

LICENSING SUB-COMMITTEE

REPORT

4 April 2014

Subject heading:

Report author and contact details:

The Alderman
Chippenham Road Romford RM3 8HX
Expedited premises licence review –
interim hearing report
Paul Jones, Licensing Officer
5th floor Mercury House

This application for an expedited premises licence review is made by PC Jason Rose under s.53A of the Licensing Act 2003. The application was received by Havering's Licensing Authority at 08:30 on 3rd April 2014.

This application is made under the provisions of s.53A of the Act. As such, s.53A(2)(a) requires that within 48 hours of the receipt of the application the licensing authority considers whether it is necessary to take interim steps pending the determination of the review application. This hearing is to enable the licensing authority to comply with this duty.

s.53B(3) requires that the licensing authority must consider whether to take the following interim steps:

- (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

This consideration may take place without the holder of the premises licence having been given an opportunity to make representations to the licensing authority (s.53B(2)). Any decision the licensing authority may make takes effect immediately or as soon after as the licensing authority directs (s.53B(5)(a)). The licensing authority must then give immediate notice of its decision to the premises licence holder and the chief officer of Police.

PC Rose's application recommends that as an interim step the premises licence is suspended immediately in order that it will assist with public safety at the premises and in order to prevent further incidents occurring at the premises.



TOTAL POLICING

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.

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apply for the review of a premises licence under Section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Prem	ises or club premises	details	
Postal address of	of premises or club premise	s, or if none, ordnance sur	vey map reference or description:
Th Alderman Arms	, 46 Chippenham Road, Harold	Hill, Essex	
Post town:	Harold Hill	Post code: (if known)	RM3 8HX
Name of premise	es licence holder or club ho	lding club premises certifi	cate (if known):
Jane PHILLIPS			
Number of prem	ises licence or club premise	es certificate (if known):	
002095			

Par	t 2 – Applicant details		ø
l am	ı:		
		Please tick Yes	i
1	an individual, body or business which is not a responsible authority (please read guidance note 1 and complete (A) or (B) below)		
2	a responsible authority (please complete (C) below)	\boxtimes	
3	a member of the club to which this application relates (please complete section (A) below		

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Mr		Mrs		Miss		Ms		Any other title (e.g. Rev.)	
Surnam	ie:					First Na	mes:		
l am 18	years old	or over							
Current	postal ac	dress if c	different	from prei	mises a	ddress:			
Post to	wn:					Post co	de:		
Daytime Tel. No.						Email: (optional)		
(B) DE	TAILS OF	OTHER	APPLI	CANT (fill	in as ar	oplicable)		77.55	
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Please provide as much information as possible to support the application: (please read guidance note 3)

On Monday 31st MARCH 2014 at approx 2250hours serious violent disorder occurred in the venue whereby a male sustained injuries consistent with grievous bodily harm, crime report 5404734/14 refers. On the date in question it is alleged a 19 year old male (Victim of GBH) and a 42 yr old male (Suspect to offence) were in The Alderman Arms Public House. Both had been drinking alcohol and socializing during the evening. Shortly before going outside an altercation occurred between the two males, the suspect later alleges the victim had robbed him of £200 cash during this flash point. (Logged under separate crime reference, 5404735/14). The males ended up outside the exit doors and have begun to fight. During this fight suspect produced an item from his pocket which has now been confirmed as a knife. He then made two slash/stabbing motions towards the VIW1 face, connecting with both. This in turn caused a deep cut to his face from his eyebrow down to his nose. He also suffered a puncture wound from his nose into the upper mouth pallet.

Suspect then left the scene he then called police by phone stating that he had stabbed a male at The Alderman Arms, he also confirmed he was still in possession of the knife used. It was later established he called police as he feared for his safety so much that calling police was a safer option than awaiting retribution from the victim and any acquaintances. He explained he regularly sees the person he stabbed at the Alderman Arms and it is his belief that he will try to kill him. Suspect was later arrested by police after admitting to stabbing / slashing victim with a knife. Police attended venue and due to the seriousness of offence a crime scene was placed around The Alderman Arms. Suspect later stated he had drunk 10 pints during the evening, 2 prior to attending The Alderman Arms and then 6-8 whilst inside. Police officers on scene refer to the male as "Drunk"

Victim was initially treated for his injuries by members of the public within the public house. Later being taken to Queens Hospital for treatment of his injuries, hospital staff discovered his wound had gone through to the inside of the mouth. Victim was also arrested for the allegation of robbery against suspect at the venue.

CCTV from the venue shows the following -

Both males are seen in the bar area and appear agitated with each other, shortly after they both leave the premises, believed to go to the shops and get money from a cash point nearby. The males return from the shops area and re-enter the pub, both parties spend time at the bar buying a further drink. Victim plays the fruit machine and Susp talks to him whilst he does this. They get close several times and at one point they appear to cuddle, as this happens victim searches through the pockets of suspect. Victim appears to take hold of something with-in suspects pocket and suspect tries to grab the item back, as he does this victim pushes him away and picks something up from the floor, believed to be money and there is a short tug of the item between the parties. Both males are then seen to come outside of the pub, they appear to be having some words and after about a minute victim throws a punch at suspect which does connect, they are soon cuddling each other again although suspect appears to be going to his pocket. Suspect removes his hand from his pocket and swings at victim and connects with his head on a couple of occasions, almost instantly what appears to be blood is visible on the floor, they then get into a scuffle during which suspect goes to the floor, as this happens victim kicks suspect in the head on several occasions. Suspect replaces what is believed to be the knife into his right hand trouser pocket as he re-enters the venue, staff stop him and ask him to leave.

Serious questions must be asked in relation to the amount of alcohol served to the suspect during the evening, it is alleged by officers present on scene that he was DRUNK. This leads to a question of who is controlling the venue? Staff or customers?. By suspect own admissions he had consumed too much alcohol to fully recall the events a day later. Employees did not identify any flash points between the two males that lead to this violent offence. It is suggested at this stage that no emergency services were called by the venue employees; police were called direct by the suspect.

On top of this serious incident described the venue has had similar offending history over the past 12 months.

5406087/13 - GBH 24/04/2013 - 2030 hours

Victim was inside venue for a drink. He went for a cigarette and was walking towards the exit both suspects then walked up to him (he had not seen them before). Suspects 1 and 2 were armed with a golf club and a baseball bat. Both suspects then began hitting victim with the weapons. Note on report states "The Alderman pub has not saved footage as requested".

5409472/13 - ABH - 30/06/2013 - 0045hrs

Police were called to the venue to an abandoned call at the location. On arrival victim 1 and 2 were in the car park of the premises. Both males had been drinking and were quite drunk. Victim 1 had substantial swelling to the right hand side of his face and Victim had reddening / graze to the bridge of his nose. The males stated that they were in the pub drinking when a group of males (unknown how many) got out of a cab and entered the pub. They asked to be served and were told that the pub was closed. Apparently victim 2 made some kind of comment to one of the group and they turned and started to punch the victims causing the injuries consistent with ABH.

On speaking to the DPS, Mr. Stephen McIIROY, he stated that as the pub was apparently closed the CCTV was not working

Please provide as much information as possible to support the application: (please read guidance note 3)

5416058/13 - Theft Employee - 28/10/2014

The suspect is alleged to have removed £651 from a safe at the premises which he alone had access to and has also removed £200 from a charity collection tin. This male was employed as DPS at the time. This alleged theft was completed 2 weeks after police had issued him a warning letter about breaches to the licence conditions.

5419221/13 - GBH - 26/12/2013 - 1500hrs

Victim called police after being assaulted. On arrival, Victim 1 had blood on his face, hands and clothes. He stated he was having a drink in venue. He stated that several people inside the pub referred to him as a woman beater. VIW1 got up and went to the toilet. Victim entered the toilet, as he washed his hands in the sink he heard voices behind him. When he turned around, he noticed suspect and a few other men now inside the toilet. Suspect then walked towards him swinging a red, 14 inch object, which he believed was a metal bar. He stated suspect went to hit him over the head with the red object, but he blocked it with his arm. This happened again causing a 1.5cm cut, the victim was also punched several times. Police attempted to view CCTV however there was constant breaks in the CCTV.

Further to the crime and disorder concerns listed, police have identified a lack of due diligence by the venue operators on recent visits, culminating in a warning letter sent out to the venue after identifying several breaches to their licence conditions (Letter attached). Two of the identified issues were - No written drugs policy or No written dispersal policy in place. Requests were made for these to be submitted by 01/11/2013, these documents have still not been received to date. This letter was also served to the new DPS as of 05/11/2013, a Mrs Jane PHILLIPS at Mercury House on Friday 6th December at 1300hrs. Still no policies have been received to date, this again displays a clear lack of operating responsibility. During this meeting Ms PHILLIPS re assures officers that there are no issues and it will be run differently now she is DPS and her sister Lisa PHILLIPS is barmaid. This has clearly not materialised

This premise has a clear history of clientele who are in possession of or prepared to use weapons. The latest incident was of a very serious nature involving a knife and could have lead to more serious, if not fatal injuries. The concern regarding fear of retribution for the suspect and indeed the venue remains extremely high. The suspect's family has contacted custody to request their son not be released as they fear for his safety. The male remains on remanded bail for this very reason as he has openly indicated he fears the patrons at the venue may seek a violent retribution.

It is for these reasons police recommend the immediate suspension of the premises licence. A decision to suspend the licence in the interim will only assist with the safety of the venue, staff members and customers alike. This is clearly necessary to prevent any further incidents at the premise. Police fear that if suspension is not administered further serious incidents and offences will naturally take place.

	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 4
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Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature:

Date: 02/04/2014

Police licensing officer Capacity:

Contact name (where not previously given) and postal address for correspondence associated with this application: (please read guidance note 6)

Post town:

SMFORD

Post code: RM1 3BT

Telephone Number (if any):

01708 432781.

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

Notes for Guidance

- 1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
- 2. 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.
- 4. 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.

Retention Period: 7 years

Have you made an application for review relating to this premises before?		(Please tick	yes)
	Day	Month	Year
If yes, please state the date of that application:			
If you have made representations before relating to this premises please starmade them:	te wha	at they were	and when you
			-44
2			



TOTAL POLICING

Form for Applying for a Summary Licence Review

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing the form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink.

Use additional sheets if necessary.

Insert	name and	address of	relevant l	icensina	authority	/ and its r	eterence n	umhari
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Name:

London Borough of Havering

Address:

Mercury House, Mercury Gardens, Romford, ESSEX, RM1 3SL

Post town:

ROMFORD

Post code:

RM1 3SL

Ref. No.:

I Pc Jason ROSE 282KD (Borough Licensing Officer)

on behalf of the chief officer of police for the Metropolitan Police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details

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

Alderman Arms Public House, 46 Chippenham road, Romford, RM3 8HX

Post town:

ROMFORD

Post code: (if known)

RM3 8HX

2. Premises licence details

Name of premises licence holder or club holding club premises certificate (if known):

Cubitt Taverns Ltd, The Alderman Arms, 46 Chippenham Road, Romford, RM3 8HX

Number of premises licence or club premises certificate (if known):

002095

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

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

Please tick the box to confirm:



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

(Please read guidance note 2)

On Monday 31st MARCH 2014 at approx 2250hours serious violent disorder occurred in the venue whereby a male sustained injuries consistent with grievous bodily harm, crime report 5404734/14 refers. On the date in question it is alleged a 19 year old male (Victim of GBH) and a 42 yr old male (Suspect to offence) were in The Alderman Arms Public House. Both had been drinking alcohol and socializing during the evening. Shortly before going outside an altercation occurred between the two males, the suspect later alleges the victim had robbed him of £200 cash during this flash point. (Logged under separate crime reference, 5404735/14). The males ended up outside the exit doors and have begun to fight. During this fight suspect produced an item from his pocket which has now been confirmed as a knife. He then made two slash/stabbing motions towards the VIW1 face, connecting with both. This in turn caused a deep cut to his face from his eyebrow down to his nose. He also suffered a puncture wound from his nose into the upper mouth pallet.

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5416394/13 - Common assault - 02/11/2013 - 2200hrs

Victim1 was in venue with Victim 2. Suspect kept coming up to the couple and making small talk throughout the evening. Nothing was said to Victim 1 that made him concerned. At about 2200hrs suspect came up shoved his hand into the victims face and pushed his neck down onto the bar nothing was said prior to the assault. Victim 2 saw the assault and she attempted to get the Suspect off of the victim and there is suggestion she was shoved in the face. CCTV can not be obtained. On each time of attending there was no member of staff that could burn it off or let me view it.

5419221/13 - GBH - 26/12/2013 - 1500hrs

Victim called police after being assaulted. On arrival, Victim 1 had blood on his face, hands and clothes. He stated he was having a drink in venue. He stated that several people inside the pub referred to him as a woman beater. VIW1 got up and went to the toilet. Victim entered the toilet, as he washed his hands in the sink he heard voices behind him. When he turned around, he noticed suspect and a few other men now inside the toilet. Suspect then walked towards him swinging a red, 14 inch object, which he believed was a metal bar. He stated suspect went to hit him over the head with the red object, but he blocked it with his arm. This happened again causing a 1.5cm cut, the victim was also punched several times. Police attempted to view CCTV however there was constant breaks in the CCTV

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This premise has a clear history of clientele who are in possession of or prepared to use weapons. The latest incident was of a very serious nature involving a knife and could have lead to more serious, if not fatal injuries. The concern regarding fear of retribution for the suspect and indeed the venue remains extremely high. The suspect's family has contacted custody to request their son not be released as they fear for his safety. The male remains on remanded bail for this very reason as he has openly indicated he fears the patrons at the venue may seek a violent retribution.

It is for these reasons police recommend the immediate suspension of the premises licence. A decision to suspend the licence in the interim will only assist with the safety of the venue, staff members and customers alike. This is clearly necessary to prevent any further incidents at the premise. Police fear that if suspension is not administered further serious incidents and offences will naturally take place

Signature	of applicant		
Signature:	Terraffoefo Pc Jason ROSE	Date: (Borough Lic	02/04/2014 ensing Officer)
Contact of	letails for matter	s concerni	ng this application
Surname:	ROSE	First Names:	Jason
Address:			
Romford Po	olice station, 19 Main	Road, ROMF	ORD, ESSEX RM1 3BJ
Post town:	ROMFORD	Post code:	RM1 3BJ
Tel. No.:	01708 432781	Email:	jason.rose@met.pnn.police.uk

Notes for guidance

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

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

- conduct that amounts to one or more criminal offences for which a
 person who has attained the age of eighteen and has no previous
 convictions could reasonably be expected to be sentenced to
 imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.
 Serious disorder is not defined in legislation, and so bears its ordinary English meaning.
- Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.



TOTAL POLICING

Certificate under Section 53A(1)(b) of the Licensing Act 2003

Metropolitan Police Service | New Scotland | Yard 8-10 Broadway | London | SW1H 0BG

I hereby certify that in my opinion the premises described below are associated with: serious crime

Premises (Include business name and address and any other relevant identifying details);

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

The Alderman Arms, 46 Chippenham Road, Harold Hill, Essex

Post town:

Romford

Post code: (if known)

RM3 8HX

Premises licence number (if known):

002095

Name of premises supervisor (if known):

Jane PHILLIPS

I am a Superintendent * in the Metropolitan Police Service.

*Insert rank of officer giving the certificate, which must be superintendent or above.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case because:

(Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned)

At around 22:51 Hours on Monday 31st March 2014 serious violent incident occurred at this premises involving two people, which resulted in one victim sustaining GBH injuries.

The incident started by one of these males robbing another of his money. Both males leave the venue and once outside the victim of the robbery produces a knife and slashes the male across the face twice the first being between his eyebrow and his nose and the second puncturing the roof of his mouth.

On the night the manager and staff showed their inability to manage this venue, despite enquries there is no record of a phone call from the venue to police or ambulance about this incident

The premise has a history of violent incidents involving weapons within the last year and the clientel that attend the venue clearly have no conerns about carrying weapons. It is feared that if immediate actiuon is not taken to address these issues a more serious or potentially fatel incident may occur

Taking into consideration the gravity of the incident, the recent track record of the premises and the failure of the management to deal appropriately on the night, this matter is not felt appropriate for a standard review which could take around two months to come before the licensing subcommittee for consideration. It is important that immediate steps are put in place now to prevent a reoccurrence of such unacceptable violence.

As a result of this extremely serious incident, police have lost faith in the management of this venue. The MPS believes that the immediate suspension of the premises licence is necessary to protect the premises and staff and to prevent further incidents of this nature occurring

Signature		S 127 CH		
Signature:	Churp-	Date:	2-4-14	

Retention Period: 7 years



Working together for a safer London

Mr Stephen McILROY Alderman P/H 46 CHIPPENHAM ROAD ROMFORD RM3 8HX

CC - James CUBITT

CC - Mr Paul JONES (Local Authority)

Pc 282KD Jason ROSE
Romford Police Station
19 Main Road
Romford,

Essex RM1 3BJ

Telephone: 01708 432781

Email: Jason.Rose@met.pnn.police.uk

Date: 14th October 2013

Dear Stephen,

Pc Richard CLAY and I attended your venue earlier today and we spoke at length in relation to complaints about persons congregating outside the premises. I'd firstly like to take this opportunity to thank you for our meeting but I must however write to you formally in relation to my concerns raised when speaking about the current conditions on your premise licence.

I must say, I was alarmed by the lack of awareness in relation to these conditions and the obvious breaches that are taking place on a daily basis. When I asked you about the licensing objectives you could not answer or explain. This letter is sent to you as a <u>WARNING</u> of my concerns. I will expect to see vast improvements immediately, especially in the areas we spoke about. It is your duty to promote the licensing objectives and at present the venue is failing.

I have highlighted the main points of concern -

Condition 3 annex 2 - Drugs

"The licensee shall maintain a policy of zero tolerance to use of illegal drugs ensuring staff are aware of and react to the policy, recording each incidence in the incident book and reporting facts to the appropriate authority". Upon my inspection no such policy was in place. As agreed this will commence immediately.

Condition 7 annex 2 - Signage

"Signs shall be displayed in the premises and frontage instructing patrons to recognise the residential nature of the area and conduct their behaviour courteous manner with a notice clearly visible from outside the premises showing the telephone number where to make complaints". Upon my inspection of the outside area's no such signage was present. As agreed signage will be displayed immediately.

Condition 12 annex 2 - Staff Training

"All staff shall be suitably trained for their job function for the premises. The training shall be written into a programme ongoing and under constant review and must be made available to a relevant responsible authority when called upon". No training programme was present, no written policy for me to review.

Condition 13 annex 2 - Incident Log

"A premises daily register shall be kept at the premises. This register shall be maintained and kept for a

minimum of 12 months. This register should record the name of the person responsible for the premises on each given day. The premises daily register shall record all calls made to the premises where there is a complaint made by a resident or neighbour of noise nuisance or anti-social behaviour by persons attending or leaving the premises. This shall record the details of the caller, the time and date of the call, the time and date of the incident about which the call is made and any actions taken to deal with the call. The premises daily register shall be readily available for inspection by an authorised person throughout the trading hours of the premises. The premises daily register shall also record all incidents in relation to the use of any force by staff or door supervisors (if any) in the removal of persons from the premises. It shall record the time and date of the occurrence, name or brief description of the person removed and details of the staff members involved." No written register was in effect for me to review.

Condition 14 annex 2 - Written Drugs Policy

"The premises licence holder shall implement a written drugs policy. This shall detail the strategies to Minimise the use and supply of illegal drugs within the premises. The drugs policy shall include a structured training programme covering the issues relevant to the misuse of drugs in relation to licensed premises which shall be delivered to all staff. This policy shall be approved in writing by Havering DAAT." No written policy has been created by the premises / operators. There was no written policy for me to review.

Condition 16 annex 2 - Written Dispersal Policy

"The premises licence holder shall implement a written dispersal policy to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours both residential and business and to make the minimum impact upon the neighbourhood in relation to potential nuisance, anti-social behaviour, crime and disorder. The policy shall be approved in writing by the Licensing Authority." Once again, no written policy created by the premises / operators. There was no written policy for me to review.

As I am sure you will agree this is a long list of conditions that are not being adhered to. I would expect implementation immediately of conditions 3, 7, 12 & 13 and submission of condition 14 & 16 to me by 01/11/2013 so I can make any amendments and finalise the documents. I will continue to visit your premises unannounced over the forthcoming weeks and will expect all the points I have raised above to be implemented.

In addition to the above, I must bring your attention to the following 2 conditions on your licence. I urge you to work hard around these issues to relay the concerns raised by your safer neighbourhood team.

Condition 4 annex 2 - Outside Checks

"There shall be regular checks of the outside of the premises."

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Condition 11 annex 2 - Outside Checks

"The premises licence holder shall undertake external patrols to monitor noise levels."

I would also expect to see a current refusals log for all underage refusals; this should show details of the refusal, age, date and staff member refusing.

If I can be of any further assistance in this matter please do not hesitate to contact me in the licensing office. I shall await your reply.

Yours sincerely

Pe Jason ROSE

Licensing Officer - Metropolitan Police - Havering

Direct 01708 432781 | Fax 01708 432554

Address - ROMFORD POLICE STATION 19 MAIN ROAD, ROMFORD, ESSEX RM1 3BJ or 5th Floor, Mercury House, Mercury Gardens, RM1 3SL

E mail - Jason.Rose@met.pnn.police.uk | Jason.Rose@havering.gov.uk

The Metropolitan Police as a Responsible Authority under the Licensing Act 2003 reserve the right to initiate a Review of your Premises License relating to the Licensing Objectives and to seek prosecution in relation to any offences committed under the Licensing Act 2003.



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make it knowing th		ages each signed by me) is true to vidence, I shall be liable to prosect to be true.			thing in it
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male sustained inju	ries consistent with g	ox 2250hours serious violent di grievous bodily harm, crime rep	ort 540473	4/14 refers. On the	date in

question it is alleged a 19 year old male (Victim of GBH) and a 42 yr old male (Suspect to offence) were in The Alderman Arms Public House. Both had been drinking alcohol and socializing during the evening. Shortly before going outside an altercation occurred between the two males, the suspect later alleges the victim had robbed him of £200 cash during this flash point. (Logged under separate crime reference, 5404735/14). The males ended up outside the exit doors and have begun to fight. During this fight suspect produced an item from his pocket which has now been confirmed as a knife. He then made two slash/stabbing motions towards the VIW1 face, connecting with both. This in turn caused a deep cut to his face from his evebrow down to his nose. He also suffered a puncture wound from his nose into the upper mouth pallet.

Suspect then left the scene he then called police by phone stating that he had stabbed a male at The Alderman Arms, he also confirmed he was still in possession of the knife used. It was later established he called police as he feared for his safety so much that calling police was a safer option than awaiting retribution from the victim and any acquaintances. He explained he regularly sees the person he stabbed at the Alderman Arms and it is his belief that he will try to kill him. Suspect was later arrested by police after admitting to stabbing / slashing victim with a knife. Police attended venue and due to the seriousness of offence a crime scene was placed around The Alderman Arms. Suspect later stated he had drunk 10 pints during the evening, 2 prior to attending The Alderman Arms and then 6-8 whilst inside. Police officers on scene refer to the male as "Drunk"

Victim was initially treated for his injuries by members of the public within the public house. Later being taken to Queens Hospital for treatment of his injuries, hospital staff discovered his wound had gone through to the inside of the mouth. Victim was also arrested for the allegation of robbery against suspect at the venue.

CCTV from the venue shows the following -

Both males are seen in the bar area and appear agitated with each other, shortly after they both leave the premises, believed to go to the shops and get money from a cash point nearby. The males return from the shops area and re-enter the pub, both parties spend time at the bar buying a further drink. Victim plays the fruit machine

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Continuation of Statement of

Jason ROSE (Police Licensing Oficer)

and Susp talks to him whilst he does this. They get close several times and at one point they appear to cuddle, as this happens victim searches through the pockets of suspect. Victim appears to take hold of something with-in suspects pocket and suspect tries to grab the item back, as he does this victim pushes him away and picks something up from the floor, believed to be money and there is a short tug of the item between the parties. Both males are then seen to come outside of the pub, they appear to be having some words and after about a minute victim throws a punch at suspect which does connect, they are soon cuddling each other again although suspect appears to be going to his pocket. Suspect removes his hand from his pocket and swings at victim and connects with his head on a couple of occasions, almost instantly what appears to be blood is visible on the floor, they then get into a scuffle during which suspect goes to the floor, as this happens victim kicks suspect in the head on several occasions. Suspect replaces what is believed to be the knife into his right hand trouser pocket as he reenters the venue, staff stop him and ask him to leave.

Serious questions must be asked in relation to the amount of alcohol served to the suspect during the evening, it is alleged by officers present on scene that he was DRUNK. This leads to a question of who is controlling the venue? Staff or customers?. By suspect own admissions he had consumed too much alcohol to fully recall the events a day later. Employees did not identify any flash points between the two males that lead to this violent offence. It is suggested at this stage that no emergency services were called by the venue employees; police were called direct by the suspect.

On top of this serious incident described the venue has had similar offending history over the past 12 months.

5406087/13 - GBH 24/04/2013 - 2030 hours

Victim was inside venue for a drink. He went for a cigarette and was walking towards the exit both suspects then walked up to him (he had not seen them before). Suspects 1 and 2 were armed with a golf club and a baseball bat. Both suspects then began hitting victim with the weapons. Note on report states "The Alderman pub has not saved footage as requested".

5409472/13 - ABH - 30/06/2013 - 0045hrs

Police were called to the venue to an abandoned call at the location. On arrival victim 1 and 2 were in the car park of the premises. Both males had been drinking and were quite drunk. Victim 1 had substantial swelling to the right hand side of his face and Victim had reddening / graze to the bridge of his nose. The males stated that they were in the pub drinking when a group of males (unknown how many) got out of a cab and entered the pub. They asked to be served and were told that the pub was closed. Apparently victim 2 made some kind of comment to one of the group and they turned and started to punch the victims causing the injuries consistent with ABH. On speaking to the DPS, Mr. Stephen McIIROY, he stated that as the pub was apparently closed the CCTV was not working

5416058/13 - Theft Employee - 28/10/2014

The suspect is alleged to have removed £651 from a safe at the premises which he alone had access to and has also removed £200 from a charity collection tin. This male was employed as DPS at the time. This alleged theft was completed 2 weeks after police had issued him a warning letter about breaches to the licence conditions.

5416394/13 - Common assault - 02/11/2013 - 2200hrs

Victim1 was in venue with Victim 2. Suspect kept coming up to the couple and making small talk throughout the evening. Nothing was said to Victim 1 that made him concerned. At about 2200hrs suspect came up shoved his hand into the victims face and pushed his neck down onto the bar nothing was said prior to the assault. Victim 2 saw the assault and she attempted to get the Suspect off of the victim and there is suggestion she was shoved in the face. CCTV can not be obtained. On each time of attending there was no member of staff that could burn it off or let me view it.

5419221/13 - GBH - 26/12/2013 - 1500hrs

Victim called police after being assaulted. On arrival, Victim 1 had blood on his face, hands and clothes. He stated he was having a drink in venue. He stated that several people inside the pub referred to him as a woman beater. VIW1 got up and went to the toilet. Victim entered the toilet, as he washed his hands in the sink he heard voices behind him. When he turned around, he noticed suspect and a few other men now inside the toilet. Suspect then walked towards him swinging a red, 14 inch object, which he believed was a metal bar. He stated

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Continuation of Statement of

Jason ROSE (Police Licensing Oficer)

suspect went to hit him over the head with the red object, but he blocked it with his arm. This happened again causing a 1.5cm cut, the victim was also punched several times. Police attempted to view CCTV however there was constant breaks in the CCTV.

Further to the crime and disorder concerns listed, police have identified a lack of due diligence by the venue operators on recent visits, culminating in a warning letter sent out to the venue after identifying several breaches to their licence conditions (Letter attached). Two of the identified issues were - No written drugs policy or No written dispersal policy in place. Requests were made for these to be submitted by 01/11/2013, these documents have still not been received to date. This letter was also served to the new DPS as of 05/11/2013, a Mrs Jane PHILLIPS at Mercury House on Friday 6th December at 1300hrs. Still no policies have been received to date, this again displays a clear lack of operating responsibility. During this meeting Ms PHILLIPS re assures officers that there are no issues and it will be run differently now she is DPS and her sister Lisa PHILLIPS is barmaid. This has clearly not materialised

This premise has a clear history of clientele who are in possession of <u>or</u> prepared to use weapons. The latest incident was of a very serious nature involving a knife and could have lead to more serious, if not fatal injuries. The concern regarding fear of retribution for the suspect and indeed the venue remains extremely high. The suspect's family has contacted custody to request their son not be released as they fear for his safety. The male remains on remanded bail for this very reason as he has openly indicated he fears the patrons at the venue may seek a violent retribution.

It is for these reasons police recommend the immediate suspension of the premises licence. A decision to suspend the licence in the interim will only assist with the safety of the venue, staff members and customers alike. This is clearly necessary to prevent any further incidents at the premise. Police fear that it suspension is not administered further serious incidents and offences will naturally take place.

Signature:

2003(1)

Janage Signature witnessed by:



Premises licence number

002095

Part 1 - Premises details

Postal address of premises

The Alderman
46 Chippenham Road Romford RM3 8HX

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Films, indoor sporting events, live music, recorded music, anything of a similar description to live or recorded music, supply of alcohol

The times the licence authorises the carrying out of licensable activities

Monday to Saturday – 10:00 to 23:30 Sunday – 11:00 to 23:30

The opening hours of the premises

Monday to Saturday – 10:00 to 00:00 Sunday – 11:00 to 00:00

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

On and off supplies

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

Cubitt Taverns Ltd
The Alderman 46 Chippenham Road Romford RM3 8HX
0282 568 5566

Registered number of holder

3117963

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

Ms Jane Phillips

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

Mandatory conditions

- 1. No supply of alcohol may be made under the Premises Licence:
 - (a) at a time when there is no Designated Premises Supervisor in respect of the Premises Licence, or
 - (b) 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 the Premises Licence must be made or authorised by a person who holds a Personal Licence.
- 3. (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;

Mandatory conditions - contd.

- (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.
- 4. 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).
- 5. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 6. 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.
- 7. (1) 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.
 - (2) 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.
- 8. Where a programme includes a film in the 12A, 15 or 18 category no person appearing to be under the age of 12 (and unaccompanied in that case), 15 or 18 as appropriate shall be admitted to any part of the programme; and the licence holder shall display in a conspicuous position a notice in the following terms PERSONS UNDER THE AGE OF [INSERT APPROPRIATE AGE] CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME.

Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction.

This condition does not apply to members of staff under the relevant age while on duty provided that the prior written consent of the person's parents or legal guardian has first been obtained.

Signed	
	Paul Jones, Licensing Officer

Annex 2 - Conditions consistent with the operating schedule

- 1. In addition to the use of temporary event notices allowed under the Licensing Act 2003 the premises may open on Christmas Eve, Patrons Saints Days and Burns Night until 02:00 the following day for licensable activities in line with the Association of Chief Police Officers guidelines subject to a minimum of 10 working days' notice being given to the Licensing Authority and the Metropolitan Police for each occasion. The prior written consent of the Police is to be obtained and the Police to have the absolute right to refuse any occasion. A register is to be kept at the premises available for inspection by the Police or an authorised officer of the Licensing Authority and details of each occasion to be recorded in it including the written consent of the Police.
- 2. The designated premises supervisor shall participate in the local Pubwatch scheme for the area where the premises is situated where active.
- 3. The licensee shall maintain a policy of zero tolerance to the use of illegal drugs ensuring staff are aware of and react to the policy, recording each incidence in the incident book and reporting facts to the appropriate authority.
- 4. There shall be regular checks of the outside of the premises.
- 5. Regular checks and maintenance shall be carried out on all equipment, electrical installations, emergency lighting and fire alarms to ensure compliance with current British Standards.
- 6. Regular checks and maintenance shall be carried out on all ventilation, extraction systems and filters to ensure that smells or odours or noise caused in connection with a licensed activity shall be perceptible at or within the site boundary of any residential property.
- 7. Signs shall be displayed in the premises and its frontage instructing patrons to recognise the residential nature of the area and conduct their behaviour in a courteous manner with a notice clearly visible from outside the premises showing the telephone number where to make complaints.
- 8. Children shall only be allowed in the seating area of the public bar until 19:00 hours and must be supervised by an adult at all times.
- 9. The premises licence holder shall not permit or supply alcohol to persons who appear under age without confirming they are over that age applicable for the beverage supplied by inspecting a recognised form of photographic identification.
- 10. Any complaints received from neighbours shall be thoroughly investigated.
- 11. The premises licence holder shall undertake external patrols to monitor noise levels.
- 12. All staff shall be suitably trained for their job function for the premises. The training shall be written into a programme ongoing and under constant review and must be made available to a relevant responsible authority when called upon.

Annex 2 - Conditions consistent with the operating schedule - contd.

- 13. A premises daily register shall be kept at the premises. This register shall be maintained and kept for a minimum of 12 months. This register should record the name of the person responsible for the premises on each given day. The premises daily register shall record all calls made to the premises where there is a complaint made by a resident or neighbour of noise nuisance or anti-social behaviour by persons attending or leaving the premises. This shall record the details of the caller, the time and date of the call, the time and date of the incident about which the call is made and any actions taken to deal with the call. The premises daily register shall be readily available for inspection by an authorised person throughout the trading hours of the premises. The premises daily register shall also record all incidents in relation to the use of any force by staff or door supervisors in the removal of persons from the premises. It shall record the time and date of the occurrence, name or brief description of the person removed and details of the staff members involved.
- 14. The premises licence holder shall implement a written drugs policy. This shall detail the strategies to minimise the use and supply of illegal drugs within the premises. The drugs policy shall include a structured training programme covering the issues relevant to the misuse of drugs in relation to licensed premises which shall be delivered to all staff. This policy shall be approved in writing by Havering DAAT.
- 15. The premises licence holder shall adopt and support a 'Challenge 21' scheme and accept passport and photographic driving licence identification only.
- 16. The premises licence holder shall implement a written dispersal policy to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours both residential and business and to make the minimum impact upon the neighbourhood in relation to potential nuisance, anti-social behaviour, crime and disorder. The policy shall be approved in writing by the Licensing Authority.
- 17. A properly specified and fully operational CCTV system shall be installed or the existing system maintained to a satisfactory standard. The system shall incorporate a camera covering each of the entrance doors and be capable of providing an image which is regarded as 'identification standard' of all persons entering and/or leaving the premises. All other areas of risk identified in the operational requirement shall have coverage appropriate to the risk.
- 18. To obtain a clear head and shoulders image of every person entering the premises on the CCTV system persons entering the premises should be asked to remove headwear unless worn as part of religious observance.

Signed	
	Paul Jones Licensing Officer

Annex 2 - Conditions consistent with the operating schedule - contd.

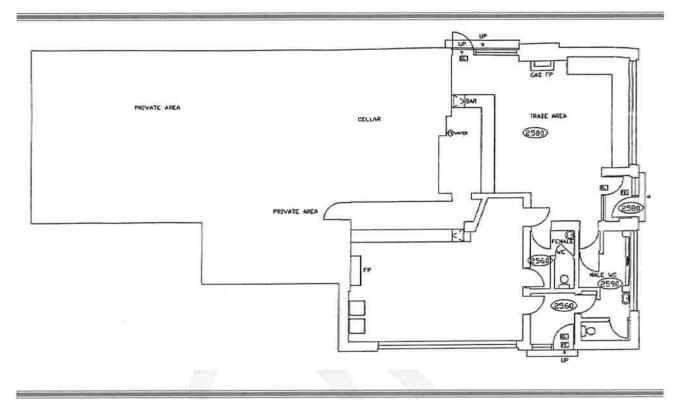
- 19. The CCTV system shall incorporate a recording facility and all recordings shall be securely stored for a minimum of one calendar month. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system shall comply with other essential legislation and all signs as required shall be clearly displayed. The system shall be maintained and fully operational throughout the hours that the premises is open for any licensable activity.
- 20. The installation or upgrading of any CCTV system shall comply with current best practice. In addition the documentation listed below shall be included in a 'system file' which should be readily available for inspection by a relevant authority:
 - site plan showing position of cameras and their field of view
 - code of practice
 - performance specification e.g. storage capacity, image file size, IPS for each camera and purpose of each camera position
 - operational requirement
 - incident log
 - maintenance records including weekly visual checks
- 21. The positions of all CCTV cameras shall be clearly shown on a set of plans which should form part of the 'system file'. Any alteration to the system should only be carried out after consultation with and written approval of Havering Police and the Licensing Authority.
- 22. A staff member from the premises who can operate the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.

Annex 3 - Conditions attached after a hearing by the Licensing Authority

Not applicable

Annex 4 - Premises plans

Full premises plans are held by the Licensing Authority of the London Borough of Havering. The plans reproduced below are not to scale:





Part B

Premises licence summary

Premises licence number

002095

Premises details

Postal address of premises

The Alderman 46 Chippenham Road Romford RM3 8HX

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Films, indoor sporting events, live music, recorded music, anything of a similar description to live or recorded music, supply of alcohol

The times the licence authorises the carrying out of licensable activities

Monday to Saturday – 10:00 to 23:30 Sunday – 11:00 to 23:30

The opening hours of the premise

Monday to Saturday – 10:00 to 00:00 Sunday – 11:00 to 00:00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

On and off supplies

Name, (registered) address of holder of premises licence

Cubitt Taverns Ltd
The Alderman 46 Chippenham Road Romford RM3 8HX

Registered number of holder

3117963

1 of 2

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Ms Jane Phillips

State whether access to the premises by children is restricted or prohibited

Restricted

2 of 2

Signed	311111111111111111111111111111111111111
Ü	Paul Jones, Licensing Officer

