

FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

[Insert name and address of relevant licensing authority and its reference number (optional)]

Portsmouth City Council
Guildhall Square
Portsmouth
PO1 2AL

Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)

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 the 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.**

I PC 21451 Peter-James Vincent [on behalf of] the chief officer of police for the Hampshire Constabulary police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details:

Postal address of premises, or if none or not known, ordnance survey map reference or description:

**The Blue Anchor
2 London Road**

Post town: Portsmouth

Post code (if known): **PO2 0LH**

2. Premises licence details:

Name of premises licence holder (if known): Nancy Maxwell

Number of premises licence holder (if known): 19/04357/LAPREM

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)

4. Details of association of the above premises with serious crime, serious disorder or both:

[Please read guidance note 2]

This summary review is being sought under the grounds of serious crime for the offences of GBH with Intent.

On Sunday 30th July 2023 (Saturday evening in to Sunday morning), between 00.45hrs and 01.30hrs an altercation has taken place inside the Blue Anchor PH London Rd Portsmouth (RMS 44230305979). Two males were involved in the altercation, one of the males was removed from the premises and taken outside by staff at the venue due to his heavily intoxicated state. A short time later the second male has been allowed to leave the premises and has gone outside. At this point both males have begun fighting which has led to one male being punched and knocked unconscious. The male has sustained serious injuries as a result of the fight and at the time of writing is still in hospital and being continuously medically assessed.

Police were called by SIA door staff a short time later. On Police attendance their appeared to be a lack of control by the management at the venue.

There were a number of people that had left the premises and there were arguments taking place all around the attending officers. While the injured person was in the ambulance another fight has started between two groups who we believe had been in the pub prior to the incident. The persons involved all appeared heavily intoxicated.

The victim was conveyed to Queen Alexandra Hospital and then on to Southampton General Hospital specialist trauma unit. The Ambulance crew stated that due to the level of intoxication it was extremely difficult to assess the injured party and he was not responding as he should.

The Police licensing team have been awaiting updates on the investigation and on 01/08/23 were notified by the OIC that contact had been made with management at the premises who advised that CCTV was not in operation on the night of this serious incident.

Staff at the premises have been unable to provide access to the CCTV footage upon initial request. Staff were unaware of how to operate the CCTV system and the access was password protected. The staff did not have the access password. When police were finally able to view the CCTV they were advised that it was not working as it was not linked to the internet.

The conditions on the licence are clear on the responsibilities of the premises to maintain the system regularly, to provide access when requested and to ensure all operators are trained to use the system.

A number of reasons have been given for the failure of the CCTV system but it seems to centre around a disagreement between the previous and current management teams and a clear lack of training.

The premises has clear and robust CCTV conditioned on its licence which have been breached. It does now appear that some CCTV may be recoverable but this has not yet been secured and may require specialist IT professionals to produce it.

Making contact with the DPS at the premises has been extremely difficult. We have been advised that the PLH lives in London and has not been to the

premises for some time. We have also been advised that this is the first time that the premises has opened in some time. At this time it appears that neither the DPS nor the PLH were in attendance at the Blue Anchor on 30/07/23.

On further investigation there are numerous breaches of the premises licence. During a police licensing visit on 01/08/23 staff training records were requested. These were not available and the reason provided was that the staff had been trained at another premises prior to their employment. The police have serious concerns about the management of this premises and their lack of responsibility to customers and staff. There are clear breaches of the premises licence and serious crime and disorder at the premises. There are clear 136 Licensing offences being committed at the premises.

It is clear that the operation of the premises has fallen short of the required standard in order to fully support the licensing objectives at the premises. Other powers available to the Police to manage this risk have been considered. However the use of a review under S53A of the Licensing Act 2003 is believed to be the most appropriate in the circumstances.

It is the view of the Chief Officer of Police that immediate action is required to prevent further serious incidents of crime and disorder, harm to the Public and to implement a comprehensive review of the current operating practices used at the premises. I have concerns that unless immediate interim steps are taken, serious crime and disorder may continue and members of the public will continue to be at risk of serious harm.

Existing measures to promote the licensing objectives have been insufficient to prevent this serious crime. The current premises licence conditions are not being adhered to. Additional measures need to be implemented to ensure the licence holder can prevent any further incidents of serious crime and effectively promote the Licensing Objectives.

Proposed interim steps for consideration by the Licensing Authority:

To suspend the premises licence with immediate effect until the review hearing.

Signature of applicant:

Date:

Capacity:

Contact details for matters concerning this application:

Address:

**PC 21451 Peter-James Vincent
Licensing & Alcohol Harm Reduction Team
Portsmouth Civic Offices**

**Portsmouth
Hampshire
PO1 2AL**

Telephone number(s):

Email: peter-james.vincent@hampshire.police.uk

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.