

Application for summary licence review



Harlow Council, Civic Centre, Water Gardens, Harlow, Essex. CM20 1WG

Licensing Authority premises licence number (optional): HARLOW/PREM/0008/29

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 Kelsey Dott [on behalf of] the chief officer of police for the Essex 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 CLOCK HOUSE, 11 - 15 ADAMS HOUSE, THE HIGH,

Post town: HARLOW

Post code (if known): CM201BE

2. Premises licence details:

Name of premises licence holder (if known): STONEGATE PUB COMPANY LIMITED

Number of premises licence holder (if known): HARLOW/PREM/0008/29

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]

For a period in excess of six months, Essex Police has received numerous reports of violent crime and disorder featuring this premises. The frequency and seriousness of these incidents has been rapidly increasing. The most significant and recent of these are detailed below.

1. On the 18th June 2022 around 03.15 a.m. police were called to a fight outside the premises where one person suffered a fractured skull and another a broken leg.
2. On the 28th May 2022 around 03.05 a.m. police were called to outside the premises and recorded 4 separate violent crimes which are being investigated.
3. On the 1st May 2022 around 03.27 a.m. police were called to outside the premises for what was described as a large fight. 4 separate violent crimes have been recorded and are being investigated.
4. On the 30th April 2022 around 03.00 a.m. police were called to a report of 40 persons fighting outside the premises. On arrival a report of a violent crime was recorded.

The most recent serious incidents have all taken place around closing time with allegations that patrons have been ejected and the venue's doors locked with door staff not taking active measures to peacefully disperse patrons.

Between December 2021 and 18th June 2022 police have recorded at least 17 incidents of violent crime associated with this premises and have significant concerns about how the premises is operated – including the levels of intoxication permitted at the venue, how its staff deal with intoxicated persons and the effectiveness of the management and door supervisors in controlling the venue. Ahead of the hearing Essex Police will provide fuller details of these violent crimes. However - it is clear that the crime and disorder, public safety and public nuisance objectives of the Licensing Act 2003 have been undermined.

In an effort to deal with these issues the police have previously engaged with the premises management and the licence holder. For instance in November 2021 following a meeting with the premises management, Essex Police suggested the venue should introduce an identity scan product as a condition of entry and all patrons should be searched after 23.00 hours; it was suggested a licence variation should be submitted by the venue. No such variation was submitted.

In December a virtual meeting was held with Stonegate management and police concerns were again raised and an action plan was agreed with Stonehouse. Matters did not improve and in March 2022 the action plan was reviewed with a view to dealing with dispersal, training on intoxication and door supervisors remaining on duty for 30 minutes after the venue has closed to the public.

In the opinion of the Chief Officer of Police the premises management have failed to implement agreed measures within the action plan, particularly those aspects relating to the prevention of intoxication, measures to disperse patrons and SIA door staff remaining in the vicinity of the premises once the premises has closed.

The premises currently advertises Friday and Saturday night events (this weekend billing them as pay weekend parties) with a live DJ from 2100 - 0300 hours, free entry before 2130 hours, 2-4-1 cocktails all weekend and 2 bombs for £5. Since its conversion from a Yates Wine Lodge pub, the venue has become a destination venue for persons from Harlow and north London - it is the only venue in the town centre open until 0300 and clearly this is having a detrimental effect on crime and disorder. The incentive to arrive before 2130 (and to remain until 0300) together with the drinks promotions gives credence to the notion that the premises management aim to sell alcohol without regard to the level of intoxication of its patrons, the violent conduct of intoxicated patrons and the effect this has on the town centre.

With a substantial increase in the number and severity of violent incidents and with the premises management having failed to take those actions previously suggested by the police to minimise the risk this premises presents - the police find that immediate action by way of a summary/expedited review is necessary to impose interim steps to protect the public from immediate harm.

Essex Police will expand upon its representations and may submit further documentary evidence ahead of a hearing; in the meantime I have (in accompanying documents) enclosed a list of nearby

licensed premises detailing their licensing hours and a, brief, summary of some of the incidents referred to above.

INTERIM STEPS SOUGHT BY ESSEX POLICE

Essex Police would invite the licensing sub-committee to suspend the premises licence as 'interim steps' ahead of a full hearing and provide an opportunity to the premises licence holder to work with the police to agree operating hours, conditions and operating procedures which may be brought forward at a full hearing for a sub-committee to consider.

ALTERNATIVE INTERIM STEPS IF SUSPENSION CONSIDERED INAPPROPRIATE

Should the licensing authority feel that a licence suspension is not appropriate then it is invited by Essex Police to consider imposing the below alternative 'interim steps' ahead of a full licensing hearing.

Those (alternative) interom steps sugested are as follows:

1. No live or recorded music of any type shall be permitted between the hours of 23.00 and 08.00 (imposed as a condition);
2. The opening hours of the premises shall be amended to 07.00 to 23.20 hours on a Thursday, Friday or Saturday (in line with existing permitted opening hours in place for Monday to Wednesday) (imposed as a modification of the existing condition that forms part of the operating schedule);
3. The terminal hour for all licensable activity (including the sale of alcohol) shall be amended to 23:00 on all days (save Sunday which will remain as 22.30 hours) (imposed as a modification of the existing condition that forms part of the operating schedule);
4. There shall be no offers of alcohol being sold on a discounted basis (e.g. 2-4-1, 'happy hour' etc.) at any time (imposed as a new condition);
5. The opening hours and terminal hour of the premises (set out at 2 & 3) above will apply to notable days and New Year's Eve (i.e. there will be no non-standard timings) and
6. The current designated premises supervisor is removed from the licence

Essex Police would request that if any interim steps are imposed that they take immediate effect under section 53B(5) of the Licensing Act 2003.

Signature of applicant: K. Dott 

Date: 22.06.22

Capacity: LICENSING OFFICER

5. Contact details for matters concerning this application:

Address: LICENSING DEPARTMENT (ALCOHOL & GAMBLING)
 ESSEX POLICE
 BLYTH'S MEADOW
 BRAINTREE
 ESSEX
 CM7 3DJ

Telephone number(s): 01245 452035

Email: Licensing.applications@essex.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.

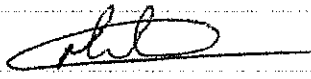
2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

Premises Name:
Name of Designated Premises Supervisor:
Premises address:

Summary Review – Superintendent's certification



Certificate under Section 53A (1)(b) of the Licensing Act 2003

Certifying officers name: MARK BARBER	
Rank & PIN: T/ SUPERINTENDENT. 3407	Signature: 
Stationed at: WEST LPA	Date: 22.06.22 Time: 08:50

I hereby certify that in my opinion the premises described below are associated with ~~serious crime~~ (~~*see note below~~) / ~~serious disorder~~ / both serious crime and serious disorder (delete as applicable)

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act 2003 are in appropriate because;

For a period in excess of six months, Essex Police has received numerous reports of violent crime and disorder featuring this premises. The frequency and seriousness of these incidents has been rapidly increasing. The most significant and recent of these are detailed below.

1. On the 18th June 2022 around 03.15 a.m. police were called to a fight outside the premises where one person suffered a fractured skull and another a broken leg.
2. On the 28th May 2022 around 03.05 a.m. police were called to outside the premises and recorded 4 separate violent crimes which are being investigated.
3. On the 1st May 2022 around 03.27 a.m. police were called to outside the premises for what was described as a large fight. 4 separate violent crimes have been recorded and are being investigated.
4. On the 30th April 2022 around 03.00 a.m. police were called to a report of 40 persons fighting outside the premises. On arrival a report of a violent crime was recorded.

Between December 2021 and 18th June 2022 police have recorded at least 17 incidents of violent crime associated with this premises and have significant concerns about how the premises is operated – including the levels of intoxication permitted at the venue, how its staff deal with intoxicated persons and the effectiveness of the management and door supervisors in controlling the venue.

In an effort to deal with these issues the police have previously engaged with the premises management and the licence holder. For instance in November 2021 following a meeting with the premises management, Essex Police suggested the venue should introduce an identity scan product as a condition of entry and all patrons should be searched after 23.00 hours; it was suggested a licence variation should be submitted by the venue. No such variation was submitted. In December a virtual meeting was held with Stonegate management and police concerns were again raised. Matters did not improve and in March 2022 an action plan was agreed upon with a view to dealing with dispersal, training on intoxication and door supervisors remaining on duty for 30 minutes after the venue has closed to the public.

The most recent serious incidents have all taken place around closing time with allegations that patrons have been ejected and the venue's doors locked with door staff not taking active measures to peacefully disperse patrons.

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A **brief** description of why standard review processes are inappropriate e.g. degree of seriousness of the crime/disorder, past history of non-compliance etc. may be helpful but this is not a legal necessity for the issue of a certificate and will be outlined within any application for review, should one subsequently be applied for. Applications are usually sought when 'interim steps' are considered necessary before a review hearing takes place.

There is no requirement to list all occurrences or provide the detail of each occurrence; the sole requirement is that an honest opinion is held that the premise is associated with serious crime/disorder. A single incident may be the trigger for a certificate if it is serious enough. The issue of a certificate does not mean the police **MUST** apply for a review.

***NOTE:** Serious crime includes any criminal conduct that involves the use of violence; serious disorder is not defined and should be given its ordinary meaning.

Premises Name: THE CLOCK HOUSE

Name of Designated Premises Supervisor: MISS CLAIRE MEVO

Premises address: 11 – 15 ADAMS HOUSE, THE HIGH, HARLOW. CM20 1BE

Premises Licence No. if known HARLOW/PREM/0008/29

Summary of recent most significant incidents recorded by police involving the Clockhouse (note: this list is not exhaustive).

Date /Time	Incident	Result
Sat 18 Jun 2022 03:22	Large fight outside whereby 1 male suffered a fractured skull and another a broken leg. Police were called to this by ambulance and treated the incident as an Affray. The male with the fractured skull was put into an induced coma (not life threatening)	Police arrested 2 males relating enquiries on going
Sat 28 May 2022 22:01:29	Victim & friend pushed over and suffered a broken ankle.	Ongoing Police investigation
Sat 28 May 2022 03:09	CCTV operator alert Police to a fight at the premises. Where a female has been carried away.	1 arrested. Numerous assaults were reported to police by victims/witnesses.
Sat 28 May 2022 02:17:27	CCTV operator alert Police to a fight at the premises. Male observed punching another male.	Police attended all parties had left prior.
Sun 08 May 2022 20:16:43	Drunk male armed with a glass outside of the premises threatening people. and had a glass of alcohol in his hand.	Male detained
Sun 01 May 2022 03:27	Large disturbance outside premise one. Number of customers assaulted.	Police attended, 3 x ABH and 1 x Common assault recorded.
Sat 30 Apr 2022 03:02	40 persons fight at the premises was reported to police by staff. Member of the public reported that door staff did not intervene in the incident. BWV footage shows people congregating in Market Square no staff or door implementing dispersal policy.	1 x male arrested. Victim sustained ABH level injuries
Sun 03 Apr 2022 02:33:15	Victim reported while at the premises she was attacked by 5 suspects. It is alleged door staff did not intervene and refused to assist victim.	ABH injury recorded
Fri 25 Mar 2022 23:27:39	CCTV operator reported door staff had retrieved a machete from a male attempting entry.	Suspect arrested for offensive weapon. (Positive action by venue)
Sat 19 Mar 2022 21:36:44	Male assaulted at the premises receiving a gash to the head. Staff confirmed that	No update

	the male was assaulted and that a security guard from the premises took him to hospital.	
Fri 11 Mar 2022 23:44	Victim reported whilst in the toilet a security guard kicked in the toilet door which hit the victim in the head. The suspect also apologised to the victim.	Common assault crime report recorded
Sun 06 Mar 2022 03:22	While at premises victim got into an altercation with another group. While outside was assaulted and received a fractured eye socket.	GBH crime report recorded
Sat 05 Mar 2022 02:52	Staff reported that a female entered back of house and assaulted staff, manager and 2 members of door staff. Staff member and Manager were pushed by the female.	2 x Common Assault reports recorded
Sat 19 Feb 2022 21:20:56	CCTV operators reported 10 persons were trying to break into the premises via the fire escape after they were refused entry.	Police attended, no offences established
Sat 29 Jan 2022 01:25	Suspect assaulted door staff as a result of being charged for entry into the premises	Common assault crime report recorded
Sun 23 Jan 2022 21:23	Disturbance with a group of 15-20 persons at the premises. Police stated that all members of the group were highly intoxicated. No door staff were on duty at the premises.	
Sat 22 Jan 2022 01:03	Unconscious female outside of premises. Investigation revealed fight had happened inside of the premises and spilled outside. Resulting in ABH level injuries. Noted by attending officers no sign of dispersal nor no door staff outside of the premises.	ABH crime report recorded
Sat 15 Jan 2022 01:03	Victim reported a glass had been thrown at her causing a graze to her head. Attending Officer's BWV footage shows no door staff dispersing groups of customers outside of the premises	ABH crime report recorded
Fri 11 Jan 2022 20:46:50	Reports of a male armed with a broken bottle threatening Police attended and located the male who had a cut on his cheek. He confirmed that there was a fight outside of the premises.	None available

**Premises with on sales of alcohol in close proximity to the Clock House –
Harlow**

All the below premises are situated within Harlow Town Centre, opening times are shown for comparison with The Clockhouse opening hours:

- **P5 Lounge (Restaurant)** – 17 EAST GATE, HARLOW, ESSEX, CM20 1HP:
Sale of alcohol times are Mondays-Wednesdays until 23:30, Thursdays until 01:00, Fridays-Saturdays until 01:30 and Sundays until 23:30.
Distance from the Clock House to this premises is: 325ft
(Approximately a 1 minute walk).

- **Greek Flavours (Restaurant)** - 3 EAST GATE, HARLOW, ESSEX, CM20 1HP:
Sale of alcohol times are Mondays-Sundays until 00:30.
Distance from the Clock House to this premises is: 0.1miles
(Approximately a 2 minute walk).

- **Amber Restaurant (Restaurant)** – 4 THE ROWS, HARLOW, ESSEX, CM201BX:
Sale of alcohol times are Mondays-Thursday until 23:00, Fridays-Saturdays until 01:00 and Sundays until 23:00.
Distance from the Clock House to this premises is: 0.2 miles
(Approximately a 3 minutes walk).

- **Yuces (Restaurant)** - 1 THE ROWS, HARLOW, ESSEX, CM20 1BX:
Sale of alcohol times are Mondays-Wednesdays until 01:00, Thursdays until 03:00, Fridays-Saturdays until 04:00 and Sundays until 02:00.
Distance from the Clock House to this premises is: 0.2miles
(Approximately a 4 minute walk).

- **William Aylmer (Pub)** - AYLMER HOUSE KITSON WAY, HARLOW, ESSEX, CM20 1DG:
Sale of alcohol times are Mondays-Thursday until 00:30, Fridays and Saturdays until 01:00 and Sundays until 00:30.
Distance from the Clock House to this premises is: 0.2 miles
(Approximately a 4 minute walk).

- **King Du (Restaurant)** - 1-3 WESTGATE HOUSE WEST SQUARE, HARLOW, ESSEX, CM20 1JJ:
Sale of alcohol times are Mondays-Wednesday until 00:00, Thursdays until 01:00, Fridays-Saturdays until 02:00 and Sundays until 00:00.
Distance from the Clock House to this premises is: 0.2 miles
(Approximately a 4 minute walk).

- **Harlow Bowl (Bowling Alley)** – 32B TERMINUS STREET, HARLOW, ESSEX, CM20 1EY:
 Sale of alcohol times are Mondays-Thursdays until 23:00, Fridays-Saturdays until 00:00 and Sundays until 23:00.
 Distance from the Clock House to this premises is: 0.2 miles
 (Approximately a 4 minute walk).
- **Phoenix Live (Bar)** – 43 HARVEY CENTRE HARVEY CENTRE APPROACH, HARLOW, ESSEX, CM20 1XR:
 Sale of alcohol times are Mondays-Sundays until 00:00.
 Distance from the Clock House to this premises is: 0.3 miles
 (Approximately a 5 minute walk).
- **Riley's Snooker Club (Snooker Club)** – PHOENIX (RILEYS) SNOOKER CLUB PLUS LIBRARY EXTENSION CROSS STREET, HARLOW, ESSEX, CM20 1HA:
 Sale of alcohol times are Mondays-Sunday until 01:00.
 Distance from the Clock House to this premises is: 0.3 miles
 (Approximately a 6 minute walk).
- **Master Barista (Restaurant)** – UNIT 9 THE WATER GARDENS, SOUTH GATE, HARLOW, ESSEX, CM201AB:
 Sale of alcohol times are Mondays-Sunday until 22:00.
 Distance from the Clock House to this premises is: 0.4 miles
 (Approximately a 7 minute walk).
- **Harlow Playhouse (Theatre)** – PLAYHOUSE SQUARE, HARLOW, ESSEX, CM20 1LS:
 Sale of alcohol times are Mondays-Sunday until 02:00.
 Distance from the Clock House to this premises is: 0.4 miles
 (Approximately an 8 minute walk).
- **Five Guys (Restaurant)** – UNIT A3.4 CIVIC WALK COLLEGE SQUARE, HARLOW, ESSEX, CM20 1AQ:
 Sale of alcohol times are Mondays-Saturdays until 23:00 and Sundays until 22:30.
 Distance from the Clock House to this premises is: 0.4 miles
 (Approximately an 8 minute walk).
- **Nando's (Restaurant)** – NANDOS CHICKENLAND LTD CIVIC WALK COLLEGE SQUARE, HARLOW, ESSEX, CM20 1AQ:
 Sale of alcohol times are Mondays-Saturdays until 23:00 and Sundays until 22:30.
 Distance from the Clock House to this premises is: 0.4 miles
 (Approximately an 8 minute walk).

- **Pizza Express (Restaurant)** – UNIT A3 1 CIVIC WALK THE WATER GARDENS COLLEGE SQUARE, HARLOW, ESSEX, CM20 1AQ:
Sale of alcohol times are Mondays-Sunday until 00:00.
Distance from the Clock House to this premises is: 0.4 miles
(Approximately an 8 minute walk).

