RESTRICTED G90



Application for the review of a Premises licence or Club Premises certificate under the Licensing Act 2003

Page 1 of 3

Before completing this form, please refer to FPP 07001 (Licensing (Licensing Act 2003))

Premises or Club Pre	emises details				
Postal address of premises:	Piston Broke 43 London Street Andover				
Postcode (if known):	SP10 2NU				
Name of premises lice Elland Promotions Lim 11 Minden Close Andover SP10 4LT	nce holder or club holding club premises certificate (if known) ited				
Number of premises lie	cence or club premises certificate (if known)				
TVBC PREM/10/0397	serice of club premises certificate (if known)				
Details of responsible	e authority applicant				
Mr Mrs Mis	ss Ms Other title / Rank: Sgt.				
Surname: Adams	First Names: T				
Current postal address: 6 OCU Licensing Team Romsey Police Station 111 The Hundred Romsey					
Postcode:	SO51 8BZ				
Daytime telephone number:	08450 454545 ext 734-174				
E-mail address: (optional)	western.licensing@hampshire.pnn.police.uk				

Hampshire Constabulary is a responsible authority and the applicant has the delegated authority of the Chief Officer of Police in respect of his responsibilities under the Licensing Act 2003

G90



premises licences.

either the offender or victim is a common theme.

Application for the review of a Premises licence or Club Premises certificate under the Licensing Act 2003

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

		Select one or more boxes
1)	The prevention of crime and disorder	Doxes
2)	Public safety	
3)	The prevention of public nuisance	Ä
4)	The protection of children from harm	Ī
•		
	state the grounds for review which must be based on one or mo es together with supporting information:	ore of the licensing
•	nire Constabulary wishes to call for a review of the above licence application made by Test Valley Borough Council's Environmen	• •
London day trac underm of condi were ne conditio	2008 Hampshire Constabulary received an application for a pre Street Andover. The application proposed licensable activities ling under the name Bar 25. As a result of serious concerns that ine the licensing objectives and asked that the licence should be tions and that the operating hours should be reduced. We belied ecessary and proportionate in order that the licensing objectives and reduced hours were agreed by the applicant and a new used. In early August 2009 information was received that the pre-	until 04:00 hrs each at the proposals would be subject to a number eved these measures a were promoted. The premises licence
•	2010 an application was received to transfer the licence to the promotions Ltd. and to vary the designated Premises Supervisor	•
regardir consum of the de to drink maximu beerma posted of on the b common	ter the premises started trading under the new management cong alcohol promotions, for example encouraging customers to pe an entire bottle of vodka at "half price" and providing free unliked. It was felt this was an irresponsible promotion and likely to excessive amounts (around double the Department of Health's masfe limit of alcohol consumption for a whole week in one extension been distributed advertising "free shots" and in June 20 on Facebook showing one of the joint business managers, And par and pouring alcohol down the throat of a customer. This prantly referred to as "the Dentist's Chair" was outlawed as part of resible drinks promotions and formed part of the Mandatory Conditions.	ourchase and imited mixers as part encourage customers recommended ening). Flyers and 10 images were rew Lavery, standing ctice, which is measures to prevent

Since opening the premises has increased the workload for local officers and appears to be linked to a disproportionate number of incidents in which excess consumption of alcohol by

RESTRICTED G90



Application for the review of a Premises licence or Club Premises certificate under the Licensing Act 2003

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	listing incidents and police support/interven ocumentary exhibits	tions is attached tog	ether with copies
Have you m	ade an application for review relating to the	se premises before:	□Yes ⊠No
If yes please application:	e state the date of that Day	/ Month Year	
If you have were	made representations before relating to this	premises please sta	ate what they
lt is an offe	sent copies of this form and enclosures to the licence holder or club holding the club pronce, liable on conviction to a fine up to I of the Licensing Act 2003 to make a false.	emises certificate, as evel 5 on the stand	ard scale, under
Signature of	f Officer Completing		
Name	T Adams	Collar Number:	1634
Signature:		Date:	16/05/11
Signature of	f Authorising Officer (Inspector or above)		
Name	J Willson	Collar Number:	5409
Signature:		Date:	16/05/11

Occurrences which have been reported to the police	Int	elligence
Police interaction with the Designated Premise Supervisor and Area Manag	ger	

Occurrence	Occurrence	Date	Time	Person	Summary
Number	Туре			Reporting	
44110137593	Drugs offences	03/04/11	0250	Police	Male who had been drinking in several licensed premises including the Piston Broke arrested in possession of Cocaine. Offender stated he had purchased the drugs from a male in the Piston Broke for £45. During interview he also stated he had been very drunk.
44110135777 44110136060	Assault	02/04/11	0021	Officer on patrol	Officers were on foot patrol performing a uniform presence in London Street when they became aware of a commotion between a few males outside the Piston Broke. The aggrieved was refused entry to the premises where he became a bit lippy towards staff; he stood in front of the railings in front of the smoking area which looks onto the front window of the premises. The suspect left the Piston Broke with a spirit glass in his hand, a member of door staff stopped him and grabbed hold of the glass. The suspect walked over to the aggrieved and swung a punch towards the back of his head, it is described as a "typical drunken haymaker". Officers witnessed the assault and arrested the suspect. The aggrieved became agitated and was held back by his friends. Due to the aggrieved behaviour officers requested the attendance of further units to assist. The aggrieved was arrested for a public order offence due to his aggressive threatening behaviour and later de-arrested as he was the victim of crime and not the aggressor.
44110138941	Intelligence	02/04/11			E21 (6)/T A male was selling cocaine in the Piston Broke Pub in Andover on Saturday night.
44110137157	ASB - Nuisance	02/04/11	0055		A female threw a glass across the bar in the Piston Broke;

Occurrence Number	Occurrence Type	Date	Time	Person Reporting	Summary
					she was issued a S27 Dispersal Order for 48hours.
44110127277	Assault	27/03/11	0200	TVBC CCTV	The aggrieved states she was walking through George Yard car park, after leaving the Piston broke Pub, with her friends, when they were approached by the suspect. An altercation took place between the suspect and aggrieved group and during the argument, the aggrieved stepped between the pair and as soon as she did the suspect grabbed her by the arms and threw her to the floor. The aggrieved sustained slight bruising to her left elbow and arm and a cut to her right hand ring finger. The aggrieved states that when she left the Piston Broke she "would put myself at about 8 on the scale of drunkenness" "A Woman Officer asked me to go to the Police station to make a report of what happened, I was not happy to do this, I wanted to report the incident but I was very drunk and felt that I could not give a clear account of what had happened that night. A male Police Officer walked over and said that it would be alright for me to ago to the Police Station later in the morning to make a statement about the incident."
44070549243	Premises visit	19/03/11	2145	PC 21991	Officer attended the Piston Broke to conduct a licensing visit. The member of doorstaff on duty and what was hopefully an off duty member of doorstaff (was inside drinking) were unhappy about a second visit in as many days. There was no licensee at the premises. When asked the off duty staff member said they had just popped out and would be back in 5 minutes. The male toilet area was checked and all appeared in

Occurrence Number	Occurrence Type	Date	Time	Person Reporting	Summary
44070549243	Premises visit	18/03/11	2300		order. Officers left the premises and remained on patrol on London Street. A few minutes later the two licensees walked up London Street and into the premises. Premises Licence Visit G84
44110105568	Assault	13/03/11	0213	Member of public	Domestic violence – couple drinking in various licensed premises during evening ended up in Piston Broke where they continued to drink. Both drunk and on return to home address a fight ensued in which both received injuries
44110104211	Assault	12/03/11	0339	Member of public	A member of the public reported that there was a large group of people pushing and shoving each other in the small car park by the Piston Broke. Upon police arrival a male had detained the suspect and stated she had assaulted another female. The suspect was arrested and taken to Andover custody.
					The suspect had come from the Piston Broke for a cigarette where she and a male member of staff were sat at the bar listening to music and were 'drinking the place dry' where they had drank a plethora of spirits.
					Later that morning at 0415hrs officers were informed that persons were fighting at the rear of the Piston Broke again. Upon officer arrival a group was dispersed which appeared to be some of the soldiers from the above incident (by description) no offences were reported.
					A cricket bat was found nearby and the Piston Broke premises were found to be completely open at the rear. PC

Hampshire Constabulary 6 OCU Licensing Team

Occurrence Number	Occurrence	Date	Time	Person	Summary
Number	Type			Reporting	
					WEARN and PC POTTER entered the premises to ensure it was not being broken into. They found no staff but there was a mattress upstairs and toiletries and toothbrush etc in the disable toilet. They believe someone is living in the bar or rooms connected. The male member of staff arrived a few minutes later with one of the soldiers and stated he was the manager of the premises.
44110095152	Rowdy & inconsiderate	06/03/11	0125	Officers on patrol	Whilst on patrol London Street, Andover police were made aware of some disorder inside the Piston Broke. Police approached and witnessed a large brawl occurring inside the premises.
					Police present called for immediate assistance as there were at least 10 persons involved in the incident. Punches were being thrown and there was a lot of pushing and shoving. The doorstaff present were attempting to gain control of the incident but they were heavily outnumbered. If not for the swift intervention of police this incident could have escalated with many people being assaulted.
					The main aggressors were pulled out of the melee by police; however once outside there was still a hostile atmosphere with the feuding parties having to be separated. There were no complaints from any parties and with the large number of persons involved it could not be established at that time what offences had been committed and by whom.
					One of the groups was ushered away and put into a taxi to prevent further violence occurring with the other group,

Occurrence Number	Occurrence Type	Date	Time	Person Reporting	Summary
					who left the town centre in the opposite direction. Police re-attended the Piston Broke and spoke to bar manager the CCTV of the incident was viewed and showed the main aggressors of the incident, although punches were being thrown there was no evidence of any injuries to any party. The bar manager was asked to provide a copy of the CCTV, however he was unclear how to download the system and was left contact details for APS TAPPER to arrange for the footage to be forwarded.
44110111283	Rowdy and inconsiderate	27/02/11	0555	Officers on patrol	Officers were on general patrol in the Andover area when at 0555hrs, they came across a female on the junction of Weyhill Road/The Avenue walking on her own. Officers stopped to speak to the female who was clearly intoxicated and stumbling around along the pavement. When they spoke to the female, she identified herself and stated that she could not get home as she lived in Tidworth. She stated that she had been drinking in the Piston Broke. She stated that she had been out with friends and then went to the toilets where she passed out. She thinks that she had been passed out for approximately 3 to 4 hours and was later woken up by a cleaner and then she left and had walked up to Weyhill Road to try and get back home as her friends had left her alone. If she had walked from the premises to the Avenue it would have taken her approximately 30minutes to 1 hour as she was intoxicated. This would mean that she wouldn't have got out of the premises until approximately 0500hrs.
44110021452	Other crime	16/01/11	0135		Police attended a group of males who became very aggressive towards each other outside of the Piston Broke.

Hampshire Constabulary 6 OCU Licensing Team

Occurrence Number	Occurrence Type	Date	Time	Person Reporting	Summary
					The suspect was particularly aggressive and so, to prevent a breach of the peace, police took hold of him. The suspect became aggressive towards police so was taken to the floor and arrested. The suspect calmed down and was conveyed to Andover custody where, in consultation with Custody Staff, and in conjunction with further information received from doorstaff at the pub, the decision was taken to release the suspect. The rationale behind this is that staff stated that the suspect had been trying to calm a situation inside the premises for a while beforehand.

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WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

David Stanley WRIGHT

Statement of:

2006/07(1)

URN:

Age if under 18	8: 'Over 18'	(if over 18 insert 'over 18')	Occupation:	Police Officer								
his statement (consisting of 8 page(s) each signed by me) is true to the best of my knowledge and belief and I take it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, nything which I know to be false, or do not believe to be true.												
Signature:	D.S.WRIGHT			Date: 13/05/11								
Name:	David Stanley V	VRIGHT										
Tick if witness	evidence is visua	lly recorded	(supply witness o	details on rear)								
am Police	Sergeant 5255	David Stanley Wrig	ht, based at And	over Police Station, Hampshire. I								
have been tl	he Safer Stree	ts Sergeant for Test	Valley area since	e I took up the post in October								
2007. My ar	ea of responsil	oility is in respect of	the licensed prer	nises, and in particular keeping a								
focus upon t	the late night e	conomy and license	d premises in An	dover town. I hold the BIIAB								
Licensing ce	ertificate in resp	pect of supervision o	f Licensed Prem	ises, and have 24 years policing								
service, elev	en of those be	eing stationed here a	t Andover as a u	niform sergeant. I use the Home								
Office Guide	e for Preventing	g and Dealing with A	Icohol Related P	roblems which promotes an								
approach of	early intervent	ion and licensing en	forcement.									
Andover tow	n has a thrivin	g night time econom	ny, which has a m	narked contrast to the daytime one,								
and it is duri	ng the later ho	urs of the evening, p	particularly on a F	Friday and Saturday evenings that								
Policing in th	ne town can be	very challenging fo	r our limited reso	urces, and that is why in recent								
years the ma	anagement hav	ve taken a strategic	approach to Poli	cing the unique problems in this								
area. We uti	lise high visibil	ity patrols to demon	strate presence a	and support to the licensed								
premises, re	eassure the vas	st majority of law abi	ding people enjo	ying a night out in town, whilst also								
endeavourin	ng to reduce cri	ime and disorder in t	hat environment	. This has proved to be generally								
Signature:		Signatı	ure witnessed by	:								
3000	8888	000000										

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WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

effective, but it stretches our resources, and at peak periods of demand can make policing for areas outside of the town most difficult to manage.

The 'Piston Broke' entered the night time economy in April 2010, when the new joint owners Ellis Cooper and Andrew Lavery started the business with a view to attracting people who would enjoy socialising and enjoying a drink with friends in a themed premises located at the top of London Street, Andover, opposite the LIFE nightclub.

I met the New Designated Premises Supervisor Ellis Cooper 12/05/10 at the premises and he explained to me the control measures they had planned for the premises in respect of doorstaff, signage for prevention of underage sales, age verification policy, use of Polycarbonate vessels, CCTV and best practices for complying with the promotion of the 4 licensing objectives. I mentioned to Ellis that I had concerns regarding the actual name of the premises as I thought it could be interpreted as encouraging an individual to drink excessively, but he stated it was part of the themed approach to the premises. I conferred with Michael White of TVBC at the time and discussed whether this might be viewed as an irresponsible drinks promotion which might breach the new Mandatory Licensing condition, but at that time it was viewed as an untested area of the Licensing Law. I took the view that a disproportionate amount of valuable time would be taken attempting to pursue this any further.

Opening night was the 12th May 2010 and I became aware of a promotion in the premises to purchase a whole bottle of Vodka for £35 pounds and viewed this as an irresponsible promotion (my exhibit DSW/1 refers) under the terms of the Licensing Act. On the 21/05/10 Ellis attended the station to speak to me regarding the promotion, and he agreed to remove this immediately which they did.

Signature:		Signature witnessed by:											
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WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

On 30/05/10 Police Sergeant Kenth attempted to obtain a copy of the CCTV images of a public order incident (0238 hours) in the forecourt area to the Piston Broke, but due to a mistake by staff in copying the images, they were lost from the Hard Drive.

In mid June 2010 Georgie Fice (Hants Police Licensing Officer) and Michael White (TVBC Licensing) held a meeting with the management of the Piston Broke. I had become aware of an image posted on Facebook in early June which showed the joint business manager Andrew Lavery standing on the bar counter and pouring what I viewed as alcohol down the throat of a customer stood at the bar (exhibit DSW/2 refers). This practice which is known under the generic reference of the 'Dentist Chair', was illegal under the new Mandatory Licensing conditions and along with other issues raised at that meeting, the management were informed it had to stop or prosecution would follow. To the best of my knowledge this practice was stopped and no further 'Dentist Chair' scenarios are noted against the premises.

On the 09/07/10 I sent a team of undercover police officers into various licensed premises in the Andover town night time economy with a view to observing any illegal practices such as excessive drinking and to note any poor management of premises. The team visited the Piston Broke late that evening for a period of around 30 minutes and reported no excessive drinking being observed, and that the doorstaff had been professional, they noted a problematic male who was escorted from the premises and that the downstairs area was visited by doorstaff. In the area downstairs themed as the 'Vod Cave' there was a double bed with sheets, which the officers on debriefing wondered, what was it actually used for. I was aware of the bed and that it was part of the theme in the premises and Ellis had reassured me it was not used for any inappropriate activities.

On 13/07/10 a resident of the flats directly above the premises came to the station and expressed concern over the noise that was impacting on himself and his young family and I advised that he Signature:

Signature witnessed by:

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WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

needed to work with the Environmental Health Dept at TVBC over the noise issue which he stated he was already doing. He mentioned a letter that had been sent to him by Andrew Lavery which he showed me, and I took a copy (DSW/5 refers).

On the 14/07/10 both Ellis Cooper and Andrew Lavery attended the Pubwatch meeting at the Entertainer public house, and it was mentioned by Michael White at this meeting, of the importance for all licensed premises to act responsibly and be mindful of any noise that their premises might emit, and to ensure that there is no unreasonable noise impacting on residential premises nearby. The issue of open Fire Doors was mentioned by me and the need to ensure compliance with Regulations for Fire Safety and Licensing issues.

On the 28/07/10 Ellis came to the Police station and signed up the protocol and information sharing forms for Pubwatch participation, which the premises have engaged with to date. We discussed a concern that Ellis had raised over some empty foil wraps found by doorstaff on the premises, and best practices were advised to combat any drug related activity. The issue of beer mats and flyers being distributed in the High Street 23/07/10 which advertised free shots (exhibits DSW/3 and DSW/4 refers) was discussed. Ellis stated this was an Apple Sours wine, but only issued with a drink purchased in the premises. Ellis confirmed that the practice of pouring a shot down the throat of another and the bottle of Vodka on a table promotion had both stopped.

I was aware that at the end of July 2010 the Environmental Department TVBC had served a notice on the premises in respect of the noise issues.

On the 10/09/10 PCSO Heidi Hymers reported she had visited the premises that evening and noted a well known problematic young female in drink inside the premises. The doorstaff advised PCSO Hymers that the female had been given a warning and would be ejected if any further need arose.

Signature:				Sig	nature	witness	sed by:	 	 		
***	w	***	80	W		æ	w	œ	X	W	X

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WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

On the 11/09/10 at 0015 hours PC Lee Taylor had noted on foot patrol that the Fire Door to the rear of the premises was wide open. On 15/09/10 I spoke to Ellis on the phone and he said he would not have been on duty and that it would have been his business partner Andy Lavery. I informed Ellis that leaving the Fire Door open would not help in preventing control of the noise issue and security of the premises. Ellis stated that the noise issue was being dealt with by Solicitors, and that Langdowns in Charlton Rd were looking into the suitability of the flats above as residential premises.

On 20/11/10 I spoke to Ellis and discussed the violent assault upon a colleague PC David Mills who had at 2220 hours 19/11/10 been punched unconscious in London Street by a male who had just been ejected by doorstaff from the Piston Broke. Ellis stated that the male had only been in the premises for around 10 minutes and had drunk 1 pint. Ellis was himself on duty and noted the male with another, who were arguing and decided both males were to leave and gave that instruction to doorstaff. It would appear that the male was annoyed at being ejected and decided to take that annoyance out on PC Mills who just happened to be walking up the road at that moment in time.

On 17/11/10 Ellis advised by E mail that there was a plan to make Luke Kinnish the manager with the day to day running. I replied and advised that Luke Kinnish who I knew from Propaganda premises in previous years, should apply for the position of the DPS for the Piston Broke as he would be in Day to Day control. During November 2011 PS Adams of our Western Licensing team engaged with issues in respect of an application for a minor variation on the premises licence. There followed a period from November 2010 to mid January 2011 before any further issues were recorded in respect of the Policing issues at the premises.

On 16/01/11 at 0135 hours PC John Miller detained a male to prevent a further breach of the peace outside the premises, who was part of a rowdy group, and had failed to take note of PC Signature:

Signature witnessed by:

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WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Miller's direction to quieten down and move away. The male it turned out to be, had been inside the premises beforehand and had been trying to calm people, so a decision was taken later on to release this male No Further Action.

On 27/02/11 at 0555 hours PC's Mahoney and Whitlock were on patrol at the junction of the Weyhill Road and The Avenue, Andover where they noted an intoxicated 31 year old female stumbling along the pavement who identified herself, and stated she couldn't get home as she lived in Tidworth. She stated she had been with friends drinking in the Piston Broke and that she had passed out in the toilets for 3 to 4 hours and had been woken up by the cleaner! The officers then made arrangements to have her safely taken home to Tidworth. On 02/03/11 I phoned Ellis and informed him of the unacceptable situation of a member of the public being missed in the toilets and he said he was aware and that the doorman had not on this occasion checked the toilets properly and she had been missed. The doorman was usually very good and I was aware of the doorman he was referring to, but on this occasion it was a major oversight by the premises, which was reflective upon the management of the premises.

On 06/03/11at 0125 hours we received a report of 10 to 15 persons fighting inside the premises. Patrol officers attended and saw for themselves a disorder incident inside. Police officers entered and it all stopped and no complaints were forthcoming. No injuries were noted and PC Tapper requested from the duty manager Luke Kinnish a copy of the CCTV, as required under the terms of the condition specified on the premises licence. Luke was unable to do this, and on 07/03/11 I spoke to Ellis Cooper and asked why this had not been provided at the time, as was required on their licence, Ellis replied that Luke didn't know how to do this. I pointed out this was a breach of their licence, and Ellis stated he would ensure this was done asap, and did so. On 09/03/11 at the Pubwatch meeting Luke handed me a working copy of the public order incident, which is still to date, being investigated by colleagues.

Signature:	Signature witnessed by:										

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WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

On 12/03/11 at 0339 hours we received report of a group of 8 to 10 people fighting outside the Peking Chef, London St. Officers attended and a 21 year old local female was arrested for common assault. She was charged and pleaded guilty to assaulting another female that night. In interview with PC Plascott, the female in question stated that she had been in the town that night drinking at the Piston Broke, and then other venues, and had then returned to the premises after it had closed. She had seen her friend Luke who was the owner of the premises (she meant Luke Kinnish) and had then gone inside the closed premises with Luke. She stated in interview that they had drunk the place dry, drinking all the spirits, and listening to music at the bar. In the drunken state she was in, she had then gone outside and the fighting incident then took place, as mentioned above.

Officers attended again that morning at 0415 hours, when PS Parker reported that there was evidence that someone was living in the premises. Officers had gone into the premises when on patrol and had noted the rear door open, finding a mattress in the upstairs area and toiletries and toothbrush in the disabled toilet. Luke Kinnish arrived a short while later and stated to the officers that he was the manager of the premises.

On the 13/03/11 at 0203 hours a domestic assault took place in Pilgrims Close, Andover, where 2 partners were arrested for assault on each other. In interview when sober, both stated that they had attended the Kick boxing event at the Andover Leisure Centre, had then drank in another premises in town, and then the last premises was the Piston Broke before going home where the domestic took place. Both of them were very drunk.

On the 18/03/11 at 1500 hours I saw Luke Kinnish at the Police station and took the opportunity to mention to him that the premises were very much under the watchful eye of the Hampshire Constabulary after the series of recent incidents given above, which suggested a lack of proper management and warned him that the station Inspector was keeping a close eye on the premises Signature:

Signature witnessed by:



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WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

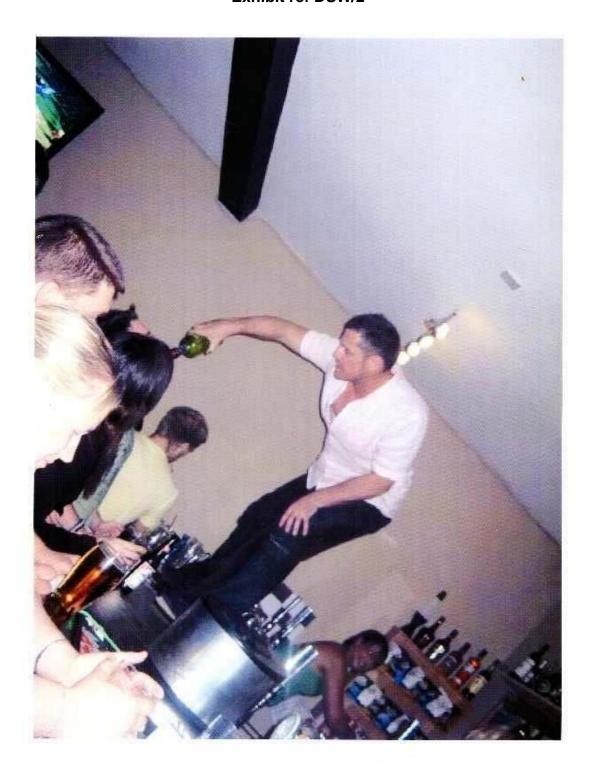
and considering his powers under Section 161 of the Licensing Act 2003 in respect of any further incidents of disorder at the premises. Luke acknowledged this warning and stated it would be conveyed to the business partners Andrew Lavery and Ellis Cooper. Luke again confirmed it was his intention to apply for the position of DPS for the premises in due course.

This statement has taken much of my valuable time to compile, and is not something I need to do on a regular basis, as it is rare for a premises in the Test Valley to be in such a position. It has been my experience since November 2007 that the vast majority of premises, and those in the busy night time economy, are on the whole well managed and respond to intervention advice and direction before that needs to escalate to enforcement action through a review process.

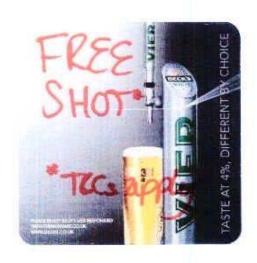
In summary, I feel that the premises have been lacking effective control which is evidenced in the detail given in the statement above.

Signature:	Signature witnessed by:











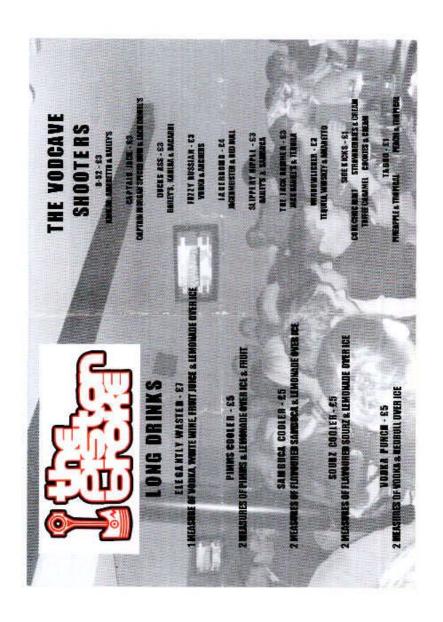


Exhibit ref DSW/5



Entertainment Bar, 43 London Street, Andover, Hampshire, SP10/2NU

I was disappointed to receive your latest letter regarding the noise levels.

Let me address your points in order;

At no point over the bank holiday weekend did we play any music after 1.30am. The police at the door at that time on Friday, Saturday, and Sunday night and will confirm this. However it was late and you may just

As for starting at Ipm, this was a one off, all day event in celebration of the bank holiday. We are perfectly within our rights to play music at this time, but having said that, as I said to you when I met you and your partner recently, if you're on a night shift or your daughter is staying, then please just pop down and find me and I will ensure that the noise levels go down - regardless of the time.

We have no desire to make your life a misery, and as I told you and your partner, I'll be only to happy to do whatever it takes to make sure we can peacefully co-exist.

The music has gone right down at 11.00pm every night since we spoke, to the same levels that you previously told me were acceptable to you. You will recall that I told you at the time, if you ever want them to go down still further, you need only ask.

I thought we had left on good terms and had reached an understanding? Hence my disappointment by the content on tone of your letter.

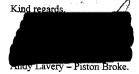
I hope that you were just tired and angry when you wrote it and that we can reach an agreement once again.

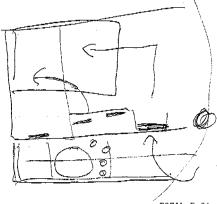
All of which brings me to my next point;

We have reason to believe that you have vandalised our television aerial. I hope that I'm wrong. We have of course had to inform the police. If the fingerprints at the scene (on the pole I believe) turn out to be yours then we are in a sticky situation, you would be arrested and charged with criminal damage.

I have absolutely no desire for you to get into any trouble, and thus far have not put your name forward as a suspect. That said, I think we need to have a chat about the situation, and the noise levels so that everyone can be satisfied and there be no need for any more unpleasantness,

Please either let me know a good time for me to pop up and see you, or come down and see me, and I'm sure we can rectify the situation without involving the police any further or you having to write any more letters.





TOTAL P.01