


**METROPOLITAN
POLICE**
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 licensing authority and its reference number:

Name: **London Borough of Southwark**

Address:

160 Tooley Street

Post town: **London**

Post code:

SE17 3UF

Ref. No.:

I **PC Graham White 288MD (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:

Sir Robert Peel, 7 Langdale Close,

Post town:

London

Post code:
(if known)

SE17 3UP

2. Premises licence details

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

Gary McCarthy

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

860152

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)

PROTECTIVE MARKING

The premises has been certified by a Chief superintendent as being associated with serious crime.

On Sunday the 25th February 2018 at about 01.45hrs police were called to male stabbed inside the Sir Robert Peel Public House. The victim at time of writing is still in a critical condition in hospital and is believed may not survive only initial actions of police officers and medical staff on arrival saved his life at this time.

A regular customer of the pub has been charged with attempted murder and another customer has been arrested for assisting an offender details of which are still under investigation and cannot be disclosed at this time.

The Licence allows for sale of alcohol till 23.00hrs, last entry 23.15hrs and music till 00.30hrs.

During the investigation the following has been disclosed to police and at this time we are still awaiting CCTV to be viewed as the hard drive was seized and sent for analysis.

A member of bar staff stated the Victim entered the pub at about 23.00hrs and a statement from her to investigating officers says the victim entered "at around 11pm, but may have been a bit later" He then sat at the bar and purchased a pint. She then states he had a couple more drinks after this.

The manager Mr [REDACTED] made a witness statement to police stating that the DJ Finished at exactly 1am and that a little less than 30 people were still in the premises at 1.15am. This is over 2 hours after last drinks should be served and 45 minutes after the last licensable activities. Mr [REDACTED] also states that the victim entered the pub at 11.30pm which is 15 minutes after last entry (Condition 308).

Both statements given to police show clear breaches of the premises licence and a total disregard to conditions on the licence and appear to be common practice within the premises. Had the premises stopped serving alcohol and allowing customers into the premises this incident would not have occurred.

On arrival of the first police unit a number of people were still inside the pub at just before 2am some appear intoxicated due to their behaviour and slurred speech requests were made by officer to turn lights on to assist and this did not happen. No first aid kit was being used by staff or appear to be anybody first aid trained as per condition 172 on the licence.

The premises received a warning letter dated 21st August 2017 regarding operation outside the licensed hours after a complaint and a compliance visit by council licensing officers. Also during this visit it was claimed Mr [REDACTED] the licence holder had not been involved in the running of the business for three and half years and DPS Mr [REDACTED] was no longer at the premises. A DPS Variation was submitted and varied to show [REDACTED] as the DPS event though it was claimed that he had not been involved in the running of the venue for a number of years. A statement has been obtained from [REDACTED] stating that he is the owner of the Sir Robert peel public house yet he is not shown as Licence holder or director of company owning building. Police Have serious concerns over the management of the premises on the night and the management structure of the premises as a whole. The property is owned by the Wellington Pub Company which has a controlling interest by Wellington Investments Limited which has a controlling interest by investors in private capital limited. All of these companies have had a number of officers and a large number have resigned.

We would like for all possibilities to be available to the subcommittee including revocation if we are not satisfied that the management can operate the premises safely and within the limits of the premises licence in future. There should also be a clear and transparent management structure in place to allow police and council to have constructive cooperation in future.

A suspension is sort as an interim step to allow 28 days consultation to establish management structure and possible steps to allow the premises to continue to trade. This could include conditions placed on the licence to allow for a safe environment for staff and customers removal of management and all available options.

Copies of documents and statements have not been submitted with this application as they are subject to an ongoing criminal investigation and should not be in the public domain but will be available at the hearing.

PROTECTIVE MARKING

Signature of applicant			
Signature:	 <i>HC 288</i>	Date:	28 th February 2018
Capacity:	Police Licensing Officer		
Contact details for matters concerning this application			
Surname:	White	First Names:	Graham
Address:	Southwark Police Station, 323 Borough High Street		
Post town:	London	Post code:	SE1 1JL
Tel. No.:		Email:	SouthwarkLicensing@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.


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Form 693A

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:

Sir Robert Peel P/H, 7 Langdale Close,

Post town:

London

Post code:
(if known)

SE17 3UF

Premises licence number (if known):

860152

Name of premises supervisor (if known):

Garry Martin MacCarthy

I am a Chief 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)

On Sunday the 25th February 2018 at about 01.45hrs police were called to male stabbed inside the pub and he is still in a critical condition in hospital, a customer of the pub has been charged with attempted murder. The Licence allows for sale of alcohol till 23.00hrs, last entry 23.15hrs and music till 00.30hrs. Statements taken indicate that all these have been breached on the night and customers were still inside drinking, music being played and some where intoxicated. This would not have happened had the premises been compliant with the licence.

A standard review was not deemed appropriate as the premises was operating outside its licence and in 2017 received a warning letter for opening late. Customers appear intoxicated on police arrival and appear to be interfering with medical care of victim. We request urgent interim steps by way of suspension till the full hearing is determined.

Signature

Signature:

Handwritten signature

Date:

28/02/2018