



Licensing Act 2003
Premises Licence - Summary

The Royal Arms 172 Farnborough Road Farnham Surrey GU9 9AX	Licence number:	LN/000002537	
	Valid from:	24th January 2012	
	Valid until		
	Telephone:	01252 333307	
Licensable Activities Authorised by the Licence and times these activities may be carried on			
Activity (and area if applicable)	Description	Time From:	Time To:
Provision of regulated entertainment:-			
Films, Indoor Sports Events and Recorded Music	Sunday - Thursday Friday and Saturday	07:00 07:00	00:00 01:00
Live Music	Monday - Sunday	10:00	23:30
Regulated - anything similar	Sunday - Thursday Friday and Saturday	10:00 10:00	00:00 01:00
Provision of Late Night Refreshment	Sunday - Thursday Friday and Saturday	23:00 23:00	00:30 01:30
Sale by Retail of Alcohol	Sunday - Thursday Friday and Saturday	10:00 10:00	00:00 01:00
Non-standard Timings:	10:00 New Year's Eve - 01:00 January 2nd. 10:00 - 01:00 on Bank Holiday weekends (Friday/Saturday/Sunday/Monday), Christmas Eve and Boxing Day.		

The opening hours of the premises:

07:00-00:30 Sunday to Thursday
07:00-01:30 Friday and Saturday

Where the licence authorises supplies of alcohol, whether this alcohol is to be consumed on and/ or off the premises:

On and off the premises

Name & (registered) address of holder of premises licence:

Mr Jon-Paul Stubbings
 The Royal Arms
 172 Farnborough Road
 Farnham
 Surrey
 GU9 9AX

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

N/A

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

Mr Jon-Paul Stubbings

**Whether access to the premises by children
is restricted or prohibited:**

No restrictions

Licensing Act 2003
Premises Licence - Detail

The Royal Arms 172 Farnborough Road Farnham Surrey GU9 9AX	Licence number: LN/000002537		
	Valid from: 24th January 2012		
	Valid until:		
	Telephone: 01252 333307		
Licensable Activities Authorised by the Licence and times these activities may be carried on			
Activity (and area if applicable)	Description	Time From:	Time To:
Provision of regulated entertainment:-			
Films, Indoor Sports Events and Recorded Music	Sunday - Thursday Friday and Saturday	07:00 07:00	00:00 01:00
Live Music	Monday - Sunday	10:00	23:30
Regulated - anything similar	Sunday - Thursday Friday and Saturday	10:00 10:00	00:00 01:00
Provision of Late Night Refreshment	Sunday - Thursday Friday and Saturday	23:00 23:00	00:30 01:30
Sale by Retail of Alcohol	Sunday - Thursday Friday and Saturday	10:00 10:00	00:00 01:00
Non-standard Timings:	10:00 New Year's Eve - 01:00 January 2nd. 10:00 - 01:00 on Bank Holiday weekends (Friday/Saturday/Sunday/Monday), Christmas Eve and Boxing Day.		

The opening hours of the premises: 07:00-00:30 Sunday to Thursday
07:00-01:30 Friday and Saturday

Where the licence authorises supplies of alcohol, whether this alcohol is to be consumed on and/ or off the premises: On and off the premises

Name & (registered) address of holder of premises licence: Mr Jon-Paul Stubbings
The Royal Arms
172 Farnborough Road
Farnham
Surrey
GU9 9AX

Registered number of holder, for example company number, charity number (where applicable): N/A

Name of designated premises supervisor where the premises licence authorises the supply of alcohol: Mr Jon-Paul Stubbings

Whether access to the premises by children is restricted or prohibited: No restrictions

Annexe 1 – Mandatory Conditions

Films

The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendations made

- a. By the British Board of Film Classification (BBFC) where the film has been classified by that Board, or
- b. By the Licensing Authority where no classification certificate has been granted by the BBFC, or, where the licensing authority has notified the licence holder that section 20 (3) of the Licensing Act 2003 applies to the film.

Alcohol

No supply of alcohol may be made under the premises licence:

- At a time when there is no designated premises supervisor in respect of the premises licence.
- 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.

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.
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).
 3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
 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.

Annexe 2 – Conditions consistent with the operating schedule

Films	Monday	07:00 hours to 00:00 hours
	Tuesday	07:00 hours to 00:00 hours
	Wednesday	07:00 hours to 00:00 hours
	Thursday	07:00 hours to 00:00 hours
	Friday	07:00 hours to 01:00 hours
	Saturday	07:00 hours to 01:00 hours
	Sunday	07:00 hours to 00:00 hours

Further Detail

Video entertainment on TV screens and amusement machines.

Non-Standard Timing

When hours for sale of alcohol are extended on Bank Holidays, these hours are also extended until 01:00 the following morning.

Location of activity : Indoors

Indoor Sports Events	Monday	07:00 hours to 00:00 hours
	Tuesday	07:00 hours to 00:00 hours
	Wednesday	07:00 hours to 00:00 hours
	Thursday	07:00 hours to 00:00 hours
	Friday	07:00 hours to 01:00 hours
	Saturday	07:00 hours to 01:00 hours
	Sunday	07:00 hours to 00:00 hours

Further Detail

To permit pub games that attract an audience, whether by advertisement or spontaneously.

Non-Standard Timing

When hours for sale of alcohol are extended on Bank Holidays, these hours are also extended until 01:00 the following morning.

Location of activity : Indoors

Live Music	Monday	10:00 hours to 23:30 hours
	Tuesday	10:00 hours to 23:30 hours
	Wednesday	10:00 hours to 23:30 hours
	Thursday	10:00 hours to 23:30 hours
	Friday	10:00 hours to 23:30 hours
	Saturday	10:00 hours to 23:30 hours
	Sunday	10:00 hours to 23:30 hours

Further Detail

Live (acoustic/amplified) music and amplified voice.

Non-Standard Timing

When hours for sale of alcohol are extended on Bank Holidays, these hours are also extended until 01:00 the following morning.

Location of activity : Indoors

Recorded Music	Monday	07:00 hours to 00:00 hours
	Tuesday	07:00 hours to 00:00 hours
	Wednesday	07:00 hours to 00:00 hours
	Thursday	07:00 hours to 00:00 hours
	Friday	07:00 hours to 01:00 hours
	Saturday	07:00 hours to 01:00 hours
	Sunday	07:00 hours to 00:00 hours

Further Detail

Recorded music, including juke box and karaoke, with or without a DJ, during normal business or as part of functions, and including audience participation.

Non-Standard Timing

When hours for sale of alcohol are extended on Bank Holidays, these hours are also extended until 01:00 the following morning.

Location of activity : Indoors

Regulated - anything similar	Monday	10:00 hours to 00:00 hours
	Tuesday	10:00 hours to 00:00 hours
	Wednesday	10:00 hours to 00:00 hours
	Thursday	10:00 hours to 00:00 hours
	Friday	10:00 hours to 01:00 hours
	Saturday	10:00 hours to 01:00 hours
	Sunday	10:00 hours to 00:00 hours

Further Detail

N/A

Non-Standard Timing

When hours for sale of alcohol are extended on Bank Holidays, these hours are also extended until 01:00 the following morning.

Location of activity : Indoors

Late Night Refreshment	Monday	23:00 hours to 00:30 hours
	Tuesday	23:00 hours to 00:30 hours
	Wednesday	23:00 hours to 00:30 hours
	Thursday	23:00 hours to 00:30 hours
	Friday	23:00 hours to 01:30 hours
	Saturday	23:00 hours to 01:30 hours
	Sunday	23:00 hours to 00:30 hours

Further Detail

Provision of hot drinks, meals and heated snacks, particularly during the wind down period.

Non-Standard Timing

When hours for sale of alcohol are extended on Bank Holidays, these hours are also extended until 01:30 the following morning.

Location of activity : Indoors

Alcohol Sale	Monday	10:00 hours to 00:00 hours
	Tuesday	10:00 hours to 00:00 hours
	Wednesday	10:00 hours to 00:00 hours
	Thursday	10:00 hours to 00:00 hours
	Friday	10:00 hours to 01:00 hours
	Saturday	10:00 hours to 01:00 hours
	Sunday	10:00 hours to 00:00 hours

Further Detail

N/A

Non-Standard Timing

10:00 New Year's Eve - 01:00 January 2nd.
 10:00 - 01:00 on Bank Holiday weekends (Friday/Saturday/Sunday/Monday),
 Christmas Eve and Boxing Day.

Sale of alcohol to be for consumption : On and off the premises

Designated Premises Supervisor

Name: Mr Jon-Paul Stubbings
Address: The Royal Arms
172 Farnborough Road
Farnham
Surrey
GU9 9AX
Personal Licence Number (If known): WAV2005PER/0460
Issuing Licence authority (If known): Waverley Borough Council
Expiry date: 05/12/2015

Opening Hours	Monday	07:00 hours to 00:30 hours
	Tuesday	07:00 hours to 00:30 hours
	Wednesday	07:00 hours to 00:30 hours
	Thursday	07:00 hours to 00:30 hours
	Friday	07:00 hours to 01:30 hours
	Saturday	07:00 hours to 01:30 hours
	Sunday	07:00 hours to 00:30 hours

Further Detail

N/A

Non-Standard Timing

Opening hours may be extended on Bank Holidays, Christmas Eve and Boxing Day until 01:30 the following day.

ELEMENTS OF OPERATING SCHEDULE TO ADDRESS LICENSING OBJECTIVES:

a) General - all four licensing objectives (b,c,d,e)

Staff shall be trained on the requirements of the Licensing Act 2003 when they are recruited and shall be given training in "drugs awareness" as part of their induction.

b) The prevention of crime and disorder

There shall be access to the pub's toilet facilities and provision of non-alcoholic refreshment during the wind down period.

The Designated Premises Supervisor shall be a member of the Farnham Pubwatch scheme, so long as it exists.

c) Public Safety

The licensee and staff shall have regard to any risk identified in the risk assessment.

d) The prevention of public nuisance

Live music shall end at 23:30 except on New Year's Eve and New Year's Day.

Recorded music indoors shall end at 00:00 on Sundays - Thursday and at 01:00 on Friday and Saturday except on New Year's Eve and New Year's Day.

Recorded music volume shall be reduced during a wind down period during the above hours to background level to create a mood change.

The garden shall be closed at or before 23:00.

Notices shall be displayed prominently at the exits asking customers to leave the premises quietly.

The kitchen extract filters shall be cleaned regularly to minimise the impact of cooking smells on neighbours.

e) The protection of children from harm

See Conditions 3, 4 and 5 in Annexe 3 below.

Conditions agreed with the Environmental Health Officer:

1. The licensee shall install a lobby to the main entrance, so as to provide two sets of doors separating the bar area from the outside of the premises. All doors shall be fitted with self-closers and maintained in good working order. The distance between the inner and outer doors shall be sufficient to ensure that one door set is normally closed as people pass through the lobby.
2. External doors and windows serving the licensed area shall be kept shut at all times. Doors may be opened for normal entrance and egress of people but must be shut immediately thereafter and must be fitted with self-closers, which shall be maintained in good working order.
3. The outside seating area shall not be used for any purposes between 23:00 hours and 08:00 hours.
4. The licensee shall display notices at all public exits requesting customers to take all steps to minimise noise once they have left the premises. The wording and size of such notices shall be agreed in writing with the Environmental Health Section at Waverley Borough Council.

Annexe 3 – Conditions attached after a hearing by the Licensing Authority

1. The Licence Holder shall maintain a comprehensive digital colour CCTV system at the premises, initially to cover the main building and car park and then from 31st March 2010 to ensure all public areas of the licensed premises are monitored, including all public entry and exit points, car park and garden. The system to enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and video recordings shall be available for a minimum of 31 days with time and date stamping. Recordings shall be made available to an authorised officer or police officer together with facilities for viewing. The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours notice (subject to the requirements of the Data Protection Act 1998).
2. A personal licence holder shall be on duty at the premises at all times when alcohol is being sold.

3. Staff to be trained in the basic law relating to the sale/supply of alcohol and drug awareness and written records will be kept for inspection. This will include the law relating to both the sale and the consumption of alcohol to persons under 18 and the refusal of sale of alcohol to persons who are drunk. There is to be an ongoing training regime.
4. The premises to operate a "Challenge 21" policy and will only accept passport, photo driving licence or ID cards bearing the PASS hologram as forms of identification.
5. A log shall be kept detailing all refused sales of alcohol. The log to include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by police or an authorised officer of the Borough Council or Trading Standards.
6. An incident log shall be kept at the premises and made available on request to an authorised officer of Waverley Borough Council or Police, which will record the following:-
 - a. all crimes reported to the venue;
 - b. all ejections of patrons;
 - c. any complaints received;
 - d. any incidents of disorder;
 - e. seizure of drugs of offensive weapons;
 - f. any faults in the CCTV system;
 - g. any visit by a relevant authority or emergency service.
7. When the premises is booked for a private event then written records will be kept of the name, address and contact details of the person making the booking. These records will be made available to the police on request.
8. No licensable activities shall take place in the garden or outside areas after 19:00.
9. A lock and an alarm shall be fitted to all external windows/fire doors which alerts staff when they are opened without authorisation.
10. If by 31st March 2010 the noise nuisance from music has not been controlled by the closure of doors and windows, a noise limiting device shall be installed, fitted and maintained in such a manner and to the satisfaction of Waverley Environmental Health Service, as to control all sources of amplified music at the premises so that it will be inaudible at neighbouring properties.
11. No inflatable play equipment, and associated plant or machinery, shall be used after the hours of 19:00 and a time switch be fitted to ensure the equipment deflates by that time.

Annexe 4 – Plans

Attached

WAVERLEY BOROUGH COUNCIL

LICENSING ACT 2003

NOTICE OF APPLICATION TO REVIEW A PREMISES
LICENCE

THE ROYAL ARMS, 172 FARNBOROUGH ROAD, HEATH
END, FARNHAM, SURREY, GU9 9AX

NOTICE IS HEREBY GIVEN that an application has been made to the Licensing Authority of WAVERLEY BOROUGH COUNCIL for review of a premises licence under Section 51 of the Licensing Act 2003. Details of the grounds of the application for review of the licence are as follows:

Jon-Paul Stubbings is the licence holder and the Designated Premises Supervisor for The Royal Arms. He has failed to exercise proper management of the premises and also failing to comply with the Licensing Objective regarding Prevention of Crime and Disorder. The Review seeks to remove Jon-Paul Stubbings as the Designated Premises Supervisor.

Any responsible authority or interested party wishing to make representations on this matter must submit those representations in writing to Licensing Section, Waverley Borough Council, Council Offices, The Burys, Godalming, Surrey, GU7 1HR by not later than **Monday, 10th December 2012** stating the grounds on which the representation is made. Written representations may also be made by e-mail to: licensing@waverley.gov.uk.

Please note that it is an offence under Section 158 of the Licensing Act 2003 knowingly or recklessly to make a false statement in connection with an application for review and any person making such a statement shall be liable, on summary conviction, to a fine not exceeding level five on the standard scale (currently £5,000).

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 Sgt 435 Ian St John.....

(Insert name of applicant)

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

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description The Royal Arms 172 Farnborough Road Farnham Surrey	
Post town Farnham	Post code (if known) GU9 9AX

Name of premises licence holder or club holding club premises certificate (if known) Mr. Jon-Paul Stubbings

Number of premises licence or club premises certificate (if known) LN/000002537

Part 2 - Applicant details

I am

Please tick yes

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

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

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

Please tick

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

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Surrey Police PO Box 101 Guildford Surrey GU1 9PE
Telephone number (if any) 01483 631318
E-mail address (optional) 935@surrey.pnn.police.uk

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

Please tick one or more boxes

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

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

1. The Premises Licence Holder and Designated Premises Supervisor is failing to exercise proper management of the premises
2. The Premises Licence Holder and Designated Premises Supervisor is failing to promote the Licensing Objectives contained in the Licensing Act 2003.

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

The Royal Arms is a public house situated at the side of a main road on the outskirts of Farnham.

It is owned by Enterprise Inns and the current Premises Licence Holder and Designated Premises Supervisor is Mr Jon-Paul STUBBINGS
Mr Stubbings has been running the premises since 2006.

Surrey Police wish to bring to the attention of the Licensing Committee the behaviour of Mr Stubbings during an incident at the premises on Saturday 20th October 2012 which we feel is completely unacceptable.

The details of the incident are as follows:

At approximately 18:25hrs on Saturday 20th October 2012 two uniformed Hampshire Police Officers were driving a marked police vehicle past the premises when they saw a vehicle driving from the pub car park to its entrance with Upper Weybourne Lane in an erratic manner. On seeing the police vehicle the vehicle reversed back into the car park and the driver and passenger alighted from the vehicle and started to walk quickly towards the pub.

The police officers drove into the car park and the driver of the vehicle was stopped and led back to the police vehicle.

The driver was required to provide a specimen of breath for a breath test and as he had only finished his last drink 5 minutes earlier the officers had to wait a further 15 minutes before the breath test could be administered.

The passenger and another male from inside the pub then walked over to the officers and began to argue with one of them in a heated manner.

Whilst the officers were waiting in the car park they were also approached by Mr STUBBINGS who stated that he was the licensee and wanted them off his car park as they were effecting his trade. It was explained to him that the officers would leave once they had finished the breath test procedure.

Mr STUBBINGS then became agitated and abusive demanding that the officers leave the car park. Again it was explained to him that they would leave once the procedure was completed. STUBBINGS then said to one of the officers "you're just a cunt"

The officer then gave Mr STUBBINGS a warning regarding an offence under section 5 of the public order act and that he was liable to arrest if he continued.

STUBBINGS was then heard to phone the police control room on his mobile phone and demand that they tell the officers to leave. Having finished the call he demanded the officers details and said that he would be making a complaint.

The officers then completed the breath test procedure and the driver was arrested and conveyed to Aldershot Police Station where he was found to be three times above the legal limit of alcohol in breath.

The following day one of the officers returned to the Royal Arms to confirm that it was the licensee that had spoken to them as they could not believe that a licensee would behave in that manner.

When the officer arrived at the premises Mr Stubbings was stood at the door and the officer immediately recognised him as the person who had spoken to them the evening before.

The officer explained that he required his details and Mr STUBBINGS replied, "OK but we will do it down the road, you are bad for business."

Mr STUBBINGS then sat in the police vehicle and they drove approx 100 meters away from the pub. As the officer was driving STUBBINGS was seen to take out his

Please tick yes

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

If yes please state the date of that application

Day Month Year

2	1	1	0	2	0	0	9
---	---	---	---	---	---	---	---

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

An application for a review of the premises was previously made on 21st October 2009 on the grounds that the premises licence holder and designated premises supervisor were failing to exercise proper management and control over the day to day running of the premises. Also that the premises licence holders and designated premises supervisor were failing to promote the licensing objectives contained in the licensing act 2003

This was as a result of a number of incidents at the premises, complaints of noise and and a number of failed test purchases at the premises.

The outcome of the hearing was that the Sub-Committee anticipated the establishment of a better relationship between the Designated Premises Supervisor and the relevant authorities and therefore decided to modify the licence to include new and amended conditions

Please tick yes

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

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

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature

.....

Date +12th November 2012

.....

Capacity Neighbourhood Support Sergeant

.....

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

Mr Peter Hathaway
Waverley Licensing Officer
Surrey Police
PO Box 101
Guildford
Surrey

Post town
Guildford

Post Code
GU1 9PE

Telephone number (if any) 01483 639512

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) 10378@surrey.pnn.police.uk

Notes for Guidance

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

Kate Halsall

From:
Sent: Sunday 09 December 2012 11:59
To: Licensing Policy
Subject: (1) Review of bar licence Royal Arms Heath End

I have lived in Upper Hale for 42 years and am a regular pub user. Having been a regular of the Royal Arms for many years I was very surprised to hear and indeed read about the decision to review the Royal Arms licence.

I have always found the licensee John Paul Stubbings to be a decent and efficient landlord as are the staff and the establishment to be very well run.

It would appear that an exchange of words between a police sergeant and Mr Stubbings has led to a shadow of uncertainty over the future of the pub itself. Surely it should never have come to this.

Regards

Kate Halsall

From:
Sent: Sunday 09 December 2012 14:27
To: Licensing Policy
Cc: stubbings1@aol.com
Subject: Jon Paul Stubbings, The Royal Arms, Farnham

③

To whom it may concern,

I am writing to you regarding the proposed review of the licence for the above named.

I am a local resident within the area with three school aged children and we have used the pub frequently throughout the year. I have always found the place welcoming and friendly with the Landlord going over and beyond his duties to make sure that both myself and my children are catered and cared for. I am shocked and appalled at the recent events concerning his review as I was present at the time the police officer was on the premises on the evening in question. In my opinion, the only concern that the officer had was to cause as much disruption as possible for both the Landlord and his customers at such a busy time for them. The police vehicle blocked the entrance and exit to the property where there were spaces within the car park that they could have parked in. I understand that they had a duty to do but I do not agree with making a hardworking upholding citizen as Jon Paul Stubbings an example when he did everything possible to keep the situation from occurring. I understand that the review is for 4 of the licensing objectives. May I ask on what grounds has the Landlord in question breached 4 out of 5 of his objectives?

I have been into the pub during both daytime and evenings with and without my children. I have seen first hand how caring and considerate the Landlord is with all age ranges and types of people so I am sure you can appreciate my confusion at this review which is quite simply a case of the law and the licensing committee which both promote and dedicate their time to caring for the community "making an example". May I suggest that the objectives which are set to such dedicated, hardworking individuals such as Jon Paul are also extended and promoted by the local authorities to protect these people so that such false allocations are not allowed to happen simply because the law has a grievance with an individual so let's be realistic, it is their livelihood, business and good name that is at stake here and I am disgusted that both the local authorities and the local police, which I now hold no respect for have let things get this far.

The Royal Arms has recently been upgraded to 5 in their food and hygiene and been credited for their fire and safety. Unless I am mistaken, these are not the actions of a public house that are not complying to their objectives but one that is excellent and I congratulate the Landlord and his staff for such an achievement.

The review should therefore be thrown out and if anything both the local authorities that have proposed this should in fact be under review for failing their objectives to protect the community, which does include businesses and respected people.

I look forward to your response.

Kind regards

4

Licensing [redacted]
[Type the recipient address]

Dear sirs

I write to you today with regard to the public notice displayed at the Royal Arms public house in

Heath end Farnham. After reading the afore mentioned notice I enquired via the licensee of the premises as to the nature of the complaint that had preceded the addition of the notice to the décor of his establishment. The licensee then produced a Document claiming to be a statement of fact for an incident that allegedly occurred on the 20/10/2012 in the car park area of his hostilery.

I can confirm that I was in attendance throughout this alledged incident & my recollection of events appears to differ somewhat from the police officers. (Perhaps the second officer present could help to clarify things) The officer states that Mr Stubbings verbally abused him during this incident and the only reason he did not arrest him was that he was dealing with the drink driving offence. Surely if the offence occurred as stated by the officer, the second officer in attendance would have intervened and dealt with Mr. Subbings. There is also the matter of the public order offence that the officer claims took place. If such an offence did occur, then what was this other officer doing whilst this near riot erupted. Perhaps these were the only 2 serving officers between the Hampshire & surrey forces on that day otherwise they may have been able to request another car be sent to quell the uprising of the peasants whilst they dealt with the heinous crime committed by the drink driver. Indeed upon reading the facts the officers should be commended for their outstanding bravery. However it did not escape my attention that the officer failed to mention his previous dealings with Mr Stubbings or the fact that he had been trying to [redacted] for some time. He also fails to mention a previous visit to the car park which was purely to make his presence known. I would suggest to you that this officer suffers feeling of inadaquacey (very much justified) and is

[redacted] I strongly suggest that the evidence of this obsequious little man is disregarded.

Kate Halsall

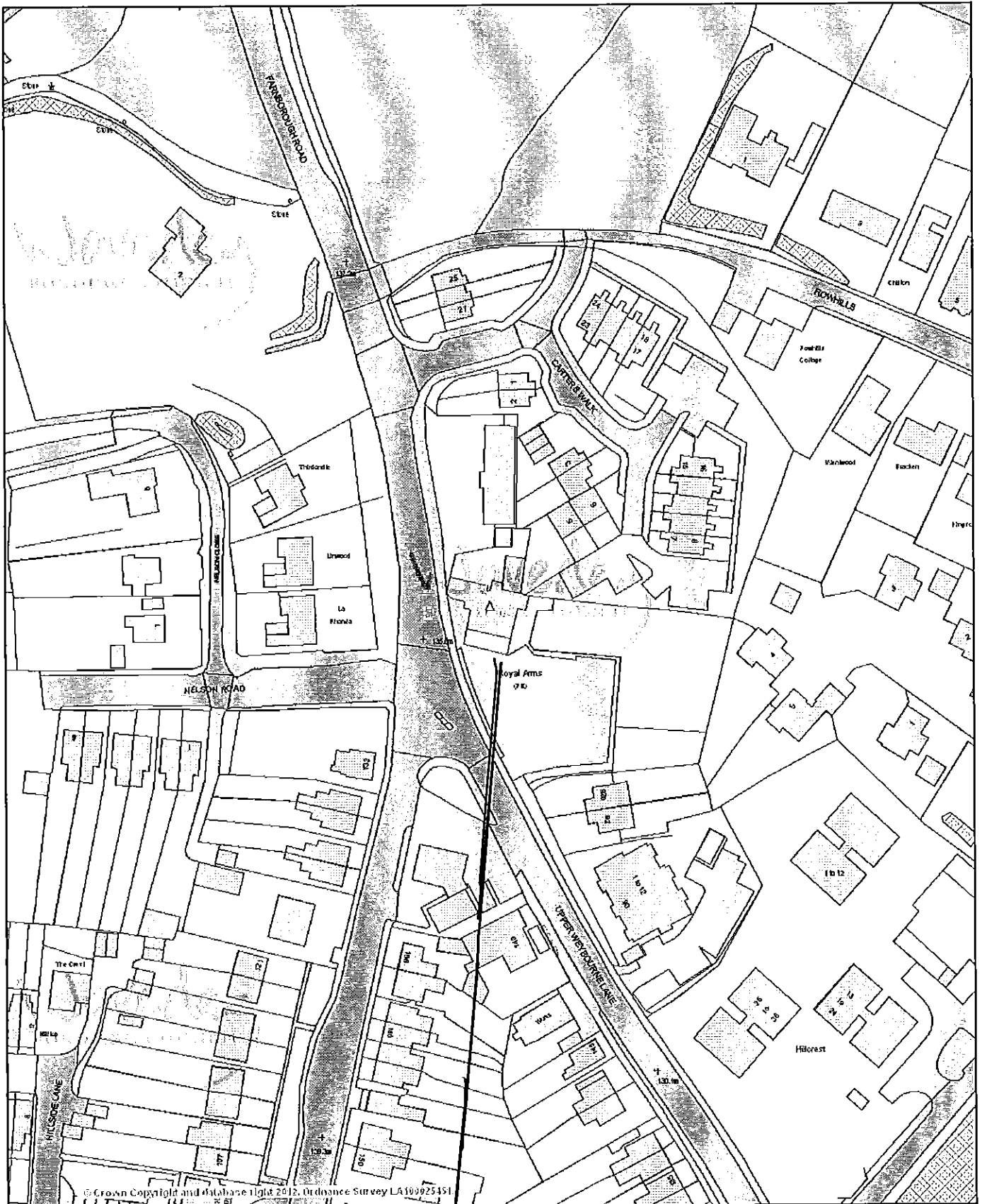
From: Sunday 09 December 2012 13:51
 Sent: Licensing Policy
 To: Royal Arms
 Cc: License review
 Subject:

②

Dear sir/ madam

I write in response to the license review of the royal arms and the supposed "failure to prevent crime and disorder" and poor management, I strongly disagree with this, the royal arms is well run and does its utmost to uphold the law, in the last three years it has had dramatically reduced the number of incidents occurring within the premises, it has put in place a strong structure where misbehaviour is not condoned, stamped down a firm drugs policy, it has removed all trouble makers by a firm member of pubwatch, the pub has successfully passed trading standards underage test purchases (again this came with no creditation yet they are quick to arrest me when we fail), we have also developed full training plan, hold 5 licences on site currently, have developed the food rating from a 3 star, to 4 star and then completed this month with a 5 star, this can not go any higher, we also have a clean bill of health from the fire officer, full health and safety compliance in place, the pub has become a centre for the community holding family events for christmas, Easter, throughout the year, it is a safe environment, well run, haven for families to relax, and this is shown in our results with the relevant agencies, the statement that I run the royal badly and mismanaged is complete lies, the reports show this, the statement of the officer is [REDACTED], if I had committed an offence that night I would have been arrested or cautioned, but I wasn't because I did nothing, this is an officer that didn't like me pointing out to him he was creating a hazard on the road, and a potential accident to people's safety by distracting drivers because of his publicity antics of trying to create a big public event on an individual, who had been caught, was not putting up any kind of preventative measures who simply wanted to be dealt with discreetly and swiftly and taken away, instead was subjected to an officer of the laws need to bully and embarrass an individual [REDACTED] evening which is why on the tuesday following the event [REDACTED] it is appalling that one man's lies can bring my reputation into disrepute however fortunately together with evidence showing how the pub is well run and law abiding Yours sincerely Jon Paul Stubbings

Sent from my iPhone



Waverley Borough Council
 The Bury, Godalming, Surrey
 GU7 1HR
 Telephone: 01483 523333
 Fax No: 01483 523118



The Royal Arms, Farnham

© Crown Copyright and database right 2012. Ordnance Survey LA100025451.

Scale 1/1250 Date 17/12/2012

Centre = 484829 E 149649 N



11. Reviews

THE REVIEW PROCESS

- 11.1 The proceedings set out in the 2003 Act for reviewing premises licences represent a key protection for the community where problems associated with the licensing objectives are occurring after the grant or variation of a premises licence.
- 11.2 At any stage, following the grant of a premises licence, a responsible authority, or an interested party, may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.
- 11.3 In addition, a review of the licence will normally follow any action by the police to close down the premises for up to 24 hours on grounds of disorder or noise nuisance as a result of a notice of magistrates' court's determination sent to the licensing authority.
- 11.4 Licensing authorities may not initiate their own reviews of premises licences. Officers of the local authority who are specified as responsible authorities under the 2003 Act, such as environmental health officers, may however request reviews on any matter which relates to the promotion of one or more of the licensing objectives.
- 11.5 Representations made by a department of the local authority which is a responsible authority should be treated by the licensing authority in precisely the same way that they would treat representations made by any other body or individual.
- 11.6 In every case, the representation must relate to particular premises for which a premises licence is in existence and must be relevant to the promotion of the licensing objectives. After a licence or certificate has been granted or varied, a complaint relating to a general (crime and disorder) situation in a town centre should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.
- 11.7 Representations must be in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing.
- 11.8 It is important to recognise that the promotion of the licensing objectives relies heavily on a partnership between licence holders, authorised persons, interested parties and responsible authorities in pursuit of common aims. It is therefore equally important that reviews are not used to drive a wedge between these groups in a way that would undermine the benefits of co-operation. It is good practice for authorised persons and responsible authorities to give licence holders early warning of their concerns about problems identified at the premises concerned and of the need for improvement. A failure to respond to such warnings is expected to lead to a decision to request a review.
- 11.9 Where the request originates with an interested party – e.g. a local resident, residents' association, local business or trade association – the licensing authority must first consider whether the complaint made is relevant, vexatious, frivolous or repetitious.

11.10 Further information for interested parties about the review process is available in "Guidance for interested parties: applying for a review" which can be found on the DCMS website.

REPETITIOUS REPRESENTATIONS

11.11 Relevance, vexation and frivolousness were dealt with in paragraphs 9.8 – 9.13 above. A repetitious representation is one that is identical or substantially similar to:

- a ground for review specified in an earlier application for review made in relation to the same premises licence which has already been determined; or
- representations considered by the licensing authority when the premises licence was first granted; or
- representations which would have been made when the application for the premises licence was first made and which were excluded then by reason of the prior issue of a provisional statement;

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

11.12 Licensing authorities are expected to be aware of the need to prevent attempts to review licences merely as a second bite of the cherry following the failure of representations to persuade the licensing authority on earlier occasions. It is for licensing authorities themselves to judge what should be regarded as a reasonable interval in these circumstances. However, the Secretary of State recommends that more than one review originating from an interested party should not be permitted within a period of twelve months on similar grounds save in compelling circumstances or where it arises following a closure order.

11.13 The exclusion of a complaint on the grounds that it is repetitious does not apply to responsible authorities which may make more than one request for a review of a premises within a 12 month period.

11.14 When a licensing authority receives a request for a review from a responsible authority or an interested party or in accordance with the closure procedures described in Part 8 of the 2003 Act, it must arrange a hearing. The arrangements for the hearing must follow the provisions set out by the Secretary of State in regulations. The details may be viewed on the DCMS website. The Secretary of State considers it particularly important that the premises licence holder is fully aware of the representations made in respect of the premises, any evidence supporting the representations and that they or their legal representatives have therefore been able to prepare a response.

POWERS OF A LICENSING AUTHORITY ON THE DETERMINATION OF A REVIEW

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

11.16 The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such warnings as an important mechanism for ensuring that the licensing

objectives are effectively promoted and that warnings should be issued in writing to the holder of the licence. However, where responsible authorities like the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to concerns, licensing authorities should not merely repeat that approach.

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

- to modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- to exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
- to remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- to suspend the licence for a period not exceeding three months;
- to revoke the licence.

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

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

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

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

REVIEWS ARISING IN CONNECTION WITH CRIME

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

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

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

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

REVIEW OF A PREMISES LICENCE FOLLOWING CLOSURE ORDER

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

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

RESTRICTED (when complete)

MG11

WITNESS STATEMENT

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

Statement of: Daniel Eaves URN
Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Constable

This statement (consisting of 2 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] (witness) Date: 02/11/12

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

I am Police Constable 25583 Daniel Eaves.

I am employed by Hampshire Constabulary and I am currently based at Fleet Police Station.

On Saturday 20th October 2012 I was on duty in full uniform. At approximately 1825 hours I was crewed with Police Sergeant Paul PLEWS in a marked police vehicle. Sergeant PLEWS was driving at the time. We were on Upper Weybourne Lane and passing the ROYAL ARMS public house. As we were approaching the junction of the A325, I noticed a van registration [redacted] being driven in an erratic manner. The van stopped at the exit of the pub's car park which is situated off Upper Weybourne Lane. The driver was looking directly at our police vehicle. I watched the van to see which direction it was going to turn. It remained stationary for some time which I thought was rather odd because there was no traffic and he was free to move off. The van was then reversed towards a parking space at speed. In the process it nearly struck a parked vehicle. I suspected by the manner of driving, that the driver could be over the alcohol limit. Sergeant PLEWS drove the police vehicle into the pub car park and stopped it in front of the van to prevent it from being driven any further.

The driver and passenger exited the van swiftly and started walking at pace towards the pub. I was instructed by PC PLEWS to stop the driver as he also suspected that he may be over the legal limit. Despite calls from myself and Sergeant PLEWS the driver ignored us until he was eventually stopped by Sergeant PLEWS.

I could smell intoxicating liquor on the driver and suspected he was drunk. I heard Sergeant PLEWS tell him that he required a specimen of breath. The driver who I now know to be [redacted] said to Sergeant PLEWS that he had his last drink 5 minutes previous. I heard Sergeant PLEWS say to him that we would need to wait a further 15 minutes to allow the mouth alcohol to disperse.

Signature: [Handwritten Signature] Signature witnessed by:

2010/11

RESTRICTED (when complete)

At this point I noticed that the passenger of the vehicle and another male from inside the pub had walked over to our location. They began to argue with me telling me we had no right to deal with [REDACTED] and wanted us to leave immediately.

While we were waiting with [REDACTED] another male appeared from the Pub. He stated that he was the licensee and wanted us to leave as he believed that the police presence was effecting his trade. I heard Sergeant PLEWS say to him that we would leave as soon as we could but could not until we had completed the roadside breath test as required. With this he became abusive and demanded us to leave immediately saying that we were on private property. Sergeant PLEWS explained again in a calm manner that we needed to complete the test procedure. I heard him reply to Sergeant PLEWS 'YOU'RE JUST A [REDACTED]'. His behaviour appeared to influence the passenger of the van to also become agitated further.

This was something that shocked and surprised me. It was not the sort of behaviour I expected from a public house licensee, especially in front of customers and in a public place. Myself and Sergeant PLEWS had remained calm throughout the incident and saw no reason for either of us to be spoken to in such way. At the time I struggled to believe that he was the licensee for that reason.

I heard Sergeant PLEWS warn the male reference to Section 5 Public Order regarding his abusive language in a public place. I saw the male using a mobile phone and heard him talking to what I assumed was a police control room. He appeared to abruptly terminate the call before telling Sergeant PLEWS and myself that he wanted our details as he wished to make a complaint. I wrote my details on the back of the card supplied by Sergeant PLEWS.

[REDACTED] was arrested by Sergeant PLEWS and we left the car park in order to take [REDACTED] to ALDERSHOT POLICE STATION. He was found to be three times over the alcohol breath limit. *[Signature]*

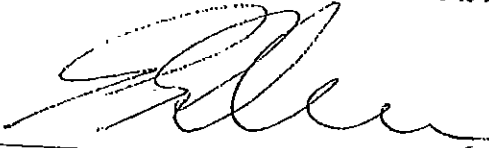
Signature: *[Signature]* Signature witnessed by:

WITNESS STATEMENT

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

Statement of: PS 2365 Paul PLEWS URN
Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Sergeant

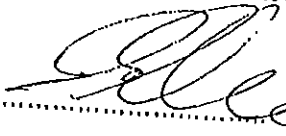
This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:  (witness) Date: 01/11/12

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

I am Police Sergeant 2365 Paul PLEWS a Sergeant with the roads policing unit Hampshire Constabulary. I am a police advanced driver trained in pursuit and response driving and an Impaired Driver Unit Sergeant specialising in impaired driving detection and prosecution. I have been a Roads Policing Unit Sergeant for approximately 11 years. At approximately 18.25 hrs on Saturday 20th October 2012 I was on full uniformed patrol in a marked police vehicle in company with PC Daniel EAVES who was acting as an observer in the police vehicle. At this time we had driven up Upper Weybourne Lane and were passing The Royal Arms public house when I saw a vehicle van Index [REDACTED] start up and drive towards the exit of The Royal Arms public house car park in an erratic manner. The van stopped at the exit from the car park which is a junction with Upper Weybourne Lane, the driver a white male was looking directly at the police vehicle and I was watching the van to see which way it would turn. The van then reversed at speed back towards the parking space it had just driven from. The van very nearly struck a parked unattended vehicle in the car park. I followed the van and drove my police vehicle into the car park stopping in front of the van in such a manner as to prevent further movement. The driver and passenger alighted from the van and the driver started to walk very quickly towards The Royal Arms Public House. I instructed PC EAVES to stop the driver as I suspected he may be over the legal limit. Despite calls from both PC EAVES and I to stop the driver tried to walk away until I stopped him and led him back to my police vehicle.

The driver smelt strongly of intoxicating liquor and I suspected he was drunk. I required a specimen of breath from the driver who was later identified as [REDACTED], [REDACTED] told me had had finished his last drink just 5 minutes previously and therefore I explained that we would wait a further 15 minutes to allow any mouth alcohol to be excreted. The passenger from the vehicle and a male from inside the pub then walked over to my location and began to argue with PC EAVES in a heated manner. I will refer to these males as Passenger and Male 1.

Signature:  Signature witnessed by:

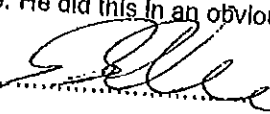
Whilst waiting with [REDACTED] a male approached myself and PC EAVES declaring he was the licensee and that he wanted police off his car park as we were effecting trade. I will refer to this male as STUBBINGS as he later identified himself. I explained that I would leave as soon as I could but not until I had completed the roadside breath test procedure and as [REDACTED] would not voluntarily sit in the police vehicle I could not leave the car park at that time. STUBBINGS declared himself the licensee and then became agitated and abusive demanding that we leave the area as it was private property, I had no right to be there and he would have me removed. The male was exhibiting signs which in my experience and training I would associate with a heightened threat, his lips were tight, his voice was raised he was clenching and unclenching his mobile phone and pointing at me with an extended finger as he told me to leave the car park, it was private property. Each time I tried to speak calmly to STUBBINGS whilst ensuring I was in control of [REDACTED] STUBBINGS would raise his voice level shouting over me. As STUBBINGS spoke he was swaying from left foot to right foot in the manner I have described as agitated. I explained that we would leave once the procedure was completed and he stated "YOU'RE JUST A [REDACTED]". I warned STUBBINGS reference section 5 of the public order act and that he was liable to arrest if he continued. STUBBINGS then phoned a police control room on his mobile phone and began to demand that they tell me to leave when he was told that I was doing my job he terminated the call and proceeded to continue to argue with me telling me he wanted my details he would be making a complaint. I gave STUBBINGS a card with my details and explained that he did not require PC EAVES as I was his supervisor. STUBBINGS demanded PC EAVES details and these too were supplied.

[REDACTED] was arrested and we left the car park taking [REDACTED] to Aldershot police station where he was found to be three times the legal limit of alcohol in breath.

After the arrest of [REDACTED] I noted that the passenger from the van and Male 1 began to argue heatedly in the car park area in front of STUBBINGS. MALE 1 removed his jacket and began to shout at passenger "IF YOU WANT TO GO THEN LETS GO HERE AND NOW! COME ON!". PC EAVES Intervened and passenger and male 1 walked off towards the pub still arguing but in a less heated manner STUBBINGS had made no efforts to Intervene and in fact appeared to find it amusing when PC EAVES told the males to calm down or they too would end up arrested.

I returned the next day to speak to the licensee as I could not believe the male (STUBBINGS) who had spoken to me was a licensee. My intention was to inform the licensee and have an entry made in the licensed premises register. However when I arrived at the Royal Arms Public House the same male (STUBBINGS) was stood at the door and I immediately recognised him as the male who had identified himself as the Licensee. I spoke to STUBBINGS starting to explain why I was there when STUBBINGS said "AH WE MEET AGAIN". I replied "Yes Sir you are the gent I have come to see about last night. I need some details". The male replied "OK BUT WE WILL DO IT DOWN THE ROAD YOU ARE BAD FOR BUSINESS".

I agreed and sat STUBBINGS in my police vehicle driving 100 metres or so away from the car park of the pub. As I drove I saw STUBBINGS remove his mobile phone and place it on record, the screen was showing the image of a microphone. He did this in an obvious attempted covert manner.

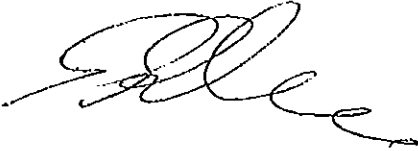
Signature:  Signature witnessed by:

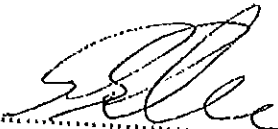
I explained to STUBBINGS that as the licensee I required his details to verify this and to place an entry in the register. STUBBINGS stated that he would not give me any details until he had spoken to a solicitor. I explained that as a licensee he was required to assist police and provide details on request. I explained that if he would not do so then I would have to attend the pub to verify details.

STUBBINGS continued to be very obstructive and difficult becoming increasingly irate but eventually gave his details as Jon-Paul STUBBINGS and his address as 172 Farnborough Road (the Pub). His conversation in the vehicle which I was aware he was recording on his mobile phone was that he would not give me any details he wanted to know if he was under arrest and I explained to him that he was not but that he was obliged to give me his details. STUBBINGS made numerous references to me saying "YOU ARE DENYING ME THE RIGHT TO A SOLICITOR THEN" "YOU ARE NOT ALLOWING ME TO CONTACT A SOLICITOR I WILL COME AND SEE YOU AT THE POLICE STATION AFTER I HAVE SPOKEN TO A SOLICITOR". Despite my calm and logical explanation of the reason for my visit it was not until I explained that I would have no option but to return to the Pub and conduct a licence premises check to verify the licensee details and his details that he gave his personal details. STUBBINGS alleged that he had been visited 4 times that day by police and that I was harassing him, I did explain that I had no idea about other visits but STUBBINGS shouted over me clearly demonstrating that he would not listen and would not engage in a calm conversation. STUBBINGS began to quote DPS references at me and when I explained that I would be passing details to the relevant authority for further enquires STUBBINGS began to shout "YOU DON'T KNOW YOUR JOB YOU HAVE NO IDEA WHAT YOU ARE TALKING ABOUT". I had made the decision that this was deteriorating to such a degree that I could not converse with STUBBINGS in a reasonable manner.

STUBBINGS then threatened me that he would be making complaints, that he had the previous night's incident on CCTV and I had obstructed his car park preventing trade (I refuted this as no other vehicles had attempted to enter whilst I was present and there was more than a car width available to pass my police vehicle). STUBBINGS told me that "POWERS GREATER THAN I OR YOU WILL BE DEALING". STUBBINGS left my police vehicle telling me that I had not heard the last of the matter.

I have conducted numerous licensed premises visits and spoken with many licensees and landlords. I have been treated courteously and returned this. I have noted the support of Licensees in policing duties. The behaviour exhibited by STUBBINGS was not what I would expect from a proper and competent person. Especially in front of other members of the public and patrons of the establishment.



Signature: 

Signature witnessed by: