

APPENDIX 5

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

BEFORE THE LICENSING COMMITTEE
OF ROTHERHAM METROPOLITAIN BOROUGH COUNCIL

IN THE MATTER OF A REVIEW OF
PREMISES LICENCE UNDER
SECTION 51 OF THE LICENSING
ACT 2003

CHIEF CONSTABLE OF SOUTH YORKSHIRE POLICE

Applicant

AND

RONALD WOODTHORPE

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 Application for Review of Premises Licence relating to the above premises.
3. **Licensing Enforcement Officer Engagement / SYP Incidents :**

- a. Report to SYP – 11th December 2020 @ 19:25

Below are incident details taken from Inn Keeper (Inn Keeper is the system used by SYP's Licensing Team) relating to the incidents detailed below:

Incident Number - 20201211-0831 – Covid 19 Concern

Caller reports to SYP, the landlord is having a birthday party at the venue and a lot of people have been invited. Caller knows this as they themselves were invited. Officers attended and this was not the case at all- landlord and his children were the only persons present.

APPENDIX 5

b. Crime Stoppers Report - 13th April 2020 @ 09:38

Below are details of a Crime Stoppers report details taken from Inn Keeper (Inn Keeper is the system used by SYP's Licensing Team) relating to the report incidents detailed below:

Crime Stoppers report detailed the landlord of the Waverley public house, new Brinsworth road, Catcliffe, Rotherham and is having lock in in his pubs despite the lockdown. Spoe research: Waverley public house, Brinsworth road, Catcliffe, Rotherham, S60 5RW. On connect previous intel for licensing offences - landlord in March 2019 Alex Nocton 11/12/1969.

c. Licensing Officer Engagement – 16th April 2020 @ 09:03 – Phone Call

Below are my notes taken from Inn Keeper (Inn Keeper is the system used by SYP's Licensing Team) relating to the above:

Following a Crime Stoppers report dated 13th April which was emailed through to me I called the DPS Alex Nocton on 16th April 2020.

I told Alex that we have received some information that they are still open and serving customers he told me that the pub is not open and he has CCTV to prove this.

He told me that they are carrying out food deliveries to houses and care homes. He told me they are doing fish and chips on Fridays and then a carvery on Sunday's. I asked him if they are all being delivered and he told me mostly there has been approx. 6 who have collected and this is due to the fact that the meal is going outside of their deliver boundary. I asked him what the policy is when they collect as he would need to ensure that social distancing is adhered to at all times and he told that they stay in the bar area the food is brought out to them and then they use the rear door to enter and leave.

I asked who else is at the bar and he told me [REDACTED] - staff his daughter himself and [REDACTED] he assured me that no alcohol is being served.

d. Licensing Officer Engagement – 16th April 2020 @ 09:50 – Email to DPS

Below are my notes taken from Inn Keeper (Inn Keeper is the system used by SYP's Licensing Team) relating to the above:

See email below sent to DPS – Alex Nocton to confirm advise from telephone conversation we had earlier today @ 09:03.

Alex

I would like to confirm as discussed on the phone, please ensure that you retain CCTV for when you have people you stated in the bar area and when you carry out the food deliveries / collection so you have the proof of carrying out your social

APPENDIX 5

distancing policy during this lockdown period.

I am advising this I am have concerns that further reports could be made.

Many thanks

Helen E Cooper
Rotherham Licensing Enforcement Officer

e. Licensing Enforcement Officer Engagement – 12th May 2020 @ 13:45 – Phone Call

Below are my notes taken from Inn Keeper (Inn Keeper is the system used by SYP's Licensing Team) relating to the above:

On 12th May I called Alex Nocton and advised him that I have received an anon report that the Waverley is still open despite of Government closure.

Alex told me that they are closed . He told me that he is there everyday as they are doing food deliveries between 8am - 6pm. I asked him if he has deliveries everyday and he told me most days however today they have not had any deliveries or pickups.

He told me that today a delivery driver called in to use the toilet and he is trying to accommodate these as a lot of places they would normally call into are closed.

I asked him to explain the food collection process and he told me that he is emailing out to advertise so customer are aware of what food is available each day. He has an a frame board outside advertising. They are told to stay in the car and the food will be taken out to them and given to them from a safe distance he told me that some customer do pop their heads in when collecting and they use the back entrance.

He told me he does not have any tills on and the CCTV is working . He told me that the front door is locked and is used only by Alex for access.

Alex told me that he had assisted with the police last week for a shop lifter when they came for a statement him and [REDACTED] were drinking a can outside on the seating.

I explained to him that it could be something as simple as this that could have been reported. I advised him to ensure that his CCTV is maintained and advised him that I would complete this report of what we have discussed.

APPENDIX 5

- f. Reported to SYP - 22nd May 2020 @ 13:28

Below are my notes taken from Inn Keeper (Inn Keeper is the system used by SYP's Licensing Team) relating to the above:

See email below regarding a phone call I had with Alex Nocton – DPS advising me of his step daughters 13th Birthday Party. I have sent the email out so authorities are aware of this gathering.

██████████

Just to let you know I have had the DPS Alex Nocton call me from the Waverley to tell me that on Saturday 13th May, it is his step Daughters Birthday and he wants to hold a family celebration in the Waverley in the afternoon. It will be for family members from 3 x house holds 15 in total. He told me there will be 2/3 cars in the car park and wanted me to know in case they were any calls.

I have advised him that this will be a straight breach of the Covid 19 legislation and he has told me that the room is big enough to social distance all attending. He told me that they will not be selling any food or drink they will be bringing their own.

I have again advised him that he would be in breach as first and foremost they are a pub and all pubs are ordered by the government to be strictly closed.

I asked him to ensure that the CCTV is running at all times.

For you all to be aware.

Regards

Helen Cooper

- g. Licensing Enforcement Officer Engagement – 14th December 2020 @ 10:53

Below are my notes taken from Inn Keeper (Inn Keeper is the system used by SYP's Licensing Team) relating to the above:

Today after seeing smart contact incident 0831 11/12/20 . The incident was called in at 19:25

On 14th December I called Alex Nocton (DPS) to discuss this.

I explained to Alex the details on the incident that people had been invited and had been told that it was a birthday party and when they came to the premise to not park in the carpark and that the curtains would be closed so no one could see in and who was at the party.

APPENDIX 5

Alex told me that it was a load of rubbish the lot of it. He said that the curtains are always closed from a security point of view because of the drinks behind the bar and the machines. He told me that police did come and he showed them around and there was his daughters there and his niece. He said they wanted to watch a film on the big screen. He told me that his niece was in his bubble. He went on to tell me that his brother in law had recently died and his daughter is distraught so he is trying to support her through her grief. I asked how many in total were there and he confirmed him and 3 girls. Alex told me that she slept over and he took her back the following day.

Alex told me that he goes down stairs also to watch TV on the big screen it also has more channels. I pointed out that he is compromising the licence by carrying out such practice. It is a business and therefore should be closed and only open for takeaway.

I advised him that under the current tier 3 licensed premises can only open for takeaways, Alex told me that they are only doing takeaway on Sundays as the other days are really not worth it.

I pointed out to him that he has already been served with a Fixed Penalty Notice so the spotlight will be on him as he has had a previous covid breach. He told me that when this was issued to him he was at the hospital with his mum, he got some staff in from the Yorkshire Terrier to cover the pub it is a shift that he normally does on his own then he got a call to say that it was really busy and he does not know where it came from. I raised probably the news that the borough was going into tier 3 and therefore the pubs would be closing. He told me he came back to speak with them. Alex told me that the hospital was longer than he thought it was going to be as his mum had to have xrays etc. I told him that the pub needs to be considered during these Covid times .

He went on to say that only his sister [REDACTED] (who's husband has died) and her Daughter have been to the pub to arrange the funeral , he told me he has now got his Dad ill again. Alex expressed that someone has got it in for him. I told him that others are being reported if they have been in and around the pub family or not.

Alex told me that the other night he had someone wandering around the pub with a torch.

I raised with him that I understand that he lives on and advised him to watch TV upstairs to reduce further reports . He told me that when his Daughter wants a drink of pop he comes down to get her one as it is going to go out of date.

I made it very clear to alex that the pub is a business and therefore under tier 3 needs to remain closed and only used for takeaways it is not an extension to the living quarters. I made it clear that there are no special rules for families to use the pub. Closed means closed.

APPENDIX 5

h. Report to SYP – 24th April 2021 @ 00:46

Below are incident details taken from Inn Keeper (Inn Keeper is the system used by SYP's Licensing Team) relating to the incidents detailed below:

Incident Number - 20210425-0047 - Drug Use / Dealing

Caller reporting on 24th April 2021 to SYP that there is a car in the car park and the occupants are smoking cannabis and drinking in the vehicle. States that they have been there for the past few minutes. Caller is watching the car and can see it on the cameras. Further call from male who states that they are actively sniffing cocaine off a key. Officers attended and sniffer dog recovered a large amount of cannabis.

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: *Helen Cooper*

Name: Helen Cooper

Date: 24/05/2020