	23:00 – 03:00
<b>Marshals:</b>	Norman Fenton & Cemry Wilson		

<b>Date:</b>	Sat 25 <sup>th</sup> May 2013	<b>Shift:</b> (Start & Finish Times)	22:00 – 03.00
<b>Marshals:</b>	Norman Fenton & Cemry Wilson		

<b>Date:</b>	Sun 26 <sup>th</sup> May 2013	<b>Shift:</b> (Start & Finish Times)	22:00 – 03.00
<b>Marshals:</b>	Norman Fenton & Cemry Wilson		

Marshal Equipment – present & in good working order	<b>Fri</b>				
Contact made with CCTV at start of the shift	<b>Fri</b>				
No. of Incidents dealt with	<b>Fri</b>	3		<b>Sat/Sun</b>	5 / 5
No. of Police attendances	<b>Fri</b>	1		<b>Sat/Sun</b>	2 / 1
No. of Medic incidents – please also state how many resulted in Ambulance being called	<b>Fri</b>	0	0	<b>Sat/Sun</b>	0    0

<b>Environment – please detail any street light failure, noise disturbances, excessive littering:</b>
<b>Weather:</b>
<b>Local Events (gigs, live sport on TV etc):</b>
<b>Additional Observations / Recommendations:</b>

PTO

**Details of Incidents / Medic Responses****Friday 24<sup>th</sup> May 2013**

22:00 - Signed on

22:30 – Greyhound quiet, still no screen in the smoking area. There were 4 people in the front porch of the Church, left when requested to do so.

00:55 – Greyhound still busy &amp; letting people in when they think we weren't watching, Church all clear.

Summary: Very quiet night, only 1 incident with the male on Tag. There was a small problem @ Wunder Bar but a passing patrol car dealt with the situation before we could attend.

**Saturday 25<sup>th</sup> May 2013**

22:00 - Logged on

22:30 – Greyhound empty.

23:55 – Greyhound busy.

00:05 – Mallards busy. A group of males attempted to go into Mallards and got quite angry when refused access. I calmed them down and explained why they were not allowed in. They started to walk towards the Greyhound, in doing so, 1 of the males began to be racist towards Cemry saying “he is Jamaican” however we were on the other side of the stream and could not record this.

00:20 – Had a camera put on Greyhound door as I believed licensing infringement was going to take place.

01:30 – Greyhound &amp; Mallards now closed. Lots of people on the bridge and waiting for Taxis.

**Sunday 26<sup>th</sup> May 2013**

22:00 – Logged on

22:30 – Greyhound busy, screen back in place in the smoking area.

23:30 – Greyhound very busy, allowing drinks in the smoking area after 23:00, found a group of females in the Church porch, very strong smell of drugs but could not find any evidence, requested that they leave immediately.

01:15 – Greyhound still have people with drinks in the smoking area.

01:30 – Greyhound &amp; Mallards closed, people are leaving.

03:00 – Signed off duty.

*I have carried out a debriefing session with the Security & Medical Personnel who worked these shifts.*

<b>Signature:</b>	<i>Norman Fenton</i>	<b>Date:</b>	26/05/2013
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## Marshals Debriefing Form RESTRICTED & CONFIDENTIAL

<b>Location:</b>	Midsomer Norton
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<b>Date:</b>	Fri 31 <sup>st</sup> May 2013	<b>Shift:</b> (Start & Finish Times)	22.00 – 03:00
<b>Marshals:</b>	Norman Fenton & Cemry Wilson		

<b>Date:</b>	Sat 1 <sup>st</sup> June 2013	<b>Shift:</b> (Start & Finish Times)	22.00 – 03.00
<b>Marshals:</b>	Norman Fenton & Cemry Wilson		

	Fri	Y	Sat	Y		
Marshal Equipment – present & in good working order	Fri	Y	Sat	Y		
Contact made with CCTV at start of the shift	Fri	Y	Sat	Y		
No. of Incidents dealt with	Fri	3	Sat	4		
No. of Police attendances	Fri	2	Sat	2		
No. of Medic incidents – please also state how many resulted in Ambulance being called	Fri	0	0	Sat	0	0

<b>Environment – please detail any street light failure, noise disturbances, excessive littering:</b>
<b>Weather:</b>
<b>Local Events (gigs, live sport on TV etc):</b>
<b>Additional Observations / Recommendations:</b>

PTO

<b>Details of Incidents / Medic Responses</b>
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<b>Friday 31<sup>st</sup> May 2013</b>
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22:00hrs - Marshals signed on duty - Council were also present at the Town Hall as they were doing a street audit alongside the Police Commissioner Sue Mountstevens.

22:30 - Greyhound steady – Screen still in place across smoking area.

23:35 - Greyhound have people in the smoking area with drinks which is against their licence conditions they are also using side door for entry and exit

00:55 - At the corner of Church square we saw people being allowed into Greyhound

01:30 - Mallards and Greyhound both closed

Summary: large police presence but very few incidents. Police dealt with some minor issues, mainly relating to the DPPO, and also a drug use situation by Sainsbury's (Marshals were not involved in that incident).

<b>Saturday 1<sup>st</sup> June 2013</b>
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22:00hrs - Marshals signed on duty

22:25 - Greyhound & WunderBar very quiet, Catholic Church clear

23:25 - Greyhound busier, there were some people with drinks in smoking area. Catholic Church clear.

00:40 - Greyhound still letting people in

01:30 - Greyhound and Mallards now closed.

Summary. Quiet start to the evening culminating in a couple of scuffles towards the end, this was mainly down to petty arguments. We dealt with the situations with assistance from the police and vice versa the late event we dealt with after we had logged off to clear the streets as quickly as possible.

*I have carried out a debriefing session with the Security & Medical Personnel who worked these shifts.*

<b>Signature:</b>	<i>Norman Fenton</i>	<b>Date:</b>	02/06/2013
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**The Greyhound Hotel**

**Record of Enforcement Action**

**30.12.2011**

Telephone call made to Mark Ashman (partner & DPS) to discuss the alleged breaches during the Christmas period.

**12.01.2012**

Meeting held with DPS Mark Ashman in the company of Police Licensing Officer Martin Purchase.

**27.01.2012**

Multi-agency visit planned but having completed inspections in Keynsham, officer unable to get "cross-sector" before officer at Radstock Police Station was due to come off duty at midnight, therefore no inspection took place.

**02.05.2012**

Complaint regarding the premises brought to the attention of the Licensing Enforcement Group. Premises to be included in the multi-agency visits to be carried out on Friday 25 May 2012

**25.05.2012**

Multi-agency cancelled due to lack of officer availability

**08.06.2012**

Telephoned Mark Ashman to discuss the problems reported by local resident on 07.06.2012

**11.07.2012**

Spoke with Richard Pask of Punch Taverns in person and asked if he could arrange for the Partnership Manager responsible for the Greyhound to contact me to discuss issues relating to the premises. Martin Purchase, Police Licensing Officer expressed an interest in also attending a meeting.

**19.07.2012**

Meeting took place between Senior Licensing Officer and Police Licensing Officer to discuss the way forward. An agreement was reached that a meeting

with Punch Taverns was necessary, and that the Police would issue a meeting request.

20.07.2012

Failed test purchase – premises sold to two under-age volunteers.

01.08.2012

Details regarding the problems associated with the Greyhound were emailed to Richard Pask as requested so that he could forward them to the relevant Partnership Manager.

28.09.2012

Meeting held at Radstock Police Station with the Partnership Manager responsible for the Greyhound, namely Kevin Day-McDonnell who assured us that the premises will operate responsibly because the parents of the nominated DPS have taken on the lease.

28.09.2012

Multi- agency visit made to the premises. Mark Ashman present, no breaches reported by licensing officer. Music was reported as being loud inside premises but not audible from outside.

23.10.2012

Marcus Trethewey contacted by telephone to discuss the issue of 3 males and one female reportedly taking pint glasses from the premises on 20 October 2012.

Discussed the importance of everyone involved in the premises such as manager, bar staff and door staff being fully conversant with the conditions attached to the licence, and working together to achieve compliance. He advised me that the door staff were aware of the condition requiring no open containers of alcohol to leave the premises.

06.11.2012

Returned call to resident who had telephoned to complain that customers are still being permitted to drink in the outside area after 11pm.

17.01.2013

Enforcement visit in the company of Martin Purchase, Police Licensing Officer in response to complaint received on 8 January from the Churchyard residents.

We met with Marcus Trethewey to discuss the allegations that the outside area was being used for drinking beyond 11pm and the breach in respect of no notice being displayed detailing contact telephone number for the DPS.

Advice was given to encourage him to get all staff on board, making sure that they were all aware of the conditions attached to the licence and all worked together to achieve compliance and promote the licensing objectives.

Marcus was advised that the requirements under the premises licence were the bare minimum. Suggestions made were:

- Display signage to advise patrons that there will be no drinking in the outside area/courtyard after 11pm
- Employ an additional door person to ensure correct use of outside area, to prevent patrons using the fire exit and to ensure no one is admitted to the premises beyond last entry time.

26.04.2013

Multi-agency visit made to the premises in the company of police, licensing and Environmental Health Officers.

12.05.2013

Letter sent to Punch Taverns.

24.05.2013

Email sent to Sandra Hamilton, Risk Assistant at Punch Taverns and copied to Partnership Manager responsible for the Greyhound, namely Kevin Day-McDonnell.

07.06.2013

Review application served on BANES Licensing Authority by Senior Licensing Officer, Terrill Wolyn. Breaches still being reported and still no communication from Partnership Manager to date.



**Public Protection**

Lewis House, Manvers Street, Bath BA1 1JG  
www.bathnes.gov.uk

Date: 12 May 2013  
Our ref: 12/03601/LAPRE  
Direct line: 01225 477531  
Fax: 01225 477596  
Email: licensing@bathnes.gov.uk

Punch Taverns Plc  
Jubilee House  
Second Avenue  
Burton on Trent  
Staffordshire  
DE14 2WF

Dear Sirs

**Licensing Act 2003****Greyhound Hotel 1 High Street Midsomer Norton BA3 2LE**

I write with regard to a multi-agency visit made to the premises on Friday 26 April 2013.

The purpose of the inspection was to investigate complaints received from local residents alleging that the premises was operating in breach of several of the conditions attached to the premises licence.

During the visit we met with Designated Premises Supervisor Marcus Trethewey whom I advised of the recent complaints. Marcus informed me that he had no intention of enforcing the condition "no drinking outside the premises or in the courtyard after 11pm" if patrons were standing under a canopy he had installed over part of the courtyard. He told me to look up the definition of "courtyard" and that we would have to "agree to disagree".

Unfortunately this attitude is far from acceptable. In addition to customers drinking in the outside area (courtyard) after 11pm further breaches were witnessed during the inspection namely:

"No admission or re-admission after midnight"

Between 00:00 and 00:07 15 customers were allowed entry to the premises. When I asked the door supervisor when he intended to enforce the no entry condition he asked me what the time was. From that point the door supervisor advised customers approaching the entrance that they were not allowed in. It was evident from their body language and retorts of "you're joking aren't you" or "you're having a laugh" that the clientele are not accustomed to being refused entry after midnight.

Also the condition "the side smoking area to be screened and lit" was also being breached.

The outcome of the visit is cause for concern, especially as myself and the Police Licensing Officer only met with the DPS at the premises in January to discuss the residents' concerns and to offer advice and support in light of his nonchalant attitude to achieving compliance.

As you are no doubt aware it is an offence under s.136 Licensing Act to carry on licensable activities on or from any premises otherwise than under and in accordance with an authorisation, therefore i urge you to give this matter your urgent attention.

Yours faithfully

Terrill Wolyn  
Senior Licensing Officer

**Terrill Wolyn**

---

**Subject:** FW: Outlet: 871584 Greyhound Hotel - Breach of Licensing Conditions \*Action Required Please\*

**Importance:** High

**From:** Terrill Wolyn

**Sent:** 24 May 2013 14:53

**To:** 'risk@punchtaverns.com'; 'sandra.hamilton@punchtaverns.com'

**Cc:** 'kevin.day-mcdonnell@punchtaverns.com.'

**Subject:** FW: Outlet: 871584 Greyhound Hotel - Breach of Licensing Conditions \*Action Required Please\*

**Importance:** High

Dear Sandra

Re: Greyhound Hotel - Breach of Licensing Conditions

I would like to take this opportunity to thank you for your positive and prompt response to my recent letter.

Our records detail persistent allegations relating to breaches of licensing conditions dating back to December 2011.

Historically we have addressed individual concerns by liaising directly with "Partners" (both past and present) as we understand them to have "day to day" control of the premises. Following my request via Richard Pask last summer, we also met with Partnership Development Manager, Kevin Day McDonnell, in September 2012 to discuss certain on-going issues associated with the premises. These pragmatic steps have unfortunately proved futile in achieving compliance.

On 29 April I had to prompt the door-supervisor to enforce the last entry condition after midnight. He proceeded to refuse entry to an intoxicated female and friends. However, minutes after all officers had left the Greyhound to inspect other licensed premises, this group are seen on CCTV making their way back to the Greyhound. It is clear from the footage that one female is so unsteady on her feet that she is repeatedly colliding with the wall as she approaches the entrance. CCTV retrieved from the premises clearly identifies this female on the premises at 00:30, despite the fact that Police and Licensing Officers had witnessed door staff refusing entry earlier.

Unfortunately, this same young female was found a short time later lying on the pavement, her belongings strewn around her on the floor with her legs in the path of oncoming vehicles.

I shall continue to monitor the premises as our objective, as always, is to ensure compliance and promotion of the licensing objectives.

However there needs to be a dramatic turn-around in the manager's outlook with regard to his responsibilities under the Licensing Act together with his attitude towards local residents, the Licensing Authority and the Police, which at times has bordered on contempt.

As an Authority we take enormous pride in the success we have achieved through partnership working and through the excellent relationships we have nurtured and maintained with members

of the licensing trade. I hope that as premises licence holder you will be able to pull the premises back into line as this untenable situation cannot continue.

I shall look forward to hearing from Kevin Day-McDonnell at his earliest convenience.

Kind regards

Terrill

Terrill Wolyn  
Senior Licensing Officer  
Environmental Monitoring and Licensing  
Bath & North East Somerset Council  
Tel: 01225 396939  
Fax: 01225 477596  
Email: [terrill\\_wolyn@bathnes.gov.uk](mailto:terrill_wolyn@bathnes.gov.uk)  
[www.bathnes.gov.uk](http://www.bathnes.gov.uk)

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Please consider the environment before printing this email.

**From:** Licensing  
**Sent:** 23 May 2013 10:56  
**To:** Terrill Wolyn  
**Subject:** FW: Outlet: 871584 Greyhound Hotel - Breach of Licensing Conditions \*Action Required Please\*  
**Importance:** High

Terrill Wolyn  
Senior Licensing Officer  
Environmental Monitoring and Licensing  
Bath & North East Somerset Council  
Tel: 01225 396939  
Fax: 01225 477596  
Email: [terrill\\_wolyn@bathnes.gov.uk](mailto:terrill_wolyn@bathnes.gov.uk)  
[www.bathnes.gov.uk](http://www.bathnes.gov.uk)

Making Bath and North East Somerset a better place to live, work and visit.



Please consider the environment before printing this email.

**From:** smb\_risk [mailto:[risk@punchtaverns.com](mailto:risk@punchtaverns.com)]  
**Sent:** 22 May 2013 09:56  
**To:** Licensing  
**Cc:** Kevin Day-McDonnell  
**Subject:** Outlet: 871584 Greyhound Hotel - Breach of Licensing Conditions \*Action Required Please\*  
**Importance:** High

Good morning Terrill

Thank you very much for your recent correspondence in respect of the above premises, I acknowledge safe receipt.

This matter will now be raised with our partner at the premises by the Partnership Development Manager (PDM) responsible for the premises, Kevin Day-McDonnell

Although it is our partners, under our agreement, who have control of the day to day matters on site, we have a stringent procedure to ensure and enforce our responsibilities as Premises Licence Holder. This involves direct contact with the business through our operations team and it involves regular attendance at the premises.

As part of our ongoing support to our partners, Punch Taverns provide guidance booklets on matters such as licensing and responsible retailing. We aim to ensure that all conditions on our premises licences are complied with, ultimately promoting the licensing objectives.

Our PDM will contact you shortly, but should you have any further queries or concerns then please do not hesitate to contact them on 07718092018 or at [kevin.day-mcdonell@punchtaverns.com](mailto:kevin.day-mcdonell@punchtaverns.com).

**Kevin** - I will collate signage reference the no drinking outside the premises and the no entry and post to the partner. Please can you ensure that the partner and staff are aware of the seriousness of the breaches and are fully aware of the premises licence conditions

If I can be of any further assistance then please do not hesitate to contact me.

Yours sincerely

**Sandra Hamilton**

**Risk Assistant South (Property Department)**

Email: [sandra.hamilton@punchtaverns.com](mailto:sandra.hamilton@punchtaverns.com)

Tel: 01283 502007

Punch Taverns: Jubilee House - Second Avenue - Burton upon Trent - DE14 2WF



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Punch Partnerships (PTL) Limited (3512363), Punch Partnerships (PML) Limited (3321199), Punch Partnerships (PGRP) Limited (3988664), Punch Taverns (Services) Limited (4221944).

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## GREYHOUND

**Terrill Wolyn**

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**From:** lindaanndunford@aol.com  
**Sent:** 23 May 2013 14:07  
**To:** Terrill Wolyn  
**Subject:** Re: Greyhound

**F.A.O Terrill Wolyn, Senior Licensing Officer**

It was with great disappointment that I witnessed for myself the Greyhounds clear disregard for their licensing conditions on Saturday 18th May 2013. Whilst accompanying the Midsomer Norton Street Marshals I saw for myself customers drinking outside the premises at midnight. I am very disappointed that the Greyhound continue to show a total lack of responsibility towards the licensing objectives and their neighbours and I can confirm that the noise from the customers drinking outside was very loud and I am sure must disturb the sleep of those neighbours that live close by.

I have had repeated complaints from local residents over the last 18 months about the Greyhound centred generally around the noise coming from the premises late at night caused by customers drinking outside and customers being allowed to enter the premises as they please until closing time. I was even contacted late on Christmas eve about the noise and the fact that the Greyhound had erected an 'outside bar'. I informed the resident that I was not in a position to do anything myself but as always I suggested that they report the disturbance to both the police and licensing officers in B&NES council. I would also like to put on record that I have been approached by a number of other licensees within the town who are fully aware of the Greyhounds continual breaches of their licence. They view the lack of action taken by the enforcement officers as a green light not to comply with their own conditions. Unless enforcement action is taken against the Greyhound I envisage a complete breakdown of licensing objectives within Midsomer Norton.

I am sure you realise that this situation has been continuing for over 18 months well beyond what is acceptable. At the licensing meeting held in December 2011 the residents were assured that if the licensing conditions were not adhered to then action would be taken. I would suggest that such action is now well overdue and I ask you to take the steps necessary for the licensing objectives to be upheld and for the local residents to get a reasonable nights sleep free from noise and disturbance.

Yours sincerely

Linda Dunford

# Bath & North East Somerset Council

## Schedule 12 Part A

Regulation 33, 34

### Premises Licence

<b>Premises Licence Number</b>	12/03601/LAPRE
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#### Part 1 – Premises Details

<b>Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code</b>	
Greyhound Hotel 1 High Street Midsomer Norton BA3 2LE	
<b>Telephone number</b>	01761 412974

<b>Where the licence is time limited the dates</b>	Not applicable
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<b>Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities</b>	
<b>Sale of Alcohol (Indoors and Outdoors)</b>	
Monday to Wednesday	11:00 - 00:00
Thursday	11:00 - 00:30
Friday and Saturday	11:00 - 02:00
Sunday	12:00 - 00:30
<b>Performance of Live Music (Indoors only)</b>	
Monday to Wednesday	11:00 - 00:00
Thursday	11:00 - 00:30
Friday and Saturday	11:00 - 01:00
Sunday	12:00 - 00:30
<b>Performance of Recorded Music (Indoors only)</b>	
Monday to Wednesday	11:00 - 00:00
Thursday	11:00 - 00:30
Friday and Saturday	11:00 - 01:00
Sunday	12:00 - 00:30
<b>Non Standard Timings for the Sale of Alcohol:</b>	
A further additional hour into the morning following every Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday Weekend.	
A further additional hour in to the morning following every Thursday, Sunday and Monday for the Easter Bank Holiday Weekend.	

## Bath & North East Somerset Council

A further additional hour every Christmas Eve and Boxing Day, except when these days fall on a Friday and Saturday when the terminal hour for the sale of alcohol shall remain at 02:00 hours the following morning.

From normal activity start time on New Year's Eve until normal activity finishing time on New Year's Day.

### **Non Standard Timings for Regulated Entertainment:**

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

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

A further additional hour every Christmas Eve and Boxing Day.

From normal activity start time on New Year's Eve until normal activity finishing time on New Year's Day.

### **The opening hours of the premises**

Monday to Wednesday	08:00 - 00:30
Thursday	08:00 - 01:00
Friday and Saturday	08:00 - 02:30
Sunday	08:00 - 01:00

### **Non Standard Opening Times:**

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

A further additional hour in to the morning following every Thursday, Sunday and Monday for the Easter Bank Holiday weekend.

A further additional hour every Christmas Eve and Boxing Day, except on Friday and Saturday when the closing time shall remain at 02:30 hours the following morning.

From normal opening time on New Year's Eve until normal closing time on New Year's Day.

### **Where the licence authorises supplies of alcohol whether these are on and/or off supplies**

Alcohol is supplied for consumption both on and off the premises



# Bath & North East Somerset Council

## Part 2

### **Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Punch Taverns Plc  
 Jubilee House  
 Second Avenue  
 Burton On Trent  
 Staffordshire  
 DE14 2WF  
 01283 501600  
 chet.greenslade@punchtaverns.com

### **Registered number of holder, for example company number, charity number (where applicable)**

Registered Business Number - 03752645

### **Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Mr Marcus John Trethewey  
 Kingsfield  
 Smallways Lane  
 Chilton Polden  
 Bridgewater  
 TA7 9EG

### **Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

SDCTA6/012396  
 Sedgemoor District Council

This licence is issued by Bath & North East Somerset Council as licensing authority under Part 3 of the Licensing Act 2003 and regulations made thereunder.

Signed for and on behalf of  
 Bath & North East Somerset Council: .....

Dated 29 October 2012

# Bath & North East Somerset Council

## Annex 1 – Mandatory conditions

From 6 April 2010:

Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010

1. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children: (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or (ii) drink as much alcohol as possible (whether within a time limit or otherwise); (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act); (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less; (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on (i) the outcome of a race, competition or other event or process, or (ii) the likelihood of anything occurring or not occurring; (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner. NB THIS CONDITION DOES NOT APPLY TO OFF SALES.

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability). NB THIS CONDITION DOES NOT APPLY TO OFF SALES.

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available. NB THIS CONDITION DOES NOT APPLY TO OFF SALES.

From 1 October 2010:

4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

5. The responsible person shall ensure that (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied

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## Bath & North East Somerset Council

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having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures (i) beer or cider: ½ pint; (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and (iii) still wine in a glass: 125 ml; and (b) customers are made aware of the availability of these measures. NB THIS CONDITION DOES NOT APPLY TO OFF SALES.

---

Any individual employed to carry out a security activity must be licensed by the Security Industry Authority.

---

Licensing Act 1964 Section 77 rules apply.

Music singing and dancing must be a licensable activity allowed on the premises; and

The premises are structurally adapted and bona fide intended to be used for the purpose of providing for persons resorting to the premises music and dancing and substantial refreshment, to which the sale of intoxicating liquor is ancillary.

---

The maximum number of persons allowed on the premises is 200.

---

Subject to the standard terms and conditions attached to the public entertainment licence issued prior to the second appointed day.

---

Substantial food shall be available at all times the premises are open until one hour before closing time.

At least one door supervisor to be on duty when the premises are open till 00.30 hours or longer.

---

No supply of alcohol may be made under the premises 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.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

---

# Bath & North East Somerset Council

## Annex 2 – Conditions consistent with the Operating Schedule

Lighting installed and maintained in the exterior areas.

No unaccompanied children allowed on the premises.

No children allowed on the premises after 20.00 hours.

No striptease, nudity or exhibition of restricted films allowed.

---

## Bath & North East Somerset Council

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

No consumption of alcohol at the front of the premises at any time.

No admission or re-admission after 12 midnight.

No drinking outside the premises or in the courtyard after 11pm.

All windows and doors to be kept closed after 10 pm except for access and egress.

No bottles or glasses containing alcohol to be outside after 10 pm.

No open containers of alcohol to leave the premises.

A facility for people to dispose of cigarette ends before entering the premises to be provided.

CCTV to be installed and maintained covering the bar, function room and courtyard areas.  
CCTV recordings to be kept for at least 30 days and made available to the police or licensing authority upon reasonable request.

Signs to be erected and maintained at exits to remind people to leave quietly, to respect neighbours and not congregate in the street.

A sign to be erected and maintained on the exterior of the premises with a contact telephone number for the Designated Premises Supervisor.

The Designated Premises Supervisor to invite residents and businesses to a quarterly meeting.

Two SIA registered door staff to be on duty on Friday and Saturday from 9 pm until the last customer has left the premises.

The Designated Premises Supervisor to maintain a log of complaints.

No pedestrian access or egress through the rear courtyard.

The side smoking area to be screened and lit.

No entry from or exit through the side door save for access and egress to the smoking area.

The pavement frontage of the premises including at least 5 meters either side of the premises to be cleared of litter and detritus at the close of business each day.

---

# **Bath & North East Somerset Council**

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## **Annex 4 – Plans**

As submitted with application.

# Bath & North East Somerset Council

## Part B

### Premises Licence Summary

**Premises Licence Number**

12/03601/LAPRE

#### Premises Details

**Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code**

Greyhound Hotel  
1 High Street  
Midsomer Norton  
BA3 2LE

**Telephone number** 01761 412974

**Where the licence is time limited the dates** Not applicable

**Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities**

#### **Sale of Alcohol (Indoors and Outdoors)**

Monday to Wednesday	11:00 - 00:00
Thursday	11:00 - 00:30
Friday and Saturday	11:00 - 02:00
Sunday	12:00 - 00:30

#### **Performance of Live Music (Indoors only)**

Monday to Wednesday	11:00 - 00:00
Thursday	11:00 - 00:30
Friday and Saturday	11:00 - 01:00
Sunday	12:00 - 00:30

#### **Performance of Recorded Music (Indoors only)**

Monday to Wednesday	11:00 - 00:00
Thursday	11:00 - 00:30
Friday and Saturday	11:00 - 01:00
Sunday	12:00 - 00:30

## Bath & North East Somerset Council

### **Non Standard Timings for the Sale of Alcohol**

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

A further additional hour in to the morning following every Thursday, Sunday and Monday for the Easter Bank Holiday Weekend.

A further additional hour every Christmas Eve and Boxing Day, except when these days fall on a Friday and Saturday when the terminal hour for the sale of alcohol shall remain at 02:00 hours the following morning.

From normal activity start time on New Year's Eve until normal activity finishing time on New Year's Day.

### **Non Standard Timings for Regulated Entertainment**

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

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

A further additional hour every Christmas Eve and Boxing Day.

From normal activity start time on New Year's Eve until normal activity finishing time on New Year's Day.

### **The opening hours of the premises**

Monday to Wednesday	08:00 - 00:30
Thursday	08:00 - 01:00
Friday and Saturday	08:00 - 02:30
Sunday	08:00 - 01:00

### **Non Standard Timings for Regulated Entertainment**

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

A further additional hour in to the morning following every Thursday, Sunday and Monday for the Easter Bank Holiday weekend.

A further additional hour every Christmas Eve and Boxing Day, except on Friday and Saturday when the closing time shall remain at 02:30 hours the following morning.

From normal opening time on New Year's Eve until normal closing time on New Year's Day.

### **Where the licence authorises supplies of alcohol whether these are on and/or off supplies**

Alcohol is supplied for consumption both on and off the premises



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**Bath & North East  
Somerset Council**

---

**Name, (registered) address of holder of premises licence**

Punch Taverns Plc  
Jubilee House  
Second Avenue  
Burton On Trent  
Staffordshire  
DE14 2WF

**Registered number of holder, for example company number, charity number (where applicable)**

Registered Business Number - 03752645

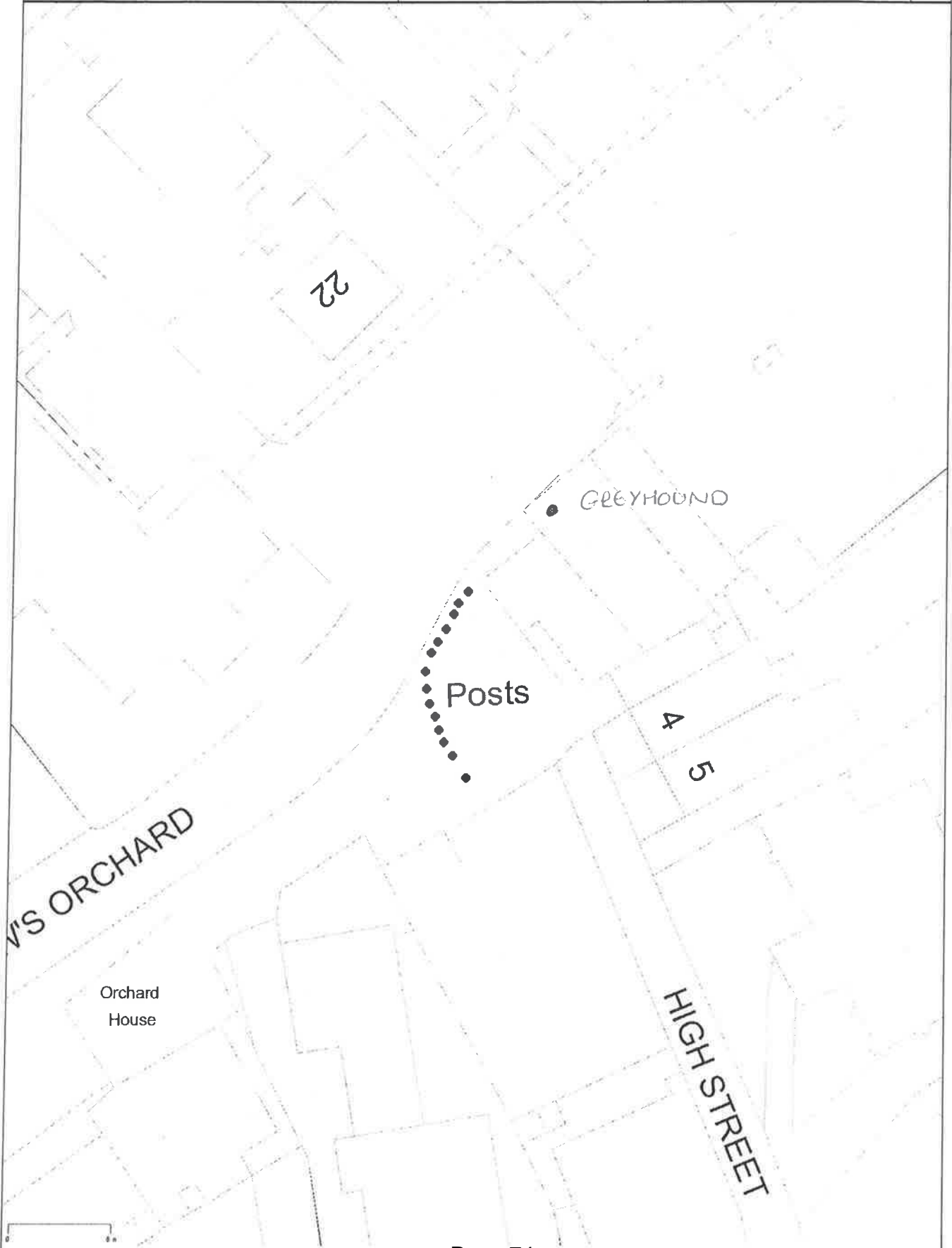
**Name of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Mr Marcus John Trethewey

**State whether access to the premises by children is restricted or prohibited**

As per Operating Schedule at Annex 2.

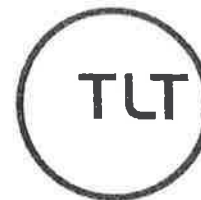
<b>Bath and North East Somerset: District Online</b>	Date: 9-7-2013 Scale: 1:400	Bath & North East Somerset Council	
Greyhound	Map Centre - easting / northing: 366334 / 154264	© Crown copyright and database right. All rights reserved (100023334) 2013	



TLT LLP

One Redcliff Street  
Bristol BS1 6TP  
T +44 (0)117 917 7777  
DX 7815 Bristol

www.tlt.solicitors.com



Our ref 303L/MP01/CS03/77345/9517  
Your ref

Bath & North East Somerset  
9-10 Bath Street  
Bath  
BA1 1SN  
**For the attention of the Licensing Section**

Bath And North East  
Somerset Council

18 JUN 2013

Received

Direct tel +44 (0)117 917 8020 Date 10 June 2013  
Direct fax +44 (0)117 917 7566 Email matthew.phipps@TLTsolicitors.com

Please note telephone calls may be recorded for training or regulatory purposes

Dear Sirs

**Our client - Punch Taverns Plc**  
**Greyhound 1 High Street Midsomer Norton Radstock BA3 2LE**  
**Application for review of premises licence**

We act on behalf of Punch Taverns Plc, the premises licence holder for the above Premises.

We confirm that we are instructed in respect of this matter and would be grateful if copies of all future correspondence could be sent directly to us.

Please could you forward to us copies of any representations to the application as and when they are received.

Currently, our **inconvenient** dates for the review hearing are as follows and we would be grateful if these could be avoided:

- 5 and 11 July 2013

We will let you know if there are any other dates as soon as possible.

Please treat this letter as a representation on behalf of the premises licence holder to the above application.

The premises licence holder will be attending the hearing and will be legally represented.

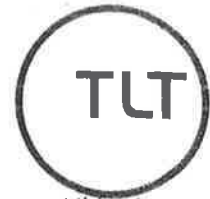
In due course we will provide details of who will be attending and we anticipate that the PDM and/or the designated premises supervisor/Partner will be in attendance.

Offices at London, Bristol and Pirena

TLT LLP is a limited liability partnership registered in England & Wales number OC 308658 whose registered office is at One Redcliff Street Bristol BS1 6TP

A list of members (all of whom are solicitors or barristers) is available for inspection at that address

TLT LLP is authorised and regulated by the Solicitors Regulation Authority under ID 496297



We are not currently in a position to comment specifically about the application as at this stage we do not have sight of any additional representations that may be received whether from responsible authorities or interested parties.

However, we have now started a dialogue with the applicant for review and when we are in a position to comment further we shall copy that across.

For the short term we trust that is satisfactory.

Yours faithfully

A handwritten signature in black ink, consisting of several vertical strokes and a horizontal crossbar, appearing to be the initials 'TLT'.

TLT LLP

## Representation Form

## Responsible Authority.

Police

ENVIRONMENTAL SERVICES

03 JUL 2013

Your Name	Geoff Cannon ( Martin Purchase)	Post Log No:.....
Job Title	Neighbourhood Sgt ( Police Licensing Officer)	Receipt No:.....
Postal and email address	Radstock Police Station Wells Road, Radstock BA3 3SG	CH/CA £.....
Contact telephone number	01225842475	

Name of the premises you are making a representation about.	Greyhound Hotel
Address of the premises you are making a representation about.	1 High Street Midsomer Norton Bath BA3 2LE

Which of the four licensing objectives does your representation relate to? Please state yes or no.	Yes or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary.
To prevent crime and disorder	Yes	<p>The premises is situated at the south end of Midsomer Norton High street. The area does experience incidents of anti social behaviour, and crime and disorder. The problems are most frequent in the evenings and into the early hours of the morning and are mostly alcohol related.</p> <p>The area is partially residential and would be vulnerable to noise nuisance. The premises is an impactive premises within the night time economy of the town and requires 'hands on' firm and proactive management to ensure its good order and compliance with licensing conditions. The customer profile is within the 18yrs to 30yrs age range. The management of the premises has done little to engage with the efforts of the Community Alcohol Partnership (CAP) to ensure that it furthers the licensing objectives. see FIG 1 statement of sgt Cannon and FIG 2 statement of PC Millen.</p> <p>On 28<sup>th</sup> Sept 2012 a meeting was held at Radstock Police Station, involving Inspector Shirley Eden, PS Geoff Cannon, Martin Purchase Mrs Terrill Wolyn with Mr Kevin Day-McDonnell of Punch Taverns at which the</p>

		<p>Impactive nature of the premises and the concerns of local residents regarding noise, anti social behaviour and drunkenness around the venue were discussed. Mr Day-McDonnell was of the opinion with Marcus Tretheway taking over as the DPS and the fact that his parents would be the leaseholders and improvement would be made.</p> <p>On 13<sup>th</sup> November 2012 Martin Purchase visited the premises and spoke with Marcus Tretheway re the premises and residents' concerns , he was positive in his plans for the premises. On 17<sup>th</sup> Jan 2013 Martin Purchase and Terrill Wolyn visited the premises and spoke with the DPS Marcus Tretheway re complaints of noise and breaches of Licensing conditions. see Fig 3 Innkeeper notes.</p>
Public safety		
To prevent public nuisance		
The prevention of harm to children		

<p>Suggested conditions that could be added to the licence to remedy your representation you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.</p>	<p>The Police support the Licensing Authorities recommendations. The premises need hands on proactive management.</p>
--	---

N.B. If you do make a representation you will be expected to attend the Licensing Panel and any subsequent appeal proceeding.

Signed:

  
 15461  
 Mark E Puley

Date:

01/07/12

Please return this form along with any additional sheets to:

Bath and North East Somerset Council  
 Licensing Services  
 Manvers St.  
 Bath  
 BA1 1SN

E-mail address: [licensing@bathnes.gov.uk](mailto:licensing@bathnes.gov.uk)

***This form must be returned within 28 consecutive days of the application being made to the Licensing Authority.***

FIG.....1



WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN [ ] [ ] [ ] [ ]

Statement of Geoffrey Arthur William CANNON

Age if under 18 Over 18 (if over insert 'over 18') Occupation Police Sergeant

This statement (consisting of 6 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 [Handwritten Signature]

Date 11.06.13

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

I am Police Sergeant Geoffrey Cannon of the Avon and Somerset Constabulary currently based at Radstock Police Station. My role is the Neighbourhood Police Team Sergeant for the Radstock area which includes Midsomer Norton. My duties include working closely with Town Councils, Bath and North East Somerset Council Departments and various other agencies and internal departments to reduce crime and disorder and to improve the quality of life for those living and working in this area. A specific part of my work relates to licensed premises in the area and brings me into regular contact with people responsible for the running of licensed premises. I make a point of building a positive working relationship with Licence holders and Designated Premises Supervisors and Managers of Licenced premises and have formed a healthy working relationship with most of these people to encourage responsible working practices and compliance with Licensing laws and objectives. This includes working with members of the local Pubwatch scheme and carrying out regular visits to premises. I am also a Police representative for the Midsomer Norton Community Alcohol Partnership which is led by Midsomer Norton Town Council whose objectives include: to 'Develop a responsible retailing partner ethos in the CAP area and raise awareness of traders responsibility with regard to their customers and the local community,' and whose 'strap line' is: 'to reduce alcohol related harm and make Midsomer Norton a better place to live work and play.'

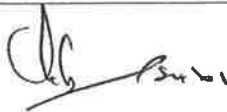
Signature: [Handwritten Signature]

Signature witnessed by:

Continuation of Statement of: Geoffrey Arthur William CANNON

On Friday 26<sup>th</sup>. April 2013 I was on duty at Radstock Police Station in full uniform when I commenced Multi – Agency Licensing visits to on-licensed premises in the Radstock area led by the B.A.N.E.S Senior Licensing Officer Terrill Wolyn. We were also joined by her colleague, B.A.N.E.S Licensing Officer Kirsty Morgan, BANES Environmental Health Officer, Nigel Shire and PC 3455 Stuart Peard also from the Radstock Neighbourhood Police Team. At about 11.30p.m. that night, we attended The Greyhound Public House in Midsomer Norton High Street. I was fully aware of concerns over the running of this premise and the history of problems in the past which resulted in numerous conditions being added to the premise licence following a review. The pub was very busy inside and there were a number of people standing in the side courtyard with drinks. I was aware that this was in breach of conditions of the licence. There were two SIA trained door staff on duty at the entrance. There was a disco playing in the main bar area and the noise generated by the base beats sounded quite loud. This was assessed by the EHO officer. I was aware that Terrill and Kirsty had entered the premises to speak to the Designated Premises Supervisor, Marcus Trethewey, so I entered the pub with PC Peard to try and find them. I was informed that they were in the office at the rear of the premises. I had spoken to Marcus in this office on previous visits and knew it was not very big inside. The door of the office was shut and when I went to try and open it I was unable to enter as someone appeared to be standing immediately inside the doorway. Assuming the office was too crowded to accommodate me and PC Peard, I waited with PC Peard outside. After about 10 minutes, Terrill and Kirsty came out of the office and I could see that they were both agitated and annoyed. Terrill then explained to me how the meeting had not gone well and that Marcus had come across as both arrogant and intimidating towards them.

Signature:



Signature witnessed by:

2010/11

Continuation of Statement of: Geoffrey Arthur William CANNON

Page No 3 of 6

We then left The Greyhound and visited the premises next door. At about 5 minutes past midnight, we returned to stand near the entrance of The Greyhound and watched a succession of people being allowed into the premises despite the door staff being in situ. This was clearly in breach of their licencing conditions not to allow entry to anyone after midnight. Terrill informed me she had counted 14 people being allowed in during this short space of time. We approached the door staff and they were reminded of the Licencing condition and advised not to let anyone else into the premises. We then left The Greyhound to carry out a visit to another licensed premise in the main High Street.

At about 1.a.m. we were standing at 'The Island' in Midsomer Norton speaking to the Street Marshalls. We had a clear view of the entrance to The Greyhound. As we were talking, a lone female aged in her 30's came staggering towards from the entrance of The Greyhound. She tried to speak to us but her words were slurred and she had difficulty remaining on her feet as she made her way towards Silver Street. I recognised her as having entered the Greyhound earlier in the evening with a group of other females. Terrill, Kirsty, Nigel, PC Peard and I got into the Police vehicle we were using that night and I directed PC Peard to drive up Silver Street as I was concerned for the welfare of this female. As we drove across the junction with the High Street into Silver Street we saw the same female lying on the pavement on our offside with one of her legs sticking out into the road. PC Peard stopped the Police vehicle and we both rushed over to her. I could see there was a small amount of blood on the pavement where she had injured her hand as she had fallen. This female was very drunk, smelling strongly of intoxicated liquor and we had to physically help her to her feet. After a short while she managed to tell me that she lived just around the corner. I instructed PC Peard to take the Licensing Officers and EHO back to Radstock Police

Signature:



Signature witnessed by:

2010/11

Continuation of Statement of: Geoffrey Arthur William CANNON

Station and then join me immediately afterwards. I then managed to walk the female slowly back to her home address, get her safely inside and rouse her parent. She confirmed to me during the limited conversation we had that she had been drinking heavily that night including in The Greyhound.

As a result of proceedings that night and my previous observations I have serious concerns about how The Greyhound is managed. The Community Alcohol Partnership has been successful in obtaining a Designated Public Place Order for Midsomer Norton High Street. Prior to this, there was a Licence Review for The Greyhound and one of the conditions imposed was that 'no open containers containing alcohol were to leave the premises'. Despite there being door staff on duty at the front of the premises there have been numerous occasions where I have stopped customers either leaving or having just left the premises with glasses of beer in their hands. I have even done this in front of the door staff. Their response at the time was that "they couldn't watch everyone". I followed this up by speaking to Marcus Trethewey reminding him of the Licensing conditions and the fact that it did not help reduce crime and disorder in the locality.

As I have previously mentioned, I work closely with members of Pubwatch. The Greyhound has been poorly represented at Pubwatch meetings since Marcus Trethewey took over.

On 23<sup>rd</sup>. September 2012 I was present in a meeting with Kevin Day – McDonnell, Punch Taverns Partnership Manager at Radstock Police Station with the Police Licensing Officer, Martin Purchase, Inspector Eden and Terrill Wolyn Senior Licensing Officer for B.A.N.E.S. During this meeting, we outlined our concerns about The Greyhound, given its previous history, and Kevin Day – McDonnell reassured us that the premises would be run

Signature:



Signature witnessed by:

Continuation of Statement of: Geoffrey Arthur William CANNON

responsibly, not least as the parents of the new DPS (Marcus Trethewey) had taken on the lease. I feel that this promise has not been upheld.

Midsomer Norton Town Council is actively promoting responsible drinking in the town not least through the activities of The Community Alcohol Partnership. This is having the desired effect on changing the culture of drinking in the town. There is still an embedded pattern to the drinking habits in the town on a Friday and Saturday evening. A large number of younger customers tend to commence drinking in The Crossways Tavern and then walk to The Greyhound when The Crossways closes. They will then often migrate from The Greyhound to either Mallards or Fat Sam's night club in the main High Street later in the night. All of these other premises work closely with the Police, licensing authorities and Midsomer Norton town Council to promote the licensing objectives. By appearing to blatantly flout the licensing conditions and by not appearing to have full control over the premises I am of the opinion that The Greyhound is not being run in line with the current move to promote both the objectives of the Community Alcohol partnership and the Licensing Objectives.

*AS* *Burbi*

Signature: *AS* *Burbi*

Signature witnessed by:

Continuation of Statement of: Geoffrey Arthur William CANNON

[Empty rectangular box for statement content]

Signature:

Signature witnessed by:

FIG.....2

ANNEX B

**WITNESS STATEMENT**

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN 

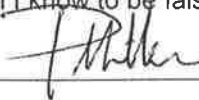
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Statement of Philip MILLEN

Age if under 18 Over 18 (if over insert 'over 18') Occupation Police officer

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 in it, anything which I know to be false, or do not believe to be true.

Signature



Date 24/06/13

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

I am PC 4587 Philip MILLEN of Avon and Somerset Constabulary currently based at Radstock police station. My role which I have held since early December 2012 is the Midsomer Norton Beat Manager. Prior to this I worked on the core response teams in Radstock for 3 years covering Midsomer Norton and surrounding areas.

Since taking over as the MSN Beat Manager I have attempted to build a good working relationship with all Designated Premises Supervisors and Managers in the area. This involves meeting with members of the local Pubwatch scheme and carrying out regular visits to licensed premises.

I am also a police representative for the Community Alcohol Partnership. This is led by Midsomer Norton Town Council and our aims are 1) to raise awareness of trader responsibility with regard to their customers and the local community, 2) to reduce Anti Social Behaviour and crime making the Town a safer place for everyone.

Midsomer Norton is a market Town in the heart of Somerset. It has a higher than average level of unemployment and over the last couple of years there has been a rise in alcohol related crime and ASB in the area during the weekend night time economy periods. The High Street in Midsomer Norton does not get busy until very late at night. Historically nearly all of the trade for the Greyhound pub and Mallards will come from the Crossways, Redfield Road, MSN. This pub closes at midnight on a weekend and then there is a mass exodus of

Signature:



Signature witnessed by:

2010/11

RESTRICTED (when complete)



Continuation of Statement of: Philip MILLEN

people (around 100 people on the busiest nights) who walk down to the High Street. The first pub they arrive at is the Greyhound and as a result a large proportion of their business is from the Crossways. This means the majority of their customers arrive after midnight.

After the New Year 2013 I was made aware of a number of complaints from local residents regarding the Greyhound Hotel, 1 High Street, MSN. The issues were regarding noise pollution and recreational drug use outside of the premises. Since this time I have paid particular attention to the Greyhound over the weekend period and I often park up in a police vehicle on the street close to the main entrance after midnight to act as a visual deterrent to any crime or ASB.

On 22<sup>nd</sup> April 2013 I was sent a copy of the premises licence for the Greyhound Hotel by a Senior Licensing Officer, namely Terrill Wolyn.

Since being made aware of specific licence conditions I have personally witnessed on numerous occasions:-

- 1) Customers being allowed entry into the premises after midnight
- 2) Customers being allowed to consume alcohol after 23:00 in the courtyard area

I have witnessed the door staff adhering to these conditions when police or Street Marshals are close by but ignored them when a person of authority is not around. I have seen heavily intoxicated customers being allowed entry to the premises after midnight and numerous people staggering out of the door at closing time, struggling to walk, clearly suffering the effects of alcohol.

I was made aware of a Multi Agency Licensing visit carried out at the Greyhound Hotel on Friday 26<sup>th</sup> April 2013. A number of breaches were witnessed that night and in due course I received a full report and statement from Terrill Wolyn.

Signature:



Signature witnessed by:

Continuation of Statement of: Philip MILLEN

On 11<sup>th</sup> June 2013 I interviewed the DPS of the Greyhound Hotel, namely Marcus TRETHERWEY d.o.b. 14/07/91 regarding the breaches of his licence on the 26<sup>th</sup> April 2013. Marcus was professional and compliant throughout the interview. He fully admitted responsibility for the breaches that took place. Marcus apologised for any misunderstanding or breakdown in communication that happened that night between himself and members of the Multi Agency visit. Marcus said additional training has since taken place with his staff and he promises to adhere his premises licence in the future. As a result Marcus will receive an adult police caution for the offence: Knowingly allows a licensable activity to be carried on under Section 136 (1) of the Licensing Act 2003.

Signature:



Signature witnessed by:

2010/11

FIG.....3



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Viewing PID 3454 Headquarters

PID: 3454 U.R.N. ER25 **Live Music, Recorded Music**

LID	Name	Status	Date
036060	J. TRETHEWAY	DPS	

Premises: GREYHOUND HOTEL  
 Prem Type: 2 PUBLIC HOUSE Status: L  
 Lic Type: 2 FULL ON LICENCE  
 Owner:  Sales: BOTH Current: 1  Previous: 4   
 PremLH: 632 PUNCH TAVERNS PLC

### Premises Notes

Notes:

01/11/11 - VARIATION APPLICATION RECEIVED TO VARY HOURS FOR ALCOHOL (ON FRI & SAT) AND TO VARY OPENING HOURS TO 08:00-00:30 MON TO WED, 08:00-01:00 THURS, 08:00-02:30 FRI TO SAT & 08:00-01:00 SUN, SUBJECT TO A 28 DAY OBJECTION PERIOD (LAST DAY IS 29/11/11), BEING DEALT WITH BY MARTIN PURCHASE...JM

02/11/11 - REVISED PAGE SENT VIA EMAIL FROM TLT SOLICITORS, FOR ALCOHOL HOURS (11:00-02:00 FRI & SAT) - FORWARDED ONTO MARTIN PURCHASE...JM

12/11/12 MEET WITH MARK ASHMAN IN COMPANY WITH TERRILL WOLYN DISCUSSED ALLEDGED BREACHES OF LICENCE

28/09/12 MEETING HELD AT RADSTOCK POLICE STATION WITH KEVIN DAY-MCDONNELL, INSP SHIRLEY EDEN, PS GEOFF CANNON MARTIN PURCHASE RE THE IMPACTIVE NATURE OF THE PREMISES ON THE TOWN AND CONCERNS OF LOCAL RESIDENTS REGARDING NOISE, ANTI SOCIAL BEHAVIOUR AND DRUNKENESS AROUND THE VENUE. THIS BEING EXPRESSED AT VARIOUSE FORUMS. MR DAY-MCDONNELL WAS OF THE OPINION THAT THIS SITUATION WOULD BE IMPROVED BY THE CHANGE OF DPS.

15/10/12 - APPLICATION RECEIVED TO CHANGE DPS FROM MARK ASHMAN TO MARCUS TRETHEWAY...JM NO OBJECTION M.P. 13.11.12 VISITED PREMISES SPOKE WITH MARCUS TRETHEWAY IN LIGHT OF PROBLEMS AND RESIDENTS CONCERNS IN THE PAST. HE WILL BE LOOKING TO

Details 
  Conditions 
  Incidents/Visits 
  Applications 
  Door Staff 
  Notes

Agencies  Door staff

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Viewing PID 3454 Headquarters

PID: 3454 U.R.N. ER25  
 Premises: GREYHOUND HOTEL  
 Prem Type: 2 PUBLIC HOUSE  
 Lic Type: 2 FULL ON LICENCE  
 Owner:   
 PremLH: 632 PUNCH TAVERNS PLC
 

Live Music, Recorded Music

LID	Name	Status	Date
036060	J. TRETHEWAY	DPS	

Status: L  
 Sales: BOTH  
 Current: 1  Previous: 4

### Premises Notes

Notes:

15/10/12 - APPLICATION RECEIVED TO CHANGE DPS FROM MARK ASHMAN TO MARCUS TRETHEWAY...JM NO OBJECTION M.P. 13.11.12 VISITED PREMISES SPOKE WITH MARCUS TRETHEWAY IN LIGHT OF PROBLEMS AND RESIDENTS CONCERNS IN THE PAST. HE WILL BE LOOKING TO MAKE A VARIATION APPLICATION IN 6 MONTHS TIME,

13/11/12 MET WITH MARCUS TRETHEWAY AT PREMISES GENERAL DISCUSSION RE HIM TAKING ON PREMISES AND THE DIFFICULTIES THAT HAVE BEEN EXPERIENCED RE GENERAL CONDUCT OF THE PREMISES. HE WAS VERY POSITIVE IN HIS PLANS.

17/01/13 VISIT WITH TERRILL WOLYN IN RESPONSE TO COMPLAINTS RECEIVED FROM RESIDENTS DISCUSSED CONDITIONS AND ACTIONS HE SHOULD TAKE.

26/4/13 MULTI AGENCY VISIT REPORTED THAT THE ATTITUDE OF DPS WAS NOT ACCEPTABLE AND HE WAS NOT COMPLYING WITH CONDITIONS. COUNCIL TO ENGAGE WITH PUNCH TAVERNS..

07/06/13 - REVIEW RECEIVED...JM

20/06/13 - APPLICATION RECEIVED TO CHANGE DPS FROM MARCUS TRETHEWAY TO JENNIFER TRETHEWAY...NRC

Details
 Conditions
 Incidents/Visits
 Applications
 Door Staff
 Notes

Agencies
Door staff

Edit
Cancel

**INTERESTED PARTY REPRESENTATION**

Please read the notes at the back of this form prior to completing it.

**I/We object to the following application:**

Application number:	[REDACTED]
Applicant's name:	[REDACTED]
Premises name and address:	The Greyhound Public House Midsomer Norton
Application for a:	[REDACTED]

**Objector Details:**

Objector's Name:	Environmental Protection Team
Objector's Address: This is essential because a representation can only be considered relevant if you live, or are representing an address, in the vicinity of the premises.	Environmental Protection Lewis House Manvers Street Bath BA11JG
Organisation name if applicable:	Bath and North East Somerset Council

**Objection Details:**

My/our representation is relevant to the following licensing objective(s):

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

Please detail your objection(s) as fully as possible in the box below. If you do not then the Committee may not understand why you have objected.

Please attach supporting documents/further pages as necessary and number all extra 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 1 am. I am concerned that if the premises open until 2 am this will cause a nuisance to me and other residents of the street.*

I/We have already made a written representation and have no further comments

My name is Nigel Shire and I am employed by the Environmental Protection team (Banes) as an Environmental Health officer (EHO). I accompanied Licensing and Police officers on the Multi agency visits on Friday 26 April 2013 to assess noise nuisance from licensed premises within the area of Midsomer Norton and Radstock..

At or about 22.30 the visit entered the Greyhound PH MSN and I witnessed noise emanating from the premise due to the constant use of the side door leading to the enclosed smoking area. My concerns were that this noise could, if not adequately controlled, escalate in the future and constitute a statutory nuisance under the Environmental Protection Act 1990 s79. I entered the premise with the accompanying licensing officers' Terrill Wolyn and Kirsty Morgan to discuss the noise concerns with the DPS Marcus Trethewey. Unfortunately I was unable to converse with Mr trethewey as I considered his attitude during discussions with the licensing officers on other matters was not appropriate and decided to address the concerns at a later time.

Following a visit to a licensed premise adjacent to the Greyhound (Wundabar) the multi agency team exited at or about 00.00 hrs. During this time I witnessed several breaches of the licensing conditions: namely that patrons of the establishment (Greyhound) were seen to be taking drinks from the inside areas to the outside courtyard area and the admittance of patrons after 00.00 to the premise. I am aware that both of these conditions were applied to the license to reduce the risk of nuisance and public disorder in line with the licensing objectives.

Due to the potential for future noise nuisance I would like the Licensing sub Committee to consider amending the existing license conditions to reflect these concerns and to establish measures through conditions to manage noise release from this premise.



[Empty rectangular box for signature and date]

**I am aware that a full copy of my representation (including my name and address) will be sent to the applicant and will form part of a public document prior to any hearing on this matter.**

Signed



Date

04.07.2013

Contact telephone number(s)  
(This is essential as we may need to contact you at short notice)

01225 396651

There will be a hearing to determine this application. We will send you details of the time, date and location at least 10 working days before the hearing.

This section of the form must be returned to us a minimum of 5 working days before the hearing. If you wish, you may complete this now. Alternatively, you can keep this page and return it to us once you have received details of the hearing.

Name \_\_\_\_\_

I will be attending the hearing  I will not be attending the hearing

I will be represented at the hearing by \_\_\_\_\_

I will be calling the following witness(es):

<u>Name and signature of each witness</u>	<u>Details of evidence to be produced by witness</u>

Please delete as appropriate: I consider a hearing to be necessary / unnecessary

Form to be returned to:

Licensing Services  
Public Protection  
Lewis House  
Manvers Street  
Bath BA1 1SN

**Kirsty Morgan**

---

**From:** Sue Dicks  
**Sent:** 04 July 2013 16:59  
**To:** Kirsty Morgan; Licensing  
**Subject:** Witness Statement . Greyhound Hotel 4 July 2013  
**Attachments:** 03-050513 - Marshal Report - MSN Marshals.doc; 10-110513 - Marshal Report - MSN Marshals.doc; 24-260513 - Marshal Report - MSN Marshals.doc 2.doc; 07-080613 - Marshal Report - MSN Marshals.doc; 14-150613 - Marshal Report - MSN Marshals.doc; 3105-010613 - Marshal Report - MSN Marshals.doc 2.doc; 26-270413 - Marshal Report - MSN Marshals.doc; 19-200413 - Marshal Report - MSN Marshals.doc; Community Safety Manager Statement - Greyhound Hotel Junly 2013.docx

**Importance:** High

Dear Kirsty

Please find attached my witness statement (at the foot of the above docs) , I will ensure you have a signed copy delivered to you following this email.

Please note: The attached Street Marshal reports are not for public as there is confidential information on there that is not to be shared. I would suggest that the information that is not required in the reports to be deleted, just leaving the highlighted information that relates to the Greyhound Hotel.

Please do contact me if I can be of any further assistance.

Kind regards

Sue Dicks  
Community Safety Manager  
Bath & North East Somerset Council  
Telephone: 01225 477415  
Email: [sue\\_dicks@bathnes.gov.uk](mailto:sue_dicks@bathnes.gov.uk)  
[www.bathnes.gov.uk](http://www.bathnes.gov.uk)  
[www.twitter.com/bathnes](http://www.twitter.com/bathnes)  
[www.bathnes.gov.uk/communitysafety](http://www.bathnes.gov.uk/communitysafety)

Bath and North East Somerset – *The place to live, work, and visit*

Policy and Partnerships  
Bath & North East Somerset Council  
Lewis House  
Manvers Street  
Bath  
BA1 1JG

**WITNESS STATEMENT**

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

**Statement of:** Mrs Sue Dicks

**Age if under 18:** OVER 18

**Occupation:** Community Safety Manager Bath and North East Somerset Council

This statement (consisting of 5 pages 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.

Signed:

Date: 4 July 2013

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This statement relates to the Greyhound Hotel in Midsomer Norton and a challenge at the Licensing Committee following evidence of significant breaches of conditions of licence.

**Introduction**

As the Community Safety Manager for Bath and North East Somerset Council and Partnership, and the responsible body for Community Safety under the Crime and Disorder Act 1998. I have 35 years' experience working in communities in local government and I have been as a Community Safety Manager since 2002, working in Swindon, Gloucester, Bristol and now Bath and North East Somerset. Between 1994 and 2002, I worked with Government Cabinet Office to draft and implement the Crime and Disorder Act 1998 and Police Reform Act 2002.

In my current role, my priority is to lower the risk of crime and disorder and anti-social behaviour and, to work with and in communities to achieve positive outcomes. As part of this, the four licensing objectives under the Licensing Act 2003 - 1) the prevention of crime and disorder; 2) public safety; 3) the prevention of public nuisance; 4) the protection of children from harm - form a critical part of my role. Working four years in Bath city to help make the night time economy a safe place to be for people to enjoy, has been key to this success.

**Background**

Since July 2011, I have been working in Midsomer Norton in response to complaints voiced by local people and businesses about the growing alcohol related problems of anti-social behaviour, crime, disorder, drugs, speeding, litter and noise in their town. In this time, and working together with the community, businesses, volunteers and church's, much has been achieved to make the town a better and safer place. With the local people, we have made the following possible:-

- Established a Community Alcohol Partnership (CAP) (Licensing, Police, local residents, traders, Town Council, volunteers, Churches and schools)
- Introduced Street Marshals Oct 2012 – Fri and Sat evenings to support the night time economy and businesses and, help people safely home
- Established widespread crime and community safety consultations to residents, traders and licensees, schools to help understand the local concerns and, appraise the root causes of the problems. These include
  - Town Surveys
  - Online surveys
  - Letters to key stakeholders including the Police and neighbouring parish councils and residents
  - Letters to licensees
  - Attendance and presentations at pub watch meeting
  - Public meetings
  - Local road shows and displays/leaflets
  - Radio and local papers
- The responses were overwhelming and demonstrated that there was significant local support for action to reduce problems associated with the night time economy and alcohol
- Designated Public Place Order (DPPO) established April 2013
- Evening and Night time audits held August 2012 and May 2013
- Street Pastor scheme launched June 2013
- Purple Flag accreditation is under way to support and reward the people of the town – to recognise the hard work over the last two years and be proud that Midsomer Norton is a better and stronger place.

Over many months of work, there was growing evidence to support the concerns of local people and their fear of crime. The Street Marshal reports received weekly particularly provided the eyes and ears in gathering local intelligence and, first hand evidence.

For the purpose of my statement, in relation to the Greyhound Hotel being in breach of their licence, I am able to provide the following evidence.

1. **Street Marshal** weekly reports - of which I monitor with the CAP - provide a detailed snapshot of the night time economy in MSN and their work is to reduce the problems likely to cause crime, disorder and anti-social behaviour - fuelled by alcohol. In recent months, the number of incidents in relation to the Greyhound Hotel has been concerning – showing breach of their licence by drinking outside after 23.00hrs - excessive noise and litter nuisance, letting people inside after 24.00hrs, which seem to be 'the norm' for the customers and the Licensee. A true picture started to emerge. I have attached a number of these reports as evidence- **please note these need to be sanitised and not for public.**
2. **On 31 August/1 Sept 2012**, I took part in the local town night audit – A series of circuits of the High Street and surrounding hotspot locations were undertaken – involving local church, residents and volunteers/charities, businesses, council and community safety - starting at 17.30 hrs and ending at 03.00 hrs. I saw people drinking outside the Greyhound Hotel after 23.00hrs and long into the early hours of the morning 01.00hrs.

- 2.1 At one stage around 0.50hrs am, I was standing at the monument down in the town with my colleagues, some 500 yards from the Greyhound Hotel and heard very clearly - excessive loud music, people screaming, shouting/swearing, dancing in the road and footpaths and, when closer, witnessed people drinking outside.
- 2.2 Rubbish and some broken glass littered around the garden area and footpath. This was around 01.00hrs and the Licence Officer was to check if the Greyhound Hotel was in breach of their licence with people still drinking in the garden area. I saw was upsetting and it captures what local people have been saying for some time.
- 2.3 What local residents had to suffer was harrowing. People's lives blighted by the offensive behaviour coming from the Greyhound Hotel, who allowed this to happen – knowing it is in breach of their licence. Local residents must be exhausted by the long suffering they have endured. What message does this tell the residents and other Licensees? Local people know and respect the Greyhound Hotel's license conditions, yet they see and hear the drinking outside after 23.00hrs continues and feel let down.
- 2.4 I would describe it as complete disorder because of the loud noise, drinking and loud shouting and swearing. I found it most intimidating and, I personally felt harassed being approached by drunken people shouting to my face, alarmed and distressed by the vulgarity of the bad language directed at me. On approach, someone shouted out – *“here's the nosy council lot”*.
3. **On 31 May 2013**, I took part in the second night audit using the same method as above and times. On this occasion, the Avon and Somerset Police Crime Commissioner accompanied us. I saw first-hand, people drinking outside the Greyhound Hotel after 23.00hrs and again after 0.30 hrs. of Sunday morning. Loud music emanating from the Greyhound Hotel, as such that people sat outside drinking were having to shout to be heard above the noise.
- 3.1 Some of them (approx. 5) – males ranging from early twenties to late forties in age - walked out in to the road, causing cars to swerve to avoid them. I could see they were carrying an open glass of alcohol and went across the road to get a take away from the food trader opposite – struggling to stand up, speech slurred and shouting obscenities. Two cars stopped and the drivers and passengers were talking to them, creating even more chaos in the road and area. The air was full of loud music coming from the cars, head lights full on, shouting out comments and talking loud across the road and above the revving engine noises. It was alarming and threatening where two men started to row over their spilled beer. Both walked back - cars swerving again to avoid them - to the Greyhound Hotel and went inside passing the door staff.
- 3.2 I also notice people walking by looking shocked and intimidated - they went back down the road to avoid the drinkers. The drinkers were clearly very drunk, jeering, staggering around waving their arms and shouting with an aggressive manner. Cheering very loudly at anyone passing by, including me. One passer-by warned me to be careful and said that if you say anything to them, you will only get swearing and they will try to intimidate you. It's always like this around here at this time (01.00hrs) – it's terrible.

## To conclude

The concerns raised over the Greyhound Hotel in breach of their licence in relation to drinking outside, loud noise and disorder, after 23.00hrs and letting people in after 24.00hrs has been an issue for some time. Midsomer Norton is a thriving business area at night with the local pubs and clubs and, is fully supported by the local community. The presence of people openly drinking outside in the Greyhound Hotel garden area after 23.00hrs is very clearly defined, which has a big impact on the local residents and their lives.

Fear of crime is widespread. Residents have spoken to me and said they don't want the Greyhound to shut; they just want them to respect the licence conditions and stop people drinking and making a loud noise after 23.00hrs, which causes such misery. The extent of public concern is about the key aspects of preventing crime and disorder, public safety, the prevention of public nuisance, and the protection of public health from harm.

Local residents and the community seek a broader sense of reassurance and the Licencing Committee to help with this. They ask to have a voice and be heard. These are not unreasonable asks. Their fears triggered by the tell-tale signs of the Greyhound Hotel breaching their licence. The local people are seeking respite from these issues raised and to review the Greyhound Hotel licence - that will minimise the risk of crime and disorder and, act as a precaution against further threats of bringing the town down as a result. There is a real opportunity to work together for the better and everyone is committed to develop the town to its full potential and to solve these problems.

The supporting evidence that I witnessed first-hand and from residents, agencies and council's, provide enough to understand that the root causes in this area is, the Greyhound Hotel breaching their licencing conditions that effect the licensing objectives.

MSN community spirit has been lifted by the support of the local Community Alcohol Partnership, the town council and churches, local businesses and volunteers, with many other community developments making a significant contribution and a difference. This has given a lot of the residents and businesses hope. Hope that this will have a positive impact on a lot of the negative issues that have overwhelmed the town for a number of years - linked to alcohol related anti-social behaviour, litter, crime and disorder, excessive noise and on street alcoholic drinking. I therefore recommend that the Licencing Committee search for a more permanent solution and outcome. This could mean considering reviewing the licence conditions to include changing the Greyhound Hotel closing times to a more reasonable hour – thus to avoid any further repeats of the problems suffered - giving the local community and nearby residents a sense of reassurance and confidence.

The Street Marshals, Police and the Licence Officers/Trading Standards work tirelessly to take positive action for both the Licensees, businesses and the local people. A balance is now required for the Greyhound Hotel to respect their licence conditions and support the community and nearby residents. The town is really making a difference and the community want long term solutions for a better and stronger future.



## Marshals Debriefing Form RESTRICTED & CONFIDENTIAL

<b>Location:</b>	Midsomer Norton
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<b>Date:</b>	Fri 3 <sup>rd</sup> May 2013	<b>Shift:</b> (Start & Finish Times)	23:00 – 03:00
<b>Marshals:</b>	Norman Fenton & Cemry Wilson		

<b>Date:</b>	Sat 4 <sup>th</sup> May 2013	<b>Shift:</b> (Start & Finish Times)	22:00 – 03.00
<b>Marshals:</b>	Norman Fenton & Nathan Reakes		

<b>Date:</b>	Sun 5 <sup>th</sup> May 2013	<b>Shift:</b> (Start & Finish Times)	22:00 – 03.00
<b>Marshals:</b>	Norman Fenton & Nathan Reakes		

Marshal Equipment – present & in good working order	<b>Fri</b>	Y	<b>Sat</b>	Y
Contact made with CCTV at start of the shift	<b>Fri</b>	Y	<b>Sat</b>	Y
No. of Incidents dealt with	<b>Fri = 3, Sat = 1, Sun = 6</b>			
No. of Police attendances	<b>None</b>			
No. of Medic incidents – please also state how many resulted in Ambulance being called	<b>None</b>			

<b>Environment – please detail any street light failure, noise disturbances, excessive littering:</b>
<b>Weather:</b>
<b>Local Events (gigs, live sport on TV etc):</b>
<b>Additional Observations / Recommendations:</b>



PTO

**Details of Incidents / Medic Responses****Friday 3<sup>rd</sup> May 2013**

22:00 - @ Lewis House collecting bodyworn camera & receiving 'brief' training.

22:45 - Logged on at MSN

23:05 - Greyhound not very busy, people still outside with drinks, camera was recording.

00:15 - We were walking down High St a group of males were on opposite side of road they headed towards Greyhound. Greyhound let 5 people in at 00:15 could not record it as too faraway.

00:30 - Approached 2 females in town park they had glasses with alcohol in they gave them up when asked and said they had come from Greyhound.

01:30 - Mallards and Greyhound both shut.

**Saturday 4<sup>th</sup> May 2013**

22:00 - Logged on

23:30 - Greyhound busy. Couldn't see into court yard from front or back as the fence panel obstructed view.

00:05 - Watching Greyhound from bottom of High St, we observed several people being allowed to enter, we could not record this as if we approached the area then they stopped letting people in.

00:15 - Again watching Greyhound people still being allowed in. Requested CCTV to observe so that a record was available, between 0015 & 0030 we observed at least 10/12 people being allowed in the licensee was not on the premises as he had gone out on a stag night.

01:00 - Mallards and Greyhound only places open, people were leaving Greyhound trying to go into Mallards, some got in when the doors staff thought that we weren't watching those that didn't get in go back to Greyhound and are let back in.

02:00 - There are still people in the garden of Mallards and outside of Greyhound we watch these intermittently until they leave.

02:45 - Logged off.

Sunday 5<sup>th</sup> May 2013

22:00 - Logged on

22:30 - Greyhound busy, Catholic Church clear.

23:30 - Greyhound very busy courtyard is full can't see if there are any drinks outside due to the fencing having advertising banners on.

00:45 - Watching Greyhound we observe lots of people being allowed entry, in breach of their licence, we observed them for 15 minutes during which time at least 30 people were permitted entry. Still can't see if drinks are outside or not.

01:30 - Greyhound and Mallards now closing, several people leaving Mallards with drinks but giving them up when requested, also some coming from Greyhound similar from there, 1 male outside of charcoal grill refused to give it up he is on film and his response of I can afford the fine.

Summary: After the previous nights when the shoulder cam turned off after 2.5 hrs I did not turn it on until midnight I had done some interment checks and found that standby was only 2/3 hrs. During the evening there were incidents of people coming from Greyhound and Mallards with drink only a couple giving us any trouble, Greyhound were still letting people in after midnight, this continued to within 15 minutes of them closing. Streets were littered with rubbish around charcoal grill but owner came out and cleared all food containers away.

*I have carried out a debriefing session with the Security & Medical Personnel who worked these shifts.*

<b>Signature:</b>	<i>Norman Fenton</i>	<b>Date:</b>	05/05/2013
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**Mrs Sue Dicks – Representation of support**

The following Marshals Reports were also submitted, these can be seen elsewhere in the report:

Marshals Report – Friday 19<sup>th</sup> April 2013 and Saturday 20<sup>th</sup> April (**Annex A**).

Marshals Report – Friday 26<sup>th</sup> April 2013 and Saturday 27<sup>th</sup> April 2013 (**Annex A**).

Marshals Report – Friday 10<sup>th</sup> May 2013 and Saturday 11<sup>th</sup> May 2013 (**Annex A**).

Marshals Report – Friday 25<sup>th</sup> May 2013 and Saturday 26<sup>th</sup> May 2013 (**Annex A**).

Marshals Report – Friday 31<sup>st</sup> May 2013 and Saturday 1<sup>st</sup> June 2013 (**Annex A**).

Marshals Report – Friday 7<sup>th</sup> June 2013 and Saturday 8<sup>th</sup> June 2013 (**Annex F**).

Marshals Report – Friday 14<sup>th</sup> June 2013 and Saturday 15<sup>th</sup> June 2013 (**Annex F**).

**From:** janelewis@clara.co.uk  
**Sent:** 05 July 2013 12:02  
**To:** Kirsty Morgan  
**Cc:** lindaanndunford@aol.com; Michael Evans (Cllr); assistantclerk@midsomernortontowncouncil.co.uk  
**Subject:** RE: REVIEW - Greyhound Hotel

Kirsty Morgan  
Licensing Officer  
Lewis House  
Manvers Street  
Bath  
BA1 1JG

Dear Kirsty

Re: Greyhound review application - 13/02020/LAPRE

Thank you for the deadline reminder. I am responding on behalf of the Town Council following discussion at our planning meeting on 17th June 2013, and having heard verbal representations from the residents affected.

The Town Council encourages and supports the night time economy of Midsomer Norton and we recognise the contribution it plays to the social and economic well being of the community. However, we believe this must be balanced with the well being of the residents and it would appear that the grounds for the licence review with regard to the on-going public nuisance, disorder and crime are well met.

We have been aware for some time of the difficulties faced by residents who have contacted us with regards to the noise and anti-social behaviour from the Greyhound (a car was damaged for example). We also receive information weekly through the reports from our Street Marshals who patrol the town centre on a Friday and Saturday evening between 10pm and 3am.

We are disappointed that the license conditions are being breached and we are particularly concerned by the outside drinking after 11pm, continual entry into the premises after 12pm and the pedestrian access through the rear court yard being open to customers entering and exiting from the property. This is in close proximity to residential properties and is supposed to be restricted by a barrier. There would appear to be a wealth of evidence to support the claims.

We are entirely in support of this review not least because we have already made significant inroads into making the town centre a pleasant and safe place at night for residents and visitors, with the support of B&NES. The police have already recognised improvement and in fact we have been encouraged to apply for Purple Flag status. We think it will send out a great message that the Authority does take condition breaches seriously and acts accordingly.

We urge the committee to take the steps necessary to remove the distress caused to local residents by whatever means is considered appropriate.

Best regards

Yours sincerely

Jane

Cllr J Lewis

**Kirsty Morgan**

---

**From:** lindaanndunford@aol.com  
**Sent:** 02 July 2013 17:34  
**To:** Licensing  
**Subject:** Greyhound Hotel 13/02020LAPRE

**F.A.O Kirsty Morgan**

Licensing Officer  
Lewis House  
Manvers Street  
Bath  
BA1 1JG  
Ref: 13/02020/LAPRE Greyhound Hotel  
Dear Kirsty

Please can you forward this letter onto the committee of the Licensing Review hearing.

I am a Midsomer Norton Town Councillor and also Chair of the Midsomer Norton Community Alcohol Partnership, the aim of which is to reduce under aged and anti-social behaviour connected with alcohol in our area. Many local residents on an ongoing basis in relation to the Greyhound Hotel have contacted me over the last 18 months. I am writing in a personal capacity, as I understand the Town Council will be commenting directly to you on this matter.

In 2011 local residents surrounding the Greyhound Hotel were deeply affected by noise and anti-social behaviour from their customers. This had been increasing over time and the residents were deeply distressed to learn of the application to extend the operating hours even further. After a lengthy hearing in December 2011 the Licensing Committee agreed to grant the extended hours. It was stated by the applicant at the meeting that 'better management of the premises would lead to better conduct of its customers and that the real issue was the use of the outside area'. The applicant put forward many conditions in order to address these obvious issues persuading the committee to grant the extension in hours.

Being mindful of the Licensing objectives and recognizing the public nuisance, crime and disorder that had stemmed from the Greyhound the committee structured the license with the conditions to alleviate the neighbours suffering but still allow the premise to trade the extended hours.

In the 18 months since the application for the extended hours was granted the Greyhound Hotel has never complied with the conditions. The residents have been subjected to ongoing noise from customers drinking outside to closing time and the rear entrance to the courtyard has frequently been open to customers allowing them to enter and exit from the premise right in front of resident's homes causing even further noise and disturbance. I have witnessed this myself on several occasions while accompanying the Street Marshals and also during a Night Audit of the town centre along with the Police Crime Commissioner in May this year. It has been a deeply troubling time for the local residents who have faced every weekend in the knowledge that a good night's sleep was unlikely.

Residents meetings have only been held twice in the 18 months since the hearing although the conditions state residents should be invited to quarterly meetings in order to address any concerns they have.

The Greyhound has continually shown utter disregard for the Licensing Act 2003 and its aims and does not show any regard for the well being of local residents, many of them whom moved into their homes when the Greyhounds closing time was 11pm. Rather than comply with the conditions

the Greyhound have ignored them and only when faced with this Licence Review have they made any attempt to adhere to them. They have clearly set the blame for these conditions on the local Street Marshals for reporting the ongoing breeches. This I find unacceptable and irresponsible. According to the Street Marshals weekly reports customers have been told it is the Marshals fault the premise is being forced to comply at present with these conditions. Customers are now directing anger at the Marshals who patrol the town on a Friday and Saturday evening between 10pm and 3am. I would expect a responsible DPS to have a policy in place to guide staff to explain politely to customers that it is out of consideration for the local residents that the conditions of entering the premises and drinking outside is limited.

I am aware of the application to replace Marcus Trethewey as Designated Premises Supervisor with his mother Jennifer Trethewey. I ask the review committee to be mindful as to whether this new DPS will be taking on an active and responsible role in the day to day running of the premise or will it be a change in name only and will her son, the current DPS, still be running the day to day operation as clearly the Greyhound desperately needs leadership that supports the aims of the Licensing Act and who is mindful of the effect poor management has on local residents.

The Licensing Committee at the December 2011 hearing promised local residents that if they had any further problems with the Greyhound after the new conditions were set on the license then they must make them known. I believe the residents have been doing precisely that again and again to both the police and the Licensing Authority over these last 18 months. I trust the review committee will now take the steps necessary to protect local residents from any further upset.

**I ask the review committee to support the local residents and curtail the operating hours of the premise to 11pm every evening. I would also request that the conditions placed on the Greyhound in December 2011 were wise and proportionate to the problems arising from the premise and I would urge the committee to uphold these conditions in total so as to protect the residents from any application to extend the hours in the future.**

Yours sincerely

Cllr Linda Dunford

Michael Evans  
Orchard View  
Primrose Lane  
Midsomer Norton  
BA3 2UP

Date: 3<sup>rd</sup> July 2013

**Kirsty Morgan**

Licensing Officer  
Environmental Services  
Bath & North East Somerset Council  
Tel: 0122539(6719)  
Email: [kirsty\\_morgan@bathnes.gov.uk](mailto:kirsty_morgan@bathnes.gov.uk)  
[Licensing@bathnes.gov.uk](mailto:Licensing@bathnes.gov.uk)

Greyhound Review Application 13/02020/LAPRE

It is disappointing that this review has proved necessary, after the very well attended and lengthy meeting of the Licensing Committee which, against the wishes and impressive arguments of many local residents who took the trouble to attend the meeting in Bath, allowed an extension of hours for the sale of alcohol on these premises on Fridays and Saturdays up to 2 am with a further 30 minutes drinking up time, but imposed a list of conditions to meet the many concerns of local residents. The Greyhound has apparently not been able or even willing to adhere to the conditions. In the 18 months or so since that meeting, the residents have suffered while the evidence of breaches of condition accumulated.

As a town councillor and ward councillor I was aware in a general way of residents' unhappiness with the noise and anti-social behaviour which continued at and near the premises. That unhappiness was made explicit when residents brought their concerns to the Planning Committee of Midsomer Norton Town Council on 17<sup>th</sup> June this year, and detailed the continuing disruption to their lives and their sleep on Friday and Saturday evenings.

The Greyhound's failure to adhere to its licensing conditions has led to a clear breach of the licensing objective to prevent public nuisance.

Evidence for this failure is most easily brought to the licensing committee by quoting the relevant parts of the Midsomer Norton Marshals' Reports. These Marshals are supplied by Safe and Sound Ltd and financed jointly by Midsomer Norton Town Council and B&NES. They operate from 10pm to 3am on Friday and Saturday nights, and submit a report about each session.

The Marshals were made aware of the specific conditions, such as no admission after midnight, no drinking outside after 11pm, and no open containers of alcohol to leave the premises, in April this year. That is why they did not record breaches before that date, but the list of breaches after that shows a flouting of the conditions until the present review was announced in early June.

It is not at all easy to gather evidence which reveals the failings of a particular premises. The Town Council has the aspiration to make Midsomer Norton Town Centre a place where all ages feel welcome and safe in the evenings, but it is not normally practical to collect evidence which can convincingly associate anti-social behaviour or crime which militates against this objective, with a particular alcohol outlet. Because of this difficulty, the Greyhound was granted its extension of hours.

Now however, and very exceptionally, evidence is available from the Marshals' Reports. I call on the committee to recognise the weight and reliability of this evidence, combined with the other submissions, and to limit the opening hours of these premises to 11 pm every evening, so that drinking outside after 11, and the accompanying noise and nuisance, ceases. The existing licence conditions should be kept in place to cover any Temporary extension of hours which may be granted, on application, for bank holidays etc.

### The Greyhound in Marshals' Reports:

Date	Report
Sat 16 Feb 13	the Greyhound could have been more cooperative with the handling of the youth who was violent
Fri 19 Apr 13	Summary: Greyhound are allowing people to drink in the alley to the side after 23:00 hrs. We believe from information given by Linda from council that this is in breach of licence conditions.
Sat 20 Apr 13	<p>00:15 - Greyhound busier. Church clear. We spoke with the license holder of the Greyhound regarding the drinking outside, he said it was ok if they were under his marquee this was erected after conditions were attached to his licence - Please could this be clarified, and if necessary somebody from licensing speak with the licensee.</p> <p>00:40 – Greyhound still busy with people drinking in the courtyard, still letting the public in.</p> <p>00:55 – Had a conversation with Geoff Canon &amp; Licensing Officer over problems with Greyhound &amp; Mallards. Agreed to continue infringements as we have been.</p> <p>01:05 – Spotted a male getting into a taxi with a box &amp; carrier of beer, also a bottle in his hand open, when asked where it came from he told us the Greyhound had sold it to him.</p> <p>01:10 – Greyhound still allowing people to drink outside.</p>
Fri 26 Apr 13	Summary: Eventful evening, Licensing & Police have praised us for our efforts with reporting pubs for infringements; the fights were over and dealt with very quickly. Greyhound as reported were stilling allowing the public in after midnight & still allowing people to drink outside as last as 01:10.
Sat Apr 13	22:30 – On approaching Greyhound, the landlord was stood outside with a



	<p>member of door staff, he saw us and went inside and also his door staff left the front of the building and went in through the side door to the bar. It was quite obvious that they were avoiding us. They have erected a piece of heras fencing as a screen across the side of courtyard; this prevents anybody viewing the public in the smoking area.</p> <p>23:50 – Greyhound still busy, no response from staff. Church clear. Also people were in the courtyard of Greyhound with drinks after 23:00.</p> <p>00:15 – Observing the Greyhound, they were still allowing people into the premises at this time.</p> <p>00:30 – A group were seen coming down from Greyhound area; they had drinks which they said had come from the Greyhound and had been told it was ok to take them with them by the landlord.</p> <p>00:45 – Round the back of Greyhound looking down onto the courtyard we could see the side door and the door staff were letting people in and people were still drinking in the courtyard.</p> <p>Summary: Greyhound’s attitude towards us was one of aggression they obviously see us as a threat, they were blatantly flaunting the Licensing Rules for the premises, they were allowing drinks outside in courtyard and letting people out into the street with drinks, also after midnight they were letting people into the premises with no sign of trying to prevent them.</p>
Fri 3 <sup>rd</sup> May 13	<p>00:15 - We were walking down High St a group of males were on opposite side of road they headed towards Greyhound. Greyhound let 5 people in at 00:15 could not record it as too faraway.</p> <p>00:30 - Approached 2 females in town park they had glasses with alcohol in they gave them up when asked and said they had come from Greyhound.</p>
Sat 4 <sup>th</sup> May 13	<p>00:05 - Watching Greyhound from bottom of High St, we observed several people being allowed to enter, we could not record this as if we approached the area then they stopped letting people in.</p> <p>00:15 - Again watching Greyhound people still being allowed in. Requested CCTV to observe so that a record was available, between 0015 &amp; 0030 we observed at least 10/12 people being allowed in the licensee was not on the premises as he had gone out on a stag night.</p> <p>01:00 - Mallards and Greyhound only places open, people were leaving Greyhound trying to go into Mallards, some got in when the doors staff thought that we weren’t watching those that didn’t get in go back to Greyhound and are let back in.</p>
Sun 5 <sup>th</sup> May13	<p>23:30 - Greyhound very busy courtyard is full can’t see if there are any drinks outside due to the fencing having advertising banners on.</p>

	00:45 - Watching Greyhound we observe lots of people being allowed entry, in breach of their licence, we observed them for 15 minutes during which time at least 30 people were permitted entry. Still can't see if drinks are outside or not.
Sat 11 May 13	00:30 - Greyhound admitting people who have come from Mallards.  01:00 - Greyhound still letting people in.
Fri 17 May 13	00:30 - Greyhound busier door staff refusing to let entry, they were also telling people who were leaving that they won't get into Mallards as they have same time limit on entry.  Summary: Not a busy night a few people drinking in street getting it from Mallards and Greyhound. Rubbish minimal.
Sat 18 May 13	22:25 - Greyhound not very busy, screen still missing from smoking area, also rear gate is missing which I understand has to be locked shut during opening hours, customers can access Pole Barn Road via this route.  00:45 - Greyhound allowing drinks into smoking area this is witnessed by Linda.
Fri 24 May 13	00:55 - Greyhound still busy & letting people in when they think we weren't watching, Church all clear.
Sun 26 May	23:30 - Greyhound very busy, allowing drinks in the smoking area after 23:00  01:15 - Greyhound still have people with drinks in the smoking area.
Fri 31 May 13	23:35 - Greyhound have people in the smoking area with drinks which is against their licence conditions they are also using side door for entry and exit  00:55 - At the corner of Church square we saw people being allowed into Greyhound
Sat 1 June 13	23:25 - Greyhound busier, there were some people with drinks in smoking area. Catholic Church clear.  00:40 - Greyhound still letting people in
Fri 7 June 13	Summary. Quiet start to the evening, the main problem being that Mallards were letting in after their cut off time of midnight, also drinks being permitted out of the Greyhound. The arguments which occurred were minor and didn't really escalate.

## ANNEX 6

Sat 8 June 13	22:30 - Greyhound staff very negative towards us, we then see notice about the review of their licence, (would be useful to know any restrictions that may have been put in place).
Fri 14 June 13	01:15 - Greyhound still letting people in
Sat 15 June 13	01:15 - Greyhound still letting people in and so were Mallards
Fri 21 June 13	00:20 - Greyhound let group of people in
Sat 22 June 13	00:25 - Greyhound sticking to rules, Mallards doing the same.
Sat 29 June 13	Summary: Town was busier than last night – several people have spoken to us about not being able to get in to Greyhound or Mallards after midnight – they were blaming us for this until I explained that it was a condition of their licence then they excepted this – I told them it was up to the landlords to apply for variations of their licence.

Michael Evans (Cllr)

04 JUL 2013

Post Log No

Receipt No

CH/CA E

ANNEX G

RE GREYHOUND MIDSUMMER HOLIDAYS.

DEAR KIRSTY

JUST TO CONFIRM WHAT WE HAVE SAID BEFORE.

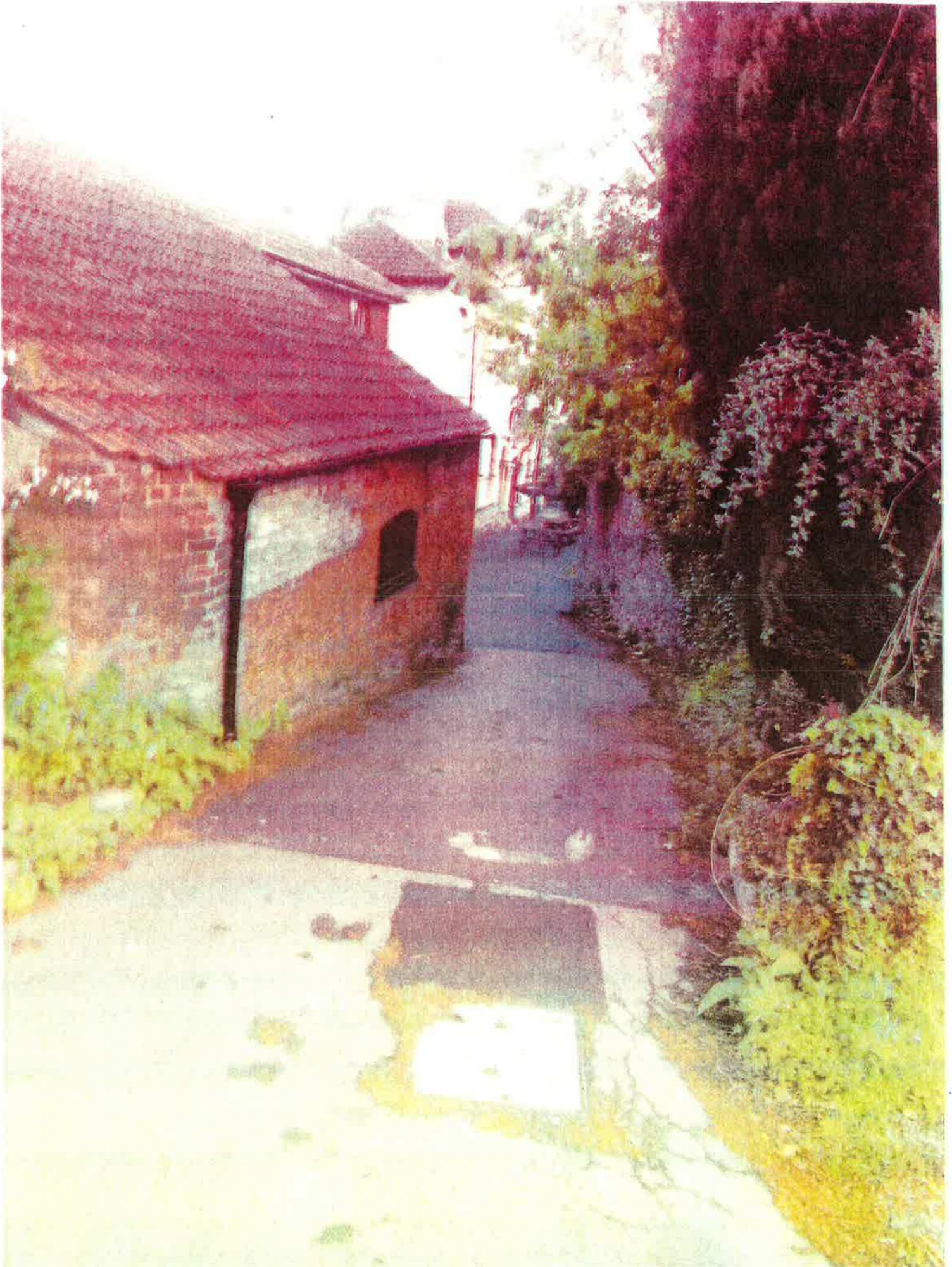
THIS IS AN ONGOING THING WITH THE GREYHOUND THE LOUD NOISE LATE AT NIGHT, PEOPLE OUTSIDE DRINKING IN COURT YARDS AFTER 11PM LIMIT.

FIGHTING OUTSIDE OUR HOUSES PEOPLE TAKING DRUGS, SICK, ETC ETC WHEN THE GREYHOUND WAS CLOSED WE NEVER HAD THESE PROBLEMS.

IN THE PAST FEW MONTHS THE ROAD ACCESS HAS BEEN OPENED UP SO PEOPLE CAN GAIN ACCESS THIS IS MEANT TO REMAIN CLOSED.

THERE HAS NOT BEEN ANY RESIDENTS MEETING FOR MONTHS THIS IS ALSO IN CONDITION'S. I THINK A 11PM CLOSING WILL HELP.

I SPEAK ON BEHALVE OF THE RESIDENTS WHO ARE ON HOLIDAYS ETC AND MYSELF  
yours.



ENVIRONMENTAL SERVICES  
3 - JUL 13  
Pos: Leg No .....  
Receipt No .....  
CHICA E.....

ANNEX G

3-7-13

Dear Kirsty - Re Greyhound M-S-N

We are constantly having problem with the drinking outside after hours, loud music late at night, fighting outside our house, Drugs being taken on wall at back of house, These conditions on the license are not being met, I feel an earlier closing time on the Greyhound would be good for the residents to have a good nights sleep.

Yours

A. Andrews.

ENVIRONMENTAL SERVICES	
34 JUL 1973	
Post Log No	.....
Receipt No	.....
CH/CA E	Kirsty Morgan,

Dear  
 When you are talking about the license for the Greyhound Hotel High Street Midsomer Norton.

Please note for the sake of everybody in Church Square a normal closing time would be nice, to be able to get to sleep before 2am at weekends.

Thanking you for helping the residents about this matter

From

Brenda M. Fisher (widow march 2013)

ENVIRONMENTAL SERVICES	
04 JUL 2013	
Post Leg No	11/10/10/10
Receipt No	
CH/CA E	

Dear Sir,  
It appears that the Greyhound Public House in the High St Midsonier Norton may be in breach of their licensing conditions.

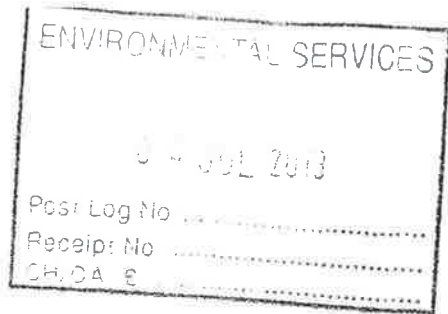
Many customers are frequently observed drinking <sup>outside</sup> much later in the evening when the decibel rate appears to increase.

Recently one of my neighbours contacted the Pub by phone requesting a reduction in the music volume, unfortunately the request was completely ignored. Originally the back entrance of the alleyway was closed but has been re-opened allowing anyone to enter or exit at will, this has been a disaster as not only the noise of people leaving but almost anywhere at the rear & surrounding area is used as a toilet. This situation is found to be worse at weekends.

Barbara Bush

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ANNEX G

03-07-13

Dear Kirsty Morgan

I wish to put my and my families feelings in writing, concerning grave concerns and issues with the Greyhound Hotel.

- \* Noise disruption from loud music, which can be heard above my own tv whilst in my lounge, even with all windows closed, in particular Friday, Saturday and Sundays to around 2am, sometimes even later.
- \* Patrons drinking and causing disturbance, when spilling out the door-exit at the rear of the Greyhound.
- \* When exiting via the rear of the Greyhound, taking drinks with them, and continuing to drink alcohol within the vicinity, which I believed an order had been passed for no alcohol drinking in public areas.

The above concerns and issues have been brought to the attention of the Greyhound on numerous occasions, without any satisfactory outcomes.

- \* 3 Residents meetings at the Greyhound, where issues were raised in person, along with several other residents with similar issues and concerns.
- \* In person at the Greyhound, when a bar person

Staff member noted it in there suggestions book:  
 \* Via phone, when the situation had escalated on a particular evening, no response and action was taken. Hence a call was then made to the Environmental Health person, for noise disruption.

I hope that all concerns above, have helped to explain my feelings and the situation that is causing disruption surrounding the Greyhound Hotel.

Julian Harvey

JULIAN HARVEY

Shirley Harvey

SHIRLEY HARVEY

Glyn Harvey

GWYN HARVEY

Kirsty Morgan

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**Subject:** FW: Noise & disturbance from the greyhound

**From:** peter bilder [mailto:peterbilder@msn.com]  
**Sent:** 04 July 2013 22:39  
**To:** Licensing  
**Subject:** Noise & disturbance from the greyhound

Dear Kirsty Morgan,

As local residents to The Greyhound we would like to point out a few of our annoyances.

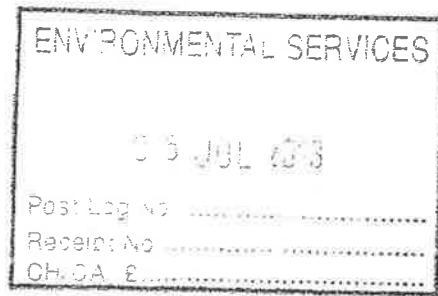
We have lived in Church Square for almost 3 years. For most of the time it is quiet & peaceful. Come Friday & Saturday we get noise from the pub. A constant heavy beat till about 2 o'clock in the morning. The customers then spill out through the back entrance to area of Church Square. You get the loud talking & swearing as some pass our home. Then they hang around the church yard and car park eating their chips, chatting loudly, urinating and doing other things we don't know about. In the morning we regularly need to pick up empty bottles and take-away boxes.

We have a young child and would like to live here peacefully.

According to my knowledge the license the pub currently holds allows them to stay open until 2am. From 11 pm punters must be kept inside. Another condition is that the back entrance should be blocked off. Both these conditions are to prevent or minimise that which is described above from happening: noise and disturbance to the local residents. However, the pub has not been complying with the conditions of their license. Surely the conditions must be upheld or else the license can be revoked.

We enjoy living here and abide by the rules and regulations set to us as citizens. We would, to put it mildly, appreciate if the pub, our neighbour, would do the same.

Kind regards,  
Pete Bilder and Anne-Marie Owen



Dear Sir /Madam

I am writing with reference to The Greyhound Inn, Midsomer Norton.

As a resident of Church Square I have made several reports to the police about disturbances. There have been lots of incidents of customers from the pub taking drugs on the church wall behind my house, which I have reported to the police. In addition I have also had to ring the police several times to report fights as customers leave the pub. I am also woken most weekends at 2 am with the noise as customers leave the pub.

On Saturday and Sunday mornings I often have to collect rubbish and glasses that have been strewn around and have also had to clear up vomit.

I have no objection to people enjoying themselves on a night out but do object when it causes such disruption to resident's quality of life. I am hoping that the licence will be restricted to ensure that we and residents do not have to tolerate this disturbance any longer.

Yours faithfully  
Tracy Fournier.

*T Fournier*



## Marshals Debriefing Form RESTRICTED & CONFIDENTIAL

<b>Location:</b>	Midsomer Norton
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<b>Date:</b>	Fri 7 <sup>th</sup> June 2013	<b>Shift:</b> (Start & Finish Times)	22.00 – 03:00
<b>Marshals:</b>	Norman Fenton & Cemry Wilson		

<b>Date:</b>	Sat 8 <sup>th</sup> June 2013	<b>Shift:</b> (Start & Finish Times)	22.00 – 03.00
<b>Marshals:</b>	Norman Fenton & Cemry Wilson		

Marshal Equipment – present & in good working order	<b>Fri</b>	Y	<b>Sat</b>	Y		
Contact made with CCTV at start of the shift	<b>Fri</b>	Y	<b>Sat</b>	Y		
No. of Incidents dealt with	<b>Fri</b>	6	<b>Sat</b>	5		
No. of Police attendances	<b>Fri</b>	0	<b>Sat</b>	0		
No. of Medic incidents – please also state how many resulted in Ambulance being called	<b>Fri</b>	0	0	<b>Sat</b>	0	0

<b>Environment – please detail any street light failure, noise disturbances, excessive littering:</b>
<b>Weather:</b>
<b>Local Events (gigs, live sport on TV etc):</b>
<b>Additional Observations / Recommendations:</b>

PTO

### Details of Incidents / Medic Responses

#### Friday 7<sup>th</sup> June 2013

22:00hrs - Marshals signed on duty -

22:20 - Greyhound very quiet and WunderBar quiet. Catholic Church clear. Greyhound has a new barrier across the courtyard it is only waist height.

23:25 - Greyhound busier, there were some people with drinks in smoking area. Catholic Church clear.

00:40 - Greyhound still letting people in

01:30 - Greyhound and Mallards now closed.

01:50 - Whilst stood on the bridge we spotted a group coming down the High St from Greyhound direction, 1 had a drink in his hand so we approached him & he refused to give it up and carried on up the high st.

03:00 - Marshals signed off duty with CCTV – everything closed & streets empty

Summary. Quiet start to the evening, the main problem being that Mallards were letting in after their cut off time of midnight, also drinks being permitted out of the Greyhound. The arguments which occurred were minor and didn't really escalate.

#### Saturday 8<sup>th</sup> June 2013

22:00hrs - Marshals signed on duty

22:30 - Greyhound staff very negative towards us, we then see notice about the review of their licence, (would be useful to know any restrictions that may have been put in place).

23:50 - Greyhound busy they have put the tall screen back by courtyard

00:50 - 2 males leave Mallards and head towards Greyhound I ask for CCTV to watch door the 2 males dressed smartly are permitted to enter.

01:10 - The 2 males leave Greyhound and go back towards Mallards upon seeing us they come over to speak, 1 male introduces himself as [REDACTED] I believe he is the owner of Black & White security who cover Mallards. They try to question us about the town but get no answers.

01:35 - Greyhound and Mallards both shut very few people leave both, several at the take aways.

Summary: quiet night in general - Greyhound have notice outside about a review of their licence, the Mallards are still letting people in after midnight where possible I got CCTV to observe this as it happens as once we are visible to door staff they stop letting them in.

*I have carried out a debriefing session with the Security & Medical Personnel who worked these shifts.*

<b>Signature:</b>	<i>Norman Fenton</i>	<b>Date:</b>	09/06/2013
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## Marshals Debriefing Form RESTRICTED & CONFIDENTIAL

<b>Location:</b>	Midsomer Norton
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<b>Date:</b>	Fri 14 <sup>th</sup> June 2013	<b>Shift:</b> (Start & Finish Times)	22.00 – 03:00
<b>Marshals:</b>	Norman Fenton & Cemry Wilson		

<b>Date:</b>	Sat 15 <sup>th</sup> June 2013	<b>Shift:</b> (Start & Finish Times)	22.00 – 03:00
<b>Marshals:</b>	Norman Fenton & Cemry Wilson		

Marshal Equipment – present & in good working order	<b>Fri</b>	Y	<b>Sat</b>	Y
Contact made with CCTV at start of the shift	<b>Fri</b>	Y	<b>Sat</b>	Y
No. of Incidents dealt with	<b>Fri</b>	3	<b>Sat</b>	3
No. of Police attendances	<b>Fri</b>	1	<b>Sat</b>	0
No. of Medic incidents – please also state how many resulted in Ambulance being called	<b>Fri</b>	0	0	<b>Sat</b> 0 0

<b>Environment – please detail any street light failure, noise disturbances, excessive littering:</b>
<b>Weather:</b>
<b>Local Events (gigs, live sport on TV etc):</b>
<b>Additional Observations / Recommendations:</b>

PTO

**Details of Incidents / Medic Responses**

**Friday 14<sup>th</sup> June 2013**

2:00 - Marshals signed on duty

22:30 - Greyhound was empty, Church clear, a new screen has been erected at Greyhound across courtyard.

23:25 - Greyhound busier, there are some people with drinks in smoking area. Catholic Church clear.

23:50 - There was a police van parked in the High St opposite Charcoal Grill.

00:20 - Walking past Mallards we noticed several people allowed admittance after midnight.

01:15 - Greyhound still letting people in

01:30 - Greyhound and Mallards now closed.

Summary. A very quiet evening, Greyhound let people in after midnight, Mallards did not stop letting people in, and Stones Cross were giving people plastic glasses to walk home with. Not much rubbish about.

**Saturday 15<sup>th</sup> June 2013**

22:00 - Marshals signed on duty - Paul Meyers was in Town Hall, he expressed concerns over broken bottles in Redfield Road we agreed to monitor the situation.

22:20 - Crossways busy, we walked up Redfield Rd and down Paulton Rd along North Rd and down Church Lane. We were approached by a delivery driver from Dominos who told us that a person had just attacked his car outside of the Greyhound, he gave us a description so we said we would keep an eye open for him.

22:40 - Greyhound was busy, PCSO were outside talking to staff, we told her about the person who hit the car and she said that he was stood opposite - we saw him and agreed that he needed to be watched, he then left the area with a friend.

23:25 - Greyhound busier, there were some people with drinks in smoking area. Catholic Church clear.

01:15 - Greyhound still letting people in and so were Mallards

01:30 - Greyhound and Mallards now closed.

Summary. A couple of incidents but no major problems, Greyhound let people in after midnight, Mallards did not stop letting people in. Also the Riverside are letting people drink out the front after 22:00hrs - their license does not allow this, it does also cause some problem when we are trying to get drink off of people from else where.

*I have carried out a debriefing session with the Security & Medical Personnel who worked these shifts.*

<b>Signature:</b>	<i>Norman Fenton</i>	<b>Date:</b>	17/06/2013
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