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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 51 OF THE LICENSING
ACT 2003

CHIEF CONSTABLE OF SOUTH YORKSHIRE POLICE

Applicant

AND

EI GROUP PLC – HAYNOOK, REDSCOPE CRESCENT

Premises Licence Holder

WITNESS STATEMENT OF HELEN COOPER

1. I am I am Helen Cooper, I am employed by South Yorkshire Police (“SYP”) 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. Licensing Enforcement Officer Call to Area Manager – 9th January 2020

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

I called Area Manager and advised him of the complaints SYP have received for the premise this week x 2.

He advised me they Enterprise currently hold the premise licence however they are due to sign up to have it transferred into the tenants name.

I told him that myself and SYP Officers plan to visit the premise on Friday 17th January to discuss these incidents with DPS, which the first available time both LEO and

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Neighbourhood Police can get. I asked if he could also be at this meeting and he agreed he could be. I sent him over the meeting invite.

b. Premise Visit – Meeting – 17th January 2020 – Notes made at Meeting – Inn Keeper

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

On 17th January 2020, I met at the premise and the PC Singleton and PCSO Newman local officers came along with me.

Also at the meeting:-

██████ ██████ Enterprise - Area Manager

Marcus Parton - T & R Pubs Tennacy

Bernadette ██████ - DPS

Bernadette told me about the Police, they came on 20th Dec on the operation.

PCSO Newman raised his concern regarding the incidents that were coming in, Bernadette confirmed there was 2 recent incidents that came in separately. Bernadette told us that ██████ got it in for her and ██████ was sticking up for her. She knows it is her who has reported it. She went on to say that ██████ caused problems for ██████ one Sunday about 8 weeks ago.

I raised reports of a drug problem at the premise and Bernadette told me that since boxing day she has been carrying out constant checks in the male toilets.

I raised Inc 0902 13/1/20 - Bernadette told us this involved the ██████ brothers. She said that ██████ her business partner was on duty and one of the brothers damaged the lights. She said they are normally very well behaved and they have agreed to pay for the broken lights.

Bernadette expressed that she is suffering problems with ██████ ██████ she threw a glass so she is barred.

I asked about the CCTV coverage at the premise and Bernadette informed that they have coverage inside and outside of the premise.

I checked the premise licence I and the conditions on this. I checked the incident log , the last entry was dated 13th Jan.

██████ told me that there has been some neighbour complaints so he has been to see the female who has complained about the pub and she is not working with him, she said that she will not stop until the pub is closed. He said saying all this she did say for the past 8 weeks the pub noise has been much better.

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c. Licensing Enforcement Officer Phone Call to Designated Premises Supervisor – 31st January 2020 – re concern for demand.

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

On 31st January I LEO called the premise and spoke with Bernadette [REDACTED] - DPS .

I advised her that The Kimberworth Park Pub is currently closed which may impact on her getting in some new customers. I told her I could not confirm the type , age of customers she may get .

Bernadette told me that this is all she has heard for the last 2 days . She told me that she has seen a few new faces however they have been older people. She thanked me for my call.

d. Premise Visit – Meeting – 3rd February 2020

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

On 3rd February I (LEO) visited the premise as the Designated Premises Supervisor called me asked me to meet her.

Bernadette told me on Saturday , [REDACTED] and a male called [REDACTED] (surname unknown) came to the premise in the same vehicle , [REDACTED] opened the door and [REDACTED] threw a smoke bomb inside the pub.

Bernadette told me that she had a number of older customers inside at the time also her children when this happened. She told me that it was a really scary situation with customers in and a customer got hold of it and threw it back out onto the car park. He told me customers were shaken up.

She told me that later that day a customer came in and said ' had a smoke bomb haven't you' and Bernadette said what do you know about that and he said nothing it was my grandparents. Later in the weekend she got the password for the CCTV she signed on and got CCTV footage she saw 2 males getting out of the car and doing this. One has been identified as [REDACTED] and the other [REDACTED] ?? I agreed to pass this onto PC Singleton to investigate further if necessary.

She discussed with me that they have 18th birthday party booked on Fri 28th Feb, she has obtained a request list as advised, she has agreed to stamp the hand of the 18 year olds. I advised not to serve multi drinks to anyone and to monitor that the parents or over 18 years are not buying drink for the underage.

I emailed the above to the local office PC Singleton.

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e. Incidents Reported to SYP – 15th March 2020 – Licensing Officer Andy Steele Incident summary notes.

Below are notes taken from Inn Keeper (Inn Keeper is the system used by SYP's made by Licensing Officer – Andy Steele relating to the incidents detailed below:

Police Reference: 14/49360/20 – S39 Common Assault

Police Reference: 14/49713/20 - S47 Assault

Suspect has been visiting The Haynook with his partner as partner's mother is the pub landlady. They have all been drinking and an argument has started during which victim has gone to grab suspects phone. She alleges he swung his elbow at victim this has not connected.

Victim's partner and her daughter have then allegedly got in some form of scuffle with the suspect during which caller's partner has sustained reddening to her chest and victim's partner has allegedly sustained some form of facial injury but no more details as he had gone to bed and would not speak to officers. No visible injuries seen by officers on caller's partner.

Officers have conducted an area search for suspect as he is a West Yorkshire Police nominal who is No Fixed Abode. All parties in drink so arrangements to be made for statements.

Police Reference: 14/49723/20 - S39 Common Assault

Victim has been at her mother's pub, The Haynook. During the night there has been an argument between herself and her partner. This has escalated to the point where her partner attempted to assault her mother (14/49360/20) and has then assaulted mother's partner by punching him to the face causing a small cut (14/49713/20).

After he has assaulted the partner victim has pulled him away from mum's partner. They have then proceeded to grab each other on the sofa before they were separated. This has then to bruising to victim's arm and leg unknown exactly how these injuries caused. When police contacted suspect has left on a bike.

f. LEO – Andy Steele – Phone call to DPS – 18th March 2020 – Re incidents Reported

Below are the summary notes from Licensing Officer Andy Steel following phone call to Designated Premises Supervisor.

I have contacted Bernadette [REDACTED] the DPS of The Haynook re the below incident numbers.

14/49713/20

14/49723/20

14/49360/20

Investigation Summary

S47 - assault investigation suspect has been visiting The Haynook with his partner [REDACTED] as [REDACTED] mother is the pub landlady. They have all been drinking and an argument has started

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during which Bernadette has gone to grab suspects phone. She alleges he swung his elbow at Bernadette this has not connected. Bernadette's partner and her daughter have then allegedly got in some form of scuffle with the suspect during which [REDACTED] has sustained reddening to her chest and Bernadette's partner [REDACTED] has allegedly sustained some form of facial injury but no more details as he had gone to bed and would not speak to officers. No visible injuries seen by officers on Brittany. Officers have conducted an area search for suspect as he is a West Yorkshire nominal who is NFA. All parties in drink so arrangements to be made for statements.

Bernadette informed me that the incident was upstairs in the flat as the pub was closed at the time (03:20) it involved her daughters "evil boyfriend".

I told her I would update you that I have spoken to her and as it was in the living accommodation it was of no interest to us.

f. Licensing Officer Phone Call to DPS – 23rd March 2020 – Covid 19 Breach reported

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

Covid 19 concern – On 23rd March I (LEO) called the DPS Bernadette regarding Inc 0345, 0355 & 0524 - 22/03/20.

I spoke with Bernadette on her mobile phone. I advised her that I had seen the incident she called regarding family being in the pub and concern from someone calling in that the premise was still open. Inc 524. Bernadette told me that she had family over and that's all done now. She told me that there was only her, Mark (business partner), kids and Grandad there now. I asked her if she was still living upstairs and she told me yes, she said the kids have been coming down into the pub to watch the TV as there is no TV working and told me that the flat is still really damp so she does not want them in that environment for too long.

Bernadette told me that they have been allocated a house now in Wincobank.

I brought her back to the incident that had been reported and she told me that on Saturday it was her Daughters birthday so there were 5 people come and 3 kids. She reminded me that she has Foster Children. She went on to say that on Sunday they were approx. 10 people and they all left by 8pm. I reminded her of the government guidance around groups gathering and the legislation about social distancing this all given I told her the government had closed all licenced premise so they were breaching this by having people over. I pointed out to Bernadette how this looks to the members of the public. Bernadette told me that she does understand the legislation set out by the government.

She told me they are currently using the back door to move furniture out of the premise to the house so if SYP get any calls this is what is happening.

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Incidents Reported to SYP – 22nd March 2020

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:

SYP-20200322-0355 – Covid Concern

SYP-20200322-0345 – Covid Concern

Caller reporting that there have been a number of persons going through the back door of the above pub. Caller advised that at this time there is no law in place for officers to take action against pubs that remain open. rwd close - incident created and linked to master due to licensing.

Further Incident reported to SYP – 22nd March 2020

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:

SYP-20200322-0524

Caller owner of a pub she is using to have her family members round. The risk is low and the pub not open to the public, up to themselves if they want to be there and not isolate, taken advice from t/l. Incident logged and closed due to this people a family gathering and not selling alcohol or allow mop in, no vulnerabilities.

Licensing Officer Phone Call From DPS – 1st May 2020

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

Bernadette [REDACTED] called me to ask a question regarding her personal licence.

She told me that Mark who is managing here on behalf of Enterprise has taken a premise in Hull and he has approached her to take Mark from Haynook to manage the Red Lion in Hull. He has asked if she can put her personal licence on this premise.

I reminded Bernadette that DPS function is day to day running of the premise and I needed to be sure that on key shifts Bernadette was managing The Haynook as for me has to be a priority. She told me that it would not affect The Haynook. I asked her to consider the feelings of the licensing enforcement officer in Hull and to consider what I have said and then what their expectations are for their premise. I advised Bernadette that I would keep a close monitor on The Haynook incidents. I asked who she would be authorising to sell on her behalf when she is in Hull. She told me one of her bar staff who is strong.

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Incident reported to SYP – 21st July 2020

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:

SYP-20200721-0927

Caller reporting a disturbance outside the premise with people arguing and 'chasing after one another' Males and females, aged in their 30s They all appear to have had too much to drink.

This appears to be an ongoing issue with anti-social behaviour at the venue. No reports of any physical fighting. No other calls appear to have been made - numerous properties, residential area.

FURTHER CONTACT:.

Call Handler re-contacted the caller to confirm details in case it is connected, however callers wife who actually saw them states a white female called [REDACTED] (further details unknown but lives nearby). She was having a go at someone called them a "thieving bastard" she doesn't know who this was aimed at but as this happened a black/dark coloured estate car came speeding down the road. She believes the driver knows someone there because it came speeding down and they were in the road but her husband's van blocked the view further., they are now all back in the pub. Caller described [REDACTED] as white female with black hair wearing a short black dress and she has 2 kids with her. now back in the pub.

Licensing Officer Phone Call to DPS – 22nd July 2020

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

I called DPS - Bernadette [REDACTED] to discuss incident 0927 21/07/20. Details were that there was a group arguing in the car park, chasing each other around.

They reported that the group had had too much to drink.

She told me that Mark [REDACTED] her manager was aware of this, she told me that Vanessa was on duty at the weekend.

Mark (staff) was on the bar and he told me there was no problems inside at the time of the incident. Bernadette is aware that [REDACTED] one of the customers caused issues on that night . They have made a decision to bar her for one a couple of months. She said that she is a loud mouth when she has had a drink..

Bernadette told me that Vanessa only lives down the road and she has advised mark (staff) if any problems to give her a call.

I advised Bernaette clearly that I feel she needs to be at the Haynook and not the Red Lion in Hull.

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Incident Reported to SYP – 23rd July 2020

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:

SYP-20200723-0807 – Concern for safety

Landlady of the pub found an elderly confused male wandering around the car park of the pub just wearing his underwear. She kept him at the pub until officers attended. Landlady was also threatened by the partner of one of the carers for the vulnerable elderly male. There are concerns regarding neglect of the male.

Incident Reported to SYP – 24th July 2020

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:

SYP-20200724-0945

Caller reporting a group of approx 25 persons, male and female, outside in the beer garden and looking tense. Caller is concerned something may kick off as they looked to be jumping about. Officers attended and all in order on arrival, around 40 persons present and owner told officers they will keep an eye on them. They didn't have any worries and concerns.

Text Message received from DPS – 27th July 2020

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

See text message from Bernadett done in relation to recent incidents which have occurred at the premise.

These problems have nothing to do with our customers and if the Police and Council had done there job right in lock down the dirty smack heads wouldn't still be on the street. Only stating the truth. The Police have seen how well both suites are working and are very well controlled keeping people in there bubbles and no noise complaints. Well we have no choice but to change until tomorrow but I am not happy brought tickets on way sorted kids. Organised for Vanessa to be there. One issue you have associated with pub the second started only cause Vanessa and Mark made the decision to contact the Police and Ambulance for the welfare off the old man. There has been no fighting no carrying on with any of the locals they are working with is to keep the pub open. See you tomorrow at 1.

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Multi-Agency Meeting at Premise – 28th July 2020

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

Today we had a multi-agency meeting at the premise due to multiple reports to both RMBC E/Health and SYP. The meeting was arranged and held in the premise. Present was Bernadette [REDACTED], Vanessa [REDACTED], PCSO [REDACTED] and [REDACTED] CPU Officer and [REDACTED] SYP LEO.

I started by explaining we were here as we have all received a number of complaints across the authorities this was why we have come together for the meeting. Bernadette and Vanessa did come across initially on the offensive until we explained we were carrying out our jobs. CPU Officer explained that they have received 2 x complaints and they are both keeping diaries. I explained that we have received 3 incidents within days of each other (4 days)

Bernadette expressed their concern about the ongoing complaints from residents they think they will not be happy until the pub is closed.

We asked them to explain the outside drinking policy that is in place at the premise and Vanessa said that the beer garden is used mainly for families. The car park Vanessa explained and that last orders are called at 22:10 and they close by 22:30. She said that The Kimberworth Park has been closing at 20:30 and they are getting all the K/Park younger end then walking up to the Haynook. Vanessa said they are all id checked. Bernadette said that Vanessa is strong with the bar and she gave examples. Vanessa added that customers had loud music playing in the car park and she went over and asked them to turn it down.

I pointed out that The Kimberworth Park younger end if known to be problematic , they do not need to let them in, as you know what time they close you could impose a last entry time around the same time or simply refuse them. I put to them do they want incidents from customers that have been drinking all night elsewhere.

Covid - I asked them if they were aware of the covid capacities and they told us 32 - tap side - 64 best side .

Email received by Licensing Officer from PCSO Newman – 6th August 2020

Below is the text of an email I / someone else received from PCSO...

On Thursday 6th August around 9pm while on patrol we responded to a call from a member of the public reporting a 20 person fight at The Haynook.

On arrival , everything was quiet. I spoke to the son of licensee who said that there had been a disagreement between two customers who had both left.

As I was leaving a female customer approached me and said that there had been a fight between two blokes who she had seen outside in the car park sniffing "coke" this caused a disagreement and a subsequent fight. Further observations will be carried out.

I advised them of the details of the incidents that SYP have received Inc 21/7/20 inc 0927 - noise/threats - Bernadette said this was a female customer ([REDACTED]) which they have had a

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number of problems with her and she has been barred. Then on 23/07/20 Inc 0807 -a confused male and Vanessa told us that she witnessed a male and female walking a vulnerable old man down street. The old man then broke away from the female and was bear hugged away. She told us that they are both smack heads and she was concerned for the vulnerable male. She said they have caused problems for the Haynook before. She went on to tell us the vulnerable male then wandered back up to the Haynook. The drug male then came back up Vanessa then told him to leave he then pulled some shearers out then he ran off with the shearers. Vanessa told us that she has given a statement to PC [REDACTED] about all this.

I carried on and explained on 24/7/20 Inc 0945 groups gathering concerns. They told us this would have been The Kimberworth Park lot up as previously discussed, Vanessa said this was them. PCSO said that they visited on 24th July 2020 they did not see any issues, he felt they were looking covid secure, track trace was in place, one way system.

CPU Officer asked them to keep an incident register. They agreed to keep them. They confirmed that the CCTV covers inside and outside and Vanessa always monitors both inside and outside. We looked at the outside area and suggested moving the tables to the top of the car park to reduce the risk of further noise complaints.

I asked who the Area Manager was for Enterprise and she told me Mark [REDACTED] is the new area manager. I told Bernadette I knew him I asked her to make him aware we have had this meeting. Bernadette agreed.

Email from PCSO – 6th August 2020

Below is the copy of an email from PCSO Newman taken from Inn Keeper (Inn Keeper is the system used by SYP's Licensing Team) relating to the premise :

On Thursday 6th August around 9pm while on patrol we responded to a call from a member of the public reporting a 20 person fight at The Haynook.

On arrival , everything was quiet. I spoke to the son of licensee who said that there had been a disagreement between two customers who had both left.

As I was leaving a female customer approached me and said that there had been a fight between two blokes who she had seen outside in the car park sniffing "coke" this caused a disagreement and a subsequent fight. Further observations will be carried out.

Incident Reported to SYP – 13th August 2020

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:

SYP-20200813-1027

Caller states the premise is having ongoing issues with anti-social behaviour. He also states a few evenings ago persons were seen to be what appeared drug dealing and the landlady approached them and ushered them inside. Caller is sick of this and is considering moving due

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response - this is to be brought up at the pubwatch meeting next week to raise the general awareness regarding the risk of groups gathering under the Covid restrictions. The incident was closed.

Licensing Officer Phone Call to DPS – 24th September 2020

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

Following seeing incident 0968 21/09/20 reporting a group of 10 youths gathering outside the premise aged between 15/18 who were reported as being loud screaming and shouting .

I called Bernedtte [REDACTED] DPS there was no answer and I left a voicemail to call me back .

Bernedette called me back straight away. I explained to her the details of the incident that a group has been reported at 20:46 gathering outside of the premise aged between 15/18 who were reported as being loud screaming and shouting . She told me that she has not been aware of a problem on Monday evening.

I advised Bernadette to check the CCTV and see if anyone can be seen congregating outside and if they can be identified. Bernadette agreed and said she would come back to me if there was anything to report.

Incident Report to SYP – 7th October 2020

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:

SYP-20201007-0889

Caller states her boyfriend went outside for a cigarette and had an argument with his friend. She states the friend dragged her across the floor and shoved her. This male is now outside and he is refusing to give the caller her keys back and this is why he dragged her on the floor. Officers attended, the female is said to have been assaulted but confirms this has not happened and it was an attempt to hit the caller's boyfriend.

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Text Message Tread with DPS – 12th November 2020

Below are my notes taken from Inn Keeper (Inn Keeper is the system used by SYP's Licensing Team) relating to the text message thread see below:

See below reply to text message received on 08/11/20 at 12:26 to Bernadette [REDACTED]

Just to let you know on way to Haynook. with avn to get some stuff meeting Vanessa as Mark leaving so putting someone in well shut so if you get a report its us lot xx.

At 11:04 on 12/11/20 I sent the following message:-

Bernadette just to confirm with you SYP did not receive any calls on Sunday. Thanks for letting me know, Helen

At 11:09 I sent the following message to Bernadette:-

Also can you let me know who you are getting in to replace Mark . Thank you. H

At 11:31 Bernadette [REDACTED] replied the following :-

ok great and Kirrean doing it.

At 11:34 I sent the following text:-

Bernadette what is Kirrean surname?? Is Vanessa still in post.

At 11:36 Bernadette replied:-

Surname [REDACTED]

At 11:38 Bernadette called me.

She explained that Keirran is Vanessa's son. Mark has gone as she could not trust him he was up to something he was an '****hole'.

I asked who was living on and she told me Keirran staying while we are in covid.

Bernadette told me that the Enterprise Area Manager have been made redundant since Stonegate took over Enterprise.

She said Mark [REDACTED] is still the holding Manager.

She told when she know what is happening she will let me know.

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Bernadette said that she has varied her as DPS I advised her to check the progress of this as I have not seen anything come through.

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: 10th May 2021