

SUBMISSION OF FURTHER EVIDENCE AGAINST THE RED LION

Attached to this report are two (2) DVD discs. They have been converted to DVD format from digital media recorded on Hertfordshire Police "body cams" and on the internal CCTV system for the Red Lion.

The contents of the DVD's will now be discussed:

Exhibit RE/WA0054/01 is a disc converted from exhibit RJ/1. This is body cam footage recorded at the Red Lion on 12 May 2013. The footage has been discussed in detail in the main review application. The video shows an interview with Mr Josh Price the premises licence holder when confronted by Sergeant Fishwick and Superintendent Jameson. The recording will show Mr Price attempting to give various reasons why the venue was open and selling alcohol at 10.40am on that day when the licence only permits the sale of alcohol from midday. Some of the reasons for this breach of the licence offered by Mr Price are:

- (a) He was given permission to do so by Sergeant White and John Corkett from the Watford Police Licensing unit.
- (b) He was confused and believed that it was a Saturday and that his opening times were earlier.
- (c) He was under the impression that his licence allowed him to open two hours earlier on match days.

Towards the end of the footage Mr Price is asked directly about the personal licence holder that the venue is required to have present on match days. At 10.40 on the timer of the video Mr Price states that he is "The personal licence holder" and indicates that this covers the required condition. This is not true; Mr Price does not hold a personal licence. Furthermore, during his later interview under caution recorded at Watford Town Hall, Mr Price states that he did in fact have a personal licence holder in the form of Allan Smart on duty that day. It is of note that no mention of Mr Smart is made during the conversation between himself and Police on the 12 May. The sub-committee may wish to draw the inference that far from being "confused" about his licence Mr Price was actually well aware of what the licence permitted him to do.

Exhibit RE/WA0055/01 is a disc converted to DVD from exhibit AC/1 (body cam footage) and JMC/8 (the venues internal CCTV system). The body cam footage will show both Josh and Neil Price in conversation with Police. This was recorded on 10 August 2013. What is apparent is the attitude of Neil Price when spoken to by Police at 06:07 on the timer of the video (14:09 real time). Mr Neil Price is immediately confrontational and sarcastic in his attitude. Mr Neil Price appears to object to the presence of Police in the venue and questions why they are present. The officers do explain that they are present in order to check on licensing it being the first home game of the season. The Constabulary will say that this is evidence of his stance as regards upholding the licensing laws and objectives. Further examination of the footage reveals, once again, that Josh Price seeks to blame the Police for all of the troubles he has encountered.

Further footage on the same disc consists of footage showing the internal area of the venue and the beer garden. It will be recalled that a licence condition at Annex 2, condition 5 stipulates that:

"Accompanied children must vacate the premises by 19:30"

The footage was recorded on 6 April 2014 and clearly shows children both inside the venue and in the beer garden (still part of the premises) at almost 8pm when the footage stops. Some of the children are extremely young and appear to be wandering about without any supervision. This is a clear breach of the aforementioned condition. It is highly undesirable that such young children should be in a public house after a football match during which time they may be exposed to drunken behaviour by other patrons. This footage will also show what happens when rival supporters are apparently passing by the venue on the pavement outside. Several "customers" are seen both inside the venue and in the beer garden making obscene gestures at rival supporters. Children are still present in the venue when these incidents take place. The potential for disorder at this point is great and nothing appears to be done by any of the staff to prevent the offensive behaviour occurring. Had any objects been thrown into the beer garden area by opposing fans at this point it is almost certain that a child may have been received an injury. The Licensing objective of "The Protection of children from harm" is clearly being breached.

Finally attached to this report is a copy of an email sent by Ann Williams, a Licensing officer for North Wales Police. It details her dealings with Mr Allan Smart. Mr Smart, it will be recalled, was twice the proposed DPS for the Red Lion and is involved (albeit as an innocent party) in the DPS transfer application of May 2013. The e mail details the history of his tenure at a public house in Connahs Quay. What is particularly striking is that a named DPS remained on the licence of the venue long after he believed that he had been replaced. The Constabulary will say that this is a similar type of behaviour as that discovered by Police in relation to Mr Ron Smith's appointment as DPS of the Red Lion. The email will also add weight as to why Hertfordshire Constabulary found M Smart to be an unsuitable person to be DPS on two occasions. Having been advised by the Constabulary that he was not suitable to be DPS in February 2013 the Price brothers still made attempts to have him appointed as DPS which would seem to demonstrate their disregard for the objectives of the Licensing Act.

CORKETT, John 7630

From: Williams, Ann <ann.williams@nthwales.pnn.police.uk>
Sent: 29 May 2013 10:39
To: CORKETT, John 7630
Subject: RE: TEST

Thankyou.

On the 28th November, 2012 I had occasion to speak with Mr. Alan Smart, Premises Licence Holder of [REDACTED], following an incident that occurred on 24th November, 2012 Police Reference N194297 when Mr. Smart was arrested for Drunk and Disorderly. It was reported by officers that Mr. Smart was extremely abusive towards them which resulted in his arrest.

Arrangements were made for myself and Mr. James Lowe, Flintshire County Council Licensing to meet with Mr. Smart on Friday 7th December, 2012 to discuss this incident in further detail.

On checking the premises licence I noted that a gentleman by the name of Mr. [REDACTED] B [REDACTED] was named as Designated Premises. I believed this person to be DPS at a premise in Wrexham and therefore contacted Mr. B [REDACTED] to establish how he would be managing both premises and to inform him of this incident. Mr. B [REDACTED] was unaware that he was still named as DPS at [REDACTED], stating this was some nine ago and believed he had been taken off the licence. The process was explained to Mr. Barber and he took steps to remove himself as DPS. Mr. Smart was informed he could not trade and he confirmed that he had no intention of re-opening until a DPS was appointed. At this time Mr. Smart stated he was humiliated and embarrassed by his actions on the 24th November, 2012, and although not an excuse stated he was going through some very stressful domestic issues.

A new DPS was appointed on the 5th December – Angela Richards

Meeting held on the 7th December. My report to Chief Inspector Jeff Moses stating that I found Mr. Alan Smart to be a slightly volatile individual who would not listen to reason until he had had his say and did not take responsibility for matters that were clearly his. Resulted in a protracted meeting and premises being placed at Level 1 of the Licensed Premises Review procedure for a period of 3 months. (Copy attached for you). There have been no further licensing incidents at the location.

On the 12th February, 2013 a licensing enquiry was received from a Police Sergeant regarding Mr. Alan Smart's suitability re his personal licence. The Sgt was informed that when his personal licence was issued there was an investigation pending – Drunk and Disorderly in November, 2012 and he was in Court on the 13.12.12.

Mr. Smart pleaded guilty to the offence of Drunk and Disorderly fined £150, costs £85.00. Appreciate this is not a relevant offence.

Mr. Smart is PLH at this premise, but no longer DPS. Neil Parkinson is named as DPS as we believe Mr. Smart has moved away.

Apologies John, but I have just put some notes together as tied up with an urgent closure order.

If you need anything further please let me know, tomorrow may be quieter.

Kind Regards,
Ann

From: John.Corkett@Herts.pnn.police.uk [mailto:John.Corkett@Herts.pnn.police.uk]
Sent: 29 May 2013 09:23

Heddlu Gogledd Cymru

Internet e-mail is not to be treated as a secure means of communication. North Wales Police monitor all Internet e-mail activity and content. This communication is intended for the addressee(s) only. Please notify the sender if received in error and erase from your system. Unauthorised use or disclosure of the content may be unlawful, Opinions expressed in this document may not be official policy. Thank you for your co-operation.
North Wales Police

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Flintshire County Council - County Hall

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you are here: [Home](#) > [Public Register Licensing Act 2003](#) > [Applications](#) > [Details](#)

Licensing Act 2003 - Personal Licence register as at 10:11 on Tue 28 May 2013

SMART Allan Andrew Colin

Personal Alcohol Licence FCC1370 from 13/12/12 to 12/12/22

[Back](#)

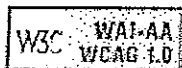
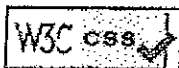
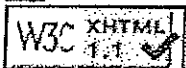
Licence Holder(s)

Full name

Mr Allan Andrew Colin Smart

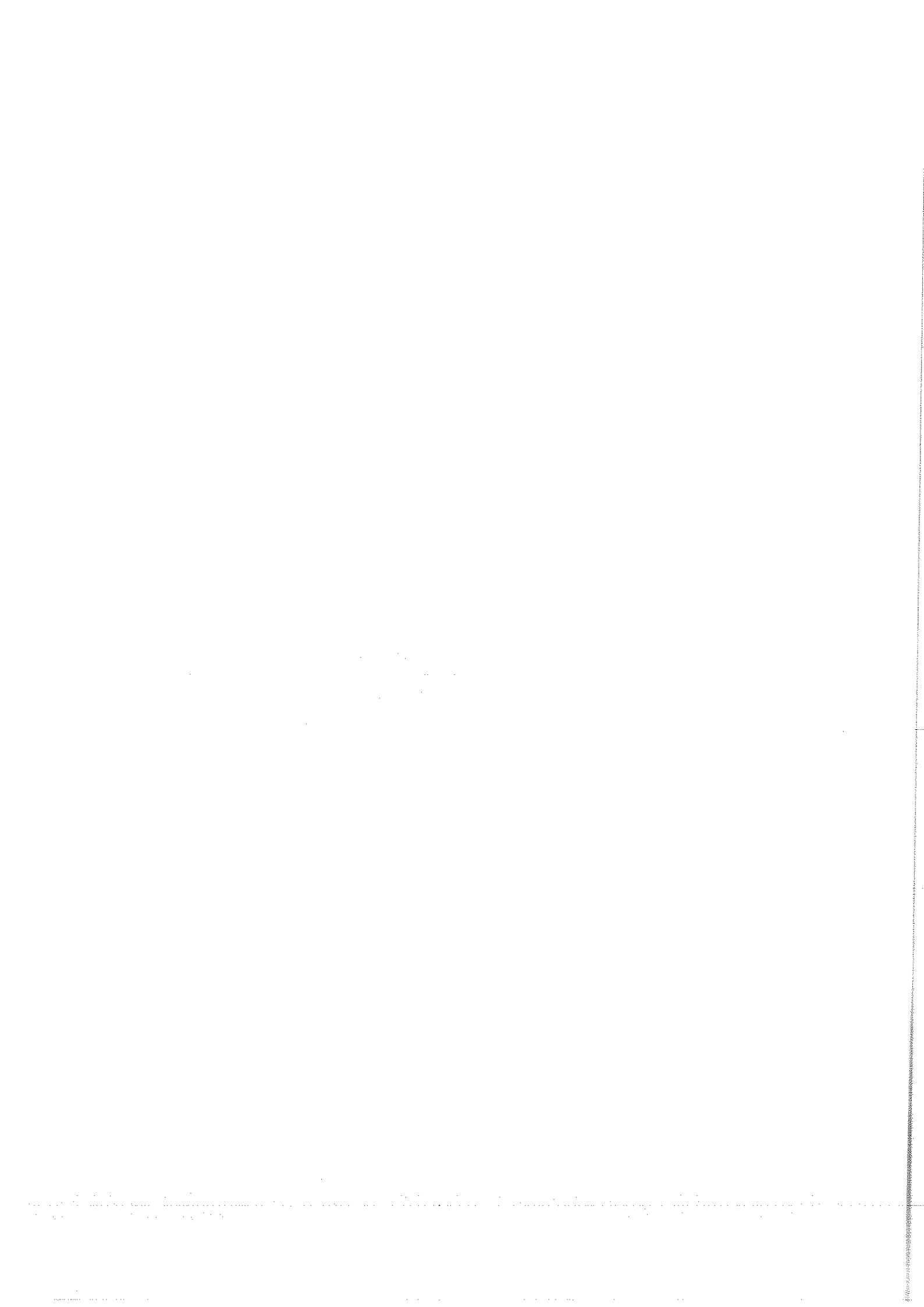
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RESTRICTED (when complete)

Witness Statement

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

URN

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Statement of: Rob EVANS 7019

Age if under 18:

Occupation Visual Evidence Technician

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

Signature: *RE Evans*

Date 19th August 2013

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

I am a Visual Evidence Technician employed by Hertfordshire Police, based at Watford Police Station.

On Friday 16th August 2013, I received from Assistant Investigator 7630 John CORKETT, one Compact Disc (CD) containing Closed Circuit Television (CCTV) video footage identified as exhibit JMC/8. And one video Digital Versatile Disc (DVD) identified as exhibit AC/1 containing video footage from a Body Camera.

These exhibits were booked into the Forensic Audio Visual unit database and given the job reference number WA00055.

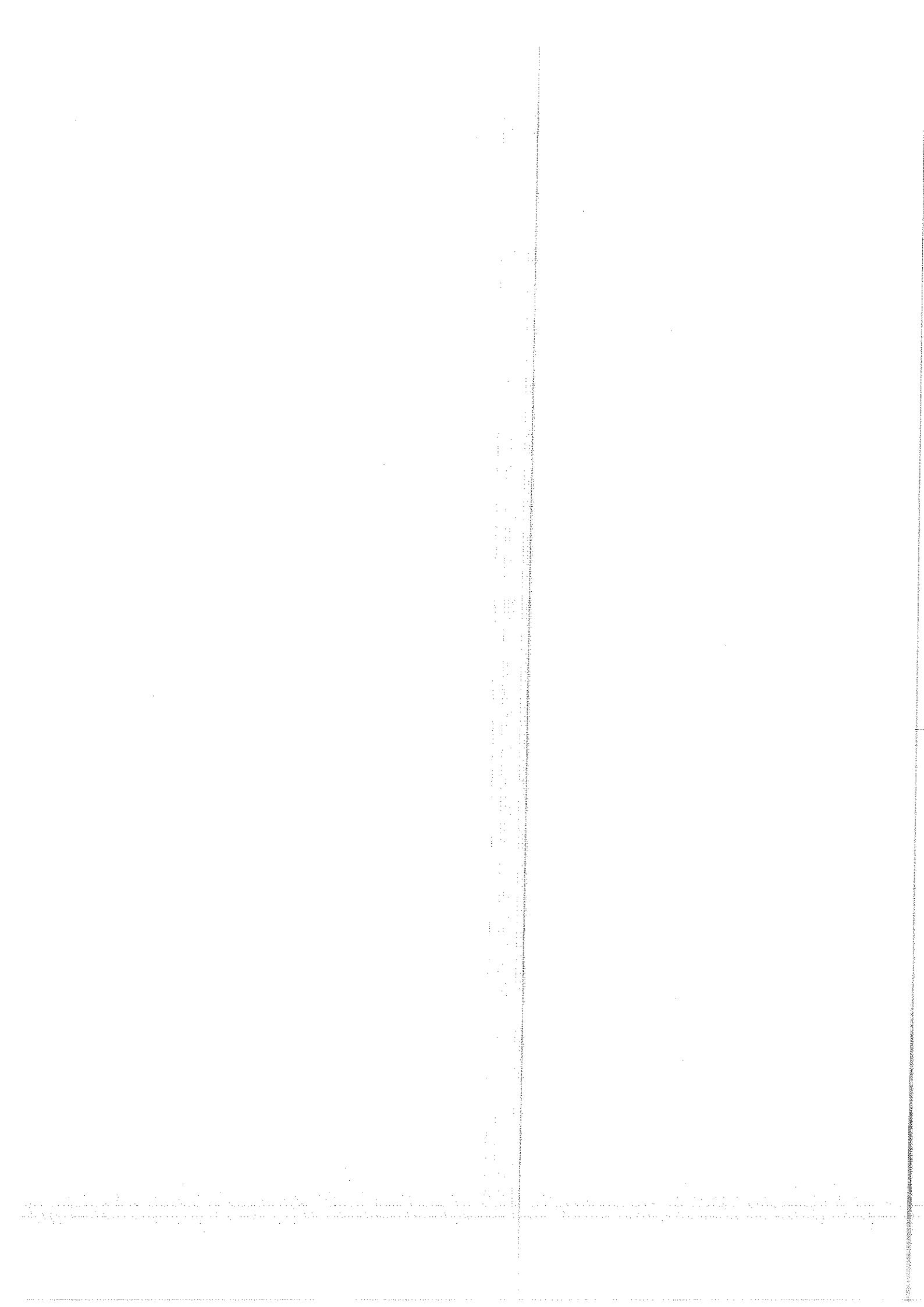
On Friday 16th August 2013, using equipment in the Visual Evidence Unit and at the request of Assistant Investigator 7630 John CORKETT, I transferred footage from exhibits JMC/8 and AC/1 onto one video Digital Versatile Disc (DVD). I refer to this DVD as exhibit RE/WA0055/01. I also produced four working copies of exhibit RE/WA0055/01. All work was completed on Monday 19th August 2013. Exhibit RE/WA0055/01 was then placed and sealed in exhibit bag number M04339210.

I then placed my exhibit into the evidence locker to await collection.

Signature *RE Evans*

Signature witnessed by

(74)



RESTRICTED (when complete)

Witness Statement

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

URN

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Statement of: Rob EVANS 7019

Age if under 18:

Occupation Visual Evidence Technician

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

Signature: *REVANS*

Date 16th August 2013

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

I am a Visual Evidence Technician employed by Hertfordshire Police, based at Watford Police Station.

On Thursday 15th August 2013, I received from Assistant Investigator 7630 John CORKETT, one Compact Disc (CD) containing Closed Circuit Television (CCTV) video footage identified as exhibit RJ/1.

This exhibit was booked into the Forensic Audio Visual unit database and given the job reference number WA00054.

On Thursday 15th August 2013, using equipment in the Visual Evidence Unit and at the request of Assistant Investigator 7630 John CORKETT, I transferred footage from exhibit RJ/1 onto one video Digital Versatile Disc (DVD). I refer to this DVD as exhibit RE/WA0054/01. I also produced four working copies of exhibit RE/WA0054/01. All work was completed on Friday 16th August 2013. Exhibit RE/WA0054/01 was then placed and sealed in exhibit bag number M04339214.

I then placed my exhibit into the evidence locker to await collection.

Signature *REVANS*

Signature witnessed by

(Signature)

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes the need for transparency and accountability in financial reporting.

2. The second part of the document outlines the various methods and techniques used to collect and analyze data. It covers both qualitative and quantitative research approaches, highlighting the strengths and limitations of each.

3. The third part of the document focuses on the interpretation and application of research findings. It discusses how to draw meaningful conclusions from the data and how to use these findings to inform decision-making and policy development.

IN 225/13 P10: 1035 L10: 21029

Application to vary a premises licence to specify an individual as designated premises supervisor under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

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

I/we DELL PRICE
(full name(s) of premises licence holder)

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

Premises licence number

12 100323 / LAPRMV

Part 1 - Premises details

Postal address of premises or, if none, ordnance survey map reference or description

NEW LION PUBLIC HOUSE
VICARAGE RD

Post town

WATFORD

Post code (if known)

WD18 0EY

Telephone number (if any)

Description of premises (please read guidance note 1)

A PUB

Part 2

Full name of proposed designated premises supervisor

ALLAN ANDREW COLIN SMART

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

FCC 1370
FLINTSHIRE COUNTY COUNCIL

Full name of existing designated premises supervisor (if any)

Please tick yes

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



I have enclosed the premises licence or relevant part of it



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

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

Please tick yes

- I have made or enclosed payment of the fee
- I will give a copy of this application to the chief officer of police
- I have enclosed the consent form completed by the proposed premises supervisor
- I have enclosed the premises licence, or relevant part of it or explanation
- I will give a copy of this form to the existing premises supervisor, if any
- I understand that if I do not comply with the above requirements my application will be rejected



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

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

JOSH PRICE
[name of applicant]

concerning the supply of alcohol at

THE Red LION
VICARAGE ROAD
WATFORD

[name and address of premises to which application relates]

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

Personal licence number

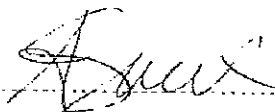
FCC1370
[insert personal licence number, if any]

Personal licence issuing authority

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

COUNTY HALL
MOLD
FUNTSWIRE
CH7 6NB 01352752121

Signed



Name (please print)

Alan Smart

Date

23/5/13

Part 3 – Signatures (please read guidance note 2)

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

Signature

7
[Handwritten signature]

Date

22.5.13

Capacity

For joint applicants signature of 2nd applicant 2nd applicant's solicitor or other authorised agent (please read guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity

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

10 LOMBARDY CLOSE
LEVERSTOCK GREEN

Post town

HEMEL HEMPSTEAD

Post Code

HP3 8NE

Telephone number (if any)

07837 467842

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

Guidance notes

1. Describe the premises. For example the type of premises it is.
2. The application form must be signed.
3. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
4. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
5. This is the address which we shall use to correspond with you about this application.