

## FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

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

Epping Forest District Council  
Epping Civic Offices  
High Street  
Epping CM16 4BZ

**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 KEITH DORSON (SUPTOPS) [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:

**White Lion Public House  
11 Sun Street  
Waltham Abbey  
Essex**

Post town: Waltham Abbey

Post code (if known): **EN9 1ER**

**2. Premises licence details:**

Name of premises licence holder (if known): Mr Graham Rollins of McMullen and Sons Ltd, The Hertford Brewery, 26 Old Cross, Hertford, Hertfordshire SG14 1RD

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 White Lion is located at 11 Sun Street in Waltham Abbey town centre and is currently run by a Kim JOHNSON with the licensee being a Graham ROLLINGS. It is one of four licensed premises in Sun Street the others being Sun Inn, Angel and the New Inn with the Green Dragon and The Welsh Harp also being within the vicinity.

The premise is currently licensed to serve alcohol from 1000 Hours to 0100 Hours Sunday to Thursday, and to 0200 Hours on Friday and Saturday nights.

**Crime**

There have been a total of fifteen crimes from October 2008 to the present recorded as having occurred either inside The White Lion or linked to the premises.

There have been seven reported assaults occasioning actual bodily harm (ABH) and three common assaults. Three of these assaults have suspects who were believed to be the [REDACTED] of [REDACTED].

Of these half have occurred in the past three weekends and once enquiries have been completed the number of crimes from these incidents may increase with the inclusion of assaults on police and firearms offences.

The below depicts the crimes that have occurred over this period.

**31st October 2009**

**D122A/18049/09 and D122A/18047/09 - ABH**

**D122A/18056/09 - Common Assault**

**Assault on Police**

At approximately 2230 hours on the 31st of October 2009 a suspect has entered The White Lion and proceeded to spray CS Gas (Self-contained gas cartridge system) a Section 5 prohibited Firearm causing injuries to two aggrieved parties and affecting multiple people in the public house. This suspect has subsequently been assaulted by a two males who have chased the suspect out of the pub and then punched him in the back of the head.

The two aggrieved parties from the CS incident suffered reddening of the face as well as soreness to the eyes from the assault.

The investigation into all suspects is still on going and firearms offences are being considered but have not yet been recorded as crimes.

One of the males that assaulted the CS Suspect has also been arrested in custody for common assault on two Police Community Support Officers and enquires are still ongoing into these.

**30th October 2009**

**D122A/17944/09 - ABH**

Whilst in the White Lion Public House a female has been assaulted by a female suspect who she is suspected of being the [REDACTED] [REDACTED] [REDACTED]. This occurred on the 30th of October 2009 between 2230 hours and 2245 hours. The aggrieved had a bottle thrown at her head causing a bruise to form on her forehead. The investigation is on going.

23rd October 2009  
D122A/17579/09 – Criminal Damage  
Incident 0666 24/10/2009 – Fight

Police were called to the White Lion following reports of a fight outside the pub with approximately thirty males on the 23rd of October 2009 at 2258 HOURS. Upon arrival the fight had dispersed one male was found with a large gash to his head but he refused any details or to make a complaint. The window to LISA N GIRLS at 26 Sun Street had been smashed during the fight causing five hundred pounds of damage, there were also a large number of bottles on the floor outside the White Lion.

On the 24th of October 2009 the landlady of the Sun Inn reported her concerns that the same males responsible for the incident on the 23rd may return the following evening.

17th October 2009  
D122A/17097/09 – Sec 5 POA  
D122A/17074/09 - Criminal Damage  
D122A/17068/09 – Possession of Class B

A number of males from The White Lion have entered in to a large fight at the back of the Co'Op Store in South Place near to The White Lion. Multiple officers have attended and broke up the fight upon which a number of males have fled the scene. In dispersing the group an officer's radio has been smashed for which a male suspect was arrested and charged.

A further male was arrested for Possession of a Class B controlled Substance namely Cannabis and was later cautioned for the offence.

A third male was issued a penalty notice for disorder due to shouting threats in public.

11th May 2009  
D122A/07841/09 – ABH

On the 11th of May 2009 at 1330 HOURS whilst at The White Lion, a male has been assaulted inside the premises by being struck in the face causing his nose to break. It was believed this was caused by suspect known to the aggrieved but there was not enough evidence to support a prosecution.

14th April 2009  
D122A/06208/09 – Common Assault on the Manager  
D122A/06207/09 - ABH

The [REDACTED] White Lion was assaulted [REDACTED] on the 14th of April 2009 at around 1245 hours whilst at the licensed premises. [REDACTED] was never charged for the offence but is believed to have grabbed the aggrieved by the jumper causing her pain to her neck.

At the same time this [REDACTED] and [REDACTED] were also arrested for assaulting [REDACTED] by punching, slapping her

and pinning her to the wall by her throat. This ~~person~~ suffered a bump to the back of her head and reddening to her wrists. Neither suspect has been charged for the offence.

7th March 2009

D122A/03945/09 – Common Assault

D122A/03961/09 - ABH

An unidentified suspect has grabbed the landlord at the time around the neck and pushed him back causing no injuries. This occurred at 0110 hours on the 7th of March 2009.

Whilst this occurred a male who was being ejected from the premises threw a beer glass that struck a female on the back of her head causing her bruising and swelling.

8th February 2009

D122A/02232/09 – ABH


On the 8th of February 2009 an unidentified suspect has punched a male in the face causing a swollen lip and has shouted at him saying he was going to kidnap him.

17th January 2009

D122A/01085/09 – Possession of Bladed Article

A male who was seventeen at the time was found in possession of a four foot piece of wood with three nails sticking out of the end. This suspect was arrested and given a warning for this offence that occurred at 0035 hours on the 17th of January 2009. This occurred outside The White Lion and it is believed that a fight took place outside the premises resulting in a robbery but no victim has ever come forward. Another male leaving the scene was stopped and arrested for drink driving.

In addition to the incidents above there are a number of intelligence reports relating to the sale and use of drugs on the premises and the sale of alcohol to underage persons.

Signature of applicant: 

Date:

4/11/2009

Capacity:

SUPERINTENDENT (OPS) HARLOW

Contact details for matters concerning this application:

Address: Epping Police Station

**230 High Street, Epping, CM16 4AP**

01279 625405

Telephone number(s): 01279 625405

Email: [simon.fisher@essex.pnn.police.uk](mailto:simon.fisher@essex.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.

**ANNEX B**

Essex Police Headquarters  
PO Box 2  
Springfield  
Chelmsford  
Essex CM2 6DA

**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 disorder<sup>1</sup>.

*Premises*<sup>2</sup>:  
White Lion  
11 Sun Street  
Waltham Abbey  
Essex EN91ER

Premises licence number (if known):

Name of premises supervisor (if known): Mr Graham Rollins of McMullen and Sons Ltd.

I am a Superintendent<sup>3</sup> in the Essex 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, because<sup>4</sup>:

The White Lion is associated with serious crime and disorder over the last 12 months. Over the last 3 weekends there have been further serious incidents at the premises. On 17 October 2009 there was a large fight at the premises where a male sustained a deep cut to his hand. Attending police officers were met with an aggressive and angry group of people that were fighting among themselves and committing various public order offences. Three people were arrested for offences of public order, possession of drugs and criminal damage.

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<sup>1</sup> Delete as applicable.

<sup>2</sup> Include business name and address and any other relevant identifying details.

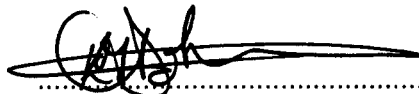
<sup>3</sup> Insert rank of officer giving the certificate, which must be superintendent or above.

<sup>4</sup> 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.

On 23 October 2009 there was another fight outside the premises where a male sustained a serious injury to his head and a shop opposite the White Lion had its window damaged. On 30 October 2009 it is alleged that the [redacted] of the [redacted] assaulted a female customer by throwing a bottle at her head causing injury. On 31 October 2009 a male entered the White Lion Pub and sprayed CS Gas indiscriminately at customers causing injury. Two PSCO's at the scene were assaulted by patrons of the White Lion and three people were arrested one for firearms offence in relation the CS Spray and two for assault.

The White Lion has been directly associated with at least 65% of crimes linked to town centre public houses in Waltham Abbey.

I am of the opinion that other procedures under the Act are inappropriate as previous interventions by the police have failed to stop the escalation of crime and disorder. The White Lion continues to feature as a major contributor to alcohol related crime and anti social behaviour in the Waltham Abbey area which has escalated over the last three weeks. Continued disturbances public order offences assaults and antisocial behaviour are causing an unpleasant environment for local residents, license premises holders and the population of Waltham Abbey. With the Christmas period approaching I have serious concerns that matters at this premises can only get worse.

  
(Signed)

SUPCO'S  
(Date)

4/11/2009

RESTRICTED (when complete)

**Witness Statement**

(CJ Act 1967, s.9, MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70)

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Statement of Simon Fisher

Age if under 18    over 18                      (if over 18 insert "over 18")    Occupation    Licensing Officer

This statement (consisting of **3** pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature: *Simon Fisher 6905.*

Date: 03/11/2009

Tick if witness evidence is visually recorded  (supply witness details on rear)

I am employed as a civilian licensing officer for Essex Police Authority for Western Division based at Epping Police Station Epping Essex. The area that I cover is that of Epping Forest District Council Area and all the licensed premises within it of all types one of which is The White Lion Public House 11 Sun Street Waltham Abbey Essex EN9 1ER.

The premises are owned by way of freehold by McMullens and Sons Ltd The Hertford Brewery, 26 Old Cross, Hertford, Hertfordshire SG14 1 RD. The current area manager is a Mr Graham Rollins who is also the current Designated Premises Supervisor.

The premises are run on a day to day basis by a Mrs Kim Thompson assisted by a son Bentley Finn and three daughters a Natasha Thompson, Justine Finn, and Serina Finn. An application was received on 19/01/2009 for Mrs Thompson's Son Bentley Finn to go on the license as the Designated Premises Supervisor and there was nothing known to his detriment he was granted that status. He continued in post until 19/04/2009 when a Deborah Mary Cimino took over as Designated Premises Supervisor on 28/05/2009. I called at the premises on number of occasions during my duties to attend other premises and was not able to speak to her regarding antisocial issues as she was not there. I discovered on or about 12/08/2009 that in effect there was D.P.S. allocated to the premises.

The Licensing Law in relation to a Designated Premises Supervisor being present during trading hours is not essential however there should be some degree of control on the day to day running of the premises. At that time there were no persons at the premises who were personal licence holders for the authority to sell alcohol.

Signature *Simon Fisher 6905*

Signature witnessed by



Continuation of Statement of: Simon Fisher.....

As a direct result of which I contacted the McMullens and Sons Ltd Brewery Licensing Department explaining the position and on 12/08/2009 Mr Graham Rollins Area Manager was nominated as the Designated Premises Supervisor, and is currently in post.

These premises have historically been connected with crimes of assaults, antisocial behaviour, public order related issues. There has been a number of complaints from local license holders local residents and Town Councillors. A full inventory of incidents, allegations of crimes and issues are attached. To that end I had an informal meeting with Mr Rollins on 20/04/2009 at Belgique Café Theydon Bois. At that time issues under discussion were persons loitering outside by a bench (no smoking in premises rule), noise issues, bad behaviour and allegations of underage drinking. I raised the point that Mr Kim Thompson had made an application for a personal license for which I objected on the grounds of her character would be raised in issue. I advised that she should withdraw her application. Mr Rollins stated Mr Thompson's Daughter (but was not known) would sit The British Institute of Inn keeping National Certificate of Personal License Holders. That accomplished she would then be free to apply for position of Designated Premises Supervisor Holder. At that stage she was awaiting to attend the appropriate course.

Throughout the following months I regularly kept in touch by telephone with Mr Rollins on an update basis in order to progress matters.

A series of outbreaks of crime and disorder continued at in, around, and outside the premises which prompted a meeting with Inspector Carrington, Sergeant Davies, Caroline Wiggins of E.F.D.C. (minute taker minutes attached) where the issues were discussed. The outcome was a plan of action to set a Date for a formal meeting on Wednesday 28/10/2009 1400 hours attended by myself, Mrs Kim Tuckey Licensing Officer Epping Forest District Council Mr Graham Rollins Area manager and DPS White Lion public House, and Mr Steven Gill Commercial Director of McMullens and Sons Ltd. At the meeting copies of the listed terms of conditions were given to the respective parties to take away and consider and to reconvene on 12/11/2009 1400 hours at Civic Offices to progress matters by way of minor variations to install the conditions.

Events of the weekend of 30/31<sup>st</sup> October 2009 brought matters to a focus where an alleged assault on a female took place on 30.10.2009 and on 31/10/2009 C.S. Spray was used inside the premises at customers resulting in a serious disturbance outside. The suspect for using the C.S. Spray was arrested and two canisters were recovered.

*Simon Fisher 6905*

Continuation of Statement of: Simon Fisher .....

The Police Service took the view that an application for and Expedited Licence Review should take place and matters put into motion to that aim have been put in place.

Signature: Simon Fisher 6905.

Signature witnessed by: .....