

LICENSING SUB-COMMITTEE

REPORT

Date: 8 January 2020

Subject heading:

**Top Meadow Golf Club
Top Meadow Golf Course, Fen Lane,
North Ockendon, Upminster, RM14 3PR
s.53A expedited premises licence
review**

Report author and contact details:

**Mr Kasey Conway, Licensing Officer
5th floor Mercury House
licensing@havering.gov.uk
01708 432555**

This application for an expedited premises licence review is made by PC Adam Williams on the behalf of the Metropolitan Police under s.53A of the Licensing Act 2003. The application was received by Havering's Licensing Authority at 15:36 on 12th December 2019.

Geographical description of the area

Top Meadow Golf Club is located in a quiet county lane. There are no other commercial or domestic properties within close proximity.

Comments and observations on the application

This s.53A application for an expedited review was submitted on 12th December 2019 by PC Williams on the behalf of the Metropolitan Police. The application was certified by a Chief Superintendent. The expedited review application was prompted by an incident which occurred at the premises on 7th December 2019 at which the Police were in attendance.

This first interim hearing was heard within the 48 hour time frame and took place on the afternoon of 16th December 2019. A decision was reached and Subsequent to Police representation the licensing sub-committee chose to add a number of conditions to the licence.

S.53A(3)(c) of the Act requires the Licensing Authority to advertise the review, inviting representations to be made by responsible authorities or any other person. An appropriately worded public notice advertising this application was placed at the

premises on 13th December 2019, at Havering Town Hall's public notice board and on Havering's website.

S.53C(2) of the Act dictates that the Licensing Authority is required to:

- (a) hold a hearing to consider the application for the review and any relevant representations;
- (b) take such steps mentioned in subsection (3) (if any) as it considers necessary for the promotion of the licensing objectives; and
- (c) secure that, from the coming into effect of the decision made on the determination of the review, any interim steps having effect pending that determination cease to have effect (except so far as they are comprised in steps taken in accordance with paragraph (b)).

S.53C(3) defines those steps as:

- (a) the modification of the conditions of the premises licence,
- (b) the exclusion of a licensable activity from the scope of the licence,
- (c) the removal of the designated premises supervisor from the licence,
- (d) the suspension of the licence for a period not exceeding three months, or
- (e) the revocation of the licence.

The steps detailed above further to s.53C(3) are also those identified further to determining a s.167 review under s.167(6).

Today's hearing therefore is to determine the outcome of the s.53A expedited review application.

No additional representations have been received by Havering's Licensing Authority.




**METROPOLITAN
POLICE**
TOTAL POLICING

Form 693

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 licensing authority and its reference number:

Name: Havering Council

Address:

Main Road

Post town: Romford

Post code:

RM1 3BB

Ref. No.:

I **Adam Williams**

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:

Top Meadow Golf Club, FEN LANE

Post town:

Upminster

Post code:
(if known)

RM14 3PR

2. Premises licence details

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

Mr Daniel Anthony Stock Top Meadow Country House and Golf Club

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

001723

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:



PROTECTIVE MARKING

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

(Please read guidance note 2)

The Metropolitan Police are requesting a summary review due to serious crime and disorder at Top Meadow Golf Club, Fen Lane RM14 3PR on Saturday 7TH Dec 2019; we are in the initial stages of a Murder Investigation, which has highlighted potential failings from the premises, which may have contributed to the death of the victim. Four members of staff have been arrested and now are currently under investigation for this tragic incident. We need to conduct a full investigation and whilst this investigation takes place, we need to protect the public. At this stage, we do not have confidence in the management to uphold the licensing objectives namely the prevention of crime and disorder and public safety. It would appear that the male has arrived at the venue already intoxicated, he has then stayed and is served alcohol for the next 4-5 hours, during this time his behaviour has become increasingly worse. He has been come abusive towards female bar staff, making lewd and sexual comments, asking random people if they wished to buy drugs. I would also appear, due to his behaviour he may also have been under the influence of drugs. His behaviour was tolerated and he was allowed to act in such a manner for many hours before being challenged. If the venue had acted as they should the male would have been refused entrance and not served more alcohol which has ultimately led to his death and this unfortunate situation.

At this moment in time there is an ongoing Murder investigation. We also need to carry out a full investigation to the circumstances of the incident. As stated, this is serious crime and the only way to ensure the promotion and protection of the licensing objectives and to keep the public safe we have requested interim steps of immediate suspension of the premises license.

Signature of applicant

Signature:		Date:	12/12/2019
Capacity:	Police Licensing Officer		

Contact details for matters concerning this application

Surname:	Williams	First Names:	Adam
Address:			
C/O Romford Police Station Romford RM13BJ			
Post town:	Upminster	Post code:	RM13BJ
Tel. No.:	01708 779282	Email:	adam.williams2@met.police.uk

Notes for guidance

1. 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.
2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.



Havering
L O N D O N B O R O U G H

Public Protection
London Borough of Havering
Mercury House, Mercury Gardens
Romford RM1 3SL

Telephone: 01708 432777

email: licensing@havering.gov.uk

Date: 20TH DECEMBER 2019

Mr D A Stock
Top Meadow Golf Club
Fen Lane
North Ockendon
Upminster
RM14 3PR

My Reference: OPD/001723

Dear Sir/Madam

Licensing Act 2003

Premises Licence

Licence Number - 001723

Top Meadow Golf Club, Fen Lane, North Ockendon, Upminster, RM14 3PR

Attached is the premises licence for the above address in accordance with the Licensing Act 2003, interim conditions following the hearing of the 16th December have been added.

You are reminded that the premises licence or a certified copy of the licence must be kept at the premises while the licence summary, known as Part B, must be displayed on the premises in a prominent position.

For further information relating to your Licence please contact the licensing authority at the above.

Please note that the granting of a licence under the Licensing Act/Gambling Act does not remove the need for any necessary consent under other legislation, such as the Planning Acts. The fact that a licence has been granted on certain terms does not imply that similar terms will be agreed under other legislation.

THIS LETTER IS NOT A PREMISES LICENCE OR PROOF THAT A CURRENT VALID LICENCE EXISTS FOR THE PREMISES NAMED ABOVE.

Yours faithfully

Oisin Daly

Licensing Officer



Premises licence number

001723

Part 1 - Premises details

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

**Top Meadow Country House and Golf Club
Fen Lane, North Ockendon, Upminster RM14 3PR**

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

Supply of alcohol, plays, films, indoor sporting events, live music, recorded music, performance of dance, anything of a similar description to live music, recorded music or performance of dance, provision of facilities for making music, provision of facilities for dancing, provision of facilities for anything of a similar description to making music or dancing, late night refreshment.

The times the licence authorises the carrying out of licensable activities

**Existing Club House
Ground & First Floor Function Suite & Seminar Room**

Supply of Alcohol, films, indoor sporting events, live music, recorded music, performance of dance, anything of a similar description to live music, recorded music or performance of dance, provision of facilities for making music, provision of facilities for dancing, provision of facilities for anything of a similar description to making music or dancing

Monday to Sunday – 07:00 to 01:00

**Late night refreshment
Monday to Sunday – 23:00 to 01:00**

**Plays
Monday to Sunday – 11:00 to 23:00**

**Hotel
Supply of alcohol, films, recorded music
24 hours a day**

**Late night refreshment
Monday to Sunday – 23:00 to 05:00**

Signed
Oisin Daly, Licensing Officer

The opening hours of the premises

Existing Club House
Ground & First Floor Function Suite & Seminar Room
Monday to Sunday – 07:00 to 01:30

Hotel
24 hours a day

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

On and Off Supplies

Part 2

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

Mr Daniel Anthony Stock
Top Meadow Country House and Golf Club,
Fen Lane, North Ockendon, Upminster, RM14 3PR
01708 852239

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

N/A

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

Mr Daniel Anthony Stock
Top Meadow Country House and Golf Club
Fen Lane, North Ockendon, Upminster, RM14 3PR
01708 852239

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

1724 - London Borough of Havering

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;
 - (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.

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Signed
Oisín Daly, Licensing Officer

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.
9. If at specified times one or more individuals must be at the premises to carry out a security activity each such individual must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the operating schedule

Embedded Conditions relevant to the licence:

Alcohol shall not be sold or supplied except during permitted hours.

With the exception of:

On Good Friday, 12 noon to 10.30 p.m.

On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.

On New Year's Eve, except on a Sunday, 10 a.m. to 11 p.m.

On New Year's Eve on a Sunday, 12 noon to 10.30 p.m.

On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

The above restrictions do not prohibit:

- (a) the consumption of the alcohol on the premises during the first twenty minutes after the above hours;**
- (b) the taking of the alcohol from the premises, (unless the alcohol is supplied or taken in an open vessel,) during the first twenty minutes after the above hours;**
- (c) the consumption of the alcohol on the premises by persons taking meals there during the first thirty minutes after the above hours, if the alcohol was supplied for consumption ancillary to those meals;**
- (d) consumption of the alcohol on the premises by, or, the taking, sale or supply of alcohol to any person residing in the licensed premises;**
- (e) the ordering of alcohol to be consumed off the premises or the despatch by the vendor of the alcohol so ordered;**
- (f) the sale of alcohol to a trader or club for the purposes of the trade or club;**
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;**

- (h) the taking of alcohol from the premises by a person residing there; or
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- 1) He is the child of the holder of the premises licence.
- 2) He resides in the premises, but is not employed there.
- 3) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- 4) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. However, an area is not a bar when it is usual for it to be, and it is set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

- a) with and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;
- b) for consumption by a person residing in the premises or his guest and paid for together with his accommodation;
- c) to a canteen or mess.

- 1) The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner 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 will be clearly displayed. The system shall be maintained and fully operational throughout the hours that the premises are open for any licensable activity. For premises using a video recording system the cassette tape shall be used on no more than 12 occasions to maintain the quality of the recorded image.
- 2) Regular checks and maintenance is to be carried out on all equipment, electrical installations, emergency lighting, fire alarms and equipment to ensure compliance with current British Standards.
- 3) The management shall fully brief and train all staff on the contents of the health and safety policy and review the policy when such incidents that occur show up a deficiency in such a policy.

5 of 6

Signed
Oisín Daly, Licensing Officer

- 4) Signs shall be displayed in the premises and frontage instructing patrons to recognise the nature of the area and conduct their behaviour in a courteous manner.
- 5) The 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.
- 6) There shall be no unaccompanied children on the premises after 20:00.

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

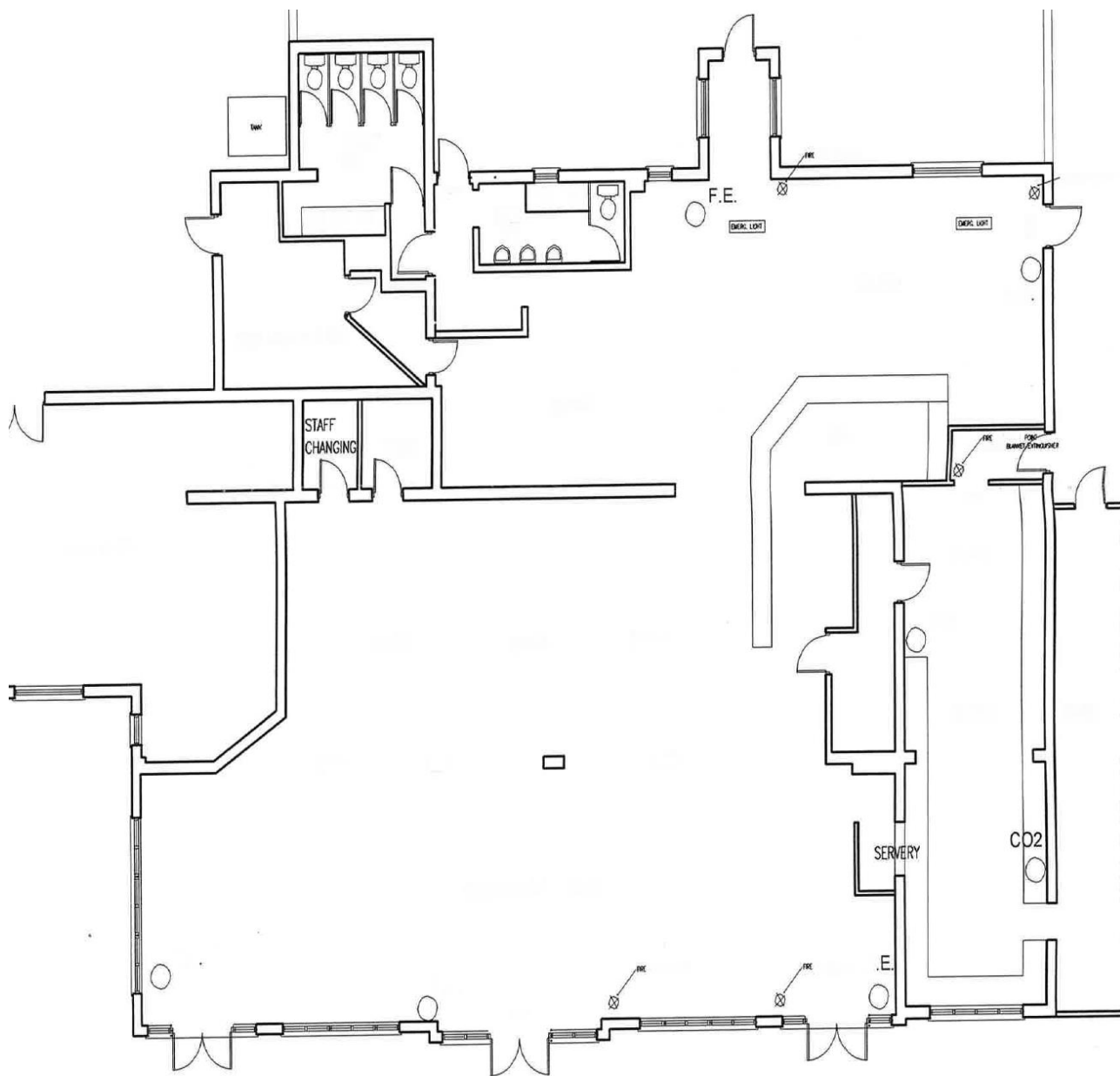
Interim Measures following hearing of the 16th December 2019

1. Alcohol is only to be sold or supplied to hotel residents and bone fide guests of the hotel residents, persons attending the restaurant, persons attending a function at the premises, members of the golf club, or golf players who have booked a round of golf;
 2. Two SIA licensed Door Supervisors are to be employed at the premises from 7pm until close, commencing tomorrow evening (17th December 2019);
 3. A member of staff or one of the SIA licensed Door Supervisors must be First Aid trained, have a current first aid certificate and be present at the premises from 7pm (6pm on New Years Eve) until close.
 4. A Personal Licence holder is to be on duty (i.e. present at the venue) every Friday and Saturday when the premises is open;
 5. The Personal Licence holder is to conduct a review of Health and Safety training, and staff training. This review to be conducted by 6th January 2020.
 6. Two additional SIA licensed Door Supervisors are to be employed on New Year's Eve. All SIA Licensed Door Supervisors on New Year's Eve are to be employed from 6pm until close.
 7. The Personal licence holder and duty bar manager are to undertake conflict management training with Adrian Studd or a person of similar level of qualification and experience who is able to provide such training. This training is to be conducted by 6th January 2020.
 8. No staff or family members of the staff are to drink on the premises unless attending an event and/or the restaurant (for the avoidance of doubt, the member of staff cannot drink whilst on duty i.e. during their shift).
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Annex 4 – Plans

Full plans held by the London Borough Of Havering licensing section

Plans shown not to scale



Signed
Oisin Daly, Licensing Officer



Part B

Premises licence summary

Premises licence number

001723

Premises details

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

**Top Meadow Country House and Golf Club
Fen Lane, North Ockendon, Upminster RM14 3PR**

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

Supply of alcohol, plays, films, indoor sporting events, live music, recorded music, performance of dance, anything of a similar description to live music, recorded music or performance of dance, provision of facilities for making music, provision of facilities for dancing, provision of facilities for anything of a similar description to making music or dancing, late night refreshment.

The times the licence authorises the carrying out of licensable activities

Existing Club House, Ground & First Floor Function Suite & Seminar Room

Supply of Alcohol, films, indoor sporting events, live music, recorded music, performance of dance, anything of a similar description to live music, recorded music or performance of dance, provision of facilities for making music, provision of facilities for dancing, provision of facilities for anything of a similar description to making music or dancing

Monday to Sunday – 07:00 to 01:00

Late night refreshment

Monday to Sunday – 23:00 to 01:00

Plays

Monday to Sunday – 11:00 to 23:00

Hotel

**Supply of alcohol, films, recorded music
24 hours a day**

Late night refreshment

Monday to Sunday – 23:00 to 05:00

The opening hours of the premises

Existing Club House
Ground & First Floor Function Suite & Seminar Room
Monday to Sunday – 07:00 to 01:30

Hotel
24 hours a day

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

Mr Daniel Anthony Stock
Top Meadow Country House and Golf Club,
Fen Lane, North Ockendon, Upminster, RM14 3PR

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

N/A

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

Mr Daniel Anthony Stock

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

Restricted