



Portsmouth
CITY COUNCIL

FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

Portsmouth City Council, Civic Offices, Guildhall Square, Portsmouth, Hants,
PO1 2AL

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 William Schofield [on behalf of] the chief officer of police
for the Portsmouth 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:

The Royal Standard
Edinburgh Road

Post town: Portsmouth

Post code (if known): PO1 1DE

2. Premises licence details:

Name of premises licence holder Punch Taverns Plc
(if known):

Number of premises licence (if LAPREM/5451
known):

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

This premises is a community pub set within the cumulative impact zone in Portsmouth. The Designated Premises Supervisor is a male named Esen Rende and the Premises Licence Holder are Punch Taverns Ltd.

It is the understanding of the Chief Officer of Police that Mr Rende lives in London and travels on occasion to Portsmouth to operate the premises.

The Chief Officer of Police has in the past worked with Mr Rende following issues of disorder and raised concerns with him regarding the management of his premises. Mr Rende unfortunately has not taken on board what has been advised and this has led to serious crime and disorder at the premises.

The build up to this application for summary review is shown as follows:

44150265180 01/08/2015 23:44 – ABH

Fight in the premises. A male was attacked by a number of persons. During the attack glasses were thrown at the victims head as he lay on the ground causing injuries consistent with ABH. A male was arrested following a Police investigation and later charged.

Officers from the Police Licensing Team attended the incident and noted the following:

- Customers were heavily in drink, slurring words and unsteady on their feet
- Glassware from the premises was in the street and no staff member had made any effort to clear this up.
- No door staff were present, in fact the only staff working were the DPS and one other bar person. The DPS stated to Police that he had not a chance to check the premises as he and the bar person were busy serving drinks at the bar.
- On attendance Police noted that the crime scene which included broken glass and blood was in the process of being cleaned with a mop and bucket.
- The DPS struggled to work the CCTV and could not provide a copy at that time.
- Varying breaches of the premises licence conditions which when advised the DPS appeared not to understand and appeared surprised he had to adhere to conditions.
- The premises did not call the Police following the incident. An ambulance was called by the victims partner. Ambulance then called the Police.

As a result of this incident a meeting was arranged in which PC Rackham sat with Mr Rende and advised him fully of the issues, concerns that these issues would lead to further incidents and the measures he needed to take in order to resolve them. Included in this discussion was the use of door staff to assist him in

identifying issues and dealing with them before they escalated.

Mr Rende was provided with a large amount of measures to achieve due diligence and stated he would deal with this.

44150303746 – 02/09/2015 00:02– ASB

3 males were outside the premises demanding entry when it was closed to collect a mobile phone they believed was left inside. Premises contact the Police. The Police attend. Note that the 3 males who had been at the premises were heavily in drink and move the males on.

44160064763 - 13/02/2016 00:26 – Assault

Male contacts the Police to state that an unknown male has become aggressive to him and punched him causing him minor injuries. On attendance the male does not wish to provide any further details. The DPS and staff members are spoken with. They state they do not see anything.

44160144531 – 16/04/2016 20:00 – Public Order

Officers attend the premises as part of local premises visits on a weekend evening. At the premises is one lone female working. A group of males are at the premises and are heavily in drink. On entering the premises the officers are verbally abused with officers being accused by one male that they had sexually assaulted his sister. When officers challenge the male he becomes verbally abusive. The officers speak with the lone member of bar staff who states that she felt intimidated and this is why she did not refuse them service.

The Police request the males leave as they are being drunk and disorderly on a licensed premises. The males leave again being aggressive to Police and then walked into a nearby premises where they are refused. A number of the males are arrested as a result when they continue to act in an aggressive manner. One of the males is issued a conditional caution the other being charged with a public order offence.

Police Licensing Officers also witness this and liaise with Mr Rende following this. The following concerns were raised via email to Mr Rende:

- Lone female working at the premises who felt she was unable to refuse service to drunk male customers as she had no support from anyone else.
- No door staff present to support staff members in making decisions to support the licensing objectives.
- No access to the local crime reduction partnership to identify problem persons prior to them being served and causing issues.
- CCTV unable to be worked by the staff member.

Mr Rende responded and stated that:

- Only persons who operate the CCTV are himself and Laura his manager
- Staff are fully trained with regards to the licensing laws
- During busy periods extra staff are employed

- He will not use SIA registered door staff as he believes that "having a licensed security has negative effects to the premises (conflicts with a safe and secure public house environment).

Following this email PC Rackham attended the premises on 27th April 2016 and noted the following compliance issues at the premises:

- No summary of the licence on display (potential offence under S57 of the Licensing Act 2003)
- No staff training documents available
- No authorisation in place from DPS to allow staff to sell alcohol
- No personal licence holder on site to authorise sales of alcohol
- Unable to provide full premises licence (potential offence under S57 of the Licensing Act 2003)
- CCTV also unable to be operated by the lone female working at the premises.

Another email was sent to Mr Rende advising he sort these issues as soon as possible.

On the 29th April 2016 PC Rackham and PS Snow attended the premises to speak with Rende. A large number of persons known to the Police were inside the premises drinking. Mr Rende agreed to join the local crime reduction partnership and could provide evidence to show that he had trained his staff and was complying with his premises licence conditions. Mr Rende repeated that he would not be providing door staff, PC Rackham once again advised him that having door staff would prevent incidents from occurring and show to the Chief Officer of Police and the Licensing Authority that he took his responsibilities seriously.

On the 6th May 2016 Police constables from the Neighbourhood Policing Team visited the premises as part of the Night Time Economy checks in Portsmouth. Both officers noted only a bar person was on site. The DPS was upstairs in his office. The DPS was eventually spoken with and was asked how the premises would deal with aggressive people. The DPS stated that he often had to deal with aggressive persons and often had issues where people would refuse to leave. On advising of the benefits of SIA registered door staff, the DPS again refused and stated that it would ruin the atmosphere. The Constables attending also note that they see a number of drunk persons and a number of persons they are aware have previously come into contact with the Police for negative reasons. One of these persons was previously convicted of dealing class A drugs outside the premises.

On the 7th May 2016 PC Rackham attends the premises. He notes a number of persons at the premises. Two of which were well known to the Police for football violence offences. One of the males begins to state to PC Rackham "GET A PROPER FUCKING JOB". The male is calmed by his friends. Whilst at the premises PC Rackham also notes that a child aged around 7-10 years old is on the premises. This is in breach of a premises licence condition stating "NO PERSON UNDER THE AGE OF 18 SHALL BE PERMITTED ON THE PREMISES AT ANY TIME"

Mr Rende is contacted, advised and stated that he has reviewed the incident and it will not happen again.

44160463845 – 09/12/2016 14:03 – Drugs

Contact from a person refusing all details that persons at the premises are doing drugs at the premises. Police attend and find no signs of drug use at the premises.

On 18th December 2016 local officers attended the premises as part of licensing checks within the night time economy. Officers noted that whilst stood in the premises for around 10 minutes they did not see any staff members. Eventually a female attended and stated she had been in the toilet. Mr Rende was upstairs. During this time the premises was unsupervised. It was noted that no door staff were on duty.

44170017629, 44170017627, 44170017518, 44170017575, 44170017609,
44170017624, 44170017626, 44170017628

15/01/2017 00:26

GBH, ABH, Battery, Affray

On Sunday 15th January 2017 at around 00:20 hours there was an incident of serious crime and disorder at the Royal Standard, Edinburgh Road, Portsmouth. At the time of writing it is understood that around 7 persons were assaulted as a result of the incident and these injuries ranged from minor marks on the skin, up to GBH injuries. A male was arrested close to the scene and has been charged with Battery, ABH, Affray and GBH. The male has been charged following a Police investigation with offences ranging from Battery to GBH.

During the Police investigation it has been ascertained that there were two members of staff working at the premises behind the bar. The persons whose leaving do it was has stated that she was working but it is clear she was not as it was her leaving do and she is seen to be drinking during the night.

At 23:45 hours last orders are called at the bar and the former manager goes behind the bar and helps herself to a drink. Another female who transpires is the mother in law of the offender arrested at the premises asks why she can help herself to a drink.

A short time later the offenders mother in law is seen smoking on the premises and then moves behind the bar to help herself to a drink. Someone at the premises states that they then takes hold of the offenders mother to escort her from the premises. At this point two other females begin arguing and this escalates into a fight at the premises.

The former manager of the premises has attempted to deal with the matter by asking people to leave. However at this stage the main offender has begun attacking other persons.

During this attack the main offender throws punches at anyone who approaches him, male or female. Customers have to take it upon themselves to attempt to stop the male who makes repeated attempts to attack others. There is no response from anyone at the premises and so the male continues.

On Police attendance to the premises it is clear that no one is willing to take responsibility for the premises. There are conflicting witness statements stating that people are working behind the bar to assist but on speaking with the Police they do not take responsibility for running the premises that night. The two staff members state that they just work there and they don't know who is in charge. At the time of writing it is still really unclear who was in charge on the night. There are a number of conflicting statements from staff members, on or off duty stating the other is or is not working. It certainly wasn't the DPS who was not on the site during the incident.

Due to the fact no one is in control the situation escalated to the extent that one male received a broken nose. Another male is currently in hospital suffering from multiple fractures to the face and a basal skull fracture. A female at the premises has stated that she has fractured her collar bone following the incident at the premises.

CCTV was unable to be gained from the premises as no one was able to burn a copy for the Police to investigate the matter. Officers used Body Worn Video to film the CCTV on the TV monitor on site. This can be shown to the committee and will show a male assaulted a large amount of persons and no one from the premises being able to contain this. It will also show a number of persons being knocked to the floor.

Body Worn Video from attending Police officers also shows a male unconscious outside the premises on their arrival. It also shows the injuries sustained to the victims.

A Statement from the former manager refers to her handing out Vodka Jelly Shots to customers at the premises. Again it raises questions about who the DPS has put in charge of the premises.

The Chief Officer of Police has serious concerns about the ability of Mr Rende to manage the premises in a way which fully supports the licensing objectives. Over a period of two years Mr Rende has repeatedly ignored the concerns of the Chief Officer of Police relating to ways he can prevent crime and disorder, support the licensing objectives and as a result, such ignorance and lack of positive action has led to an incident of serious crime and disorder. Namely the latest incident which has resulted in one person receiving a broken nose, another has multiple fractures to the face, broken jaw as well as a fractured skull. Another female also has received a fractured collar bone as a result of the incident. These injuries are life changing and demonstrate the seriousness of the disorder at the premises.

The Chief Officer of Police is aware that the DPS, nor anyone it would appear, was present at the premises who could be said to be managing the premises. This has also contributed to the issues at the premises and the serious disorder there.

In view of the serious problems arising from the current operation of the premises, the risk to the public caused by this operation and the effect that these problems have on the promotion of the licensing objectives. The Chief Officer of Police urges the licensing committee to consider taking the interim step of suspending the premises licence pending a full review hearing. This will allow for the licence holder to assess and implement all necessary urgent improvements.

The Chief Officer of Police intends to propose a full revocation of the Premises Licence.

Signature of applicant:

Date: 16 January 2017

Capacity:

Police Superintendent

W. SCHOFIELD

Contact details for matters concerning this application:

Address:

**Alcohol Harm Reduction and Licensing Team
Licensing Office
Portsmouth City Council
Civic Offices
Portsmouth
PO1 2AL**

Telephone number(s): 023 9268 8314

Email: Force.licensing@hampshire.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.

Hampshire Constabulary

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.

Premises²: Royal Standard
Edinburgh Road
Portsmouth
PO1 1DE

Premises licence number (if known): LAPREM/5451

Name of premises supervisor (if known): Esen Rende

I am a Police Superintendent³ in the Hampshire Constabulary 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:

Over the last 2 years whilst Esen Rende has been the DPS, incidents have increased in nature from low level ASB to a GBH incident where a number of persons were attacked by an offender.

Following an incident in the early hours of 15th January 2017 it is clear that the operation of the premises has fallen short of the required standard in order to fully support the licensing objectives at the premises.

Police did at the time consider a closure order under Section 160 of the Licensing Act 2003 however the premises closed of its own accord and this would have only closed the premises for 24 hours. Not enough time for a summary review to take place and close the venue for a sufficient time to deal with the issues at the venue.

It is the view of the Chief Officer of Police that immediate action is required to prevent further serious incidents of crime and disorder, harm to the public and to implement a comprehensive review of the current operating practices used at the premises. I have concerns that unless immediate interim steps are taken, serious crime and disorder will continue.

(Signed)

(Date)

William Schofield

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.