



**NOTICE OF DECISION**

**LICENSING SUB-COMMITTEE – 2 MARCH 2018**

**LICENSING ACT 2003: SECTION 53A: SIR ROBERT PEEL, 7 LANGDALE CLOSE, LONDON SE17 3UF**

**1. Decision**

That as interim steps to promote the licensing objectives pending the determination of the review application at the full hearing, to be held on 27 March 2018:

1. That the premises licence be suspended.
2. That the designated premises supervisor be removed.

**2. Reasons**

This was a hearing to consider if it is appropriate to take interim steps to promote the licensing objectives upon receipt of an application by the Metropolitan Police for an expedited summary review of the premises.

The licensing sub-committee have considered the application made by the Metropolitan Police and supplementary evidence from the police presented at this hearing. The police advised that on 28 a Superintendent for the Metropolitan Police force certified that in his opinion the premises are associated with serious crime or serious disorder or both. The application concerned with a serious incident that took place on Sunday 25 February 2018 at approximately 01:45 the police were called in respect of a stabbed male inside premises. At the date of the application, the victim was remained hospitalized, in a critical condition. A regular customer of the premises has been charged with attempted murder and another customer has been arrested for assisting an offender.

A member of the premises bar staff informed police that the victim entered the premises "at "at around 11pm, but may have been a bit later". The victim then sat at the bar and purchased a pint. The victim was witnessed having at least two more drinks after this. The premises licence allows for the sale of alcohol until 23:00 hours, last entry at 23:15 and music until 00:30. The premises manager informed police that the DJ finished at exactly 01:00 hours and that there were fewer than 30 people in the premises at 01:15, being two hours after last sale of alcohol and 45-minutes after the last licensable activities. The manager also states that the victim entered the premises at 23:30, 15 minutes after last entry (Condition 308). Police state that both statements confirm that the premises licence was breached and demonstrate a total disregard to licence conditions and had the premises been compliant, this incident would not have occurred.

The Police further stated a number of people inside appeared intoxicated and when requests were made to turn lights on, this did not happen. No first aid kit was being used by staff or appear to be anybody first aid trained in breach of condition 172.

The licensing sub-committee have also considered evidence submitted by the premises licence holders in relation to the application who advised that the premises was a family orientated pub, with no history of violence. The night of the incident there was no suggestion of any animosity between the victim and the suspect and they could not have predicted that the suspect was in possession of 2 knives. The incident could have happened anywhere and if it had occurred outside of the premises it would certainly be fatal. A customer, who was by profession a nurse, assisted at the scene.

The licensing sub-committee considered the evidence of the parties carefully. The premises stated that they were in possession of a licence stating that the sale of alcohol was permitted until 00:30. They were afforded the opportunity to obtain this version of the licence, but despite the fact that it should have been on display in the premises, they were unable to locate it, in breach of condition 145 of the licence. The premises has a history of operating beyond its hours and in this occasion appear to have been selling alcohol beyond hours. The licensing sub-committee are also concerned of the overall management of the premises and at this stage, have no confidence in the management structure currently in place and therefore suspend the licence and remove the designated premises supervisor as interim steps.

The licensing sub-committee having read and heard all the evidence before them were satisfied that the interim steps set out above were appropriate and proportionate in order to promote the licensing objectives.

### **3. Appeal rights**

There is no right of appeal to a Magistrates' Court against the licensing authority's decision at this stage.

The premises licence holder may make representation against any interim steps imposed and a hearing to consider the representation will be held within 48 hours of receipt of the representation. The holder of the premises licence may only make further representations if there has been a material change in circumstances since the authority made its determination

Any representation should be in writing and cannot be received outside of normal office hours.

Issued by the Constitutional Team on behalf of the Director of Law and Democracy

Date: 2 March 2018