

**RED LION, VICARAGE ROAD**

**LICENSING REVIEW**

**AUGUST 2013**



## RED LION REVIEW

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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)

3) a member of the club to which this application relates (please complete (A)  below)

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

Please tick

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) DETAILS OF OTHER APPLICANT**

Name and address
Telephone number (if any)
E-mail address (optional)

**(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
---	---	---	---	---	---	---	---

**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.

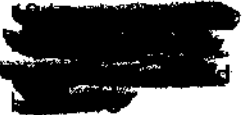
(2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 2 Any individual employed on the premises to conduct a security activity (within the meaning of section paragraph 2(1)(a) of schedule 2 to the Private Security Industry Act 2001) 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  


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  


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

(24)

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

25

**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. Josh runs the RSO LUN Public House in VICARAGE ROAD, WATFORD. At the present time I am aware that I am listed on the DESIGNATED PREMISES SUPERVISOR of the RSO LUN. 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 of the football club. The undertaking we did I was done as the OPS for about SIX weeks. I recall

Signature R Smith Signature witnessed by [Signature]





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 unrolled 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 look 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> 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 to 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

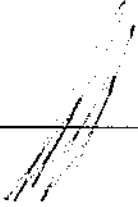
Witness Statement

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

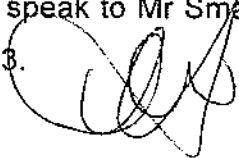
(34)

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.

 PS 2415

Signature

 PS 2415

Signature witnessed by

35

**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 \_\_\_\_\_

(36)

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

(37)

**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

(39)

**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)

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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



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.

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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

(41)



**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

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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 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.

**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

(45)

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



**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

**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 

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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.

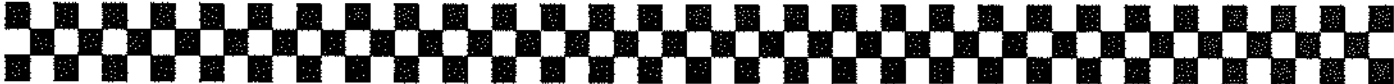
This statement is made from matters within my own knowledge or records, papers and correspondence within the Council's control and possession.

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:



49



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



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]  
Henny 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]

→ 100 → 1000 →

→ 1000 → 10000 →

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

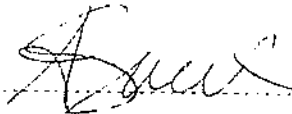
NOVA

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 [REDACTED] 12/00733/LAPRMV

Part 1 - Premises details

Postal address of premises or, if none, ordnance survey map reference or description: THE RED LION PUB, 105 VILARAGE ROAD. Post town: WATFORD. Post code: WD18 2ET. 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 \* or partnership / corporation

- Please tick [X] yes [X] please complete section (A) [ ] please complete section (B) [ ] please complete section (B) [ ] please complete section (B) [ ] please complete section (B) [ ] please complete section (B)



- 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:

- Please tick  yes
- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
  - 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  
CONNARNS QUAY

Post town

CONNARNS QUAY

Post code

CH5 40J

Daytime contact telephone number

[REDACTED]

E-mail address (optional)

[REDACTED].com



**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 Arrow Red Lion Limited.  
[full name of premises licence holder(s)]

the premises licence holder of premises licence number 12/00325/LA PRMV.  
[insert premises licence number]

relating to

The Red Lion Pub, 125 Vicarage Road, Watford WD18 0SF.  
[name and address of premises to which the application relates]

hereby give my consent for the transfer of premises licence number

12/00325/LA PRMV.  
[insert premises licence number]

to

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

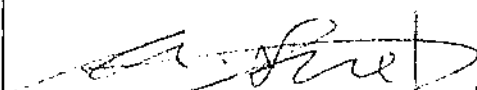
Y signed [Signature]  
name  
(please print) Laurence Bassini  
dated 28/1/2013.



## 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

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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

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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.

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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**

(64)

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.

(65)

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**HERTFORDSHIRE**

**CONSTABULARY**

Mr. J Price



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.

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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

66

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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