

Licensing Sub Committee B - 22 October 2021

Minutes of the meeting of the Licensing Sub Committee B held by Zoom on 22 October 2021 at 4.00 pm.

Present: **Councillors:** Phil Graham (Chair) and Bossman-Quarshie (Vice-Chair) and Anjna Khurana.

Councillor Phil Graham in the Chair

272 INTRODUCTIONS AND PROCEDURE (Item A1)

Councillor Phil Graham welcomed everyone to the meeting and officers and members introduced themselves. The procedure for the conduct of the meeting was outlined.

273 APOLOGIES FOR ABSENCE (Item A2)

Apologies for absence were received from Councillor Marian Spall.

274 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

Councillor Anjna Khurana substituted for Councillor Marian Spall.

275 DECLARATIONS OF INTEREST (Item A4)

There were no declarations of interest.

276 URGENT ITEM (Item)

An application for an expedited review under Section 53A of the Licensing Act 2003 was received on the 20 October 2021. The Licensing Authority must consider whether to take interim steps, pending a full review hearing, within 48 hours. Due to the short timescale, this item was put forward as urgent in order to comply with the Licensing Act 2003.

277 THE ROYAL OAK, 250 ST JOHN'S WAY, N19 3RJ - EXPEDITED REVIEW (Item C1)

The licensing officer reported that there was no further information to add to the report.

The police reported that there had been a serious incident on the 16 October at the premises and it was considered that an expedited review was the only option open to them. Four males had attended the venue in search of the victim. The victim was located outside the premises and after stabbing him several times, the suspects ran off. The victim's father then took him to hospital. The police had concerns regarding the venue staff. The venue did not call the police and staff then cleaned the crime scene with the intention of destroying any trace of forensics. It was a

condition of the licence that the police should be called in such circumstances. This delayed the investigation of the crime. The designated premises supervisor was present in the venue at the time. The actions were contrary to the licensing objectives. There had been a similar incident in 2019 where actions taken by the venue had been identical and where the victim had died. The police had no faith that the venue was a safe operation and strongly recommended suspension of the licence pending a full review.

In response to a question from the Sub-Committee, it was noted that the CCTV, that captured post incident events, would be available at the full review hearing.

The premises licence holder stated that he agreed that staff had acted totally inappropriately. He had questioned staff, who had no response and they had been dismissed. He stated that the area that they were cleaning was not where the crime had taken place and the four males had not gone through the bar but had found the victim outside the premises. This was a community pub and 90% of patrons were not involved in any trouble. The designated premises supervisor and the bar staff had been completely wrong. He had another designated premises supervisor ready to take over the running of the premises.

In response to questions, the licensee accepted that the crime scene could extend to some distance and not just where the stabbing took place. The incident itself was not covered by CCTV. Smokers stood outside the premises, there was no definitive smoking area. The licence holder stated that he considered that the crime took place by the bins of nearby council flats.

In summary, the police stated that the crime scene extended all around the pub where blood splatters would have been located. It was clear that the decision making in the venue was deep rooted and the police could not risk this continuing.

The premises licence holder stated that this was the only premises where local people could go and they would be penalised. He considered that staff could not have prevented the crime but the cleaning of the outside area afterwards was wrong.

RESOLVED

That the premises licence, in respect of The Royal Oak, 250 St John's Way, N19 3RJ be suspended with immediate effect and until a full review hearing has taken place.

REASONS FOR DECISION

This meeting was facilitated by Zoom.

The Licensing Sub-Committee considered whether it was necessary to take interim steps pending a full licence review. The Sub-Committee took into account the oral and written representations from the police. It was alleged that a male customer at the premises had been attacked just outside the premises and stabbed several times. The male victim had entered the premises following the attack and members of staff had failed to call for an ambulance, nor had the police been called. The

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police only became aware of the incident because staff at the hospital where the victim was treated informed police of the injuries. CCTV from the premises shows members of staff and customers at the premises cleaning the crime scene with water, kitchen cleaner and a broom before police arrived. The members of staff had actively destroyed forensic evidence which may have been available to police at the crime scene. The police expressed concern with the deep-rooted decision making throughout the management structure.

The licence holder attended the meeting and agreed that staff acted inappropriately. The DPS and other member of staff involved had been dismissed. The licence holder questioned whether the area outside the premises, that was captured on CCTV as being cleaned, was part of the crime scene, and stated that the perpetrators did not enter the premises. The licence holder stated that the premises was a community pub and if it was closed local people would have nowhere else to go.

The Sub-Committee was concerned with the explanations provided by the licence holder in light of the police concerns regarding the management of the property. In light of the serious nature of the crime and the alleged deliberate nature of the actions taken by staff to frustrate any police investigation, the Sub-Committee considered that a suspension of the premises licence was necessary while investigations took place, and to ensure the safety of the public.

The meeting ended at 4.40 pm

CHAIR