

IN THE MATTER OF THE LICENSING ACT 2003

**RE: THE CLOCK HOUSE, 11-15 ADAMS HOUSE, THE HIGH, HARLOW, ESSEX,
CM20 1BD**

24 JUNE 2022

**DECISION NOTICE OF THE
LICENSING SUB COMMITTEE
OF HARLOW DISTRICT COUNCIL**

CONSTITUTION OF COMMITTEE: Cllr Andrew Johnson (Chair)
Cllr Nancy Watson
Cllr Clive Souter

NAMES OF OTHERS PRESENT:

- (1) FOR THE LICENSED PREMISES:** Graeme Cushion
- Solicitor for the Respondent
Paul Wright
- Director of Licensing, Stonegate Pub
Company Limited
- (3) FOR ESSEX POLICE:** Gordon Ashford – Licensing Manager
Kelsey Dott – Licensing Officer
- (4) FOR THE LICENSING AUTHORITY:** Adam Sherwood –Principal Licensing Officer
- (5) OTHERS:** Hannah Criddle - (Clerk to Sub Committee)
Marcus Croskell - Legal Advisor to the Sub
Committee

DECISION

1. On 22.06.22, Harlow District Council ('the Council') received an application under s.53A of the Licensing Act 2003 ('the Act') from Essex Police for a review of the Premises Licence (premises licence no. HARLOW/PREM/0008/29) of The Clock House, 11-15 Adams House, The High, Harlow, Essex, CM20 1BD ('The Clock House') issued by the Council. The Premises Licence for The Clock House was first issued on 08.07.05 and then reissued on 09.01.18.

2. The Premises Licence holder is the Stonegate Pub Company Limited, Porter Tun House, 500 Capability Green, Luton, LU1 3LS (company no. BR014816) and the Designated Premises Supervisor is Ms Claire Mevo.
3. The application for review from Essex Police has been made under s.58A of the Act following concerns that The Clock House are associated with serious crime and disorder. The application was prepared by Kelsey Dott and included a certification by Superintendent Barber.
4. Members of the Licensing Sub Committee considered the application for review and determined whether any of the following interim steps were required under s.53B of the Act for the promotion of the licensing objectives:
 - i) the modification of the conditions of the premises licence;
 - ii) the exclusion of the sale of alcohol by retail from the scope of the licence;
 - iii) the removal of the designated premises supervisor from the licence;
 - iv) the suspension of the licence.
5. The application states for a period in excess of six months, Essex Police has received reports of serious crime and disorder at and associated with The Clock House. It was highlighted that the frequency and seriousness of these incidents had been rapidly increasing with the most serious on 18.06.22 noted below. Oral representations from Mr Ashford noted that the escalation gives rise to concern on behalf of Essex Police that such conduct if allowed to persist may lead to a fatality.
6. In particular, Essex Police noted 17 incidents of recorded violent crime between December 2021 and 18.06.22 with the following incidents highlighted for the attention of the Members of the Sub Committee:
 - i) 18.06.22 at 03:15 hours – Officers were called to a fight outside the premises where one party suffered a fractured skull and had to be placed by medical staff into a medical coma (non-life threatening). The second individual who was identified at the hearing by Mr Ashford as the assailant broke his leg in the assault.
 - ii) 28.05.22 at 03:05 hours - Officers were called to the area outside The Clock House

where four separate violent crimes were recorded and are currently being investigated;

- iii) 01.05.22 at 03:27 hours - Officers were called to the area outside The Clock House following reports of a 'large fight.' Four separate violent crimes were recorded and are currently being investigated;
- iv) 30.04.22 at 03:00 hours - Officers were called to the area outside The Clock House following reports of 40 people fighting outside the premises. On arrival a violent crime was recorded.

- 7. It was of note that the most serious incidents have occurred in or around closing time of this late-night venue in a locality where there very other limited late-night establishments.
- 8. Essex Police state (and this was accepted by Mr Cushion for Stonegate Pub Company Limited) that there has been a failure of management of the venue allowing intoxicated patrons to drink to excess encouraged by drinks promotions. Essex Police go further and stated that they consider that the door team fails to engage with patrons in and around closing time and have allowed violent crime and disorder to take place outside the venue without intervening.
- 9. Essex Police have told the Sub Committee that they have been attempting to work with operators and management of The Clock House to assist them better manage their patrons both in terms of their intoxication and dispersal. A meeting was held in or around November 2021 between the parties, but matters did not improve in the view of Essex Police. A further two meetings occurred in December 2021 and March 2022 with an action plan agreed. However, the Members were told that the management of the venue did not change its approach and the conduct noted in 2021 has continued and in their view escalated.
- 10. The Sub Committee notes the oral representations of Stonegate Pub Company Limited and the concession by Mr Cushion that pending any negotiations between the Premises Licence Holder and Essex Police, the Premises Licence should be suspended. Mr Cushion informed the Members that Stonegate Pub Company Limited had already taken action by shutting The Clock House voluntarily upon receipt of the application and has remained closed since whilst it conducts its own internal investigation of the matter.

11. Members have considered all the evidence before them and listened to the oral representations of the parties and are concerned by the pattern of violent crime and disorder associated with The Clock House and escalation of the same. They consider that the violent conduct is of sufficient severity to be considered a serious crime.
12. Members have determined to suspend the premises licence with immediate effect until the full review hearing.
13. Members considered all other interim steps available to them as set out paragraph 4 above but thought them inappropriate given the serious escalation in violence, the prolonged period over which the incidents of violence have occurred, the intervention prior to this application by Essex Police on three occasions to mitigate the problem which has been ineffective and the observation that the poor culture and management within the operation of this particular public house appears systemic.
14. Members considered that the escalation of violent crime and disorder was sufficient to warrant intervention and in particular suspension. The recent incident on 18.06.22 raises a real concern that there will be further incidents with a risk of serious harm and/or a fatality without intervention by the Sub Committee. Further and in addition, the Members had regard to the financial detrimental impact that may result from the decision. However, the decision to suspend the licence is a proportionate step to tackle the problem arising at The Clock House.
15. At this time, the Sub Committee considered that taking these factors together, a suspension of the licence is the only option to achieve change in the management of the licensed premises.

I agree this is a true and accurate record of our decision.

Signed and dated on 27.06.22

A handwritten signature in black ink, appearing to be 'A. Johnson', written in a cursive style.

Councillor Andrew Johnson – Chair of the Licensing Subcommittee