

(Report of the Licensing Officer, Samantha Potts 7364)

Application – Review of Premises Licence

Premises – The Old House at Home, High Street, Sheerness

Current Licensable Activities	Days	Current Hours	Comments
Supply of alcohol	Monday – Thursday	07:00-24:00	
	Friday – Saturday	07:00-02:00	
	Bank Holidays etc	07:00-02:00	
	Xmas eve/B'day	07:00-02:00	
	New Years Eve	11:00-23:00 nd	
Films	Monday - Sunday	10:00-23:00	
	Bank Holidays etc	18:00-23:00	
	Xmas eve/B'day	18:00-23:00	
	New Years Eve	10:00-23:00 nd	
Indoor Sporting Events	Monday - Sunday	10:00-24:00	
	New Years Eve	11:00-23:00 nd	
Live Music (indoors)	Monday - Sunday	10:00-24:00	
	Bank Holidays etc	10:00-24:00	
	Xmas eve/B'day	10:00-24:00	
	New Years Eve	10:00-24:00 nd	
Live Music (outdoors)	Friday - Saturday	10:00-21:00	
Recorded Music	Monday - Sunday	07:00-24:00	
	Bank Holidays etc	07:00-01:00	
	Xmas eve/B'day	07:00-01:00	
	New Years Eve	07:00-24:00 nd	
Dancing (indoors)	Monday - Sunday	10:00-24:00	
	Bank Holidays etc	10:00-01:00	
	Xmas eve/B'day	10:00-01:00	
	New Years Eve	10:00-24:00 nd	
Dancing (outdoors)	Friday - Saturday	10:00-22:00	
Late night refreshments	Monday - Sunday	23:00-Close	

SPECIAL CONDITIONS OF THE LICENCE (in addition to the mandatory conditions)

- 'Proof of age' schemes to be in operation.
- Consideration to be given to noise, bottle bins not to be emptied after 23:00hrs.
- Only children accompanied by an adult to be allowed on the premises, in designated areas until 21:00hrs.
- Occupancy limit of 75.
- Swale Safe Radio Scheme to be in operation.
- Live music in the garden to be no more than 6 times per year, to be held on a Friday or Saturday only and to cease by 21:00hrs.
- Dancing in the garden to be no more than 6 times per year, to be held on a Friday or Saturday only and to cease by 22:00hrs.

Background

Kent Police (Swale Area) have applied for a review of the premises licence of The Old House at Home Public House, High Street, Sheerness.

The reasons for the request are detailed in the attached review application. In this application the Police have outlined the recent history of the premises and the findings of their recent visits which are mainly crime related in respect of the handling of stolen goods and drug offences.

This premises currently holds a full Premises Licence, which was issued by Swale Borough Council in August 2005, the application was not referred to committee as there were no objections. The licence was varied in 2007, the variation was also approved without the need for a hearing.

The premises licence is registered to Shepherd Neame Ltd. The current DPS Lisa Jane Reed took over the premises in April 2008. She holds a personal licence issued by this Authority. Shepherd Neame are the recipient of this review application and have issued a statement through their solicitor, see attached.

Mrs Reed is not the recipient of the review however as she is named in it she has instructed a solicitor to speak on her behalf. Members should note that the aim of the hearing is not to decide if Mrs Reed is guilty of a crime, this is a matter for a criminal prosecution. Members must decide if, on the evidence presented, she is a 'fit and proper' person under the Licensing Act 2003 to manage a public house.

Consultation

The review application was served by Kent Police on the Fire Brigade, Pollution Team, Planning, Child Protection Services, Weights and Measures, Shepherd Neame Ltd and a copy was sent to Mrs Reed.

The application was advertised at the Council Offices and on the premises for a period of 28 days, in line with the Governments Hearings Regulations.

Conclusion

Kent Police have applied for a review of the premises licence. They are requesting that the licence be revoked. Should members not elect to revoke the licence, the Police request that the DPS be removed, a suspension be imposed and 6 conditions be added, these are detailed in their 'Grounds for review' document.

Councillors must decide if any of the following are appropriate:

- *Remove/modify any of the current licensable activities.*
- *Remove/modify any of the licence conditions.*
- *Remove the Designated Premises Supervisor (following the 21 day appeal process and any subsequent appeal lodged by either Shepherd Neame or Swale Police)*
- *Suspend the licence for a period not exceeding three months (following the 21 day appeal process and any subsequent appeal lodged by either Shepherd Neame or Swale Police)*
- *Revoke the licence (following the 21 day appeal process and any subsequent appeal from Shepherd Neame)*
- *Take no action.*

Supporting documents

Application for review from Kent Police

4 Witness Statements.

Statement on behalf of Shepherd Neame, from Mackenzie Dillon Solicitors.

Copy of current Premises Licence

Plan of the area.

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I Chief Insp Henley.....
(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Old House at Home 158-160 High Street,	
Post town Sheerness	Post code (if known) ME12 1VQ

Name of premises licence holder or club holding club premises certificate (if known) Shepherd Neame Plc

Number of premises licence or club premises certificate (if known) SHE/SWALE/189/0174

Part 2 – Applicant details

I am

Please tick yes

- 1) an interested part (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

3 a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in a applicable)

Please tick

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

Surname

First names

Please tick yes

I am 18 years old or over

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Kent Police Sittingbourne Police Station Central Avenue Sittingbourne Kent ME10 4NR
Telephone number (if any) 01622 690690
E-mail address (optional)

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

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

Please state the ground(s) for review (please read guidance note 1)

The DPS has become involved in crime, namely handling stolen goods and due to this the venue has gained the reputation as a place to go to sell stolen goods. The offences were being committed not only by the DPS but also the customers.

There is also clear evidence that the premises are linked to drug use and drug supply.

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

Please provide as much information as possible to support the application

(please read guidance note 2)

Please see the attached report

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 4) If signing on behalf of the applicant please state in what capacity.

Signature

[Handwritten Signature]

Date

08/10/2010

Capacity

Licensing officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

PC Neil Barnes 10051
Licensing Dept
Sittingbourne Police Station
Central Avenue

Post town Sittingbourne

Post code ME10 4NR

Telephone number (if any) 01622 690690

If you would prefer us to correspond with you using an e mail address your e mail address (optional)

Notes for Guidance

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

Grounds to review (Old House)

The premises known as the "Old House at Home" is situated at 158-160 High Street, Sheerness. It is a small public house and as the address suggests it is located within the Sheerness town centre area. Although the venue is run by the Shepherd Neame Company, the current DPS and tenant is Lisa Johnson (AKA Lisa Reid) who took over control in April 2008.

We believe the premises are now no longer suitable to be run as a public house as the building under the control of Lisa Johnson has become a venue where the trading in stolen goods seems to have become the norm. This information comes from a recently run Police Operation in Sheerness to tackle Serious Acquisitive Crime, it should be mentioned that intelligence reports had linked this type of crime with the supply of Class A and Class B drugs in the Swale area. This point is important to note as there is evidence that drug dealing was also going on at the premises albeit by customers.

In May 2010 Kent Police Launched "Operation Invoice" with the intent of tackling/reducing Serious Acquisitive Crime and it followed a government report that highlighted crime in the Swale area. The Operation involved the introduction of Law Enforcement Officers into the Sheerness area whose briefing was to befriend local drug users as they were suspected to be most involved in crime. (For this report these Officers will be referred to as TPO, signifying Test Purchase Officer)

At the beginning of the operation there was no specific intelligence as to which venues/persons were receiving/handling the stolen goods.

After some time involved in the operation a TPO was directed to the Old House at Home, Sheerness as a place which may take the "stolen" goods being offered. This suggestion was made by another person involved in the receiving of stolen goods.

Around midday on Tuesday the 7th September 2010 the TPO went into the public house, they were in possession of several items including toiletries and perfumes. The TPO spoke to Lisa Johnson who was working behind the bar and offered her the items however Lisa Johnson declined to buy any of these items stating that she wanted "airwick plugins" and "Paco Rabanne, one million" for men and women. Lisa Johnson told the TPO that if they could get those items, then she would buy them.

Around 12:30hrs on Wednesday the 8th September 2010 the TPO returned to the venue, again they were supplied with several items which this time included "airwick plugins" and "Paco Rabanne". Upon entry the TPO was directed by Lisa Johnson to the kitchen at the back of the pub and there she met 2 of Johnson's friends. The TPO produced the items and stated that they had been stolen. Lisa Johnson then bought 2 bottles of perfume from the TPO. Johnson's 2 friends then also purchased items. As the TPO left the public house through the bar area they were stopped by a customer who also bought a bottle of perfume.

Around 12:30hrs on Thursday the 9th September 2010 the TPO returned to the public house and again had been issued with some items. The TPO spoke to Lisa Johnson and told her that the items had been stolen from Boots. Lisa Johnson then purchased a

bottle of Paco Rabanne one million for £15 stating that it was for a friend. Lisa Johnson then asked the TPO to get some Opium perfume.

As a result of this operation a series of warrants were executed in Sheerness in early October. At the time Lisa Johnson was out of the country but arrangements were made for her to be arrested and interviewed on her return.

Lisa Johnson was arrested on the 12th October 2010 about the allegations and at the point of arrest she handed the arresting Officers a bottle of perfume, which in fact was the bottle bought from the TPO on the 09/09/10. During her interview Lisa Johnson admitted to handling stolen goods, she admitted to buying the air-fresheners and perfumes from the TPO knowing them to be stolen. She did not remember the dates but did recall the TPO mentioning that the items had been stolen from Boots. Lisa Johnson also admitted to ordering items to be stolen for her. She stated that she was a licensee and that she shouldn't have been buying the property.

It should also be noted that the TPO makes mention of drugs twice during the operation. The first time was at the beginning of the operation, on Thursday the 17th June 2010 they arranged to meet a person at the Old House at Home and in the back garden purchased an eighth of amphetamine for £25. The drugs were weighed out in the toilets but the purchasing and the handover were conducted in the back garden. This occurred around 13:30hrs.

The TPO also states that when they attended the venue on the 9th September 2010 they were speaking to a customer in the bar area this customer who was identified themselves as Kevin Rowland told the TPO that he was finishing his drink and then going to buy some drugs.

On top of this a licensing visit was conducted by the Police at the venue on the 1st October 2010 during which the officer found a snorting tube and a number of plastic clip bags in the male toilets

As can be seen Lisa Johnson was herself, directly involved in the handling of stolen goods she was also encouraging/arranging it amongst her friends and customers, she even provided lists for items to be stolen. The TPO was put on to Lisa Johnson by another handler and so I wonder if this other person would have suggested Johnson without knowing or thinking that she would accept the items, after all, such suggestion could cause considerable offence to a fully law abiding person.

As these actions obviously fly in the face of the first Licensing Objective "to prevent crime and disorder" we believe that Lisa Johnson is not suitable as a DPS.

The Police also seek the revocation of the premises licence as the premises now has the reputation amongst the locals as a place to buy and sell stolen goods. We believe this is evidenced by the fact that it was not just Lisa Johnson involved but the customers themselves were approaching the TPO and asking to buy the items. These customers and Johnson seem to have no fear that they would be caught and we

believe that this is, because it's the norm. On top of this it can be seen from the last 3 evidential paragraphs there is evidence of drug trading within the public house, in particular within the gents toilets. We are not saying that Lisa Johnson was involved in this but as a DPS she should be aware of what was going on in her pub. After all for a drugs deal to occur in the back garden at 1:30 in the afternoon would again suggest that the customers are quite comfortable in their criminal activities. We believe that the criminal element, is in control at this public house, not just through Johnson but by the clientele as well, hence the reason that we do not believe that a simple DPS removal will suffice. Without being rude to the pub it's not the sort of venue, which attracts passing trade, this venue is a regular's public house and if as we suspect there are criminally inclined they will not give up their good thing easily. It is unrealistic for a new DPS to take on the venue and expect him to suddenly get a grip. All the time those customers are using that venue it will attract persons selling their ill-gotten gains.

If the Licensing Committee decides not to revoke the Licence then the Police ask for

- 1) Removal of Lisa Johnson as the DPS for the reasons listed above
- 2) Licence suspended for 3 months. This will allow time for the clientele to move on from this pub, they will not be willing to wait-out 3 months for it to re-open, effectively it gives the venue a chance to reset, i.e. to change DPS/staff and clientele. We also believe that this will act as a significant deterrent to any new DPS to make sure that the premises are run correctly. We know that the findings of this review are not for the purpose of a punishment but if the DPS is removed then the only person who could claim to be punished by the suspension would be the customers. Long term this would be a benefit.
- 3) The fitting of extensive CCTV. i.e.
 1. CCTV to be fitted to a standard agreed to by the police that complies with The CCTV Code of Practice (2008 edition) produced by the Information Commissioners Office, with all public areas, including all access and egress points covered.
 2. The CCTV system will be maintained and serviced on a regular basis and records kept to that effect.
 3. CCTV shall be operational at all time that members of the public and/or staff are on the premises.
 4. Images will be retained for a period of at least one calendar month by whatever means the licence holder deems appropriate.
 5. The Police or Local Authority will have access to these images at any reasonable time and in any case within 48 hours of the request for the image being made.

6. The Police or Local Authority will be allowed to take a recording by way of tape, CD Rom or any other means of the image within 48 hours on the initial request being made by either the Police or Local authority.
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We also ask the Licensing Review Panel to understand that with this type of Police Operation there is relatively little information that can be passed over. The vast majority of the evidence was provided to us in a statement from DI Kris Hill who is the Officer in overall command of the operation, however he is not a direct witness to any of the events. Therefore we can only supply copies of that statement (appendix A) along with an extract from the TPO statement (appendix B) which covers the drug deal on the 17th June 2010. Also included is a statement from PC Heather that covers the finding of the drugs paraphernalia in the venue on the 1/10/1063. (appendix C)

WITNESS STATEMENT

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

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46	
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Statement of: **Kris Hill**

Age if under 18: **Over 18** (if over 18 insert 'over 18') Occupation: **Detective Inspector**

This statement (consisting of _____ page each signed by me) 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: _____

Date: _____

Tick if witness evidence is visually recorded (supply witness details on rear)

In the spring of 2010, Kent Police embarked on a lengthy covert investigation called Operation Invoice.

In the months preceding this investigation, the Swale District was experiencing the largest rise in house burglaries of any District in Kent. The Home Office's own data comparing Swale with 14 similar Districts across England and Wales ranked Swale 13th out of 15 for the volume of burglary offences.

In a Home Office survey before Operation Invoice, twice the number of respondents in Swale considered 'Drug Dealing or Misuse to be a big problem in their local area', than respondents nearby in Maidstone.

Intelligence indicated a strong association between the commission of Serious Acquisitive Crime and the Supply of Class A and B Drugs throughout Swale.

The outcome of Operation invoice has confirmed that the ready supply of Class A Drugs in the District has fuelled the increase of Serious Acquisitive Crime.

Similarly, the propensity among some to profit from the proceeds of that Serious Acquisitive Crime has encouraged the steady supply of Class A drugs.

Signature: _____

Signature witnessed by: _____

Typed by: _____

Continuation page 2

URN

46

Continuation statement of: **TPO Connie**

This case is one of many that are the culmination of the Operation Invoice investigation. Collectively these cases have contributed to the network of drugs and crime that has existed in Swale in recent years.

Test Purchase Officers (referred to as "T.P.O.'s") were deployed from MAY 2010 into the area of the Isle of Sheppey and Sittingbourne.

The officers engaged in the operation will only be identified by their pseudonyms. In this particular part of the investigation the relevant officer is "TPO Connie".

Lisa Jane JOHNSON, born 22/10/68 is the licensee of The Old House At Home, Public House, High Street, Sheerness, and has been since the 4th April 2008. JOHNSON gives her address as The Old House at Home, High Street, Sheerness. She works at The Old House at Home behind the bar.

This Public House is being used as an outlet by local thieves to sell stolen property. It is also evident that the Landlady, Lisa JOHNSON has provided 'shopping lists' of items that she would like them to steal and she will subsequently purchase the stolen items at a much reduced price.

On Tuesday 7th September 2010, TPO Connie was issued with the following exhibits:

TLE/102 Glade Essential Oil electric diffuser clean linen.

TLE/103 Glade Essential Oil electric diffuser clean linen.

Signature

Signature witnessed by

Typed by:

Continuation page 3

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46

Continuation statement of: **TPO Connie**
 TLE/104 and TLE/105 – So Kiss Me 30ml Eau de Toilette

TLE/106 TLE/107 and TLE/108 – 3 x So Superstar 30 ml Eau de Toilette,

TLE/109 – ck one Summer,

TLE/111 – DKNY be delicious

TLE/112 – DKNY delicious night.

At Midday, TPO Connie went into the Old House at Home Public House, Sheerness and spoke with a female that said she was Lisa. Lisa was behind the bar and TPO Connie was in the bar area. TPO Connie said that Janet Norton from The Crown Public House had told her to come in and showed Lisa exhibits TLE/102 – 108 and TLE/110. Lisa said she wasn't really interested, as she only liked airwick plugins and paco rabanne one Million for men and women. Lisa told TPO Connie that if she had those items she would buy them. This meeting was recorded and exhibited as C/070910/1315.

On Wednesday 8th September 2010, TPO Connie was issued with the following exhibits:

TLE/113 – TLE/116, 4 x Airwick Cool linen plug-in, serial numbers 5011417551820.

TLE/117 - Airwick smooth satin plug in serial number 5011417552515.

TLE/118 and TLE/119, Hugo Boss man 100 ml Eau de toilette (x2), Serial numbers

737052320052. TLE/120 Rabanne 30 ml Eau de parfum, serial number 3349666007891

TLE/121, Eternity 30 ml Eau de Parfum, serial number 088300601387

Approximately 12:30 hours, TPO attended the Old House at Home Public House. Connie saw Lisa JOHNSON in the pub and she said she would take her out the back of the pub with

Signature

Signature witnessed by

Typed by:

Continuation page 4

URN

46

Continuation statement of: **TPO Connie**

some of her friends who were also interested. Lisa JOHNSON, her two friends and TPO Connie walked into the rear kitchen of the pub, through the bar area. TPO Connie said that she had stolen everything and showed the three females her exhibits. Lisa JOHNSON purchased exhibits TLE/120 and TLE/121 having agreed the price of £15 each. Lisa JOHNSON took both items and handed TPO Connie £30 in return. Lisa JOHNSON'S 1st friend purchased the Hugo Boss. Lisa JOHNSON'S 2nd friend purchased an Airwick plug-in exhibited as TLE/113 and two perfume bottles exhibited as TLE/104 and TLE/106. They agreed £7.50. Both Lisa JOHNSON and her 1st friend said they would buy Paco Rabanne One Million, male and female from TPO Connie. As I said goodbye and left the bar, another customer said she would buy Chanel No.5 from TPO Connie. All of the conversations were recorded and are exhibited as C/080910/1452. A still image has been produced of Lisa JOHNSON, which is exhibited as C/080910/1452s1.

On Thursday 9th September 2010, TPO Connie was issued with the following exhibits:

TLE/123 Paco Rabanne 1 Million serial number 3349666007891.

TLE/124 Paco Rabanne 1 Million serial number 3349666007891.

TLE/125 serial number 737052320052 – Hugo Boss men 100ml EDT.

Approximately 12:30 hours TPO Connie made her way to the House at Home, Public House, Sheerness. A male spoke to TPO Connie identifying himself as Kevin ROWLAND. They had a short conversation and introduced themselves. TPO Connie then spoke to Lisa JOHNSON and said she had nicked a load more stuff from Boots. Lisa JOHNSON said she would have

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Signature witnessed by

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Continuation page 5

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46

Continuation statement of: **TPO Connie**

the One Million and they agreed on £15, this was exhibited as TLE/124. Lisa JOHNSON said she thought her friend wanted it and tried to call her, but couldn't get through. TPO Connie then had a drink with Kevin. He said he was finishing his drink and was going to go and buy, meaning drugs. Lisa JOHNSON said she wanted some Opium perfume.

The Conversations were recorded and are exhibited as C/090910/1350.

The still image of JOHNSON is of sufficiently good quality to positively identify her. It has been confirmed during interview that it is Lisa JOHNSON.

JOHNSON has been arrested and during arrest she handed DC Weekes a bottle of perfume that she had she had bought from Connie. This has been seized and is exhibited as KLW/200, it has been confirmed that was one of the items purchased from TPO Connie.

JOHNSON has fully admitted the offence of attempting to handle stolen goods. She admits buying air fresheners and perfumes from Connie knowing they were stolen. She said that TPO Connie had stolen them from Boots and had 'cleared the shelf'.

She admitted to ordering the perfume for TPO Connie to steal. She asked her to get her some Pacco Rabanne, One Million as she didn't want any of the ones Connie had at first and when Connie came back two days later she bought it from her. She states that she is the licensee of the public house and knows that she shouldn't have been buying the property.

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Continuation page 6

URN

46

Continuation statement of: **TPO Connie**

On the 12th October 2010, Lisa JOHNSON was charged with one offence of Intentionally Encouraging the Commission A Summary Offence under the Serious Crime Act 2007 and two further offences Attempting to Handle Stolen Goods. She will appear at Court on the 27th October 2010.

This public house is implicated in the trade is stolen goods that has fuelled the crime and drugs networks that existed prior to Operation Invoice. What is also apparent is that this licensee is at the heart of the criminal activity within her establishment.

Signature

Typed by:

Signature witnessed by

Extract from the TPO's evidential MG11

On Thursday 17th June 2010 I travelled alone to the vicinity of Sheerness arriving about 12:00 hours. At 13:31 hours the same day I called DEFOE and he answered. I asked if he was at home he said that no-one was home. I asked him if he could see me out an eighth and he was at the House and Home Pub. I said I would come over, I made my way to the House and Home pub, High street, Sheerness. I saw DEFOE and a female whom I shall refer to as ETHERINGTON in the pub garden. We all greeted each other and DEFOE said he would need to weight it out in the toilets. DEFOE asked ETHERINGTON for the scales and she handed them to him and he disappeared for a while. A short while later he returned and handed me one wrap and I handed him £25. This exhibited labelled and marked as C/170610/1721.

I exhibit my purchase from DEFOE as C/170610/1721.

Signature

Signature witnessed by

Typed by:

WITNESS STATEMENT

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

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46	
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Statement of: **Pc 9735 Heather**

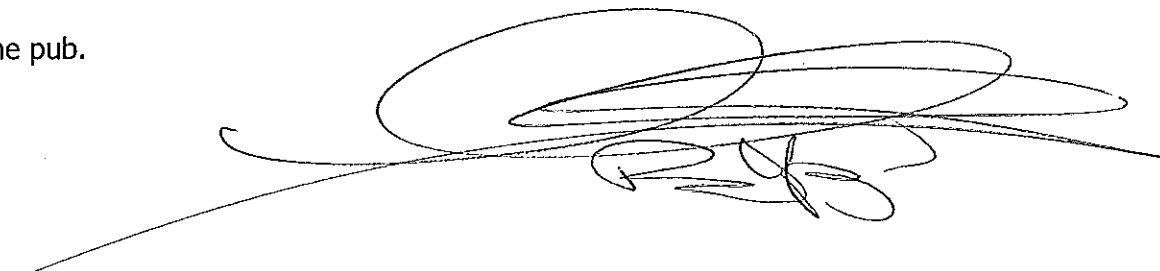
Age if under 18: **Over 18** (if over 18 insert 'over 18') Occupation: **Police officer**

This statement (consisting of 1 page each signed by me) 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:  Date: **Tuesday 2nd November 2010**

Tick if witness evidence is visually recorded (supply witness details on rear)

At 2145hrs Friday 1st October 2010 I was on duty in uniform in the company of other officers from Mid Kent Tactical team when we carried out a licensing check at The Old House at Home PH in the high Street, Sheerness. Where from the gents toilets I found a quantity small drug clip bag and a paper wrap, which I seized and now wish to exhibit as KH/1 and placed them all in a police evidence bag seal number M01792990. Then I showed the land lady of the premises my finds. Then we all left the pub.



Signature:

Signature witnessed by:

Typed by:

Samantha Potts

From: jerome dillon [mackenziedillon@yahoo.co.uk]
Sent: 26 November 2010 16:23
To: Samantha Potts
Subject: The Old House at Home

Dear Ms Potts

I acknowledge receipt of the application for a review of the license of The Old House at Home.

The company had no concerns over the management of this house until the police made contact with the company and discussions were held at the premises with Mr Mike Davies the Area Manager.

The company has at all times expressed its willingness to work with the Police Licensing Officer. The company has already begun the process of installing satisfactory CCTV and will do so to the satisfaction of the appropriate Police Officer.

The company has no direct knowledge of any of the acts complained of by the Police. Mrs Reed is to be represented separately by Messrs J Copland solicitors of Sheerness who will be undertaking her defence in the Criminal Court.

As a result Shepherd Neame Limited will not be seeking to justify the position as far as the DPS is concerned leaving this to her representative. If the decision of the Committee is that the DPS should be changed the company is in a position to replace her with an experienced Manager, reinforced by personal supervision of the Area Manager, Mr Davies or an experienced tenant with unimpeachable character, who would again be backed up by Mr Davies.

Shepherd Neame would be anxious to eradicate any culture that may have existed at the pub, as alleged, but maintain that a closure for three months would be draconian and that a closure for a period not exceeding two weeks would be more than adequate to enable new management to be put in place and to re-open on a completely new footing.

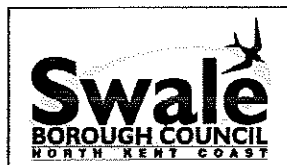
Shepherd Neame will go further and seek to argue that given the standing of the company and its position in East Kent, the company can be trusted to act responsibly and re-open the pub under new management without any closure whatever.

Shepherd Neame wish to make it clear that its position, as stated above, is a default position and the outcome of the Hearing will depend significantly upon the view the Committee takes of the DPS and any representations made by her solicitor.

Yours faithfully,

Mackenzie Dillon

27/11/2010



Premises Licence number: SHE/SWALE/189/0174

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference:

The Old House at Home
158/160 High Street

Post Town: Sheerness, Kent

Postcode: ME12 1VQ

Telephone number: 01795 662783

Where the licence is time limited, the dates:

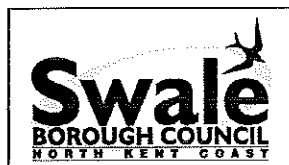
No limitation.

Licensable activities authorised by this licence:

Sale of alcohol	(Consumption on and off the premises)
Exhibition of films:	(Indoors Only)
Indoor Sporting Events:	
Performance of Live Music:	(Indoors and Outdoors)
Playing of Recorded Music:	(Indoors Only)
Facilities for Dancing:	(Indoors Only)
Late night refreshment:	(Indoors Only)

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

Sale of Alcohol:	Sunday – Thursday:	07:00hrs – 00:00hrs
	Friday – Saturday:	07:00hrs – 02:00hrs
	Christmas Eve & Boxing Day:	07:00hrs – 02:00hrs
	New Years Eve to New Years Day:	11:00hrs – 23:00hrs
	Bank Holidays & St Days:	07:00hrs – 02:00hrs
	Halloween:	07:00hrs – 02:00hrs
Exhibition of Films:	Monday – Sunday:	10:00hrs – 23:00hrs
	Christmas Eve & Boxing Day:	18:00hrs – 23:00hrs
	New Years Eve to New Years Day:	10:00hrs – 23:00hrs
	Bank Holidays & St Days:	18:00hrs – 23:00hrs
	Halloween:	18:00hrs – 23:00hrs
Indoors Sporting Events:	Monday – Sunday:	10:00hrs – 00:00hrs
	New Years Eve to New Years Day:	11:00hrs – 23:00hrs
Live Music (Indoors):	Monday – Sunday:	10:00hrs – 00:00hrs
	Christmas Eve & Boxing Day:	10:00hrs – 00:00hrs
	New Years Eve to New Years Day:	10:00hrs – 00:00hrs
	Bank Holidays & St Days:	10:00hrs – 00:00hrs
	Halloween:	10:00hrs – 00:00hrs



Premises Licence number: SHE/SWALE/189/0174

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

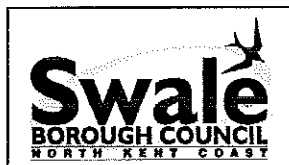
Live Music (Outdoors):	Friday – Saturday:	10:00hrs – 21:00hrs
Playing of Recorded Music:	Monday – Sunday:	07:00hrs – 00:00hrs
	Christmas Eve & Boxing Day:	07:00hrs – 01:00hrs
	New Years Eve to New Years Day:	07:00hrs – 00:00hrs
	Bank Holidays & St Days:	07:00hrs – 01:00hrs
	Halloween:	07:00hrs – 01:00hrs
Dancing (Indoors):	Monday – Sunday:	10:00hrs – 00:00hrs
	Christmas Eve & Boxing Day:	10:00hrs – 01:00hrs
	New Years Eve to New Years Day:	10:00hrs – 00:00hrs
	Bank Holidays & St Days:	10:00hrs – 01:00hrs
	Halloween:	10:00hrs – 01:00hrs
Dancing (Outdoors):	Friday – Saturday:	10:00hrs – 22:00hrs
Late Night Refreshment:	Sunday – Thursday:	23:00hrs – 00:00hrs
	Friday – Saturday:	23:00hrs – 02:00hrs
	Christmas Eve & Boxing Day:	23:00hrs – 02:00hrs
	New Years Eve to New Years Day:	23:00hrs – 05:00hrs
	Bank Holidays & St Days:	23:00hrs – 02:00hrs
Halloween:	23:00hrs – 02:00hrs	

The opening hours of the premises:

Sunday – Thursday:	07:00hrs – 00:30hrs
Friday – Saturday:	07:00hrs – 02:30hrs
Christmas Eve & Boxing Day:	07:00hrs – 02:30hrs
New Years Eve to New Years Day:	11:00hrs – 23:30hrs
Bank Holidays & St Days:	07:00hrs – 02:30hrs
Halloween:	07:00hrs – 02:30hrs

Where the licence authorises supply of alcohol, indicate whether on/off:

Consumption both on and off the premises.



Premises Licence number: SHE/SWALE/189/0174

Part 2

Name (registered) address, telephone number and e-mail of holder of the premises licence:

Shepherd Neame Ltd
17 Court Street
Faversham
Kent, ME13 7AX
Tel: 01795 532206

Registered number of holder, company number or charity number:

Registered Company Number: 138256

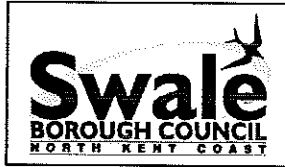
Name, address and telephone number of the Designated Premises Supervisor, applicable in premises where the sale of alcohol will take place:

Mrs Lisa Jane Reed
10 Bonetta Court
Bridgewater Road
Sheerness
Kent ME12 1BH
Tel: 01795 581743
Mob: 07912792259

Personal licence number and issuing authority of the personal licence, held by the named designated premises supervisor:

Licence No: SWALE-PL-0973

Issued by: Swale Borough Council
Swale House, East Street
Sittingbourne
Kent ME12 3HT
Tel: 01795 417364



Premises Licence number: SHE/SWALE/189/0174

Part 3

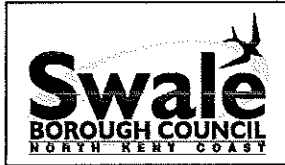
Mandatory Conditions:

- No sale of alcohol can take place where the designated premises supervisor is not a personal licence holder.
- Any door supervisors must be trained and SIA registered.
- (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.

- 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).
- The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
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 a holographic mark.
- The responsible person shall 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) customers are made aware of the availability of these measures.

Note for Entertainment Venues:

The licensee's attention is drawn to the fact that due regard must be paid to the statutory nuisance provisions within the Environmental Protection Act 1990. Compliance with these criteria, the applied licence conditions and the agreed operating schedule does not preclude legal action being taken under the above legislation by either Swale Borough Council or an aggrieved individual.



Premises Licence number: SHE/SWALE/189/0174

Part 4

Conditions consistent with the operating schedule:

- 'Proof of age' schemes to be in operation.
- Consideration to be given to noise, bottle bins not to be emptied after 23:00hrs.
- Only children accompanied by an adult to be allowed on the premises, in designated areas until 21:00hrs.
- Occupancy limit of 75.
- Swale Safe Radio Scheme to be in operation.

Condition added after request to vary licence (3rd July 2007)

- Live music in the garden to be no more than 6 times per year, to be held on a Friday or Saturday only and to cease by 21:00hrs.
- Dancing in the garden to be no more than 6 times per year, to be held on a Friday or Saturday only and to cease by 22:00hrs.

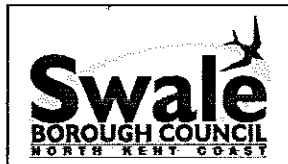


Premises Licence number: SHE/SWALE/189/0174

Part 5

Conditions attached after a hearing by the licensing authority:

Not Applicable – Application approved as per the Operating Schedule.



Premises Licence number: SHE/SWALE/189/0174

Part 6

Authorisation.

This licence is granted this day *Monday 5th February 2007*

On behalf of Swale Borough Council

A handwritten signature in black ink, appearing to be "J. P. Hill".

Licensing Officer

