

APPENDIX 2

COPY OF REVIEW APPLICATION FORM

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

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 this 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.

You may wish to keep a copy of the completed form for your records.

I Inspector David Gladwell

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description The Swan Public House 363 High Road	
Post town Tottenham	Post code (if known) N17 6QN

Name of premises licence holder or club holding club premises certificate (if known) Mr. Paul Bruce & Mr. Peter Whyte

Number of premises licence or club premises certificate (if known) LN00002133

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Inspector David Gladwell Wood Green Police Station High Road Wood Green N22 4HZ
Telephone number (if any) 0208 345 2058
E-mail address (optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

The Police seek a review of the premises licence for the above mentioned premises on the grounds of Crime & Disorder, Public Safety, Prevention of Public Nuisance and Protection of Children from harm.

Please provide as much information as possible to support the application
(please read guidance note 2)

See attached schedule

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature

Inspector Stone INSP. (TRAFFIC)
PP INSP. GUDWELL

Date 16th November 2007

Capacity Inspector

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

Schedule 8

Application for a Review under the Licensing Act 2003

The Swan Public House 363 High Road Tottenham London N17 6QN

Opening Remarks

This application for a review is being made by Inspector David Gladwell on behalf of the Metropolitan Police Service (Haringey Borough) in its capacity as a '*Responsible Authority*'.

This application for review is requested because of matters arising at the premises which undermine the following licensing objectives:-

- (1) The Prevention of Crime and Disorder
- (2) Prevention of Children from Harm
- (3) Prevention of Public Nuisance
- (4) Public Safety

Recent Timeline of Events

Our intention is to offer the committee a balanced and fair perspective on the running of the venue, however we do have a number of concerns, which include the following:

Historic levels of crime and disorder associated with the venue
Complete disregard of the conditions imposed on their Premises Licence.
Supplying alcohol to young people under the legal age limit.
Complete disregard of the agreed operating hours.

Supporting Documents

On the 20th July 2007 Chief Inspector Graham Dean served a warning letter on the Designated Premises Supervisor of the Swan a Mr. Paul Bruce this letter requested Mr. Bruce to take immediate steps to prevent serious incidents happening at his premises.

Summary of CRIS Data on the Swan Public House dating from 4th September 2006 to 4th September 2007 – submitted by Detective Sergeant Danny Warner and Higher Analyst Roger Wood on the 12th September 2007

Summary of CRIMINT Data on the Swan Public House dating from 4th September 2006 to 4th September 2007 – submitted by Detective Sergeant Danny Warner and Higher Analyst Roger Wood on the 12th September 2007.

These reports were prepared in support of police concerns raised by Detective Chief Inspector Simpson.

CO14 Covert visits – Findings

On Friday 3rd August 2007 officers from CO14 (Clubs & Vice) carried out a covert visit to the venue between the hours of 23.00 and 01.00. Police Constable Janet Barracks and Police Constable Norman Ellis visited the premises. They observed that no Door Supervisors were employed at the premises. This is in breach of condition 6 of the Premises Licence that they must employ at least two door supervisors and they must be present between 22.00 and closing time. They also observed that new people were attending the venue and purchasing alcoholic drinks after midnight. This is in breach of condition 7 of the Premises Licence that no new admission to the premises will be allowed after midnight every night.

On Friday 10th August 2007 officers from CO14 (Clubs & Vice) carried out a covert visit to the venue between the hours of 22.15 and 01.15. Detective Constable Sam Rigby and Police Constable Michael Howard visited the premises. They also observed that no Door Supervisors were employed at the premises and that people were being admitted after midnight.

They also saw a female who was drunk (who fell from the stage) request a song for her 17 year old daughter. The daughter was being served alcohol.

On Saturday 11th August 2007 officers from CO14 (Clubs & Vice) carried out a covert visit to the venue between the hours of 23.15 and 01.30. Police Constable Katie Weston and Police Constable Janet Barracks visited the premises. They also observed that no Door Supervisors were employed at the premises and that people were being admitted after midnight.

They also saw a couple of people smoking spliffs in the corridor leading to the toilets.

CAD Reports.

I have provided a copy of all CAD reports from the period starting the 15th March 2007. Brief outlines listed below.

Thursday 15th March at 19.40 Police attended to deal with an allegation of Threats to Kill.

Tuesday 27th March at 21.56 Police were called by a member of staff to customers, smoking cannabis and refusing to leave.

Sunday 15th April at 02.16 Police were called to a large fight outside the Swan. Police had no units to deal. Premises should be closed by 01.00

Tuesday 24th April at 19.30. Anonymous information received via Crimestoppers that a man was to be shot at the Swan. Police attended and informed the Designated Premises Supervisor Mr Bruce of the allegation. Police advised him to close the premises but he declined and kept the premises open. Police attended on a regular basis throughout the night.

Saturday 28th April at 05.03 Police received an anonymous call to a fight inside the Swan. Police attended and found no trace of the disturbance. One female who was intoxicated was attempting to enter but was refused by the staff. Premises should be closed by 03.30

Friday 11th May at 23.53. Police attended an allegation of assault at the Swan. Female who assaulted failed to substantiate the allegation.

Wednesday 6th June at 03.42. Mr Bruce called police to 10 men wearing balaclavas forced their way into the pub and were causing a disturbance. Premises should be closed by 00.30

Saturday 23rd June at 05.06. Police were called to a shooting incident. A 17 year old female was shot in the head and subsequently died from her wounds. Premises should be closed by 03.30

Thursday 19th July at 21.34 Police attended an allegation of assault. People covered in blood. Nobody wished to talk to police.

Saturday 4th August at 15.50 Police attended an allegation of assault bottles being used. Male taken to hospital with head injuries.

Friday 24th August at 04.55 Police attended an allegation of a large fight at the Swan. Premises should be closed by 03.30

Saturday 25th August at 04.06 information received that a male carrying a firearm had entered the Swan. Police attended. No trace. Premises should be closed by 03.30.

Murder.

On Saturday 23rd June at 05.06 a young girl aged 17years was shot in the head whilst she was attending a party inside the public house. The public house should close to members of the public at 03.30 this incident took place over one and a half hours beyond this time.

Taken alone this incident would undoubtedly raise concerns about the running of the venue. Taken together with all other incidents referred to in this report, we feel that we genuinely have no option to seek a review of the venues licence.

Impact on local police operations.

Prior to the shooting in June 2006 police already had concerns about the impact of the venue on local policing resources and operations.

The basis of those concerns are evident in the above report. The Swan has had a disproportionate impact on local police demands and employment.

The concerns that have existed for some considerable time have been magnified considerably by recent events.

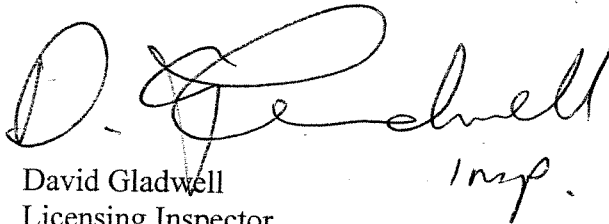
As has already been suggested in this report, we actually feel that we have no option but to seek a review of the licence. In simple terms this is on the basis of:-

A duty of care to the local community
A duty of care for customers using the venue
A duty of care for our own officers
The undermining of the licensing objectives referred to above.

Closing remarks

We are of the view that only a review of the licence will satisfactorily address the numerous serious issues relating to all the licensing objectives that have been raised in this report. We seek closure of this public house.

We reserve the right to rely on any further incidents of crime & disorder or breaches of the licensing objectives that take place at or in the vicinity of the premises between the service of this application and the review hearing.

A handwritten signature in black ink, appearing to read 'D. Gladwell', with a large, stylized flourish at the end.

David Gladwell
Licensing Inspector
Haringey Borough

imp.