

FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

[Insert name and address of relevant licensing authority and its reference number (optional)]

Doncaster Metropolitan Borough Council Licensing

Civic Office,

Waterdale

Doncaster

DN13BU

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 Superintendent Neil Thomas [on behalf of] the chief officer of police for the South Yorkshire 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:

**Pocket Sports Bar
Bank Street,
Mexborough**

Post town: Doncaster

Post code (if known): **S64 9QD**

2. Premises licence details:

Name of premises licence holder (if known): Hotel Van Dyk Limited

Number of premises licence holder (if 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]

The Police submit that the grounds for a License review have been made out for the following reasons.

- (1) Person (s) were engaged in disorderly and criminal behaviour on the premises i.e. assaults on the premises.**
- (2) The use of the premises has resulted in serious nuisance to members of the public i.e. violent offences and crime being committed on or in the vicinity of the premises.**
- (3) Disorder near the premises i.e. outside the public house on Bank Street including someone being assaulted with a bat or large piece wood on Saturday 29th August 2020. The Pocket reported this incident to the licensing officer stating that no one had been assaulted and that they had taken someone inside the premises for their own safety. CCTV confirmed that a vehicle pulled up and someone alighted from the vehicle and assaulted a male with a piece of wood. Door staff were present at the time observing this incident take place.**

At 00:25 hours on Sunday 13th September 2020 a serious assault takes place on Bank Street, Mexborough whereby the injured party was rushed to hospital with injuries that required the victim to be intubated on arrival and requiring pressure measures installed in to his head. The injury was described as life threatening.

The circumstances of the incident are that the police were called about someone being seriously assaulted on Bank Street, Mexborough. On arrival it transpires that the assault took place as a result of an incident in the Pocket Sports Bar earlier.

A member of door staff from the location contacted police in relation to the serious assault from the premises but the door staff and the premises staff on duty provided pocket note book entries to the police on the night stating that they would not provide statements in relation to what had taken place.

The manager of the premise, Laura Preece did confirm to officers at the scene that there had been disorder in the public house involving the victim of the assault and a group of people throughout the night and that at one point she had needed to intervene to separate the group but that she took no steps to remove either party from the premises.

Footage from a nearby property shows that at 00:24 hours, a large group leave the Pocket sports bar and go towards the direction of The Spice Library. Some of the group come back and people are holding one male back. Somebody gives this male a jacket; he puts it on, puts his hood up and walks off in the

opposite directions towards the Thai Restaurant.

The manager stated she she was alerted to a fight at the top of the stairs in the pub and that she instructed the incident to be moved outside so that the two parties would separate but from viewing the CCTV it appears that the victim comes out of the pub first and then is followed by a large group of people where upon an altercation takes place.

Concerns exists regarding the management of this incident due to the lack of proactive measures taken by the manager to remove one of the parties earlier in the night to mitigate the risk to customers and the public. Issues exist in that the licensing officer has been advised by the security firm providing door staff to the premise that they are being overruled by the manager when they attempt to refuse entry to persons and that some of the door staff are requesting via their management team not to work on the door of this premise in the future due to fears they have for their safety. The apparent lack of adequate management and control of the premise has led to the decision being made to request this expedited review.

Beyond this incident, since re-opening on 4th July 2020 the Pocket Sports Bar has been subject to ongoing work with the Environmental Health Team due to issues around social distancing and the general management of the COVID guidelines. This has also seen seven reports made to the police from various sources stating that no social distancing is being observed on the terrace of the Pocket Sports Bar. Complaints to the police from local residents regarding the music being excessively loud (also being looked in to by Environmental Health), shouting and swearing from the queue outside along with women in the queue urinating in the street prior to entering the premises. Some of these allegations regarding the poor control of the premises around social distancing and allegations of ASB and public disorder have been captured on CCTV by a local resident.


Interim steps requested by South Yorkshire Police would be;

Suspension on the premise license until the hearing held by the licensing committee.

Signature of applicant:

Date:

Capacity: Superintendent

 *Supt Trent*
16 Sept 2020

Contact details for matters concerning this application:

Address: Moss Way, Sheffield

Telephone number(s): 01142523948

Email: don_licensing@southyorks.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.

[insert name and address of police force]

SOUTH YORKSHIRE POLICE
CARBROOK HOUSE
CARBROOK HALL ROAD
SHEFFIELD
S9 2EG.

Example Form

Annex A

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 disorder³.

Premises⁴:

POCKET SPORTS BAR
BANK STREET
MEXBOROUGH
S64 9QD

Premises licence number (if known):

Name of premises supervisor (if known): Gail EYRE

I am a Superintendent ⁵ in the 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, because⁶:

In spite of ongoing monitoring and interventions for low level reports that have escalated in number but not severity this latest incident clearly demonstrates that SYP need to be reviewed that the premises is equipped to safeguard its patrons following a serious assault. Therefore any voluntary activity would be disproportionate to the risks posed.

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³ Delete as applicable. ⁴ Include business name and address and any other relevant identifying details. ⁵ Insert rank of officer giving the certificate, which must be superintendent or above. ⁶ 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.