


**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):

Rincon Costeno Limited

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

869693

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

On Saturday the 10th July 2021 at approximately 0240 a number of calls were made to the Police stating that a fight was taking place at or near Rincon Costeno Arch 146 Eagle Yard. This premises currently holds a premises licence 869693 under the business name of Pasaje Primavera.

Shortly after this Police received a call from the London Ambulance Service (LAS) stating they were dealing with a male victim with significant head injuries and a possible machete wound to his back. Police arrived on scene to speak with the victim, the victim [REDACTED] was uncooperative towards Police, he apparently could not remember where or how he received his injuries and wanted the matter forgotten.

Police discovered that the incident took place at 146 Eagle Yard, they attended the venue and found it to be locked and secure with no staff or patrons inside. A key holder attended the premises and allowed Police access. Inside the venue Police found a significant amount of blood, tables and chairs turned over and smashed glass all over the floor.

It should be noted that no calls were made to the emergency services from the premises or staff at the premises.

Police managed to gain access to the CCTV which was viewed at the scene. The CCTV shows between 6 and 8 persons inside the venue sat at a table drinking what appears to be bottles of beer. One view shows the victim bending down behind the bar area, the suspect comes up from behind the victim and smashes a glass bottle across the back of the victim's head. A fight then starts between the two males. The other people inside then attempt to break up the fight.

It is not entirely clear what happened after this but the victim was attended to by the LAS outside the Elephant & Castle tube station. From the details contained in the crime report and CAD messages the victim was treated for a significant head injury and what is described by the LAS as a machete wound to his back. He was conveyed to hospital for further treatment.

On Saturday the 18th December 2018 Police came across a fight outside 146 Eagle Yard. This incident triggered a summary review of the above premises for 146 Eagle Yard, then known as Pasaje Primavera. It was established the suspect for this incident was [REDACTED] was the son of the premises licence holder. Following a review of the premises licence the licensing sub committee came to a decision that [REDACTED] would be permanently barred from the premises. See condition 846 of the premises licence. It was also agreed that SIA door supervisors would be employed on Friday & Saturday nights when the premises operates after midnight. It is not clear at this stage if any SIA were employed on this night in question.

By allowing [REDACTED] into the licensed premises they have breached the conditions of the premises licence, as a result a serious crime was committed inside the premises. No calls to the emergency services were received from the premises or staff. On attending the venue it was found to be locked and secured with a crime scene unattended inside. I am of the opinion that this was a deliberate act from those at the premises to cover up the fact a serious crime had occurred on their licensed premises.

I ask the licensing sub committee to consider immediate interim steps to promote the prevention of crime and disorder licensing objective and to suspend the premises licence, pending a full review hearing.

Signature of applicant

Signature:

[REDACTED]

2362 AS

Date:

13th July 2021

Capacity:

Police ~~Licensing~~ Officer

Contact details for matters concerning this application

Surname:

Clements

First Names:

Ian

Address:

PROTECTIVE MARKING

Southwark Police Station, 323 Borough High Street			
Post town:	London	Post code:	SE1 1JL
Tel. No.:	[REDACTED]	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.

Retention Period: 7 years
MP 146/12



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:

Rincon Costeno (Pasaje Primavera) Arch 146 Eagle Yard Hampton Street

Post town:	London	Post code: (if known)	SE1 6SP
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Premises licence number (if known):

869693

Name of premises supervisor (if known):

Sugundo Vicente Gualavisi Carlosama

I am a Superintendent* in the Metropolitan Police Service: Det. Supt Clair Kelland

*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 10th July 2021 at approximately 0230 a serious assault took place inside this premises, one victim was hit over the head with a glass bottle causing injuries consistent with grievous bodily harm. The victim also sustained slash injuries to his back, described by the LAS as a potential machete injury. The victim of this incident has been previously barred from the premises following an incident at the venue in December 2018. Following this incident in 2018 a summary review of the premises licence led to the premises licence being modified to include a specific condition barring Mr Ian Gualavisi from entering the premises. Mr Gualavisi is the victim of this most recent assault.

On attending the premises Police found it to be locked and secure with no staff or patrons on scene. After eventually gaining entry, a crime scene with a significant amount of blood had been left unattended. This premises was operating in breach of its premises licence and has been the subject of a previous summary review. The incident was not reported to Police. It is for these reasons that I consider a summary review the most appropriate course of action.

Signature

PROTECTIVE MARKING

Signature:		Date:	13 th July 2021
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Retention Period: 7 years
MP 147/12

DIRECT LIFT OF DETAILS FROM CRIME REPORT 3017860/21

DS Duncan and DC Charlesworth attended The Victims home address at 0900hrs. He was uncooperative and refused to provide a statement or sign a 172 even when it was explained to him. When asked about the incident he said he couldn't remember what started the incident or what happened other than the fact he had asked for an ambulance. He said he had never seen the people involved before and wouldn't recognise them again, nor could he describe them or their clothing. He was unsure exactly where the incident happened stating it was either inside or outside a restaurant in the area. We asked the victim what he was wearing at the time but he couldn't remember except for a pair of jeans and a rucksack. The Victim said he just wanted to move on and didn't want the matter investigated

SCENE

Scene was not established for some time after the initial incident due to lack of obvious blood. Scene was discovered sometime after 0300HRS as blood seen on step of COSTENO RESTAURANT. Restaurant has rolling shutters and was mostly closed. Owner of restaurant arrived at scene and provided key to open the shutters. Once open, it was clear there was significant blood inside the restaurant, including large blood smudges on the near right side wall, a pillar mid-way through the restaurant, and overturned tables, chairs, broken bottles and blood on the floor. Despite the significant quantities of blood inside the premises, no blood trail has been found.