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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.