

**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 Insp Sam Adcock

*(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**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> The Leathern Bottle 77 Meadrow Farncombe	
<b>Post town</b> Godalming	<b>Post code (if known)</b> GU7 3J

<b>Name of premises licence holder or club holding club premises certificate (if known)</b>  Mr Peter Hirons 27 Long Gore Farncombe Surrey GU7 3TE and Kevin YOUNG 22 Liddington Hall Drive, Guildford, Surrey, GU3 3AE
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<b>Number of premises licence or club premises certificate (if known)</b>  LN/000001983
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**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 Insp 4787 Sam ADCOCK Borough Commander Waverley Surrey Police
Telephone number (if any) GU1 9PE
E-mail address (optional) Sam.Adcock@surrey.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 checked="" 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)**

Surrey Police, as a Responsible Authority under section 13 (4) (b) of the Licensing Act 2003, request a Review of the Leathern Bottle, 77 Meadrow, Farncombe on the grounds of Prevention of Crime and Disorder and Public Safety.

This report has been completed by Surrey Police Licensing officer- Iain Scott.

PLH Peter Hirons and Kevin Young  
DPS Kevin Young  
Manager Karen Simmonds  
Staff Glenn  
Staff Beryl Huse

There have been 6 incidents reported to the Police since the 7<sup>th</sup> of July 2021.

Incident 1 04/07/2021 45210070363 Assault  
Incident 2 30/07/2021 45210080957 Racial incident  
Incident 3 30/07/2021 45210080993 Sexual assault  
Incident 4 03/09/2021 45210093336 GBH  
Incident 5 18/12/2021 45210133688 GBH  
Incident 6 30/05/2022 45220045824 common assault  
30/05/2022 45220045823 common assault

Surrey Police believe that the current DPS and his staff are not promoting the licensing objectives. Following these 6 incidents Police have had several meetings with the DPS to address their concerns and offer support. Surrey

Police are not satisfied with the response of the DPS and as a consequence seek the removal of the DPS and a closure of the premises.

The specific concerns relate to the fact that footage from the CCTV system for the two GBH and Common assault were not provided to Police. CCTV is a condition of the premises license and Police and Waverley Borough Council Licensing teams have had numerous meetings the DPS and his staff with the aim of complying with the premise license conditions. However the most recent incident although not as serious as previous incidents highlights Police concerns that the current DPS does not promote the Licensing objectives.

I have visited the premises on the following dates,

8<sup>th</sup> December 2021 To introduce myself to the DPS - not there.

21<sup>st</sup> December 2021 To enquire about the GBH that occurred on the 18<sup>th</sup> of December 2021. DPS not present. Spoke with manager Karen SIMMONDS who informed me that she had banned one party from the pub. However she had not informed him. No one from the premises put either party forward for a Pub watch ban.

23<sup>rd</sup> December attended premises for a planned meeting with the DPS and his business partner Petre Hiron. I informed them that i had concerns about the poor management of the premises. I discussed my options with them and requested that they provide me with an Action plan with the aim of reducing such incidents from occurring. In order to assist them in this process i gave them areas to focus on which included having an incident book with number pages that should be filled in once a significant incident occurred in the premises.

CCTV should be compliant with the current premise license with an additional condition of having a camera at the front of the premises.

In instances such as the serious assault that have been reported the management must notify the Pub Watch Chairman at the earliest opportunity with a view of banning the individual (s) from the pub and those in Godalming.

21<sup>st</sup> January 2022 I conducted a licensing visit to the premises. I spoke with the manager Karen Simmonds about not following through on putting the two parties on a pub watch ban following the GBH incident that occurred within the premises on the 18<sup>th</sup> of December. Karen informed me that this decision had been made by the current DPS Kevin YOUNG

3<sup>rd</sup> Feb 2022, I attended the premises and spoke with Karen Simmonds regarding the progress of her personal license application. I was informed that she had completed the course and had submitted the paper work to WBC. On the 7<sup>th</sup> of March i attended the premises in order to seek an update on the planned sale of the premise which i was informed would take place on the 1<sup>st</sup> of March 2022. I spoke with Beryl HUSE who is a personal license holder and works at the premises. She informed me that she believed the sale had been put back until the beginning of May 2022. She produced to me her personal license card but was unable to demonstrate to me her ability to operate the CCTV system as she stated that she had not been given the code. This was a clear breach of the premises license.

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

Incident 1. This occurred on the 4<sup>th</sup> of July 2021 and is referenced as 45210070363. This incident relates to a phonecall received from Glenn (barman at the Leathern Bottle & partner to the manager) reporting a group of 16 males refusing to leave pub at closing time. When asked to leave by a customer one male within the group has pushed the victim causing no injury. This was called in on Icad P21142802 0001hrs at 0001hrs. Police attended and a crime report was generated. From reading the icad and the crime report that the victim and witnesses did not want to provide a statement to Police. The icad records the victim as knowing the group of 16 males by recognition but not by name. He is fearful that if he supports a prosecution then he will be shot and therefore is not willing to provide an evidential statement.

Police concerns about incident 1 are that the staff have taken a booking from the group knowing that they having a propensity for violence. Following the assault they have refused to provide statements

Due to no support from the victims, witnesses and DPS this resulted in no further action.

Incident 2 and 3 are linked. On the 30<sup>th</sup> of July 2021, Police received all allegation of a sexual assault. This is referenced as 45210080993. The suspect was intoxicated within the premises when he has allegedly groped two different females. He has touched female 1 to her vagina area and then gone on to touch female 2's bottom. During both of these assaults the touching was made over the top of clothing and no direct skin contact or penetration was made. Shortly after the assaults a physical altercation has broken out due to what happened and police were called. Upon Police arrival the the suspect was identified and made a counter allegation that he had been the victim of a Hate crime 45210080957. Several Police units attended the incident. The two female victims refused to provide a statement supporting their allegation and no one was arrested. As regards the racial allegation the victim refused to provide a statement.

Police concerns regarding this incident are that another serious allegation has been made to Police. Again no staff member wanted to provide a statement and the result was no further action. There is no mention of the DPS being present,

Incident 4. On the 3<sup>rd</sup> of September 21 Police were called to a report of dangerous driving. This is referenced as 45210093336 – the 18 year old injured party as a result of the RTC caused as a result of the dangerous driving.

45210093377 – Affray, Regina victim

45210093371 – Criminal damage with intent to endanger life

The suspect in the dangerous drive and criminal damage with intent to endanger life is – aged 17. The suspects in the Affray are two brothers suspect 1 aged 17 and suspect 2 aged 25.

The vehicle that has been used in the offence was a blue Land Rover.

Police were called at 22:17 hrs (P21190243) by the informant who was reporting a rather chaotic scene of cars driving into each other, crowbars being seen and a person lying injured. This was at Meadow, Godalming, outside the Leathern Bottle Pub. Multiple cross references came in also - P21190212 – Details declined stating that a Land Rover was trying to run someone over. And P21190215 - where the informant – reporting a fight at the location.

Police deployed on a grade one response. Upon arrival, there was a large number of people on scene, and what appeared initially to be a large road traffic collision involving multiple vehicles. In the main carriageway A3100, directly outside the Leathern Bottle, facing towards Guildford was vehicle DS67COU white panel van . Crashed into this was the suspect vehicle blue Land Rover, empty as suspects had decamped and had ran down Cattershal Lane. Just up from this there was the motorcycle GU70GXZ. The driver was laid on the road, injured but being tended to by members of the public. As you then entered Meadow, vehicle SP52RJU silver BMW was there, heavily damaged on both the front and the back vehicle, uninjured but victim of offence). The scene was quite chaotic, with numerous witnesses and multiple accounts being given.

Traffic units attended to run the ARB. An OD (dog unit) unit was called to track the suspects down Cattershall Lane (Unsuccessful track) and a drone was deployed. From speaking to various witnesses, and obtaining a video from one of them taken at the scene. The observations of one of the attending officers was that two male customers were in the pub, and some form of argument has occurred with the two brothers, who were both in the pub also. This has escalated and suspect 2 and one of the male customers have had a physical fight outside the pub, on the grass area at the junction with Meadow and A3100.

At some point during this fight, suspect 1 has gone to the Land Rover and retrieved some form of weapon, described as a hammer or pole, and has chased the male customer with it. A friend of the male customer states he got into his car to move it away, but at this stage suspect 1 has got into the drivers seat of the Land Rover, and has repeatedly started to ram him. Witnesses describe the vehicle driving on the grass area trying to hit people, him being one of them. This is captured on a phone recording from a witness at the scene and I would urge the committee to view this.

In the footage the vehicle has then turned around in Meadow and has accelerated onto the carriageway A3100, straight into the path of GU70GXZ being driven by the 18 year old victim. The victim is seen to go over the bonnet and then laid in the road. Suspect vehicle has then reversed slightly, pulled out onto the A3100 and turned right, however its wheel was buckled. So it has driven straight into DS67COU, where it has come to a stop and it remained. By witness accounts, the two suspects have got out and fled down Cattershall Lane, not long before police turned up. At the end of FS/01, there is a good visual of suspect 1 exiting the drivers side door

As a consequence on the 16<sup>th</sup> of September 2021 Colin Whitear LIO for Waverley together with Paul Hughes Waverley Borough Council attended a meeting at the premises with the DPS. The topics discussed focused on the lack of CCTV at the premises, under age drinking at the pub and poor management of the pub. The DPS gave assurances to both Police and Council licensing that the CCTV system would be improved and comply with its conditions.

Police obtained an account from the victim in which he stated that he was just singing to himself and enjoying the ride.. He said that nothing seemed unusual. As he was driving along Meadow he did not see anyone in the road, didn't hear any shouting. He said there was nothing special going on. Then out of nowhere he was just hit and had no time to react. The vehicle that hit him had no lights on. He went over the handle bars and hit the ground. He doesn't remember anything between being hit and then landing on the ground.

When lying on the ground he looked to the left and saw the vehicle coming towards him so he moved out the way without any help from anyone else. He then watched the Land Rover run over his bike.

During the course of the investigation, investigating officers made a number of requests to the Manager for access to the CCTV. This was never forthcoming. An explanation was provided to Police by the manager that the internal CCTV system was connected to the ringdoorbell and only provided 30 second clips.

This investigation was led by DC Katz Guildford CID. She states that despite the seriousness of the offence there was a lack of support from those managing the pub and those customers attending the premises. This included failure by the DPS and his management to provide Police with access to the CCTV system and footage of the events within the pub. DC Katz has informed me that she made several requests to the manager for CCTV. The DPS failed to provide Police with access to the system. Police were provided with a one 30 second clip of footage showing persons within the pub prior to the incident. The explanation being that the CCTV system was linked to the ring doorbell to the front entrance. I have spoken with the investigating officers who having interviewed both suspects a decision has been made regarding suspect 2 to no further action for the as it is believed that there is insufficient evidence to provide a realistic prospect of a conviction at court. The reasoning has been listed as follows.

- 1) No evidential accounts have been provided that prove (or even suggest) Ernie was involved in the altercation / affray that took place.
- 2) The suspect was interviewed under caution and responded no comment to all questions.
- 3) No CCTV has been provided in relation to the affray.

Suspect 2 has been released under investigation and a file has been sent to the Crown Prosecution Service.

I have spoken with DC Katz who has investigated this matter. She has expressed to me her frustrations and challenges of this investigation. It is known that the two suspects were in the pub and it is suspected that an altercation has occurred within. This has not been possible to investigate thoroughly due to the fact that the premises did not provide CCTV from within other than one 30 second clip. This showed persons sat within the Pub. DC Katz made numerous requests to the manager at the premises for CCTV. The response varied from she was having difficulties in downloading to not knowing

how to operate it. DC Katz has provided a statement covering her frustrations during this investigation.

A further difficulty in this investigating has been the fact that some witnesses within the premises have not provided statements. Those that have provided statements have not been able to provide a sufficient details account of events. This becomes more concerning when you attend the premises and see how small the bar is.

I have visited the premises 7 times since taking up my position at LIO on the 1st of November 2021. I have met the manager Karen Simmonds and her partner Glenn.

I have had two meetings with the DPS at the premises to discuss my concerns about the poor management of the premises. On the 23rd of December in my meeting with the DPS he told me that he attends the premises 5 times a week and is hands on. He and his staff knew how to operate the CCTV. However when I asked him to show me how to operate it he did not know the password. His manager Karen did not know it. A phone call was made to someone else. The result was that the DPS was not able to show me the CCTV. On my next meeting I was informed that the CCTV system did not have hard drive and that was the reason it could not record, I informed the DPS that these two incidents were very concerning and I was considering my options. This included considering requesting a review of the license. I discussed my concerns around the failings of the safe running of the premises and asked the DPS to provide me with an action plan aimed at improving the current situation. I asked him to provide this to me by the 5th of January 2022.

I received the action plan on the 6th of January 22 from the Peter Hirons the business partner of the DPS. Having expressed my concerns about the two incidents I was disappointed to receive the following action plan.

Please see below:-

- Ensure all CCTV and cameras working and recording including regular daily checks
- Incident book to be updated same day of occurrence
- Anyone barred following incident to be advised on same day where possible
- All Staff to be made aware of actions to take if incident occur.

I felt this was totally insufficient and proceeded to draw up my own action plan.

Incident 5. On the 18th of December 21 another serious incident occurred. 45210133688 - Fight at the leathern bottle between multiple parties where the victim has sustained a cut to his neck supposedly from a bottle slash.



P21271962 relates to a 999 call at 21:38hrs regarding a large fight outside the premises on. The call stated that someone was bleeding from a wound and further calls were received stating that there was a large fight. Screaming could be heard and it was stated that two groups were fighting. The caller stated that someone had been bottled to the neck. Multiple calls came in and ambulance also called saying they were towards.

One of the officers in attendance PC Curran spoke to the group. Three witnesses identified the suspect as the person who had bottled the victim. The officer arrested the suspect on suspicion of GBH. He was covered in blood all over his shirt and jeans. The suspect was with his girlfriend who was described as being heavily intoxicated. The suspect was recorded on BWV as saying that he had been involved in a fight with several Travellers. Officers believe that there had been a 25th birthday party within the pub. It was the suspect's girlfriend's birthday. There had been tension between the suspect and the victim leading up to the assault. The suspect is alleged to have made derogatory remarks to the victim about a birthmark on his face.

As the suspect was leaving the premises he made another such comment which resulted in the victim pushing him out the door of the premises. This started a fight. Neither the victim or witness within the premises were prepared to provide a statement. Police asked for the CCTV from the premises but this was not provided. Police were shown 30 second extracts from the manager's mobile phone of the CCTV. The suspect was arrested on suspicion of Grievous Bodily Harm. In interview he stated that the injury had been caused as a result of an accident after the victim had pushed him out of the door whilst he was holding a Cake stand. Both the victim and suspect fell to the floor. He stated that the victim has injured his neck by falling onto the cake stand. Officers recorded that witnesses reported seeing the victim covered in blood and someone was heard to shout that he had been stabbed. The suspect then ran off chased by numerous customers from within the pub. Due to the fact that neither the victim, suspect, customers and staff were not willing to give a detailed account and the fact that the premises were not able to provide CCTV the result of the investigation was no further action.

On the 10<sup>th</sup> of January I attended the monthly Godalming Pub Watch meeting. Also in attendance was the DPS and his bar man Glenn. When asked by the chair of the Pub Watch if there was any premises putting anyone up for banning. Glenn stated that they were going to put one of the parties up for a ban. However he gave an explanation that because he was such a lovely guy they would not be doing this. The DPS remained largely silent.

The most recent incident occurred on the 30<sup>th</sup> of April 2022 when the informant called the Police stating that her husband was being attacked outside the pub. The time of the call was 2355hrs. Police attended including PS Edmonds. He did not go into the premises, however he did speak to the two victims a male and female who he described as both being intoxicated

He had body worn on throughout and at about 3 minutes on the video is when Glenn (member of staff) comes out and is arguing with the victim in front of his partner who is the manager. At 04 mins 20 seconds is when he comes outside again and starts arguing that the assault didn't take place on the

premises and starts swearing. Sgt Edmonds comments that Glenn was acting as though he was running the place.

At 19mins 40secs in the footage (00:21 hours real time) one of the staff asks Sgt Edmonds if he can lock the front door. Glenn then comes to the door and says it was his place he can lock up when he wants and locks the door. Sgt Edmonds states that he could still see customers inside the premises and they were still there when he left. Sgt Edmonds has provided a written statement and his body worn video of his attendance which I would request the committee to view.

Police feel that the premises is not being managed responsibly. Rather than rush to a review Police can evidence that they have made numerous efforts to offer support and guidance to improve the situation in line with the Licensing objectives These incidents are concerning. The premises had as a condition to have CCTV that worked and to provide Police with access to this when requested. Following these two incidents Police have requested for CCTV but have been met with a litany of answers. This has impacted on the investigation of both incidents. There is no footage of either incident leading up to the assaults. Police were informed all along that it had been working. The DPS has now provided Police with an explanation that when it was fitted it had no hard drive. This most recent incident started in the premises and then continued outside. Police have been informed that the hard drive was not working and therefore this incident has not been recorded. A few days after this incident the Godalming Pub watch meeting took place. There were no representatives from the Leathern Bottle and no detailed report was submitted to the Pub Watch regarding this incident and those involved.

Police are concerned that the regular customers who attend the premises do as they wish. There is minimal involvement from the DPS. This is evidenced by the incidents referred to in the earlier body of this report. Police believe that the current DPS is rarely on site and turns a blind eye. It is felt that the DPS does not instill in his staff the principles of the licensing objectives of the prevention of crime and disorder and public safety.

As a consequence Police seek the removal of the DPS. From discussions with the DPS and his partner Mr Hirons it is known that they are seeking to sell the lease to the pub. Police have been led to believe that they plan to sell to Karen and her partner Glenn. Police believe that there has been little or no supervision of the pub by the DPS. It is believed that both Karen and her Glenn have been taking the day to day decisions associated with the premises and closure of the premises. Police believe that both Karen and Glenn are not suitable to run the premises and promote the licensing objectives as these incidents demonstrate. Police therefore seek a revocation of the License.

**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

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

