



ANNEX 3

G88

HAMPSHIRE CONSTABULARY

RESTRICTED

Page 1 of 6

NEW GRANT OR VARIATION OF PREMISES LICENCE OR CLUB PREMISES CERTIFICATE FORM FOR REPRESENTATIONS FROM HAMPSHIRE CONSTABULARY

Before completing this form please read the guidance notes on page 3.
Once completed please send your representation form to your local Licensing Authority.
You must keep a copy of the completed form for police records.

Hampshire Constabulary wish to make a representation(s) regarding the grant or variation of a
Premises Licence or Club Premises Certificate issued under the Licensing Act 2003.
These representations must be made within 28 days

Postal address of premises or club premises: 7 Winchester Street			
Post town:	Andover	Postcode:	SP10 2EA

Name of premises licence holder or club holding club premises certificate <i>(if known)</i> M B Fried Chicken (Chick-o-Land)
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Police Details

Hampshire Constabulary is a responsible authority.

Name and address: Licensing Officer 10832 Wanless Basingstoke Police Station Parklands Building London Road Basingstoke RG21 4AD
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This application to object relates to the following licensing objective(s)

- 1) The prevention of crime and disorder
- 2) Public safety
- 3) The prevention of public nuisance
- 4) The protection of children from harm

*Please select
one or more
boxes*

RESTRICTED



HAMPSHIRE CONSTABULARY

G88

Page 2 of 6

RESTRICTED

NEW GRANT OR VARIATION OF PREMISES LICENCE OR CLUB PREMISES CERTIFICATE FORM FOR REPRESENTATIONS FROM HAMPSHIRE CONSTABULARY

State the ground(s) for representation (please read guidance notes 1 & 2)

Hampshire Constabulary have received an application for a minor variation from M B Chicken, Andover (also known as Chick-o-Land)
The purpose of the application is for the removal of the requirement to have SIA door staff during licensed hours.

Hampshire Constabulary objects to the application in full.
The removal of this condition would undermine the licensing objective "The Prevention of Crime and Disorder.

M B Fried Chicken (Chick-o-Land) is situated within the night time economy in Andover town centre.

The premises are licensed for late night refreshment;

Sunday – midnight

Monday-Wednesday – 01.00

Thursday – Saturday – 04.00

There are several other premises within close proximity to Chick-o-Land providing late night refreshment with similar conditions for door staff.

Andover town centre has 2 night clubs with late night finishing and several licensed bars.
It is a populated town and at weekends enjoys the benefits of the local army barracks from Salisbury coming to visit.

Unfortunately this brings with it raised incidents of crime and disorder on the streets and for the businesses and local Police Officers.

Chick-o-land suffers from disorder inside and outside on a regular basis.
Customers have been assaulted and received injuries as a result.

20 December 2014- Criminal Damage

Door staff called Police to attend for a drunk male on the premises that had kicked the glass door and broken it.

25 December 2014 – Public Order

Large scale fight outside premises. Police called by door staff stating that there was 15-20 persons

RESTRICTED



HAMPSHIRE CONSTABULARY

G88

Page 3 of 6

RESTRICTED

NEW GRANT OR VARIATION OF PREMISES LICENCE OR CLUB PREMISES CERTIFICATE FORM FOR REPRESENTATIONS FROM HAMPSHIRE CONSTABULARY

fighting outside. Aggrieved male was a customer inside the premises at the start of the fight.

19 April 2015- Public Order

Police received a 999 call from door staff stating that they had a male and female outside the premise that were arguing. Police dispersed both.

20 September 2015- ASB

Females outside the premises waiting for a taxi have been verbally abused by a drunk male from the premises.

4 October 2015- assault x 2

Females assaulted by unknown male whilst waiting outside the premises.

31 October 2015 – Assault

Police were flagged down in the street by door staff with a report of an unconscious male outside the premises. A fight had broken out inside the premises and continued outside.

21 November 2015 – Assault

Fight outside the premises – Aggrieved was found by Police officers on patrol.

**NONE OF THE ABOVE INCIDENTS HAVE BEEN RECORDED IN THE DOOR STAFF
INCIDENT LOG BOOK.**

Licensing Officers attended the premises on 20th November 2015 at 23.00 hours.

The owner, Mt Taycur was not on the premise during this time.

None of the staff on site were able to operate the CCTV. Communication with the staff was difficult as English is not the first language.

I spoke with Mr Taycur, on the telephone and requested that he attend the premises, which he did so, arriving approx 30 minutes later.

There were no door staff on duty at the time of the visit as per the condition on the licence. Mr Taycur could not give a reason for this.

There was no summary of the licence on display and when requested the full licence could not be produced.

Throughout the visit several customers were being served by staff.

Approx midnight a door man arrived for his duty. He stated that he was working alone for the evening and was unable to produce reflective clothing as per the condition on the licence.

Mr Taycur was informed of all the breaches and was advised to close the shop in order to ensure compliance.

It was the door man and NOT Mr Taycur who called the security company in order to get another door man to attend the premises.

The door staff log book in operation was seized and can be produced as annex A.

This book shows that throughout 2015 the premises have continued to operate with insufficient door

RESTRICTED



HAMPSHIRE CONSTABULARY

G88

Page 4 of 6

RESTRICTED

NEW GRANT OR VARIATION OF PREMISES LICENCE OR CLUB PREMISES CERTIFICATE FORM FOR REPRESENTATIONS FROM HAMPSHIRE CONSTABULARY

staff on duty. There is a section in this book marked "incident register" all of the pages in this book are not filled in despite door staff calling for Police assistance on several occasions. The book evidences that when door staff are on duty they are booking on from 01.00 – 03.30 hours. The condition states that door staff must be on duty from 23.00 – 04.00 hours Thursday – Saturday. Staff are not working on Thursday nights and there are inconsistencies in numbers for the rest of the records.

Following this visit, Police Officers reported on 21st November 2 door staff wearing florescent jackets were on duty throughout the evening.

A further Licensing visit was carried out on 17th December 2015. Despite guidance and education on the previous visit from the Licensing team to comply with the premises licence Mr Taycur was still operating other than in accordance with the licence. Attending officers identified the following breaches in the licence.

- Not displaying the summary of the licence.
- Not able to produce full licence.
- Staff on duty unable to operate CCTV.

Hampshire Constabulary has endeavoured to work with Mr Taycur. He has been given advice, guidance and documentation to assist in compliance to the Licensing Act 2003. Instead of taking this advice he has chosen to submit a minor variation to remove the condition for SIA door staff instead of complying with it.

This shows a complete disregard for the act.

State any conditions that the Police seek to negate the need for a hearing

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS REPRESENTATION

Part 3 – Signatures (please read guidance note 3)

RESTRICTED



HAMPSHIRE CONSTABULARY

G88

Page 5 of 6

RESTRICTED

NEW GRANT OR VARIATION OF PREMISES LICENCE OR CLUB PREMISES CERTIFICATE FORM FOR REPRESENTATIONS FROM HAMPSHIRE CONSTABULARY

Recommendation of Police Officer

Hampshire Constabulary respectfully request that the sub-committee reject this application in full.

Signature of Police Officer Completing

Signature: C.WANLESS

Date: 12/02/16

Recommendation of Police Sergeant

I fully support Mrs Wanless view. Having recently conducted night time patrols of Andover myself, it is clear that door staff are an integral part of upholding the licensing objectives. Failure to comply with conditions already in place is not a reason to remove them by variation.

Signature of Police Sergeant

Signature: Matthew Moss A/PS 3554

Date: 15/02/2016

Decision of Police Licensing Inspector

Signature of Police Licensing Inspector

RESTRICTED



HAMPSHIRE CONSTABULARY

G88

Page 6 of 6

RESTRICTED

**NEW GRANT OR VARIATION OF PREMISES LICENCE
OR CLUB PREMISES CERTIFICATE
FORM FOR REPRESENTATIONS FROM HAMPSHIRE CONSTABULARY**

Signature:

Date:

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NOTES FOR GUIDANCE

1. The ground(s) for representation 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 representation if available.
3. The representation form must be signed.

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Witness Statement

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Court Act 1980. s.5B

Statement Of: Stephen Parker

URN:

Age (If Under 18): Over 18

Occupation: Police Officer

1 14/02/2016 00:52:

I am Stephen George PARKER, Police Sergeant 1333 of the Hampshire Constabulary currently posted to the Neighbourhood Policing Team at Andover Police Station. I have completed 28 years of Police service, the majority of which, bar 10 months, has been in Andover. I have extensive knowledge of many aspects of Police work in the Town, licences premises, criminals and residents and their history.

I have been asked to comment on the suitability for a premises known as Chick-o-land, to have a licensing requirement for security staff, to be removed, and what impact that may have on the Town Centre trade and public order issues my officer and I have to deal with.

Andover was previously a small market town in North Hampshire. In recent years, substantial housing development has taken place, swelling the resident population. The town itself is situated reasonably locally to several large military establishments including Tidworth Garrison, The Army Air Corps Centre at Middle Wallop and Engineer regiments at Perham Down. It is common for a strong mix of military personnel and local residents to use licences premises in the Town centre for socialising. These premises are a mix of pubs, clubs, restaurants and late night refreshments houses, otherwise known as take-a-ways. The range of these businesses have diversified somewhat in recent years, as have the people using them.

In my experience, the introduction of SIA approved security staff at many of these establishments has been an unqualified success, helping to moderate behaviour amongst rowdy groups, prevent excessive consumption of alcohol and dealing with offenders. The SIA staff employed at premises locally have co-operated very well with the Police and I would say we enjoy a good and positive working relationship.

Chick-o-land, is a small take-a-way, situated in Winchester Street, Andover about a 100 meters from the Police station. The premises serves hot food to customers and currently enjoys a late night refreshment licence for seven days a week. On Thursday, Friday, Saturday and Sundays, the premises are permitted to stay open until 4 am provided two SIA approved security staff are present. The premises is located directly in the town centre, a few hundred metres from the local nightclubs and pubs. It is also directly next to a 24 hour taxi office and taxi rank. It is very common for many people to congregate at this location buying food and/or getting taxis home.

35

Witness Statement

Statement Of: Stephen Parker

URN:

It is also common for there to be friction between these groups. Personally I have attended dozens of incidents in Winchester Street. It is fair to say that not all these incidents have occurred at Chick-o-land or because of its presence there but the location itself is a hot spot for public order problems. Previously door staff at Chick-o-land have prevented the escalation of disputes between customers or have ejected problematic persons, and assisted the Police with public order disputes outside.

Looking at Police records since 2004 the address location of Chick-o-land has been recorded for 24 recorded incidents of Anti Social Behaviour, 66 assaults, 6 assaults on Police Officers, 167 incidents of Rowdy and inconsiderate behaviour, drunkenness, theft and criminal damage. Without comment on who or what caused these matters, one can see that a significant amount of problems occur at the location.

In previous years, the location of the premises was subject to 24 hour a day CCTV monitored surveillance. This facility was withdrawn in 2014 following resource cuts from the local authority. The CCTV system now employed is no longer monitored and camera simply rotates on pre determined arcs recording footage. It cannot therefore be routinely and pro-actively used by trained operators to monitor situations and advise the Police.

My view is that any withdrawal of SIA approved door staff at this location would be extremely negative in terms of public safety. Not only do these door-staff prevent escalation they also reassure law abiding customers and members of the public and provide the Police with a trained and observant resource at times of tension. Whilst it would be unfair to say all problems at this location are caused by customers using the take-a-way, one can see that it is at the epi-centre of many issues which occur routinely, and the removal of SIA trained staff can only be detrimental to public order.

This statement 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: Digitally signed Date: 14/02/2016 01:47

Witness To Signature: N/A Date: N/A

Statement Started

14/02/2016 00:52

Statement Completed

14/02/2016 01:47