

North Somerset Council

REPORT TO THE LICENSING SUB-COMMITTEE

DATE OF MEETING: 12 JULY 2022

SUBJECT OF REPORT: APPLICATION TO REVIEW THE PREMISES LICENCE AT THE ANCASTER, DROVE ROAD, WESTON SUPER MARE, BS23 3NX

TOWN OR PARISH: WESTON SUPER MARE

OFFICER/MEMBER PRESENTING: DIRECTOR OF PUBLIC HEALTH

KEY DECISION: NO

RECOMMENDATIONS

That the Committee considers the evidence presented within the application made by Avon and Somerset Police to review the Premises Licence and takes any remedial action deemed appropriate in relation to the premises licence.

1. SUMMARY OF REPORT

An application has been received from Avon & Somerset Police; a Responsible Authority under the Licensing Act 2003, requesting the review of the Premises Licence at The Ancaster, Drove Road, Weston-super-Mare.

This follows a series of violent disorder incidents recorded at the premises and noted breaches in licence conditions.

Despite initiating a formal action plan and working with the premise to try and achieve compliance, the Police do not have confidence that the premises can be suitably managed and request the Committee consider revocation of the licence.

2. POLICY

- 2.1 The North Somerset Licensing Authority's Statement of Licensing Policy (2015-2020) applies to the application made. Paragraphs 40-48 of the Licensing Policy relate to the review application.
- 2.2 Regard must be given to the Statutory Guidance issued under section 182 of the Licensing Act 2003 and the Licensing Act itself.

3. DETAILS

- 3.1 An application was received from Avon and Somerset Police on 7 June 2022 requesting a review of the Premises Licence. A copy of the application made is shown at **Appendix A**.

- 3.2 The licence review application relates to the premises situated at Drove Rd, Weston Super Mare. The premise is a two-storey building with a small outside area to the front, of which only the ground floor is subject to the Premises Licence. The Licence has licensable activities including live music, recorded music, and the supply of alcohol.
- 3.3 A plan of the licensed premises is shown at **Appendix B**.
- 3.4 A copy of the current Premises Licence is shown at **Appendix C**
- 3.5 The Designated Premises Supervisor for the premises is Harry Walker, Personal Licence No: NSC/057388, issued by North Somerset Council.
- 3.6 The Premises Licence has been in force since November 2005 and held by Mr Gregory Dudd since March 2008
- 3.7 There are residential and commercial properties in the proximity of the licensed premises.
- 3.8 The review application relates to the following licensing objectives:
- a) Crime & Disorder
 - b) Public Safety
 - c) Prevention of public nuisance
 - d) Protection of children from harm
- 3.9 The grounds for review are based on the Premise Licence Holder employing inexperienced and ineffective personal licence holders resulting in the serious incidents occurring at the premises.
- Staff have been noted as not being trained to use and operate the CCTV system correctly despite this being highlighted in an Action Plan.
- 3.10 On Thursday 8th July 2021 a serious incident of violent disorder occurred on the premises which resulted in the voluntary closure over the weekend pending a meeting with the licence holder, Police Licensing and Council Licensing on Monday 12th July 2021. As a result of that meeting a Police Action plan was implemented commencing on 22 July 2021 for 3 months.
- A copy of the action plan is shown at **Appendix D**.
- 3.11 On Friday 22nd of April 2022, the Police were called to the premises responding to reports of a large fight and an incident of a female being glassed in the neck. This has resulted in a pending court case against the DPS of the premises.
- 3.12 A further call made to the Police the following morning stating that a large fight connected to the premises had occurred which resulted in an area search.
- 3.13 Following a visit to the premises by Police Licensing and Council Licensing on 29th April 2022, staff were unable to work the CCTV for the incidents that required Police investigation.

- 3.14 In view of the concerns that incidents of a serious nature are continuing at the premises following the implementation of a robust action plan and several changes of DPS, the Police have recommended that the licence be reviewed.

4. CONSULTATION

- 4.1 In accordance with the requirements of the Act, Avon and Somerset Police have served copies of the application to review the premises licence upon the responsible authorities, the licensing authority, and the Premises licence holders.
- 4.2 A notice of application for the review of a Premises Licence was first displayed on 8th June 2022 at The Ancaster, Drove Road, Weston Super Mare and at the offices of the Licensing Authority, Weston-super-Mare Town Hall, in a central and conspicuous place for a period of not less than 28 consecutive days.
- 4.3 An electronic version of the notice was also placed on the North Somerset Council website.
- 4.4 Representations regarding the review application made were invited from interested parties and responsible authorities.
- 4.5 As a result of the consultations carried representations have been received from The Food and Safety Team. This relates to the public safety licensing objective and highlights failings in the food safety management system at the premises.

A copy of the representation can be seen at **Appendix E**.

5. FINANCIAL IMPLICATIONS

Costs - None

Funding - None

6. LEGAL POWERS AND IMPLICATIONS

- 6.1 The Licensing Authority recognises that its licensing function is only one means of securing the delivery of the service. The Licensing Authority will therefore continue to work in partnership with other stakeholders, such as the Police, Crime & Disorder Partnerships and the Vehicle and Vehicle Standards Agency (DVSA) towards the promotion of any licensing objectives.
- 6.2 In undertaking this licensing function, the Licensing Authority has regard to the following legislation:
- Environmental Protection Act 1990
 - Health Act 2006
 - The Smoke-free (Premises and Enforcement) Regulations
 - The Equality Act 2010
 - The European Convention on Human Rights, which is applied by the Human Rights Act 1998
 - The Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2002
 - Licensing Act 2003
 - Gambling Act 2005

- 6.3 The Licensing Authority also has regard to any other relevant legislation, strategies, policies, and guidance in its decision-making.

7. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

There are no climatic or environmental implications within this report.

8. RISK MANAGEMENT

- 8.1 Regularly reviewing licensing policies and practices and using a risk-rated approach to both proactive and reactive enforcement reduces the risk to the Authority. Ensuring MoU agreements are in place with external partner agencies will also help strengthen roles and responsibilities surrounding Licensing work.

9. EQUALITY IMPLICATIONS

No equality impact assessment has been required as part of this report.

10. CORPORATE IMPLICATIONS

- 10.1 An appeal against the decision of the Licensing Authority may be made to the Magistrates' Court by the applicant for the review, the holder of the Premises Licence, or any other person who made relevant representation to the application, within 21 days of receipt in writing of any decision made.

11. OPTIONS CONSIDERED

- 11.1 The authority must, having regard to the application, and any relevant representations, take such of the steps mentioned below as it considers appropriate for the promotion of the licensing objectives.
- 11.2 The steps outlined in section 52 (4) of the Licensing Act 2003 which can be considered are:
- (a) to modify the conditions of the licence.
 - (b) to exclude a licensable activity from the scope of the licence.
 - (c) to remove the designated premises supervisor.
 - (d) to suspend the licence for a period not exceeding three months.
 - (e) to revoke the licence.
- 11.3 In deciding whether to use the powers outlined above, the licensing authority is required, as far as possible, to seek to establish the cause or causes of the concerns which the representations identify. Any remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response.
- 11.4 Any detrimental financial impact that may result from the licensing authority's decision should be appropriate and proportionate to the promotion of the licensing objectives in the circumstances that gave rise to the application for the review.

AUTHOR

Amanda Hodge, Licensing Officer
Tel: 01934 426798

APPENDICES

- Appendix A** – A copy of the application made for review
- Appendix B** – A plan of the premises
- Appendix C** - A copy of the current Premises Licence
- Appendix D** – A copy of the action plan
- Appendix E** – Copy of representation – Food Safety Team

BACKGROUND PAPERS

Licensing Act 2003 and associated Regulations.
Guidance to the Licensing Act issued under section 182 of the Licensing Act 2003.
North Somerset Council Statement of Licensing Policy (2015-2020)

Representations Licensing Act 2003.



Your Name Save	Andy Jones / Andy Manhire
Job Title	Police Licensing Officer
Postal and email address	Weston Gateway North Somerset Police Centre Filers way Weston Super mare BS24 7JP
Contact telephone number	07702113313 Andrew.Jones@avonandsomerset.pnn.police.uk

Name and address of the premises you are making representations about.	The New Ancaster Drove road, Weston-Super-Mare, North Somerset BS23 3NX
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Which of the four licensing Objectives does your representation relate to? Please state yes or no.		
The Prevention of harm to children	Y	See above.
To prevent Public Nuisance	Y	See above.
To prevent crime and disorder	Y	See above.
Public Safety	Y	See above
Would this be suitable for resolution without a hearing if all parties agree?.	N	

Suggested conditions that could be added to the licence to remedy your representation or other	
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AX10W399A
suggestions you would like the Licensing Sub-Committee to take into account. Please use separate sheets where necessary and refer to checklist.

The Avon and Somerset Constabulary as a responsible authority wish to submit formal review proceedings relating to the Premises Licence holder a Gregory James Dudd who owns and run the business at The New Ancaster Public House, located in Drove road, Weston-Super-Mare, North Somerset. BS23 3NX.

Gregory Dudd has been the owner and Premises Licence holder at the New Ancaster Pub for over 14 years since 12th of March 2008 and is an established business owner for a number of Licensed premises in W-S-M with his brother Jonathan Dudd.

Gregory Dudd is also the Premises Licence holder for the Coyote Weston bar in Regent Street and the Premises Licence holder and DPS for both the Tavern Inn the Town in Regent Street and the Duke of Oxford in Oxford street, W-S-M.

A Companies House check on the premises of the Ancaster reveals Ancaster Ltd company number 12759772 with two directors being a John James Riney appointed on 21/07/2020 and a Joe Thomas Pantall appointed on the 01/11/2021.

On the morning of Thursday 8th of July 2021 a serious incident of violent disorder occurred on the premises of the New Ancaster Pub and a brief outline of the facts are as follows;

At 7.30 a.m. a large group of youths were being monitored by the Police leaving the town centre highly intoxicated and were seen in Winterstoke road, one of the youths was wearing a white England shirt who was vomiting.

At 9.05 a.m. a Police patrol (PCSO) observed youths leaving the New Ancaster pub carrying pints of beer – enquiries were made and established that the Premises licence did not allow alcohol sales until 10 a.m.

The initial attending officers were confronted at the pub by a highly intoxicated mob, who were aggressive in shouting and swearing who barricaded the officers inside the premises using bar furniture. It was apparent that they had been drinking heavily prior to attending the pub and also had brought their own alcohol to the premises.

Despite calling further supporting officers the situation escalated and had the potential of further serious disorder

There was no management at the premises and no control over many of the people inside who were known to the police. A lady behind the bar stated that they had arrived prior to her needing to open up at 10 a.m.

The elusive manager at the time eventually attended the premises being a Harry Walker and stated that he felt pressured to open the premises due to the banging on the door.

Police Sergeant Batchelor (since retired) who attended the premises

with PCSO 9840 Insley who has provided a statement detailing the facts of the incident. (Statement attached).

Following the incident the Police Licensing officer Andy Jones spoke with the Premises Licence holder and DPS Gregg Dudd who was unable to attend a meeting due to not being in the area and it was arranged that the Pub would remain closed over the weekend pending a meeting with Police and Council Licensing.

At 10.30 a.m. on Monday the 12th of July 2021 a meeting was conducted at the New Ancaster Pub where both Gregg and Jon Dudd + John Riney were present. It was confirmed with Gregg Dudd that the manager Harry Walker had been fired as a result of his complete lack of control – poor management and decision making of the incident.

As a result of the incident a Police Action Plan was implemented for 3 months commencing on the 22/07/2021 which was agreed with x8 actions and signed by the Premises License holder and DPS Gregg Dudd to manage the premises appropriately in supporting the licensing objectives and preventing further incidents. (Copy of Action Plan refers).

The Premises license holder was advised that if there was further evidence that the premises was not being managed correctly or any further serious incidents during the Action Plan – a review of the Premises license would be submitted to the Licensing committee.

Following the Action Plan a new manager was employed and on the 22nd of February 2022 - Police Licensing officer Andy Manhire made a point of visiting the premises and met the new DPS at that time. The visit was to express concerns following the incidents of violence and poor management and to remind him of his responsibilities.

At 11:00 p.m. on Friday the 22nd of April 2022 – the Police were called to the New Ancaster responding to a report of a large fight and that a female had been glassed in the neck.

The Police attended and whilst investigating offences of Wounding with intent to cause Grievous Bodily harm and engaging in controlling / coercive behavior arrested the DPS following a domestic incident in the public bar area, whilst the pub was open with customers present.

As a result of the incident the Police Licensing officer Andy Manhire and Amanda Hodge North Somerset Council Licensing attended the premises to view the CCTV and footage of the incident, which showed the DPS - who appears to be in a heated discussion with the victim from the body language. The DPS then walks away and throws the full contents of his pint across the pool table and walks back to the bar. The victim has her back to him when he approaches and slaps her with force using his right hand across the right side of her head / face and is believed that the victim is drinking from a glass at this time and the force of the strike causes the glass to shatter, causing serious injury to her face and neck. (See attached statement from attending Officer P.C. 2354 Davey)

The CCTV footage cannot be shown to the committee due to the fact of an evidential court case pending.

At 9.30 p.m. on 23rd of April 2022 an anonymous call was made to the Police stating that there was a large fight connected to the pub with 20 persons involved now heading up Drove road and that someone

had been knocked out. An area search was made by the Police but no group found or injured party.

As a result of this call the Police Licensing officer Andy Manhire contacted Gregg Dudd asking to view the CCTV of the incident reported - who did not respond to the enquiry.

On the 29th of April 2022 Amanda Hodge from North Somerset Council licensing arranged with John Riney to attend the Ancaster to view the CCTV but no one could work it.

The staff were unable to work the CCTV for the two incidents concerned of the 22nd + 23/04/22 which required Police investigation. Fortunately Amanda Hodge from Council licensing was able to work the CCTV system sufficiently to review the relevant times. The member of staff present stated that the fight on the 23/04 occurred outside but unfortunately the external camera showed no recordings for the period between 21/04 22/04/and 23/04/22. Also the internal camera showing the pool table also showed no recordings for the time of the call on the 23/04/22.

The Police are concerned that appropriate safe guards are not in place for members of staff not being trained to use and operate the CCTV system correctly, despite this being highlighted previously in an Action Plan. Also the security of the CCTV system could be compromised with recordings of incidents not being made and evidence lost.

It is apparent from the serious nature of the incidents over the last year - that the management + DPS who are responsible for supporting the Licensing objectives have also been involved in serious crime on the premises.

The Police would like to highlight that the offender for the serious assault on the Pub premises remained as DPS despite his actions for a full calendar month, before the Premises licence holder submitted a DPS variation application dated 23/05/22 and received by the Police on the 25/05/22.

The new DPS being Harry Walker who was previously fired from the premises following the detailed disorder incident on 08/07/2021 has been reinstated having obtained a personal licence. The Police Licensing officer Andy Manhire contacted Walker to highlight police concerns and remind him of his responsibilities.

The Police believe that this is further evidence that the Premises licence holder is employing inexperienced and ineffective personal licence holders which is resulting in the incidents highlighted in this application.

The Police have tried a stepped approach with the Premises licence holder, where a robust Action Plan was implemented but unfortunately incidents of a serious and concerning nature have continued and the Police are now of the opinion that a revocation of the premises licence be considered by the Licensing committee.

The Police believe that if further robust and positive conditions are considered by the committee - the Police have no confidence in the current management structure and are concerned that this will make little difference to the inexperienced fluid DPS operation that currently exists at the premises and that the licensing objectives will not be supported and further serious incidents will occur.

	<p>However if the committee decides not to revoke the Premises licence – the Police would ask for consultation for suggested additional conditions.</p>
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N.B If you do make a representation you will be expected to attend the Licensing Sub Committee and any subsequent appeal proceeding.

Signed: *Andy Jones*

Date: 07/06/2022

This form must be returned within the Statutory Period. (With supporting evidence).

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

Statement of: PCSO 9840 INSLEY

Age if 18 or under: over 18 *see overleaf (if over 18 insert 'over 18') Occupation: PCSO

This statement (consisting of 2 page(s) each signed by me is true to the best of my knowledge and belief and 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.

Victim / Witness signature: B.insley

Date:

I am PCSO 9840 INSLEY of the Avon and Somerset Constabulary currently stationed at North Somerset Police Centre, Weston- super-Mare.

On 27/08/2021 my tour of duty was 0700-1630hrs

Whilst out on vehicle patrol around 0900hrs, I was driving a marked police vehicle along Bournville road, towards drove road. Whilst sat at the traffic lights on the junction of Bournville road/Drove road, I witnessed a group of approximately 8-10 males between approximately 25-35 years of age, sat outside in the seating area of THE ANCASTER PUB, DROVE ROAD, WESTON SUPER MARE.

All the males involved appeared to have a mixture of bottles of what appeared to be beer and pints of what appeared to be alcohol. One male exited the door of the ANCASTER PUB carrying 3-4 pints of what appeared to be alcohol.

Due to seeing the male exit the licenced premises, and carrying what appeared to be alcohol and that the time was around 0900hrs, I was concerned that the premises may have been serving alcohol prior to their licensing agreements.

I returned to the BOURNVILLE NPT OFFICE, 5-6 ST ANDREWS PARADE, WESTON SUPER MARE, and checked INN KEEPER to establish what the licensing times where. The results of this check proved that they were licensed to sell alcohol from 1000hrs. Therefore in breach of their licensing agreements.

I informed 4245 PS COLIN BATCHELOR of this, who suggested we attend THE NEW ANCASTER in an attempt to establish the circumstances.

Signature PCSO 9840 B.Insley

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Witness Name: PCSO 9840 B.INSLEY

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Myself and 4245 BATCHELOR arrived at the NEW ANCASTER PUB at 1048hrs.

On approaching the front door to the ANCASTER PUB, the same group of males I had witnessed at around 0900hrs where sat in the same position I had witnessed.

PS 4245 BATCHELOR spoke to a lady sat outside, and requested to speak with the designated person, in charge, This lady explained that the HARRY was the Licensee, and the owner of the property JOHN RINEY, both of which were not at the premises and that she was the on duty bar lady.

At this point, without engaging with the group of males, one of the males approached 4245 BATCHELOR, and demanded to know why we were in attendance. Other males of the group can were heard shouting 'WHY THE FUCK ARE YOU HERE, WHO ARE YOU, WHY ARE YOU HERE.'

One of the males then proceeded to close the front door to THE ANCASTER PUB, and standing in front of it, in an attempt to prevent us from gaining entry to the premises.

PS4245 BATCHELOR then proceeded past the hostile group and we both entered the premises at which point, the males began shouting various comments at us such as 'YOU PRICK, LOOK AT YOU, YOU LITTLE BITCH'

PS4245 Spoke with the bar staff, and explained that the group should be ordered to leave immediately. During this conversation the group attempted to barricade the doors with chairs and themselves in order to keep us inside the premises.

At this point, we required more units to attend our location due to the threat and hostility from the males involved.

PS4245 Approached the males, and requested they keep the door clear, where he was met with further offensive comments and abuse from the group of males.

The Bar staff proceeded to contact management/licensee's to attend the location as requested by PS BATCHELOR.

We then retreated back inside the premises and the group then attempted again to barricade the doors.

The males continued to shout verbal abuse at both myself and PS 4245 BATCHELOR.

Signature PCSO 9840 B.INSLEY

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Witness Name: PCSO 9840 B.INSLEY

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A male then exited the toilet area of the premises and explained that he wanted to leave. It was later established that this male had a Criminal Behaviour Order, which prevents him from entering the BOURNVILLE AREA, which is defined by a map attached to his conditions. This meant this male was in breach of his CBO.

Following the departure of the above male, I have attempted to close the door behind him, and was forcefully prevented by another one of the males and was told 'WHAT DO YOU MEAN LOVE, THE DOOR IS STAYING OPEN, WHY ARE YOU TAKING THE PISS, YOU HAVE NO RIGHT TO KEEP THIS DOOR CLOSED'

PS4245 BATCHELOR then intervened in this hostility and was faced with multiple males shouting loudly towards him, and was forced to produce his CS gas as a deterrent and told the group multiple times to get back and stop barricading us in.

More units then attended the location to assist in dispersing the group.

To this point there was still no management or licensing staff present.

The group remained hostile and intimidating towards myself and PS4245 throughout this incident, shouting and swearing continuously.

The bar staff explained that HARRY who is the licensee, was probably responsible for opening of the pub at 0900hrs as he is a resident of the above flat.

One of the males, named by staff as CONNOR, requested to come in and order further drinks but was refused by PS4245. This male continued to question this.

At 10:58hrs a male known to police as STEVEN WALTERS attended the location and ordered the males to leave the pub immediately. STEVEN appeared friendly with the males and encouraged them to leave. One of the males attempted to get back on to the premises to retrieve his drink despite being ordered not to. PS 4245 obtained the drink from this male and poured it away.

Signature PCSO 9840 B.INSLEY

Signature Witnessed By

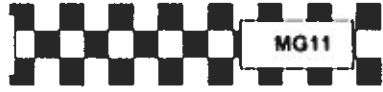
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Witness Name: PCSO 9840 B.INSLEY

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STEVEN WALTERS continued to plea with the males to leave. However they remained outside continuing to shout and swear at police staff in attendance.

WALTERS is known to police as being involved in Organised Crime Groups within the local area.

PS4245 explained that he had been asked to attend on behalf of the licensee to assist in ordering the males away from the premises.

The males then slowly left the area, while one male remained in the area being verbally abusive to police staff/officers.

At 1108hrs no management or licensing staff had attended the property.

The staff present were informed to close the premises down with immediate effect.

PCSO9840INSLEY

Signature PCSO 9840 B.INSLEY

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WITNESS STATEMENT

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

URN

Statement of:

Age if 18 or under: Over 18 *see overleaf (if over 18 insert 'over 18') Occupation:

This statement (consisting of 4 page(s) each signed by me is true to the best of my knowledge and belief and 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.

Victim / Witness signature:

Date:

I am PC 2354 DAVEY of Avon and Somerset Constabulary, I am currently part of the North Somerset response directorate. I am writing this statement regarding an incident I attended at THE NEW ANCASTER pub located on DROVE ROAD WESTON SUPER MARE, on FRIDAY 22nd APRIL 2022 at approximately 22:58HRS.

On the FRIDAY 22nd APRIL 2022 I was crewed as JD3 with SC 5913 HODDER, we were also in company with JD1 consisting of PC 729 EDGELL and PC2426 HUNT, JD2 who consisted of PC 2512 ASHFORD and PC 2352 CATER.

At approximately 22:58HRS we were asked to make our way to THE NEW ANCASTER as there had been a large fight inside the pub. It stated that a female had been glasses in the neck with heavy bleeding to the area and ambulance crew had evacuated the female to the back of the ambulance.

Shortly after QPR354L arrived on scene and stated that the female victim had sustained GBH level injuries.

We arrived at THE NEW ANCASTER pub at approximately 23:10HRS. We were briefed by QPR354L that a domestic incident had occurred inside the pub, were the a male has "RAMMED" a glass into the

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face of his partner causing a large cut on her cheek and one on her neck and the male was possibly still in the pub.

When I entered the pub, there was approximately 5-6 people in the bar area no one had identified themselves as staff and it was difficult to tell it who they were. The people inside the pub had seen the incident but all were saying "IT WAS AN ACCIDENT" and I heard the comment of "THEY WERE IN THE WRONG PLACE AT THE WRONG TIME"

We began to follow who appeared to be a male staff member to the flat upstairs who belong to the designated premise supervisor and suspected offender in this incident. The flat was clear with no persons present so went back down stairs.

I heard PC HUNT speak to a female staff member, asking for CCTV if the pub, the female staff member replied "we have cameras but I don't have access to it so you will have to come back. PC HUNT replies along the lines of "make sure your manager saves it" The female staff member stated "HES THE MANAGER SO HE DOESN'T DO ANY THING WITH IT" THERE ARE 5 OF US IN TOTAL, TWO OF US WORKING TONIGHT PLUS THE designated premise supervisor THAT'S THE ONE YOU ARE AFTER. THE OTHER ONE IS AWAY WITH ONE NOT WORKING"

After having a conversation with colleagues outside, after they had spoken to those in the bar confirmed that no one wished to provide any details as they were standing by that "IT WAS AN ACCIDENT." Both SC HODDER and I went back into the bar to try again to obtain the CCTV footage. The male staff member was stood behind the bar, it was clear that he knew there was cameras but had no idea where the CCTV is located. They stated that it was a WIFI system, and had no idea if it was recorded to a

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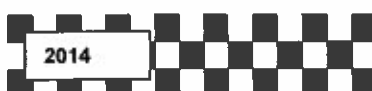
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harddrive, they referred to the other manager who had access to it was away but didn't appear that they would contact them.

I went back outside to update comms regarding this and the female staff member was outside talking to colleagues, she appeared unsteady on her feet swaying slightly and not being able to stay still for very long. It appeared to me as though she was slightly intoxicated. She stated that she would be there until 00:00HRS, "IF HE (the offender) RETURNS I WILL ASK HIM AND ENCOURAGE HIM TO CALL YOU" This gave me the opinion that she would be hesitant of calling the police back, it was only as it was suggested to her that she should phone the police on his return she replied she would.

I spoke to SC HODDER to see if it possible to obtain any glass fragments from the glass that was used, after a few minutes I went back into the pub to find that the staff members had already disposed of the glass in the bin.

The male staff member stated that he there was only 2 of gin glasses, one of which the victim had been drinking from. It had been cleaned into two separate glass bins. The male staff member had shown me a glass similar to the glass which the offender had been drinking from while showing me an intact version of the gin glass which was broken.

I noticed wires coming from the cameras and was heading upstairs, I asked the male staff member if it was ok to have a look in which he agreed to.

When we went upstairs the male staff member showed me into the office which is used for the pub, on the wall was a small axe and what appeared to be a tantō sword which was approximately 50cm in length. Which I found to be very unusual to have behind a desk which is fully accessible if anyone were to walk up the stairs.

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There was no visible location of where the hard drive was located, but it was clear that the designated premise supervisor had left in a rush as he had left his wallet and phone on the desk. Prior to walking out of the flat, I saw a large samurai sword type sword located behind it.

I left the THE NEW ANCASTER pub due to being required to attend another incident, but QPR354 remained on scene.

Upon returning to the station later in the night I was told CCTV footage was obtained. The footage had to be recorded on a body worn camera this was the only way officers were able to secure footage of the attack as no staff member was able to assist obtaining a copy.

On one of the angles showed that the designated premise supervisor had been on the customer side of the bar, it appears that he was poured a drink by one of the staff members. The drink itself appears to be alcoholic, due to being amber in colour and a white foamy head. Indicating that he was likely to have been drinking which would have contributed to the designated premise supervisor showing aggression to another person.

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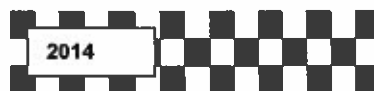
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APPENDIX B

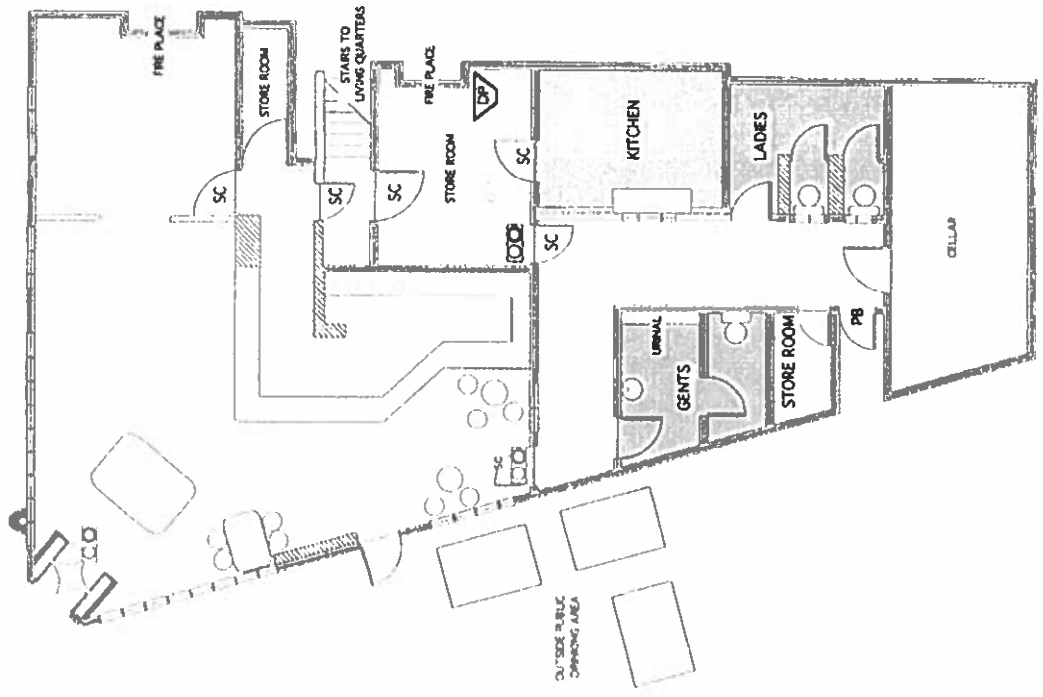


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- ALCOHOL CONSUMPTION CHILDREN ALLOWED
- ALCOHOL CONSUMPTION CHILDREN NOT ALLOWED
- KITCHEN AND FOOD PREPARATION
- STORAGE
- TOILETS
- ESCAPE ROUTE NON ALCOHOL

ATTACHED TWO STOREY PUB WITH PUBLIC ACCESS RESTRICTED TO GROUND FLOOR. FIRST FLOOR PRIVATE. SURFACE FINISHES: LINO, CARPET, CONCRETE, TILES.

SCALE 1:50 DRAWING BUILDING PLAN



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APPENDIX B

Premises Licence Part A

Premises licence number

NSC/019429	Issue date: 2 September 2005
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Postal address of premises, or if none, ordnance survey map reference or description:

The Ancaster
Drove Road

Post town: Weston-Super-Mare

Post code: BS23 3NX

Telephone number:

Where the licence is time limited the dates

None

Licensable activities authorised by the licence

Live Music
Recorded Music

Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:

Live music	This activity is permitted: Indoors Only				
	Day	From	To	Seasonal Variation	Non standard timings
	Monday	10:00	00:00	None	None
	Tuesday	10:00	00:00		
	Wednesday	10:00	00:00		
	Thursday	10:00	00:00		
	Friday	10:00	00:00		
	Saturday	10:00	00:00		
	Sunday	10:00	00:00		
	<i>* The following day</i>				

Recorded music			This activity is permitted: Indoors Only	
			Seasonal Variation	Non standard timings
Day	From	To	None	None
Monday	10:00	00:00		
Tuesday	10:00	00:00		
Wednesday	10:00	00:00		
Thursday	10:00	00:00		
Friday	10:00	00:00		
Saturday	10:00	00:00		
Sunday	10:00	00:00		
<i>* The following day</i>				

Supply of Alcohol				
			Seasonal Variation	Non standard timings
Day	From	To	None	None
Monday	10:00	00:00		
Tuesday	10:00	00:00		
Wednesday	10:00	00:00		
Thursday	10:00	00:00		
Friday	10:00	00:00		
Saturday	10:00	00:00		
Sunday	10:00	00:00		
<i>* The following day</i>				
<p>The supply of alcohol is authorised for consumption:</p> <p>Only on the premises</p>				

The opening hours of the premises				
			Seasonal Variation	Non standard timings
Day	From	To	None	None
Monday	10:00	00:00		
Tuesday	10:00	00:00		
Wednesday	10:00	00:00		
Thursday	10:00	00:00		
Friday	10:00	00:00		
Saturday	10:00	00:00		
Sunday	10:00	00:00		
<i>* The following day</i>				

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Name: Mr Gregory James Dudd

Address: Unit 4, 9 Evercreech Way, Highbridge, Somerset, TA9 4AR

Telephone Number: 07785 745921

E-mail:

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

Not Applicable

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Name: Mr Harry Walker

Address: 17 Stradling Avenue, Weston Super Mare, BS23 3RD

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Number: NSC/057388

Issuing Authority: North Somerset Council

Annex 1 – Mandatory Conditions

1. (1). No supply of alcohol may be made under this premises licence:-
 - (i) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (ii) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (2) Every supply of alcohol under this premises licence must be made or authorised by a person who holds a personal licence.
2. (1) The responsible person must 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-
 - (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 in a manner which carries significant risk of undermining a licensing objective.
 - (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 in a manner which carries significant risk of undermining a licensing objective;
 - (d) 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.
3. 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).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried out in accordance with the age verification policy.
 - (3) 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 either –
 - a) a holographic mark, or
 - b) an ultra violet feature.
6. The responsible person must 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) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol, specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
7. Where films are shown, children shall only be admitted to film showings in accordance with the British Board of Film Classification (or equivalent regulatory body) requirements.
8. Where individuals are required by this licence to carry out a security activity at a specified time or more, they must be:
 - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (b) be entitled to carry out that activity by virtue of section 4 of that Act.
9. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

10. For the purposes of the condition set out in paragraph 9:

a) "duty is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a)

b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where i) **P** is the permitted price

ii) **D** is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence –

i) the holder of the premises licence,

ii) the designated premises supervisor (if any) in respect of such a licence, or

iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence,

d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(b).

Annex 2 – Conditions consistent with the operating Schedule

2.1 General

2.2 The Prevention of Crime and Disorder

1. CCTV shall be installed to the satisfaction of the Police and Licensing Authority and maintained in good working order. All cameras shall record continuously during trading hours and for one hour afterwards. The time and date shall be displayed on the recordings. Recordings shall be maintained for a period of 31 days, and handed to the Police or the Licensing Authority for evidential purposes on request. If the CCTV equipment fails the Police and Licensing Authority must be informed as soon as possible and immediate steps shall be taken to put the equipment back into action. A notice shall be displayed at the entrance to the premise advising that CCTV is in operation.

2.3 Public Safety

2.4 The Prevention of Public Nuisance

1. Public Notices shall be displayed asking customers to leave quietly
2. Windows and doors shall be kept closed whilst any entertainment other than background music is in progress after 23:00
3. No drinks shall be allowed outside after 23:00

2.5 The Protection of children from harm

Annex 3 – Conditions attached after a hearing by the licensing authority

None.

Annex 4 – Plans

Original plans with North Somerset Council, Licensing Team, Town Hall, Walliscote Grove Road, Weston-super-Mare, BS23 1UJ.

Premises Licence Summary

Part B

Premises licence number

NSC/019429	Issue date: 2 September 2005
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Postal address of premises, or if none, ordnance survey map reference or description: The Ancaster Drove Road

Post town: Weston-Super-Mare	Post code: BS23 3NX
------------------------------	---------------------

Telephone number:

Where the licence is time limited the dates: None

Licensable activities authorised by the licence	
Live Music Recorded Music	Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:

Live music	This activity is permitted: Indoors Only		
Day	From	To	Non standard timings
Monday	10:00	00:00	None
Tuesday	10:00	00:00	
Wednesday	10:00	00:00	
Thursday	10:00	00:00	
Friday	10:00	00:00	
Saturday	10:00	00:00	
Sunday	10:00	00:00	
* The following day			

Recorded music			This activity is permitted: Indoors Only	
			Seasonal Variation	Non standard timings
Day	From	To	None	None
Monday	10:00	00:00		
Tuesday	10:00	00:00		
Wednesday	10:00	00:00		
Thursday	10:00	00:00		
Friday	10:00	00:00		
Saturday	10:00	00:00		
Sunday	10:00	00:00		
<i>* The following day</i>				

Supply of Alcohol				
			Seasonal Variation	Non standard timings
Day	From	To	None	None
Monday	10:00	00:00		
Tuesday	10:00	00:00		
Wednesday	10:00	00:00		
Thursday	10:00	00:00		
Friday	10:00	00:00		
Saturday	10:00	00:00		
Sunday	10:00	00:00		
<i>* The following day</i>				
<p>The supply of alcohol is authorised for consumption:</p> <p>Only on the premises</p>				

The opening hours of the premises				
			Seasonal Variation	Non standard timings
Day	From	To	None	None
Monday	10:00	00:00		
Tuesday	10:00	00:00		
Wednesday	10:00	00:00		
Thursday	10:00	00:00		
Friday	10:00	00:00		
Saturday	10:00	00:00		
Sunday	10:00	00:00		
<i>* The following day</i>				

Name, (registered) address of holder of premises licence

Mr Gregory James Dudd

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

Not Applicable

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

Mr Harry Walker

Access to the premises by children:

In accordance with the provisions of the Licensing Act 2003

NOTICE OF GRANT OF PREMISES LICENCE

Premises Licence Number:

NSC/ 019429

Premises Details:

The Ancaster
Drove Road
Weston-Super-Mare
BS23 3NX

Registered Business Number:

N/A

GRANTED at the Office of the said council on:

2 September 2005
Updated 13 August 2013
Updated 7 November 2013
Updated 19 November 2014
Updated 22 February 2022
Updated 9th June 2022



**Sioux Isherwood
Head of Licensing
Directorate of Public Health & Regulatory Services**



Traffic Lights - Licensed Premises Action Plan
North Somerset Licensing Team
Avon and Somerset Police

Name of Premises: The Ancaster

Address of Premises: Drove Road, Weston-s-Mare

Name of DPS: Gregg Dudd

Name(s) of Premises licence holder(s): Gregg Dudd

Details of incidents/enforcement activity necessitating remedial action:

As a result of recent incidents of disorder + ASB / Noise at the premises – the Police have concerns over evidence of poor management, which has resulted in the premises licence conditions not being enforced.

Robust and positive management of the premises is required to support the Licensing objectives, in preventing any further incidents occurring and to evidence the positive changes required.

Agreed Actions:

The following actions have been agreed by the Licensing Authority, Police, the licence holder and DPS:

- 1) As per conditions of licence, public notices shall be displayed asking customers to leave quietly.
- 2) As per conditions of licence, no drinks shall be allowed outside after 23:00.

- 3) All staff shall be trained on the use of the CCTV system and be able to access recordings if asked by the Police or Licensing Authority.
- 4) A record to be kept of all Incidents, refusals of entry and service of alcohol, which be made available at the request of the Police or Licensing Authority
- 5) Staff shall undertake regular checks of the outdoor seating area to ensure that there are no incidents of anti-social behaviour and shall ask the customer to leave if any such incidents are noted.
- 6) A record of bar managers or of any changes, will be made to the Police or Licensing authority.
- 7) Only alcohol purchased by customers on the premises - will be consumed on the premises.
- 8) A record will be made of any problematic customers that are barred from the premises and made available at the request of the Police or Licensing authority.

Date of implementation: 22nd July 2021

Review Date (s): 14th October 2021

The North Somerset Licensing Authority and Avon and Somerset Police have completed the above action list with the licence holder. The aim of this document is to prevent the necessity of further more formal enforcement action, to seek co-operation between the licensees and the venue with the relevant authorities, to rectify the outlined problems through mediation and cooperation.

Signed: *AHodge*
Amanda Hodge
Licensing Officer

Signed: Andrew Jones
(via electronic signature)
Avon & Somerset Police

Signed:
Premises Licence Holder (s)

 GREG D UDD .

Date:

22.07.21.

**Licensing Act 2003
Representation in respect of a review of a Premises Licence or Club Premise Certificate**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Representations must be made to the Licensing Authority in writing. You are not obliged to use this form to make a representation and you may make a representation by letter if you wish.

Before completing this form please read the guidance notes on page 4.

If you are completing this form by hand please write legibly inside the boxes in black ink and stay within the box provided.

Once completed please send your application to **North Somerset Council, Licensing Team, Town Hall, Walliscote Grove Road, Weston-super-Mare, BS23 1UJ**. You may wish to keep a copy of the completed form for your records.

I, Annabel Hall, Senior Environmental Health Officer, hereby make representations in respect of the application for the review of the Premises Licence or Club Premises Certificate, made by:

Gregory James Dudd

Part 1 - Premises or Club details

Name and postal address of premises or club premises, if any, or if none ordinance survey map reference or description.	
The New Ancaster, Drove road	
Post town: Weston-Super-Mare	Post code: BS23 3NX

Part 2 – Details of person making representations

- I am Please tick ✓
- 1) an interested party
 - 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
 - 3) a member of the club to which this application relates

(A) Representors Details (fill in as applicable) (please read guidance note 1)

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

Surname:	First names:
----------	--------------

Are you over 18?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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Current address:

Post town:	Post code:
------------	------------

Contact phone number (working hours)

E-mail address (optional)

(B) Details of Body Making Representation

Name and address:
Telephone Number:

(C) Details of Responsible Authorities Making Representations

Name and address:
Public Health and Regulatory Services North Somerset Council Castlewood Tickenham Road Clevedon BS21 6FW
Telephone Number: 01934 888802

This representation relates to the following licensing objective(s) - please read guidance note 2)

Please tick one or more boxes ✓

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

If your representation does not relate to one of the above objectives your representation will be invalid.

Please state the ground(s) for the representation and how it relates to one of the licensing objectives. Please provide as much information as possible to support the application, (Guidance Note 3). Continue on separate numbered sheets if required.

A new food business registration was received by North Somerset Council on 29th July 2021, this listed Mr Joe Thomas Pantall as Food Business Operator of the New Ancaster. He registered as a pub serving meals and a weekend BBQ.

On the 3rd October 2021, I carried out an initial inspection of The Ancaster and the business was rated as a food hygiene rating of 1 which indicates that major improvement is necessary. I met Joe Pantall on site and advised that they must monitor temperatures for the BBQ as food was kept in hot hold with no temperature checks, they needed to cover a hole in the kitchen ceiling, remove boxes and superfluous items from the kitchen, get a rack for suitable storage for the chopping boards, put in place a food safety management system, and complete food hygiene training for food handlers. They also needed to complete allergen information for the foods they serve.

I completed a progress visit on 19th November 2021, Joe Pantall was not on site at the time. The bar staff member at the time said they don't have anything to do with the food preparation side but said that they are not doing any food over the winter (other than wet sales/crisps).

I visited again on 4th February 2022 (after the 3-month standstill period from their initial inspection), again Joe wasn't available to speak to and staff said they don't know anything about food provision as 'Joey' deals with that. I did note that Joe had completed food hygiene training as a certificate was displayed.

I visited again on 29th March 2022 and met Joe Pantall on site. He said the free BBQ would likely start in the next few weeks and the food for pool matches would start again in the summer. He said he refused to spend any money to buy a Safer Food Better Business pack and didn't know how to print it but then did end up saying if I email the link to the pack again, he will get one of the staff members to print it off. He also said he no longer is doing any foods other than the planned free BBQ and for pool matches. He said the free BBQ is actually run by locals and he just lets them use the space, but he goes and buys the meat packs. I advised that he still needs to complete the works required and put in place a food safety management system. I sent an email with link to the documentation as agreed but didn't get any response.

I visited again on 10th May 2022 and was told Joe was on holiday and had missed his flight so hadn't returned as planned. I again was told by the staff member on site that they don't know what is going on with food provision. I tried to call Joe the following week and sent another email confirming that I will be serving Improvement Notices if he

is still failing to put a food safety management system in place.

I received a phone call from Debbie Young on 17th May 2022 confirming that they will be taking over the business as don't want Joe to return. I advised what she needs to do if she is to take over as food business operator and sent a follow up email with more information.

Throughout dealing with the premises, staff members have kept saying they don't have anything to do with the food provision and have advised that I would need to speak to Joe but he has not responded to calls, emails and has often not been on site when I have visited. Although food handling appeared to be limited over the winter, there has been continued provision of food for pool matches and an offer of Sunday BBQ food without any attempt to comply with Food Hygiene legislation. Controls are required to ensure food hygiene for public safety.

- I understand that this representation will be put before a Licensing Sub-Committee and if the decision of that Sub-Committee is appealed against, a hearing at the magistrate's Court. Please tick
- I understand that this representation may become a public document, that a full copy will be sent to the applicant and that it will be scrutinised by members of the Licensing Sub-Committee. Please tick

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO KNOWINGLY OR RECKLESSLY MAKE A FALSE STATEMENT IN CONNECTION WITH THIS REPRESENTATION. THIS IS PUNISABLE, ON CONVICTION, BY A FINE OF UP TO £5,000.

Part 5 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent. (please read guidance note 5)

If signing on behalf of the applicant please state in what capacity.

Signature: *J. Law*

Date: 28th June 2022

Capacity: Senior Environmental Health Officer - Inspecting Officer

Contact name (where not previously given) and address for correspondence associated with this application. (please read guidance note 5):
Annabel Hall
Public Health and Regulatory Services
North Somerset Council
Castlewood
Tickenham Road

Post town: Clevedon	Post code: BS21 6FW
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All representations must be made by sending this form to the Licensing Team, Warne Road Depot, Warne Road, Weston-super-Mare, Somerset BS23 3ND to arrive during the period of 28 consecutive days stipulated in the Public Notices posted at the Council Offices and at the premises subject to the request for a Review.

Representations received outside this time limit will be deemed to be invalid

Notes for Guidance

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

