



# LICENSING SUB COMMITTEE

**The Yellow and Red Lion  
105 Vicarage Road**

**Wednesday, 2nd October, 2013**

**10.30 am**

**Town Hall, Watford**

**Please note the start time of this meeting**

Publication date: 24 September 2013

#### **CONTACT**

If you require further information or you would like a copy of this agenda in another format, e.g. large print, please contact Jodie Kloss in Democracy and Governance on 01923 278376 or by email to [legalanddemocratic@watford.gov.uk](mailto:legalanddemocratic@watford.gov.uk).

Welcome to this meeting. We hope you find these notes useful.

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# COMMITTEE MEMBERSHIP

Councillors I Brown, J Brown, J Connal, K Crout, G Derbyshire, J Dhindsa, K Hastrick, P Jeffree, H Lynch, M Meerabux, M Mills, G Saffery, D Scudder, L Scudder and M Turmaine

*The Sub-Committee to comprise 3 members from those listed above.*

## AGENDA

### PART A - OPEN TO THE PUBLIC

1. **COMMITTEE MEMBERSHIP/ ELECTION OF A CHAIR**
2. **DISCLOSURE OF INTERESTS (IF ANY)**
3. **APPLICATION FOR PREMISES LICENCE REVIEW: THE YELLOW AND RED LION, 105 VICARAGE ROAD, WATFORD, WD18 0EY (13/00918/LAINPT)**  
(Pages 1 - 246)

This report asks the Sub-Committee to consider an application for a review of the licence at the above premises.

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## PART A

**Report to:** Licensing Sub-Committee  
**Date of meeting:** 2 October 2013  
**Report of:** Head of Community and Customer Services  
**Title:** Application for Premises Licence Review:  
The Yellow and Red Lion, 105 Vicarage Road, Watford,  
WD18 0EY  
13/00918/LAINPT

### 1.0 SUMMARY

1.1 An application for the review of a premises licence was received from Hertfordshire Constabulary on 8 August 2013 in respect of The Yellow and Red Lion public house at 105 Vicarage Road, Watford. The application is made on the grounds that the following licensing objectives are being undermined:

- the prevention of crime and disorder
- the protection of children from harm

1.2 Additional representations have been made by Environmental Health and by Public Health Hertfordshire..

### 2.0 RECOMMENDATIONS

2.1 That the Licensing Sub-Committee determines with reasons which, if any, actions open to it in paragraph 9.7 are appropriate for the promotion of the licensing objectives in relation to The Yellow and Red Lion, 105 Vicarage Road, Watford.

**Contact Officer:**

For further information on this report please contact: Jeffrey Leib, Licensing Manager telephone 01923 278476, email: [jeffrey.leib@watford.gov.uk](mailto:jeffrey.leib@watford.gov.uk)

**Report approved by: Alan Gough, Head of Community and Customer Services**

### 3.0 APPLICATION

#### 3.1 Type of application

Application by Hertfordshire Constabulary for the review of the premises licence in respect of The Yellow and Red Lion. The application is attached at appendix 1 of this report.

#### 3.2 Description of premises

The premises is a small public house with a small external beer garden, on a street with mixed residential and commercial use. It is opposite Vicarage Road stadium

A map of the location and an internal plan of the premises are attached at appendix 2.

A copy of the current premises licence is included at pages 12 – 21 of the police application (appendix 1).

#### 3.3 Licensable activities

<b>Licensable activity</b>	
Plays	
Films	
Indoor sports events	
Boxing or wrestling entertainment	
Live music	✓
Recorded music	✓
Performances of dance	
Anything of a similar description to live or recorded music or dance	
Provision of facilities for making music	✓
Provision of facilities for dancing	✓
Provision of facilities of a similar description to making music or dancing	✓
Provision of late night refreshment	
Sale by retail of alcohol for consumption on the premises	✓
Sale by retail of alcohol for consumption off the premises	✓

### 3.4 Hours

The hours for licensable activities and the opening hours are detailed in the table below and on the current premises licence.

	<b>Opening hours</b>	<b>Alcohol sales</b>	<b>Live music</b>	<b>Recorded music</b>	<b>Entertainment facilities</b>
<b>Monday</b>	1100 - 2330	1100 - 2300	1100 - 2300	1100 - 0000	1100 – 2300
<b>Tuesday</b>	1100 - 2330	1100 - 2300	1100 - 2300	1100 - 0000	1100 – 2300
<b>Wednesday</b>	1100 - 2330	1100 - 2300	1100 - 2300	1100 - 0000	1100 – 2300
<b>Thursday</b>	1100 - 0030	1100 - 0030	1100 - 0030	1100 - 0000	1100 – 0000
<b>Friday</b>	1100 - 0030	1100 - 0030	1100 - 0030	1100 - 0100	1100 – 0000
<b>Saturday</b>	1100 - 0030	1100 - 0030	1100 - 0030	1100 - 0100	1100 – 0000
<b>Sunday</b>	1200 - 2300	1200 - 2230	1200 - 2230	1200 - 2230	1200 - 2230

An additional hour into the morning following every Friday, Saturday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday, every August Bank Holiday weekend and every Thursday, Friday, Saturday and Monday for the Easter Bank Holiday weekend.

New Year's Eve – from the end of the permitted hours to the start of permitted hours on the following day.

#### 4.0 BACKGROUND INFORMATION

4.1 The following background information is known about these premises:

4.2 Designated premises supervisor

Peter Gavin from 12 August 2013

4.3 Current licences held

The current premises licence 13/00189/LAPRE was granted to Jonathon (Josh) Price on 14 February 2013.

4.4 Closing date for representations

5 September 2013

4.5 Visits and Enforcement action by the Licensing Authority

26/02/13 – Notice served under section 55 of the Licensing Act 2003 (as amended) to suspend the licence arising from non-payment of the licence fee. This was removed on 01/03/13 upon payment of the licence fee and before the suspension took effect.

#### 5.0 RESPONSIBLE AUTHORITIES

5.1 Environmental Health

Environmental Health has submitted a representation in the form of a witness statement (appendix 3) with allegations that the prevention of public nuisance objective has been undermined by the premises' management.

5.2 Hertfordshire Public Health

The representation from Hertfordshire Public Health (appendix 4) supports the police application.

#### 6.0 INTERESTED PARTIES

6.1 No representations have been received from interested parties.

#### 7.0 POLICY CONSIDERATIONS

7.1 The following provisions of the Licensing Act 2003 apply to this application:

**Sections 51 and 52 (review of premises licence)**

These sections detail how a review application should be made and the process that should be followed for determination.

7.2 The following provisions of the Secretary of State's guidance apply to this application:

**Chapter 11 Reviews**

Gives guidance around the review process.



- 7.3 The following paragraphs of the licensing authority's statement of licensing policy apply to this application:

**LP13 (Licence Reviews)**

This policy states that responsible authorities should give premises an early warning when issues, problems or concerns arise that need improvement and that failure to respond to such warnings would lead to the responsible authority taking the decision to review the licence.

**Appendix 1 (Licence Review Guidelines)**

These guidelines were produced to maintain a degree of consistency and transparency in decision-making.

- 7.4 The Committee is reminded of their duty under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the authority's responsibility to co-operate in the reduction of crime and disorder in the Borough.
- 7.5 The Committee is reminded that the Human Rights Act 1998 guarantees the right to a fair hearing for all parties in the determination of their civil rights. The Act also provides for the protection of property, which may include licences in existence, and the protection of private and family life. For this reason, the licensing authority's statement of licensing policy requires any party making an application for a licence review to prove the facts on the balance of probabilities (that is, they are more likely that not to have occurred). Robust evidence must be presented and not just anecdotal or hearsay evidence.

**8.0 SUMMARY OF APPLICATION**

- 8.1 Hertfordshire Constabulary have applied for the premises licence currently granted to Jonathon Price to be revoked on the grounds of crime and disorder, and prevention of harm to children.
- 8.2 Their application highlights a number of concerns about Mr Price's ability to manage a public house with the potential to be high-risk premises during football matches at Vicarage Road stadium. They specifically allege he has failed to adhere to basic licensing conditions such as operating times; failure to employ an appropriate premises supervisor on the premises; and failure to comply with conditions on the premises licence.
- 8.3 A chronology of relevant events is set out below for convenience. An index to the appendices is set out on page 10 of this report:

April 2012      Police meet with Josh Price (JP) to discuss new premises licence (appendix 1, p 4)

25/04/12      Application submitted by JP to be specified as premises supervisor. Application withdrawn as JP does not have a personal licence to sell alcohol (appendix 1, p 5)

- August 2012 Police discussions with JP and Neil Price about management of the premises including installation of netting over the beer garden (appendix 1, p 5)
- 28/09/12 Illegally dumped waste associated with the premises found in Tolpits Lane, Watford (appendix 3, p 1)
- 06/12/12 JP interviewed under caution by Watford Borough Council officers about the dumped waste
- 08/02/13 Closure order issued by police under section 161, Licensing Act 2003 due to police concerns about impending disorder at the premises
- 14/02/13 Premises licence transferred to JP. A Proposed DPS was rejected by police as being unsuitable (appendix 1, p 5)
- 25/02/13 Licensing sub-committee meeting to consider closure order. Resulted in additional licence conditions being imposed (appendix 5).
- 19/02/13 Ronald Smith specified on licence as DPS
- 04/05/13 Watford v Leeds football match: disorder originating in pub beer garden (appendix 1, p 5)
- 06/04/13 Watford v Cardiff football match: disorder originating in pub beer garden (appendix 1, p 5)
- 06/04/13 Children observed playing in beer garden after 1930 hours in contravention of premises licence annex 2, condition 5 (appendix 1, pp 6, 18, 70)
- May 2013 Police request for copy of pub CCTV in relation to incidents on 4 and 6 May 2013 (appendix 1, p 5)
- 08/05/13 JP attended meeting at Watford police station with Sgt White and Licensing & Anti-Social Behaviour co-ordinator John Corkett. JP reminded of licence obligations and provided with copy licence (appendix 1, p 5)
- 12/05/13 Police visited premises at 1030 hours and found it open and selling alcohol. Conversation with JP recorded on police video (appendix 1, pp 6, 69 – 70, 73 - 75)
- 12/05/13 Formal warning letter sent by police to JP and nominated DPS Ronald Smith (appendix 1, pp 6 and 61)
- 13/05/13 Letter from police to Ronald Smith about alleged breaches on

- 12/05/13, 12/06/12 [which would appear to be a misprint] and 06/04/13 (appendix 1, p 61)
- 13/05/13 Letter from police to JP advising him of need to conduct formal interview into alleged breaches of premises licence (appendix 1, p 66)
- 16/05/13 Ronald Smith made a witness statement about his involvement with the premises (appendix 1, pp 6, 27)
- 16/05/13 Ronald Smith resigned as DPS with immediate effect (appendix 1, pp 7, 65)
- 17/05/13 Letter from police to Red Lion advising of Ron Smith's resignation as DPS and that sales of alcohol could not be allowed (appendix 1, p 68)
- 23/05/13 JP attended the licensing authority and was given forms and advice on varying the licence to specify a new DPS (appendix 1, pp 7, 44 - 46)
- 24/05/13 Application purportedly signed by JP submitted to the licensing authority to specify Allan Smart as DPS (appendix 1, p 7). Differences in the signatures of Allan Smart in February 2013 and May 2013 were then noticed (appendix 1, pp 7, 50 – 60)
- 25/05/13 Covert visit by police officers identified various breaches of licence conditions (appendix 1, pp 8, 36 – 39)
- 26/05/13 Police officer witnessed premises still open and music being played at 0200 hours (appendix 1, pp 8, 40)
- 30/05/13 Sgt White advised by Allan Smart in a telephone conversation he had not signed or seen the forms submitted to the licensing authority on 24/05/13. Allan Smart did not agree to become DPS until 27/05/13 and in light of current investigations did not wish to be involved with them (appendix 1 pp 8, 34 – 35)
- 31/05/13 Email from Allan Smart withdrawing application and consent to be DPS (appendix 1a, p 60a). (Between 17/05/13 and 12/08/13 no DPS was named on the premises licence and therefore the premises could not lawfully sell alcohol).
- 31/05/13 Warning letter sent by police to Red Lion about the lack of a designated premises supervisor on site (appendix 1, p 63)
- 11/06/13 JP interviewed under caution by police and licensing authority officers (appendix 1, pp 8, 69 et seq)

- 02/07/13 Neil Price interviewed under caution by police and licensing authority officers (appendix 1). NP was interviewed due to a belief that he was involved in the management of the premises (appendix 6, p 89) and suspected of involvement in the alleged licensing offences
- 08/07/13 Complaint received by Watford Borough Council about tyres dumped on ground of Red and Yellow Lion (appendix 3, p 1)
- 08/08/13 Police serve review application on licensing authority and Yellow & Red Lion (appendix 1, pp 1 – 12)
- 10/08/13 JP and Neil Price recorded on police DVD (appendix 3, p 69)
- 12/08/13 Peter Gavin nominated as DPS and licence varied accordingly
- 13/08/13 JP observed by Watford Borough Council Environmental Crime Officer and appeared to be adding tyres to the pile (appendix 4, p 2)
- 25/08/13 Police observed Nottingham Forest football fans being served and drinking alcohol in the premises which is designated for Watford FC supporters only on match days (appendix 1, p 80)
- 30/08/13 Litter and refuse clearing notice served on JP (appendix 4, p 2)

#### 8.4 Response on behalf of Yellow and Red Lion

At the time of drafting the report no documents had been submitted from or on behalf of Mr Price.

### 9.0 **OFFICERS' OBSERVATIONS**

- 9.1 There is considerable evidence presented by the police relating to alleged fraudulent activities, and alleged breaches of the premises licence and its conditions either by or on behalf of Josh Price and Neil Price. Whilst these are only allegations at this stage, the sub-committee must satisfy itself in accordance with the licensing authority's policy that such allegations are true on the balance of probabilities before deciding what if any of the powers open to it are appropriate to promote the licensing objectives.
- 9.2 The representation submitted by Hertfordshire Public Health does not present any new or additional evidence, but merely supports some of the police's allegations.
- 9.3 The sub-committee may wish to consider that the evidence presented by Environmental Health provides support for the police's argument that Mr Price treats the law in an extremely cavalier fashion.

- 9.4 The police have proposed conditions for the sub-committee to consider if a decision is taken short of revocation (appendix 1, p 10). Officers would agree that those conditions would be appropriate for the promotion of the licensing objectives. However, the words “and the Local Planning Authority” should be added to the proposed condition 2.
- 9.5 In determining the application the Sub-Committee must have regard to the:
1. need to promote the four licensing objectives
  2. representations
  3. relevant section of the statutory guidance to licensing authorities
  4. relevant section of the licensing authority’s statement of licensing policy. In particular appendix 1 sets out a list of aggravating and mitigating factors the Sub-Committee may wish to take into account.
- 9.6 In determining the application the Sub-Committee can take such steps as it considers appropriate for the promotion of the licensing objectives, which are:
1. take no further action
  2. to issue formal warning to the premises supervisor and/or the premises licence holder
  3. modify the conditions of the licence
  4. exclude a licensable activity from the scope of the licence
  5. remove the designated premises licence supervisor
  6. suspend the licence for a period not exceeding three months
  7. revoke the licence

Where the Licensing Sub-Committee takes a step mentioned in 3 or 4 it may do so either permanently or for a period not exceeding 3 months. The Licensing Sub-Committee is asked to give full reasons for its decision.

The Licensing Sub-Committee must make its decision within five working days of the end of the hearing. Any decision of the Licensing Sub-Committee does not come into effect until either:

- the expiry of 21 days from the date of the decision (the period given for appealing the decision); or
- If the decision is appealed against, until the appeal is disposed of.

Any party to the proceedings may appeal against the decision of the Licensing Sub-Committee.

## Appendices

### **Appendix 1**

part 1 (pp 1 – 68) review application and supporting documents

part 1a Exhibit MSW/01 email from Ron Smith

part 2 (pp1 – 43)\* transcript of interview with Neil Price

part 2 (pp 1 – 35)\* transcript of interview with Jonathan Price

\* numbered separately from rest of appendix

part 3 (pp 69 – 79) details concerning Allan Smart and video recording from 06/04/13, 12/05/13 and 10/08/13

part 4 (p 80) Details of Nottingham Forest v Watford FC football match on 25/08/13

part 5 (pp 81 – 88) Police statements concerning Nottingham Forest v Watford FC football match on 25/08/13

part 6 (p 89) Extract from Watford Observer 01/03/13

**Appendix 2** – plan and map of the location of premises

**Appendix 3** – representation by Environmental Health and two photographs

**Appendix 4** – representation by Hertfordshire Public Health

**Appendix 5** – Minutes and decision notice of licence review hearing held on 25/02/13

### Background Papers

The following background papers were used in the preparation of this report. If you wish to inspect or take copies of the background papers, please contact the officer named on the front page of the report.

Licensing Act 2003

Guidance issued under section 182 of the Licensing Act 2003 (Home Office, July 2013)

Licensing Act (Hearings) Regulations 2005

Watford Borough Council Licensing Policy January 2011

### File Reference

Yellow and Red Lion – review

**RED LION, VICARAGE ROAD**

**LICENSING REVIEW**

**AUGUST 2013**





## RED LION REVIEW

### INDEX TO DOCUMENTS

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**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 Mark BILSDON - Police Sergeant 1898

*(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**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> The Red Lion, 105, Vicarage Road	
<b>Post town</b> Watford	<b>Post code (if known)</b> WD18 0EY

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Mr Jonathan (Josh) Price
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<b>Number of premises licence or club premises certificate (if known)</b> 13/00170/LAINPT
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**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)

①



**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address Mark BILSDON - Police Sergeant 1898 Watford Police Station Shady Lane Watford, WD17 1DD
Telephone number (if any) 01923 472040
E-mail address (optional) mark.bilsdon@herts.pnn.police.uk

**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 type="checkbox"/>            |
| 3) the prevention of public nuisance    | <input 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 venue is a public house directly opposite Vicarage Road Stadium. Since the re-opening of the venue in April 2012 there have been some instances of disorder on match days.

The venue is now being run by Josh and Neil price. There is concern that neither of the Price brothers understand their responsibilities and that their knowledge of the Licnesing Act is severly lacking.

It is felt that they have no concept of the issues for potential crime and disorder and that they will not uphold the objectives of the licnesing Act, 2003.

A specific condition on the Premises Licence excludes children from the venue , however there is CCTV evidence that this condition is not adhered to.

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

This review application relates to the Red Lion public house, Vicarage Road, Watford.

#### THE VENUE :

The venue is a public house directly opposite the away supporters' entrance of Vicarage Road Stadium, Watford Football club. The pub is regarded as a "Home supporters" venue and in fact one of the conditions on the premises licence specifies that on match days at the stadium, only home supporters will be admitted.

The fact that the away supporters entrance/exit is located opposite the venue is in itself a cause for concern. During the 2012/13 football season there have been incidents of objects being thrown out of the beer garden of the Red Lion at or towards opposing fans. Analysis of the CCTV evidence appears to show that customers in the beer garden often react badly to the sight or sound of opposing team supporters. In most cases, it is the people in the beer garden that appear to be the instigators of offences of disorder.

The history of the venue over the past 15 months has not been happy and there have been several changes to the management, the Premises Licence holder and the Designated premises Supervisor (DPS).

The situation came to a head in February 2013 when the venue was issued with a closure order under Section 161, Licensing Act, 2003 due to Police concerns of impending disorder. This closure automatically triggered a licensing review hearing. The hearing took place in March 2013 and led to some new conditions added to the licence one of which states that a personal licence holder shall be on duty at all times when Vicarage Road Stadium requires a stadium safety certificate- in effect every match day. This condition has been breached and will be discussed later in this report.

#### HISTORY OF TENURE:

The Red Lion had been closed for some years until it re-opened in April 2012 following extensive renovations. The venue was, at that time, owned by Watford Football Club. The licence from its previous incarnation was still in existence and there was no need for a new licence application. At the time of re-opening the DPS was shown as Mr Laurence Bassini then chairman of Watford Football Club. From the very outside it was apparent that Mr Bassini would not be involved in the day to day running of the venue. Due to the fact that this was a pub with a potential to become associated with disorder the Constabulary were anxious to have a DPS in place who would exercise a firm hand in running the operation.

In April 2012 Police met with the operations manager of Watford FC and a Mr Jonathan (Josh) Price in order to try to agree how best to proceed and what amendments would need to be made to the existing licence. Mr Price was put forward as the new DPS and an application was made to Watford Borough Licensing Department to facilitate this change. Unfortunately the application had to be withdrawn as it was ascertained that Mr Price did not hold a personal licence. There is a legal requirement for a DPS to hold such a licence. As a result Mr Bassini remained in place as the DPS. Unfortunately by this time his relationship with Watford FC and the Watford supporters seems to have broken down and it was a commonly held view that he (Bassini) would not ever be welcome in the Red Lion.

In the Summer of 2012 Mr Bassini parted company with Watford FC and as part of

the negotiations involving the sale of the club it would seem that Mr Bassini was given the Red Lion as part of the settlement and the venue would no longer be part of Watford FC.

Following issues with public order problems towards the end of the 2012 season and the reluctance by Mr Bassini to install a new DPS a Licensing review application was submitted to Watford Council in August 2012. Before a hearing could be arranged Mr Bassini agreed to adopt a number of new conditions that related to public safety and public order concerns. It was agreed that polycarbonate drinking vessels would be exclusively used on match days. Due to the fact that Mr Bassini was now taking some responsibility for the venue it was felt that it would not be appropriate to request his removal as DPS as there was not any evidence that he had compromised the Licensing objectives, despite the fact he was an "absent" DPS and never attended any meetings when so requested by the Constabulary. Any contact that took place was via Mr Josh Price who by now appeared to be running the venue along with his brother Neil.

One of the public safety issues discussed led to the Constabulary asking Mr Price to install a netting mesh above the beer garden to prevent items being thrown out of the beer garden.

There were however concerns regarding public order incidents on match days. As a result in February 2013 further attempts were made to get Mr Bassini to appoint a new DPS who could carry out the role. In February 2013 Mr Bassini finally relinquished his position and signed the premises licence over to Josh Price. At the same time a new DPS was nominated. Unfortunately the nominated DPS was considered to be unsuitable and as such Mr Price was advised to find someone else to fill the position. On 19 February Mr Ronald Smith was nominated as DPS and following submission of the correct paperwork he was shown on the licence as the premises supervisor. The appointment of Mr Smith will be discussed later.

On the same day that these transfers took place the aforementioned Section 161 closure order was issued and the review hearing was triggered.

#### RECENT EVENTS:

Following the review hearing the venue has continued to operate and was very popular on match days. Two matches in particular caused public order concerns, Watford versus Cardiff on 6 April and Watford versus Leeds on 4 May. Both matches resulted in disorder originating in the beer garden at the venue. Objects, including a padlock were thrown at visiting supporters coaches. CCTV footage is available of some of these incidents. It was noted that despite Police requests, netting had not been installed above the beer garden and as such there was nothing to prevent missiles being launched out of the area.

One of the new licence conditions agreed by Mr Bassini relates to CCTV. One condition stipulates how CCTV footage must be supplied to Police immediately. As a result of the two incidents of disorder in the beer garden a request was made of Mr Price to obtain the footage from the cameras covering the area in question. Despite the requests and several e mails and phone calls from Police, Mr Price failed to deliver the required footage until weeks later. Accordingly on Wednesday 12 May Mr Price was asked to attend a meeting at Watford Police. During this meeting Mr Price was left in no doubt of the fact that the venue was a "high profile" licensed premises particularly so on match days. He was reminded that the conditions on the licence were to be followed to the letter and that, for the final home game of the season, the venue would need to be exceptionally vigilant about keeping to the rules. Mr Price was provided with a copy of the licence and strongly advised to read and

understand every point on the document.

On Sunday 12 May Watford played the last match of the season at Vicarage Road. As a place in the play-off finals at Wembley was at stake the crowds were exceptionally large and the Policing response to the event were adjusted accordingly. At about 10.30am on that morning it was noticed that the Red Lion was open and trading despite the fact that the premises licence does not permit the sale of alcohol until midday on a Sunday. It was noticed that alcohol was available and being consumed by a large number of customers. Superintendent Jameson and Sergeant Fishwick spoke to Mr Josh Price. The entire conversation was recorded by video by way of a body-cam.

The evidence from the recording is quite astounding and illustrates the blatant disregard for the law and the dishonest character of Mr Price. He is asked what time his licence permits the sale of alcohol. Mr Price declares that he can sell alcohol from 11am, in reality the licence specifies 12 noon. He is asked why he is selling alcohol at 10.45am. His reply is that John Corkett and Marie White from the Police licensing unit at Watford had given him permission to do so during a meeting that took place on the Wednesday before. This was not true. Mr Price repeats this assertion during the exchange. He is asked if he is the DPS of the venue. He declares that he is the premises licence holder and that the DPS, Ron Smith is not present. It will be recalled that earlier in this report mention was made of the licence condition that requires a personal licence holder to be on duty at the premises on match days. Mr Price, without prompting declares that he is the personal licence holder to cover the condition. This is not true, Mr Price does not hold a personal licence and in the absence of any other personal licence holder on duty the licence condition is breached. It is also evident that the licence was breached in that licensable activity- the sale of alcohol by retail was taking place well before permitted hours. Mr Price made no mention of any other personal licence holder being present at that time.

The Constabulary will maintain that this statement by Mr Price demonstrates a clear dishonest intent to divert Police attention away from the fact that the licence has been breached- a criminal offence in itself. Mr Price is now being investigated for various offences under the Licensing Act and for other matters relating to attempting to Pervert the course of justice and obstructing police. It is expected that in due course a file will be submitted to the Crown Prosecution Service.

CCTV evidence from the pubs own system will show another breach of the licence for 6 April 2013 when children are seen playing in the beer garden at the venue. The licence conditions state that no unaccompanied children are permitted on the premises and that accompanied children are not permitted after 1930 hours. CCTV clearly shows young children in the venue after that time.

Following the incident on 12 May letters were sent to Price and the DPS Mr Ronald Smith outlining the concerns and requesting a meeting in order that a formal interview could take place under caution. The letter also included a warning regarding the Secretary of State's advice about addressing problems with licensed premises and if issues were not addressed that a review may follow.

On 16 May 2013 Mr Smith attended Watford Police Station and made a witness statement regarding his involvement with the Red Lion.

It would appear that Mr Smith had been approached by Josh Price in February 2013 to act as DPS for a limited time only. Mr Smith understood that he would take up the position for about 6 weeks until a more permanent DPS was appointed. He states that he has never met Josh Price and has only attended the Red Lion on one occasion when he was initially refused entry. He goes on to say that he was



concerned about his legal position when he read about the licensing review hearing in March 2013. He contacted Josh Price who assured him that he was no longer the DPS and that he need not concern himself. This was not true; Mr Smith remained on the premises licence as the DPS until 16 May 2013 when, following the making of his witness statement he resigned as the DPS with immediate effect.

Clearly Mr Smith has been duped. Perhaps somewhat naively he trusted the word of Josh Price and assumed that he was no longer connected with the Red Lion. Mr Price was not telling the truth. The Constabulary will say that this, coupled with the story given to Police on 12 May show that he has a propensity to be dishonest. It demonstrates that Mr Price is not a man who can be trusted to engage in any honest relationship with the Constabulary. The Constabulary cannot trust Mr Price and as such cannot any longer have any faith in him to implement any undertakings that he makes to rectify issues that are raised.

Following the resignation of Mr Smith the venue was informed that they could not operate legally without a DPS in place. On Friday 24 May, an application apparently signed by Josh Price was submitted to Watford Council to vary the DPS to a Mr Allan SMART. Mr Smart had previously come to the notice of Watford Licensing Unit in February 2013 when he had been nominated by Josh to act as the DPS. Research carried out led the Constabulary to form the opinion that Mr Smart was not going to be a suitable person to operate the Red Lion. At that time, February 2013, Josh Price was informed of this concern and did in fact find another person to fill the position; Mr Smith.

At face value, the application on 24 May to vary the DPS to Allan Smart appeared to be legitimate. It was only when the signatures on the documents were examined did it become apparent that something quite underhand had taken place.

At this stage it may be of benefit to illustrate the extent to which the Price brothers (Josh and Neil) are willing to go to bend the rules to suit their purpose.

It will recalled that following the resignation of Ron Smith on 16 May there was no DPS in place. Josh Price was going abroad on holiday on the 17 May and as such he was obliged to leave the management of the pub in the hands of his brother Neil. On Thursday 23 May, Neil Price attended the Licensing Unit of Watford Borough Council where he spoke to Mr Austen Young. Mr Young has provided a witness statement. Mr Young will state that that he provided Neil Price with the required documentation to vary the DPS of a venue. This is particularly note worthy as subsequent versions of events given by Neil Price are at odds with Mr Young's recollection.

Mr Young spent some time with Mr Price explaining the process involved.

The following day, a Friday, Neil Price attended the Council offices and lodged the DPS transfer application. It had allegedly bore the signature of Mr Smart. As the application had apparently been legally submitted the venue was allowed to open and trade that weekend. Mention will be made later in this report of issues that occurred almost immediately after the application was accepted by the Council.

Subsequent examination of the signatures on the transfer of DPS application (JMC/1) would tend to show that the signature of Allan Smart was different to that shown on the document used by Josh Price in order to attempt to have Smart appointed as DPS in February 2013, (exhibit JMC/2). Additionally, a request was made of Flintshire Council in order to obtain a specimen signature for Allan Smart made when he applied for his personal licence on 11 December 2012( Exhibit JMC/3). It is of note that all three signatures are vastly different. It is suspected that the signature on JMC/3 is actually Smart's real signature. The conclusion reached was that the

signature on the document consenting to be DPS submitted by Neil Price on the 24 May is a forgery. It was also of note that although Allan Smart rather unusually spells his first name with two "L"s: the printed name following the signature has only one "L". It is considered highly unlikely that Mr Smart would spell his first name incorrectly.

Following the revelation that the signatures may have been forged, Sergeant Marie White made contact with Mr Smart via phone and e mail. A statement provided by Sgt White details the conversation. Mr Smart was directly asked about his signature on the transfer forms. His reply was that although he was willing to act as the DPS he had NOT signed nor seen the forms in question. He was also of the opinion that his tenure as DPS would commence on 27 May 2013 and not on 24 May as the Price brothers have stated.

If Mr Smart has not signed or even seen the forms it follows that the signature is not his and that it has been added by some other person. It therefore follows that the application was not valid and the DPS application could not proceed. The Price brothers were informed of this issue via e mail and letter and the venue is not believed to have opened since that time.

To illustrate the ongoing issues at the Red Lion; on 25 May 2013, the day after Mr Smart was appointed as DPS; Police officers in plain clothes carried out a visit to the Red Lion. They detected a number of breaches of the licence including the prohibition on open alcohol containers being taken out into the street. More worryingly , at 2am on 26 May, one of these officers on her way home ascertained that the venue was still open at 2am and that loud music (regulated entertainment-a licensable activity) was still being played. The venue should have shut at 1am. There was no authority to allow the licensed activity to continue beyond that time. This then shows the absolute disregard the operators have for the Licensing Act. Statements from the officers involved are attached.

Josh Price was invited to attend an interview under caution and this duly took place on 11 June 2013. Josh Price did admit that he had opened earlier than noon on the day in question but he excuses himself by giving a number of reasons for doing so. He states that he believed he was allowed to open two hours before a match. He states that he thought it was a Saturday and that he could open. He implies that he believed he was given permission to open early by the Police licensing unit at Watford.

When questioned regarding the alleged forged signatures he states that it has nothing to do with him as he was away in Dubai at the time and had asked Neil Price to undertake the application on his behalf. The record of the interview is produced as exhibit JMC/4.

Neil Price was interviewed under caution on 2 July 2013(Exhibit JMC/4). He contradicts himself on several issues and gives some very implausible reasons why certain events have occurred. He begins by stating that the application was signed in front of him by Smart (page 11 of transcript). When it is pointed out to him that the printing on the documents shows that Smart's name is spelled incorrectly he seems to go back on his earlier assertions and says that some of the paperwork needed filling in at a later time. When asked to provide a sample of handwriting Price then states that the form (apart from the signature) had been filled in by his (Price's) son. This would seem to be an unusual way for Smart to behave. According to Price, Mr Smart did not fill in any details on the form and merely appended his signature. He goes back on his earlier statement by saying that Mr Smart did not in fact sign the documents in front of him, he in fact had to post the documents to Smart who returned them with only a signature attached. This, in the opinion of the

Constabulary, is not believable. During the course of the interview it was put to Price that Mr Smart had already informed Police that he had not filled in the form. Neil price would not accept that.

It is of note that Neil Price had to obtain the required documents from Mr Austen Young from the Council Licensing unit. Mr Young will say that he gave Neil Price these blank documents on 23 May. The documents were returned to Mr Young by Mr Price on 24 May. One might feel that what Mr Price asserts regarding the time scales involved in obtaining a signature from Mr Smart are just not possible. It is stretching credibility to ask someone to accept that having been provided with the forms on the 23 May, Mr Price had the time to post the blank document to Mr Smart and have the signed item returned the following day in time to obtain a valid transfer for the weekend trading. Neil Price will say that he already had a blank transfer consent document to hand and this was sent to Smart a week earlier.

What is apparent from both interviews is that the Price brothers seek to put the blame for their bad management on other people most notably the Police. They appear to excuse their actions by stating that Hertfordshire Constabulary have some form of a vendetta gainst them.

#### CONCLUSIONS:

The venue concerned requires good, strong and honest management; none of these are virtues appear apparent under the tenure of Mr Price.

The Red Lion has the very real potential to be the source of public order problems particulary on match days. The Constabulary no longer have any faith in Mr Price. He has shown that he is a manipulative and dishonest character who treats the Licensing laws in an extremely cavalier fashion. The regulations that dictate how a venue operates seem very much something that Mr Price thinks he can ignore if it suits his purpose.

Despite the very best efforts of the Constabulary to get issues addressed and rectified nothing much has improved. There has already been one review of the licence this year.

It is known that Mr Price is in negotiations with Mr Bassini (the owner of the building) to purchase the freehold. If this takes place then Mr Price will have full control over the venue and presumably intends to remain as premises licence holder for the foreseeable future.

The Constabulary are not content to stand by and allow such a high-profile venue to be run in a manner such as already decribed. There is a very real fear that crime and disorder issues will not be addressed.

Mr Price does not appear to understand that he has responsibilities that go far beyond making a profit for himself. His knowledge of the Licensing Act is appalling and he reacts to constructive criticism in a very volatile way, on some occassions storming out of meetings.

The Constabulary have tried to work with Mr Price and have afforded him every chance to demonstate that he can operate in a satisfactory way. These attempts to attain a solution have all met with failure; Mr Price has been repeatedly urged to obtain his personal licence; this he has failed to do.

In conclusion the Constabulary do not consider that the imposition of any new

conditions would have a realistic chance of getting the licence holder to comply with the law whilst Mr Price is associated with the venue. In the circumstances the Constabulary are seeking a complete revocation of the premises licence.

However, if the Licensing sub-committee are not minded to grant full revocation the Constabulary would ask that the following conditions are imposed subject to point 1 being implemented:

1: The removal of Jonathan and Neil Price from any form of connection with management or operation of the venue.

2: Full mesh netting will to be installed and fully maintained over the entire beer garden/courtyard area to a specification satisfactory to Hertfordshire Constabulary.

Note: Condition 2 is designed to prevent a repeat of events on match days in which objects were thrown out of and in to the rear courtyard.

3: The venue will not open for the any licensable activity on ANY day on which Vicarage Road Stadium requires a stadium safety certificate until 30 minutes after the official start of the event. This will mean 30 minutes after kick off for football matches.

4: Two SIA registered door staff will be on duty in the beer garden/ courtyard at all times when the venue is open for licensable activity on days when Vicarage Road Stadium requires a stadium safety certificate. These staff are ADDITIONAL to those already required under Annex 2 condition 12.

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

2	5	0	2	2	0	1	3
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**If you have made representations before relating to this premises please state what they were and when you made them**

Review following closure notice- February 2013



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

*MGP*

Date

*08/08/13*

Capacity

*Licensing Sergeant*

**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.

Licensing Act 2003  
Schedule 12  
Part A

Regulation 33,34

Premises Licence

Premises Licence Number

13/00170/LAINPT

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Yellow & Red Lion  
105 Vicarage Road  
Watford  
WD18 0EY

Telephone number

Where the licence is time limited the dates

From 25 February 2013

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities

On and off-premises alcohol sales	Monday, Tuesday and Wednesday	11:00 - 23:00
	Thursday, Friday and Saturday	11:00 - 00:00
	Sunday	12:00 - 22:30
Performance of Live Music	Monday, Tuesday and Wednesday	11:00 - 23:00
	Thursday, Friday and Saturday	11:00 - 00:00
	Sunday	12:00 - 22:30
Performance of Recorded Music	Monday, Tuesday, Wednesday, Thursday	11:00 - 00:00
	Friday and Saturday	11:00 - 01:00
	Sunday	12:00 - 22:30
Provision of entertainment facilities	Monday, Tuesday and Wednesday	11:00 - 23:00
	Thursday, Friday and Saturday	11:00 - 00:00
	Sunday	12:00 - 22:30

An additional hour into the morning following every Friday, Saturday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday, every August Bank Holiday weekend and every Thursday, Friday, Saturday and Monday for the Easter Bank Holiday weekend.

New Year's Eve - from the end of the permitted hours to the start of permitted hours on the following day.

**The opening hours of the premises**

Monday, Tuesday and Wednesday	11:00 - 23:30
Thursday, Friday and Saturday	11:00 - 00:30
Sunday	12:00 - 23:00

An additional hour into the morning following every Friday, Saturday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday, every August Bank Holiday weekend and every Thursday, Friday, Saturday and Monday for the Easter Bank Holiday weekend.

New Year's Eve from the end of the permitted hours to the start of permitted hours on the following day.

**Where the licence authorises supplies of alcohol whether these are on and / or off supplies**

On and Off Supplies



## Annex 1 – Mandatory conditions

- 1 (1) No supply of alcohol may be made under the premises licence:
  - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - (b) at a time when the designated premises supervisor does not hold a premises licence or his personal licence is suspended.

(2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 2 Any individual employed on the premises to conduct a security activity (within the meaning of section paragraph 2(1)(a) of schedule 2 to the Private Security Industry Act 2001) must be licensed by the Security Industry Authority.
- 3 (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
  - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
    - (i) the outcome of a race, competition or other event or process, or
    - (ii) the likelihood of anything occurring or not occurring;
  - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
- 4 The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- 5 The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 6 (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Jonathon Price  
[REDACTED]

Registered number of holder, for example company number, charity number (where applicable)

Not applicable

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Ron Smith  
[REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal Licence Number: LN-000013446

Licensing Authority: Three Rivers District Council

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

7 The responsible person shall ensure that-

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
  - (i) beer or cider: ½ pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml; and
- (b) customers are made aware of the availability of these measures.

## Annex 2 – Conditions consistent with the Operating Schedule

- 1 All those conditions and restrictions on relevant existing licences in force prior to the grant of this premises licence by virtue of paragraph 6(6) and 6(8) of part 1 to schedule 8 of the Licensing Act 2003, except where otherwise varied as stated on the licence
- 2 Live music is limited to two entertainers at any one time.
- 3 During football days admission is restricted to home supporters.
- 4 No unaccompanied children permitted at the premises.
- 5 Accompanied children must vacate the premises by 19.30.
- 6 Polycarbonate, plastic or shatterproof glasses must be used for all drinks dispensed whilst the premises is open for licensable activities on any match day when Vicarage Road Stadium is in use for any sporting event that requires a stadium safety certificate or for any other event as directed by Hertfordshire Constabulary.
- 7 The premises shall install and maintain a comprehensive CCTV system to the satisfaction of Hertfordshire Constabulary. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV shall also cover the exterior courtyard area and shall continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
- 8 A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data of footage with the absolute minimum of delay when requested.
- 9 The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
- 10 An incident log shall be kept at the premises for at least six months, and made available upon request to an authorised officer of the licensing authority or the Police, which will record the following:
  - a) all crimes reported to the venue, or by the venue to the Police
  - b) all ejections of patrons
  - c) any complaints received
  - d) any incidents of disorder
  - e) seizures of drugs, offensive weapons, fraudulent ID or other items
  - f) any faults in the CCTV system or searching equipment or scanning equipment
  - g) any refusal of the sale of alcohol
  - h) any visit by a relevant authority or emergency service
  - i) the times on duty, and the licence number, of all licensed door supervisors employed by the premises

- 11 The licensee shall make arrangements to ensure so far as is reasonably practicable that no customers shall be permitted to remove from the premises any open bottles, or glasses for consumption or disposal outside the premises.
- 12 A minimum of 2 SIA door staff to be employed on the public entrances and exits to the premises on all days when an event is taking place at Vicarage Road stadium for any sporting event that requires a stadium safety certificate or for any other event as directed by Hertfordshire Constabulary. The door staff are to be employed and in position a minimum of 2 hours before the event is to be begin, and for an hour after the event has concluded.

**Annex 3 – Conditions attached after a hearing by the licensing authority**

- 1 There shall be a Personal Licence Holder (as defined by the Licensing Act 2003) on duty at the venue at all times when Vicarage Road Stadium requires a stadium safety certificate.
- 2 Except in the case of an emergency, neither the gate nor any door leading onto the street from the rear courtyard of the venue may be open on days where Vicarage Road Stadium requires a safety certificate.



**Annex 4 – Plans**

Titled: Watford FC Red Lion, G8.11.08





**RESTRICTED (when complete)**

THIS INFORMATION MAY BE SHARED WITH OTHER LAW ENFORCEMENT AGENCIES

**Witness Statement**

(Criminal Procedure Rules 2005, r.27.1(1); CJ Act 1967, s.9 & MC Act 1980, ss.5A(3)(a) & 5B)

URN 

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**Statement of** Douglas Fishwick

**Age if under 18** over 21 (if over 18 insert "over 18") **Occupation** Police Sergeant

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 \_\_\_\_\_ Date \_\_\_\_\_ 28th May 2013

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

On Sunday the 12<sup>th</sup> of May 2013 I was on uniformed duty and deployed to policing duties at the Watford v Leicester football as a Public Order Advisor working with and alongside Superintendent Sue Jameson.

At about 1030hrs that day I received information that alcohol was being served at the Red Lion Public House, Vicarage Road, Watford.

A few minutes later I arrived and found the premises open to the public and with customers being served and consuming alcoholic drinks inside the premises and beer garden at the rear.

I then asked PC 2382 Jones to record the subsequent, events and any conversations on his body worn camera.

I requested the door staff to ask the Designated Premises Supervisor for the premises come outside and speak to us.

A short while later a person who identified himself to me as Josh Price came outside to speak to us.

I said "are you the designated person"

He replied "No, I am the Premises Licence holder".

I informed him that the conversation was being recorded and pointed out the body cam to Price as we wished to discuss and clarify his licence.

I said "what is your licence for today"

He replied" I am under the impression we are ten thirty this morning"

Signature \_\_\_\_\_

Signature witnessed by \_\_\_\_\_

Continuation of Statement/Interview of Douglas Fishwick

I said "What is your normal Sunday licencing hours", and he informed me it was eleven o'clock.

I asked Price if he any paperwork inside the premises relating to his licence and he replied "No, but I spoke to John Corkett and Marie White on Wednesday".

He clarified to me that they were the licencing officers for Watford.

Supt Jameson told Price that we did not have any tenant application for a temporary variation on his licence. Price stated he'd spoken to them about opening at about 1030am for bacon rolls and serving food.

I said "serving of food is not the issue, it was the serving of alcohol, if you think your licence is eleven o'clock it's not even eleven o'clock now".

He replied "today it was half past ten, I was under the impression..., I spoke to John and Marie, and they told me.

I said "when did you see them"

He replied "I went into see them personally on Wednesday.

I asked Price "As the licensee if you have to get a variation on your licence, what is that process for that"

He replied "a temps licence"

I said "what is the process in getting a change on your licence, you say your licence is 11am and we think it might be midday, either way if it's eleven o'clock you are serving alcohol prior to your licence"

Superintendent Jameson pointed out to Price by her watch the time was quarter to eleven.

Price replied "I spoke to them on Wednesday and said I was going to be serving alcohol at half past ten and they said that was fine, that's why we are selling alcohol at half past ten".

I said "have you got that in writing"

He replied "No"

I said "my understanding is that you should go to the licencing authority to get a variation on your license to open up early you cannot just open at half ten "

He replied "right again, I went to speak to these guys on Wednesday, because we didn't know there was going to be a game here, the way things go so we, I went to submit"

Price started to discuss unrelated issues about the parking of visitor's coaches on an earlier game outside the premises and that he had discussed this police.

Signature

Signature witnessed by



Continuation of Statement/Interview of Douglas Fishwick

Superintendent Jameson pointed out to Price that as the licensee he was responsible for going along the right lines, a phone call to police is not sufficient to change his licence. Price stated it wasn't a phone call.

Superintendent Jameson told Price that he should have the documentation and the matter will be sorted out at a later time.

Price when asked agreed that the current time was quarter to eleven in the morning.

She said to him "from our point of view you shouldn't be serving alcohol and you're breaching your licence" and Price made no comment to this. She informed him the matter would be dealt with at a later time and that we would film what was going on inside the premises, albeit we would not be changing anything at this time.

She said to Price "if you have got everything in place, there is not going to be an issue, there will be an issue we need to deal with if you have breached your licencing terms"

Price replied "okay".

Price when asked by me said he was the Premise Licence holder.

I said "who is the designated person here today"

He replied "Ron Smith"

I said "is he here "

He replied "No, I am the premise licence holder and he doesn't have to be here".

Price confirmed that he was covering this role today

At 10.40am I then entered the premises with Pc Jones still recording and walked through the premises and into the rear enclosed beer garden. As I was walked through I observed customers consuming pints of beer and the bar staff pouring and serving beer to the public.

Signature

Signature witnessed by

**RESTRICTED - FOR POLICE AND PROSECUTION ONLY  
(when complete)**

**Witness contact details**

Home address: Hatfield Police Station

Comet Way

Hatfield

Post Code:

Home Telephone No:

Work Telephone No: 01707 806991

Mobile / Pager No:

Email address:

douglas.fishwick@herts.pnn.police.uk

Preferred means of contact: email

Male  3 Female  Date and place of birth: 30th May 1965

Former Name: Height: Ethnicity Code: w1

Dates of witness non-availability:

**Witness Care**

- a) Is the witness willing and likely to attend court?  
If 'No', include reason(s) on form MG6. What can be done to ensure attendance? Yes  No  3
- b) Does the witness require 'special measures' as a vulnerable or intimidated witness?  
If 'Yes' submit MG2 with file. Yes  No  3
- c) Does the witness have any specific care needs? If 'Yes' what are they?  
(Healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns) Yes  No  3

**Witness Consent (for witness completion)**

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me: Yes  No  3
- b) I have been given the leaflet 'Giving a Witness Statement to the Police - what happens next'? Yes  No  3
- c) I consent to police having access to my medical record(s) in relation to this matter: Yes  No  N/A  3
- d) I consent to my medical record in relation to this matter being disclosed to the defence: Yes  No  N/A  3
- e) I consent to the statement being disclosed for the purposes of civil proceedings, e.g. child care proceedings (if applicable): Yes  No  N/A  3
- f) The information recorded above will be disclosed to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to decline their services:  3

Signature of witness: .....

**RESTRICTED (when complete)**



**HERTFORDSHIRE  
CONSTABULARY**

**Witness Statement**

(Criminal Procedure Rules 2005, r.27.1(1); CJ Act 1967, s.9 & MC Act 1980, ss.5A(3)(a) & 5B)

URN 

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Statement of RONALD SMITH

Age if under 18 0/18 (if over 18 insert "over 18") Occupation TELECOMMUNICATIONS ENGINEER

This statement (consisting of 1 page(s) 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 anything which I know to be false or do not believe to be true.

Signature R Smith Date 16 MAY 2013

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

My name is Ronald SMITH; I hold a personal licence to sell alcohol which was issued by Three Rivers Council. The licence number is LN-00003446; the licence expires on 14/1/2019.

I have been asked about my relationship to JOSH PRICE, or Jonathan PRICE who runs the Red Lion Public House in VICARAGE ROAD, WATFORD. At the present time I am aware that I am listed on the DESIGNATED PREMISES SUPERVISOR as the Red Lion. I will explain how this came about. Around about August 2012 I was asked by a Mr Glyn EVANS to become a temporary Premises Supervisor for VICARAGE ROAD STADIUM. Mr EVANS is the Operations Director at the football club. The understanding was that I was there as the OPS for about six weeks. I recall

Signature R Smith Signature witnessed by [Signature]

PTO

(27)



Continuation of Statement of

RONALD SMITH

Page No

that just before Christmas I ceased to be the DPS at VICARAGE ROAD. However in February 2013 I was contacted by Jonathan PRICE by telephone. He unravelled himself and asked me to be the DPS for a period of six weeks for the RED LION. He told me he was going to get his personal licence and other he would take over. I should point out I had not ever previously met Mr PRICE. It appeared to me that the RED LION was part of the VICARAGE ROAD Complex and therefore I did not see anything in the proposal that would cause me concern. There was no financial arrangement with Mr PRICE or indeed previously when I was DPS at the Stadium.

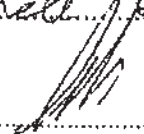
Mr PRICE told me that he would not require me to work or be on the site but that I was welcome anytime. I was content with this arrangement for the period of six weeks and I signed a consent form that stated I would act as the DPS.

Within a week of signing the form I went to the RED LION and I found it difficult to gain entry. This was due to the door staff refusing me entry because I did not have a match ticket for the football game taking place that day. I had to persuade them that I was the DPS for the venue and I gained entry.

Signature

R Smith

Signature witnessed by







Continuation of Statement of

RONALD SMITH

Once inside I spoke to someone who I now know to be NEIL PRICE; there were other people present. I had a cup of tea and I spoke to NEIL about the Licence and checked that they were aware of their responsibilities. I was happy that they understood this and I felt that the Venue was being run well on that day.

In March I read in the local paper that there had been a Licensing Hearing relating to the RED WING. It clearly stated in the reports that the DFO had to be on the Premises.

I telephoned JONATHAN PRICE and he explained that I was not needed on the premises and ALAN SMART held the relevant licence. I assumed that that I had been replaced as DFO.

This was the last dealing I had with anyone from the Venue until 15 May 2013. I then received a letter from JOHN CORKETT from the Licensing Unit at Walsford Police Station informing me that Licensing officers had been committed and that I was required to attend on unbecome under caution.

I was completely surprised and contacted Mr CORKETT and left a message. I spoke to JOSH PRICE on the phone and asked for an explanation and he told me that Mr CORKETT had given him permission to open early and sell alcohol. I told him that as far as I was concerned I had no connection with the pub any longer. I think

Signature

R. Smith

Signature witnessed by

/

RONALD SMITH

Page No 4

Continuation of Statement of

It is important to say that I had absolutely no knowledge that the license had been breached or that they had opened camp. It is my case that as far as I know I ceased to be the OPS in February / ~~March~~ <sup>1st</sup> / ~~March~~ <sup>1st</sup> 2013.

Having spoke to JUSTI I then contacted JEREMY LIEB of WATFORD Council Licensing Unit to clarify the position. I requested the relevant documentation in order to remove my name as OPS.

I am willing to attend court and give evidence if required.

① March  
J. Smith

Signature

R. Smith

Signature witnessed by

[Signature]

Witness Statement

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN: [ ] [ ] [ ] [ ]

Statement of: **John CORKETT**

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

This statement (consisting of .....3..... Pages(s) 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: \_\_\_\_\_ Date: **20/05/2013**

I am a Licensing officer employed by Hertfordshire Constabulary and based at Watford Police Station. Since approximately April 2012 I have had dealings with a venue situated in Vicarage Road, Watford. This venue, The Red Lion, is situated directly opposite the home of Watford Football Club, Vicarage Road Stadium. Due to the location of this venue it is a very "high profile" licensed premises particularly on days on which Watford Football Club are playing home matches. The premises licence for the venue now has a number of conditions on it that must be complied with on match days. These conditions cover entry to "home" supporters only, the requirement to have a person with a personal licence to sell alcohol on duty at all times when Vicarage Road Stadium requires a stadium safety certificate. The need to have a PLH on duty is considered vital in order that licensing issues as regards the law relating to the sale of alcohol are dealt with and that staff working in the premises have someone to refer to.

In April 2012 I met a man who is now the Premises Licence holder, a Mr Jonathan (Josh) Price. Mr Price was introduced to me as the prospective new Designated Premises Supervisor for the pub. Unfortunately Josh could not take up this position due to the fact that he did not hold a personal licence, a requirement in law to be a DPS.

Over the next eight or nine months I attempted to get some clarity as to who actually owned and operated the Red Lion. The venue had, in April 2012, been part of Watford Football Club and was therefore owned by the director at that time, a Mr Laurence Bassini. In Summer 2012 there was a parting of the ways between Mr Bassini and Watford FC and as a result the Red Lion ended up separated from the football club and under the control of the DPS Mr.Bassini.

Mr Bassini was not able to exercise day to day control over the venue and in January/February 2013 the premises licence was taken over by Mr Josh Price. It is fair to say that there was a good deal of confusion as regards who was actually running the pub and accordingly in February 2013 a Mr Ron Smith was appointed as DPS . Unfortunately on the day the transfer of DPS took pace, the decision was

Signature: \_\_\_\_\_ Signature Witnessed by: **N/A**

Witness Statement

Continuation of Statement of John CORKETT

made to issue a closure order under Section 161, Licensing Act, 2003 due to fears of impending disorder.

This closure order triggered an automatic review of the premises licence which took place in February 2013. Following the review several new conditions were placed on the licence. As far as Police were concerned Mr Ron Smith was the DPS and Josh Price the licence holder.

There were several incidents that took place at the venue that led to concerns being raised as to how the premise was being run. There was an incident on 28 April when it appeared that licensed activity (sale of alcohol) may have been sold past the permitted hours. There were also incidents that allegedly took place on match days in which items had been thrown from the beer garden and over the wall towards rival supporters. On each occasion CCTV was requested from Mr Price. This footage was not immediately forthcoming. This in itself would constitute a breach of licence conditions as CCTV must be supplied as soon as possible. I now have possession of the CCTV footage for the two match day incidents but not for the 28 April matter.

On 8 May 2013 Mr Price attended a meeting at Watford Police Station. I was present at that meeting together with Mr Price and Sergeant White.

The meeting was called to detail concerns regarding what was happening at the venue. Mr Price was able to give reasons for the problems with the beer garden.

I handed Mr Price a copy of the premises licence and explained to him that he was a "high profile" venue and that all eyes would be upon him on Sunday 12 May when Watford played Leicester FC in the climax of the season. I clearly explained to Mr Price that he would need to read and understand all the conditions on the licence and that he would need to firmly abide by each including the times permitted for alcohol sales.

Mr Price did state that he had on previous occasions opened at 8am to sell bacon sandwiches for fans arriving early from long distances and that he may do so again in the future. I told him that he could do this (sell sandwiches etc.), but that no alcohol sales were permitted other than the times shown on the licence.

On Monday 13 May 2013 I was made aware that Police officers had attended the venue at about 10.40am on Sunday 2013 and allegedly found that alcohol was being sold at that time. The premises licence does not permit the sale of alcohol until 12 noon on a Sunday. As far as I am aware no application had been submitted to obtain a Temporary Event Notice that would have enabled (if granted) the sale of alcohol earlier than 12 noon.

I have since viewed the CCTV footage recorded by a Police body cam of a conversation that took place outside the Red Lion between Superintendent Jameson, Sergeant Fishwick and Mr Price. I was astounded to hear upon the recording Mr Price state that he was given permission to sell alcohol early by me and Sergeant White. There was no truth in this assertion whatsoever. I also heard Mr Price claim

Signature: 

Signature Witnessed by: N/A

02/2012

Witness Statement

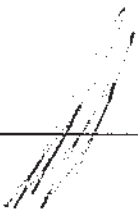
Continuation of Statement of John CORKETT

that because the DPS, Ron Smith, was not present; he (Josh Price) was the personal licence holder on duty in order to comply with the licence condition. As far as I am aware, and as a result of checks made with Watford, Three Rivers and Dacorum Licensing authorities, I can find no trace of Mr Jonathan Price being issued with a personal licence.

Accordingly I sent a letter to Mr Price and the DPS Mr Ronald Smith stating that criminal offences appeared to have been committed and that an investigation would need to take place.

I subsequently spoke to Mr Smith and it became clear that he was under the honest impression that he had ceased to be the DPS in March 2013. He informed me that he had never met Josh Price and had only agreed to be the DPS for a very short time to assist with the difficulties that they had encountered in getting someone to act as DPS.

Signature:



Signature Witnessed by: N/A



**RESTRICTED (when complete)**

**Witness Statement**

(Criminal Procedure Rules 2005, r.27.1(1); CJ Act 1967, s.9 & MC Act 1980, ss.5A(3)(a) & 5B)

URN 

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**Statement of** Marie White

**Age if under 18** 0/18 (if over 18 insert "over 18") **Occupation** Police Officer 2415

This statement (consisting of 2 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  PS 2415

Date 1st August 2013

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

I am the above named person and have been working in the Community Safety Unit, Watford since July 2012. Part of this role involves dealing with Licensing of Pubs and Clubs in Watford Town Centre. Since I took on the role in July 2012 I have been aware of and had various dealing with the management of the Red Lion Public House, Vicarage Road, Watford. This includes a review hearing and various meeting with the management of the premises.

At the end of May 2013 I was made aware that the premises had put in an application to change the Designated Premises Supervisor (DPS). I was also made aware of some issues that had arisen and possible breach of licensed conditions at the premises. The male who had put his name on the forms and indeed his signature was a male named Allan Smart, the application form was allegedly signed by him on the 23<sup>rd</sup> May 2013 and was submitted to the local authority on the 24<sup>th</sup> May 2013. On the 30<sup>th</sup> May 2013 in the afternoon I called Mr Smart and left a message on his mobile answering service to call me back. He duly did. I asked Mr Smart to clarify a few points in relation to the application, the first being that he was aware he was the DPS of the premises, that he had signed the form as the name on the form was spelt incorrectly which raised my suspicions that he may not have had sight of it never mind signing it and that he wished to continue to be DPS given that the premises were being investigated for various breaches of the licence.

Signature  PS 2415

Signature witnessed by

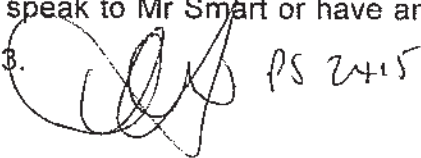


Continuation of Statement/Interview of Marie White

Mr Smart advised that he had not signed the forms and had never seen them. Mr Smart advised me that he did not agree to be the DPS of the premises until Monday the 27<sup>th</sup> May 2013 and given the fact the premises were being investigated by our team he did not wish to be involved in it nor further act as DPS of the premises. He also advised me that he would never have agreed to put his name forward had he known of the circumstances of the investigations currently on-going. He made it clear to me he did not wish to be involved with us or the premises furthermore.

I asked Mr Smart if I could have this in writing and he provided me with his email address, I sent him an email at 1451 hours on the 30<sup>th</sup> May and he responded to my email on the 31<sup>st</sup> May 2013 at 1117hrs. I enclose a copy of this email exchange and exhibit it as MSW/01.

I did not speak to Mr Smart or have any further communications with him after the 31<sup>st</sup> May 2013.



Signature



Signature witnessed by



**RESTRICTED (when complete)**

THIS INFORMATION MAY BE SHARED WITH OTHER LAW ENFORCEMENT AGENCIES

**Witness Statement**

(Criminal Procedure Rules 2005, r.27.1(1); CJ Act 1967, s.9 & MC Act 1980, ss.5A(3)(a) & 5B)

URN 

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**Statement of** SC DAVID SALOMON 5634

**Age if under 18** OVER 18 (if over 18 insert "over 18") **Occupation** SPECIAL CONSTABLE

This statement (consisting of 2 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 \_\_\_\_\_ Date \_\_\_\_\_ 26/05/2013

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

This is my statement about what happened when I attended a licensed premise on a tasked patrol, specifically looking at licensed premises, and ensuring that they comply with all relevant legislation.

On 25 MAY 2013, I was on duty using my designated Callsign NC949. I was working with SC 5255 LINDSEY GLENNIE, we were both in civilian clothing (i.e. not uniform). The location we attended was THE RED LION, VICARAGE ROAD, WATFORD, which is a licensed premises. The premise is situated very close to WATFORD FOOTBALL STADIUM on VICARAGE ROAD, and is on the corner of VICARAGE ROAD JW AYNHO STREET.

I arrived at THE RED LION in company with SC GLENNIE at approximately 2215. There was very loud reggae-style music coming from inside, causing one window in particular to vibrate. The music could clearly be heard outside the venue, and from down the road, as far as half way down Vicarage Road Stadium.

I went to enter the venue, where a male informed me that it costs £5.00 for men to enter the pub, but it was free entry for females. I noted that the male was not wearing any sort of ID, and handed him £5. He then moved aside and allowed me to enter the venue. I was not asked to show any identification, or proof of age. I describe him as a white

Signature \_\_\_\_\_

Signature witnessed by \_\_\_\_\_

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Continuation of Statement/Interview of SC DAVID SALOMON 5634

male, approximately 6ft tall, and he was wearing casual clothing. To me, he did not appear to be a door supervisor, and I did not notice any Security Industry Authority (SIA) ID, which I would expect all door supervisors to be wearing, and have visible to customers.

On entering the venue, I made my way to the bar. There was one female behind the bar, and one female talking to her at the side of the bar. I also noted two males at the far end of the venue behind some DJ equipment.

SC GLENNIE then ordered 2 bottles of Stella, and a J2O. The lady behind the bar said it would cost £7.30 for the 2 bottles of beer, and £2.50 for the J2O. I handed the lady money, and she placed the drinks on the bar. SC GLENNIE and I then sat down. At this point, there were no other patrons in the venue.

Over the next 30 minutes, a number of males and females entered the venue, and I observed several customers approach the bar and purchase alcohol. As more customers entered, there were more staff behind the bar. I did not see if the man who I earlier paid £5.00 to was also charging the other males to enter.

At approximately 2300, SC GLENNIE approached one of the ladies behind the bar and said words similar to "WE ARE LEAVING NOW TO MEET OUR FRIENDS, WE WILL COME BACK LATER, WILL WE HAVE TO PAY AGAIN TO GET IN?", and I observed the lady behind the bar to shake her head and say "NO". SC GLENNIE then asked "WHAT TIME ARE YOU OPEN UNTIL?", and the lady replied "ONE".

SC GLENNIE and I then left the venue with our bottles of beer. The bottles were both open, but had not been drunk out of. SC GLENNIE then said to the man on the door "THE LADY SAID WE CAN COME BACK LATER AND NOT PAY AGAIN, IS THAT ALRIGHT?", and the man on the door nodded his head. He did not pass comment on us leaving with open bottles of beer, nor did he try and stop either of us. I then poured away the beer in my bottle down a drain, and handed the bottle to SC GLENNIE at approximately 2257. When I left, I estimate that around 20 patrons were inside, and 10 more queuing outside to get in to the venue.

We left the venue at 2300, and had no further dealings for the rest of the night.

Signature

Signature witnessed by

A handwritten signature, possibly the number '37', enclosed within a hand-drawn circle.

**RESTRICTED (when complete)**

THIS INFORMATION MAY BE SHARED WITH OTHER LAW ENFORCEMENT AGENCIES

**Witness Statement**

(Criminal Procedure Rules 2005, r.27.1(1); CJ Act 1967, s.9 & MC Act 1980, ss.5A(3)(a) & 5B)

URN 

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**Statement of** Lindsey Glennie

**Age if under 18** Over 18 (if over 18 insert "over 18") **Occupation** Special Constable

This statement (consisting of 2 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 \_\_\_\_\_ Date \_\_\_\_\_

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

This is the statement of Special Constable Lindsey GLENNIE 5255. On Saturday 25<sup>th</sup> May 2013 I was on duty in plain clothes with Special Constable DAVID SALOMON 5634.

At approximately 22:15 we attended the RED-YELLOW LION PUB, 105 VICARAGE ROAD, WATFORD as we had been made aware the pub should not be open and serving alcohol as there was no longer a DPS for the venue.

On arrival at the pub there was a blue neon 'Open' sign in the window and loud music being played on the premises. When we arrived at the front door there was a white male with a shaved head asking for entrance money. He did not appear to be an official member of door staff and did not have a SIA arm band on. He advised SC SALOMON 5634 that he would need to pay £5 to enter the venue and that I did not need to pay. SC SALOMON 5634 paid the entrance fee and we entered the venue. There was a DJ at the rear of the venue playing loud reggae music. There were no tables and chairs in the venue apart from two sofas with low coffee table style tables next to them. When we first entered there was only one other customer. There were two members of bar staff, one white female with short black hair and one black female with long dark hair tied high in a head scarf.

We ordered two bottles of Stella Artois costing £7.30 in total. I spoke to the white female bar maid and said I was surprised it was so quiet. She explained because it was a

**Signature** \_\_\_\_\_

**Signature witnessed by** \_\_\_\_\_

38

## Continuation of Statement/Interview of

reggae night it gets started a lot later. She asked why I thought it would be busier and asked me to name other customers that drink in the pub.

We then went and sat on the sofas and other customers began to arrive, by the time we left there were approximately 20 customers who had also been served various drinks including alcoholic ones.

At approximately 23:00 we approached the bar to ask what time the pub was staying open to and if we returned would be allowed back in without paying. The black female bar maid advised they would be open until 1am and it would be fine for us to return.

We left the bar and both had our bottles of Stella Artois in our hands. We spoke to the male on door who we had paid on arrival and advised we would be back later he clearly saw the bottles we were holding and allowed us to leave with them. We left the venue and continued our duty. I have exhibited the two bottles we removed from the venue as LG001 with a property entry reference of C1/059875/13.

Signature

Signature witnessed by

**RESTRICTED (when complete)**

THIS INFORMATION MAY BE SHARED WITH OTHER LAW ENFORCEMENT AGENCIES

**Witness Statement**

(Criminal Procedure Rules 2005, r.27.1(1); CJ Act 1967, s.9 & MC Act 1980, ss.5A(3)(a) & 5B)

URN 

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Statement of Lindsey Glennie

Age if under 18    Over 18    (if over 18 insert "over 18")    Occupation    Special Constable

This statement (consisting of 2 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                  Date

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

This is the statement of Special Constable Lindsey GLENNIE 5255. On Saturday 25<sup>th</sup> May 2013 I was on duty in plain clothes with Special Constable DAVID SALOMON 5634.

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Signature

Signature witnessed by



## Continuation of Statement/Interview of

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Signature

Signature witnessed by

**RESTRICTED - FOR POLICE AND PROSECUTION ONLY**  
**(when complete)**

**Witness Statement**

(Criminal Procedure Rules 2005, r.27.1(1); CJ Act 1967, s.9 & MC Act 1980, ss.5A(3)(a) & 5B)

URN

**Statement of** Lindsey Glennie

**Age if under 18** Over 18 (if over 18 insert "over 18") **Occupation** Special Constable

This statement (consisting of 2 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 \_\_\_\_\_ Date \_\_\_\_\_

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

This is the statement of Special Constable Lindsey GLENNIE 5255.  
 On Sunday 26th May 2013 at approximately 02:00 I was driving home following being on duty earlier in the evening. I drove past the RED-YELLOW LION PUB, VICARAGE ROAD, WATFORD and it was still open with customers inside and outside the venue. There were approximately 5 customers outside. Loud reggae music was being played inside the venue, I opened my car window and could hear the music from approximately 30 metres away. I then continued my journey home.  
 My duty earlier in the evening had been focused on conducting plain clothes licensing checks. I had attended the RED-YELLOW LION PUB on VICARAGE ROAD, WATFORD for which I have provided a detailed statement. Included in this statement was confirmation from a member of their bar staff that they would be closing at 01:00.

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**RESTRICTED - FOR POLICE AND PROSECUTION ONLY  
(when complete)**

**Witness contact details**

Home address: c/o Watford Police Station

Post Code:

Home Telephone No:

Work Telephone No:

Mobile / Pager No:

Email address:

Preferred means of contact:

Male  Female  Date and place of birth:

Former Name:

Height:

Ethnicity Code:

Dates of witness non-availability:

**Witness Care**

- a) Is the witness willing and likely to attend court?  
If 'No', include reason(s) on form MG6. What can be done to ensure attendance? Yes  No
- b) Does the witness require 'special measures' as a vulnerable or intimidated witness?  
If 'Yes' submit MG2 with file. Yes  No
- c) Does the witness have any specific care needs? If 'Yes' what are they?  
(Healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns) Yes  No

**Witness Consent (for witness completion)**

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me: Yes  No
- b) I have been given the leaflet 'Giving a Witness Statement to the Police - what happens next'? Yes  No
- c) I consent to police having access to my medical record(s) in relation to this matter: Yes  No  N/A
- d) I consent to my medical record in relation to this matter being disclosed to the defence: Yes  No  N/A
- e) I consent to the statement being disclosed for the purposes of civil proceedings, e.g. child care proceedings (if applicable): Yes  No  N/A
- f) The information recorded above will be disclosed to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: .....

STATEMENT TAKEN BY (print name): LINDSEY GLENNIE

Station: Watford

Time and place taken statement taken 11:05 27/05/2013 Watford Police Station



**RESTRICTED (when complete)**

THIS INFORMATION MAY BE SHARED WITH OTHER LAW ENFORCEMENT AGENCIES

**Witness Statement**

(Criminal Procedure Rules 2005, r.27.1(1); CJ Act 1967, s.9 & MC Act 1980, ss.5A(3)(a) & 5B)

URN 

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**Statement of** Austen Young

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

This statement (consisting of 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

Date

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

I, Austen Young, am an Assistant Licensing Officer for Watford Borough Council. I have been employed in this role since 18 February 2008. My duties include, but are not limited to, processing applications and providing advice on Premises Licences issued under the Licensing Act 2003.

At approximately 15:50 on Thursday 23/05/2013, I received a call to tell me that a Mr Price was in the reception of our office.

I went downstairs where a gentleman introduced himself to me as Neil Price. Mr Price was with two children who I assumed to be his daughters.

I was advised that Mr Price was here to collect the application forms to change the Designated Premises Supervisor of the Red Lion, 105 Vicarage Road. I was with Mr Price for about 5 minutes before I went back upstairs to my office to print the necessary forms.

At approximately 16:00 I returned to Mr Price with the forms. I explained the process of how to apply to change a premises supervisor and went through the forms with

Signature

Signature witnessed by

(44)

Continuation of Statement/Interview of

Mr Price. This is normal practice to ensure that applicants are aware of their requirements.

I explained that Mr Jonathan Price (aka Josh Price) would need to complete and sign the application form as he was the Premises Licence holder. When explaining the process, I found out that the new premises supervisor would be 'Smarty' (who I now assume to be Allan Smart as he was named on the subsequent application). I explained that Mr Smart would need to complete the Designated Premises Supervisor consent form as the incoming premises supervisor. I explained that a copy of the application would need to be served on the Police and provided Mr Price with the details. I handed all of the paperwork I had with me over to Mr Price.

With the whole process explained and no further queries from Mr Price, I returned to my office and Mr Price and his daughters walked out of the Depot. This was approximately 16:05.

I was not advised that Mr Jonathan Price or Mr Smart would not be able to complete the relevant sections of the forms for any reason.

At approximately 15:50 on Friday 24/05/2013, I was notified that Mr Price was in reception to see me.

I went downstairs and I saw Neil Price. Mr Price was on his own.

Mr Price had laid copies of the application form and Designated Premises Supervisor consent form out on our counter. He advised me he had taken copies of the forms but had not been able to sort everything into order. I sorted the forms into order and checked the application form to ensure that everything had been completed and signed. This was to check that the application was valid to allow the premises to open over the weekend and for the play-off final on the Bank Holiday Monday.

Signature

Signature witnessed by

Continuation of Statement/Interview of

The relevant sections of both the application form and Designated Premises Supervisor consent form had been completed, and both forms were presented to me with signatures. I had no reason to believe that the application was not valid. I then took payment from Mr Price on our chip and PIN machine.

With the application submitted and payment made, I advised Mr Price that the application appeared in order. I explained that the premises would only be open to sell alcohol once a copy of the application was served on the Police, and not before then.

I then returned to my office and Mr Price walked out of the Depot. This was approximately 16:00.

Signature

Signature witnessed by

A handwritten signature, possibly 'LB', enclosed in a circle.

**RESTRICTED - FOR POLICE AND PROSECUTION ONLY**  
(when complete)

**Witness contact details**

Home address:

Post Code:

Home Telephone No:

Work Telephone No:

Mobile / Pager No:

Email address:

Preferred means of contact:

Male  Female  Date and place of birth:

Former Name:

Height:

Ethnicity Code:

Dates of witness non-availability:

**Witness Care**

- a) Is the witness willing and likely to attend court?  
If 'No', include reason(s) on form MG6. What can be done to ensure attendance? Yes  No
- b) Does the witness require 'special measures' as a vulnerable or intimidated witness?  
If 'Yes' submit MG2 with file. Yes  No
- c) Does the witness have any specific care needs? If 'Yes' what are they?  
(Healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns) Yes  No

**Witness Consent (for witness completion)**

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me: Yes  No
- b) I have been given the leaflet 'Giving a Witness Statement to the Police - what happens next'? Yes  No
- c) I consent to police having access to my medical record(s) in relation to this matter: Yes  No  N/A
- d) I consent to my medical record in relation to this matter being disclosed to the defence: Yes  No  N/A
- e) I consent to the statement being disclosed for the purposes of civil proceedings, e.g. child care proceedings (if applicable): Yes  No  N/A
- f) The information recorded above will be disclosed to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: .....

STATEMENT TAKEN BY (print name):

Station:

Time and place taken statement taken

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**RESTRICTED (when complete)****WITNESS STATEMENT**

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

Statement of: Jeffrey Leib

URN 

--	--	--	--

Age if under 18: Over 18

(if over 18 insert 'over 18')

Occupation: Licensing Manager

This statement (consisting of one page(s) 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 anything in it, which I know to be false, or do not believe to be true.

Signature:

Date: 30 May 2013

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

I have been employed as a Licensing Manager by Watford Borough Council since 15/11/95. My responsibilities include managing the team that administers and enforces the council's statutory licensing functions in relation to public entertainment licences, taxis and private hire vehicles, charity collections, street trading and related miscellaneous matters.

This statement is made from matters within my own knowledge or records, papers and correspondence within the Council's control and possession.

On 24 May 2013 at approximately 1600 hours the Council received an application submitted in person under the Licensing Act 2003 on behalf of Josh PRICE, the premises licence holder of the Yellow and Red Lion public house, to designate Allan Andrew Colin SMART the designated premises (JL1). Very shortly after I was handed the application, which I processed according to our normal procedures.

At approximately 1000 hours on 30 May 2013 the licensing team was contacted by John CORKETT of Hertfordshire Constabulary who asked that the application form be treated as evidence following suspicion that a fraudulent statement had been made in connection with the application. I was away from the office but on my return at approximately 1300 hours I placed it in an evidence bag no 1865591 and have had custody of it until I surrendered it to Mr CORKETT.

Signature...

Signature Witnessed By



**RESTRICTED – FOR POLICE AND PROSECUTION ONLY  
(when complete)**

Home address:

Postcode:

Home telephone No.

Mobile/Pager No.

E-mail address (if applicable and witness wishes to be contacted by e-mail):

Contact point (if different from above):

Address:

Work telephone No.

Male

Date and place of birth:

Maiden name:

Height:

Ethnicity Code:

State dates of witness non-availability: Last week July to first week August

I consent to police having access to my medical record(s) in relation to this matter: N/A

I consent to my medical record in relation to this matter being disclosed to the defence: N/A

The CPS will pass information about you to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Does the person making this statement have any special needs if required to attend court and give evidence? (eg language difficulties, visually impaired, restricted mobility, etc.). If 'Yes', please enter details. Yes  No

Does the person making this statement need additional support as a vulnerable or intimidated witness? If 'Yes', please enter details on Form MG2. Yes  No

Does the person making this statement give their consent to it being disclosed for the purposes of civil proceedings (eg child care proceedings)? Yes  No

Statement taken by (print name):

Station:

Time and place statement taken:

Signature of witness:



IN 25/13 FID: 1035 LID: 21029

Application to vary a premises licence to specify an individual as designated premises supervisor 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/we JOHN PRICE  
(full name(s) of premises licence holder)

being the premises licence holder, apply to vary a premises licence to specify the individual named in this application as the premises supervisor under section 37 of the Licensing Act 2003

Premises licence number

12100323/LAPRMV

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description <u>FIELD LION PUBLIC HOUSE VICARAGE RD</u>	
Post town <u>WATFORD</u>	Post code (if known) <u>WD18 0EY</u>
Telephone number (if any)	

Description of premises (please read guidance note 1) <u>A PUB</u>
---

JMC/1

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Part 2

Full name of proposed designated premises supervisor

ALLAN ANDREW COLIN SMART

Personal licence number of proposed designated premises supervisor and issuing authority of that licence (if any)

FEC 1370  
FLINTSHIRE COUNTY COUNCIL

Full name of existing designated premises supervisor (if any)

Please tick yes

I would like this application to have immediate effect under section 38 of the Licensing Act 2003



I have enclosed the premises licence or relevant part of it



(If you have not enclosed the premises licence, or relevant part of it, please give reasons why not)

Reasons why I have failed to enclose the premises licence or relevant part of it

Please tick yes

- I have made or enclosed payment of the fee
- I will give a copy of this application to the chief officer of police
- I have enclosed the consent form completed by the proposed premises supervisor
- I have enclosed the premises licence, or relevant part of it or explanation
- I will give a copy of this form to the existing premises supervisor, if any
- 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



Consent of individual to being specified as premises supervisor

I Alan Andrew Colin Smart  
[full name of prospective premises supervisor]

of [redacted]  
Henry Hempstead  
Hertfordshire  
[redacted]

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

Application to vary a premises license to specify  
[type of application] an individual as designated premises supervisor  
by

Josh Price  
[name of applicant]

relating to a premises licence 12/00323/CAPRMV  
[number of existing licence, if any]

for  
Red Lion  
Vicarage Road  
Watford

[name and address of premises to which the application relates]

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→ 100% → 100%

→ 100% → 100%

and any premises licence to be granted or varied in respect of this application made by

JOSH PRICE

[name of applicant]

concerning the supply of alcohol at

THE RED LION  
VICARAGE ROAD  
WATFORD

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

FCC1370

[insert personal licence number, if any]

Personal licence issuing authority

FUNTSHIRE COUNTY COUNCIL

[insert name and address and telephone number of personal licence issuing authority, if any]

COUNTY HALL

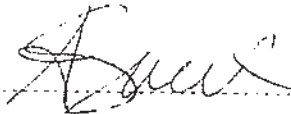
NOVA

FUNTSHIRE

CH7 6NB

01352 752121

Signed



Name (please print)

Alan Smart

Date

23/5/13



WATFORD BOROUGH COUNCIL

Application to transfer premises licence to be granted 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/We Allan Andrew Colin Smart  
 (Insert name of applicant)

apply to transfer the premises licence described below under section 42 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number ~~12/00333~~ 12/00333/LAPRMV

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description <u>TRE RED LION PUB.</u> <u>105 VILARAGE ROAD</u>	
Post town <u>WATFORD</u>	Post code <u>WD18 2ET</u>
Telephone number at premises (if any)	

Please give a brief description of the premises  
PUBLIC HOUSE

Name of current premises licence holder  
YELLOW AND RED LION LIMITED

Part 2 - Applicant details

In what capacity are you applying for the premises licence to be transferred to you?

JMC/2

Individual \*  
 Partnership  
 Limited liability partnership or  
 other body corporate (including a corporation)

- Please tick  yes
- please complete section (A)
  - please complete section (B)
  - please complete section (B)
  - please complete section (B)
  - please complete section (B)
  - please complete section (B)

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- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) an individual who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in respect of an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\*If you are applying as a person described in (a) or (b) please confirm:

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or Please tick  yes
- I am making the application pursuant to a
  - statutory function or
  - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr  Mrs  Miss  Ms  Other title   
(for example, Rev)

Surname

First names

SMART

ALLAN Andrew Colin

I am 18 years old or over

Please tick  yes

Current postal address if different from premises address

THE SHIP INN  
275 HIGH STREET  
CONNARS QUAY

Post town

CONNARS QUAY

Post code

CH5 40J

Daytime contact telephone number

[REDACTED]

E-mail address (optional)

[REDACTED].com

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**SECOND INDIVIDUAL APPLICANT** (fill in as applicable)

Mr  Mrs  Miss  Ms  Other title   
(for example, Rev)

Surname  First names

I am 18 years old or over

Please tick  yes

Current postal address if different from premises address

Post town

Post code

Daytime contact telephone number

E-mail address (optional)

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)



Part 3

Please tick  yes

Are you the holder of the premises licence under an interim authority notice?

Do you wish the transfer to have immediate effect?

If not when would you like the transfer to take effect?

Day			Month			Year		
1	1	1	1	1	1	1	1	1

Please tick  yes

I have enclosed the consent form signed by the existing premises licence holder

If you have not enclosed the consent form referred to above please give the reasons why not. What steps have you taken to try and obtain the consent?

Please tick  yes

If this application is granted I would be in a position to use the premises during the application period for the licensable activity or activities authorised by the licence (see section 43 of the Licensing Act 2003)

Please tick  yes

I have enclosed the premises licence

If you have not enclosed premises licence referred to above please give the reasons why not.



- I have made or enclosed payment of the fee
- I have enclosed the consent form signed by the existing premises licence holder or my statement as to why it is not enclosed
- I have enclosed the premises licence or relevant part of it or explanation
- I have sent a copy of this application to the chief officer of police today
- 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 4 – Signatures** (please read guidance note 2)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 3). If signing on behalf of the applicant please state in what capacity.

Signature Alun Smart

Date 1/2/13

Capacity .....

For joint applicants signature of second applicant, second applicant’s solicitor or other authorised agent (please read guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature .....

Date .....

Capacity .....

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 by e-mail your e-mail address (optional)	





Consent of premises licence holder to transfer

I/we YELLOW ANSO RED LION LIMITED.  
[full name of premises licence holder(s)]

the premises licence holder of premises licence number 12/00323/LA PRMV.  
[insert premises licence number]

relating to

TRE RED LION PUB, 125 VICARAGE ROAD, WINTERS WINDS OSG.  
[name and address of premises to which the application relates]

hereby give my consent for the transfer of premises licence number

12/00323/LA PRMV.  
[insert premises licence number]

to

ALLAN Andrew Colin SMART.  
[full name of transferee].

Y signed  
name  
(please print)

[Signature]  
Laurence Bassini

dated

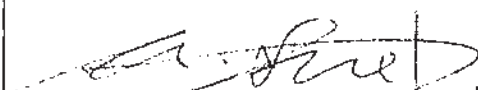
28/1/2013.



## Application for a personal licence

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 or typed in black ink. Use additional sheets if necessary.

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

1. Your personal details			
<b>TITLE</b> Please tick ✓ Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)			
Surname	SMART		
Forenames	ALLAN		
<b>PREVIOUS NAMES</b> (if relevant) please enter details of any previous names or maiden names. Please continue on a separate sheet if necessary.			
<b>TITLE</b> Please tick ✓ Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)			
Surname			
Forenames			
I am 18 years old or over. Please tick ✓			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>ADDRESS WHERE ORDINARILY RESIDENT</b> (We will use this address to correspond with you unless you complete the separate correspondence box below).			
275 High Street Connah's Quay			
makes use of a document that contains a false statement. To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.			
<b>SIGNATURE</b>		<b>DATE</b>	11/12/12

**NOTES**

**1. Licensing qualifications**

Licensing qualifications are dealt with in section 120(8) and (9) of the Licensing Act

JMC/3

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HERTFORDSHIRE

CONSTABULARY

Mr. R Smith



Date: 13 May 2013  
Our Ref: PID 1035  
Your Ref:  
Contact: John CORKETT 7630  
Direct Line: 01923 47 2938  
Direct Fax:  
E-mail: [john.corkett@herts.pnn.police.uk](mailto:john.corkett@herts.pnn.police.uk)

Dear Mr Price

**Re: RED LION  
105 VICARAGE ROAD  
WATFORD WD18 0EY**

I am writing to you in respect of the above premise, of which you are the designated premises supervisor.

We have become aware that there are alleged breaches of the premises licence for the above venue, namely:

Unauthorised licensable activity which took place on 12 May 2013 in that alcohol was sold by retail at 10.30am when the licence does not allow the sale of alcohol until midday.

Suspected breach of the venue licence on 12 July 2012: there was no personal licence holder on duty when the venue was open on a match day.

Breach of the licence in that accompanied children were still in the premises beyond 19:30 on 6 April 2013

You will now need to be formally interviewed under caution as these breaches of the premises licence may constitute an offence under Section 136, Licensing Act, 2003. A Section 136 offence is a criminal matter.

Will you therefore please contact me so that a suitable date and time can be arranged for this interview to take place? The interview will be recorded and you have the right to have a solicitor or legal representative present throughout. You must appreciate that

as this now a criminal investigation I will be unable to discuss these allegations with you other than in controlled circumstances under a formal caution.

I need to make it clear to you that no matter what the outcome of the criminal investigation may be, the Constabulary will in all probability be looking at reviewing the premises licence.

The Secretary of State's Guidance says that it is good practice for responsible authorities to give licence holders early warning of their concerns about problems identified at the premises concerned and the need for improvement. A failure to respond to such warnings is expected to lead to a decision to request a review.

Yours sincerely,

John CORKETT 7630



HERTFORDSHIRE

CONSTABULARY

THE RED LION  
RED LION  
105 VICARAGE ROAD  
WATFORD  
WD18 0EY

Date: 31 May 2013  
Our Ref: PID 1035  
Your Ref:  
Contact: John CORKETT 7630  
Direct Line: 01923472938  
Direct Fax:  
E-mail: [john.corkett@herts.pnn.police.uk](mailto:john.corkett@herts.pnn.police.uk)

Re: THE RED LION  
105 VICARAGE ROAD  
WATFORD WD18 0EY

I write to you concerning the recent application submitted in order to vary the Designated Premises Supervisor for the Red Lion to Mr Allan Smart.

That application appears to have been fraudulently submitted. As a result of this the Premises Licence is invalid and there is no current authority to carry out licensable activities as there is no lawful DPS in place.

The activities concerned are:

**The sale of alcohol by retail**

**The Provision of regulated entertainment- This includes recorded music**

**The provision of Late night refreshment- the sale of hot food/drink between 11pm and 5am.**

Each and every activity as listed above that is carried out whilst there is no valid licence is a breach of the Licensing Act 2003. The penalties for each breach on conviction is 6 months imprisonment and/or a £20,000 fine.

Please note that the Constabulary WILL enforce the law in this matter and you are therefore advised that you should cease all licensable activity henceforth. The premises will be subject to regular visits and checks by officers.

In order to resume normal operations you will need to submit a new application to Watford Borough Council Licensing authority and a copy of that document must be served on Hertfordshire Constabulary in order for the application to be valid.

Please be advised that any application will be subject to very close scrutiny by this department.

If you wish to discuss this matter with me further, please feel free to contact me on the above number.

Yours Faithfully,

John CORKETT

Licensing Enforcement Officer

cc. Watford Borough Council Licensing Department

**COMMUNITY SAFETY UNIT, WATFORD POLICE STATION, SHADY LANE, WATFORD,  
WD17 1DD**



REQUEST TO BE REMOVED AS DESIGNATED PREMISES SUPERVISOR.

I, Ron SMITH of [REDACTED] hereby request that I be removed as the Designated Premises Supervisor for the Red Lion, 105 Vicarage Road, Watford, WD4 8NB.

I would like this request to apply with immediate effect.

Signed:

*R Smith*

Date:

16/5/2013

Time:

15.00.

.....



**HERTFORDSHIRE**

**CONSTABULARY**

Mr. J Price  
[REDACTED]  
[REDACTED]  
[REDACTED]

Date: 13 May 2013  
Our Ref: PID 1035  
Your Ref:  
Contact: John CORKETT 7630  
Direct Line: 01923 47 2938  
Direct Fax:  
E-mail: [john.corkett@herts.pnn.police.uk](mailto:john.corkett@herts.pnn.police.uk)

Dear Mr Price

**Re: RED LION  
105 VICARAGE ROAD  
WATFORD WD18 0EY**

I am writing to you in respect of the above premise, of which you are the premises licence holder.

We have become aware that there are alleged breaches of the premises licence for the above venue, namely:

Unauthorised licensable activity which took place on 12 May 2013 in that alcohol was sold by retail at 10.30am when the licence does not allow the sale of alcohol until midday.

Suspected breach of the venue licence on 12 July 2012: there was no personal licence holder on duty when the venue was open on a match day.

Breach of the licence in that accompanied children were still in the premises beyond 19:30 on 6 April 2013

You will now need to be formally interviewed under caution as these breaches of the premises licence may constitute an offence under Section 136, Licensing Act, 2003. A Section 136 offence is a criminal matter.

Will you therefore please contact me so that a suitable date and time can be arranged for this interview to take place? The interview will be recorded and you have the right to have a solicitor or legal representative present throughout. You must appreciate that

as this now a criminal investigation I will be unable to discuss these allegations with you other than in controlled circumstances under a formal caution.

I need to make it clear to you that no matter what the outcome of the criminal investigation may be, the Constabulary will in all probability be looking at reviewing the premises licence.

The Secretary of State's Guidance says that it is good practice for responsible authorities to give licence holders early warning of their concerns about problems identified at the premises concerned and the need for improvement. A failure to respond to such warnings is expected to lead to a decision to request a review.

Yours sincerely,

John CORKETT 7630



HERTFORDSHIRE

CONSTABULARY

The Red Lion  
105 Vicarage Road  
Watford  
Hertfordshire  
WD18 0EY

Date: 17/05/2013  
Ref: PID1035  
Contact: John Corkett

To whom it may concern,

**Re: The Red Lion, Vicarage Road, Watford, WD18 0EY,**

Please take note that as of 16 May 2013, Mr Ronald SMITH has resigned his position as Designated Premises Supervisor of the above venue.

This means that there is no longer a DPS in place at the premises and as such no licensable activity can take place.

Please take note of the following:

**Should you open to sell alcohol, you would be in breach of the mandatory condition which states:**

**1 No supply of alcohol may be made under the premises licence:**

**(a) at a time when there is no designated premises supervisor in respect of the premises licence, or**

**(b) at a time when the designated premises supervisor does not hold a premises licence or his personal licence is suspended**

**Breach of this condition is a criminal offence.**

Please be aware that Hertfordshire Constabulary WILL enforce the law should the venue be open for Licensable activity whilst a DPS is not in place.

Should you wish to continue trading I would strongly advise that you contact the Watford Borough Licensing team on 01923 278476 who will be able to advise you regarding the process for registering a new Designated Premises Supervisor.

Please note that Hertfordshire Constabulary intend to take enforcement action regarding breaches of the premises licence on Sunday 12 May 2013 and that as a result of these breaches a Licensing review hearing may be requested.

Yours Sincerely

John Corkett  
Licensing officer- Hertfordshire Constabulary  
Watford Central Police Station  
Shady Lane  
Watford  
WD17 1DD

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Jeffrey Leib

MSW/01

**From:** John.Corkett@herts.pnn.police.uk  
**Sent:** 05 September 2013 06:56  
**To:** Jeffrey Leib  
**Subject:** Allan Smarts e mail

Jeff,

This is a paste of Allan Smart's e mail- Marie's exhibit.

John

-----Original Message-----

**From:** ALLAN SMART [mailto:allan.smart1@btinternet.com]  
**Sent:** 31 May 2013 11:17  
**To:** WHITE, Marie 2415  
**Subject:** Re: FW: Red Lion PH, Vicarage Road

Marie,

We spoke yesterday regarding the above pub.

You mentioned a few things which would lead me to request that I am not considered to be the D.P.S. at the Red Lion.

As you requested, I hope that this is enough to be retracted from the application.

Kind regards

Allan smart

-----  
On Thu, May 30, 2013 2:51 PM BST [Marie.White@herts.pnn.police.uk](mailto:Marie.White@herts.pnn.police.uk) wrote:

>

>

>From: WHITE, Marie 2415  
>Sent: 30 May 2013 14:42  
>To: 'allan.smart1@btinternet.co.uk'  
>Cc: CORKETT, John 7630  
>Subject: Red Lion PH, Vicarage Road

>

>Dear Mr Smart

>

>Following our conversation this afternoon, I would be grateful if you could clarify the following points in writing and have attached a copy of the application form for change of DPS allegedly signed by yourself on the 23rd May 2013. This application was for you to become DPS of the Red Lion PH and would have been effective from when it was submitted on the 24th May 2013.

>

>This application means that you are responsible for all offences or issues within the premises from this

60A

date. As disclosed to you there were and we are investigating offences which have occurred since this date.

>

>From what you have told me, you did not sign this application form and did not give your authority to act as DPS until Monday 27th May? - please confirm this and that you have not seen the attached application form?

>

>As mentioned due to the historic issues surrounding the premises and the current offences we are investigating the premises will be subject of a review hearing in the near future as well as a criminal investigation in relation to the management of the premises. I have also objected to the application submitted on the 24th May for you to become DPS of the premises - however, as it would appear this was not a valid application if you did not agree or sign it.

>

>The premises therefore currently has no DPS and is therefore not able to trade any further until as suitable DPS is found and the correct paperwork is submitted.

>

>I would be grateful if you could copy your response into my colleague John Corkett who is already copied into this as I may not be able to access my emails later today.

>

>I understand Mr Price (Josh) is on holiday and I do not have a contact number for Neil Price so if you could pass on a request to contact me I would be grateful.

>

>Regards

>

>Marie

>

>PS 2415 White

>Community Safety Unit

>Watford/Three Rivers

>01923 472040

>

>

>

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## TRANSCRIPT OF RECORDED INTERVIEW

PERSON INTERVIEWED: JONATHAN PRICE  
INTERVIEWING OFFICERS: JOHN CORKETT  
JAMIE MACKENZIE  
DATE OF INTERVIEW: 11<sup>TH</sup> JUNE 2013  
TIME INTERVIEW COMMENCED: 09:38 HOURS  
TIME INTERVIEW CONCLUDED: 10:24 HOURS  
TAPE REFERENCE NUMBER: 1

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<u>Tape Time</u>	<u>Person Speaking</u>	<u>Text</u>
JC		OK, this interview is being tape recorded. I am John Corkett, I'm a Licensing Officer from Hertfordshire Constabulary based at Watford Police Station. The other person present with me is....
JM		Jamie Mackenzie, I'm the Licensing Enforcement Officer for Watford Borough Council.
JC		We are in the interview room at Watford Town Hall and I am interviewing – can you please state your full name, your date of birth and your address.
JP		Jonathan Price, 18 <sup>th</sup> of the 9 <sup>th</sup> '71, [REDACTED] Hemel Hempstead, Herts.
JC		Thank you. So this interview is being tape recorded, at the conclusion of the interview we will give you a notice explaining what will happen to the tapes should this matter proceed to a

prosecution at a later time, and that's not saying that it will do, OK?

JP Mmm.

JC The date is the 11<sup>th</sup> of June 2013, the time by my watch is 9.38, just about 20 to 10 in the morning. As I say this interview is being tape recorded, the purpose of recording it is because this is an investigation into an alleged criminal offence, I'll tell you what those offences are now, they are an allegation of Unlicensed Activity under the Licensing Act 2003, ie a breach of the Premises Licence for the Red Lion Public House, Vicarage Road, and another offence of Attempting to Obstruct Police, OK, those are the offences we're dealing with. Before we begin I've got to caution you and I've got to tell you a few things, OK? You have the right to legal advice. You are not under arrest, you can leave any time you like and, as I say, you have the right to seek legal advice either on the phone or in person, all right? If at any time during this interview you wish to stop the tape or the interview and go and take legal advice you must let us know, we will do that, you can go and have that advice and come back, are you clear on that?

JP I have no interest in legal advice.

JC OK.

JP If I've made a mistake it's an honest and I'll tell you the truth and if you like that you like that and if you don't you don't.

JC OK, right if at any time during the interview if you let us know, OK? Right, before we begin I've got to caution you because those are the rules and the caution is You do not have to say anything but it may harm your defence if you fail to mention

when questioned something which you later rely on in Court. Anything you say may be given in evidence. Do you understand the caution?

JP Yeah.

JC Would you explain to me just so that I know that you understand it because it's quite important.

JP (Inaudible).

JC I just....

JP I, yeah, I understand.

JC Oh right, I'll explain it to you as well. Right, the first bit says you don't have to say anything, right, you can sit here in complete silence....

JP Oh, right, OK, sorry I wasn't being....

JC Yeah, no that's all right, no I understand, a lot of people don't know because it's like a new experience. You don't have to say anything, you can sit here in complete silence or just say no comment or whatever you want, we can't make you talk, all right?

JP I wouldn't have turned up if I took that, there's no point.

JC OK. The second part of course is that if you don't answer the questions and this should go, go before some Tribunal at a later time, a Court or maybe a Licensing Sub-Committee or whatever it could harm any defence you have if you don't answer a question now because the Court may draw an adverse inference

and say why didn't you answer that at the time you could have done or you give an answer that you change later on, it could harm that, all right?

JP Yeah.

JC OK, the final part is anything you say may be given in evidence, because it's being record on tape all right?

JP Yeah.

JC Josh, I've told you what the offences are, they're the breach of the Licensing Act, we're alleging that on the, I think the 12<sup>th</sup> of May this year the final match of the season to decide who went to Wembley for the Play Offs you breached your Licence in that you were open and selling alcohol at 10.30 in the morning....

JP Yeah.

JC ....when your Licence actually allows the sale of alcohol from midday, do you understand that?

JP Yeah.

JC And that you, there was another breach in the fact that you did not have a Personal Licence Holder on duty at the time.

JP I actually did.

JC OK, we'll get to that in a minute, OK, all right. And finally the Obstructing Police is, it stems from that, that bit that I just told you about, the, the Licence Holder, OK?

JP I, I don't follow Obstructing.

JC OK, the Obstructing is if the Police – we think you didn't have a Personal Licence Holder on the premises....

JP Right.

JC ....OK, which is a condition of your Licence....

JP Yeah.

JC ....I'll go on to explain it in detail in a minute. The allegation is if you didn't have one you actually told the Police you did....

JP Right.

JC ....and thereby tried to avoid a prosecution or, or being detected....

JP Right.

JC ....or anything, OK? Those, those are what we're dealing with, OK?

JP Mmm.

JC Right. Tell us what, tell us your version of events.

JP My version of events is, is, is clearly we were open at half 10 to sell beer....

JC Mmm.

JP ....which like you said I shouldn't do at half past 10, I completely and utterly acknowledge that. I came in to see you

about a couple of things, I'll tell you actually why I think you come in and some of your guys come in because when I come to see you there was some incidents before which I think, I'm not sure of his rank, DI or Inspector Moss?

JC Inspector Moss.

JP Inspector Moss, nice fella, come in, two games previously there was coaches put outside of the pub overlooking the garden overlooking the windows and we, they was going to cause a problem.

JC Yeah, you can understand his....

JP And it's, then last week, Inspector Moss when he come in, I think he's actually sent you an e-mail to say it actually was down to you, down to the Police, you shouldn't have done that and it was really silly, they should have been backed up 20 yards and that issue would have been taken away.

JC OK.

JP So I come in to see you about that on the Wednesday....

JC No, the reason we actually called you in was because you hadn't supplied us with the CCTV.

JP No I supplied, yeah, what, it was a mixture of.

JC OK.

JP So I come in and we spoke about that and then I think yourself and Marie White said yes actually you'd spoken to Inspector Moss and, you know, that's fine, it's, you know, we understand

9:15:10

that's down to us. I then brought you in the CCTV that you asked for. On that, when you, on the way out you said oh big game, big game Sunday, blah de blah, and we, we spoke and you said what are your, your, your, what are you doing at that, I said well we open at half past 8, bacon rolls and, and, and coffee and what have you because obviously people are quite excited and it will be open as a pub from half past 10. The reason I said that, because I believed when we went back previously a year or so we had a discussion and we had a meeting, a full proper meeting in the, the Station and I was under the impression, perhaps I've got it complete wrong, that -- excuse me -- the, we could open 2 hours before kick off.

JC Right, and that's why you were open that day?

JP And that's why, and I think when I said that to you and I said that to Marie as well, clearly not trying to hide the fact that we were going to open at half past 10 so I think that's why you sent your guys in because you've heard what I've said, that's my honest opinion. The other thing I was going to say on that is if I really was going to try and do something underhand and open the pub to try and earn some money and do stuff I really wouldn't do it, I'd be some sort of idiot when I've got 25 Police around the front of the, the, the pub, I've got two neon signs that say open, I've got three dirty great big doormen and I've got four Police horses five yards from the pub, I wouldn't try and do that, I must be some sort of idiot. If I'm going to try and open late night for some boxing or whatever like people do, have it out in the back room and blah de blah, fine, but I am not trying, I wasn't trying to hide anything, I honestly thought that was what I could do.

JC OK.

JP And that's why we were open at that time.

JC Right, that's your explanation.

JP That is.

JC OK, my recollection is you came in to see us, as you said, regarding the CCTV and a couple of other issues....

JP Yeah.

JC ....and during that, during that meeting you were given a copy of this, do you recognise that?

JP Yeah.

JC Premise Licence and you were told this is your Licence, have a look at it and make sure you comply with everything on there, do you recall that being said?

JP To be honest, and I'm not being, I'm not being a pain in the arse John, a lot of time I don't remember I said yesterday but you may well have done, I'm not saying you haven't, I don't recall that if I'm honest.

JC Right. Have a look through it, I mean it says, it says alcohol sales on a Sunday, which was the day of that match....

JP Yeah.

JC ....12 until....

JP Yeah, absolutely, absolutely, I've looked at the Licence since and I, I, I completely agree with you.



- JC Can you tell me where on the Licence it says that you've got authority to open 2 hours before a match on any day.
- JP No, again I'm not the most experience, John, I'm not the most experienced, I've not been doing this for 25 years and I presume, again I, the pub we have there I think at different times and different days, match days in particular it's a different pub and when I went over there with Glyn Evans we discussed a lot of things because obviously the pub was under the, the control of the Football Club at the time....
- JC Yeah.
- JP ....and again we discussed being open two hours before and again it doesn't happen often, I think that's, that's twice this year that the pub's been open early, had a early kick off. Sometimes again the, the, with the TV scheduling, I think I they'd gone up to the Premiership it might have been worse....
- JC All right.
- JP ....but sometimes – if you let me finish – sometimes that does get bandied around and when we spoke on behalf of, of the Football Club (inaudible) that was raised. I pres-, I, I strong-, firmly believed that had been put in and I don't know if that's going to be in that Licence, if it's, if it's a separate issue or what, I honestly, genuinely believed, 100%, that that's what we were entitled to do.
- JC OK. Moving on then, who was the Premises Licence, sorry the Personal Licence Holder on duty that day?

JP Right. When your, your, I was actually a little bit, I, it was a little bit, your, your Police, she was, she was a really nice woman, I forget what, what her name was, Sue?

JC Sue Jameson, she's a Superintendent.

JP Yes, Sue was lovely. The other guy that was there, all of a sudden you get like if somebody's, he's got a camera and it's thrust in your face, you're, you're busy, you're trying to do a lot of, a million and one things and I think that I was just a little bit put off by that.

JC OK.

JP When we had, when we had...

JC Who was the Personal Licence Holder?

JP Right, if you let, if you let me speak I will tell you John....

JC I don't need an explanation, I just need to know who it was.

JP You do need an explanation because I think it's quite relevant.

JC OK, you tell me.

JP We, we had a meeting in here because we got very unfairly closed for the Crystal Palace game.

JC That's in the past.

JP It is in the past but I think if you, the notes were taken. When we discussed about it and we said Ron was going to be proposed, Ron Smith, as the DPS what we said then and we spoken then,

I'm sure they've taken the notes, and again unless I've completely got this way out of line you were happy for me, because I've actually passed my course and my stuff's in with Dacorum Council, you was happy for me to be a DPS, for me to be that person on there and I think the Minutes would have been taken on that. Now if I'm not there I was to call, Marie was going to give me number to call in.

JC OK, let's stop right there, have you got a Personal Licence?  
Have you got a Personal Licence?

JP I've passed the course.

JC Have you got a Personal Licence?

JP No.

JC Has, have you, have you registered....

JP Well....

JC ...as a Personal Licence Holder with Watford Council, Three Rivers, any Council in England and Wales?

JP It's, it's logged with, with Dacorum and I'm waiting for that to come back.

JC But you have not got a Personal Licence?

JP Well again I have passed the, the test.

JC No, no, answer the direct question.

JP On the day, on the day John, on the day John.....

JC            Yeah.

JP            ...if you let me, instead of trying to wind me up....

JC            Yeah, I'm not trying to wind you up.

JP            You are John, you are. On, on that day she asked me about that, I felt, and I've been, you said that you were happy for me to be that. On that day Allan Smart was in there who is a Personal Licence Holder and he was on site because he'd come down as an ex player to be around our place and he was in the premises on that day anyway. All day.

JC            He was the Personal Licence Holder on duty – why didn't you tell the Police that at the time?

JP            No because again, when you've had a camera thrust in your face and I had another Officer, John, that was I felt really trying to trip me up, I was very uncomfortable at the time.

JC            Let's have a look at the video shall we and we can see....

JP            Yeah, yeah, yeah.

JC            Because I don't suppose you've seen it. Right, this is the video taken with body-cam....

JP            Yeah.

JC            ....OK, right, you have to listen carefully. It goes on for about six minutes, all right?

JP            Mmm.

JC And we'll watch it. This is Superintendent Jameson, this is Sergeant Fishwick and this is PC Jones with the camera. You see the time there, 10.34....

JP Yeah.

JC ....and 36 seconds. We're just waiting for you to come out. Just for the sake of clarity I've checked this time on the body-cam in question and it is accurate.

JP Yeah.

JC The Superintendent's watch is probably a couple of minutes fast but that is accurate, 10.35. Right, you're going to come out just now.

9:24:00

JP Mmm.

JC I want you to listen very carefully to what you say next, all right?

JP OK. Yeah, and I've explained that.

JC OK, we come back to that point, that's going to stop now so it's just 10.39 in the morning, OK?

JP I've not, you know, I've not denied that for a second, for one minute.

JC Now that's, that's the video, right.

JP Yeah.

JC A small point I'll make before anything else is....

JP            Yeah.

JC            ....that's 10 minutes after you said you opened, there's a hell of a lot of people in there....

JP            Yeah.

JC            ....served with alcohol within those 10 minutes.

JP            John, if you come in on a match day....

JC            You'd been open longer than 10 minutes.

JP            I hadn't John.

JC            OK, that's your opinion, right. The garden is full of people.

JP            So what, we have an outside bar John.

JC            The garden is full of people.

JP            There's an outside bar John.

JC            OK, it's still 10.30, where does the authority come for you to open up?

JP            As I said to you before, if I've made a mistake I'll, I'll, I'll take anything that's coming to me and I will take it firmly on the chin because that's what it is, an honest mistake.

JC            What upsets me is you've indicated there to Sue Jameson....

JP            No.....

JC ....that myself and Marie gave you permission to open up....

JP No, what....

JC ....which is clearly not the case.

JP What I said was I come in to see you and I'd informed you, that's what you said, what's happening with, with the game and I said that to you and I think that's why you sent these people in.

JC I have, no, I'll tell you now Josh, we would not have said that, you are a high profile pub opposite a football stadium on probably the most important match day of the year, there is no way we would have said OK Josh, you go ahead and open at 10.30.

JP No, no, I didn't think I, that wasn't what I was trying to say, I think that's, you can, you can see something and take it two different ways, what I've actually said, and I said this from the off when we first spoke about it, I thought I could open at half past 10 and when I come in and spoke to you and I said yeah we're open for bacon rolls and what have you at, at half past 8 and that I would be open properly at half past 10, I didn't, what I'm, what I was trying to say was I wasn't....

JC Josh, at the end of the day we would have said no way.

JP Well I said that John and I, I, I said that, now if that's not right then that's not right.

JC OK, and the other point is....

JP Where I was, and if you're on about the Personal Licence Holder, when we had a meeting at the Council I was under the impression you were happy for me to be that person and that's what she said, and that's why I said....

JC You haven't got a Personal Licence.

JP No, John, you're happy for me to be that person in there.

JC If you had a Personal Licence. You haven't got one.

JP Well that's, that's where, what I think. Allan Smart was in the pub and Allan Smart is also a Personal Licence Holder.

JM And he was on duty was he, all day?

JP Allan was in all day, yeah.

JM He was on duty....

JP Yeah.

JM ....as in he was employed, he was working for you....

JP Yeah.

JM ....during the day?

JP Yeah.

JM He'll confirm that he was working on that day?

JP Yeah.



JM Allan Smart will confirm that he was working as a....

JP Allan Smart....

JM Because you said earlier he'd come down to, to meet the players because he was an ex player, to get....

JP Allan....

JM ....that's not the same as working in a pub for the day, I just want to be sure that....

JP We employed him to come down.

JM Right, so you employed him as the, as the person, because your Licence says there should be a Personal Licence Holder....

JP Yeah.

JM ....on duty at the venue.

JP Allan actually come down the game before as well.

JM Right, OK, so he'll confirm that he was the....

JP Yeah he will.

JM ....designated, he was designated to be on duty as a Personal Licence Holder on those days?

JP Yeah.

JM Fine, cool. Right, I just want - can I ask some questions?

JC            Yeah, of course you can, yeah.

JM            Just a couple of quick things, you say obviously you've taken your Personal Licence....

JP            Yeah.

JM            ....course, where did you take that?

JP            I took it at the Jury's Inn.

JM            Jury's Inn, is it with a private company?

JP            CPL.

JM            CPL, and how, how long ago did you take that?

JP            It was February '11.

JM            February 2011, and how long was the course?

JP            It was a one day course.

JM            One day course, right, and did, and what did they cover on that course, roughly, I mean obviously I don't want to go through the course thing but....

JP            It's two years ago, all stuff, everything to do with....

JM            Right, what....

JP            ....whatever, yeah with licensing.

JM            Premises Licences?

JP Everything, yeah.

JM Licensing hours, sale to children....

JP Yeah.

JM ....don't sell to drunk people, that sort of stuff?

JP Yeah.

JM Right, so, so hours obviously covered?

JP Yeah.

JM Right, so you had training is all I'm trying to get at, you've had training....

JP Yeah.

JM ....you say you've done a, you've done a course which, which entitles you to become a premises, a Personal Licence Holder if you apply to the relevant....

JP Yes.

JM ....authority and yet you seem to completely misunderstand what licensing hours mean on a Licence.

JP I'll tell you....

JM In the video you say 11 o'clock on a Sunday.

JP No.

JM Completely wrong....

JP Yes.

JM ....it's 12 o'clock.

JP Again what I've done on the, on the thing, football is usually on a Saturday and sometimes when you're in there that seems like a Saturday or Sunday, it's a Saturday as far as I'm concerned and again with the camera in your face you're under pressure and it actually was a bit....

JM The Officer clearly says it's a Sunday, it's Sunday hours, he says it about three or four times, Sunday hours.

JP Yeah, I'm under pressure and I've completely missed, missed he's done that.

JM Right, OK.

JP I mean....

JM Even....

JP ....it's quite unnerving having a, having a camera shoved in your face, being surrounded by three Officers who are basically, not having a go but they're, they're being, it's well hang on a minute....

JM Well I didn't, I didn't take that video as being like that at all actually, I think they're, they're asking you questions in a very measured way.

JP No I, I, I agree but then to have three people when you're not expecting that to be there on you like that, I, you know I'm not used to that.

JM OK. How many meetings or, or involvements, queries, telephone calls have you had, roughly, again roughly speaking, with John or with Marie, with Watford CSU since taking over The Red Lion pub?

JP I think I've been in there, I don't know, ask John, half a dozen times.

JC It's got to be five or six minimum.

JM Five or six times, and when did you take over the pub?

JP Well I'm the Manager of the pub.

JC Yeah, Premises Licence Holder.

JM When was your, when did you start getting involved in the pub?

JP Premises Licence Holder I came, it would have been some time middle of March, early March.

JC It was actually February.

JM February this year, but, but are all those meetings since February this year, that's what I'm trying to get, get at or is that, or did you have meetings prior to that?

JP Yeah, again because of the times and the bits of pieces when we can open I actually had a, I, when the Football Club, the Football Club opened the pub and they owned the pub...

JM Yes, yeah.

JP ....so I was then managing that for the Football Club, so with the guy who is the stadium....

JM Yeah, manager.

JP ....manager, Glyn Evans....

JM Yeah.

JP ....I came with him, we had a discussion with John, Marie and a couple of other people and that would have been somewhere in the region of April, May.

9:35:10

JC It was Ian Smith, what it was Marie and it was....

JP Oh Ian, Ian Smith.

JC ....April 2012.

JM Right, OK.

JC And at that, just to clarify that, you were, Glyn put you up as the DPS then and the application was immediately rejected and it had to be because you didn't have a Personal Licence....

JM Yeah.

JC ....and would not have had any authority to carry on licensable activity so from our first dealings with you in April last year, and it's now June 2013 which is 14, 14 months....

JP Mmm.

JC ....you've been telling us I'm going to get my Personal Licence.

JP Because I actually stepped away from the pub because there's, there's quite a few other things....

JC Going back to February, going back to February we told you then, when we had the review period, which I don't really want to go into too much, you told us then I'll be, I'm going to get it and....

JP Yeah, if you let me explain I'll explain exactly what the situation has been with the pub. Since Watford had the pub and then Watford changed ownership to these Italian people, the previous owner, Laurence Bassini, kept hold of the pub and to be fair it's been a complete disaster since then because Laurence is up and down and that, you don't know where you are from, from one week to the next.

JC From February Laurence had nothing more to do with the pub other than actually owning the pub.

JP He owns the pub John.

JC When you became Premises Licence Holder it was perfectly acceptable, he gave up being DPS....

JP If you let me speak I will explain.

JC ....and Ron Smith became DPS.

JP If you're going to, if you're going to keep butting in John there's no point me being here.

JC But I do not need the long explanation....

JP No I do.

JC We don't need....

JP But I do, I need the long explanation because I'll tell you for why I haven't actually been the DPS on it.

JC Go on.

JP Right? Because from one week to the next we've been told the pub's going to be sold, we've been told the pub's going to be sold to some people we know, then it's not, then it is, then it's not and to be quite honest I'm not sure even now what's happening with that pub which is why I haven't been the DPS with it.

JC OK, I understand, but the DPS means nothing to you does it because of what happened to Ron Smith, it's just a bit of paper to you anyway.

JP What do you mean it's a bit of paper to me?

JC Ron Smith....

JP Yeah.

JC ....obviously when this happened, with what we've just watched on the video, I wrote to Ron Smith saying Ron Smith you are in trouble....

JP Yeah.



JC ....DPS gets into trouble, he's the, he's the....

JP Yeah.

JC ....man responsible. Ron Smith said I'm not the DPS. Ron Smith tells us, and I have it here as a statement....

JP Right.

JC ....that he was told by you in February this year that he was no longer DPS, you'd found someone else. He, he didn't even know he was DPS any longer.

JP Ron signed the forms.

JC He signed the forms....

JP So Ron's signed the forms and Ron's put the forms in, at the end of the day that's gone into that, has Ron resigned from that?

JC Oh yes, that's why....

JP He has now but between that last game when you've called him, until then he was the DPS.

JC He didn't know.

JP How would he not know then if he hasn't resigned?

JC He never went to the pub, he's never met you.

JP Ron's never met me?

JC No.

JP Ron has met me on several occasions John.

JC Ron's never met you.

JP Right, well let's, let's get Ron in....

JC Let me put it this way, I'm more inclined to believe Ron than I am you because you have not told them the truth, you've lied on this, I'm more inclined to believe Ron, that's human nature Josh, I'm sorry.

JP Are you trying to goad me John?

JC I'm not trying to goad you.

JP At the end of the day Ron has signed to be the DPS, Ron has put the forms in to be the DPS, right?

JC Yeah.

JP We have an arrangement with Ron about being the DPS and then Ron has resigned when you've put pressure on Ron to resign after this....

JC We've not put any pressure on Ron at all.

JP Just let me finish. And then Ron was not the DPS anymore. In the meantime Ron is fully aware, he's been doing this for years, he knows that he has to resign from being the DPS to stop being the DPS and Ron has met me on numerous occasions and not only can I prove, prove that there's other people that know that I know Ron.

- JC OK. Let's read through his statement. "In March I read in the local paper there'd been a Licence renewal relating to The Red Lion. It clearly stated in the report the DPS had to be on the premises" – he's made a mistake there but that's what his understanding was.
- JP So has made a mistake.
- JC His understanding of what the story said. "I telephoned Jonathan Price and he explained that I was not needed on the premises as Allan Smart held the relevant Licence. I assumed that I'd been replaced as a DPS. That's my last dealings with it until the 15<sup>th</sup> of May when I got a letting from the Licensing Unit at Watford telling me basically I'm in trouble".
- JP If you read between the lines there John, which I'm actually trying to think why, again you can take that one way or the other, what I said, what Ron said was that sometimes he can't always be here on a Saturday, he's involved with Evergreen Football Club I believe, so what Ron said was, he said actually I can be the DPS and I can be around the pub, I might be, but some Saturdays are difficult....
- JC (Inaudible).
- JP ...and I said that's not a problem because Allan Smart can be here the days you can't be here and that, I think that's how I've understood what he's wrote down there.
- JC Ron Smith says he only ever went to the pub once whilst he was DPS and he wasn't allowed in because he didn't have a ticket. He then managed to persuade Neil, your brother, to let him in and he spoke about the Licence then.

JP OK, OK, that's clearly not true and also we had some flyers up for Evergreen Football Club on behalf of Ron because he was trying to get some grant done so why would I put Ron's stuff in there if Ron had never been in?

JC Why, why would anything get done at the pub, Josh, that isn't honest and above board, I can't understand, because there are things recently that have been very, very dishonest.

JP I know nothing about that and that's nothing to do with me.

JC OK, but you're well aware of what I'm talking about.

JP Allegedly what you're, what you said.

JC The fraudulent signatures.

JP I have no idea about that and that's, and for the record that is nothing to do with me. If something else has gone on, I'm here to discuss this....

JC OK.

JP ...if anything else has gone on, John, that's a different issue.

JC Perhaps you can assist me just with this, it's not, it's not treating you as a suspect, perhaps you can confirm to me – this is the application that went in on the, late last month to change the DPS to Allan Smart, it's a copy of it, so have a look, have a look at that signature.

JP Yeah.

JC Did you sign that?

JP It actually looks quite like my signature, yeah.

JC But it's not because it's different. Is it yours, did you sign it on the 22<sup>nd</sup> of the 5<sup>th</sup>?

JP No I didn't sign it on the 22<sup>nd</sup> of the 5<sup>th</sup>, what we did, because I had this thing with Ron, I spoke to Ron personally on, I'll tell you what date that was, that would have been the 16<sup>th</sup>....

JC Yeah.

JP ....of May and I spoke to Ron and Ron said he was going to be obviously resigning because you guys had put pressure on him....

JC Yeah.

JP ....so, and he said that to me so that also goes back to what Ron's saying he wasn't the DPS, he said he was going to resign because the pressure you put on you so we got some forms and I had a form because I was going away on holiday that weekend and I signed a form, I don't know if it's that form John but I signed a form.

JC Is that your signature, because it doesn't look like it.

JP It looks reasonably like my signature to me.

JC I've got your signature on other things Josh, I'm not saying you and I don't think it is you, I've got your signature on other things. Don't talk yourself....

JP I'm not talking myself into anything John. At the end of the day actually I run a transport company, I've got two signatures, I've got a squiggle, because sometimes when I go and deliver stuff I've got to have sixty signatures on a bit of paper so I've just got a little thing that I do. I don't know if that's mine, it looks reasonably like mine to be fair.

JC OK, well we'll have a look at some of the other signatures. That is, that is Allan Smart's real signature....

JP Right.

JC ....we know that....

JP What, what's that got to do with me?

JC I'm just showing you just to show you. This is the signature that went on that application at the end of May when you were in Dubai, have a look. Right, OK, they're not the same and anyway if it is he can't even spell his name because he's got two Ls in his name.

JP But I don't know why you're....

JC I'm just telling you (inaudible) behind the whole thing.

JP No, I'm not interested.

JC Well you should be.

JP No John, I'm not interested in somebody, if somebody else has been dishonest that's somebody else and that isn't me John.

JC This is the, this is the Licence Application that you put in back in February with Allan Smart on there, that's not his signature either, you've put this on it. Unfortunately I cannot attribute this to you 100% otherwise you'd be sitting here, probably not in here, you'd be in the cells I think.

JP Are you allowed to actually talk to me like that?

JC I can, yeah, I'm asking you questions.

JP That happened, that, that's March, I have no idea about that.

JC You put the forms in. I'm just trying to illustrate to you....

JP I have no idea about that John.

JC ....the dishonesty that's gone on around this, there's the lying, there's the cheating....

JP It's not the lying John.

JC No, it's just a piece of paper.

JP It's not lying. Please, please don't try and wind me up and call me a liar.

JC I'm saying the lying and the cheating that's gone on around it.

JP Look, listen, I'm sure there's Old Bill that lie and cheat, I'm sure because, no, I'm sure there's Old Bill that lie and cheat and do things wrong....

JC That's .....

JP No, but that doesn't mean to say that you're one of those does it? I can't tar everybody with the same brush, the same matters if there's 100 people that work in that pub, if one of them is an armed robber does it make us all armed robbers? No it doesn't....

JC I'm talking about....

JP ...what it means John....

JC ...the running of The Red Lion.

JP ....what I'm talking about....

JM You're the Premises Licence Holder.

JP We had, I've been a Premises Licence Holder since, since March....

JC Yeah.

JP ....in that time, in that hearing you stood up and you said in that hearing you were more than happy with the way that I manage it, the way that I run it and there's no issues. I've also got stuff in from local residents who said they were delighted with how that pub was run because I don't really know the history of the pub because I'm not a Watford boy....

JC Right.

JP ...and it used to be run as, it was like the Wild West in there....

JC Yeah.



JP                   ...and they were delighted with how the pub was run and would be devastated if it went back to how it was so I think that's a pretty decent thing coming from the Police and coming from the local resident.

JC                   Undoubtedly it was but....

JP                   And in there....

JC                   ...things change.

JP                   ...and in there I've had a camera shoved in my face, I'm not up front, I'm not an up front merchant, and that actually sent me a little bit wobbly and unless I'm wrong in our hearing you were happy for me, because I was responsible and you were happy with what I do and how I go about things for me to be on site match days.

JC                   Providing you had a Personal Licence Holder.

JP                   It will be interesting to get the Minutes of that, it will be interesting to get the Minutes of that. The point I'm trying to make is I am not a liar and I am not a cheat....

JC                   You lied about me and Marie giving you permission to open.

JP                   No I didn't, again if you want to say that I'm lying John....

JC                   You lied about being a Personal Licence Holder.

JP                   ...I'm not lying John, it's not lying, are you trying to goad me on purpose?

JC                   I'm not, I'm just pointing out....

JP I'm saying I came into your offices and I said to you that I'd be open at half past 10, I didn't ask your permission because I didn't think I needed your permission. I thought I could open two hours before the game because I thought that going back to our conversation with Glyn Evans, and again that's not The Red Lion down the High Street, that it's regimented. I'm not that experienced, I presumed, I, I honestly 100% believed....

JC So....

JP ....that match days was slightly different.

JC So you're not regimented and you don't really, you're not experienced enough?

JP No what I'm saying is John....

JC So we're supposed to allow you some slack to do what you like?

JP No, I'm not saying, you're putting words, you're putting words in my mouth, what I'm trying to say to you is if I've made a mistake I've made an honest mistake and I'm a lot of things, if I was going to try and open a pub underhand for, for whatever reason, for personal gain on a high profile game like that, knowing how interested you are in the pub and do it, and I would do that with 25 coppers outside the boozier, neon signs and doors open and, why would I do that....

JC You tell me.

JP ...I must be some sort of, well, I don't know how I get up in the morning, I must be a retard John because I am not that stupid.

JC You've said on there that myself and Marie said it would be OK to open, that's your permission in your mind.

JP No it wasn't my, that's not what I said. What I said was and what I'd meant was I'd been to you and I'd spoken to you about it....

JC Can you just stop banging the desk because it picks it up on there.

JP Oh does it?

JC Yeah.

JM Can I, taking the point about the experience again, sort of going back to the, to the point that I was getting to which I never quite asked the questions about how many meetings you'd had and everything, six, five or six meetings with the Police in sort of a 14 month period is quite a lot for a, for a....

JP I wasn't called in for a problem.

JM Right.

JP I was, a lot of the time I've come in just to have a discussion because there might be a high profile game coming up or there might be something that we need to, to look at, I haven't been called in because of the issues in the pub, there's never been an arrest in the pub.

JM Even, even, I've not really interested in arrests in the pub but even, even going, even in, in terms of how many times you've actually been, you know, in contact with John....

JP Yeah.

JM ....discussing things, that in my experience would kind of usually set someone who runs a pub on a path to kind of gain experience quite quickly....

JP Yeah, absolutely.

JM ....over a short period of time....

JP Absolutely.

JM ....over a short period of time....

JP Yeah.

JM ....gaining quite a lot of experience....

JP Yeah.

JM ....and it's a very, as John said it can be a high profile pub, high profile area....

JP Yeah.

JM ....busy pub on a particular day....

JP Yeah of course.

JM ....a very busy pub, again in my opinion requires an experience person to run it.

JP Yeah.

JM                    Getting the timing wrong on your Licence is so, is so very basic....

JP                    And I do understand that, I understand that 100% wholeheartedly.

JM                    Right. How much longer did you think you would need to get enough experience to get the timing right? At what point are we going to be able to say well actually the pub is being run within the terms of it's Licence because two year after taking over Mr Price has sort of got to grips with the, the....

JP                    Well it wasn't two years and to be honest....

JM                    No, no, but I'm saying are we going to get to two years down the line....

JP                    No. If you let me explain, the point I'm trying to make was I opened the pub, I was, I was the manager of the pub for the Football Club and we had a meeting and it was about timings, it was about stuff, perhaps early things and Sky moving things around for the, for the football so there would be, sometimes instead of being a 3 o'clock kick off it would be a 5.15, instead of it being 3 o'clock it would be a 12.30. We had a discussion about that, I then, when the pub was sold and the takeover I came away from the pub....

JM                    Yeah.

JP                    ....so I didn't have any part of the pub for a while....

JM                    Right.

10:49:00

JP ...but in that discussion we had I actually think I left about two weeks afterwards so I would, when these things were going through, that pub is, is slightly different to most pubs and on match day it's different and I strongly and honestly understood that, that we could open two hours before match day because we had a discussion about that previously.

JM The Licence times haven't changed, they haven't changed for ages.

JP No I understand that.

JM Right, so they're the same when you took over the first time and the same from February when you became the Premises Licence Holder.

JP Yeah.

JM Is that right?

JP Well we, yeah, my, my mistake is that we had the conversation previously and that was going to be put into the Licence because the Licence had been, there's been other things put in there over the past year.

JM I mean....

JP I strongly believed that we could open two hours before kick off.

JM If you'd have come in the day before that match, I mean it's such a high profile match....

JP Yeah.

JM ....it's a busy day....

JP Yeah.

JM ....it still would have been wrong.

JP No, absolutely.

JM If you'd come in the day before and said, as in you'd started the day before and you said I must have misread, I read it 11 o'clock instead of 12 o'clock I might be able to sit here and say OK, I can see how it's happened....

JP Yeah, of course.

JM ....14 months is quite a long period of time to be in charge of somewhere....

JP Well I was away from that pub from a long, long time, I hadn't been in there 14 months.

JM Well all right, even since February, 25<sup>th</sup> of February....

JP Yeah.

JM ....which is the date on this Licence, it's still a long time.

JP Yeah it is. And it's a massive, massive oversight on my part but like I say I wasn't trying to get away with anything because if I would do, on such a high profile game, high profile, high profile pub, with all of those Police outside I'm actually saying shoot me, you know, it's so, it's such, perhaps an error and it, and it's such an oversight and it's such a thing that I wouldn't, I wouldn't be that stupid. It's like going and ram raiding a shop, if I want to

go and hold up one of the banks down there, if they've got 45 coppers hanging outside I'd probably give it a miss don't I?

JM The worry is....

JP You know?

JM ....is that having been in the position for, for a fair length of time....

JP Yeah.

JM ....to have made such an error....

JP And error, yeah I understand.

JM ....the concern is, well when do we know that that error is not going to be made again, how do we know that that, do you see the problem?

JP Yeah.

JM Because what....

JP But that's an isolated error. And if we go back to how the pub's been run since then, the Police have stated, the local resident have stated there's never been no other incidents.

JM Well there has been since, there was one the other week wasn't there, that was....

JP Yeah, but going through from me being involved in the pub there's been no incidents in the pub.



JM Right, I'm not sure that's entirely....

JC Well no, that's not entirely true, there have been other incidents, I'm not going to go into....

JP But also....

JC ....I don't think there's any point. There are other breaches, and if you want to go through them, there's children in your back, in the beer garden after 7.30 at night, they should all be out, every child should be out of that place at 7.30, there are kids playing football in the back yard, that's on video, I really don't bother with that, and then the day after Allan Smart took over, and this again is nothing to do with you....

JP No it's not.

JC ....there was some kind of reggae party there that was still going at 2am in the morning, now I don't know whether you rent that place out to some other people or whatever but that, that was not acceptable. We had plain clothes Police Officers in there, there are all kinds of breaches going on which I need to speak to Allan or Neil about probably, but it was still going at 2am.

JM I suspect that the goodwill of the neighbours will probably vanish quite quickly if that sort of thing is going on.

JP Listen, I wasn't here and at the end of the day the pub has been a complete mare with, with Laurence and what have you, lots of things that have gone on with the pub and as I said before really I do think that the Police, my opinion, is that they're really, really interested in it, I think there's some, some, from higher, and I've said this from day one John, there's some, I think there's some pressure from higher, I don't think the pub is wanted there....

JC Listen....

JP ....it's too much of an issue on match days.

JC How, how good have we been to you? We've tried to help you, we've tried to help you out all the time and we did say don't bring yourself to notice and each time you bring yourself to notice.

JP Well when you said each time, we, we had a, a thing at the Council, when you said, again you're saying about people lying, we had a thing from Mr Caveney that shut us on the Crystal Palace game....

JC Yeah.

JP ....right?

JC Yeah.

JP And he said, and he stated, he stated that there was problems with away fans being in the pub. Now you said and Marie said, both of you, and please be honest....

(Buzzer sounds)

JC That means we're going to finish.

JP No, no, you both said to me that you had that brought to your opinion, nobody had put it in writing and it couldn't be proved.

(Buzzer sounds)

JC That means....

JP Is that true?

JC That is but that's a, that's a....

JP No is it true or not?

JC ....issue....

JP No it's not but it's true....

JC We're going to run out of tape. We're going to conclude this....

JP I, I....

JC ....or we can put some more tapes in, do you want to....

JP Yeah I do.

JC Right, OK, well I'll stop these tapes then, the time now is....

JP I think that's important.

JM 10.24, my, my mobile phone is different to your....

JC Oh right, 10.24, yeah it is, right, hang on, sorry, 11.24 isn't it?

JM We'll suspend the interview, we're not going to talk about anything in the meantime whilst the tapes are off and we can't talk about it again until the tapes are back on, all right?



## TRANSCRIPT OF RECORDED INTERVIEW

**PERSON INTERVIEWED:** JONATHAN PRICE

**INTERVIEWING OFFICERS:** JOHN CORKETT  
JAMIE MACKENZIE

**DATE OF INTERVIEW:** 11<sup>TH</sup> JUNE 2013

**TIME INTERVIEW COMMENCED:** 10:25 HOURS

**TIME INTERVIEW CONCLUDED:** 10:39 HOURS

**TAPE REFERENCE NUMBER:** 2

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<u>Tape Time</u>	<u>Person Speaking</u>	<u>Text</u>
	JC	OK, it's a recommencement of the interview with Jonathan Price, the time is just after 10.25. Josh, can you confirm we took a break whilst we changed the tapes.
	JP	Yeah.
	JC	And that we didn't discuss anything ....
	JP	We didn't discuss anything.
	JC	And these tapes were sealed and before....
	JP	They were indeed.
	JC	Right, thank you, right just before....
	JM	Can I just remind you that you're under caution.
	JP	Yeah, yeah, yeah.

JC OK, the same, everything applies, right to legal advice....

JP Yeah, yeah, absolutely.

JC OK, your right to consult the Codes of Practice etc. Right, just before you were talking about an incident where, about away supporters in the pub.

JP No what I was, the point I'm trying to make is, the point I'm trying to make, and I think it's quite a valid point is that we, there's been a few things that I think have been completely unjustified and completely wrong and you've agreed with me. We've had limited incidents with, with, with, bearing in mind we're 15 yards from the away supporters end, we, I think we run a pretty decent ship and I think there's been no incidents of, of description, there was one where I think there was about 10 or 12 Peterborough supporters, before we had the back fence boarded up, I think they got away from your coppers in the town and there was a bit of a push and a shove, a bit of plastic glasses and stuff – we eradicated that and to be fair I think there was no big, big deal with that and what we did with that we worked with you and we boarded the back fence up. That then stopped anybody seeing who was around and I think it, it took it on. When we had this hear-, this, this hearing we was closed for the Crystal Palace game, completely unfairly, we had a discussion and one of the reasons Mr (inaudible) said the, the pub was going to be shut was was because of a potential incident, flashpoint, there'd never been one. And also he said that there was on two occasions away fans in our pub, now you know we have doormen and you know them doormen look at match day tickets or season tickets and if they're not Watford they're not let in.

JC OK.

JP Now we also discussed, and you said to me when I came in to see you about a number of things you said to me that to be honest you're not even going to, even think about it because a it's not been proved and it's not been put in writing so therefore as far as you're concerned it didn't particularly happen and you did say that to me and you and Marie both said that to me so what I'm saying, the point I'm trying to make here is, not that anybody's lying, is the case of Mr (inaudible) has got some information that isn't right.

JC Sorry Josh, I'm, I'm not trying to like stop you talking but what is this, any relevance to what we're talking about now, the breach of the Licence?

JP Because people make mistakes John, that's the point I'm trying to make, people make mistakes, people do make mistakes and at the end of the day your guys make mistakes and we also had a discussion in the Town Hall when we had had that meeting and I said well how comes that you can say, people can say that these, these, these problems happened in the pub and your thing was well it's not actually a Court of Law so it hasn't got to be that specific so even, basically in the Town Hall in the meeting and the Licensing meeting say what you like.

JC It's balance of probabilities.

JP Yeah and I don't think that's particularly fair and I think all the way through, since I've been involved with that club, match days and otherwise I think it's been pretty decent, depending on where, especially on a match day and where it is.

JC Everything went wrong on the 12<sup>th</sup> when you decided, for one reason or another, that you were going to open....

JP It's a mistake.

JC ....at least an hour and a half early.

JP It's a mistake.

JC A big mistake to make.

JP Yeah a big mistake, we all make mistakes, and I held my hand up and said it's my fault, my mistake and I'll carry the can and whatever's coming to me I have to take on the chin because it's my fault, I'm the Premises Licence Holder and I have got that wrong. Now I'm sure in my everyday life that's not the last thing I'm going to get wrong.

JC No....

JP But at the end of the day what I'm, what I'm saying is, the point I'm trying to make to you is that it surely is an honest mistake because I wouldn't try and open a pub surrounded by Police, especially with the interest in the pub like that if I didn't honestly think that was what I can do.

JC I would say Josh that you knew because you had a meeting with us and we told you to stick to your Licence, make sure you stick to your Licence rigidly.

JP But in my, in my opinion when I had that, I, I told you, you said to me what are we doing Sunday and I said to you we're going to open at half 8 for bacon rolls and the pub will be open as a pub from half past 10, I said that to you.

JC I do not recall that because there's no way we would....



JP No, no, no, that's fine and....

JC And I'm not going to argue that point....

JP No, and I....

JC ....I do recall you saying you would open for bacon rolls, we have no issue with that, you can do that.

JP I understand that, no what I'm saying is if you haven't understood me or you haven't heard me or, or there's been something lost in translation then that's fine....

JC Where does it say in here you could do it?

JP It doesn't. I thought that that was what we discussed with Glyn going back 12 months, that's my....

JC Well Glyn Evans, the most fantastic Licencing brain in the whole world, he didn't understand any of it, did he?

JP To be honest I don't actually remember what Glyn remembers and what doesn't but I'm trying to....

JC He tried to put you up as DPS....

JP The point I'm, the point, the point....

JC ....and you weren't even a Personal Licence Holder.

JP The point I'm trying to make is that I thought that was what the situation was and I thought on a match day the pub is slightly different and will be treated slightly different because of where

it's situated and I thought that was the reason and I thought it had to be dealt with, dealt with separately because it's 15 yards away from, from the away end.

JC Right.

JP If the away supporters went in down by bottom end by The Rookery I'm sure there would be less under the spotlight with the pub, perhaps there would, I don't know but, but the Police have made mistakes with, with the stuff, bringing the coaches up and causing a flashpoint, we even told you that would happen before it did.

JC This is not the issue here.

JP No it's not the issue John but the point I'm trying to make is that happened the first week, the next week when we had a game the Police did it again, we rushed out and said to them you can't, you need to move the coaches because it's going to cause an incident.

JC This is not the issue here.

10:00:40 JP No it's not the incident but my point is John that your coppers, that happened once, the next week your coppers let that happen again, they made a mistake.

JC Yeah.

JP Which they do and I'm saying here, sitting here....

JC Say they have....

JP Yeah.

JC ....the mistake they made was not against the law whereas what you did was against the law.

JP OK, I made a mistake that's against the law but your coppers have started a problem where there was coins and bits and pieces thrown....

JC They started it? OK....

JP Oh John, I'm not saying that, I'm saying, you're saying that the people in the garden had a problem and there was coins and plastic cups going backwards and forwards, because the coaches were there. If your, if your guys on duty that day hadn't put the coaches....

JC This is not what it's about.

JP No but it's, it's, I think it's relevant, if the coaches weren't there John there was nothing to throw anything at.

JC This is not the reason....

JP I....

JC ....you opened up at 10.30 on a Sunday.

JP The reason I opened at 10.30 is because I thought I could. Now if I've made a mistake and it's a criminal offence I apologise and you have to do what you see fit but I did it honestly and if it's a mistake and it's a bag mistake it's still, it's still an honest mistake, we all make them.

JC                   What is Allan Smart going to say when we ask him about whether he was on duty on that Sunday, bearing in mind that untruths have already been told about him.

JP                   Untruths? Again you're implying that's me.

JC                   I'm just saying untruths have been told, I didn't say it was you.

JP                   Allan Smart will tell you he was on duty that day.

JC                   He will, will he?

JP                   Yeah he will because he come down, he was paid, he, he was paid by the pub to come down and, and, and he's actually half way through sort of a divorce so he's moving down this way so in the meantime we actually pay for him to stay here as well.

JC                   OK, so then why, why on earth, when you were asked by Superintendent Jameson and Sergeant Fishwick why didn't you say there's the Personal Licence Holder?

JP                   If you look at the video, if you look at the video....

JC                   Yeah.

JP                   ....she said about being a Personal Licence Holder and I, I think that I'm, in that meeting at the, at the Council you said that you was happy for me to be on site and I was OK with that. She didn't ask me any more. She didn't ask me any more....

JC                   OK....

JP                   ....she, she accepted that and then that was it....

JC            You said.....

JP            ....but I didn't, I didn't try to....

JC            You volunteered I am the Personal Licence Holder to cover that condition, those are your words.

JP            Allan was inside as well and I, I strongly believe that in that meeting at the Council you said you were happy for me to be that person, if I wasn't there then I was to do something about it.

JC            Nobody said that Josh, nobody said that, they said we would be happy if you were a Personal Licence Holder then you would be DPS.

JP            But Allan was on, on site, now again if that's lost in translation that's fine but there was somebody on there....

JC            You're just digging a well because you obviously were aware of it because you mentioned it when you were talking to them.

JP            I mentioned what?

JC            You mentioned Personal Licence Holder, you told, you told them that you were the Personal Licence Holder to cover it. No matter, if you say Allan Smart was your cover for that day why didn't you say to Superintendent Jameson or Sergeant Fishwick hold on a minute, Allan Smart is Personal Licence Holder....

JP            Allan Smart was inside and it's just the way the conversation went round, I'm allowed to be in there and I'm in there on match day like I was all the time beforehand.

- JC He's your Personal Licence Holder, you're saying, you're now saying he was your Personal Licence Holder, came down that day to cover it. Easiest thing in the world to tell them isn't it? They've....
- JP Allan, Allan Smart would come down anyway because again I actually didn't know if I was going to be there on the Sunday so Allan come down because I was going away the following week, my missus looked like she had potential appendicitis so I wasn't sure if I was going to be there so Allan was coming down, because it was a play off thing and Allan scored one of the goals the last time they were in the final....
- JC I know, yeah.
- JP ....so the idea was Allan would come in, the supporters would like it, we were paying him to come down, obviously he comes down wherever he's coming from, he can't come down for nothing so Allan is on site to, to be a number of things that day.
- JC So why didn't you tell the Police Officers, why didn't you tell them here he is, this is my Personal Licence Holder, this is the man who covers in addition on my Licence, which you obviously knew about, and allows me to operate legally, why didn't you say that?
- JP Because I think that when we spoke in the, in the Council meeting, that you were OK for me to be that.
- JC How many time have we got to go through this? You have to be a Personal Licence Holder to be a DPS....
- JP Yeah.

- JC                   ....you haven't got a Personal Licence. I'm not going to keep labouring the point Josh, you haven't got it, it's been 14 months now.
- JP                   At the end of the day John, you, you, I've told you my honest opinion about all of this, I'm not filleting it and I've made a major mistake and I've put my hands and I've not tried to get out of it in any way, shape or form. I shouldn't have opened that early, I did, that's my fault, no-one else's. At the end of the day John you've got to do what you've got to do with that, I'm not denying that for one minute. But as I'm trying to say, your, your, your coppers make mistakes, people make mistakes, I have made one, however big or small I have made one, I've not tried to cover it up, I've not tried to fudge the issue, I have admitted that I have done wrong.
- JM                   I've got a couple more factual questions if that's all right just before we finish, it should be fairly short to be honest. You, you said that you've been under the impression on match days things are slightly different for that pub....
- JP                   Yes.
- JM                   ....because of the conversation you had some, some while back.
- JP                   Yeah.
- JM                   What days do you open the pub, not what can you open what do you, what do you generally open?
- JP                   Basically a long story really, with the, with the palava with, with the guy Laurence it's been very difficult, funding for the pub has been very difficult, getting it open, doing, so we, we initially were open 7 days....

JM Yeah.

JP ...going back the last April, May I think we were probably open two days a week.

JM Match day being one of them?

JP Yeah, Friday, Saturday.

JM Friday, Saturday, right, at the moment.

JP At the moment we're not open at all.

JM Sometimes there are matches on a Friday aren't there but, but generally they're on Saturdays, is that right?

JP I think there's been one all season.

10:06:40

JM One, right. So given that your, your, your impression then would be that on the majority of times that you open your pub or at least 50% of the times you open your pub the Licensing times and conditions are slightly different from those written on the Licence?

JP That, that is the reason.

JM Yeah, so as I say....

JP Yeah we've been, previous to that we were open 7 days.

JM Right, OK, sorry, I just wanted to....



JP I mean moving forward, and I, and I know these guys won't make it easy but I mean moving forward, again, if there are, it might be whether I am at the pub or somebody else completely new is at the pub, again we've, we've, the way that the TV scheduling is that might be something that might be up for discussion moving forward anyway. Possibly.

JC Right.

JM I've not no further questions.

JC No, thank you very much, have you got anything more you want to say?

JP No, I'm all good.

JC OK, we'll conclude the interview now, we'll turn off the tapes and then we're going to seal them up. Once those tapes, a copy of each tape is sealed, it can't be opened again without leave of the Court or another Tribunal, OK? You would be entitled to a copy if this goes, if this proceeds to another, another stage, at the moment we won't be giving you a copy of the tape, I'll give you a notice explaining what will happen to them, OK?

JP That's fine.

JC All right, the time is now 10.39 and I'm turning the tapes off.



TRANSCRIPT OF RECORDED INTERVIEW

PERSON INTERVIEWED: NEIL PRICE  
INTERVIEWING OFFICERS: JOHN CORKETT  
JAMIE MACKENZIE  
DATE OF INTERVIEW: 2<sup>ND</sup> JULY 2013  
TIME INTERVIEW COMMENCED: 10:25 HOURS  
TIME INTERVIEW CONCLUDED: 10:56 HOURS  
TAPE REFERENCE NUMBER:

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<u>Tape Time</u>	<u>Person Speaking</u>	<u>Text</u>
	JC	This interview is being tape recorded. I'm John Corkett, I'm a Licensing Officer attached to Watford Police Station, Herts Constabulary. The other Officer present is....
	JM	Jamie Mackenzie, Licensing Enforcement Officer for Watford Borough Council.
	JC	We are in the interview room at Watford Town Hall and we are interviewing - can you please state your full name, your date of birth and your address.
	NP	Neil Price, 15 <sup>th</sup> of the 2 <sup>nd</sup> '64, it's [REDACTED] [REDACTED]
	JC	Thank you very much. The date is the 2 <sup>nd</sup> of July 2013, the time by my watch is 25 past 10, 10.25 in the morning. This interview is being tape recorded. At the conclusion of the procedure we'll give you a notice explaining what will happen to the tapes it's being recorded on, OK? This here is a copy of the Code of

Conduct of the Police and Criminal Evidence Act 1984, it explains the Codes that, that, that regulate how we go about interviewing people under caution. If you want to look at a copy of it you're quite free to consult it if you want to, all right? OK, we are dealing with an allegation of two criminal offences involving fraud, fraud by misrepresentation and fraud by using a forged instrument, OK, they are criminal offences and because of that I have to go through a certain procedure. During this procedure you are entitled to free legal advice at any time. You're not under arrest Neil, you can leave at any time you like and if you want to stop and seek that legal advice or consult anything you can do so, just let us know, are you clear on that?

NP Absolutely.

JC OK. Before we begin then I've got to caution you and I need to understand that you understand what the caution is, OK? The caution is you do not have to say anything but it harm your defence if you fail to mention when questioned something which you later rely on in Court. Anything you do say may be given in evidence, do you understand what that means?

NP I understand what that means but I don't understand how we've got here.

JC OK, I'll explain that in a minute....

NP Yeah.

JC ....I'll explain the caution, right, OK, the caution is....

NP And that before that I've not actually spoken to you, I've not actually spoken to anybody from the Licensing or the Police or anybody, so I'd just like to put that....

JC                    Yeah, fine, but I'll explain the caution just so that, before we go any further with the questions it's only fair to you that we know what we're talking about. The first bit is you don't have to say anything, if you want to sit here in complete silence you can do, if you want to say no comment that's up to you....

NP                    Yeah.

JC                    ....fine, it doesn't worry us, we'll ask the questions anyway. The second part of it is if you don't, if you choose not to make an answer or, or anything like that it could harm your defence, if this ends up before a Court or any other kind of Tribunal....

NP                    Understood, understood John, to be fair mate, look, if you've got something to ask tell me, say to me, that's why I'm here, we're man to man, I just want to get this sorted out because in my opinion, from what I can gather from second and third parties, because that's all I understand at the moment so I don't know exactly what you're going to say....

09:56:10

JC                    OK, if I just finish this bit....

NP                    Yeah.

JC                    ....the final bit and I know it's tedious trying to explain it but anything you do say may be given in evidence because it's being recorded....

NP                    Yeah.

JC                    ....OK. Would you like me to explain what we're looking at?

NP                    I would really mate, yeah, I would.

JC OK, right, the actual, the actual offences that, that are alleged, and that doesn't mean to say that they've actually happened, are this one which is fraud, fraud by false representation....

NP What does that mean?

JC It means, right, a person is in breach of this Section, which is fraud, if he dishonestly makes a false representation and intends by making the representation to make a gain for himself or another or to cause loss to himself or to expose another to risk of loss. A representation is false if it is untrue or misleading and the person making it knows that this, this is, that it might not be true or misleading. Do you understand that?

NP I think so.

JC Yeah, OK, basically it's saying that it doesn't matter if somebody's going to make a gain or loss, if somebody does something that's false or misleading it's a fraud...

NP I've got that.

JC ....OK, in this case we're saying that a false representation was made regarding the Licence of The Red Lion in Vicarage Road....

NP Right.

JC ...and that as a result a Licence or, or an authority to trade under the Licensing Act was granted by Watford Council which enabled The Red Lion to open up on, on Play Off day and sell alcohol for a profit or whatever, or even a loss, whatever. That's that offence and we're also looking at another allegation which is

really connected with it, Section 7 which it says a person is guilty of an offence if makes, adapts, supplied or offers, or offers to supply an article knowing that it is designed or adapted for use in the course or connection of a fraud or intend to be used to commit or assist in the commission of fraud and in that case we're saying that the application that was put into the Council on the Friday before the Play Off was false, it was a false instrument. Those, those are the allegations, is there anything you'd like to say?

NP Yeah, who's making them allegation?

JC Well they, they come from the Police.

NP Is it you?

JC They come from the Police, yeah.

NP You?

JC It's not me in person, it's the....

NP No you on behalf of the Police.

JC Yes.

NP Right, OK, cool. Why?

JC Why?

NP Mmm.

JC OK. Shall we go from what's, what's happened? We found out several, about a month and a half ago, that the, the Designated

Premises Supervisor at The Red Lion, a bloke called Ron Smith....

NP Know him well.

JC Yeah, he resigned from his role.

NP Yeah.

JC OK. It doesn't matter about the circumstances, he....

NP It actually does though John.

JC All right, go on then.

NP Because he was threatened by you lot, he was put off, not physically threatened, he was, he was, he was being, he was told that he would be put and prosecuted if he didn't step down, that is the truth John and you know it.

JC I don't think so but I'm not going to argue over that.

NP But anyway, so as far as I'm concerned I'm nothing to do with the pub by the way, I'm not the landlord....

JC Yeah.

NP ....I'm not, I'm not the Licence holder, I'm not the DPS, all I am is a, a not very bright footballer who's been asked to bring all the players in on match days....

JC Yeah.

NP ....OK, and try to drum business up for the pub.



JC OK.

NP My brother runs the pub as the land-, well, he's in charge of the pub, yeah, that's what he does.

JC I appreciate that.

NP So, so what I'm trying to say to you is is if we go round this, and it is being taped, if we go round this I have no idea about landlords, pubs, I have no idea about anything to do with the Licensing, Officers, Policemen, never anything to do with it, I don't even drink.

JC I appreciate that.

NP So what I'm trying to say to you is...

JC Perhaps....

NP ....from my point of view, yeah....

JC Yeah.

NP ....what I'm saying to you, and this is what I've been, this, this, I got a phone call on the Thursday night to say that Ron had been frightened off by you lot, now the only thing I've had, and I'll be honest with you John, the only run ins I've ever had with Police was either I've been caught speeding or something, right, I've got no criminal record, nothing, right....

JC I didn't say that.

- NP ....my old real interaction with the Police has been while I've been doing that role at The Red Lion.
- JP Yeah.
- NP My initial or, or my, my going forward mental thoughts about the Policemen is actually you're loo-, it seems to me like you've got a ven-, ven-, you've got a vendetta against that, that pub. Not you personally, somebody there has a vendetta against that pub. I'll tell you why, and not that it affects me because I don't run it, I don't get any financial gain from it, I don't do anything, I'm there because of the football, yeah? We have nothing, on match days which is the only time I interact and my dates are on there, Police are all over the place, right, they're doing everything, they're there all the time, they are making things difficult. We, we, I came to a meeting with my brother because obviously I'm there on match days, before when we came to the Council, you were laughed out of that place virtually, you, you're trying to do things there John and I don't know why mate, you're doing things, people are doing things at that pub....
- JC I'm sorry, you said we were laughed at, that, that was....
- NP Oh, no-one believed you really did they, you tried to put another couple of little things in and to be clear, you know, there is, from my point of view it doesn't seem fair John, it doesn't seem fair, from what I can see and again not an expert at all, on match days everybody in that pub tries to do their best. I've even been out the front when there's been a so called incident which by the way you can never, ever come up with....
- JC Right, we're, we're, we're getting sidetracked here and we're not addressing the issues....

- NP But no, no, of course you're not but what I'm trying to say is anyway, going back to that it seems to be that there's been a bit of a, it's not a very good relationship for some reason which nobody seems to be able to grasp between the Police or the Licensing Police and the pub.
- JC OK.
- NP Now....
- JC I'm not going to....
- NP ...Thursday night, Thursday night he got, he even admitted that, he got threatened to be prosecuted, or potentially prosecuted unless he stepped down, right, he then stepped down. My brother was going on holiday the next day so he then got all his stuff together and said I'm signing these forms, we're opening next week, you need to, you need to do this, you need to get Smarty to phone, to sign that, because Allan by the way is a very good pal of mine, he's a Personal Licence Holder from what I can gather, yeah, he's got his, he runs his own pub which he doesn't know I don't think anyway. We tried to get him on it before because he's a former player, he's been supporting me on that side of it, been in the pub lots and lots of times, you've only got to check Google, check the local paper to see when he's been there, been there a lot, especially recently. We were going to get him to potentially next year run the, we were going to do the stables and get him to help me run the hospitality on a match day, yeah, so he was going to be coming down to be the Licence Holder.
- JC Well he would never have been suitable, we, we....

NP Well listen, no, no, but John, right, I don't know the play, all I, all I understand is you put somebody in, OK, who's got a Licence, a current Licence, you get, I got the form signed, got Allan to sign it, Josh had already signed it, OK, whacked it up, he sent it back, the forms are signed, I don't know what I'm particular doing if I'm honest, right, I went in, I got a copy, I got a set of things from the Council, right, it was all filled out, it was all done properly, I paid the money, he even photocopied something for me, the nice guy down at Wiggenhall Road....

JC Austin?

NP Yeah, no, no it wasn't, was it Austin or....

JC Austin....

NP There's two of them there isn't there?

JC Austin.

NP Anyway, he even photocopied one to take to you. I, I went and got the, I got the copy of the thing, as far as I did put that in, straight up to yours, you don't get a receipt so I said, I said to the people can you make a note of what time I was up, fine, it went in. As far as I'm concerned that's gone in, everybody signed it, everybody's done it, blah, blah, blah, blah, blah.

JC OK. Tell me, tell me a bit about how you came to be in possession of the forms, like Josh's form, Smarty's form etc.

NP Well they're, they're just forms you can download off the internet....

JC Yeah.

NP           ....or forms you can come and pick up.

JC           Yeah.

NP           Josh already had a form....

JC           Yeah.

NP           ....which he signed....

JC           Yeah.

NP           ....and then we, I had another form that's a part of it I think, I'm  
not too sure, I've only ever seen it once.

JC           Yeah.

NP           I, it's clear where you have to sign isn't it, it's like that's the part  
for him, that's the part for him....

JC           Yeah, OK.

NP           ....that's what, that's what we did, that's what happened.

JC           So Allan Smart signed it?

NP           Allan Smart signed it.

JC           In front of you?

NP           Yeah.

JC OK. Let's have a look because what you've said so far is probably quite right, about how you went about getting it. This is Allan Smart's real signature, and I'll show you this, this is a copy of an application for a Personal Licence when Allan Smart applied to have a Personal Licence up in, in North Wales, there you go, can you see that there?

NP I can.

JC OK, that's dated the 11<sup>th</sup> of the 12<sup>th</sup>, not even a year ago, yeah? And we, we believe that that is Allan Smart's signature, it's the same one that's on his Licence, OK? This is the application that you've put in to the Council, can you have a look at that and confirm whether or not....

10:05:10

NP Josh.

JC Yeah, I know it's Josh's name on it, but this is the same application that you took down there.

NP Oh, sorry.

JC Yeah. Do you recognise that paperwork?

NP Well it looks like the paperwork that was put in.

JC OK, that Allan Smart, that Allan Smart gave you and signed in front of you?

NP Well it looks like the same paperwork that, that Smarty signed, yeah.

JC If you have a look at Smarty's signature then from December and have a look at the one that went on there dated the 23<sup>rd</sup> of the 5<sup>th</sup> you can see there they're not the same.

NP Right, OK. Well you'll have to take that up with him.

JC OK, well we have spoken to him....

NP Yeah.

JC ....and he says he didn't sign that form.

NP Didn't sign that form?

JC Didn't sign that form on the 23<sup>rd</sup> of the 5<sup>th</sup>, he says he hadn't signed any paperwork. Although he was willing to be DPS he didn't sign the paperwork, that's what he told....

NP Well that, that, you'll have to take that up with him because ultimately he did sign the paperwork. He's a good pal of mine, mate, so, you know, as far as I'm concerned, you know, you're barking up the wrong tree.

JC OK, that's what triggers the enquiry basically because it didn't look quite right, OK, so....

NP Well do you want to ring him up now?

JC I'm not going to speak to him at the moment....

NP Right, OK.

JC ....we've already spoken to him.

NP Fine.

JC This is a statement from Jeffrey Lee who's the Licensing Manager at, at the Council where he says because of the suspicion that this was a forged signature the paperwork was immediately put away and sealed in a plastic bag, an evidence bag, so Smarty's fingerprints....

NP How would he know that?

JC Because we told him.

NP How would he know that?

JC Smarty's fingerprints are on file because he's been arrested before. Smarty's fingerprints, are they going to be on that paper that you said he signed? That's the big question, that's what you've got to think about.

NP I don't care. John, do you know what, I don't care. As far as I know, as far as I'm concerned Smarty signed the paperwork, Josh signed the paperwork and I've put it in.

JC Well we're not even sure, because when we showed Josh that signature on that he said it looks like mine.

NP Yeah of course it does, he doesn't know does he.

JC And he's put himself down as Josh Price when normally he puts himself down on official documents as Jonathan Price which again leads me to think that somebody else has filled this in.

NP Right, OK. So is there a complaint?



JC From who?

NP That's what I'm saying, is there?

JC There's a fraud.

NP Really?

JC Yeah.

NP Well as far as I'm concerned he signed that, as far as Josh is concerned, I, both them signatures are signed by them as far as I'm concerned so as far as that's all I've come here to say.

JC Well what we're putting to you is the suspicion is that you and Josh were desperate to open that pub up again, you didn't have anybody at that time to sign the forms and you forged the signatures on them and put them into the Council. I'll show you another thing on here if you like, on the application you put into the Council that you took down there yourself there's a couple of signatures, it's that one, sorry about this....

NP All right, don't worry.

JC Oh there it is, OK, that's the part where you consent, have a look there how Allan Smart writes his name, actually not the signature, A.L.A.N, Alan Smart, yeah, have a look at his real name, how he writes it, A.L.L.A.N, Allan Smart, is it very likely he's going to get his name wrong on an official document?

NP No, I know some of the paperwork wasn't filled out properly.

JC Yeah.

NP           The, the printing....

JC           Yeah.

NP           ....so I know that some of the printing had to be finished off.

JC           So you finished it off?

NP           Yeah.

JC           You finished it off?

NP           Yeah.

JC           Why was it not, you said he signed it in front of you.

NP           Oh he signed it.

JC           He signed it.

NP           His signature has been signed.

JC           And he didn't fill it in?

NP           No I, no, well obviously not. I had to check all the paperwork before it went in, yeah, and there was a couple of pieces that weren't, weren't filled out so I....

JC           How did you get all the details for this then?

NP           How did I get them?

JC           Yeah.

NP I, I spoke to him about it.

JC Yeah? All right, give me a sample of your handwriting then on a bit of paper. Well, on the back of here. If you write, let me see, Flintshire County Council and the word Allan, yeah?

NP Yeah.

JC If you write it.

NP That, that handwriting, do you want to know who's handwriting that is?

JC Yeah.

NP It's my boy's.

JC Your boy's.

NP Because he was with me and I asked him to fill it out for me.

JC And how old is your boy?

NP 25.

JC You're not going to involve other people in this because you're going into the realms of conspiracy now.

NP What are you talking about?

JC If you're going to involve other people in something that's happened that's dishonest....

NP That is my son's....

JC Well why didn't you say that a minute ago when I asked you?

NP Because we had to fill out the ....

JC You said you filled it in.

NP I didn't fill it in.

JM Where were you?

NP At my house.

JM Where was Allan Smart?

NP On the end of the phone.

JM So how did he, how did he physically sign the form?

NP He'd signed it bef-, he'd signed it before, we hadn't filled the rest of it out.

JM The day before was when you discovered that Ron wasn't....

NP That was the Thursday mate, this is the following, this is the following week.

JM Oh right, that's what I'm trying to get....

NP Yeah, so....

JM ....so you....

NP A week, like 8 days.

JM And where does Mr, where does Allan Smart live?

NP He lives up in, well, he lives in a couple of places actually, he doesn't live in his pub anymore, he lives in Manchester with his girlfriend or he lives in North Wales.

JM So obviously distant places, so how did the form, I'm, you know, the mechanics of it, where did, how did he get the form, where did he send it to, how did he do it? I mean you've told us it was a blank form he signed.....

JC Yeah.

JM ....when was that done?

NP Oh God, that week, I think it was a Sunday.

JM Not sure?

NP Might be Monday.

JM Right, the Sunday after the Thursday?

NP Yeah, I think so. Or possibly Monday.

JM Right.

JC Why didn't you fill it in then?

NP Uh?

JC Why didn't you fill it in?

NP No reason really, my boy did it for me, he's with me, he's filled it out.

JC And how about the last time that Allan Smart applied to be Designated Premises Supervisor which was....

NP I don't know, I wasn't....

JC Did your son fill in that form as well?

NP No.

JC Because it's the same handwriting.

NP What do you mean?

JC Same handwriting both times.

NP No he didn't, that's not the last, no, no, that's a different form.

JC That's the one back in February, yeah, and that's this one that was used, that you put into the Council, same handwriting.

NP No it's my son mate, I didn't do it.

JC He did that one as well?

NP No, not at all, that's not the one, that, you've got that wrong. You have that wrong. You have that wrong. You do. You do, that's not the same form mate, sorry, that isn't the same form.

JC OK, well we beg to differ on that.

NP Well we do and I want you to get it out because it's not the same form.

JC So it's not the same form, because it's not the same form....

NP No it's not the, no it isn't because I know that's my son's handwriting....

JC OK.

NP ...and my son never filled out the first one mate. And nor did I, I never had nothing to do with it, never saw it.

JC All right.

NP The only reason I'm anything to do with this is because my brother was in Dubai.

JC Yeah I understand that he couldn't do it.

NP So the only reason I'm involved in any of this, with very little knowledge of anything by the way boys is that I knew I had to get two sig-, you know, we had to sign two forms and they had to get in....

JC OK.

NP ...and that's what I've done.

JC Why is it then that Allan Smart told our Sergeant, Sergeant White that he had not signed the forms, would you know any reason?

NP No. Because he's a good pal of mine mate....

JC No reason?

NP ....we speak five times a day. No.

JC No.

NP No. The only reason I could think was it was the same thing that your, your Officer was onto him saying that there was an incident on Sun-, on the Saturday night that you couldn't, that no-one's ever heard about, yeah, nothing's ever happened to it and if he didn't step down he would liable to prosecution, that's the same Officer mate.

JC No.

NP Why are you doing that? Don't say no because we're on, we're on tape, don't say no.

JC That's you assuming things have been said when they haven't been said.

NP No, well Smarty told me that so why would he tell me that? Why would he tell me that? Smarty is one of my best pals, why would he tell me that?

JC OK, well we'll speculate on that on another....

NP No, we'll also speculate, OK, on why Smarty would have said he never signed the form because do you know what he has signed it, he told me he signed the form.

JC OK, so his fingerprints on that paper that we've got down there?



NP I don't know mate.

JC OK.

NP I'm not a fingerprint expert am I?

JC No.

NP And do you know what, also what I want to know is why, why are you so desperate, what's happened John, what's gone on here, why are you so desperate to close that pub?

JC We're not desperate to close it at all.

NP And also when we were in that pub on the Sat-, Sunday and the Monday....

JC Yeah.

NP ....yeah? You sent four lots of Police up to the pub, I don't know why you did that, and also you sent a lady up, a lady Officer, a very nice Officer actually, to, to close the pub down and Allan showed his thing at the time. Why, and he was in the, why did you do that? No, can you answer me a question.

JC Why did I do that?

NP No, why did the Licensing or whoever that is that comes up, why are you that interested in the pub?

JC What day are you talking about?

NP We're talking about Sunday and Monday, talking about the Sunday of the Play Off Final....

JC            Yeah.

NP            ....or was it the Monday, Monday of the Play Off Final and the Sunday.

10:14:50    JC            I can tell you why, because that application wasn't put in until late on the Friday night, right, OK, so the Police didn't know that the application had been put in.

NP            Why not?

JC            Because they don't, that's the mechanics of it, there's nobody in Licensing Department there over the weekend, you might they should be, they're not, OK.

NP            That was put in at quarter to five on Friday.

JC            OK, well the Licensing Department aren't there at quarter to five on a Friday, OK? Over the weekend nobody knew because we couldn't tell them whether there had been a valid Licence Application so they came to check and as it happens they were able to confirm that there was a Licence there, however, they were briefed to check and that's what they did, that's their job and that's why it happened. They didn't shut you down.

NP            No because he was there with his card and he's bona fide, now....

JC            No, actually they should have done because the Licence was actually invalid because it was obtained by fraud, the signatures were false.

NP            In your opinion.

JC The signatures are false. Smarty has told us that.

NP Oh well you, well why am I here then?

JC Yeah, you're here because you're the person who submitted that application.

NP Oh right, so Smarty's told you they were false, he hasn't signed them and they're not his.

JC Yeah, and you put the application in.

NP Right.

JC And you've mis-spelled bits and pieces on that.

NP No, my, no, we've had to fill out stuff that he didn't fill out. He signed the form, as far as I'm concerned the forms are signed by both the right people and they were submitted in the proper manner.

JC Why didn't you, if he's a good friends of yours, why didn't you fill in the form begs the question?

JM Why didn't he fill in the form, that's what I don't understand. If it was sent to him, I, I mean was it sent to him, you don't know the answer to this I'm assuming because you didn't say earlier, is it sent to him in Manchester or sent to him in North Wales. He signed it but didn't, sent it back but didn't fill in any of the details in on the form?

NP We had to fill, look, when it came back, right, when I got it it was, I'm sorry but there was things not, not....

JC            You said he signed it in front of you.

NP            I, no....

JC            You said a minute ago.

NP            He came down, no he came down, right, earlier in the week on the Sunday or the Monday, I had to send the form up to him for him to sign it. He sent it back and it was not filled out.

JC            Maybe I misheard it because I'm sure....

JM            No I think you did, I think you said he signed....

NP            He didn't sign it in front of me, I sent it to him.

JC            Oh, right.

NP            Sorry.

JC            And then he sent it back to you?

NP            And then he....

JC            He did in the post didn't he?

NP            Yes.

JC            All right, that, that makes that clear because I was under, labouring under the impression that....

NP            Sorry, no, I, sorry, yeah.

JC So you him up the, or somebody sent him up the blank form, all he's done is put a signature on, he hasn't filled in any details....

NP And I had to fill it out when it came back down, or my boy had to fill it out.

JC That's a bit careless of him wasn't it really?

JM Who sent the form, did you send the form or did Josh send the form?

NP Yeah.

JM You sent the form?

NP Yeah.

JM Josh went on holiday on the Friday after the Thursday night so he, basically Ron had resigned....

NP Josh, Josh had a form, Josh signed the form as well and said look you've got to sort, get Smarty to sort this out so I got Smarty to sort it out.

JC Right.

NP And that's where we are.

JC So it was, let me see, let me see, Ron resigned on the Wednesday....

NP Thursday.

JC Thursday.

NP I, well look I don't know because it's nothing to do with me.

JC OK.

NP I got told that oh my God, this is what's happened.

JC So who sent the form to, to Allan? You did?

NP Yeah.

JC OK, that's on the Thursday and on the Friday you're down the Council presenting that form?

NP The following Friday.

JC The following Friday, OK, I'm understanding now but he didn't sign it in front of you like you told us earlier?

NP No I, I didn't, when I said he signed it in front of me I didn't, I mean signed it, yeah, and sent it back, sorry, that's my, my problem.

JC OK. I'm, I'm just trying to look at this from....

NP Listen, if you look at it logically John, if you look at it logically....

JC Yeah.

NP ...right, Thursday night no DPS, now we've got 10 days, 11 days before we're going to open again technically, yeah?

JC Yeah.

NP Now I've been left with holding the baby basically, the pub needs to be open, yeah, it's blah, blah, blah, blah, I don't know what particularly I'm doing and I'm being honest, you know, being up front with you, I've never signed any of these forms, I never saw the first form and if, if my son's, my son's, if you're saying my son's writing's on the first form you are not correct. His fingerprints will be on there if you want to check. What I'm trying to say to you is I've had to get the form signed, I've got them the best way I can and then when the, I've got all the forms filled out correctly with everybody's consent, OK, so as far as I'm concerned we've then paid the money and we're in and he told me it was down the, down the Licensing place, he said as soon as that form's in it's instant, am I right?

JC If it's legal.

NP That's what, listen, you're saying it's not legal, right, I'm saying I did what I could here, right. Now as far as we were concerned it's legal, it's in with the Council, it's in with you, right, at 10 to 5, quarter to 5, whatever it was on the Friday, everybody's a winner. You've had no end of people come up the pub to see who's in the pub, right, and you can't tell me that's no coincidence because for me it's huge.

JC Right.

NP He showed everything, he's in there, both, all the time that the pub was open and, wish we hadn't because it didn't make any money anyway because they lost, right, so that's the bottom line, OK, so that's where we are.

10:19:30

JC Did you put these forms in with the intention of trying to obtain a Licence even though....

NP No. Allan Smart was going to get a job down here but unfortunately because of your Officer that's phoned, that's actually phoned up and actually squeezed him, to be fair mate, you know you can squeeze people you lot, you can squeeze people, you know what it's like, you know the score....

JC Do you know why Allan Smart is not suitable to us?

NP I'm not interested, that's his personal business to be honest.

JC Let me tell you because you did put him up as DPS, he's not suitable because he's got a criminal record that involves violence.

NP 10 years ago was it?

JC No, recently, in his own pub fighting with Police.

NP Right.

JC So he's not suitable.

NP OK, that, and that, and that's absolutely your prerogative to go no....

JC Yeah.

NP ....right, and I do understand that and I understand only through default that there, that there's 14 days for you go to no, is that correct?

JC Yeah.



NP I don't understand what we've done wrong.

JC Submitted....

NP No we haven't. I don't understand what we've done wrong mate.

JC OK.

NP To be honest, listen, I'm not here to say whether that's, you know, this or that, all I'm saying to you is I got Smarty to sign the form, we filled out the bits he didn't fill out or, or with the need to be filled out with the printing, right, got all the details....

JC OK...

NP ....Josh has.....

JC ....this is really, really difficult for me to accept and I'm sure it's very, very difficult for the average man in the street to accept that he was sent a form, didn't fill in any details and sent it back with just a signature, didn't even put his name on it, that's really, really difficult to accept as true and that's why then, and I would think, and I don't want to pre-judge or anything, the average person in the street would find that very, very difficult to accept. Any comment on that?

NP No.

JC None at all?

NP No.

JC That would be normal....

NP            Because no, because do you know what, right, I, I, if I'm being honest John I resent being here, I've had to have a day off work, you, you, two weeks ago....

JC            Yeah.

NP            ....you dropped me at the last minute to come and do this.

JC            We had to, there was a big safety issue.

NP            I, I don't really care about that, I don't care about a safety issue, all I'm saying to you is....

JC            You don't care about safety issues?

NP            I don't care anybody else, I care about me.

JC            That's....

NP            You know what you've got going on is your problem, what I've got going on, if I hadn't turned up today and gone safety issue John you'd want to know why I weren't here so anyway, that's by the by, all I'm saying to you is I'm here and I'm telling you exactly what we did together, with everybody's consent, OK, for that big, that big couple of days. You've obviously made this very difficult, from what I can see along the way. We, someone's appeared, we've appeared up here before, Josh has appeared up here with, when you closed the pub for ridiculous reasons by the way before on the Crystal Palace game, you've had noth-, you talk about incidents at the pub, right, I haven't seen any, there haven't been any arrests in that pub and it's right over from the ground. I'm in that pub regularly, the last two games Cardiff and, and, two of the big games, you're parking

stuff across the front and then you're saying (inaudible) pub, what do you expect John, I've even gone out and asked people please you can't be doing that, oh it's not (inaudible) what I'm trying to say is John I don't think, and what I'm getting to, that you or any of the Police or anybody has worked one iota with that pub and now what you see is a little angle to try and cause the pub a problem because I think you think if me and him are not connected to that pub that pub don't open, it don't open match days and you as Licensing people and coppers on the match day don't have a problem with a pub. You don't want it open because it's a ball ache for you.

JC The incident that brought all this to notice was the fact that The Red Lion was open at half past 10 on a Sunday when it didn't have a Licence.

NP That was two weeks before.

JC And that was illegal.

NP Right....

JC You can start blaming us for that and everything but it did happen, it was the decision of Josh and the people who were working there.

NP No I don't know nothing about that, I don't know what the licensing hours are, I don't know what, what the rules and rates, mate, are....

JC No but....

NP ....all I, all I know is....

JC            You asked me if we've got a vendetta.

NP            John, it's been going on since last year mate. That, see that's what I'm saying to you, you're waiting for that pub to do something a little bit wrong or, you know, something to happen. You've mentioned in the last thing we went – what are these incidents John you've mentioned, you've never come up with them mate.

JC            We're going off track and....

NP            Yeah, we are....

JC            ....it's not a conspiracy against.....

NP            Well, look, take your conspiracy, right, I've told you what I've said, there's no conspiracy, I'm not Abu Hamza, I'm not threatening anybody's life, right, I've got them two boys to sign that thing, we've put the form in, under duress because you frightened off the DPS on Thursday night. We got them in, we got them in in time, the forms were filled out properly, the money was paid, Smarty was on site all weekend with his card and there was no incidents as far as I'm concerned or I know of, you might concoct one. But what I'm trying to say is I'm here John in good faith to speak to you and say that's the way it is, this is what we did, I don't know what more you want me to say mate.

JC            No, OK, I don't think we're going to go any further because I don't think you're going to change what you're saying.

NP            Well of course I'm not because it's the truth John.

JC           OK, we'll conclude this interview now, unless there's any more  
              you want to say.

NP           No.

JC           Right, hang on, let's do all this properly. We're going to give  
              you a notice in a minute when we turn off the tapes and we're  
              going to seal the tapes in your presence. If this matter goes  
              before the Court you will get a copy....

NP           Yeah.

JC           ....but otherwise you won't.

NP           OK, no worries mate.

JC           The time by my watch is 10.56, I'm turning off the tapes.



## SUBMISSION OF FURTHER EVIDENCE AGAINST THE RED LION

Attached to this report are two (2) DVD discs. They have been converted to DVD format from digital media recorded on Hertfordshire Police "body cams" and on the internal CCTV system for the Red Lion.

The contents of the DVD's will now be discussed:

Exhibit RE/WA0054/01 is a disc converted from exhibit RJ/1. This is body cam footage recorded at the Red Lion on 12 May 2013. The footage has been discussed in detail in the main review application. The video shows an interview with Mr Josh Price the premises licence holder when confronted by Sergeant Fishwick and Superintendent Jameson. The recording will show Mr Price attempting to give various reasons why the venue was open and selling alcohol at 10.40am on that day when the licence only permits the sale of alcohol from midday. Some of the reasons for this breach of the licence offered by Mr Price are:

- (a) He was given permission to do so by Sergeant White and John Corkett from the Watford Police Licensing unit.
- (b) He was confused and believed that it was a Saturday and that his opening times were earlier.
- (c) He was under the impression that his licence allowed him to open two hours earlier on match days.

Towards the end of the footage Mr Price is asked directly about the personal licence holder that the venue is required to have present on match days. At 10.40 on the timer of the video Mr Price states that he is "The personal licence holder" and indicates that this covers the required condition. This is not true; Mr Price does not hold a personal licence. Furthermore, during his later interview under caution recorded at Watford Town Hall, Mr Price states that he did in fact have a personal licence holder in the form of Allan Smart on duty that day. It is of note that no mention of Mr Smart is made during the conversation between himself and Police on the 12 May. The sub-committee may wish to draw the inference that far from being "confused" about his licence Mr Price was actually well aware of what the licence permitted him to do.

Exhibit RE/WA0055/01 is a disc converted to DVD from exhibit AC/1 (body cam footage) and JMC/8 (the venues internal CCTV system). The body cam footage will show both Josh and Neil Price in conversation with Police. This was recorded on 10 August 2013. What is apparent is the attitude of Neil Price when spoken to by Police at 06:07 on the timer of the video (14:09 real time). Mr Neil Price is immediately confrontational and sarcastic in his attitude. Mr Neil Price appears to object to the presence of Police in the venue and questions why they are present. The officers do explain that they are present in order to check on licensing it being the first home game of the season. The Constabulary will say that this is evidence of his stance as regards upholding the licensing laws and objectives. Further examination of the footage reveals, once again, that Josh Price seeks to blame the Police for all of the troubles he has encountered.

Further footage on the same disc consists of footage showing the internal area of the venue and the beer garden. It will be recalled that a licence condition at Annex 2, condition 5 stipulates that:

**"Accompanied children must vacate the premises by 19:30"**

The footage was recorded on 6 April 2014 and clearly shows children both inside the venue and in the beer garden (still part of the premises) at almost 8pm when the footage stops. Some of the children are extremely young and appear to be wandering about without any supervision. This is a clear breach of the aforementioned condition. It is highly undesirable that such young children should be in a public house after a football match during which time they may be exposed to drunken behaviour by other patrons. This footage will also show what happens when rival supporters are apparently passing by the venue on the pavement outside. Several "customers" are seen both inside the venue and in the beer garden making obscene gestures at rival supporters. Children are still present in the venue when these incidents take place. The potential for disorder at this point is great and nothing appears to be done by any of the staff to prevent the offensive behaviour occurring. Had any objects been thrown into the beer garden area by opposing fans at this point it is almost certain that a child may have been received an injury. The Licensing objective of "The Protection of children from harm" is clearly being breached.

Finally attached to this report is a copy of an email sent by Ann Williams, a Licensing officer for North Wales Police. It details her dealings with Mr Allan Smart. Mr Smart, it will be recalled, was twice the proposed DPS for the Red Lion and is involved (albeit as an innocent party) in the DPS transfer application of May 2013. The e mail details the history of his tenure at a public house in Connahs Quay. What is particularly striking is that a named DPS remained on the licence of the venue long after he believed that he had been replaced. The Constabulary will say that this is a similar type of behaviour as that discovered by Police in relation to Mr Ron Smith's appointment as DPS of the Red Lion. The email will also add weight as to why Hertfordshire Constabulary found M Smart to be an unsuitable person to be DPS on two occasions. Having been advised by the Constabulary that he was not suitable to be DPS in February 2013 the Price brothers still made attempts to have him appointed as DPS which would seem to demonstrate their disregard for the objectives of the Licensing Act.



**CORKETT, John 7630**

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**From:** Williams, Ann <ann.williams@nthwales.pnn.police.uk>  
**Sent:** 29 May 2013 10:39  
**To:** CORKETT, John 7630  
**Subject:** RE: TEST

Thankyou.

On the 28<sup>th</sup> November, 2012 I had occasion to speak with Mr. Alan Smart, Premises Licence Holder of [REDACTED], following an incident that occurred on 24<sup>th</sup> November, 2012 Police Reference N194297 when Mr. Smart was arrested for Drunk and Disorderly. It was reported by officers that Mr. Smart was extremely abusive towards them which resulted in his arrest.

Arrangements were made for myself and Mr. James Lowe, Flintshire County Council Licensing to meet with Mr. Smart on Friday 7<sup>th</sup> December, 2012 to discuss this incident in further detail.

On checking the premises licence I noted that a gentleman by the name of Mr. [REDACTED] B [REDACTED] was named as Designated Premises. I believed this person to be DPS at a premise in Wrexham and therefore contacted Mr. B [REDACTED] to establish how he would be managing both premises and to inform him of this incident. Mr. B [REDACTED] was unaware that he was still named as DPS at [REDACTED], stating this was some nine ago and believed he had been taken off the licence. The process was explained to Mr. Barber and he took steps to remove himself as DPS. Mr. Smart was informed he could not trade and he confirmed that he had no intention of re-opening until a DPS was appointed. At this time Mr. Smart stated he was humiliated and embarrassed by his actions on the 24<sup>th</sup> November, 2012 and although not an excuse stated he was going through some very stressful domestic issues.

A new DPS was appointed on the 5<sup>th</sup> December – Angela Richards

Meeting held on the 7<sup>th</sup> December. My report to Chief Inspector Jeff Moses stating that I found Mr. Alan Smart to be a slightly volatile individual who would not listen to reason until he had had his say and did not take responsibility for matters that were clearly his. Resulted in a protracted meeting and premises being placed at Level 1 of the Licensed Premises Review procedure for a period of 3 months. (Copy attached for you). There have been no further licensing incidents at the location.

On the 12<sup>th</sup> February, 2013 a licensing enquiry was received from a Police Sergeant regarding Mr. Alan Smart's suitability re his personal licence. The Sgt was informed that when his personal licence was issued there was an investigation pending – Drunk and Disorderly in November, 2012 and he was in Court on the 13.12.12.

Mr. Smart pleaded guilty to the offence of Drunk and Disorderly fined £150, costs £85.00. Appreciate this is not a relevant offence.

Mr. Smart is PLH at this premise, but no longer DPS. Neil Parkinson is named as DPS as we believe Mr. Smart has moved away.

Apologies John, but I have just put some notes together as tied up with an urgent closure order.

If you need anything further please let me know, tomorrow may be quieter.

Kind Regards,  
Ann

**From:** John.Corkett@Herts.pnn.police.uk [mailto:John.Corkett@Herts.pnn.police.uk]  
**Sent:** 29 May 2013 09:23

Heddlu Gogledd Cymru

Internet e-mail is not to be treated as a secure means of communication. North Wales Police monitor all Internet e-mail activity and content. This communication is intended for the addressee(s) only. Please notify the sender if received in error and erase from your system. Unauthorised use or disclosure of the content may be unlawful, Opinions expressed in this document may not be official policy. Thank you for your co-operation.  
North Wales Police

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# Flintshire County Council - County Hall

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you are here: [Home](#) > [Public Register Licensing Act 2003](#) > [Applications](#) > [Details](#)

## Licensing Act 2003 - Personal Licence register as at 10:11 on Tue 28 May 2013

**SMART Allan Andrew Colin**

Personal Alcohol Licence FCC1370 from 13/12/12 to 12/12/22

[Back](#)

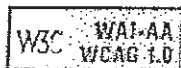
### Licence Holder(s)

Full name

Mr Allan Andrew Colin Smart

[Back](#)

[top](#)



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73



**RESTRICTED (when complete)**

**Witness Statement**

(Criminal Procedure Rules 2005, r.27.1 (1); CJ Act 1967 s.9; MC Act 1980 ss.5A, (3) (a) and 5B)

URN 

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Statement of: Rob EVANS 7019

Age if under 18:

Occupation Visual Evidence Technician

This statement (consisting of 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: *RE Evans*

Date 19<sup>th</sup> August 2013

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

I am a Visual Evidence Technician employed by Hertfordshire Police, based at Watford Police Station.

On Friday 16<sup>th</sup> August 2013, I received from Assistant Investigator 7630 John CORKETT, one Compact Disc (CD) containing Closed Circuit Television (CCTV) video footage identified as exhibit JMC/8. And one video Digital Versatile Disc (DVD) identified as exhibit AC/1 containing video footage from a Body Camera.

These exhibits were booked into the Forensic Audio Visual unit database and given the job reference number WA00055.

On Friday 16<sup>th</sup> August 2013, using equipment in the Visual Evidence Unit and at the request of Assistant Investigator 7630 John CORKETT, I transferred footage from exhibits JMC/8 and AC/1 onto one video Digital Versatile Disc (DVD). I refer to this DVD as exhibit RE/WA0055/01. I also produced four working copies of exhibit RE/WA0055/01. All work was completed on Monday 19<sup>th</sup> August 2013. Exhibit RE/WA0055/01 was then placed and sealed in exhibit bag number M04339210.

I then placed my exhibit into the evidence locker to await collection.

Signature *RE Evans*

Signature witnessed by

*(74)*



**RESTRICTED (when complete)**

**Witness Statement**

(Criminal Procedure Rules 2005, r.27.1 (1); CJ Act 1967 s.9; MC Act 1980 ss.5A, (3) (a) and 5B)

URN 

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Statement of: Rob EVANS 7019

Age if under 18:

Occupation Visual Evidence Technician

This statement (consisting of 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: *REVANS*

Date 16<sup>th</sup> August 2013

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

I am a Visual Evidence Technician employed by Hertfordshire Police, based at Watford Police Station.

On Thursday 15<sup>th</sup> August 2013, I received from Assistant Investigator 7630 John CORKETT, one Compact Disc (CD) containing Closed Circuit Television (CCTV) video footage identified as exhibit RJ/1.

This exhibit was booked into the Forensic Audio Visual unit database and given the job reference number WA00054.

On Thursday 15<sup>th</sup> August 2013, using equipment in the Visual Evidence Unit and at the request of Assistant Investigator 7630 John CORKETT, I transferred footage from exhibit RJ/1 onto one video Digital Versatile Disc (DVD). I refer to this DVD as exhibit RE/WA0054/01. I also produced four working copies of exhibit RE/WA0054/01. All work was completed on Friday 16<sup>th</sup> August 2013. Exhibit RE/WA0054/01 was then placed and sealed in exhibit bag number M04339214.

I then placed my exhibit into the evidence locker to await collection.

Signature *REVANS*

Signature witnessed by

*73*





IN 25/13 P10: 1035 L10: 21029

Application to vary a premises licence to specify an individual as designated premises supervisor 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/we DELL PRICE  
(full name(s) of premises licence holder)

being the premises licence holder, apply to vary a premises licence to specify the individual named in this application as the premises supervisor under section 37 of the Licensing Act 2003

Premises licence number

12 100323 / LAPRMV

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description

NEW LION PUBLIC HOUSE  
VICARAGE RD

Post town

WATFORD

Post code (if known)

WD18 0EY

Telephone number (if any)

Description of premises (please read guidance note 1)

A PUB

Part 2

Full name of proposed designated premises supervisor

ALLAN ANDREW COLIN SMART

Personal licence number of proposed designated premises supervisor and issuing authority of that licence (if any)

FCC 1370  
FLINTSHIRE COUNTY COUNCIL

Full name of existing designated premises supervisor (if any)

Please tick yes

I would like this application to have immediate effect under section 38 of the Licensing Act 2003



I have enclosed the premises licence or relevant part of it



(If you have not enclosed the premises licence, or relevant part of it, please give reasons why not)

Reasons why I have failed to enclose the premises licence or relevant part of it

Please tick yes

- I have made or enclosed payment of the fee
- I will give a copy of this application to the chief officer of police
- I have enclosed the consent form completed by the proposed premises supervisor
- I have enclosed the premises licence, or relevant part of it or explanation
- I will give a copy of this form to the existing premises supervisor, if any
- 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

and any premises licence to be granted or varied in respect of this application made by

JOSH PRICE

[name of applicant]

concerning the supply of alcohol at

THE Red LION  
VICARAGE ROAD  
WATFORD

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

FCC1370

[insert personal licence number, if any]

Personal licence issuing authority

FUNTSWIRE COUNTY COUNCIL

[insert name and address and telephone number of personal licence issuing authority, if any]

COUNTY HALL

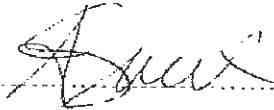
WOLD

FUNTSWIRE

CH7 6NB

01332 752121

Signed



Name (please print)

Alan Smart

Date

23/5/13

Part 3 – Signatures (please read guidance note 2)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 3). If signing on behalf of the applicant please state in what capacity.

Signature

7  
[Handwritten signature]

Date

22.5.13

Capacity

For joint applicants signature of 2<sup>nd</sup> applicant 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity

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

10 LOMBARDY CLOSE  
LEVERSTOCK GREEN

Post town

HEMEL HEMPSTEAD

Post Code

HP3 8NE

Telephone number (if any)

07837 467842

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

Guidance notes

1. Describe the premises. For example the type of premises it is.
2. The application form must be signed.
3. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
4. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
5. This is the address which we shall use to correspond with you about this application.

## **FURTHER SUBMISSION OF EVIDENCE RELATING TO THE RED LION REVIEW- PART 2**

On Sunday 25 August 2013 a football match took place at Vicarage Road Stadium between Watford Football Club and Nottingham Forest Football club.

At about 12.50pm one officer from Nottinghamshire Constabulary and one officer from Hertfordshire Constabulary entered the Red Lion public house .

The officers' had noticed that there were apparently a number of Nottingham Forest football supporters inside the venue. PC Selwood, a football spotter from Nottingham Police identified that about eight Nottingham Forest supporters were stood at the bar and consuming alcohol.

The supporters were confronted and admitted that they had been allowed into the venue by door staff. The officer describes the appearance of these supporters and states that they were obviously not Watford supporters.

The presence of these males with in the venue as "opposing fans" is a breach of Annex 2, Condition 3 of the premises licence which states:

"During football days admission is restricted to home supporters."

This condition is clearly designed to ensure that there are no "flash points" within the venue. Clearly the presence of fans from an opposing team has the very real potential for public order problems given the volatile nature of the parties involved.

Mr Josh Price was located and was asked to get the Nottinghamshire Forest supporters to leave which they did so without incident. Witness statements from both officers are attached.

The Constabulary will point out that this is yet another breach of the conditions on the licence, and, despite being served with review papers; Mr Price chooses to fail to put in place any systems to ensure that such potentially dangerous incidents do not occur.

Also attached to this report is a copy of an article from the Watford Observer dated 1 March 2013. This article appears to be part of an interview given to a reporter by Mr Neil Price. The article clearly refers to problems at the Red Lion and contains the following:

"However, Mr Price, who runs the Yellow and Red Lion with his brother Josh.."

This would seem to be an indication that Neil Price is much more closely involved in the day to day operation of the venue despite his denials in his formal interview under caution.

This would seem to undermine Neil Price's persistent denials that he has anything to do with the venue.

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**RESTRICTED (when complete)**



**HERTFORDSHIRE  
CONSTABULARY**

**Witness Statement**

(Criminal Procedure Rules 2005, r.27.1(1); CJ Act 1967, s.9 & MC Act 1980, ss.5A(3)(a) & 5B)

Statement of P 2552 Andrew Selwood URN 

--	--	--	--

  
Age if under 18 over 18 (if over 18 insert "over 18") Occupation Police Constable

This statement (consisting of 2 page(s) 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 anything which I know to be false or do not believe to be true.

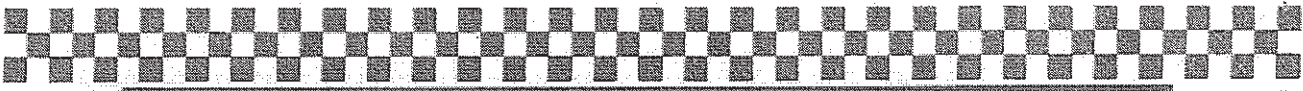
Signature [Signature] Date 25<sup>th</sup> August 2013

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

I am a police constable in the NOTTINGHAMSHIRE Constabulary currently work on the TACTICAL SUPPORT Column. I am also a football supporter for North Forest and travel to away matches.  
On Sunday 25<sup>th</sup> August 2013, I attended Watford to work as a H&A for security officers as a supporter of the NOTTINGHAM FOREST fans. The match that day was between Watford FC and NOTTINGHAM FOREST. This was a designated football match being played at Vicarage Road Stadium with the KO off the match was 1315 pm.  
At approximately 1250 hrs I was on duty with H&A officer P 1511 BALE. We were stood outside the VICARAGE ROAD PUBLIC HOUSE which is located directly outside the entrance of the away fans into the stadium. At this time we received information that NOTTINGHAM FOREST fans had entered the VICARAGE ROAD PUBLIC HOUSE. This a H&A/Watford fans only designated public house.

Signature [Signature] Signature witnessed by   PTO





**RESTRICTED - FOR POLICE AND PROSECUTION ONLY (when complete)**

MG11  
(12/06)

Title: M First Name: DAVID Family Name: SCHWOO

Home address: C/O NOTTS POLICE HQ Post Code: \_\_\_\_\_

Home telephone No: \_\_\_\_\_ Day time telephone No: \_\_\_\_\_

Mobile/Pager No: \_\_\_\_\_

E-mail address: andrew.schwoo@nottspoliceforce.co.uk

In the event of a prosecution this witness will be contacted by the Witness Care Team.

Please tick the preferred means of contact below:

Telephone: Mobile  Home  Day time

Letter: Post  Email

Male/ Female (delete as applicable) Date and place of birth: ac 18

Former name: \_\_\_\_\_ Height: \_\_\_\_\_ Ethnicity Code: \_\_\_\_\_

Dates of witness non-availability: See MG10

**Witness Care**

a) Has the Witness been told they may have to attend Court? Yes   
If there are any issues the Witness Care Team should be aware of please state below: \_\_\_\_\_

b) Does the witness require 'special measures' as a vulnerable or intimidated witness? Yes  No   
If 'Yes' submit MG2 with file.

c) Does the witness have any specific care needs? If 'Yes' what are they? Yes  No   
(Healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns)

**Witness Consent (for witness completion)**

a) The criminal justice process has been explained to me. Yes  No

b) The Victim Personal Statement scheme (victims only) has been explained to me. Yes  No

c) I have been given the leaflet 'Giving a Witness Statement to the Police - what happens next?' Yes  No

d) I consent to police having access to my medical record(s) in relation to this matter. Yes  No  N/A

e) I consent to my medical record in relation to this matter being disclosed to the defence. Yes  No  N/A

f) I consent to the statement being disclosed for the purposes of civil proceedings, e.g. child care proceedings (if applicable). Yes  No  N/A

g) The information recorded above will be disclosed to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to decline their services.

Signature of witness: \_\_\_\_\_

Statement taken by: (print name & warrant no.) MH

Station: FRIE NOTTS

Time statement taken: \_\_\_\_\_

Place statement taken: \_\_\_\_\_

Signature of witness: [Signature]



(82)



Continuation of Statement of

K 352 ANDREW SULLIVAN

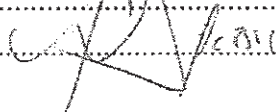
Upon entering the RGS Con Pub, I immediately identified a group of about 8 males. One of whom I now know to be Neil WALKER. WALKER was at the bar and had ordered and been served with alcoholic drinks. WALKER was talking loudly to his group in a broad midlands accent. WALKER and others in his group had tattoos on their arm of NOTION FOREST Club fasci and were clearly identifiable as NOTION FOREST FANS.

I immediately spoke to WALKER and the group and identified myself as a NOTTINGHAM POLICE OFFICER. I warned them that they were in a home for only public house. They replied that the door staff had let them in without asking them or checking who they supported. They also added that they had all bought drinks with no problems and that there was no sign on the door or on the pub stating it was a home for only pub.

The group was approached by the landlord of the public house and asked to leave. The group were good natured and quickly finished their drinks and left. They apologised stating they didn't know they had been in the wrong pub.

It is of my opinion that this group would have been clearly identifiable as NOTTINGHAM FOREST fans to door and bar staff at the RGS Con Pub house. Whilst no disorder occurred on this occasion this group's presence could have been enough to spark an anti social disorder or public disorder. This event is made at 1455 hrs the same day as my original note and should be referred to as such.

Signature



Signature witnessed by

Page No .....

Continuation of Statement of .....

Lined area for text entry, consisting of multiple horizontal dotted lines within a rectangular border.

Signature ..... Signature witnessed by .....

(84)

**RESTRICTED (when complete)**



HERTFORDSHIRE  
CONSTABULARY

**Witness Statement**

(Criminal Procedure Rules 2005, r.27.1(1); CJ Act 1967, s.9 & MC Act 1980, ss.5A(3)(a) & 5B)

Statement of PC 1151 MICHAEL BALL URN 

--	--	--	--

  
Age if under 18 OVER 18 (if over 18 insert "over 18") Occupation POLICE OFFICER

This statement (consisting of ..... page(s) 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 anything which I know to be false or do not believe to be true.

Signature [Signature] Date 25/08/2013

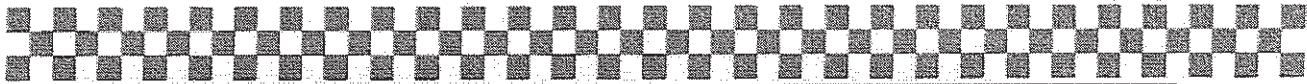
Tick if witness evidence is visually recorded  (supply witness details on reverse)

ON SUNDAY 25TH AUGUST 2013 I  
WAS ON DUTY IN FULL UNIFORM  
UNDER THE CALLSIGN SW 11 WITH PC  
2558 AND SELWOOD FROM  
NOTTINGHAM POLICE. MY DUTY WAS  
AS A FOOTBALL SPOTTER FOR  
THE SA DESIGNATED ACCREDITED GAME  
BY FOOTBALL LEAGUE BETWEEN  
WATFORD AND NOTTINGHAM FOREST  
AT ULLARAGE ROAD WATFORD HICK  
OFF WAS AT 13.15. AT 12.50 HOURS  
WE WERE ON MOBILE PATROL  
WHEN CONTROL ASKED US TO  
CHECK RED LION PUBLIC HOUSE  
ULLARAGE ROAD WATFORD AS INFOR-  
MATION HAD BEEN RECEIVED THAT  
A GROUP OF FOREST FANS WERE  
DRINK INSIDE LICENSE PREMISES.  
THE RED LION IS A DESIGNATED

Signature [Signature] Signature witnessed by .....

PTO

85



**RESTRICTED – FOR POLICE AND PROSECUTION ONLY (when complete)**

MG11  
(12/06)

Title: ..... First Name: ..... Family Name: .....

Home address: .....

Post Code: .....

Home telephone No: ..... Day time telephone No: .....

Mobile/Pager No: .....

E-mail address: .....

In the event of a prosecution this witness will be contacted by the Witness Care Team.

Please tick the preferred means of contact below:

Telephone: Mobile  Home  Day time

Letter: Post  Email

Male / Female (delete as applicable) Date and place of birth: .....

Former name: ..... Height: ..... Ethnicity Code: .....

Dates of witness non-availability: .....

**Witness Care**

a) Has the Witness been told they may have to attend Court? Yes   
If there are any issues the Witness Care Team should be aware of please state below: .....

b) Does the witness require 'special measures' as a vulnerable or intimidated witness? Yes  No   
If 'Yes' submit MG2 with file.

c) Does the witness have any specific care needs? If 'Yes' what are they? Yes  No   
(Healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns)

**Witness Consent (for witness completion)**

a) The criminal justice process has been explained to me. Yes  No

b) The Victim Personal Statement scheme (victims only) has been explained to me. Yes  No

c) I have been given the leaflet 'Giving a Witness Statement to the Police - what happens next?' Yes  No

d) I consent to police having access to my medical record(s) in relation to this matter. Yes  No  N/A

e) I consent to my medical record in relation to this matter being disclosed to the defence. Yes  No  N/A

f) I consent to the statement being disclosed for the purposes of civil proceedings, e.g. child care proceedings (if applicable). Yes  No  N/A

g) The information recorded above will be disclosed to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to decline their services.

Signature of witness: .....

Statement taken by: (print name & warrant no.) .....

Station: .....

Time statement taken: .....

Place statement taken: .....

Signature of witness: .....



86

Continuation of Statement of PC 1151 MICHAEL BAIL Page No 7

HOME PUB ON MATCH DAYS WE  
 WALKED TO THE OPEN DOOR  
 WHERE A BOUNCER WAS ON  
 THE DOOR WE ASKED THE BOUNCER  
 "ANY ISSUES?" HE SAID "NO"  
 WE WENT INSIDE THE PUBLIC HOUSE  
 THE BAR IS ON THE RIGHT  
 THERE IS A PARTITION WALL AND  
 THEN THERE IS A SECOND BAR  
 AS WE GOT TO THE SECOND BAR  
 THERE WAS A GROUP OF ABOUT 10-  
 17 MALES ONE OF THE MALES WAS  
 SINGING "ELTON JOHN TAKES IT  
 UP THE ARSE" ALL THE 10-12  
 MALES HAD PINT GLASSES WHICH  
 SOME CONTAINED ALCOHOL I LOOKED  
 AT THE GROUP AND ~~DO~~ ~~COULD~~ COULD SEE  
 THAT ONE OF THE MALES HAD A  
 NOTHING HAN FOREST TATTOO ON HIS FORE  
 ARM. I THEN SAW PC SELWOOD  
 APPROACH A MALE AT THE BAR  
 WHO WAS TRYING TO BUY A  
 DRINK. I COULD TELL THAT THE MALES  
 WERE NOT LOCAL DUE TO THEIR  
 ACCENT. I WAS THEN APPROACHED BY  
 A MALE WHO SAID "ANY CHAVS  
 YOU GUYS COULD STAY AROUND AS  
 I THINK IT IS GOING TO KICK OFF"  
 I ASKED THE MALE "ARE YOU ALL  
~~NOT~~ NOTHINGHAM FOREST SUPPORTERS?" HE  
 SAID "YES WE ALL ARE POINTING  
 AT THE GROUP ON 10-12 MALES"  
 I WAS THEN APPROACHED BY A  
 MALE I KNOW AS TOSH TOSH SAID

Signature [Handwritten Signature]

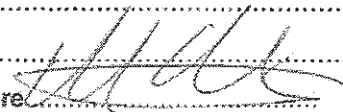
Signature witnessed by \_\_\_\_\_

(87)

Continuation of Statement of

PC 1151 MICHAEL BALL

"IS THERE A PROBLEM?" I SAID "YOU HAVE AWAY FANS IN THE PUB YOU NEED TO ASK THEM TO LEAVE?" JOSH GOT ASHED THE MASS TO DRINK UP" THE MALE WHO FIRST APPROACHED ME WAS WEARING A BLACK BOMBER JACKET AND CLEARLY WAS DISPLAYING TO NOTTINGHAM FOREST PIN BADGES. I WAS THEN APPROACHED BY A MALE WHO I NOW KNOW TO BE A MR GARY GARVIN. HE SAID "MY NORMAL BOWSER IS SOUTH AFRICAN A-2 IS AT CHURCH THEY ARE LEAVING NOW?" I EXPLAINED THAT HE HAD A DUTY TO MAKE SURE THAT HIS DOOR STAFF WERE NOT STRUCK IN AWAY FANS. I HAD NO FURTHER REALMS.

Signature 

Signature witnessed by



NEWS

# 'We feel we are being singled out'

by MIKE WRIGHT

A FORMER Watford FC player has claimed the Yellow and Red Lion fans pub is 'paying the price' for its connection with ex-Hornets owner Laurence Bassini, following a police closure.

Nell Price, who played in the 1984 FA Cup final, said he felt the pub was having its licence reviewed as certain police officers "had a problem" with the Stanmore businessman, who opened the pub last year.

His comments were made at a licence hearing on Monday where Watford borough councillors reviewed the Vicarage Road pub's licence after it was temporarily closed ahead of the Crystal Palace match.

Watford Chief Inspector Nick Caveney issued a closure notice on the morning of the match on Friday, February 8, after learning Mr Bassini was withdrawing as the pub's designated premises supervisor.

The closure automatically triggered a review of the pub's licence.

However, Mr Price, who runs the Yellow and Red Lion with his brother Josh, said he had been warned by someone senior at Watford FC that the police were going to review the pub's licence before the closure.

He said: "I think [the police officer] sits in that tower and has a problem with Mr Bassini from his time at the club and we are paying the price for that, as these scenarios don't stack up."

"I think complaints need to be made against certain members of the police. "Why we are upset is we feel we are being singled out."

Josh Price, the Yellow and Red Lion's landlord, said he also felt there was an "ulterior motive" behind the closure.

At the hearing he alleged one police officer had threatened to "make things difficult" for the pub weeks before the closure order.

He said: "Eight weeks previous he [the police officer] said he would make things



**Former Hornets Neil Price:** Had been warned pub faced review, difficult with the pub and get the licence review." **Laurence Bassini:** Police encountered problems communicating with him.

At the licensing sub-committee councillors heard police had had problems communicating with Mr Bassini, who as the pub's DPS was the person legally responsible for the premises, since it opened in April.

Herfordshire Constabulary licensing officer John Corbett said over the last year when they had wanted to discuss issues with Mr Bassini about the pub, he had sent someone else.

However, he told the committee he had always had a good relationship with Josh Price, whose stewardship of the pub he described as "exemplary".

Mr Corbett said police had tried to get hold of Mr Bassini the week before the Crystal Palace match and the former Hornets owner had informed them he didn't want to be the pub's DPS any more.

However, the paperwork was not completed and Chief Inspector Caveney, who was in charge of security around the match, only learned Mr Bassini was resigning as DPS on the morning of the game.

In his report on the closure, Chief Inspector Caveney said he took the decision to shut the pub for the Crystal Palace match due to the lack of clarity as to who was responsible for the Yellow and Red Lion that day.

He also cited the heightened risk of disorder at the Crystal Palace fixture and previous issues at the pub as reasons for the temporary closure.

Josh Price said he was surprised when he learned police were shutting the pub as he said there had not been one arrest made at the pub since it opened.

He said: "I was quite agitated, I did not see it coming and I was a bit angry."

"Days before they [the police] were saying they were delighted with how we were running the pub and now we were co-operating with them."

"To say I was surprised is an understatement. I just felt it was really heavy-handed and unnecessary."

Mr Price is now training to become the DPS for the pub, a move the police said they are happy with.

The landlord also said he and the police had been trying to get Mr Bassini to quit as DPS for the pub some time before the closure.

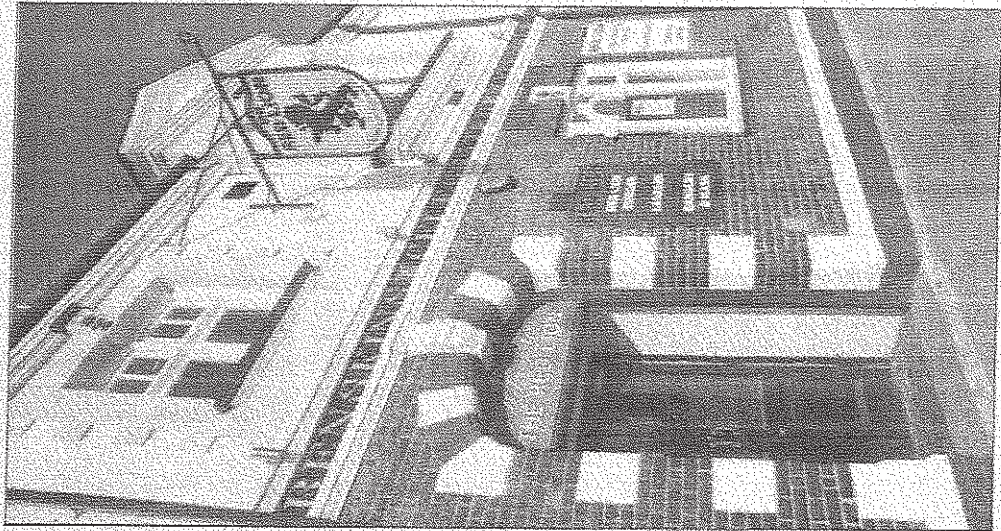
Mr Price added: "We could not remove him as DPS without him doing it."

"We said we wanted to work together to remove him as he is not there and he is not interested."

At the hearing the police asked councillors to add three conditions onto the pub's licence including always having a personal licence holder on site and the gates on the pub shut during Vicarage Road matches and to have additional security staff.

The three councillors on the panel - Liberal Democrats George Derbysire and Derek Scudder with independent Malcolm Meerabux - added all the extra conditions except the one relating to security staff.

■ Bassini agrees to pay damages - Page 54.



Yellow and Red Lion: conditions have been added to licence. Picture 08/03/14: PIPPA DOUGLAS

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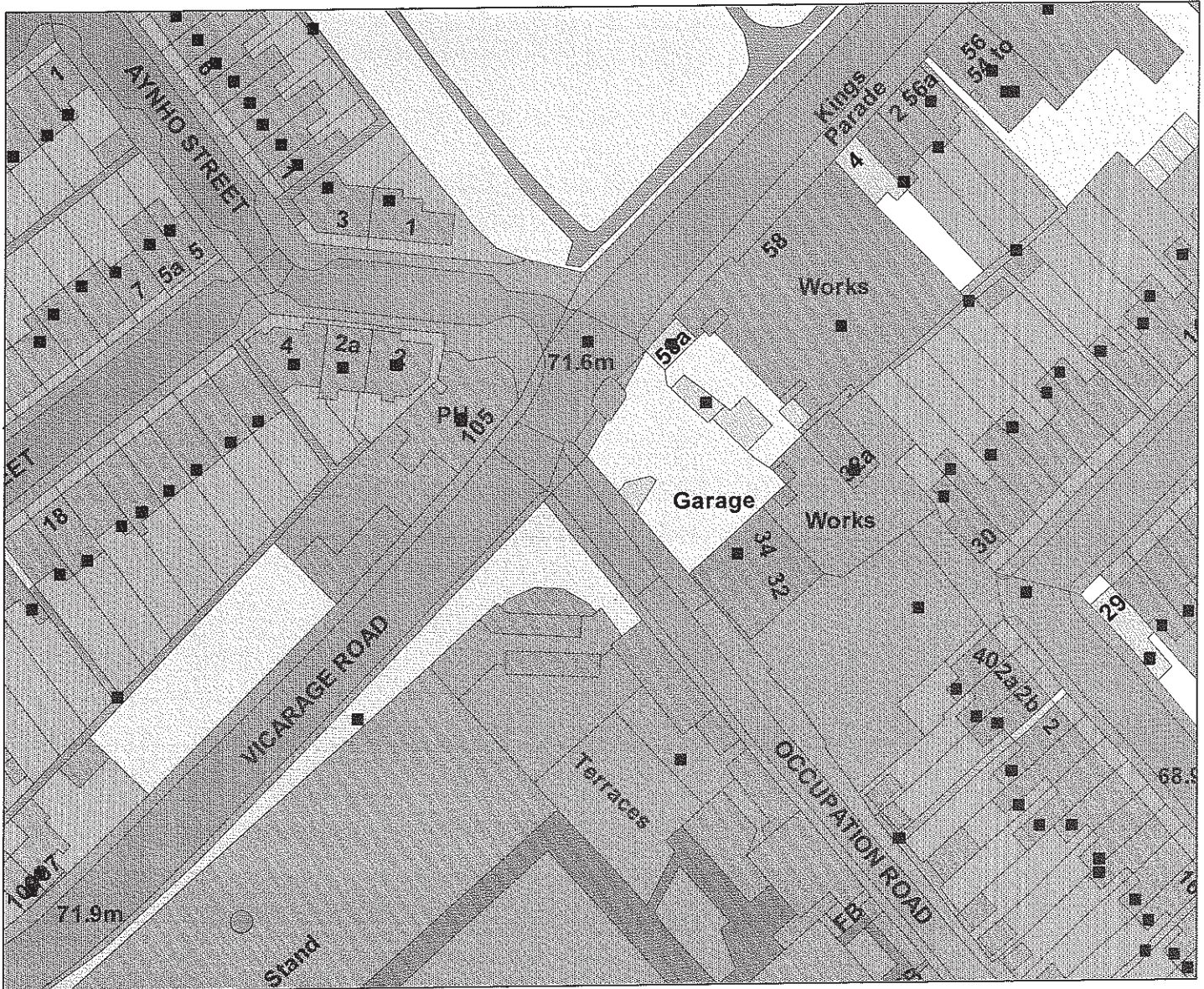


# Yellow and Red Lion

## Location Map



GIS by ESRI (UK)



### Legend

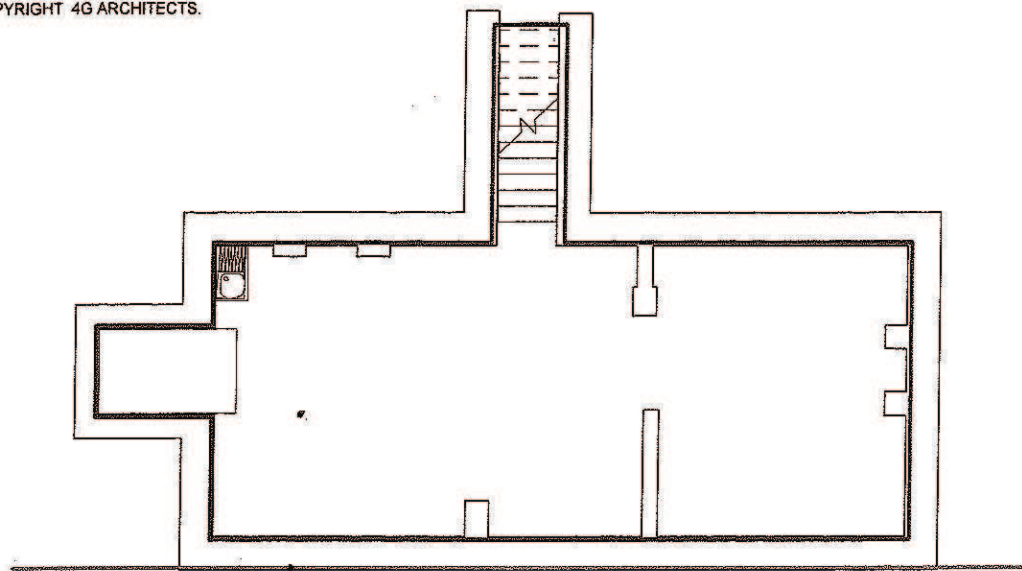
Km 0.01 0.02 0.03 0.04 0.05 0.06 0.07 0.08

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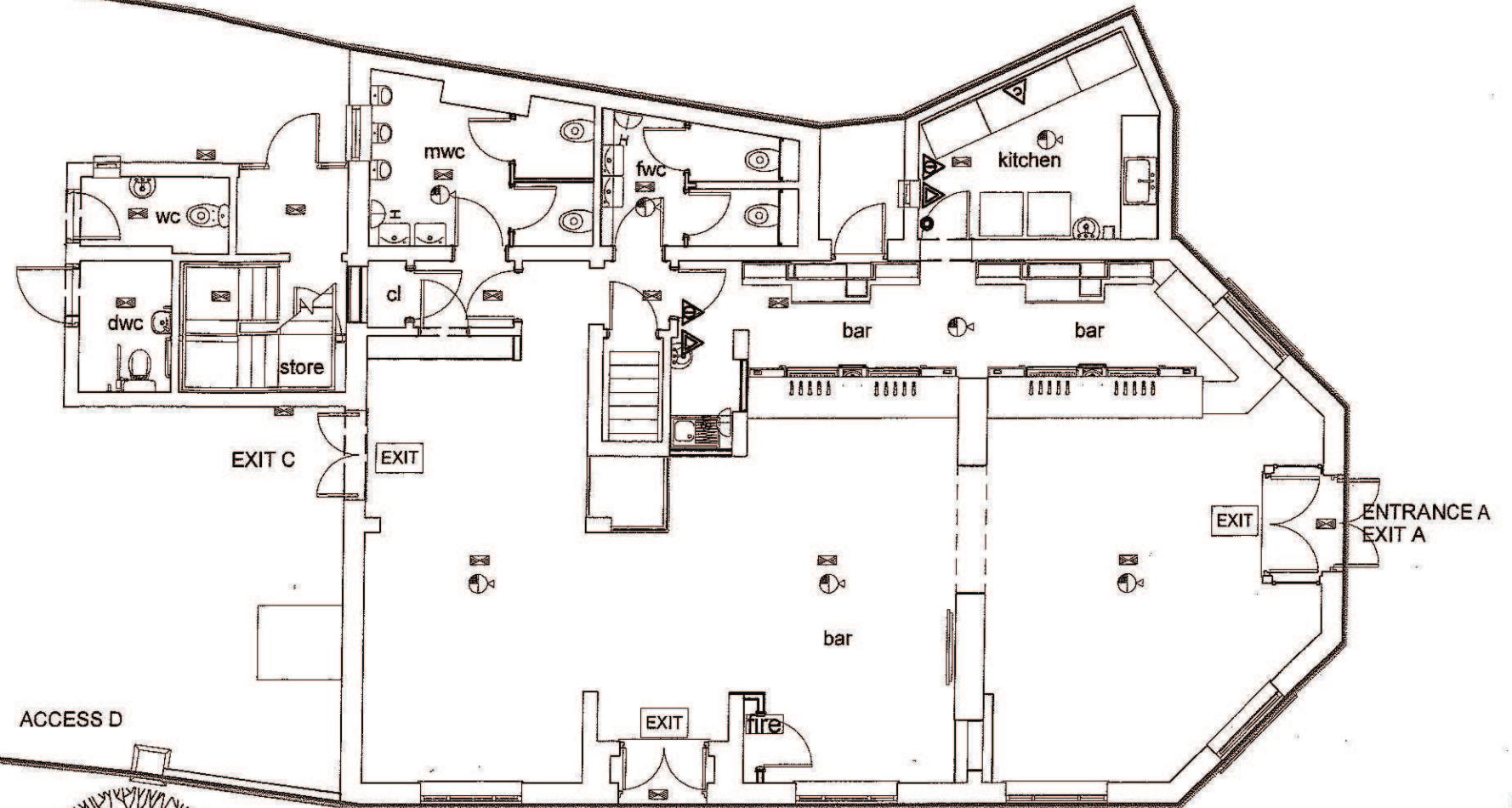
Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

<b>Organisation</b>	Watford Borough Council
<b>Department</b>	Not Set
<b>Comments</b>	
<b>Date</b>	24 September 2013

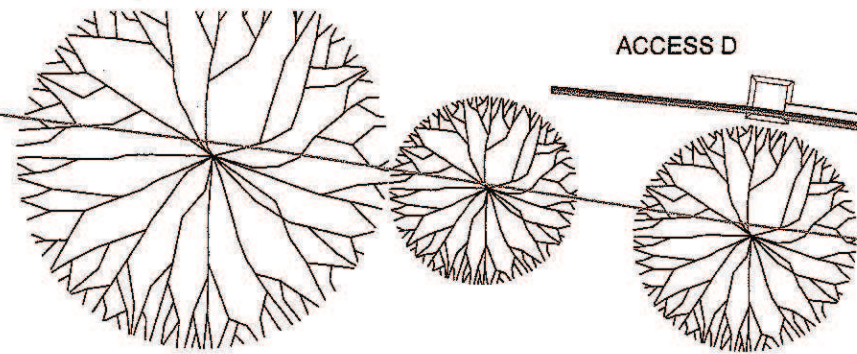
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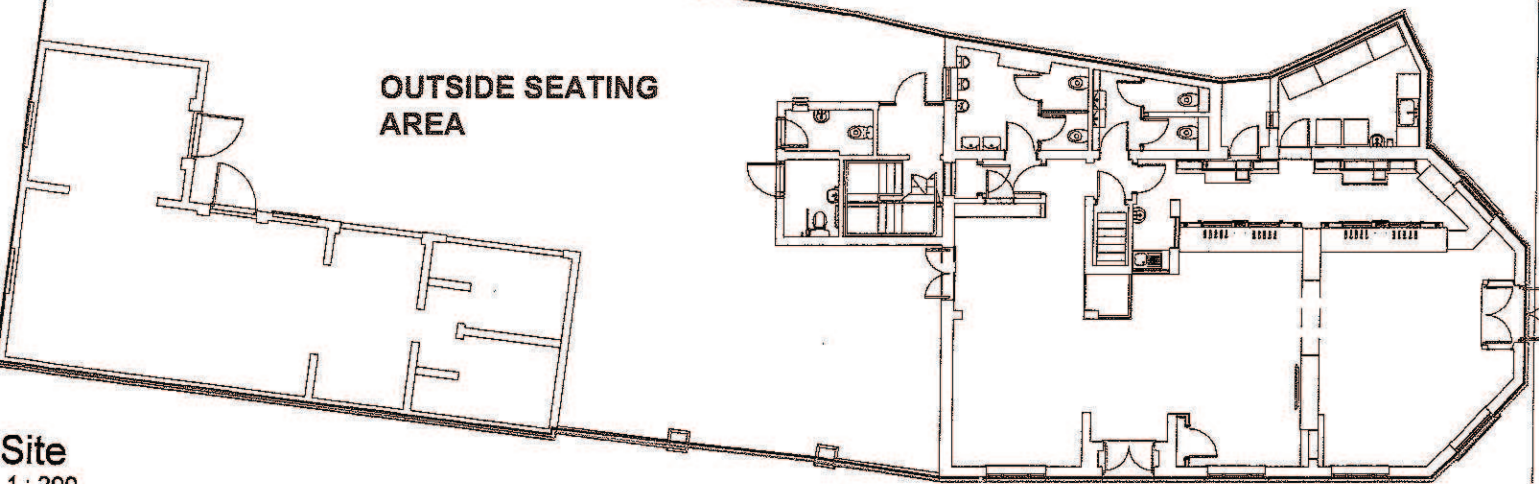
**Cellar**  
1:100



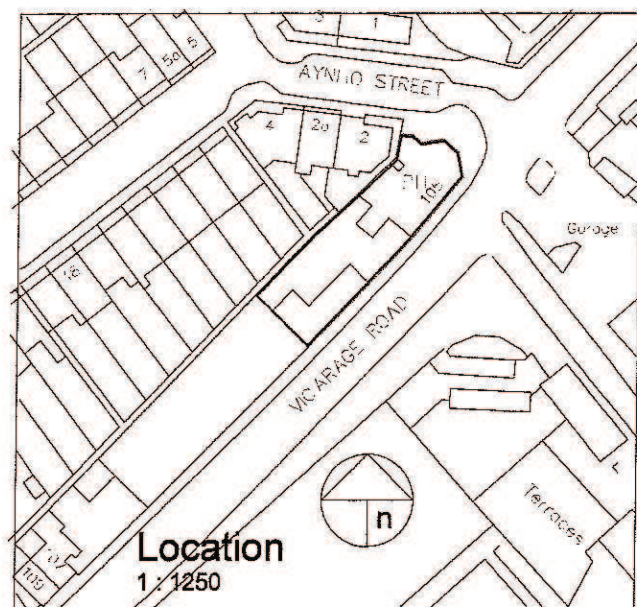
**Ground Floor**  
1:100



**Site**  
1:200



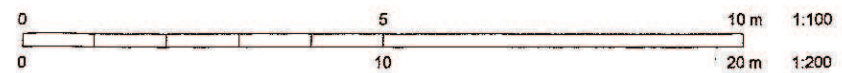
**OUTSIDE SEATING AREA**



**Location**  
1:1250

**Legend**

- Boundary
- Areas Used to Consume Alcohol
- A** Parts of Premises
- Water Extinguisher
- Carbon Dioxide Extinguisher
- Foam Extinguisher
- Fire Blanket
- Area Covered by Heat or Smoke Detectors
- Area Covered by Emergency Lighting
- Alarm Call Point
- EXIT** Illuminated Exit Sign



A rev 23.11.11 General Revision. Notes added date

**4G Architects**  
4 Nelson Street Thame Oxfordshire OX9 2DP T: 01844 261210  
E: name@4GA.co.uk

**Watford FC Red Lion**  
Alteration and Refurbishment  
Licence Plan

Scale A3: As indicated Date: 10.11

**G8.11.08 A**

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**WITNESS STATEMENT**

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

Statement of: Philip White

Age if under 18: 'over 18' (if over 18 insert 'over 18')

This statement (consisting of 2 page(s) 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 anything in it, which I know to be false, or do not believe to be true.

Signature :

Date :

I am an authorised officer with Watford Borough Council, an Environmental Crime Officer within the Community and Customer Service Department.

Former Watford Football Club owner Laurence Bassini leased the business, The Red and Yellow Lion Ltd, 88/98 College Rd, Harrow, which owns The Red Lion Pub, 105, Vicarage Road, Watford, in August 2012 to Daut Hashini, with Josh Price managing the running of the pub.

On the 28<sup>th</sup> September 2012 illegally dumped waste was found at the recycling banks in Tolpits Lane, Watford. It consisted of cardboard boxes, and bags of waste, image attached. Evidence was found it the waste relating to The Red Lion public house.

The flytip affected the amenity of the area, polluted the environment, and was a hazard to the public, being an act of anti-social behaviour. It was cleared by the council at the expense of the public purse.

Both Mr. Hashini and Mr. Price were interviewed under caution regarding this incident on the 6<sup>th</sup> December 2012. They denied dumping the waste, stating they believed the waste had been stolen to get them in trouble, although they were unable to provide any evidence of this, CCTV footage, damaged locked, etc.

They had no waste contract in place to dispose of their waste through a licensed waste carrier, and were keeping it in an outbuilding.

The fact that their waste was illegally dumped, their unsatisfactory waste storage, and their lack of a trade waste contract, showed a serious breach of the businesses 'duty of care' in relation to their waste under section 34 Environment Protection Act 1990. A prosecution was pending against the business, The Red and Yellow Lion Ltd, but enquiries reveal that Mr. Hashini now has no dealings with the company. Mr. Price, as the manager, has no liability under the legislation.

Mr. Price was given the codes of practice under the legislation which clearly sets out his responsibility with regard to waste from the pub.

On the 8<sup>th</sup> July 2013 a complaint was received regarding a large amount of tyres dumped on the ground of The Red lion. I attended the scene and found in excess of 50 tyres stacked within the grounds of the pub, which appeared to be stored, image attached. The pub seemed as though it had been closed for a while.

Signature :

Signature Witness By :

**CONFIDENTIAL INFORMATION**

**Contact Address : WBC Town Hall**

**Post Code : WD17 3EX**

**Contact No. H :**

**Contact No. W : 01923 278241**

**Inconvenient Court Dates :**

continuation of statement of: Philip White

I contacted Mr. Price who stated he was still managing the Pub, although it wasn't trading at the time. He said he knew nothing of the tyres, stating they had been flytipped, although he did not report this to the council.

He said he would he would arrange clearance of the tyres by 19.8.2013. I explained his 'duty of care' in relation to the disposal of the tyres, that they must be removed by a licensed waste carrier, and that he must obtain waste transfer notes which show what the waste is, who is carrying the waste, where it has come from, and where it is going.

On 13.8.2013 my colleague was passing The Red Lion where she saw that more tyres had been added and Mr. Price was in attendance with his van, which had tyres to it's rear. Image attached.

The tyres were still in situ on 19.8.13, and Mr. Price stated he had problems contracting a licensed waste carrier, but assured me they would be moved over the August bank holiday. The tyres were still in situ on 28<sup>th</sup> August 2013.

On 30.8.13, I served a litter & refuse clearing notice, under Environmental Protection Act 1990 section 92 A (1) on The Yellow and Red Lion Ltd, by post, requiring them to clear the site within 28 days. As a result of this notice, I received a phone-call from Mr. Laurence Bassini. 07584778477, confirming he had received the notice. He confirmed he held the free-hold to The Red Lion, and that it was now leased to Josh Price. He stated he had already given Mr. Price £500 to clear the tyres, but would make sure the tyres were cleared by 9.9.13 and the open area secured.

I do believe that these tyres were being stored illegally with Mr. Price's full knowledge, despite the fact he stated they had been flytipped.

I do have concerns about Mr. Price's ability or desire to legally manage waste at these premises.

Signature :

Signature Witness By :

**APPENDIX 3**

continuation of statement of:	Page No	of
-------------------------------	---------	----

Signature :

Signature Witness By :



Page No    of
continuation of statement of:

Signature :

Signature Witness By :

continuation of statement of:	Page No	of
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Signature :

Signature Witness By :



28/09/2012 12:19

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28.08.2013 08:10

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My name is Dawn Morrish.

I am the Health Improvement Manager for Community Safety and Offender Health, in the Public Health Directorate based at Hertfordshire County Council.

As the Public Health lead for licensing, I am responding to the Licensing review of :

**The Red Lion, Vicarage Road, Watford WD18 0EY**

My representation relates to the following licensing objectives:

- 1) the prevention of crime and disorder
- 2) public safety
- 4) the protection of children from harm

As Health Improvement manager for Community Safety and Offender Health, the health and safety aspect of licensing is my priority as well as health protection. I work closely with District Councils and Community Safety Partnerships. I also chair the Hertfordshire Strategic Alcohol Group.

The NHS and partner agencies are trying to support people in drinking alcohol safely and responsibly and expect that licensed premises will act in a responsible manner to support the work of statutory and non statutory agencies.

The National Alcohol Strategy aims to reduce the harms caused by alcohol by emphasising the promotion of safe and sensible drinking.

Alcohol is the second biggest lifestyle health risk factor after tobacco use.

Research suggests that increases in consumption across the population are associated with increases in alcohol related harms, especially long term diseases and poor health outcomes.

With deaths from liver disease rising at an alarming rate-25% in the last 10 years, we all need to be consistent in the health messages we are giving and in responsible marketing and selling of alcohol.

The most recently published Local Alcohol Profiles for England show that Watford has the second highest numbers of alcohol related recorded crimes in Hertfordshire (ranked 241 out of 326 local authorities in England) and also alcohol related violent crimes (ranked 248 out of 326 local authorities in England). Therefore it is of concern that Watford ranks so highly and is significantly worse than the England average.

Watford also ranks number 248 out of 326 for violence against the person offences, this being significantly higher than the national average, and the highest in Hertfordshire.

The evidence from the License Review application points to breaches of the license objectives and conditions of the license. Of particular concern is:

- breaching of the license condition relating to the exclusion of unaccompanied children from the premises and accompanied children from 19.30hrs.
- the selling of alcohol outside the licensing hours, and in one incidence before 10.30am
- the absence of a DPS

Of greater concern is the applicant's disregard of the law regarding licensing and the negligent approach to selling alcohol, evidenced by his disregard of measures put in place to protect the public particularly the most vulnerable, in this instance young children.

The signature as shown in evidence JMC/1 does look very different to that shown in JMC/2 and of particular note is that the spelling of the forename is also different. If this is a forgery then not only is this premises managed irresponsibly, and license objectives breached, but there has been an unlawful act committed.

Therefore, I totally support the licence review application that this license is revoked.

Dated: 29 August 2013

Signed:



**LICENSING AUTHORITY FOR WATFORD**  
**LICENSING ACT 2003**  
**LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005**  
**NOTICE OF DETERMINATION**

Application Ref No: 13/00170/LAINPT

---

Date of hearing: 25 February 2013

Date of determination: 25 February 2013

Committee members: [Chair]: Councillor George Derbyshire  
Councillor Malcolm Meerabux  
Councillor Derek Scudder

Officers: Oliver Rawlings  
Carol Chen  
Rosy Wassell

1. This was an application for a Premises Licence review submitted by Hertfordshire Constabulary

in respect of: Yellow and Red Lion Public House  
105 Vicarage Road  
Watford  
WD18 0EY

2. The Committee heard oral evidence from the following witnesses:

1. Jonathan Price, Premises Licence Holder
2. Neil Price, Yellow and Red Lion
3. Sergeant Marie White, Hertfordshire Constabulary
4. John Corkett, Hertfordshire Constabulary

3. The following persons were also present, but took no part in the Hearing:

1. Erin Johnson, Red Lion, Observer
2. Councillor Ian Brown
3. Councillor Mo Mills, ward councillor
4. Mike Wright, Watford Observer

4. The Committee also took into account written evidence from the following in their absence:
  1. Matthew Nichols, Hertfordshire Constabulary
  2. Duncan Turton, Interested Party
  
5. The following representations were withdrawn prior to the Hearing:

None
  
6. The Committee has taken into account the following provisions of the Licensing Act 2003:

Sections: 167 (review of premises licence following a closure order)

Reasons: This was the relevant section of the Act for this application.
  
7. The Committee took into account the following provisions of the guidance under section 182 of the Act:

Paragraphs: Chapter 11

Reasons: This was the relevant chapter of the Secretary of State's guidance for this application.
  
8. The Committee took into account the following provisions of its statement of licensing policy:

Paragraphs: Policy LP13 (license reviews)  
Appendix 1 (Licence review guidelines)

Reasons: These were the relevant paragraphs and appendices of the Licensing Authority's Statement of Licensing Policy.
  
9. The Committee had regard of paragraph 4.3 of the Secretary of State's guidance under section 182 of the Act but decided that it was still necessary to impose a condition on the licence requiring a personal licence holder to be on the premises on duty at all times when Vicarage Road Stadium requires a stadium safety certificate for the reasons set out in paragraph 11 below.
  
10. The Committee did not depart from its statement of licensing policy.

11. Having taken into account the provision of the Licensing Act 2003 and its guidance, as well as the representations of the Hertfordshire Constabulary and the Premises Licence Holder, the Sub-Committee has decided to impose two additional conditions on the Licence of the Yellow and Red Lion as follows:
- There shall be a Personal Licence Holder (as defined by the Licensing Act, 2003) on duty at the venue at all times when Vicarage Road Stadium requires a stadium safety certificate.
  - Except in the case of an emergency, neither the gate nor any door leading onto the street from the rear courtyard of the venue may be open on days where Vicarage Road Stadium requires a safety certificate.

The Sub-Committee recognises that, due to its location, the premises are vulnerable to potential crime and disorder on those occasions when the stadium requires a safety certificate, and considers it reasonable for a qualified person (Designated Premises Supervisor or a Premises Licence Holder) to be required to be present on the premises on these occasions.

Signed [Chair]: Councillor George Derbyshire  
Councillor Malcolm Meerabux  
Councillor Derek Scudder

Date: 25 February 2013

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## LICENSING SUB COMMITTEE

25 FEBRUARY 2013

Present: Councillor G Derbyshire (Chair)  
Councillors M Meerabux and D Scudder

Also present: Mr Jonathan Price, Premises Licence Holder  
Mr Neil Price, Red Lion, Observer  
Ms Erin Johnson, Red Lion, Observer  
Sergeant Marie White, Hertfordshire Constabulary  
Mr John Corkett, Hertfordshire Constabulary  
Councillor M Mills, Ward Councillor  
Councillor I Brown, Observer  
Mike Wright, Watford Observer

Officers: Head of Legal and Property Services  
Licensing Officer (OR)  
Committee and Scrutiny Support Officer (RW)

### 32 COMMITTEE MEMBERSHIP/ ELECTION OF A CHAIR

The Committee and Scrutiny Support Officer confirmed that the Sub Committee would comprise Councillors Derbyshire, Meerabux and D Scudder.

The Sub-Committee was asked to elect a Chair for the Hearing.

RESOLVED –

that Councillor Derbyshire be elected Chair for this Hearing.

The Chair asked all parties present to introduce themselves and state their role at the hearing.

### 33 DISCLOSURE OF INTERESTS (IF ANY)

There were no disclosures of interest.

### 34 REVIEW OF PREMISES LICENCE: YELLOW AND RED LION PUBLIC HOUSE, 105 VICARAGE ROAD, WATFORD (13/00170/LAINPT)

The Sub-Committee received a report of the Head of Environmental Services setting out details of an application by Hertfordshire Constabulary to review the premises licence of the Yellow and Red Lion Public House, 105, Vicarage Road.

The Licensing Officer reported on events leading up to the Hearing. He advised that following concerns of possible disorder at, and in the vicinity of, the venue on 8<sup>th</sup> February 2013, a closure notice under section 167 of the Licensing Act 2003 had been issued. The Officer explained that this action triggered an automatic requirement for the premises' licence to be reviewed by the licensing authority.

The Licensing Officer informed the Hearing that applications had been received on 14<sup>th</sup> February 2013 to transfer the premises licence and to vary the Designated Premises Supervisor. The Premises Licence Holder was currently, Mr Jonathan Price and the Designated Premises Supervisor (DPS), Mr Ron Smith.

During the consultation period for the application a representation had been received from a local resident who stated that he supported the current management of the premises by Mr Jonathan Price.

On 19 February 2013 an additional statement had been submitted by the Police in support of their application.

In conclusion the Licensing Officer said that subsequent to the change of Licence Holder and DPS at the Yellow and Red Lion, the Police had detailed the following three conditions that they suggested would be sufficient to address remaining concerns:

- There shall be a personal licence holder as defined by the Licensing Act 2003 on duty at the venue at all times when Vicarage Road Stadium requires a stadium safety certificate
- In addition to condition 12 of annex 2 of the operating schedule: SIA registered door supervisors should be employed at the venue at a ratio of 1:75 door staff to customers.
- Except in the case of an emergency, neither the gate nor any door leading onto the street from the rear courtyard of the venue may be open on days where Vicarage Road Stadium requires a safety certificate.

The Chair asked Members whether they had any questions for the Licensing Officer.

Councillor Scudder asked whether it was intended that the proposed condition regarding door supervisors at the venue were to be applied only on match days.

The Licensing Officer replied that this question was best addressed to the police, but as it was currently worded it would apply at all times not just match days.

The Chair asked the police to respond to Councillor Scudder's question. Sgt White stated that it was for match days only.

The Chair then explained the procedure for the meeting and asked the police to present their case.

Sgt. White reiterated the Licensing Officer's explanation that the review was consequent upon the issue of the closure notice. She advised that the notice had been issued at mid-day on 8<sup>th</sup> February and that the venue had remained closed until 4.00 a.m. on 9<sup>th</sup> February; this had prevented the premises from opening for trade during the match between the Watford and Crystal Palace Football Clubs.

Sgt White said that Chief Inspector Nick Caveney had issued the notice because of the high risk associated with this match and the fact that the DPS was not present. She added that a suitable DPS had now been appointed and advised that the additional conditions related to the safe management of the premises.

Mr Corkett then proffered information regarding the previous DPS. He advised that, since the premises had reopened in April 2012, despite requests by the police to the DPS to meet with them to discuss operation of the premises on match days, the DPS had not attended any of the proposed meetings. Mr Jonathan Price, however, had behaved in an exemplary way throughout.

With regard to the Crystal Palace match on 8<sup>th</sup> February 2013, Mr Corkett advised that it had become apparent that there was potential for disorder and the previous DPS had been asked to meet for discussion. The DPS had replied that he would surrender his licence and apply to transfer the licence. The necessary papers had not been submitted, however, and since there was a heightened security risk for the match with no DPS on the premises, there had been no option but to close the premises.

Mr Corkett said that Mr Jonathan Price had always complied with requests for added security at the venue. He noted that netting had been fixed over the garden to prevent missiles and added that Mr Price had proved to be both co-operative and responsible. He had no personal licence, however, and consequently could not be installed as the DPS.

In reply to a query from the Chair, Sgt White advised that there was currently a DPS in place but that they believed this was only temporary until Mr Price obtained his personal licence.

The Chair made reference to the three additional conditions as quoted above. He noted that the first and last conditions related to times when a safety certificate was required but that this requirement did not apply for the second condition.

Sgt White said that the Police would wish this condition to apply to any major event.

The Head of Legal and Property Services drew attention to condition 12 of the current operating schedule which specified a minimum of two SIA door staff to be employed when a stadium safety certificate was required. She asked

whether the additional condition was intended as a replacement or an additional condition.

Sgt White confirmed that this would be a replacement condition, and that instead of 2 door supervisors the police were looking for a ratio of 1:75 door supervisors to customers .

The Head of Legal and Property Services noted that government guidance indicated that it was not expected that the DPS should always be at the venue and asked why the Police considered it necessary to have a personal licence holder on the premises in this case.

Mr Corkett replied that there was the potential for the venue to become a 'flash-point' and was in need of strong management; there should consequently be such personnel present on match days.

The Chair asked what discussions had taken place between the Police Authority and Mr Jonathan Price.

Mr Price responded by advising that he had a good relationship with Sgt White and the Police Authority in general. He said that he had received a call from Sgt White in mid January in which she advised that an attempt to remove the former DPS had been made but that this had been unsuccessful.

He informed the Sub-Committee that since he had taken over management of the Yellow and Red Lion there had been no arrests. He noted the incident on 20<sup>th</sup> October 2012 when missiles had been thrown into and from the venue's rear garden and advised that lessons had been learned. The back gate had subsequently been blocked to prevent fans from seeing into the premises; this would prevent a reoccurrence of this problem.

Mr Price advised that a new DPS had been engaged and appropriate documents provided. He noted that the closure notice had been issued prior to this appointment but considered that with the appointment of the new DPS the Yellow and Red Lion was in better circumstances than it had been for some considerable time.

Mr Price then discounted the report that glasses and bottles had been thrown at on 20<sup>th</sup> October stating that polycarbonate vessels were used on match days.

Mr Neil Price advised that he had had a long association with Watford Football Club and considered that there had been insufficient Police presence during some matches. He affirmed that the Yellow and Red Lion was well run.

Mr Jonathan Price confirmed that the venue's current management had a good relationship with the Police personnel who were present at the Hearing. He agreed that the pub could prove to be a potential flash point for disorder on match days but stated that there had been no problems. He noted that revenue had been lost during the period when the pub had been closed and that the pub



had been only half full on the following Saturday. He considered that the closure had had an impact on trade which he considered to be unfair.

Mr Price then addressed the issue of door supervisors. He noted that the previous requirement for two door staff had been considered sufficient. He explained that the ratio of 1:75 would require one additional member of staff which would prove to be an unnecessary expense.

Mr Neil Price agreed that two staff members would be sufficient to deal with customers and that three staff would be financially unviable.

Mr Jonathan Price concurred with the condition that a personal licence holder would be on site at all times on match days but questioned what would happen were he to be on holiday and the DPS were suddenly required to leave the premises. He expressed concern that this would leave the premises vulnerable to closure.

Councillor Meerabux said that in the past the business had failed to ensure that a DPS was in control of the day to day management of the pub. He advised that he looked for assurance that this responsibility was taken seriously and that the DPS should have a critical role in this respect.

Sgt White agreed that the DPS should have a crucial role and noted that this had not been the case with the previous incumbent. She added that the pub had a high risk of crime and disorder on match days due to its location and the clientele. Strong management was necessary and the presence of the DPS was essential. She reminded Members that the main reason for the closure notice was due to the absence of a DPS.

Sgt White referred to Mr Price's concerns regarding the number of door staff. She considered that the heightened risk of disorder due to the nature of the clientele and the proximity of the pub to the football ground required extra security measures. She noted that customers were served in the garden; when the back gate was left open people walking past could see in and this could cause issues between rival fans.

Mr Jonathan Price acknowledged that there had been a minor incident on 20<sup>th</sup> October 2012 but that other wise there had been no problems.

The Chair noted that a qualified DPS had been engaged in addition to a new Premises Licence Holder and asked why it was necessary to propose the additional conditions.

Sgt White said that the first condition related to the location of the venue. Were a serious incident to occur it would be wise for a person with licensing knowledge to be present on the premises. The only guarantee for this condition would be the presence of a personal licence holder. She agreed that the condition was unusual but would be a wise additional condition where there was potential for problems associated with crime and disorder. She affirmed that the reason for the condition was solely due to the location and the probable clientele of the pub.

The Chair referred to Mr Jonathan Price's concerns as expressed above in respect of one member of staff being on holiday whilst the DPS was temporarily absent. He asked whether, in the event of a visit from Police officers in such circumstances, condition 1 would be invoked.

Sgt White assured the Chair that the premises would not be penalised for one occasion. Mr Corkett suggested that in this circumstance it would be wise to telephone the Police authority and obtain a log number.

The Sub-Committee retired to make its decision.

On the Sub-Committee's return the Chair announced the decision.

RESOLVED –

Having taken into account the provision of the Licensing Act 2003 and its guidance, as well as the representations of the Hertfordshire Constabulary and the Premises Licence Holder, the Sub-Committee has decided to impose two additional conditions on the Licence of the Yellow and Red Lion as follows:

- a. There shall be a Personal Licence Holder (as defined by the Licensing Act, 2003) on duty at the venue at all times when Vicarage Road Stadium requires a stadium safety certificate.
- b. Except in the case of an emergency, neither the gate nor any door leading onto the street from the rear courtyard of the venue may be open on days where Vicarage Road Stadium requires a safety certificate.

The Sub-Committee recognises that, due to its location, the premises are vulnerable to potential crime and disorder on those occasions when the stadium requires a safety certificate, and considers it reasonable for a qualified person (Designated Premises Supervisor or Personal Licence Holder) to be required to be present on the premises on these occasions.

Chair

The Meeting started at 2.00 pm  
and finished at 3.55 pm