

Royal Borough of Greenwich Licensing Sub-Committee

Decision Notice 26th August 2021

Review of Premises Licence
for Star & Garter Public House,
60 Old Woolwich Road,
London, SE10 9NY

In reaching its decision the Licensing Sub-Committee (“LSC”) considered the Council’s Statement of Licensing Policy, the Licensing Act 2003, the Regulations made thereunder, and the Guidance issued by the Secretary of State under S.182 of that Act. In discharging its functions, the LSC did so with a view to promoting the licensing objectives of the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

Having considered all written representations, evidence and oral submissions, the LSC resolved that: -

- a) The Premises Licence be revoked
- b) The Interim Step of the suspension of the premises licence be re-imposed pending the expiry of time for an appeal to the magistrates’ court or the conclusion of any such appeal.

Basis of Decision

The LSC considered and gave full weight to the Summary Review application and Certificate by the police, relating to the very serious violence that had taken place at the premises with a victim of stabbing receiving life threatening injuries.

The LSC noted the summary suspension of the premises licence and reasons for doing so, by two differently constituted LSCs prior to the full review hearing.

The LSC noted the absence of the licence-holder, also being the DPS since 2010, Mrs Hall for the hearing, however, she was represented by her partner Mr Keith Tarrant.

The police sought a revocation of the premises licence on grounds that the management and staff had failed to call and notify the police of the stabbing, had failed to uphold and promote the licensing objectives, and had failed to take measures to protect members of the public from crime and ensure public safety. The management and staff had failed to cooperate with police, maintaining they knew nothing of the circumstances leading to the stabbing of the victim, did not see the stabbing, and that the suspect was not known to the premises. The ambulance had not been called by the staff at the premises. The police were called by the paramedics attending to the victim.

The LSC noted the police submissions and photographs of the inside of the premises, and proximity of the bar to where the victim was stabbed and the numbers of people inside and outside the premises as evidenced by still images from officer body worn camera recordings.

Subsequent evidence obtained by police establishes that both suspect and victim had stood up and had exchanged words and sworn at each other. After the stabbing, two customers had taken the suspect outside and one had walked him home and then returned to the premises and sat down by the bar. The victim was taken to the toilets to clean up before being taken outside the premises. It was not clear whether the suspect had brought the knife with him, a knife used by the premises at the bar for cutting fruit for drinks was missing and had not been found by staff. Because of non-cooperation by the management and staff, and customers, the suspect was at large for 11 days.

The licence-holder when questioned by the police stated that the suspect and victim have been barred but was not able to reply and explain, when asked, how she knew who they were.

The LSC noted the submissions and concern by Cllr Scott-MacDonald, on behalf of a resident regarding the problems associated with the premises, and ignoring issues, including calls to the premises when a male with a baseball bat was shouting at a female in the premises to come out or he would go in to get her. The incident was not reported to the police.

The LSC noted the submissions of Mr Tarrant, including that he was the manager and had been at the premises for 20 years, that the CCTV broken down 2 years ago but was now fully functioning with 5 cameras at various locations. Mr Tarrant took responsibility for not ensuring the CCTV was repaired and working, because he stated the premises were closed for a long time because of the pandemic lockdown, and that he never expected a stabbing at the premises, that there is never any trouble, the premises being a warm friendly place. Mr Tarrant also stated that the staff had informed him that they did not hear or see anything leading up and the stabbing of the victim, and the staff had not called the ambulance for the victim. Mr Tarrant could not account for the missing knife used at the bar for cutting fruit.

In respect of the general use and control of the external area of the premises by customers, Mr Tarrant stated it does get a bit loud outside at times but there were no problems with the neighbours, and in respect of customers being in the road, drinking and leaning on cars, Mr Tarrant stated it could be the customers' own cars.

Mr Tarrant submitted that he had since spoken with the victim and who had informed him that he did not even know he had been stabbed when the stabbing had taken place, and further that the suspect was 70 years old, not someone who makes trouble, usually came in, had about 4 pints, watched tv and went home.

The LSC in reaching its decision, gave great weight to the police evidence and formed a view that the picture painted on behalf of the premises did not match what was actually taking place at the premises. The LSC were of the view that both the victim and suspect were regulars at the premises and known to management and customers. It is inconceivable that someone stabbed in the abdomen, resulting in life threatening injuries, would not notice they had been stabbed, and moreover, those in the premises would not have heard and seen the suspect and victim stand up and remonstrate with each other just before the stabbing.

There appears to have been a deliberate choice of staff not to call the emergency services including the police, and it was clear that the suspect was known to customers and staff as he was helped to leave the premises.

The evidence of the resident relating to an incident when a male with a baseball bat was shouting to a female to come outside, or he would fetch her, was another incident of which there is no report to the police by the management or staff, notwithstanding telephone calls to the premises from residents, calls which were ignored. The LSC considered that the premises are not as trouble free as has been presented, and other reported anti-social behaviour and criminal activity, including drugs, as being associated with the premises cannot be discounted.

The impression of the premises is that they are not managed to give effect to the licensing objectives, including safety of those attending the premises, and prevention of public nuisance. The crime prevention licensing objective has not been upheld, deliberately it appears, by the licence holder, management or staff.

In reaching its decision, the LSC were satisfied that the police have acted entirely without vindictiveness, as had been suggested by a resident in support of the premises, and that the management of the premises is inadequate to uphold and promote the licensing objectives.

The LSC consider it reasonable and proportionate that the premises licence is revoked.

Any party aggrieved by this decision may appeal to the magistrates' court within 21 days.