

LICENSING SUB-COMMITTEE

**Venue: Rotherham Town Hall,
Moorgate Street,
Rotherham. S60 2 TH**

Date: Thursday 15 July 2021

Time: 9.30 a.m.

A G E N D A

1. To determine whether the following items should be considered under the categories suggested in accordance with Part 1 of Schedule 12A (as amended March 2006) of the Local Government Act 1972.
2. To determine any item(s) which the Chairman is of the opinion should be considered later in the agenda as a matter of urgency.
3. Summary Review of a Premises Licence following an application made under s.53A of the Licensing Act 2003 in relation to the Premises Licence in place at The Red Lion, Bridgegate, Rotherham, S60 1PN (Pages 3 - 83)

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HOUSE KEEPING TIPS

- Meeting rooms and the Council Chamber will be sanitised before and after every meeting.
- Follow the one-way systems in place.
- Only one person (and their carer) should use a lift at a time.
- Get tested regularly, either at home or by booking a test at Riverside Lateral Flow Test Site.
- If you have any symptoms of COVID-19, stay at home and order a test.

Further information about COVID-19 can be found at www.rotherham.gov.uk/coronavirus

www.rotherham.gov.uk/coronavirus

Hearing Procedure – Summary Review of Premises Licence

- 1 The Chair of the meeting will introduce the Committee and ask officers to introduce themselves.
- 2 The Chair will ask the parties to the hearing to formally introduce themselves.
- 3 The Licensing Officer will outline the procedure to be followed at the hearing.
- 4 Hearing Procedure:-
 - i. The Licensing Officer will introduce the report.
 - ii. Questions concerning the report can be asked both by Members and the applicant.
 - iii. The Licensing Officer will introduce the applicant for the review (or the nominated representative) and invite them to detail the application and provide them with the opportunity to develop / clarify any of the matters raised as part of their application.
 - iv. The applicant for the review (or the nominated representative) may then be asked questions by members and, if agreed by the Chair, the licence holder and any other parties present.
 - v. The Licensing Officer will then introduce representatives for any Responsible Authorities that are a party to the hearing along with other Interested Parties in turn and each will be asked to detail their relevant representations. Following each submission, Committee members may ask questions of the Responsible Authority / Interested Party. If it is agreed by the Chair, the licence holder may also ask questions of those parties.
 - vi. The Premises Licence Holder (or their nominated representative) will then have the opportunity to make their submission in response to the matters raised by the other parties to the hearing. The licence holder may seek to provide further information / clarification to the Committee that will provide assurance that the licensing objectives are being adequately promoted, or may propose additional measures that will provide this assurance.
 - vii. Following this submission, Committee members may ask questions of the licence holder. If it is agreed by the Chair, the other parties to the hearing may also ask questions of the licence holder in relation to their submission.
 - viii. The applicant for the review will then be given the opportunity to sum up the application.

- ix. The licence holder will then be given the opportunity to sum up their submission in response to the review application.
 - x. The Licensing Officer will then detail the options.
 - xi. There will then be a private session for members to take legal advice and consider the application and review the interim steps.
- 5 The decision of the Licensing Committee will be given in accordance with the requirements of the Licensing Act 2003 and regulations made there under.

Notes:

- At any time in the Licensing Process Members of the Committee may request legal advice from the Solicitor to the Committee. This advice may be given in open session or in private.
- The Committee Hearing will be held in public unless and in accordance with the Regulations the Committee determine that the public should be excluded.

Committee Name and Date of Committee Meeting

Licensing Sub-Committee – 15th July 2021 (9:30 am)

Report Title

Summary review of a Premises Licence following an application made under s.53A of the Licensing Act 2003 in relation to the Premises Licence in place at The Red Lion, Bridgegate, Rotherham, S60 1PN.

Report Author(s)

Alan Pogorzelec, Licensing Manager, Community Safety and Street Scene
01709 254955

Report Summary

On the 21st June 2021, Superintendent Lynn Knox made an application on behalf South Yorkshire Police for the summary review of the Premises Licence in place at the Red Lion, Bridgegate, Rotherham. This application was considered by the Licensing Sub-Committee on 23rd June 2021, and the Committee determined that it was necessary to suspend the premises licence pending the summary review.

The Licensing Sub-Committee is required to determine the application for the summary review within 28 days following the submission of the application. In addition, the Committee should review the decision to suspend the licence following the hearing on 23rd June.

Following the submission of the summary review application, three additional representations were received in relation to the review. Further detail on these are provided within the main body of the report.

Recommendations

1. That the Licensing Sub-Committee considers the information contained within this report (and associated appendices) along with any additional information presented at the hearing and subsequently determines the application that has been made.
2. That the Licensing Sub-Committee reviews the decision made at the “interim steps” hearing on 23rd June and determines whether the steps remain appropriate for the promotion of the Licensing Objectives.
3. The Licensing Sub-Committee should inform the Licensing Manager of the decisions made at today’s hearing, in accordance with the requirements of the Licensing Act 2003 and Regulations made thereunder.

List of Appendices Included

- Appendix 1 Location details
- Appendix 2 Premises Licence P0443
- Appendix 3 Review application form
- Appendix 4 Interim steps decision notice
- Appendix 5 Additional information South Yorkshire Police in support of the application for the review
- Appendix 6 Representation from Rotherham MBC Licensing Service (acting in the role of a Responsible Authority under the Licensing Act 2003)
- Appendix 7 Representation from Rotherham MBC Environmental Health
- Appendix 8 Representation from Designated Premises Supervisor

Background Papers

Rotherham MBC Statement of Licensing Policy 2020 -2025
(available at www.rotherham.gov.uk/licensing)

Revised guidance issued under section 182 of the Licensing Act 2003 (April 2018)
(available at <https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>)

Council Approval Required

No

Exempt from the Press and Public

No

Summary review of a Premises Licence following an application made under s.53A of the Licensing Act 2003 in relation to the Premises Licence in place at The Red Lion, Bridgegate, Rotherham, S60 1PN.

1. Background

- 1.1 The Red Lion is a public house located within the Red Lion Yard off Bridgegate in Rotherham Town Centre. Further details on the location of the premises can be found at Appendix 1.
- 1.2 The premises currently has the benefit of a Premises Licence issued under the Licensing Act 2003 (licence number P0443). The licence permits the sale of alcohol for consumption on and off the premises, regulated entertainment and late night refreshment. A copy of the Premises Licence is attached to this report as Appendix 2.
- 1.3 On 21st June 2021, Rotherham MBC's Licensing Service received an application from South Yorkshire Police for the summary review of the Premises Licence. This application was submitted due to a number of serious incidents connected to the premises that occurred on 18th and 20th June. A copy of the review application form is attached as Appendix 3.
- 1.4 The Licensing Sub-Committee met on 23rd June to determine whether any interim steps were required pending consideration of the review. On this occasion, the Sub-Committee determined that it would be appropriate to suspend the premises licence with immediate effect. The decision issued to the licence holder is attached as Appendix 4.
- 1.5 There is a prescribed period of 10 working days following the submission of a summary review application during which time interested parties / responsible authorities may submit representations in relation to the application.
- 1.6 At the end of the prescribed period, a total of two additional representations / comments had been received, along with additional information provided by the applicant. Appropriately redacted copies of the additional information and representations / comments can be found at Appendix 5 (Police information), Appendix 6 (Licensing Authority representation) and Appendix 7 (Environmental Health representation).

2. Key Issues

The application

- 2.1 The application submitted by South Yorkshire Police outlines concerns regarding the following matters:
 - 2.1.1 Numerous incidents of serious crime and disorder – some involving the use of snooker cues and glasses as weapons.

- 2.1.2 Problematic and obstructive staff and customers who reported themselves as being in charge on behalf of the owner, most of whom were drunk. There were attempts to intimidate police officers as they were carrying out their duties.
- 2.1.3 Significant non-compliance with national legislation / guidance introduced to control the spread of Coronavirus / Covid-19 in the UK.
- 2.1.4 Children as young as 13 being served alcohol at the premises.
- 2.2 Full details of the circumstances leading to the submission of the application to review the licence can be found at Appendices 3 and 5. In addition, a representative of South Yorkshire Police will be in attendance at the hearing and will have the opportunity to further develop the above points and clarify any points or issues that may arise.

Representations received

- 2.3 Three additional representations / comments were received – full details of these representations can be found at Appendices 6, 7 and 8, but are briefly summarised below:
- 2.3.1 The representation submitted by Rotherham MBC Licensing Service makes reference to the following:
- Crime and disorder associated with the premises.
 - Underage drinking.
 - Non-compliance with Coronavirus / Covid-19 legislation.
 - Failure of the licence holder or DPS to report instances of disorder at the premises.
 - Lack of management control of the premises by the licence holder and DPS.
 - Failure to comply with Annex 2 conditions attached to the Premises Licence.
 - Extremely offensive, aggressive and intimidating behaviour directed towards Council officers by customers and staff at the premises.

Further information is detailed in Appendix 6.

- 2.3.2 The representation submitted by Rotherham MBC Environmental Health Service makes reference to the following:
- Failure of the licence holder to ensure that appropriate steps had been taken to ensure compliance with nationally introduced legislation aimed at preventing the spread of Coronavirus / Covid-19 in the UK.
 - The issuing of a Fixed Penalty Notice in relation to the above.

Further information is detailed in Appendix 7.

2.3.3 The representation submitted by the Designated Premises Supervisor makes reference to the following:

- xxx

Further information is detailed in Appendix 8.

2.4 All parties that have submitted representations in relation to the application have been invited to attend the hearing today to provide further detail in relation to the above.

2.5 Members of the Sub-Committee should give full consideration of the issues raised the Responsible Authorities and Interested Parties when determining the application.

2.6 The process to be adopted at the hearing is provided with this report.

3. Options available to the Licensing Sub-Committee

3.1 During the hearing today, the Sub-Committee must:

- a. Consider the application for the summary review of the licence and determine whether any steps are appropriate for the promotion of the licensing objectives.
- b. Review whether the interim steps taken by the Sub-Committee on 23rd June remain appropriate for the promotion of the licensing objectives.

3.2 In determining both of these matters, the Sub-Committee must carry out its functions under the Licensing Act with a view to promoting the licensing objectives:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

3.3 In addition, the Sub-Committee should take into account any change in circumstances since the interim steps were imposed, along with any representations or additional information that is received from responsible authorities, the licence holder or other interested parties.

- 3.4 All licensing determinations should be considered on the individual merits of the application. The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 3.5 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council's licensing policy statement.
- 3.6 Specific information relevant to each of the matters outlined in section 3.1 is provided below.

Consideration of the application for a summary review

- 3.7 The Sub-Committee must take steps that it considers appropriate for the promotion of the licensing objectives.
- 3.8 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.
- 3.9 The licensing authority may decide that the review does not require it to take any further steps appropriate to promoting the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.
- 3.10 However, where responsible authorities such as the Police or Environmental Health Officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate. Similarly, licensing authorities may take into account any civil immigration penalties which a licence holder has been required to pay for employing an illegal worker.
- 3.11 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption).
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management.
- suspend the licence for a period not exceeding three months.
- revoke the licence.

3.12 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

3.13 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.

3.14 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.

3.15 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises

are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

3.16 An appeal against the final review decision may be made to a magistrates' court within 21 days of the appellant being notified of the licensing authority's determination on the review. An appeal may be made by the premises licence holder, the chief officer of police and/or any other person who made relevant representations.

3.17 The decision of the licensing authority, following the review hearing, will not have effect until the end of the period allowed for appeal, or until the disposal of the appeal.

Review of interim steps

3.18 The licensing authority's determination does not have effect until the end of the 21 day period given for appealing the decision, or until the disposal of any appeal that is lodged (see below information on right of appeal).

3.19 To ensure that there are appropriate and proportionate safeguards in place at all times, the licensing authority is required to review any interim steps that it has taken that are in place on the date of the hearing and consider whether it is appropriate for the promotion of the licensing objectives for the steps to remain in place, or if they should be modified or withdrawn.

3.20 The review of the interim steps should take place immediately after the determination of the summary review application.

3.21 In conducting the review of the interim steps the licensing authority has the power to take any of the steps that were available to it at the initial stage, these were:

- the modification of the conditions of the premises licence;
- the exclusion of the sale of alcohol by retail from the scope of the licence;
- the removal of the designated premises supervisor from the licence;
- the suspension of the licence.

It should be noted that modification of the conditions of the premises licence can include the alteration or modification of existing conditions or addition of any new conditions, including those that restrict the times at which licensable activities authorised by the licence can take place.

3.22 Any interim steps taken at the review hearing apply until:

- a. the end of the period given for appealing against the decision made by the Sub-Committee (21 days),
- b. if an appeal is lodged, the time the appeal is disposed of, or
- c. the end of a period determined by the relevant licensing authority (which may not be longer than the period of time for which such interim steps could apply under (a) or (b) above).

3.23 The licence holder or the chief officer of police may appeal against the decision made by the licensing authority concerning its review of the interim steps to a magistrates' court. The appeal must be made within 21 days of the appellant being notified of the licensing authority's decision and must be heard in full by the magistrates' court within 28 days beginning with the day on which the appellant lodged the appeal.

3.24 Where appeals are lodged both against the decision following the review of the interim steps and against the final determination, the courts may decide to consider the appeal against the final determination within the 28 day period, allowing the interim steps appeal to be disposed of at the same time.

4. Consultation

4.1 The application has been subject to the statutory consultation process including the display of public notices in the vicinity of the site for a minimum period of 7 days.

4.2 Responsible Authorities and interested parties have been provided with the statutory 10 working day period during which time they may make representation to the Council in relation to the review application.

5. Timetable and Accountability for Implementing this Decision

5.1 Subject to section 3.22 above, any decision made by the Licensing Sub-Committee does not have effect until:

- the end of the period given for appealing against the decision; or
- if the decision is appealed, until the appeal is disposed of.

5.2 An appeal may be lodged by either the applicant or a party to the hearing that has made a relevant representation.

5.3 Parties to the hearing must be informed of the decision within 5 working days of the hearing (or within 5 working days from the last day of the hearing if it takes place over multiple days).

6. Financial Implications

- 6.1 There are no specific financial implications arising from this application.
- 6.2 However, additional costs may be incurred should the matter go to appeal. In such an eventuality it may not be possible to recover all of the costs incurred. The impact of these additional costs (if any) will therefore need to be met from within existing revenue budgets.

7. Legal Advice and Implications

- 7.1 A Council Solicitor will be in attendance at the hearing to provide appropriate legal advice to the Licensing Sub-Committee in relation to specific aspects of the application / hearing, however the advice below is generally applicable to all applications.
- 7.2 Hearings under the Licensing Act 2003 operate under the Licensing Act 2003 (Hearings) Regulations 2005.
- 7.3 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other information produced by a party in support of their application, representations or notice either before the hearing or, with the consent of all parties, at the hearing.
- 7.4 The Panel may accept hearsay evidence and it will be a matter for the Licensing Sub-Committee to attach what weight to it that they consider appropriate. Hearsay evidence is evidence of something that a witness neither saw nor heard, but has heard or read about.
- 7.5 The Secretary of State's guidance to the Licensing Act 2003 is provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.
- 7.6 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The guidance is therefore binding on all licensing authorities to that extent. However, the guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have

properly understood this guidance, they may depart from it if they have good reason to do so and can provide full reasons.

- 7.7 Departure from the guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

8. Risks and Mitigation

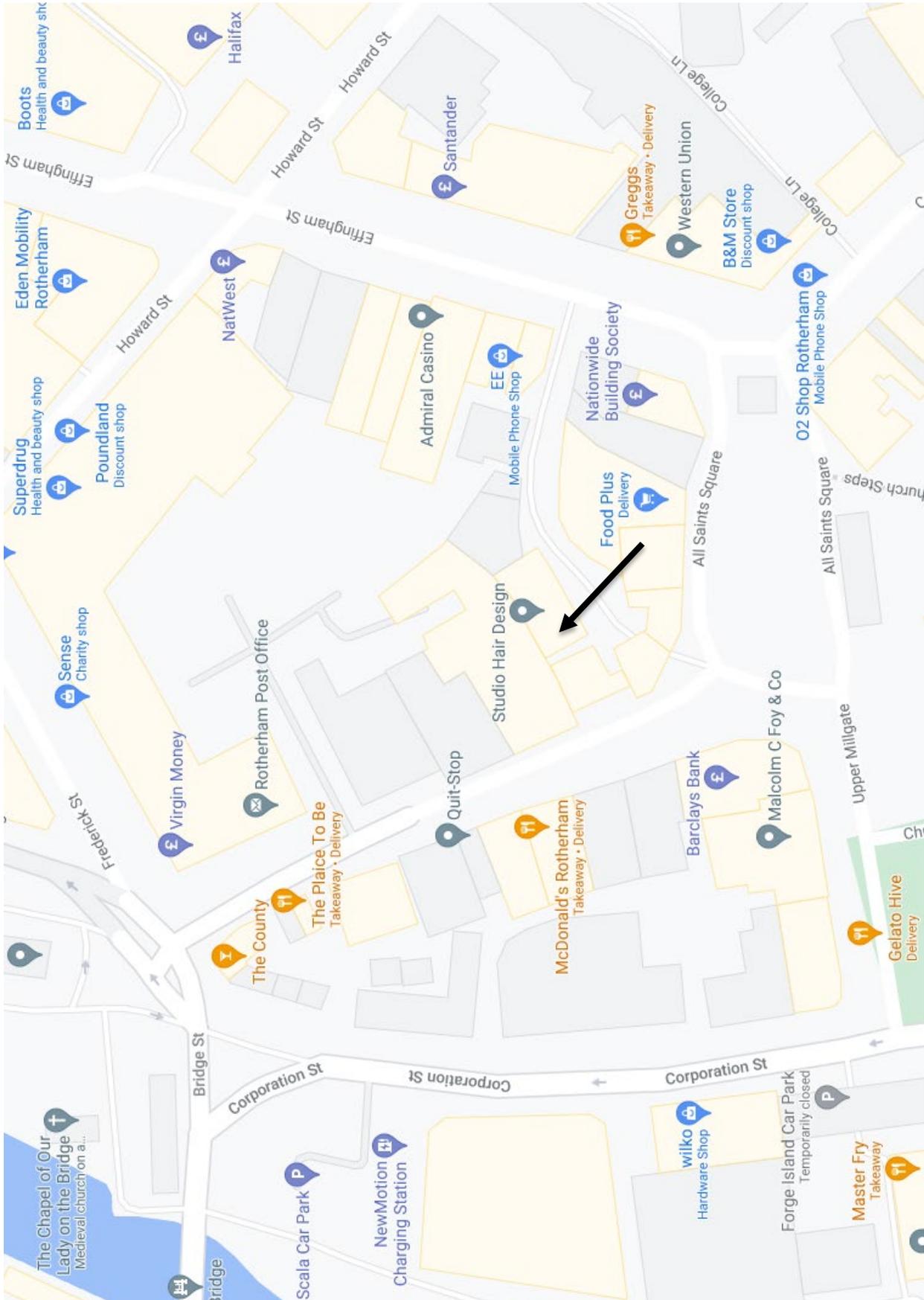
- 8.1 The statutory requirements in relation to the consideration of this application are detailed in this report. It is essential that the Sub-Committee act in accordance with these statutory provisions and take account of statutory guidance.
- 8.2 Failure to do this exposes the Council to significant risk of legal challenge, the consequences of which could result in financial and / or reputational damage to the Council.
- 8.3 Members are therefore urged to fully consider the information in this report when making a decision regarding this application, and to ensure that any decision made is justifiable, proportionate and based on the promotion of one or more of the Licensing Objectives.
- 8.4 Council officers are present at the meeting today and can provide additional advice to members of the Sub-Committee should this be required. In addition, a copy of the statutory guidance is available for members to review should they wish to do so.

9. Accountable Officer(s)

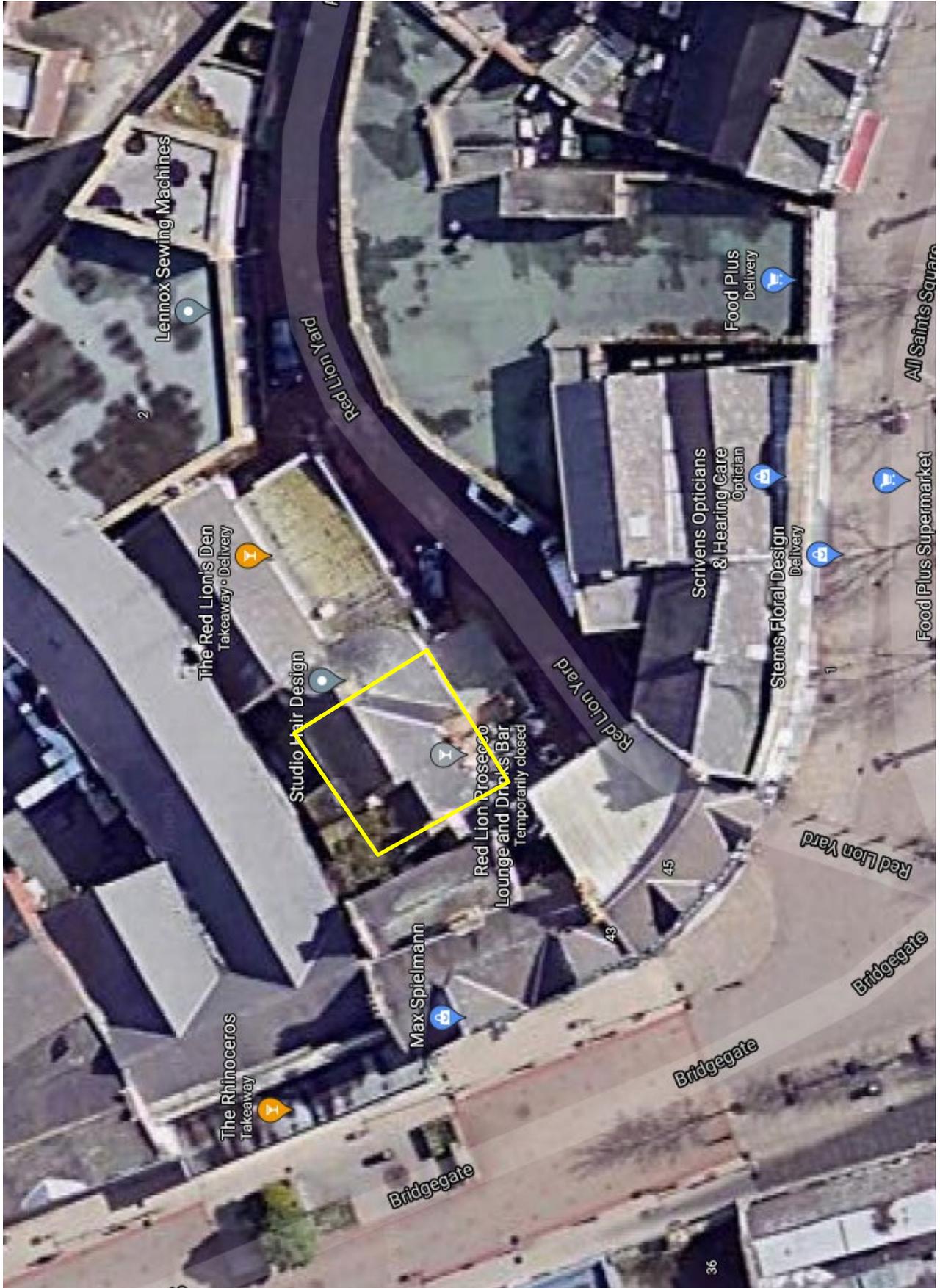
Alan Pogorzelec, Licensing Manager, Community Safety and Street Scene

This report is published on the Council's [website](#).

APPENDIX 1



APPENDIX 1



APPENDIX 1



APPENDIX 2
Licensing Act 2003
Premises Licence
P0443

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION**Red Lion**

Bridgegate, Rotherham, South Yorkshire, S60 1PN.

Telephone 01709 382325

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
Performance of live music (Indoors)	Monday to Sunday On the following day New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.	5:00pm	1:00am
Playing of recorded music (Indoors)	Monday to Sunday on the following day New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.	8:00am	1:00am
Performance of dance (Indoors)	Monday to Sunday on the following day New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.	5:00pm	1:00am
Entertainment of a similar description (Indoors)	Monday to Sunday on the following day New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.	8:00am	1:00am
Late night refreshment (Indoors)	Monday to Sunday on the following day New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.	11:00pm	1:00am



APPENDIX 2
Licensing Act 2003
Premises Licence
P0443**THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...**

Activity (and Area if applicable)	Description	Time From	Time To
The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Sunday on the following day New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.	8:00am	1:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday on the following day New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.	8:00am	1:30am

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- The sale by retail of alcohol for consumption ON and OFF the premises

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Paul Andrew Gill
 paulgill08@hotmail.com
 Red Lion Hotel, Bridgegate, Rotherham, South Yorkshire, S60 1PN.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)**NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**

Natalie Victoria BUTLER
 [REDACTED]

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. RM3271
 Issued by Rotherham



Licensing Act 2003

Premises Licence

P0443

ANNEXES

Mandatory Conditions**All Premises Licence authorising supply of alcohol**

The licence is granted subject to the Mandatory conditions for sale of alcohol as set out in the Licensing Act 2003 as amended by the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 and Order 2014.

1. No supply of alcohol may be made under the Premises Licence -
 - (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
 - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or



Licensing Act 2003 Premises Licence

P0443

ANNEXES continued ...

glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
 - (a) a holographic mark or
 - (b) an ultraviolet feature.
6. The responsible person shall ensure that -
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the



Licensing Act 2003

Premises Licence

P0443

ANNEXES continued ...

premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1 -

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) “permitted price” is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

(i) P is the permitted price

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence -

(i) The holder of the premises licence

(ii) The designated premises supervisor (if any) in respect of such a licence, or

(iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of



Licensing Act 2003

Premises Licence

P0443

ANNEXES continued ...

alcohol which take place before the expiry of the period of 14 days beginning on the second day.

If the Premises Licence has conditions in respect of Door Supervision [except theatres, cinemas, bingo halls and casinos]

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
 - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (b) be entitled to carry out that activity by virtue of section 4 of the Act.
2. But nothing in subsection (1) requires such a condition to be imposed:
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
 - (b) in respect of premises in relation to:
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
3. For the purposes of this section:
 - (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Annex 2 Conditions consistent with operating schedule

Prevention of Crime and Disorder

1. The licence holder shall ensure that all staff are properly trained in those aspects of the job which may have an impact on crime and disorder. Such training will consist of dealing with angry customer and how to respond if crime or anti social behaviour is witnessed.
2. The licence holder shall ensure that a burglar alarm is installed at the premises.



Licensing Act 2003
Premises Licence
P0443**ANNEXES continued ...**

3. The licence holder shall ensure that CCTV is installed and operational both on and off the premises.
4. The licence holder shall ensure that membership of Rotherham Licence watch is maintained.

Public Safety

5. The licence holder shall ensure that staff have appropriate training to secure the safety of the premises and the patrons.
6. The licence holder shall ensure that there is regular testing and appropriate certification of the fire equipment, procedures, appliances and systems pertinent to safety.
7. The licence holder shall ensure that fire escape routes are clearly sign posted.
8. The licence holder shall ensure that access for emergency vehicles are kept clear and free of obstruction.
9. The licence holder shall ensure that first aid equipment and materials are available on the premises and a qualified first aider is on site.

Prevention of Public Nuisance

10. The licence holder shall ensure that customer arrive and leave the premises quietly.
11. The licence holder shall record any incidents of public nuisance.
12. The licence holder shall make regular daily checks for litter outside the premises so that it does not cause offence to people passing the premises.
13. The licence holder shall be familiar with the British Beer and Pub Association Guidelines - Licensed Property: Noise Control: Effective Management of Noise from Licensed Premises.
14. The licence holder shall ensure that whilst Karaoke is taking place at the premises all windows and doors (save for ingress/egress) will remain closed.
15. Whilst entertainment is taking place at the premises the noise from within the premise will be monitored from outside and volumes adjusted accordingly.
16. The licence holder shall ensure that speakers are located away from party walls and orientated away from neighbouring properties to minimise noise disturbance.

Protection of Children from Harm

17. The licence holder shall take any suitable and sufficient measures to protect children from harm.
18. The licence holder shall operate the 'Challenge 21' Scheme and only accept accredited proof of age schemes and/or photo card driving licences.
19. The licence holder shall ensure that unaccompanied children under the age of 16 are not allowed into the premises under any circumstances.
20. The licence holder shall ensure the effective and responsible management of the premises.
21. The licence holder shall ensure all staff have instruction and training to ensure the protection of children from harm as well as safe guarding issues.
22. The licence holder shall ensure that at least one member of staff takes a lead on safeguarding issues.
23. The licence holder will adopt best practice guidance such as that suggested by the Portman Group.
24. The licence holder shall ensure that all children are accompanied by an adult.



APPENDIX 2**Licensing Act 2003**
Premises Licence**P0443****ANNEXES continued ...**

25. The licence holder shall ensure that no entertainment of an adult or sexual nature takes place at the premises at anytime.
26. The licence holder shall ensure that signage is displayed indicating which areas, activities and time sessions are family friendly.
27. The licence holder shall display signage which explains the law in relation to children and alcohol.
28. The licence holder shall operate a 'No ID No Sale' policy.

Annex 3 Conditions attached after a Hearing of Licensing Authority

None.

Annex 4 Plans

See attached.



APPENDIX 2

Licensing Act 2003

Premises Licence Summary P0443

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION**Red Lion**

Bridgegate, Rotherham, South Yorkshire, S60 1PN.

Telephone 01709 382325

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
Performance of live music (Indoors)	Monday to Sunday On the following day New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.	5:00pm	1:00am
Playing of recorded music (Indoors)	Monday to Sunday on the following day New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.	8:00am	1:00am
Performance of dance (Indoors)	Monday to Sunday on the following day New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.	5:00pm	1:00am
Entertainment of a similar description (Indoors)	Monday to Sunday on the following day New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.	8:00am	1:00am
Late night refreshment (Indoors)	Monday to Sunday on the following day New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.	11:00pm	1:00am



APPENDIX 2

Licensing Act 2003

Premises Licence Summary P0443

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Sunday on the following day New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.	8:00am	1:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday on the following day New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.	8:00am	1:30am

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- The sale by retail of alcohol for consumption ON and OFF the premises

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Paul Andrew Gill Red Lion Hotel, Bridgegate, Rotherham, South Yorkshire, S60 1PN.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)
NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Natalie Victoria BUTLER

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

none



APPENDIX 3

ANNEX B

South Yorkshire Police
Main Street Police Station
Rotherham
S60 1QY

CERTIFICATE UNDER SECTION 53A(1)(b) OF THE LICENSING ACT 2003

I hereby certify that in my opinion the premises described below are associated with serious crime / serious disorder / both serious crime and serious disorder¹.

*Premises*²:

Red Lion
Bridgate
Town Centre
Rotherham
S60 1PN

Premises licence number (if known): P0443

Name of premises supervisor (if known): Natalie Butler

I am a Police Superintendent - Lynn Knox ³ in the South Yorkshire police force.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case, because⁴:

The following incidents have taken place either inside or on the outside curtilage of the premise within the last few weeks.

As the list below shows these incidents are increasing in severity. We have serious concerns that there may be further serious incidents take place at the premise .

The venue appears to attract individuals who are causing problems within the

¹ Delete as applicable.

² Include business name and address and any other relevant identifying details.

³ Insert rank of officer giving the certificate, which must be superintendent or above.

⁴ 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.

APPENDIX 3

town. and are frequently involved in serious crime and disorder, involving snooker cues and glasses.

On Saturday 19th June Officers attended there was no Designated Premise Supervisor on site, The team encountered problematic and obstructive 'staff' and 'customers' whom reported themselves as being in charge on behalf of the owner most whom were drunk. The excuse provided by persons on site was the owner was unwell and/or had left due to having an allergic reaction to Tuna and was either at home or was being treated by paramedics however would be returning later.

There were also non complaint to most Corona Virus regulations in terms of music, facemasks, track and trace, non-seated drinking, bar service. Staff actually serving at the bar whilst we was at the bar reviewing the licence and talking through the refusal / ID challenge procedures. The staff where obstructive threatening and tried their very best to intimidate officers. Officers also observed juveniles aged from 4/5yrs to 10/11yrs (which concerned South Yorkshire Police even more given the violent incidents we have dealt with this weekend)

Crime and Disorder

Incident 1105 - 18/06/21 - Disturbance / Fighting - report made to South Yorkshire Police from DPS of 25/30 fighting , weapons were used, snooker cue and glasses. Broken snooker cue seized by South Yorkshire Police.

Incident 0027 20/06/21 - Disturbance / Fighting - report made to South Yorkshire Police. 3 incidents in one:-

1st Incident

Male with neck tattoos, shorts and grey jacket approx. 30 years of age, shouting and threatening females and shouting abuse at them. – Been doing this all night

2nd Incident

RED LION ROTHERHAM – Whole pub has gone crazy everyone is being attacked Linked Inc 0035 - 20/06/2021

One male laid unconscious required medical attention – several males run off - Victim has been at the red lion public house Rotherham town centre where an unknown suspect has pushed the victim causing victim to fall to the floor and bang his head.

Male asked to leave, Bouncer has pushed a young lad to the floor, large group turned up and there was 2 brothers when started kicking off.

3rd Report

Landlord has attacked her friend and the staff have also attacked them as they were trying to video it. Bouncer attacked someone.

AMBULANCE CALL – Report of other fights and injury in the area

Underage

on Friday night 18/06/21 Police attended and on reaching the entrance to the Yard I found two young males in possession of a pint of lager and a glass of whisky one 13 and the other who provided a false date of birth still making him 17. (both whom stated they were related to the owner as Son and Nephew and

APPENDIX 3

had got them from the Red Lion)

Previously on 8th June SYP had a missing female 16 years and she was found at the Red Lion, Bridgate in company with two females a male . Alcohol jugs were on the table despite her denying she had any.

All the above incidents are directly linked to the premises and I am of the view that further disorder will occur at the premises unless immediate action is taken.

An Expedited Review on the basis of 'Crime and Disorder' is therefore requested .

I the Superintendant of South Yorkshire Police request an interim hearing to impose interim steps given the risk of serious disorder.

I request on behalf of South Yorkshire Police for the committee to consider the immediate suspension of the premise licence. The premise licence currently has a number of conditions non of which are being adhered to by the Premise licence Holder or Designated Premise Supervisor. I am of the view that neither the Premise Licence Holder or Designated Premise Supervisor would adhere any further conditions should they be imposed.

South Yorkshire Police feel that the Crime and Disorder is of the severity that only an immediate suspension of the licence would prevent a reoccurrence of the disorder.

.....
(Signed)  Superintendent 21-6-21
(Date)

APPENDIX 3

APPENDIX 3

ANNEX C

FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

[Insert name and address of relevant licensing authority and its reference number (optional)]

Rotherham Town Council Licensing Board

Town Hall

Rotherham

Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)

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.**

I Superintendent Lynn Knox [on behalf of] the chief officer of police for the South Yorkshire 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 if none or not known, ordnance survey map reference or description:

**Red Lion
Bridgage
Town Centre**

Post town: Rotherham

Post code (if known): **S60 1PN**

2. Premises licence details:

Name of premises licence holder (if known): Paul Gill

Number of premises licence holder (if known): P0443

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read

APPENDIX 3

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 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]

The following incidents have taken place either inside or on the outside curtilage of the premise within the last few weeks.

As the list below shows these incidents are increasing in severity. We have serious concerns that there may be further serious incidents take place at the premise .

The venue appears to attract individuals who are causing problems within the town. and are frequently involved in serious crime and disorder, involving snooker cues and glasses.

On Saturday 19th June Officers attended there was no Designated Premise Supervisor on site, The team encountered problematic and obstructive 'staff' and 'customers' whom reported themselves as being in charge on behalf of the owner most whom where drunk. The excuse provided by persons on site was the owner was unwell and/or had left due to having an allergic reaction to Tuna and was either at home or was being treated by paramedics however would be returning later.

There were also non complaint to most Corona Virus regulations in terms of music, facemasks, track and trace, non-seated drinking, bar service. Staff actually serving at the bar whilst we was at the bar reviewing the licence and talking through the refusal / ID challenge procedures. The staff where obstructive threatening and tried their very best to intimidate officers. Officers also observed juveniles aged from 4/5yrs to 10/11yrs (which concerned South Yorkshire Police even more given the violent incidents we have dealt with this weekend)

Crime and Disorder

Incident 1105 - 18/06/21 - Disturbance / Fighting - report made to South Yorkshire Police from DPS of 25/30 fighting , weapons were used, snooker cue and glasses. Broken snooker cue seized by South Yorkshire Police.

Incident 0027 20/06/21 - Disturbance / Fighting - report made to South Yorkshire Police. 3 incidents in one:-

1st Incident

Male with neck tattoos, shorts and grey jacket approx. 30 years of age, shouting and threatening females and shouting abuse at them. – Been doing this all night

2nd Incident

RED LION ROTHERHAM – Whole pub has gone crazy everyone is being

APPENDIX 3

attacked Linked Inc 0035 - 20/06/2021

One male laid unconscious required medical attention – several males run off - Victim has been at the red lion public house Rotherham town centre where an unknown suspect has pushed the victim causing victim to fall to the floor and bang his head.

Male asked to leave, Bouncer has pushed a young lad to the floor, large group turned up and there was 2 brothers when started kicking off.

3rd Report

Landlord has attacked her friend and the staff have also attacked them as they were trying to video it. Bouncer attacked someone.

AMBULANCE CALL – Report of other fights and injury in the area

Underage

on Friday night 18/06/21 Police attended and on reaching the entrance to the Yard I found two young males in possession of a pint of larger and a glass of whisky one 13 and the other who provided a false date of birth still making him 17. (both whom stated they were related to the owner as Son and Nephew and had got them from the Red Lion)

Previously on 8th June SYP had a missing female 16 years and she was found at the Red Lion, Bridgate in company with two females a male . Alcohol jugs were on the table despite her denying she had any.

All the above incidents are directly linked to the premises and I am of the view that further disorder will occur at the premises unless immediate action is taken.

An Expedited Review on the basis of 'Crime and Disorder' is therefore necessary.

This is the reason I feel an Expedited Review of the Premise License is necessary based on all the licensing objectives.

 Superintendent

Signature of applicant:

Date: 21/06/2021

APPENDIX 3

Capacity:

Contact details for matters concerning this application:

Address: **SYP Licensing Department, Force Headquarters, Carbrook House, Sheffield.**

Telephone number(s): 0114 [REDACTED]

Email: [REDACTED]@southyorks.pnn.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.

Community Safety and Street Scene

Licensing, Riverside House, Main Street, Rotherham, S60 1AE

Direct Line: 01709 22346

E.mail: licensing@rotherham.gov.ukMy Reference:
KLL/0443230621

Your Reference:

Please ask for:
Keeley LadlowDate:
23rd June 2021**Strictly Private & Confidential**

Mr Paul Gill
Red Lion Hotel
Bridgewater
Rotherham
S60 1PN

Dear Mr Gill,

Review of the premises licence Red Lion, Bridgewater under section 53A Licensing Act 2003.

South Yorkshire Police submitted an application to review the premises licence under section 53A of the Licensing Act on Monday 21st June 2021.

Due to the likelihood of serious crime and disorder occurring at the premises over the coming days an interim steps hearing of the licensing Sub-Committee was held this morning.

After careful consideration of the above matter, the sub-committee was not satisfied that the premises are upholding the licensing objectives and determined that the concerns raised, in particular the nature of the disorder and presence of children at the premises, were of such a severity that only a suspension of the licence would prevent further issues.

Therefore, I am directed to inform you that the premises licence has been suspended with immediate effect. You must not undertake licensable activity of any kind; the suspension will remain in effect until such a time as the matter has been determined at a review hearing.

Should licensable activity be undertaken whilst the licence is suspended Rotherham MBC may consider further action including prosecuting for offence under the Licensing Act.

There is no right of appeal to the Magistrate's Court following the decision to suspend however, you may make representations regarding this decision to the Local Authority.

Yours sincerely

Keeley Ladlow
Principal Licensing Officer

APPENDIX 4

Interim Steps Hearing – The Red Lion

On 21st June 2021 the Licensing Authority received an application for a summary review of the premises licence for The Red Lion, Bridgegate, Rotherham, under section 53A of the Licensing Act 2003.

The Licensing Sub-Committee considered whether it was necessary to take interim steps pending the determination of a full review of the premises licence. South Yorkshire Police had submitted that such steps were necessary and had requested that the premises licence be suspended.

The application and attached certificate fully explains the reasons for the application and the reasoning for the request for interim steps to be put into place.

Between Friday 18th June and Sunday 20th June 2021 several incidents of serious disorder occurred within the premises and its immediate locality. The incidents increased in severity over the course of the weekend with weapons being used such as broken snooker cues and glasses. The Premises Licence Holder and DPS were not on site and staff members who were present were obstructive, threatening and attempted to intimidate Police Officers who were in attendance.

On Friday 18th June Police Officers attended and witnessed two males, aged 13 and 17, consuming alcohol which they confirmed had been provided by the premises. The males had indicated that they were related to the owner of the premises. Officers also witnessed children of varying ages present within the premises, the youngest being 5 years old.

In addition to the issues outlined the premises were non-compliant with Covid-19 legislation and nor were they compliant with their existing licence conditions.

The Sub-Committee considered the application that had been made and the information provided by South Yorkshire Police in accordance with the following licensing objectives: -

1. The prevention of crime and disorder
2. Public safety
3. The prevention of public nuisance
4. The protection of children from harm

The Sub-Committee had serious concerns regarding the premises and in particular raised concerns surrounding the safeguarding of children considering the information provided by South Yorkshire Police.

The Sub-Committee were of the view that serious incidents of disorder had taken place within the premises and the immediate vicinity, and they were extremely concerned by the use of weapons. The reports of disorder not only involved customers in attendance at the premises but the 'Landlord', members of staff and

APPENDIX 4

members of door staff. The Police were met with obstructive and threatening behaviour by members of staff and when a visit to the premises took place by the Licensing Authority on Monday 21st June the DPS failed to co-operate with them, particularly in respect of attempts to secure CCTV footage.

It was clear to the Sub-Committee that the premises was out of control and as a result the promotion of all four licensing objectives had been seriously undermined and were not being promoted as expected by the holder of a premises licence.

The Sub-Committee considered all options open to them as interim steps.

The Sub-Committee felt that the modifying of conditions would not assist and would not satisfy them that the licensing objectives would be promoted by the premises. The Sub-Committee did consider whether an amendment to the operating hours might assist but it was clear from the reports that incidents had taken place at varying times of day and in addition the Sub-Committee were concerned that ongoing sporting events [football] may well fuel further disorder at any time of the day. In addition, the premises licence was already heavily conditioned, and it was clear that the premises had a complete disregard for those existing conditions. Modifying the conditions was therefore not an option for the Sub-Committee.

The Sub-Committee considered whether it was appropriate to exclude the sale of alcohol as a licensable activity. Again, they had no confidence that this would address the concerns raised given the premises recent history of compliance and therefore this was not an option.

The removal of the DPS was considered but it was clear to the Sub-Committee that the issues were far wider than concerns surrounding only the DPS of the premises and therefore again this was deemed to be an unsuitable interim step.

The Sub-Committee had no confidence in the premises to promote the licensing objectives and determined that the concerns raised, in particular the nature of the disorder and presence of children at the premises, were of such a severity that only a suspension of the licence would prevent further issues.

The Sub-Committee decision was therefore to implement interim steps by suspending the premises licence for The Red Lion, Bridgegate, Rotherham with immediate effect.

APPENDIX 5

WITNESS STATEMENT OF
HELEN COOPER
1ST STATEMENT
ON BEHALF OF THE APPLICANT

BEFORE THE LICENSING COMMITTEE
OF ROTHERHAM METROPOLITAN BOROUGH COUNCIL

IN THE MATTER OF A REVIEW OF
PREMISES LICENCE UNDER
SECTION 53A OF THE LICENSING
ACT 2003

CHIEF CONSTABLE OF SOUTH YORKSHIRE POLICE

Applicant

AND

MR PAUL GILL.
(RED LION, BRIDGATE, ROTHERHAM, S60 1PN)

Premises Licence Holder

WITNESS STATEMENT OF HELEN COOPER

1. I am Helen Cooper, I am employed by South Yorkshire Police as a Licensing Enforcement Officer.
2. I make this statement in support of an Applicant for Review of Premises Licence relating to the above premises on the grounds of the premise licence holder and Designated Premises Supervisor failing to uphold the four licensing objectives namely , the prevention of crime and disorder, the protection of children from harm, public safety and public nuisance.

Initial Reports to Police - the following information is from Police Smart Contact System.

Incident 1105 - 18th June 2021 – Public Order

3. I understand that, on the 18th June 2021 @ 23:21, Police received the following report:

On 18th June 2021 at 23.21hrs South Yorkshire Police received a report of a disturbance at the Red Lion public house, the caller reported a large number of persons fighting using weapons, glassware as weapons and a broken snooker cue. It was further reported that persons involved had blood visible. Upon Police Officers attending the incident several people were knocked to the floor with injuries – a fight was not currently taking place upon arrival however a broken pool cue was seen by Police Officers which was subsequently seized. Whilst Police Officers were at the premises one male threw a glass .

APPENDIX 5**Further Call to Police – Incident 1109, on the 18th June 2021- Disturbance / Fighting -**

4. I understand that , on the 18th June 2021 @ 23:24, Police received the following report:-

Anonymous caller reported fighting at The Red Lion, Town Centre. Large group outside the Red Lion pub, she says they are weapons – bars, people have got blood on them.

Further Call to Police – Incident 0057 – 19th June 2021 – Fighting

5. I understand that, on the 19th June 2021@ 00:48, Police received the following report:

Bridgeway, Rotherham Town Centre, report of fighting on the shopping precinct. A gang of 12 males and another gang which have been fighting outside. Repot of 24 in total. Thought to be from Red Lion. The group then started chasing another group through town. Police attended and detained x1 another one was suspected to have a knife on him.

CCTV showed officer on the ground being assaulted. Further call from Landlady Plough that Officer is being assaulted by 6 males he is on the ground.

4 x detained in total.

Outcome on officer from incident no injuries kick did not connect he has been punched in the vest but no injuries.

14/93705/21 – Damage to Police Radio

14/93700/21 – Affray

14/93707/21 – Assault PC

Further Call to Police – Incident 0027 20/06/2021 – Fighting

6. I understand that, on 20th June 2021 @ 00:29, Police received the following report:

Red Lion Pub, Rotherham Town Centre, S60 1PN, reporting a male shouting abuse and threats at a female. He was reported as doing this all night. Caller says she has been in the area all evening and there has been trouble at this pub all night.

Police attend and say the whole pub has gone crazy and everyone is being attacked. Group have run off down Wellgate. Report of one male laid out, unconscious . Ambulance called for injured male. Report that men who have run off have attacked this man.

Further reports that the landlord attacked someone.

Further Call to Police – Incident 0027 20/06/2021 – Fighting

7. I understand that , on 20th June 2021 @ 00:37, Police received the following report:

APPENDIX 5

Further report - Police say that the Red Lion Pub, Town Centre – the whole pub has gone crazy and everyone is being attacked. Reported that males have run off towards Specsavers.

Further Call to Police – Incident 0361 23/06/2021 – Threats Received

8. I understand that, on 23rd July 2021 @ 12:25, Police received the following report:-

Caller reporting some people come down to the pub and threatening staff. Caller stated it was over a family dispute and it is related her partners uncles death.

Police attempted to make contact with the caller no answer of contact back made from initial call.

9. **Email to South Yorkshire Police reporting Underage Missing Person – 08/06/21 @ 20:00**

Concern was raised from a Police Officer, they reported that they found a missing female who was underage. The underage female was found in the Red Lion with 2 other females . the underage female was sat at a table with alcohol jugs on despite denying she had any.

Initial conversation with the DPS – 21st June 2021 @ 12:50 – Multi Agency Meeting at The Red Lion. – The following information from Police Inn Keeper System

10. I can confirm that I attending a meeting at The Red Lion with, Keeley Ladlow, RMBC Principle Licensing Officer, SGT Neil Windle , Jeremy Squires, RMBC CPU Officer , Rachel Williams RMBC CPU Officer.

Present at the premise was Natalie Butler – Designated Premise Supervisor, also present was her partner Gary Gill (brother to Premises Licence Holder). I explained to Natalie who I was and that we were here to discuss the incidents and concerns raised from the weekend. I explained to her that there had been a number of incidents reported to South Yorkshire Police which were concerning.

Rotherham Licence Watch Meeting, Thursday 17th June 2021 – Red Lion, Town Centre Members raised covid breaches at the premise , non compliance of track and trace and wearing of masks, serving from the bar, and details of disorder and fighting raised . I raised with Natalie What the Licence Watch meeting had reported to me, detailing an incident had taken place on 7th June which has not been reported to the Police, during which customers had been throwing glasses and a male had received a slash wound to his leg. Natalie stated “ *I am not aware if this incident* ”

I also raised with Natalie that on both Friday 18th June and Saturday 19th June disorder was reported from the premise.

Natalie informed us that she called the incident in on 18th June where 25/30 were fighting outside, she told us that they were using glasses as a weapon. Natalie said that her and 2 x

APPENDIX 5

staff were on duty with 1 x door staff and they all went inside and locked the doors so customers were kept safe. I asked if any other weapons had been used as the Police incident stated a snooker cue was broken and used.

I advised her that there was a report of a disturbance stated they were all fighting at the premise involving a large group, using weapons, glasses and a broken snooker cue. It was reported that people seen with blood on them reported the incident that occurred on Friday evening. Natalie told us that she did not see anyone using a snooker cue as a weapon.

Natalie explained that she was not on duty on Saturday 19th June when Officers visited. When she was asked how often the Premise Licence holder was at the premise Natalie confirmed never he is not involved in the running of the premise anymore.

I asked Natalie who was left in charge on Saturday 19th June and she could not give me a definitive answer. She told me that she had to go home due to becoming unwell on Saturday 19th June. I advised Natalie I have been informed by ASGT Smith that the staff on duty were obstructive towards Officers, staff names on the night that were given to Police Officers were suspected of being false names or refusal to provide. I put a number of names to Natalie and Natalie did not recognise the names I put to her. I explained that the attitude of the staff towards Police Officers was very poor. I informed Natalie while Police Officers were at the premise on Saturday sta

Natalie told us that they have put some changes in place regarding the weekend to prevent further incidents. They are going to serve in plastics now from 20:00.

I raised with Natalie that on Saturday 19th June 2021, the evening Police Officers attended and confiscated a glass of larger and a short glass of spirit from a 13 years old male who was out drinking with another male who was under 18 years also. Natalie said she was not aware of this. I asked her what challenge scheme they operate was at the premise and Natalie replied "What is was this?". No Challenge Posters were displayed at the premise which could be seen.

I asked Natalie if she was aware of an incident where an underage missing person was found in this premise in possession of jugs of cocktail, Natalie told me that she had not been made aware of this and was not on duty at the time she must have been found.

Natalie was asked if Door Security were involved in an assault of a customer and she told us that he had just pushed them away that was all.

Natalie was asked about the company they use for door staff and she advised us "I do not know who we use Gary does this he has a number on his phone". She was asked if door staff sign in and she told us "no".

As we were sat outside talking with Natalie the same customer was coming and going to the premise with no question re track and trace or where they were going. This happened 3 times and came across as suspicious behaviour. I asked Natalie where they were going and Natalie replied "I don't know".

Natalie was asked to show her incident log – Natalie replied "*is this where I write down someone who is underage and ID is asked for*" I was concerned about the lack of licensing knowledge Natalie seemed to have.

APPENDIX 5

Refusal log and she told us they do not have these in place. Premise Licence was also not in place and I asked if she had seen it and she said she never has. I asked her what time she was trading until and she told me 2am. On checking the times on the premise licence the premise is licenced to serve alcohol for consumption until 01:00 and opening hours until 01:30, she was informed that they have been going over time both serving for consumption and closing time.

Keeley then went through the premise licence with Natalie and there were a number of premise licence condition breaches raised. I understand that 17 conditions were non-complainant out of 28.

Natalie confirmed to Keeley that no staff training was in place.

Jeremy check the Covid Compliance with Natalie, No Covid Risk Assessment was in place, hand sanitiser in place, tables socially distanced, track and trace records were checked and deemed not acceptable as they were passing around for customers to fill in.

CCTV was requested to be checked Natalie informed us that the mouse had chewed the wires. 4 was working out of 8 cameras on the monitor. Natalie told us that she has CCTV engineer out Sunday to check the problem out and was told about the mouse chewing threw the wires.

A decision was made to seize by the CCTV system to check for footage of the incidents. SGT Windle seized this.

I can confirm that I have significant concerns about the level of problems raised today and the manner in which this premise is currently been ran.

Email Received from RMBC Community Protection Unit on 22nd June 2021

11. I understand that, on 19th June 2021 – CPU received the email below which was forwarded onto me – Helen E Cooper a@ South Yorkshire Police

Email read - Visited Red Lion , no social distancing , no masks. Also had a girl in toilets with a knife spoke to bouncer and he wasn't bothered. As a licence holder is this ok ????

12. Email sent to Anonymous Complainant on 22nd June 2021

Due to this not giving me any detail of which premise I contacted the sender with the following **email on 22/06/21 @ 11:04 :-**

Anonymous

I am the licensing enforcement officer for South Yorkshire police and have been forwarded your email from Rotherham council.

Can I just ask for a few further details:-

APPENDIX 5

- *Which Red Lion was this – Town, Wath or Anston*
- *What date and time did you see this in the toilets.*
- *Any description of the female.*

If you can advise me so I can look into this further.

Regards

*Helen E Cooper
Rotherham Licensing Enforcement Officer*

13. Email Received back from anonymous reporter on 22/06/21 @ 11:10

Town centre on 19th June

It was after 12pm as they are open until 2am unsure on the exact time

She was brown hair with plaits. Had a piercing on her face. Around 5ft 5. I asked her why she would be daft enough to carry a knife and she said it's because she is a scouser.

It was first time I visited there and honestly I was shocked how bad it was being run, no covid regulations etc. Was a free for all didn't feel safe.

Will this be done anonymously as I want my own well-being to be ok .

Statement of Truth

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed: H Cooper

Name: Helen Cooper

Date: 05/07/2021

WITNESS STATEMENT **APPENDIX 5**

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN

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Statement of **Matthew Smith**

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.

Signature  (witness) Date: **23/6/21**

Tick if witness evidence is visually recorded (supply witness details on rear)

I am a Police Officer for South Yorkshire Police, currently based at Riverside House as part of the Central Neighbourhood Team.

On Friday the 18th June 2021 I was on duty in full police uniform as Acting Sergeant for the Central Team. I was working 4 other officer as a public order resource when we was request to attend a violent incident which had occurred at the Red Lion Pub, in the Red Lion Yard, Rotherham Town Centre. Enroute the incident there was information passed that a large fight was occurring and a snooker cue had been broken and used as a weapon.

On arrival at at 2230hrs I entered Red Lion Yard from Bridgegate, Rotherham, I could see a large group of people across the road way over spilling the small outside seated area marked by pillars.

A response resource was already on scene and at this point PC 3917 WATSON whom had recovered a broken cue joined me. At this point, I also noticed evidence of a significant injury; with blood on the floor, which came from the entrance door and to a stop on the road, where a large area of blood splatter could be seen.

I spoke to a female whom was collecting the glass and informed me she was the lady whom had called the incident in, I also clarified if she was managing the bar as a DPS and she stated she was. I requested her

Signature:  *PC 3248* Signature Witnessed by:

Continuation of Statement of: Matthew Sirel

APPENDIX 5

Page 2

to clear the significant amount of empty bottles and glass' away in case any further disorder occurred. I asked her if she knew where the victim or suspect had gone to the injury to which she informed me she could not and then left entering the pub.

I would describe this female as a white female, aged around 30years, pale skin, blonde hair just short of the shoulders, wearing a cream cardigan type outer top and light-coloured jeans.

Myself and the rest of the Public order van resource then left to make an area search for victim and suspect to no gain. We was then diverted to another incident

On Saturday 19th June. I was in company with PC219 MORRIS and PC303 TYSON. Due where the disorder had occurred the previous night, myself being an active participating a Pub Watch with the other Licences premises in town. Along with my close work with SYP Licencing officer I decided to attend the Pub to speak with the DPS and make sure everything was in order due to not being able to re-attend the previous night.

We drove through town and as we drove along Effingham Street to enter Bridgegate, I saw two young males, one male looked considerably younger than the over and was holding a Carling Pint Glass, which looked to contain larger, the other male was taller and looked around 16years old and was holding a small short spirit glass. The males saw the police car and turned around, the males then came back around and the older of the two males was now holding both glasses

We alighted out vehicle and engaged with the two juvenile males. On speaking with these, I now know them to be

Signature: [Redacted] R3268 Signature Witnessed by:

Continuation of Statement of: Matthew Smith

APPENDIX 5 Page 3

stated he was 13 years old, I informed them of what I had just seen in regards to the glass and took the glass' from them. I then asked them where they had gotten the glass' from and where there parents where.

informed me his father was the owner of the Red Lion Pub however had gone home ill. I then asked who was supervising him and he stated his Fathers Friend. stated he was a cousin of

When asked where the alcohol had come from, they stated the Red Lion. Due to the PC TYSON took the males full details and we escorted them back to the Red Lion Pub.

The pub was busy, there was loud music playing which was turned down when we had been sighted approaching and visible inside were people walking around, dancing etc. without face masks, it also appeared the pub was over capacity and there where people stood drinking on the street in front of closed business premises.

As I approached, I activated the Body Camera that I was wearing – Body Camera P48612

As I approached the steps the door a large build male stood in my path and stated 'You're not coming in unless you've got a warrant'. At this point, another male joined him and I shortly after entered the pub.

The second male escorted us through the pub and informed me his name was

I then proceeded to talk with a male who I asked if he was running the bar, this male I would describe as a Chinese male, wearing a grey bucket hat, white t-shirt and black facemask.

Signature:  PC 2748 Signature Witnessed by:

Continuation of Statement of:

APPENDIX 5
Page 4

This male provide his name as ! , and would not disclose any further details. This male stated he was managing the bar and when I informed him I want to discuss underage sales he became obstruct and interrupting, stating 'can you prove it was from here though'. I then asked if they had a refusals book and CHEN then stated he only just started work, he then was undecided if he was in charge or not.

CHEN then disappeared and commenced washing glasses behind the bar; I had to alert CHEN I had not finished the conversation.

CHEN stated they did not have a refusals book as they had only just opened. I then asked to see the licence on display at the other side of the bar.

CHEN asked me to walk round to the other side which I did at this point SMITH followed and was asking us to hurry up as we were 'intimidating' the customers. I noted the licence named a Paul GILL and a female, which was either Kerry or KELLY as the only DPS. I now know that this was not the current licence as the current only DPS is Natalie BUTLER.

There was a second male, whom was working behind the bar, around 20years, dark black hair in a quiff, wearing a white t-shirt. This male refused to provide any details and then commenced to serve SMITH who had sat at the bar and request two drinks.

Throughout the visit the customers where stating they are friends of the owner and tried their best to frustrate Police attention to the bars activity and intimidate officers.

Signature: Signature Witnessed by:

Continuation of Statement of: Matthew Smith

APPENDIX 5
Page 5

On Tuesday the 22nd June 2021 a copy of my BWV and that of PC TYSON and PC MORRIS' was burnt to disc this I can now recognise as exhibit MWS/1 – Body Worn Video.

Signature:  PC3248 Signature Witnessed by:

APPENDIX 5

APPENDIX 5**WITNESS STATEMENT**

(Criminal Procedure Rules, r 16. 2; Criminal Justice Act 1967, s. 9)

Statement of: Sian Tyson

URN

Age (if under 18): N/A

Occupation: Police Officer

I am a police officer for South Yorkshire Police currently working on the Rotherham Central neighbourhood policing team based at Riverside House, Rotherham. Between the hours of 1400 and 0000hrs on Friday 18th June 2021, I was on duty in full police uniform under the call sign CC14.

At approximately 2335hrs on this date, I was called to attend an assault that had taken place at the Red Lion pub, Bridgegate, Rotherham. Upon attending this incident, I witnessed several members of the public walking around with alcoholic drinks outside of the pub's premises, therefore in a PSPO area. These people were also not wearing face coverings as per COVID legislation. On this occasion, a female did make herself known as the manager, however she spoke to one of my colleagues so I did not record her name. Whilst we were at this incident, nobody made themselves known as a suspect, victim or witness, however the assault seemed to have caused significant injury due to there being large amounts of blood on the floor outside. The blood trailed from the entrance of the pub, approximately 5 meters, ending in a pool of blood near some broken glass fragments.

Between the hours of 1400 and 0000hrs on Saturday 19th June 2021 I was on duty in full police uniform under the call sign CC14. At approximately 2215hrs, myself and A/PS 3248 SMITH and PC 219 MORRIS attended the above premises to check that everything was in order after the incident the night before.

As pub staff saw our marked police vehicle, they turned down the music in the pub, which sounded as though it was excessively loud. I went around the corner, out of sight of the pub, and heard the music being turned back up. I then saw two males walking near the entrance to Red Lion Yard, who appeared to be underage and were carrying a pint glass of lager and a glass of whiskey. I stopped these males and got details from them. One gave the name of [redacted] and was 13 years old. He admitted that he had had a drink and that he was the son of the pub owner. The other male gave the name of [redacted] and lied about his date of birth, however the false date still gave him the age of 17. [redacted] was clearly in drink, as he was slurring his words and conversation was slow. [redacted] stated that he was [redacted] cousin.

I walked through Red Lion Yard with [redacted] and [redacted] to speak to members of staff in the pub. Upon my approach to the pub, the music was turned down again, after being turned up when I left earlier. Once at the door to the premises, a male was stood in the way of myself and my colleagues, refusing to let us in, stating that we would need to come back with a warrant. He was white, had a large build, short dark hair and a trimmed beard. He was wearing a green t-shirt. He seemed to be trying to intimidate officers and was clearly in drink. Another male then approached us and stated that the owner had had an allergic reaction to some tuna and was away with paramedics. We then entered the property and I turned on by body worn video.

APPENDIX 5

When in the premises, I witnessed people being served at the bar and through a window leading to the beer garden. Many customers were walking around without wearing any face coverings, with no visible lanyard to state that they were exempt. In addition to this, there appeared to be a party where young children, approximately 4 up to 10 years of age, were in the pub.

A male approached me and stated that he works and lives in the pub. He stated that he had lost [redacted] but that he didn't know him and that he was not related to anybody who works in the pub. This male was white, had short blonde hair, and was wearing a blue hooded sweatshirt. I later asked this male if there was a record of when staff ask a customer for ID, to which he replied, 'we ID everyone'. I questioned this and he said that they take everyone's details for track and trace. I then had to explain to the male that the pub staff were required to make a record of asking customers for ID. I believe that this male may have also been in drink.

While my colleagues were talking to the bar staff, a male approached us and stated that he has in charge. I do not know his name, but he was wearing a black t-shirt, black jeans and a black facemask. He was white and had short black hair. He stated that it is his uncle who runs the pub. Whilst I was stood at the bar, this male was next to me, ordered and was served two drinks.

I then left the pub, and later saw two of my other colleagues, PC 3887 SAWKA and PC 1685 LENTON attending to a young female, who was seventeen years of age, who had been drinking alcohol at the Red Lion pub that evening. I saw that the female was excessively in drink, as she was sat in the back of the police vehicle with her head in her arms.

I then had no further part in this matter.

This statement 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.

Signature of Witness:

 303

Date: 24-06-2021

WITNESS STATEMENT **APPENDIX 5**

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN

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Statement of MORRIS 219

Age if under 18 Over 18.... (If over 18 insert "over 18") Occupation: POLICE OFFICER

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.

Signature ...  (witness) Date: 24/06/2021

Tick if witness evidence is visually recorded (supply witness details on rear)

I am a Police Constable in South Yorkshire Police, currently stationed at Rotherham Riverside. I was on duty on Friday 18th June 2021 under the call sign CC15

At approximately 2335hrs I responded to an allegation of assault at the Red Lion pub, Bridgegate, Rotherham. Upon arriving at the location, I witnessed a number of individuals walking around with glasses of alcoholic drinks, outside of the pubs premises, which is a PSPO area. These individuals were stood up, not wearing facemasks and no social distancing was being adhered to. A female identified herself to us as the manager and explained that she was now going to stop serving and the pub would be shutting shortly. There was a trail of blood on the floor on the floor outside of the pub, stretching approximately 5 metres. A broken broom handle was recovered from the scene by PC WATSON 3917. No victim identified themselves to us and no suspect was located.

At approximately 2215 the following night, Saturday 19th June, 2021, I was on duty alongside A/PS SMITH 3248 and PC TYSON 303. We attended the Red Lion pub to check all was in order following the previous evenings incident. As we approached the pub, the music was turned down. We drove around the corner and headed toward the opposite entrance on EFFINGHAM Street, Rotherham when I saw two males heading towards us carrying up what appeared to be alcoholic drinks. My colleague, PC TYSON took the

Signature: Liam Morris

Signature Witnessed by:

Continuation of Statement of:

APPENDIX 5

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details of these males, who both turned out to be under age. One of the males, _____, said he was 13 years old and was at the Red Lion Hotel with members of his family. He claimed to live in one of the flats above the pub and that his dad was the owner. The other male gave the name _____ but struggled with giving us a date of birth. The false date of birth he gave, still came back as him being 17. _____ then confirmed he was underage and that he was the cousin of _____ and had also been drinking in the Red Lion Hotel. _____ was slurring his words and had a glazed look on his face. He was clearly in drink.

I walked both the males back to the Red Lion where they joined a party of people sat outside. At this point we were confronted by a number of males, not wearing masks or socially distancing. One of the males demanded we show a warrant and was attempting to block our entrance into the venue. He was a large individual wearing a green top with short dark cropped hair. We explained that we did not need a warrant and we would be entering the premises. We were then approached by another male who said that the owner wasn't present as he had had an allergic reaction to tuna and was with the paramedics. This male took us into the premise where we were taken to the individuals serving behind the bar. A/PS SMITH spoke to these two males. Whilst A/PS was speaking to the males, I observed an individual walk up to the bar and order a round of drinks, which goes against the current COVID regulations.

I was wearing BWV throughout the incident. A/PS SMITH has been made aware of this and has burnt a copy to disk.

Signature: Liam Morris

Signature Witnessed by:

APPENDIX 5**WITNESS STATEMENT**

(Criminal Procedure Rules, r 16. 2; Criminal Justice Act 1967, s. 9)

Statement of: Kelly Grimes PC 1348

URN

Age (if under 18): N/A

Occupation: Police Officer

I am a Police Constable in South Yorkshire Police currently stationed at Rotherham Main Street Police Station.

On Tuesday 8th June 2021, I have attended incident 0083 of the 06/06/2021 under call sign CC79. I was in full Police uniform in a marked Police Vehicle. This related to missing child 02/07/2004. Information was received that she was at RED LION INN, RED LION YARD, ROTHERHAM, S60 1PN in Rotherham town centre. I was instructed to attend and conduct an area search for her. On driving through, I saw some females sat at a table outside with a male stood up and another female behind him. I could only see the back of her at first. I did a loop back around and pulled up alongside them at the table they were sat at. The female who was stood behind the male was now sat at the table. From looking at a picture, I could now identify this female as

From questioning her, she told me she was fifteen and called . On the table were about two or three jugs of what looked to be cocktails and some beer bottles. I asked her if she had any ID to prove who she was and she stated she did not. I asked why she is being served in a pub if she is only fifteen. She said she hadn't drunk any alcohol however she had alcohol in front of her. I could not see any members of bar staff around nor did any come outside.

At the table was two females and a male who appeared to be with . Further on was two males who were towards the back wall having a cigarette. I could not see anyone else inside other than one male next to the music speaker.

After clarifying, she was missing child . she was removed from the premises and transported back to the care home.

This statement 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.

Signature of Witness:

Date:06/07/2021

APPENDIX 5

WITNESS STATEMENT **APPENDIX 5**

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

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Statement of Steven ROBSON.....

Age if under 18 Over 18.... (If over 18 insert "over 18") Occupation: Police Constable 2567

This statement (consisting of 3 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 believe to be true.

Signature  (witness) Date: 06.07.2021 ..

Tick if witness evidence is visually recorded (supply witness details on rear)

At approximately 12.00hrs on Wednesday 23rd June 2021, I was on duty in full police uniform in company with PC 1738 RAMSHAW when we were requested to attend The Red Lion Yard public house, Rotherham in company with licencing officers from Rotherham Borough Metropolitan Council (RMBC).

I was advised by the principal licencing officer, Keeley LADLOW, that they were going to be issuing a licence review notice to the licensee of the pub due to violence and disorder that had occurred at the premises on the weekend of the 19th / 20th June 2021.

Upon attendance, there was a female who I heard provide her name as Natalie, that was serving customers and appeared to be working for the pub. LADLOW was speaking to Natalie who was compliant but appeared as though she was not fully confident or knowledgeable on some of the questions that LADLOW was asking her.

Whilst speaking to Natalie a male by the name of Gary approached and he was quite aggressive and abrupt towards LADLOW and the other officers from RMBC that were present. He kept interrupting LADLOW and was not listening to what she was saying. I am not fully aware of what his role was at the pub but he appeared to have an interest and a strong opinion of what was occurring there.

Signature: PC 2567 Robson..... Signature Witnessed by:

Continuation of Statement of: Steven ROBSON

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There was another female, who was sweeping up, she a white female, tanned skin, long dark hair, approximately 5' 5" tall, slim build. She was also not happy with what was occurring at the pub.

In what appeared to be a back event room of the pub, there was a number of small tables set up, and there were 4 customers that were sat with drinks in glasses. The 4 customers appeared slightly intoxicated.

Located directly next to them, was a table with approximately 8 plates of sandwiches that had been cut in half and a number of packet of crisps. The elderly female, who I will refer to as female 1 throughout this statement, said to me that she had paid for a party for her grandson's 21st birthday party. It looked as though the table was set up for a buffet for the party. The elderly female was extremely vocal about her disgust and I tried to pacify her. The other female customer who was sat next to female 1, was also not happy and was making offensive comments of which she had to be spoken to about. I will refer to this female as female 2 throughout this statement.

There was a male employee, who by the clothes he was wearing, I believe him to be the chef. I do not know what this male was called. Again, he was making comments and was being quite vocal also about the fact that RMBC were putting this notice in place and restricting the pub from trading.

I remained with the 4 customers for the majority of the visit due to their demeanour and their dissatisfaction and did not want any confrontation to occur between them and the RMBC employees.

After approximately 30 mins, all the customers had eventually exited the pub and there was only who I believe to be pub employees. Whilst I was outside talking to LADLOW and the other RMBC officers, female 1 walked past us and she shouted "YOU'RE HITLER'S BITCH" towards LADWLOW, of which the female was advised about her conduct.

Signature: PC 2567 Robson Signature Witnessed by:

Continuation of Statement of: Steven ROBSON

APPENDIX 5

Page 3

I recorded the visit on my Body Warn Video camera number P18527.

I uploaded this onto DEMS and can identify this footage as:

SCR/1 - BWV Red Lion Yard Joint Visit with RMBC

I shared a link of this with LADLOW via email for her to view it.

Signature: PC 2567 Robson Signature Witnessed by:

APPENDIX 5

APPENDIX 5

WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

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Statement of Neil Windle

Age if under 18 Over 18 (If over 18 insert "over 18") Occupation: PS 1788

This statement (consisting of 2 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.

Signature (witness) Date:

Tick if witness evidence is visually recorded (supply witness details on rear)

I am a police sergeant with South Yorkshire Police currently based at Rotherham Riverside House (RMBC). As part of my duties I have liquor licencing under my portfolio. Within my team is Helen Cooper who is the licencing officer for South Yorkshire Police.

On Monday 21st June 2021 at 1230hrs I was on duty when I attended at the RED LION PH BRIDGE GATE ROTHERHAM after concerns were raised over the weekend about violent disorder at the location amongst other issues concerning underage drinking. Also present was Helen Cooper, Keeley Ladlow from RMBC Licencing, Jeremy Squires RMBC community Protection Unit. The joint visit was to speak with the designated premise supervisor, Natalie BUTLER.

On arrival I met with Natalie. The CCTV at the premises was reported to have malfunctioned and only certain cameras were working. Natalie informed me that the electrician had attended the day previous and the content from the hard drive had wiped the previous 7 days recording.

At 1355hrs, Due to the concerns raised over the weekend, crimes which had been recorded by attending officers I made the decision to seize the hard drive under PACE as I believed that this contained evidence to confirm or deny the version of events over the weekend. The hard drive is identified as NW/1

Signature: Signature Witnessed by:

APPENDIX 5

Continuation of Statement of: Neil Windle

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Following on from this the hard drive was given to Principle Licencing Officer, Keeley Ladlow for interrogation and presentation of the data to the licencing board as proceedings for an emergency review were initiated.

My PNB book 0009873 (page 20) was endorsed and signed by Keeley Ladlow as taking ownership of this item.

Signature: Signature Witnessed by:

Witness Statement

(Criminal Procedure Rules, r27.2;
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

APPENDIX 6

STATEMENT OF: ...Keeley Louise Ladlow.....

Age if under 18: Over 18 Occupation.....Principal Licensing Officer

This statement, consisting of.....6... Page(s) 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.



Date the...24th..... day of.....June.....2021

I am the above named person and currently employed as Principal Licensing Officer operating from Riverside House the offices of Rotherham Metropolitan Borough Council. I have been employed as an Enforcement Officer since 2015 and latterly the Principal Officer, my duties include liaising with Hackney Carriage and Private Hire Drivers, overseeing investigations concerning Private Hire and Hackney Carriage Drivers, vehicles, Private Hire Operators and licensed premises.

I make this statement by way of a representation on behalf of Rotherham Council in respect of a licensed premises - namely Red Lion, Bridgegate, Rotherham and am submitting the representation as a Responsible Authority.

The grounds of the representation are based on the Premises Licence Holder and Designated Premises Supervisor failing to uphold the four licensing objectives namely, the prevention of crime and disorder, the protection of children from harm, public safety and public nuisance.

The premise currently has the permissions of a premises licence for the retail sale of alcohol for consumption on and off the premises, live and recorded music, the performance of dance and late night refreshment between the hours of 08.00 and 01.30 Monday to Sunday.

The premises licence holder is Mr Paul Andrew Gill who became the licence holder on 12th March 2018, the Designated Premises Supervisor is Natalie Victoria Butler a position she has held since 22nd May 2019.

On Sunday 20th June 2021 I received an email from Acting Police Sergeant Smith entitled Red Lion urgent review, Rotherham Town Centre. A/PS Smith stated he had grave concerns regarding the management of the premises and violence and disorder occurring at the premises as a result of the poor management.

A/PS Smith detailed within the email an incident at the premises on Friday 18th June in which 25-30 persons were fighting, during this incident pool cues and glasses were used as weapons. Police Officers attended and blood was visible on the floor of the premises – a broken pool cue was seized by the Police.

SIGNED.......... WITNESSED.....

Witness Statement

(Criminal Procedure Rules, r27.2;
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

APPENDIX 6

Continuation of Statement of.....KEELEY LOUISE LADLOW.....

Further contained within the email were details of a second incident which took place at the premises on Saturday 19th June prompting a large Police presence. A/PS Smith stated upon Police Officers arriving two young males were found in possession of a pint of lager and a glass of whisky – one male was 13 years old, the second male refused to provide his details and a false date of birth provided made him 17. Both young males stated they were relatives of the premises licence holder (Son and Nephew) one providing a surname of Gill and the other providing a surname of Sutherland. Both stated they had purchased the alcohol from the Red Lion.

A/PS Smith stated on the Saturday evening neither the licence holder or DPS was at the premises and staff members present advised the 'landlord' had had an allergic reaction to tuna so had left the premises. Three persons identified themselves as staff and were described by A/PS Smith as problematic, obstructive, threatening, under the influence of alcohol and attempting to intimidate officers. Two provided details, however of the two one provided false details – the third male refused to provide details to the Police.

A/PS Smith stated the two staff members who did provide details gave names as Dave Chen and Ben Smith.

A/PS Smith stated the premises were non-compliant with Coronavirus regulations in respect of music, no face coverings, track and trace details not being taken, non-seated drinking and service at the bar and whilst Police Officers were standing at the bar a member of staff continued to serve alcohol from it to standing customers. During the incident children aged between 4 and 11 years were on the premises – this was late evening. Police attended on the Saturday evening as a result of a large group of males fighting – the fight began at the Red Lion before spilling out onto the street and onto Effingham Square. 4 males were arrested – 1 was in the possession of a knife, one was arrested for assault PC following him knocking the officer to the ground and assaulting him, two other males were arrested for their involvement with the incident and tasers were drawn and discharged.

A/PS Smith details a further incident within the email which occurred on 20th June and reported to the Police as a large fight, three separate calls were made reporting the incident to the Police however the premises did not report it. Allegations were made that door staff and the DPS or other staff member were involved in the fight and had assaulted customers – two calls into the Police were made by the ambulance service one reporting a stabbing and a second reporting a large fight with injuries. One male was arrested for Actual Bodily Harm.

I visited the premises on Monday 21st June 2021 in the company of Helen Cooper, Police Licensing Officer, Sgt Neil Windle, Jeremy Squires, RMBC Covid Officer and Rachel Williams RMBC Covid Enforcement Officer arriving at the premises at approximately 12.50hrs. Present at the premises was the DPS Natalie Butler and her partner who gave his name as Gary Gill (brother of the premises licence holder) – I asked whether the premises licence holder was on site and was advised that he wasn't at the premises and wasn't contactable. Throughout the visit Ms Butler had a young child with her which she was holding.

Initially when speaking with Ms Butler she stated that she is present at the premises day to day however was not at the premises on the evening of Saturday 19th June due to becoming unwell after eating tuna. Further into the visit Ms Butler stated she is at the premises during the day but is not at the premises during the evening as she has a young baby who she needs to care for and leaves the running of the premises in the evening to her partner Gary Gill. When asked how often the premises licence holder Paul Gill is at the premises it was stated he never attends the premises and is no longer involved in the running of the premises.

SIGNED..... [Redacted Signature] WITNESSED.....

Witness Statement

(Criminal Procedure Rules, r27.2;
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

APPENDIX 6

Continuation of Statement of.....KEELEY LOUISE LADLOW.....

Ms Butler stated she was unaware that staff members had become obstructive towards Police Officers adding that she had not been told of this. Ms Butler stated she was aware that two children had been found in possession of alcohol but stated they had not purchased it from the Red Lion. When asked whether she could be certain of this she replied "NO" and after initially stating she did not know who the 13-year-old was accepted that the 13-year-old was related to her partner Gary Gill.

Helen Cooper asked Ms Butler if she was aware that on the 8th June 2021 an underage high-risk missing person was found on the premises in the possession of a jug of cocktail. Ms Butler stated she had not been aware of this and had not been present on 8th June.

When asked to explain the incidents on Saturday 19th June Ms Butler stated she had left two people in charge of the premises – Michael Chen who she had told was in charge but stated he may not have understood this. When asked how long Michael had worked at the premises for Ms Butler stated he had worked there since 17th May 2021.

The second male left in charge of the premises was Ben Smith – Ms Butler initially stated he was a relative but then changed this to a close friend of the family who is like a relative adding that he worked behind the bar and was serving customers.

I asked Ms Butler what training Mr Smith had had in relation to the responsible sale of alcohol and she stated he has received no training. When asked if she was aware he had been obstructive towards Police Officers she stated "NO".

Ms Butler provided the name of a third male who was also working at the premises on Saturday evening – Callum Gill who she stated is Gary Son and Pauls Nephew.

Ms Butler stated she was aware that during the evening there had been a fight stating it was "at the top of the hill" and some of her customers had left the premises to intervene. Ms Smith stated, "IT IS HARD TO CONTROL CUSTOMERS, WE HAVE SAID WE NEED TO INCREASE DOORSTAFF".

When asked which door staff company she uses she stated, "I DON'T KNOW GARY DOES THAT HE HAS A PHONE NUMBER SOMEWHERE". Ms Butler was then asked what the names of the door staff are and again she stated she didn't know, Ms Butler was asked to produce the door staff signing in sheet so we could view the names and SIA licence numbers. Ms Butler stated she did not have a signing in sheet for door staff and had no record of who was working and whether they held a licence with the Security Industry Authority.

When asked if the door staff had been involved in an incident at the premises Ms Butler stated "YES BUT HE ONLY MOVED THE OUT OF THE WAY THAT'S ALL" whilst simulating a push action with her hands.

Ms Butler was asked if she attends pub watch meetings which is an Annex 2 condition on the premises licence, she stated "NO BUT KELLY FROM THE PLOUGH HAS BEEN TO SEE ME AND TOLD ME I SHOULD BE GOING".

Helen Cooper made Ms Butler aware of an incident discussed at pub watch which is alleged to have taken place at the premises on 7th June 2021 during which glasses were being thrown and one male received a slash wound to his lower leg. Ms Butler stated, "I'M NOT AWARE".

SIGNED.....  WITNESSED.....

Witness Statement

(Criminal Procedure Rules, r27.2;
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

APPENDIX 6

Continuation of Statement of.....KEELEY LOUISE LADLOW.....

Ms Butler stated when door staff are on no one should be going outside with glasses and that had been decided by her, however she had not yet informed the door staff or any other staff member about this. When asked when she had made this decision Ms Butler stated, "SOMETIME SINCE SATURDAY".

Ms Butler stated she had been showing all the Euro football matches inside the premises describing the seating area as full on Friday when England played Scotland.

Ms Butler was asked if she had an incident log book at the premises and whether the incidents had been recorded within it, she stated, "NO, I DON'T HAVE ONE, IS THAT THE ONE WHERE WE WRITE DOWN IF SOMEONE IS UNDERAGE AND WE ASK ID"

I asked Ms Butler whether she was a personal licence holder as the responses she was providing gave me cause for concern around her lack of knowledge, Ms Butler stated, "I AM, I DID THE COURSE 2 YEARS AGO".

Upon asking if she knew what the difference between an incident and refusals register was, Ms Butler stated, "I DON'T KNOW". Upon being asked if the premises had a refusal register, she stated there was not one.

Ms Butler was asked if she had viewed the premises licence and was aware of the annex 2 conditions and stated that she had never seen the premises licence.

I asked to view the premises CCTV for Friday 19th June and Saturday 20th June, Ms Butler stated "I'VE HAD ISSUES WITH MICE AND A MOUSE CHEWED THROUGH THE CABLES, I HAVE AN ELECTRICIAN COMING, I DIDN'T NOTICE UNTIL SUNDAY."

Ms Butler when questioned stated the CCTV was in full working order on the Saturday and footage would still be available on the hard drive for the Friday and Saturday evening. Ms Butler did not know how to operate the CCTV system or how long it recorded for and asked Gary Gill to show officers the footage.

Upon Gary Gill accessing the hard drive no footage was available prior to Sunday 20th June and it appeared the hard drive had been erased – I questioned Gary relating to this and he stated the electrician had already been and as part of the work he had undertaken the hard drive had been reformatted erasing all of the footage.

I asked Ms Butler why she had had told me the electrician hadn't yet been and looking towards Gary she said, "I DON'T KNOW".

Sgt Windle seized the CCTV hard drive at 13.55hrs, I advised both Ms Butler and Gary Gill that should the premises remain open a replacement hard drive must be fitted or they would be operating in breach of the premises licence conditions.

Rachel Williams asked Ms Butler to produce the track and trace book and when produced questioned Ms Butler on the reasons why it was not filled in correctly – dates, full names, contact details were sporadic and often missing. I asked Ms Butler if she had a Covid risk assessment and it was stated that she has not.

SIGNED.....  WITNESSED.....

Witness Statement

(Criminal Procedure Rules, r27.2;
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

APPENDIX 6

Continuation of Statement of.....KEELEY LOUISE LADLOW.....

Ms Butler accepted that an incident had taken place at the premises during the evening on 18th June stating "THERE WAS AN INCIDENT OUTSIDE, WE LOCKED THE DOORS TO KEEP THEM OUT, LOCKING SOME CUSTOMERS INSIDE. OTHERS STARTED FIGHTING WITH OUR CUSTOMERS, GLASSES WERE USED AND WERE SMASHED."

Ms Butler stated she did not recall snooker cues being used and stated she did not know that the Police had attended the incident, but she had called an ambulance along with another person.

Ms Butler stated she was working during the incident along with two other staff members and one doorman, when asked if the doorman intervened she stated he hadn't and had locked himself inside with her as he would have been overpowered and outnumbered.

Ms Butler further stated that a couple with a child were inside of the premises that evening during the incident.

When asked to name staff members currently working at the premises Ms Butler named 6 people, I asked if they were all trained in the responsible selling of alcohol, she stated, "I WOULD HAVE THOUGHT TWO ARE BUT I DON' KNOW". Ms Butler added that all staff members commenced employment at the premises in April 2021 and she had no record of the training that they had received.

The premises licence has 28 Annex 2 conditions, I went through each one in turn with Ms Butler and found the premises to be non-compliant with 17 of the 28 conditions. Ms Butler made specific reference to staff training which is conditions 1 and 5 on the premises licence stating, "THEY AREN'T UP TO DATE BUT WILL BE". During this discussion I wrote directly onto a copy of the premises licence circling the conditions the premises were not compliant with and making notes beside. I exhibit these notes as KLL/1, the visit ended at this point.

On Wednesday 23rd June 2021 following an interim steps hearing as part of an expedited review I attended the premises with Rachael Winstanley, Senior Licensing Enforcement Officer, Lisa Underwood-Parkin, Licensing Enforcement Officer, PC Robson and a second Police Officer whose name I do not know. The purpose of the visit was to advise the premises licence holder and DPS of the decision of the sub-committee which was to immediately suspend the premises licence and serve the decision notice.

Arriving at the premises at approximately 12.40hrs Ms Butler was sitting on a bench outside of the premises with Gary Gill and her young child. Upon our arrival Ms Butler walked inside of the premises and we entered behind her – I advised Ms Butler of the immediate suspension of the premises licence. The premises were open to the public with a small number of customers seated outside and three people sitting together inside the second half of the premises next to the tv screen. Beside these three customers was a buffet laid out on a table and they quickly stated they were having a birthday party for their 21-year-old son/grandson with a buffet.

I advised Ms Butler that the premises could no longer carry out licensable activity and upon customers finishing the drinks they had the premises must not serve any further alcohol. The premises licence holder was not present and again I was advised that he was not contactable.

Immediately a female sitting next to the tv became abuse towards me which became progressively worse she began shouting at me saying "HOW DO YOU SLEEP AT NIGHT, I HOPE YOU'E BLOODY PROD OF YOURSELF, ARE YOU HAPPY NOW."

SIGNED.....  WITNESSED.....

Witness Statement

(Criminal Procedure Rules, r27.2;
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

APPENDIX 6

Continuation of Statement of.....KEELEY LOUISE LADLOW.....

I attempted to explain to her the reasons for the visit without disclosing confidential information relating to the review however the female was becoming increasingly aggressive and was shouting "YOU KNOW WHAT YOU ARE, YOU ARE HITLERS BITCH, BITCH, HITLERS BITCH". I was aware at this point both Police Officers had joined me and were standing behind me, the female then shouted "OH LOOK YOU'VE BROUGHT THE BIG GUNS HAVE YOU" "DON'T YOU COME ANY CLOSER I KNOW WHO YOU ARE".

Gary Gill walked over towards me and standing close to me whilst holding the young child began to question the reasons, I would describe him as being obstructive and argumentative, he was speaking in a raised voice and on several occasions I asked him to remove the very young child from the volatile situation which he refused to do.

Whilst I was standing with the angry female behind me, and Gary to my right, another female member of staff approached me to my left from behind the bar and again began to speak to me in a raised voice and was very argumentative and obstructive. I asked for her details and she refused to provide these shouting at me further, when speaking to me she was very close to me and the way she spoke I believed she was intending on intimidating me.

Due to the volatile nature of the female I walked away from her to continue explaining the immediate suspension to Ms Butler who had walked to the other side of the premises. Other customers were coming into the premises as the doors remained open which further angered the female who continued to shout.

Upon the suspension notice being given to Ms Butler I asked if I could view the CCTV at the premises due to the aggressive female standing at the bar asking to be served like she had been before our arrival and suspecting the premises had been undertaking bar service. Ms Butler advised that I could not view any CCTV as she had not replaced the hard drive following the Police seizing it on Monday.

Whilst I was speaking with her the aggressive female approached and stood behind Ms Butler saying "LOOK AT YOU JUST LOOK AT YOU, WHO DO YOU THINK YOU ARE, HOW DO YOU SLEEP AT NIGHT, HITLERS BITCH".

Having issued the suspension notice to Ms Butler and due to the aggressive behaviour of staff members and customers we exited the premises at this point and walked onto Bridgegate towards the parked police vehicle. Upon arriving at the vehicle the aggressive female walked past and stopped in the street, staring directly at me she again shouted "YOU'RE HITLERS BITCH YOU ARE, HITLERS BITCH, I HOPE SOMETHING TERRIBLE HAPPENS TO YOU, HITLERS BITCH." At this point A/PS Smith had arrived and warned the female for swearing in a public place, I then returned to the Council offices.

On Thursday 24th June 2021 I received an email from Jeremy Squires advising me that the body worn video of Police Officers who had attended the premises on 19th June had been viewed and showed service to customers from the bar and to customers who were not seated and did not remain seated whilst consuming the drink. Jeremy advised me that a Fixed Penalty Notice was issued to the Premises Licence Holder for breaching regulation 11 (1)(a) in that without reasonable excuse he had contravened a step 3 restriction as set out under paragraph 7 of part 2, schedule 3.

SIGNED.....  WITNESSED.....

Licensing Act 2003
Premises Licence

P0443

ANNEXES continued ...

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

**If the Premises Licence has conditions in respect of Door Supervision
[except theatres, cinemas, bingo halls and casinos]**

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
 - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (b) be entitled to carry out that activity by virtue of section 4 of the Act.
2. But nothing in subsection (1) requires such a condition to be imposed:
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
 - (b) in respect of premises in relation to:
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
3. For the purposes of this section:
 - (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Annex 2 Conditions consistent with operating schedule

Prevention of Crime and Disorder

- 2010
1. The licence holder shall ensure that all staff are properly trained in those aspects of the job which may have an impact on crime and disorder. Such training will consist of dealing with angry customer and how to respond if crime or anti social behaviour is witnessed.





Licensing Act 2003
Premises Licence

P0443

APPENDIX 6

ANNEXES continued ...

2. The licence holder shall ensure that a burglar alarm is installed at the premises. - Yes -
 3. The licence holder shall ensure that CCTV is installed and operational both on and off the premises. - Installed - not like operational.
 4. The licence holder shall ensure that membership of Rotherham Licence watch is maintained. - no but I will be.

Public Safety

5. The licence holder shall ensure that staff have appropriate training to secure the safety of the premises and the patrons. - I don't think there is no data.
 6. ? The licence holder shall ensure that there is regular testing and appropriate certification of the fire equipment, procedures, appliances and systems pertinent to safety.
 7. The licence holder shall ensure that fire escape routes are clearly sign posted.
 8. The licence holder shall ensure that access for emergency vehicles are kept clear and free of obstruction.
 9. The licence holder shall ensure that first aid equipment and materials are available on the premises and a qualified first aider is on site.

Prevention of Public Nuisance

9.
 10. The licence holder shall ensure that customer arrive and leave the premises quietly.
 11. The licence holder shall record any incidents of public nuisance.
 12. The licence holder shall make regular daily checks for litter outside the premises so that it does not cause offence to people passing the premises. Yes -
 13. The licence holder shall be familiar with the British Beer and Pub Association Guidelines - Licensed Property: Noise Control: Effective Management of Noise from Licensed Premises.
 14. The licence holder shall ensure that whilst Karaoke is taking place at the premises all windows and doors (save for ingress/egress) will remain closed. nA aware.
 15. Whilst entertainment is taking place at the premises the noise from within the premise will be monitored from outside and volumes adjusted accordingly.
 16. The licence holder shall ensure that speakers are located away from party walls and orientated away from neighbouring properties to minimise noise disturbance.

Protection of Children from Harm

17. The licence holder shall take any suitable and sufficient measures to protect children from harm.
 18. The licence holder shall operate the 'Challenge 21' Scheme and only accept accredited proof of age schemes and/or photo card driving licences.
 19. The licence holder shall ensure that unaccompanied children under the age of 16 are not allowed into the premises under any circumstances.
 20. The licence holder shall ensure the effective and responsible management of the premises.
 21. The licence holder shall ensure all staff have instruction and training to ensure the protection of children from harm as well as safe guarding issues. All in thought with them
 22. The licence holder shall ensure that at least one member of staff takes a lead on safeguarding issues.
 23. ? The licence holder will adopt best practice guidance such as that suggested by the Portman Group.





APPENDIX 6

**Licensing Act 2003
Premises Licence P0443**

ANNEXES continued ...

- 24. The licence holder shall ensure that all children are accompanied by an adult.
- 25. The licence holder shall ensure that no entertainment of an adult or sexual nature takes place at the premises at anytime. ✓
- 26. The licence holder shall ensure that signage is displayed indicating which areas, activities and time sessions are family friendly.
- 27. The licence holder shall display signage which explains the law in relation to children and alcohol.
- 28. The licence holder shall operate a 'No ID No Sale' policy.

Annex 3 Conditions attached after a Hearing of Licensing Authority

None.

Annex 4 Plans

See attached.

above all
signs notices
no ID
no sale

APPENDIX 6

ROTHERHAM METROPOLITAN BOROUGH COUNCIL

WITNESS STATEMENT

(Criminal Justice Act 1967 Section 9, Magistrates Court Act 1980, Section 5B
and Criminal Procedure Rules, Rule 27.2)

Statement of: Lisa Underwood-Parkin

Age (if under 18): Over 18 *(if over 18 insert "over 18")*

Occupation: Licensing Enforcement Officer

This statement (consisting of 3 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.

Dated the 1st day of July 2021

Signature

Witness

I am the above named person and I currently work for Rotherham Metropolitan Borough Council as a Licensing Enforcement Officer based at Riverside House, Rotherham. I have been in this role since April 2021, my duties include dealing with Licenced drivers and Private Hire and Hackney carriage licences and licenced premises. I have worked within the Licensing Service with RMBC 2004.

This statement refers to a visit that I undertook as part of my role as a Licensing Enforcement Officer at Red Lion, Bridgegate, Rotherham following an application for a expedited review of the premises licence by South Yorkshire Police (SYP) and a subsequent interim steps hearing in which the licence for the premises was suspended.

The other people I will mention in my statement are Keeley Ladlow, the Principal Licensing Officer at RMBC, Rachael Winstanley, the Senior Licensing Enforcement Officer at RMBC. Natalie Victoria Butler the Designated Premises Supervisor at the Red Lion, Bridgegate and Mr Gary Gill an acquaintance of Natalie and the brother of the Premises licence holder at Red Lion, Bridgegate – Mr Paul Andrew Gill.

On Monday 21st June 2021 I was made aware of the fact that SYP had put in an application for a expedited review of the premises Red Lion, Bridgegate following reports of violence and disorder at the premises over the previous weekend, Friday 18th

(In addition to signing the declaration above, the witness must sign the statement at the end of the script on each sheet)

SIGNED

WITNESSED

June 2021 – Sunday 20th June 2021. Keeley Ladlow emailed the application to myself, as part of my old role within the licensing service I was asked to arrange the interim steps hearing on the coming Wednesday 22nd June 2021.

On Tuesday 22nd June 2021 I made contact with the Premises Licence Holder Mr Paul Andrew Gill via email advising him of the interim steps hearing the following day using the email address that we had on file, I was aware that Mr Paul Gill had not read the email so I made contact with him via phone and took an alternative email address, I advised him of the hearing and told him to look out for the email as it contained important information and further details of the hearing.

On the morning of Wednesday 22nd June 2021 following the interim steps hearing, myself, Keeley, and Rachael went through the details of the complaints over the previous weekend at the premises. I was advised that there had been a number of incidents over the weekend which included a large fight being reported on the Friday 18th, and a report of 2 children outside the premises allegedly drinking whisky, one being 13 years old and giving his surname Gill, the second claiming to be 17 and giving the surname of Southerland and had stated that they had bought from the premises. It was reported that there was no DPS on site and that the staff were obstructive and intimidating. Apparently, it had been said that the DPS had eaten bad food which was the reason why she was not there. It was also reported that the premises were non-compliant with Covid regulations at the time of the police visits, that there was no track and trace and there was a full bar service with staff servicing customers at the bar. It was also reported that same evening that police had attended the venue and seized a pool cue with blood on it and saw blood on the floor in the premises.

On the 19th June SYP reported that police attended that night and spoke to 2 people who claimed to be members of staff, one giving details of Dave Chen and the other refusing to give details. I was aware that there had been further disturbances and violence over the weekend which had prompted police to attend further.

I was aware that Keeley had visited the premises on Monday 21st June 2021 with Helen Cooper – the police licensing officer and some other staff from RMBC and the police.

During the interim steps hearing the Licensing Sub-committee took the decision to immediately suspend the premises licence. I attended the venue at approximately 12.30pm with Keeley Ladlow, Rachael Winstanley and 2 Police Officers from SYP, whom I do not know the names of. The intention of our visit was to inform the DPS, Natalie Butler and the Premises Licence Holder, Paul Andrew Gill of the decision of the sub-committee to suspend the licence with immediate effect and to put up the notices outside the premises in regards to the review of the licence.

When we arrived, there was a number of people outside the premises around one of the benches near the entrance, about 6-8 adults and one child with a pram, on the table was a number of pint glasses with drinks inside. We followed a female inside the premises who was identified to me as the DPS Natalie Butler. Keeley served the notice to Ms Butler and asked about the whereabouts of the Premises Licence Holder – we were advised that he was not on site. Keeley explained the notice in full and advised that all licensable activity had to cease, and all alcohol removed from display. She advised that the few customers present could drink up, but that no more alcohol could be sold.

(In addition to signing the declaration above, the witness must sign the statement at the end of the script on each sheet)

SIGNED

WITNESSED

APPENDIX 6

I noticed a 'Private Party' sign on the door into the other side of the premises and when we went into the other half of the premises I saw 4 people sat at a table, it appeared that they were holding the party, they had balloons on the table and a buffet to the side next to the bar that was covered in clingfilm. There was an older female sat down who identified herself as the Grandma of the male who's 21st birthday it was, she started talking and asking what were they meant to do, Keeley tried to explain briefly why we were at the premises but the lady was saying 'I don't know how you sleep at night' and asking 'What are we going to do about the birthday now?' I heard her shouting 'Hitlers bitch' towards Keeley, Keeley remained professional and advised that she could not go into many details with her. Mr Gary Gill then approached the group holding a small child and started a discussion with Keeley. Keeley advised that serious injury had been reported, Mr Gary Gill replied 'it was the football and the police had been to the County, we can't help what happens out here' Keeley asked about who had been taken unwell over the weekend Mr Gary Gill advised that it was both of them, they had eaten tuna at a restaurant which had made them both unwell, Mr Gary Gill reported that he had been suffering from chest pains and paramedics had been called and attended. Keeley continued talking to Mr Gary Gill regarding the incidents to which Mr Gary Gill stated 'I thought you'd have given her a warning' referring to the incidents. 'Nothing happened in here – she rang the police' and indicated towards Ms Butler.

Keeley said to Mr Gary Gill that she was concerned that it appeared to be him running to pub rather than Ms Butler, Mr Gary Gill advised 'No Natalie runs the pub, you seem to be belittling her, she hasn't done anything serious, she has been serving over bar, fair enough, it happened.'

Keeley mentioned the allegations regarding the children drinking at the location, Mr Gary Gill stated 'He doesn't drink.....he isn't allowed to drink and he doesn't drink' Keeley had actually made no mention of which children she was referring to at that point, Keeley then told Mr Gill that the 13 year old advised that he had the same surname Gill, Mr Gary Gill said 'It's wrong, It's totally wrong'.

Keeley continued to try and explain the reasons for the review and the fact that the incidents were too serious for just a warning, Mr Gary Gill said 'You should give people a chance – in my eyes it was just a fight outside'. Keeley did also mention the buffet and said that buffets not allowed under Covid regs and reminded Ms Butler and Mr Gary Gill that it would have needed to be table service.

I would say the Ms Butler was co-operative, and accepted the information given, acting quickly to remove the alcohol from display. Mr Gill was more confrontational and directly challenging towards Keeley. Customers inside the premises were very aggressive towards Keeley and dismissive towards the police officer's presence. They were angry and upset that their 21st Birthday Party could no longer take place. Foul and abusive language was used towards Keeley directly on several occasions.

We then all made our way out of the premises and back towards Bridgegate, the older female from inside again started being verbally abusive towards Keeley calling her, 'Hitlers Bitch'. The lady was warned about her language by the police. We then all returned to the Council offices.

(In addition to signing the declaration above, the witness must sign the statement at the end of the script on each sheet)

SIGNED

WITNESSED

Reference Number: 6 9 008084

ROTHERHAM METROPOLITAN BOROUGH COUNCIL

**The Health Protection (Coronavirus, Restrictions) (Steps)(England) Regulations
2021**

FIXED PENALTY NOTICE

Date: 24th June 2021

Part A

To: Paul Andrew Gill

Of: The Red Lion Hotel, Red Lion Yard, Bridgegate, Rotherham S60 1PN

Trading as: The Red Lion Hotel, Red Lion Yard, Rotherham

This Fixed Penalty Notice is served under Regulation 12(1) of The Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021 (the Regulations), as amended.

The Regulations impose certain restrictions to protect against the risks to public health arising from coronavirus. Failure to comply with the requirements of the Regulations, without reasonable excuse, is a criminal offence.

I, Jeremy Squires, designated as an authorised person for the purposes of the Regulations by Rotherham Metropolitan Borough Council, have reasonable grounds for believing that you have committed a criminal offence under the Regulations. I am issuing this Notice to offer the opportunity to discharge liability to conviction for the offence by payment of a fixed penalty.

Rotherham Metropolitan Borough Council may not take criminal proceedings against you in respect of the offence during the period of 28 days following the date of this Notice. Payment of the fixed penalty within that period means that you cannot be convicted in relation to the offence set out in Part C of this Notice.

Part B. Amount of Penalty and Period to Pay

The monetary penalty you must pay is: £1,000

Payment of the fixed penalty must be made within 28 days of the date of this notice.

The penalty must be paid to Rotherham Metropolitan Borough Council:

Riverside House
Main Street
Rotherham
S60 1AE

How to Pay this Fixed Penalty

Credit or Debit Card - by phone or online: Call 0300 456 2723 enter the whole 8 digit reference number on the front of this Notice when prompted; or go to www.rotherham.gov.uk and click on "Make a Payment" then "Online Payments" Select "Env Fixed Penalty" as the fund type and enter the above number in the reference field.

In Person: You can pay at any Rotherham Metropolitan Borough Council payment office.

By Post: Payment can be made to the address on the back of this notice by cheque or postal order payable to RMBC. Do not send cash by post.

By Post

Please complete the following form and post to:

Community Protection Unit
Rotherham Metropolitan Borough Council
Riverside House,
Main Street,
Rotherham S60 1AE

Please make cheques payable to Rotherham Metropolitan Borough Council.

There is no appeal against this fixed penalty notice, as it has been issued because the Council has evidence you have committed an offence and would otherwise prosecute you for that offence. This notice is a way of you discharging your liability for the offence.

Signature... 

Name in Capitals...Jeremy Squires

Date 24th June, 2021.

Part C. Grounds for Imposing the Penalty

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Regulation contravened: Regulation 11(1)(a) in that without reasonable excuse you contravened a Step 3 restriction as set out under Paragraph 7 of Part 2, Schedule 3.

Particulars of the Offence: On 19th June 2021 as a person responsible for carrying on the business of a public house failed, without reasonable excuse, to comply with the restrictions imposed by Paragraph 7 of Schedule 3 of the Regulations in that you failed to ensure that food or drink was ordered by, and served to, a customer who was seated on the premises. You also failed to take all reasonable steps to ensure that customers remained seated whilst consuming food or drink on the premises.

On 19th June 2021 Police Officers attended the premises. The premises were seen to serve drinks to customers who attended the bar and who were not seated. The premises also failed to ensure that customers remained seated whilst consuming their drinks.

Part D. Challenging this Fixed Penalty Notice

If you consider that the Notice should not have been issued, you can make representations to Rotherham Metropolitan Borough Council in writing outlining your reasons for challenging the Notice, within 14 days of the date on this Notice.

Your challenge will be processed in accordance with Rotherham Metropolitan Borough Council's Complaint Procedure: <https://www.rotherham.gov.uk/council/complain-council-services/2>

Email: complaints@rotherham.gov.uk
Tel: 01709 382121

This Notice remains in force even if you have raised a challenge.

Should the Local Authority's review of your challenge determine that the Notice should be revoked, you will be notified in writing that the Notice has been revoked.

Part E. Consequences of non-payment/continued non-compliance

If you fail to pay the fixed penalty within 28 days, you lose the opportunity to discharge liability to conviction, and criminal proceedings may be commenced against you in respect of the offence set out in Part C of this Notice.

Continued contravention of a requirement in the Regulations, without reasonable excuse, is an offence punishable by a fine on summary conviction in a Magistrates Court.

Signed:  Date: 24th June, 2021

Name in capitals JEREMY SQUIRES

Telephone (01709) 255037 Email env.health@rotherham.gov.uk

If you are not sure of your rights or the implications of this notice, you may want to seek independent legal advice.

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Rotherham Borough Council
Licensing Section
Riverside House
Main Street
Rotherham
S60 1AE

Representations made for the application to review the premises license at Red Lion, Bridgegate, Rotherham S60 1PN

South Yorkshire Police have applied to review the premises license under section 53A Licensing Act 2003 on Monday 21st June 2021.

This is my initial representation, further information in support can be submitted on request.

In the letter dated 23rd June 2021 addressed to Paul Gill, it states that the license for the above premises is for review *“due to the likelihood of serious crime and disorder occurring at the premises over the coming days an interim steps hearing”* was heard. There was an England football match on the 18th of June at 8pm. During the match we had no issues with any of our customers. An incident occurred after the football match had finished.

As responsible owners we noticed that various amounts of people were outside the premises, we also noticed commotion outside to control the situation and deal with it we contacted the police. Within this call to the police, I advised a glass had been smashed, not that a smashed glass was being used as a weapon. At no point did I state any weapons were used and as far as we are aware there was no weapons used at all.

For the avoidance of doubt, we refute any claims that children were at harm or even at the premises when this occurred. By the time the police had arrived, following on from my call, the people outside had migrated up the hill and it is my understanding that they moved towards the town centre and the police intervened and moved them on.

From reviewing the above-mentioned letter, it seems that the basis of the license review is that children were at the premises. Having children at the premises does not correlate with disorder, particular when this is a family friendly pub and children are welcomed at reasonable hours.

I understand that the review relates to Friday 18th June and Sunday 20th June.

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On both, 21st June and 23rd of June I was at the premises; my child was present whilst another close family member (his Auntie) looked after my child.

I cooperated with Keeley Ladlow and under her instruction I was at the premises removing the alcohol from the shelves.

I was discussing the review of the licence with Keeley Ladlow and there were 2 or 3 police officers present with body cams.

Again, there was no disorder. At no point was anyone present aggressive or abusive towards Keeley Ladlow or any of the police officers.

[REDACTED]

By way of further background, we were at the premises for 11.30am and left around 2.15pm. My child is not and was not at risk of harm, and I refute any claims of any such things alike. I tried to cooperate to the best I could with Keeley Ladlow only for lies to be made up.

The interim steps hearing states that weapons being used such as broken snooker cues and glasses. To our knowledge we haven't seen or heard of any weapons or the use of any weapons. A glass was knocked over but not used as weapons. We have checked our snooker cues and don't have any missing, again further incorrect statements.

I refute any claims that police officers were threatened at the premises, and if this was the case then police would have warned or actioned this in line with their own procedures. The claims are an offence, and if true, I would, or others would have been taken into police custody. To my knowledge this did not happen because claims have been exaggerated.

There is no requirement for the Premises Licence Holder to be at the premises for the entire time the premises are open. The reason for DPS not being at the premises on Saturday 19th June was due to them being taken ill after consuming tuna steak, which caused suspected histamine fish poisoning which paramedics was called out to my home address.

I attended the premises on or around 11.30pm to help finish and close up. On this occasion, at around 12am police arrived to a person who was injured with a swollen face. This incident did not take place in our premises. I understand that there was chit chat surrounding a knife,

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and this had been reported to the police. To my knowledge no knives were seen, and no other injuries were reported.

The two males 13 and 17 who you advise stated to have been provided alcohol by the premises I have queried this with the staff working on the night that is stated this incident occurred and they have assured me that they have not served anyone under the age of 18 and if anyone would try to get served for alcohol who looks under age they would have been asked for ID they told me this definitely didn't happen.

Within the statement, there is said to be a young child of 5 years of age at the premises. This was family members as this was my partners birthday. As above, children are not on the premises in the evening time, however due to the special occasion they stayed later than normal.

No incidents took place whilst children were at the premises and any claims of this are untrue.

For the avoidance of doubt, no children present or no children have witnessed any incidents that have happened outside the premise. Outside is the key principle to this, as nothing complained of has ever occurred inside the premises. And this must be considered.

I have worked at the premises for a few years now and been licence for two and a half years and ai believe due to euros football starting that friday and other pubs closing early lead to crowds approaching our premises. I feel targeted for unfortunate timing and we've never had any issue like this before, which is why I took control of the situation and tried to mitigate any issues by contacting the police.

Safeguarding around children, as a family orientated person I hold the protection of children from harm very highly and consider this to be a serious claim. No children have been served or given alcohol at the premises and no children are in any threat or danger. I feel that this is a personal vendetta and the only chance of any success in claims to review the licence have been exaggerated, taken out of context to suit the intentions of complainer.

I refute all claims of obstructive and threatening behaviours.

DPS worked in full cooperation with Police.

I refute that the "*premises were out of control*".

I understand the four licensing objectives:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance and

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- the protection of children from harm.

All of which we upheld and hence why we contacted the police.

I challenge the grounds of procedural impropriety including a failure to act with procedural fairness on the grounds of bias and ask would a fair-minded and informed observer conclude that there was a real possibility or danger of bias.

As I am sure you can appreciate, when exercising your statutory functions, public bodies have the capacity to affect the lives of individuals.

Both the common law and statute set down parameters within which such decisions should be made. The overall purpose of this is simple: to avoid the state and its agencies wielding power in an arbitrary way.

It is my understanding that public decision-makers should act in a way that is proportionate. The suspension and review of the license is disproportionate.

It is my understanding that the powers under sections 53A to 53C of the 2003 Act, are aimed at tackling serious crime and serious disorder, in particular the use of guns and knives.

There is no record or report of serious crime or serious disorder and certainly no use of guns or knives.

Serious crime, is set out in section 81(2) and (3) (a) and (b) of the Regulation of Investigatory Powers Act 2000. These cannot be met under the circumstances complained of.

I refute any claims of serious disorder. Claims have been exaggerated and a detailed explanation and true reflection of circumstances has been provided above.

I understand that at present there is no right of appeal to a magistrates' court against the licensing authority's decision at this stage. However, an appeal will be submitted if it proves necessary to do so.

I confirm this is a true and accurate statement.