



Havering

LONDON BOROUGH

Licensing Act 2003 Notice of Decision

PREMISES

Havering Well PH
Rush Green Road
Romford
RM7 0QA

DETAILS OF APPLICATION

Application for an expedited premises licence review was made by on behalf of the Metropolitan Police Service under section 53A of the Licensing Act 2003. The application was received by Havering's Licensing Authority at 15:56 on 5 July 2018.

APPLICANT

PC Belinda Goodwin,
On behalf of the Commissioner of the Metropolitan Police Service,
Romford Police Station,
19 Main Road, Romford.
RM1 1BJ

1. Details of existing licensable activities

Films, Indoor sporting events		
Day	Start	Finish
Monday to Thursday	10:00	23:00
Friday to Saturday	10:00	00:00
Sunday	10:00	23:00

Supply of Alcohol		
Day	Start	Finish
Monday to Thursday	10:00	23:00
Friday to Saturday	10:00	00:00
Sunday	10:00	23:00

Live Music, performance of dance		
Day	Start	Finish
Monday to Thursday	20:00	23:00
Friday to Saturday	20:00	00:00
Sunday	20.00	23.00

Late Night Refreshment		
Day	Start	Finish
Friday & Saturday	23:00	00:00

Recorded Music		
Day	Start	Finish
Monday to Thursday	10:00	00:00

Friday to Saturday	10:00	23:00
Sunday	12:00	23:00

Decision:

The Licensing Sub-Committee considered an application by the Metropolitan Police for an Expedited Summary Review under Section 53A of the Licensing Act 2003 in respect of the premises The Havering Well public house located at Rush Green Road, Romford, RM7 0QA.

The premises is a local pub which has no venues in immediate vicinity and is also visited by families. The basis of the application is that on 3 July 2018 at Havering Well Public House at approximately 2200 hours the victim entered the public house. At approximately 2310 hours the victim received a large laceration to his arm and bleeding, he walked from the pub to the forecourt of the nearby petrol station. The ambulance service were then called. All staff were spoken to and said they had not witnessed the incident. The victim informed officers 'Jay' had done this and that a blue handled knife had caused the injury. Officers at the scene identified Jay Fleming (DPS at the time) and established that he had left the scene having been driven home by his partner Maria Summerfield who then afterwards, returned to the premises. Ms Summerfield is also a director of the company who holds the premises licence. Officers conducted enquiries for CCTV at the premises only to discover the hard drive was missing and the wires were still warm as if it has been recently unplugged. Ms Summerfield was interviewed under caution and stated that the CCTV was removed two days prior to incident with water damage, and the hard drive was with a man called Steve Brown (whom the police were unable to contact despite several attempts) and denied any involvement in the assault on the victim. When questioned at the scene by Licensing Officers PC Adam Williams and PC Michael Sear, Ms Summerfield indicated that there was a fight, the victim was aggressive and asked to leave, and had no idea what had happened. Officers were unable to locate the blue handled knife however they were able to seize a USB of CCTV from the petrol station showing the victim with his injury being led by Ms Summerfield from the premises. Police have interviewed Ms Summerfield under caution in relation to concerns of perverting the course of justice by driving Mr Fleming from the scene of a crime and removing the CCTV hard drive. Mr Fleming has now been charged with section 18 GBH with intent and was remanded to appear in Court on 5 July 2018.

The Presenting Licensing Officer, confirmed the premises licence holder had submitted an application to transfer the DPS to Joanna Black on Monday 9 July 2018. PC Goodwin indicated that Joanna Black was questioned by the Police as she was present at the premises on the date of the incident however Ms Joanna Black did not say anything on camera. The Sub-Committee heard oral submissions from PC Belinda Goodwin in support of the application, Police photographs were shown of the victim's injuries, PC Goodwin confirmed that the Police were unable to contact the CCTV engineer Steve Brown, and since Mr Fleming was charged he was remanded on conditional bail which included residing at an address in Lincoln and being excluded from entering the Borough of Havering.

The Licensing Sub-Committee carefully considered the application for the Expedited Review, the Computer Aided Dispatch report of the incident, photographs from the Police of the victim's injuries and a copy of the existing premises licence (which now indicated the new DPS as Joanna Black) and the oral submissions from the Police. In reaching their decision, the Sub-Committee had regard to the relevant Home Office 'Summary Review Guidance on Section 53A-C of the Licensing Act 2003'.

The Licensing Sub-Committee are of the view there is no alternative but to;

- A) Suspend the premises licence.
- B) Add a new condition to the premises licence 'Maria Summerfield and Jay Fleming are excluded from the premises at all times'.

The reasons are as follows;

- The incident was of a serious nature in view of the severity of the injuries caused to the victim which led to Mr Fleming being charged with the criminal offence of Section 18 GBH with intent.
- The Sub-Committee have grave concerns of the circumstances of the incident such as the removal of the CCTV evidence at the premises by Maria Summerfield, the timing of which is suspicious, driving Mr Fleming away from the scene of a crime in her car (both actions which may amount to a separate criminal offence), the Police being unable to locate the knife at the premises, and Ms Summerfield's denial of the knowing what happened despite the Police confirming CCTV at the petrol station showing her leading the victim with the injury away from the premises, (with the Police also administering first aid due to blood loss).
- The Sub-Committee do not have any faith or confidence that the premises will continue to operate responsibly within the law. Although the premises licence holder has submitted an application to change DPS to Joanna Black on 9 July 2018, concerns remain she was present at the premises on the date of incident. There are no effective management and measures already in place which is reflected by the clear breach of licence conditions for CCTV, the ambulance service directly calling the police to the scene, and at present, the CCTV hard drive for the premises is still not retrieved despite attempts to do so by the Police.
- Overall there has been a clear disregard of the licensing objectives such as the prevention of crime and disorder and protection of public safety.
- Since Mr Fleming and Ms Summerfield remain as tenants of the premises, in view of their recent conduct as set out above, their exclusion from the premises will act as an additional safeguard from any further incidents and allow the effective continuation of the ongoing police investigation.
- The Sub-Committee do not believe other interim steps such as further modifications of the conditions of the licence and / or exclusion of sale of alcohol would be effective in this instance.

In conclusion, for the reasons set out above, this decision is proportionate and reasonable to promote the licensing objectives of the prevention of crime and disorder, protection of children from harm and the protection of public safety.

3. Right of Appeal

The premises licence holder may make representations within 48 hours, against the interim step to suspend the premises licence.

Taiwo Adeoye
Clerk to the Licensing Sub-Committee