


**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: **SE1**

Ref. No.:

I **PC Ian Clements (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:

**Pasaje Primavera Arch 146 Eagle Yard Hampton Street**

Post town: **London**

Post code:  
(if known)

**SE1 6SP**

**2. Premises licence details**

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

**Sugundo Vicente Gualavisi Carlosama**

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

**834660**

**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

At approximately 8pm on Saturday the 15<sup>th</sup> December 2018, Police and officers from Southark Councils Night Time Economy Team were in Eagle Yard SE1 conducting Licensing compliance visits. On completion of one visit they came out into Eagle Yard and noticed a large fight taking place outside the entrance to Pasaja Primavera 146 Eagle Yard. PC Ducker noticed that one of the males was waving a large machete style knife towards other members of the public in a threatening manner. For officer safety reasons the officers maintained a safe distance and observed until further units began to arrive. Armed officers and further units arrived and took control of the situation.

On Tuesday the 18<sup>th</sup> December at around 2pm PC Ducker from the Night Time Economy Team attended the venue to investigate the CCTV system. He was told by the person in Charge whom identified himself as the son of the premises licence holder, that the CCTV had been broken last week and that a new system had been installed on Monday. Of note is that from body worn video footage on the night this same male can be heard asking officers if they want to view the CCTV now. There remains a question as to whether the CCTV system has been tampered with, this requires further investigation.

On Wednesday the 19<sup>th</sup> December officers conducted a CCTV trawl of other local premises and found that a neighbouring premises had very good coverage of the incident. On examination of this CCTV it became apparent that the incident on Saturday evening involved between fifteen and twenty persons fighting outside the venue. It shows one male armed with a large knife before being surrounded by a large group. A short while later a machete style knife can be seen on the floor next to where the fight was taking place. The disturbance continues for several minutes until you see a male run from the premises and pick up the machete, he is seen running towards the crowd with the knife raised.

Having viewed the CCTV PC Ducker has identified this suspect as the male in charge of the premises on the night in question, the son of the premises licence holder.

A crime report has been generated for violent disorder and the son of the premises licence holder is now named as the suspect. This matter is still under investigation.

This was an incident of serious disorder involving the person in charge of the licensed premises known as Pasaja Primavera. Although no serious injuries have been reported this could have easily ended in tragedy. A Superintendent has certified that in their opinion this premises are associated with serious disorder. I ask the licensing sub committee to consider putting in place interim measures to suspend the premises licence pending a full review hearing.

### Signature of applicant

Signature:		Date:	20 <sup>th</sup> December 2018
Capacity:	Police Licensing Officer		

### Contact details for matters concerning this application

Surname:	Clements	First Names:	Ian
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



## WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: Jonathan Ducker Pc 494MD

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Constable

This statement (consisting of \_\_\_\_\_ page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: .....

Date: 18/12/2018

On Saturday 15<sup>th</sup> December 2018 I was on duty in plain clothes in company with two council officers, one a licensing officer called Justin Williams, the other Adam Burchett is a local authority enforcement officer. We had just attempted to carry out an inspection at Corporation Ponce, Arch 144 Eagle Yard SE1 and exited that premises at just before 2000hrs. As I looked to my left I could see a group of people obviously having a heated argument. There were a mixture of males and females numbering no more than 10 and although the lighting was poor I could see pushing and pulling and punches being attempted to be thrown. Clearly some of the group were trying to split others up but very quickly it degenerated. I was about 15 metres from the group who were outside Arch 146 which is a restaurant called Pasaje Primavera when I saw a shorter stocky male stood in front of the restaurant waving around a large machete. He was shouting and people were keeping away from him. They were not speaking English so I could not understand exactly what was being said. There is a parking area where some males had run off into before returning. I took hold of one male who had been involved in the initial altercation and told him that I was a police officer. He later gave his name as [REDACTED] and was an IC2 male with a red top and a cast on his right wrist, he was about 6'01" with short dark hair and was slim build. There were two Spanish speaking women who kept getting in front of him and were shouting. Two other males approached and were abusive toward me. One of them was squaring up to me and even though the male I had hold of was telling him to calm down and that I was a police officer this seemed to just spur him on. That male said "I don't give a fuck if he's police, I'll fuck him up" was one of the choice phrases used. I used my radio to call for urgent assistance and during the short time before officers arrived Adam helped to keep [REDACTED] with us. Clearly people were trying to get [REDACTED] free and the male who'd made various threats toward me didn't hang around for the police. He was dressed in a Grey Hooded top and was also an IC2. He walked off through the building line towards the Elephant and Castle roundabout and I called up on my radio to inform officers of that fact. In the midst of everything else the male who'd been waving the machete around had disappeared. He was dressed in a way that led me to believe he was probably a chef at the venue. When uniform officers arrived we tried to piece together what had happened. The restaurant was checked and the male in charge of the venue called [REDACTED] was initially detained for having a small lock knife in his possession. This was dealt with by the uniform officers and when the dust began to settle surprisingly no-one would tell us what had happened. All I was able to glean was that the parties involved had been in the restaurant and that for no reason a fight had happened. I requested to see the CCTV but Mr [REDACTED] said that he's looking after the restaurant whilst his parents are on holiday in Ecuador and

Witness Signature: .....

Signature Witnessed by Signature: .....

Continuation of Statement of:

that he didn't know how to work it and had no way of getting in contact with them. No-one else could work the CCTV either and because that is a condition of their licence I issued a closure notice on the venue for breaches of conditions 288 – That a CCTV system shall be installed at the premises and shall be maintained in full working order and be continually recording at all times that the premises is in use under this licence. The CCTV system must be capable of capturing an image of every person who enters the premises. 289 – That all CCTV footage shall be kept for a period of 31 days and shall be made immediately available to officers of the police or council on request. Because the CCTV could not be accessed both conditions were breached and 2040hrs the notice was issued. There had been an initial call to the venue which was CAD 6474. The venue was closing as a result of the incident anyway and I informed Mr [REDACTED] that we'd be returning to view the CCTV which he stated covers both inside and out the front of the restaurant and should cover the incident.

[REDACTED]

Witness Signature: [REDACTED]

Signature Witnessed by Signature: .....

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Statement of: Jonathan Ducker Pc 494MD

Age if under 18: over 18(if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of one(1) page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: ..... Date: 20/12/2018

This is a further statement to one relating to a disturbance outside Pasaje Primavera arch 146 Eagle Yard, Hampton Street SE1 6SP on Saturday 15<sup>th</sup> December 2018 at just before 2000hrs. On Tuesday 18<sup>th</sup> December 2018 at about 1400hrs I re attended the venue to secure CCTV in relation to the events on Saturday evening with Pc Graham White from licensing. The male I know to be [REDACTED] who'd been in charge on Saturday evening was at the premises. He informed us that the CCTV had been broken as of last Wednesday or Thursday and that he'd just had the system replaced yesterday (Monday 17<sup>th</sup> December). He still had the old system and had boxed it up. I asked him why he hadn't told me that the system was broken when I'd requested it on the Saturday and he didn't answer that question but told me that water had got into the system and that was why it had broken. We seized the old system and took it straight to Walworth Police Station VIIDO office (Video Imagery identification and detection office) to see if they could see whether the events of that night could be retrieved. It transpired that a password was required so we returned to the venue and asked for one. A password was supplied and having provided that to the VIIDO unit they informed us that the password was incorrect but that they'd noticed certain warnings showing on the device that meant in their opinion that it was broken. Along with Pc White we returned to the area and noticed that cameras were attached to a building opposite the venue which is the Crossway United Reformed Church. Inside that venue were some people who had nothing to do with the running of the building who said to return the following day. On Wednesday the 19<sup>th</sup> December myself and Pc White attended the church at about 1400hrs and they were able to provide us with CCTV coverage from the 15<sup>th</sup> December from 3 cameras that cover the area where the incident took place. This was placed on a USB stick and having had it converted onto CD we viewed the incident at about 1600hrs. The cameras showed a large disturbance involving both males and females. It showed during an initial altercation a knife being dropped on the floor and [REDACTED] being involved in the initial fight before being dragged back into the restaurant. He then came back out of the venue and picked the knife off the floor before waving it around in a threatening manner. Having viewed the CCTV what I can now confirm, and that I couldn't on the night is that the male waving the knife around was the owner of the premises son who has been in charge whilst his parents are away on holiday [REDACTED]

Witness Signature: .....

Signature Witnessed by Signature: .....




**METROPOLITAN  
POLICE**
**TOTAL POLICING**

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 Disorder**

**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:**

**Pasaje Primavera Arch 146 Eagle Yard Hampton Street**

**Post town:** **London**

**Post code:**  
(if known)

**SE1 6SP**

**Premises licence number (if known):**

**834660**

**Name of premises supervisor (if known):**

**Sugundo Vicente Gualavisi Carlosama**

**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 approximately 8pm on the 15<sup>th</sup> December 2019 Police came across a large fight outside the above premises. The first officer on scene was in plain clothes and with an officer from Southwark council night time economy team. They observed the incident from a safe distance at first as they saw one male armed with a large machete style knife. On examination of CCTV from the incident it shows that before Police arrived there were at least two males armed with large knives and involved in violent disorder. It is now apparent that one of the males armed with a knife was the son of the premises licence holder and was in charge of the premises that night.

This is very serious incident that requires the matter to be expedited under the licensing act 2003. I do not consider a standard review appropriate due to the time scales involved. A interim measures hearing under section 53A of the licensing act provided us with the option to ask the licensing sub committee to suspend the premises licence. Under these circumstances I am of the opinion that this is the most appropriate course of action.

**Signature**

**Signature:**

**Date:**

**19/12/2018**