

MUNICIPAL YEAR 2021/22 REPORT NO.

COMMITTEE:
Licensing Sub-Committee
7 July 2021

REPORT OF :
Principal Licensing Officer

LEGISLATION :
Licensing Act 2003

Agenda - Part	Item
SUBJECT: Application for a Review of premises licence	
PREMISES: The Hop Poles, Public House, 320 Baker Street, ENFIELD, EN1 3LH	
WARD: Chase	

SUPPLEMENTARY REPORT

- 1.1 The Police have provided additional information to further support their review application, namely officer statements and photos. This is produced in Annex 6.

Background Papers:
None other than any identified within the report.

Contact Officer :
Ellie Green on 020 8379 8543

WITNESS STATEMENT

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

Statement of Paula Wolohan..... URN:

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Age if under 18 Over 18 (if over 18 insert 'over 18') Occupation: Police Officer

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 anything in it 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)

On Saturday 17th April 2021 I was on duty in plain clothes visiting licensed premises as part of a joint operation with London Borough of Enfield council. I was in company of two others, PC Hedger and PC Molla. We had planned to visit as many licensed premises on borough due to easing of Covid restrictions on 12th April 2021, which allowed for patrons to attend a pub and have a drink in their outdoor area. No alcohol consumption was allowed indoors and service was all table service.

At approx. 2045 we, together with two representatives from the council attended the Hop Poles public house, Baker Street, Enfield, EN1. We parked up in the car park and could see from there that there no people in the outdoor space to the rear of the pub, although some outdoor lights were on.

I began to walk around the front of the pub and could see there were lights on inside. I walked up to the main door and could hear lots of noise coming from inside, people laughing and talking. The doors were covered with posters and the side panels on the doors were covered with what appeared to be black sacks. I looked through a gap and could see a male behind the bar. I walked around to the other side of the pub and could see through the top window panels that there were televisions on inside the premises. I could also hear voices and laughing coming from this side of the pub. It was clear that there were people inside the premises. I walked around to where I had a better of view of the garden area. Just as I got to the side of the pub I saw a delivery person go to the back gate. This was opened by a female. I identified myself as police officer, stating that we at the premises to conduct a licensing visit. She let us in where we went to the back door of the property. This was locked so she knocked on the door. This was opened by a male and again I identified myself and stated the purpose of our visit. He let us in to the property. I asked if he was the owner and he said no. I walked into the lounge area where immediately I saw people sitting opposite the bar area. I heard someone say 'it's police'. I identified myself as a police officer to those present. I could see that the table these people were sitting at had pints and glasses of alcohol on them. I was also aware of the very strong smell of cigarette smoke. I walked around to the other part of the pub where more people were sitting at tables with glass of alcohol in front of them. There were ashtrays of

Signature: Signature witnessed by:

Continuation of Statement of

cigarette butts on the table and with the strong smell of cigarette smoke in the air it was clear that smoking was taking place on the premises. I approached the table and said to all 'why are you here, you know you're not supposed to be here'. One woman replied that it was up to landlord and he had let them in. I walked to the table towards the rear of the pub where there four men and a woman. All of them were drinking alcohol and initially oblivious to my presence. I identified myself as a police officer. The lady, who was drinking a glass of wine, kept asking me who I was and why I was there. I answered her but it was quite clear to me she was drunk and was not listening to what I was saying. All the persons present at the table were drunk. I walked over to PC Hedger and PC Molla and advised them to take details of all the persons present before they left. We began to do this. There were 17 persons present. I could clearly see from the inside the the windows by the side of the doors were covered with black sacks. I saw colleagues from the council speaking with a male sitting at one of the tables. I subsequently found out that he was the landlord Michael Kirby. I continued around the pub, noting the various glasses of alcohol on tables. Once everyone's details were taken we began to get the people to leave. The lady I had spoken with who was drunk, yet again asked me why I was there. I tried to explain to her stating that they should not be in the pub and she stated that it was cold outside and the landlord had let them in. Once everyone began to leave I went to speak with Michael Kirby. He was sitting at a table with a half drunk pint of lager in front of him. His eyes were glazed over and as he began speaking his speech was slurred. He was drunk. I introduced myself and asked him why he had let the people in when he knew he shouldn't. He stated he knew this but one of them had lost a family member during the week and had been to the funeral and he was just trying to be nice. I advised him he was not allowed to have anyone in the premises and he replied "it is what it is". The licensing officers from the council took photographs and once this was done we left he premises.

Signature: Signature witnessed by:

STATEMENT OF WITNESS*(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)*

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Statement of: Constable Lewis Hedger

Age if under 18: Over 18

Occupation: Police officer

This statement 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: 21 Apr 2021

I am PC Lewis HEDGER 1132NA attached to Edmonton Police Station, This statement refers to when I attended the Hop Poles PH, EN1 for a licensing visit.

On Saturday 17 April 2021, I was on duty full uniform and the operator of an unmarked Police vehicle driven by PC MOLLA 1679NA along with the NA licensing supervisor PS WOLOHAN 386NA. The purpose of this duty was to attend local businesses specifically restaurants and Public Houses alongside the Enfield council licensing team to ensure that the current Covid-19 regulations are being adhered to.

At approximately 20:40 hours I attended The Hop Poles PH to carry out one of these visits, on arrival, the pub appeared to be closed. The garden drinking area was empty and in darkness and all of the main street facing windows had been covered over with what looked like sheets and signs.

On closer inspection, both my colleagues and I were able to look through a small gap in one of the doors and could see people inside sitting at the tables drinking and it was at this point we suspected the pub was having what I would describe as a lock in. A lock in being that the pub is closed, yet still operating and serving alcohol to the public from within. I knocked several times at the front door to see if anyone would present themselves to the door and explain what was going on, although I knocked several times no one answered the door. PS WOLOHAN and PC MOLLA then went to the rear entrance of the pub to see if access could be gained and I covered the public access doors with one of the Council officers to the front of the premises in case anyone tried to leave. Access was successfully gained to the premises as I had seen my colleagues through the gap in door now inside, seeing that they had secured the premises and persons within I then went to the back so I could assist them.

As I entered the Premises through the rear service door into the main area of the pub there was customers sat at the tables drinking and staff members behind the bar serving alcohol. The premises smelt strongly of cigarette smoke and I could see what I would describe as a cloud of smoke in the air, there was also ashtrays on the table with extinguished cigarette ends in. It was explained to everybody there at that time that the pub should not be operating in this manner or seating members of the public within the premises due to the current Covid-19 regulations. I then went to several of the customers individually and engaged with them about what was going on, taking their names and contact details. Once all details of the customers had been obtained by my colleagues and I, we encouraged all of the customers to leave. They were very apologetic and forthcoming with their details, leaving as soon as it was asked of them. Whilst this was happening the council officers liaised with the Lease holder directly as he was sat in the pub at the time. Once all of the customers had been successfully removed from the premises, I then left along with my colleagues and the council officers.

This was captured on my BWV camera, this footage I exhibit as LPH/01.

Signature:



Signature Witnessed by:

STATEMENT OF WITNESS*(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)*

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Statement of: Constable Fikret Molla

Age if under 18: Over 18

Occupation: Police officer

This statement 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:

F. Molla 167-1-19

Date: 22 Apr 2021

This statement refers to when I attended HOP POLES PUB on BAKER STREET EN1 for a licensing visit.

On SATURDAY the 17th APRIL 2021, I was on duty in plain clothes and was the driver on an unmarked police vehicle. My operator was 1132NA PC HEDGER, and also with us in the vehicle was our licensing supervisor 386NA PS WOLOHAN. we had been assigned to assist the council in visiting local businesses in the ENFIELD area in order to confirm that they had been adhering to the COVID 19 regulations. following us in another vehicle was the council licensing team which consisted of two people.

At approximately 2040hrs, we attended HOP POLES PUB located on BAKER STREET EN1. initially this location seemed to be vacant. the garden area could be viewed from over the fence and was empty. I waited at this end of the grounds whilst my colleagues went around the front area of the pub facing the road to check the other entry points. I was informed by PS WOLOHAN that there was people inside and it was a lock in. this term is used to describe an area which looks as though it is closed from the outside but is running and serving from the inside not in plain view. shortly after a delivery driver arrived and used the garden entrance to gain entry to the kitchen. I asked to speak to the manager and was shown the way into the premises by this delivery driver. when I entered the property I could see people inside at the tables drinking alcohol and were smoking cigarettes. the inside of the property was also filled with a white cloud of what smelt to me like cigarette smoke. I then proceeded to engaging with the members of public and explaining to them that what they had been doing was not adhering to the guidelines of covid 19. I then collected the details of all people inside the pub and encouraged them to leave the pub immediately which they did. there were no issues in taking the details of the members of public inside the pub and they also left the property when they were asked to do so. whilst I was doing this, the council officers were talking to the owner of the pub and filling out paperwork with him. when the pub was empty and all paperwork filled out, I left with my colleagues along with the council workers following shortly after.

there is footage on my body worn video camera which shows the above. I exhibit this as FIM/1.

Signature:

F. Molla 167-1-19

Signature Witnessed by:

WITNESS STATEMENT

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

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Statement of: Louise King p221304

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Officer

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 in it anything which I know to be false, or do not believe to be true.

Witness Signature: *Louise King* Date: 30/05/2021

On 26th April 2021 I was on duty in full uniform in Edmonton Police Station. At midday I met with Mr Michael KIRBY, Designated Premises Supervisor from the Hop Poles Public House. He had been asked to attend to drop off CCTV from Saturday 17th April 2021. On that date, a number of people were found drinking inside the Hop Poles in breach of the Coronavirus restrictions at that time.

When Mr KIRBY attended I met him in the station office and asked if he had anything to say in relation to what happened. He told me that he had let people in because it was cold and they were waiting for taxis. He did not provide any further explanation as to what happened. I did tell him that the licence was likely to be reviewed and he said "It's my livelihood." He passed me the CCTV on a USB and on the same day I viewed it in the VIIDO (Visual Images Identification and Detections Office) unit. The footage supplied only goes back to around 20:00 hours despite footage from 19:00 hours being requested (timestamp shows 1900 hours but not adjusted for BST). A number of stills were produced showing several patrons sitting relaxing in the bar.

The whole meeting took less than ten minutes and there were no other people present.

Louise King

Witness Signature: ...Louise King PS 316NA

Signature Witnessed by Signature:

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07:00:03 PM 17-04-2021



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