


Havering Council – Decisions taken by the Licensing Sub-Committee on Friday, 27 October 2017

Agenda Item No	Topic	Decision
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Note: this decision list is for guidance only. The text of the minutes, which may be different, is definitive.

Part A – Items considered in public

<p>A1</p>	<p>THE BELL INN 32 BROADWAY, RAINHAM ESSEX RM13 9YW - EXPEDITED REVIEW</p>	<div style="text-align: center;">  <p>Havering LONDON BOROUGH</p> </div> <p align="right">Licensing Act 2003 Notice of Decision</p> <p>PREMISES: The Bell Inn Broadway, Rainham RM13 9YW</p> <p>DETAILS OF APPLICATION</p> <p>The application for a Summary Review of the Premises Licence was made by PC Oisin Daly on behalf of the Metropolitan Police, under section 53A of the Licensing Act 2003. The application was received by Havering Licensing Authority at 13:00 on 25 October 2017.</p> <p>APPLICANT</p> <p>PC Oisin Daly Romford Police Station Main Road, Romford RMI 3BJ</p> <p>1. Details of existing licensable activities</p>
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		<p>The venue had a Premises Licence number 001561 which permitted the sale of alcohol - Monday to Sunday – 11.00 to 23.00</p> <p>The current licence holder at the premises was Miss Sharon Elizabeth Rogers.</p> <p style="text-align: center;">2. Grounds for Summary Review</p> <p>The application for the premises licence review had been served under section 53A of the Licensing Act 2003 following the wounding of two individuals in an altercation at the Bell Inn.</p> <p>A certificate under section 53A(1)(b) of the Licensing Act 2003 was signed by Superintendent Sean Wilson. It was his opinion that the premises are associated with serious crime or serious disorder, or both.</p> <p style="text-align: center;">3. Details of Representation</p> <p>Metropolitan Police</p> <p>PC Oisin Daly addressed the Sub-Committee orally, provided a written summary, in addition to the application and supporting evidence he provided with it.</p> <p>The Sub-Committee was informed that the suspect has been arrested but that the firearm remained outstanding.</p>

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		<p>PC Belinda Goodwin showed the Sub-Committee extracts of CCTV from the premises and photographs of the wounds to the victims. She identified on the CCTV footage, the following:</p> <ul style="list-style-type: none"> • The suspect, and his associates. • The licence holder, Ms Rogers • The victims of the assaults • Open supplying and snorting of what appeared to be cocaine • The brandishing of an asp and a firearm by the suspect • The victim coming into view of the CCTV from having been assaulted outside (he was wearing no shoes) • Injury to a victim who was handed some white paper towel from behind the bar to clean himself • The victim was then assaulted again by the suspect seemingly with the asp • The suspect holding the asp in one hand and the firearm in another • The taking of the firearm to somewhere else in the pub and then being concealed within what appeared to be the same white paper from the pub • The removal of the samurai sword to somewhere else in the pub when it had just been used to wound someone <p>PC Oisin Daly also provided a police rationale for summary review in accordance with s.182 guidance, that supported his application.</p> <p>4. Response from the Premises Licence holder</p> <p>Although Ms Rogers had told the police that she would attend, she didn't and provided no written representations.</p>

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		<p>5. Determination of Application</p> <p>The Sub-Committee determined the application for a review of the premises licence in accordance with section 53 of the Licensing Act 2003 and considered the matter with a view to promoting the licensing objectives. In making its decision the Sub-Committee had regard to the Guidance issued under section 182 of the 2003 Act and the local authority’s licensing policy. In addition, the Sub-Committee took account of its obligations under section 17 of the Crime and Disorder Act 1998.</p> <p>The Sub-Committee were mindful of the need to reach a decision that was appropriate and proportionate and justified on the evidence.</p> <p>The Sub-Committee listened carefully to the submissions made by the police.</p> <p>The Sub-Committee considered the interim steps that they must take into account, namely:</p> <ul style="list-style-type: none"> (a) The modification of the conditions of the premises licence; (b) The exclusion of the sale of alcohol by retail from the scope of the licence; (c) The removal of the designated premises supervisor from the licence; (d) The suspension of the licence. <p>The Sub-Committee found there had been a serious failure to uphold the licensing objectives; there were members of the public present who were put at risk of harm and would have been frightened, there were children that lived on the premises and an abject failure by management to deal with, or manage the risk.</p>

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		<p>The presence of a firearm being openly brandished, a samurai sword used in the attack that was moved, and held by Ms Rogers, after its use, and that acid had been found at the scene were serious breaches of the licence conditions, along with a failure by Ms Rogers to call the police and ambulance service.</p> <p>In light of the serious danger of the weapons involved, the credible risk of retaliation, the Sub-Committee determined it was necessary to suspend the licence. The Sub-Committee considered the possibility that it afforded for changes to the Interim Measure upon receipt of representations by Ms Rogers, and for ongoing review should there be a material change of circumstances.</p> <p align="right">Richard Cursors Clerk to the Licensing Sub-Committee</p>
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