

The Licensing Authority
Hammersmith and Fulham Council
Clockwork Building
45 Beavor Lane
Hammersmith
W6 9AR

Date: 16th June 2020

Re: Jack's - 152 Wandsworth Bridge Road SW6 2UH

Dear Licensing Team,

1. I write this representation on behalf of the Metropolitan Police Service (MPS) in support of the review application submitted by the Licensing Authority regarding the premises known as **Jack's - 152 Wandsworth Bridge Road SW6 2UH**.
2. This premises was first brought to the attention of the Police Licensing team following a visit by Trading Standards on the 11th May 2020. The MPS were informed that the premises were being operated in contravention of The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 by allowing the consumption of alcohol on the premises.
3. On the 15th May 2020 Police received a call in regard to the premises at 15:41. The caller stated that the premises were breaching COVID 19 regulations by allowing customers to consume alcohol on the premises. Police Officers from the emergency response and patrol team (ERPT) attended the premises at approximately 15:40 and noticed that there were groups of customers inside the premises. The customers present stated that they were part of the same household and the officers were satisfied that they were no breaches of COVID regulations in regard to 'social gatherings'. Unfortunately, the officers were not aware of Regulation 4 (Requirement to close premises and businesses during the emergency) which states that a premises must close any area where food or drink can be sold for the consumption on the premises. This includes area immediately outside or adjacent to the premises where seating is available. Due to this, the owner was



given inaccurate advice and continued to allow customers to consume alcohol on the premises. Whilst it is unfortunate that the Licensee was given contradictory advice, he was told on numerous occasions by the Local Authority, who is the designated agency responsible for the enforcement of Regulation 4, that he was breaching said regulation. The Licensee was also served a Prohibition Notice informing him of the breaches.

4. On the 22nd May 2020 at approximately 18:00 Police officers from the Safer Neighbourhood Team assisted Council Licensing officers with a visit to the premises. The intention of the visit was to ensure COVID 19 compliance and to request CCTV images for previous breaches. The details of this visit are covered in the Council's review bundle. Pc Neal Hutchings attend the visit and has completed a statement regarding this visit and details his interactions with the Licensee. I would like to draw the attention of the sub- committee to paragraph 6 of Pc Hutching's statement where due to the behaviour of Mr Defeo, Pc Hutchings is forced to threaten him with arrest if he continued to swear and shout at the licensing officers. Pc Hutchings statement is submitted as Appendix 1. Body worn video of this visit is submitted as Appendix 1.1 and shows evidence of customers consuming alcohol on the premises. Also, of note, the Licensee refuses to allow Council Officers to view the CCTV footage, breaching condition 9 on the premises licence.

5. On the 23rd May 2020 Police officers visited the premises following a complaint from a local resident. Upon arrival there were around 5 people outside the premises drinking and approximately 15 people in the rear 'beer' garden drinking alcohol. Pc Helen Entwistle was one of the officers who attended and provided a statement that is submitted as Appendix 2. Pc Entwistle's body worn video is submitted as Appendix 2.1.

6. On the 24th May 2020 Police officers from the Safer Neighbourhood Team attended the venue at 14:15 along with the two PCs from the Police licensing team. Mr Defoe was not at the premises, however the two members of staff were working behind the counter and were serving customers. Three customers were consuming alcohol directly outside the premises. The staff





were given further instructions not to allow customers to consume alcohol inside or outside the premises. Pc Adam Deweltz from the Police Licensing team provides a statement detailing his interactions during the visit. This statement is submitted as Appendix 3. A screenshot from the body worn video is submitted as Appendix 3.1 and shows a male customer sitting at a table directly outside the premises with a pint of beer.

7. On the 25th May 2020 Police licensing officers attended the premises at 18:03. Mr Defeo was present with the two members of staff working behind the counter. Six people were drinking alcohol to the right of the shop, there was also a male drinking a beer standing outside the premises and three beers on the table which is bolted down to the floor. Officers again spoke to Mr Defeo and warned him that he is breaching COVID-19 regulations. Pc Hutchings provides a statement detailing his interactions with the Licensee and is submitted as Appendix 4. Body worn footage of this visit is submitted as Appendix 4.1.

8. In summary, The Metropolitan Police agree with the Licencing Authority's review recommendation that the Premises Licence is revoked. The Premises Licence Holder has shown a complete disregard for the Law as well as the health of his customers. COVID 19 regulations were created in order to reduce the deadly impact that Coronavirus has on public health. The regulations are necessary to help achieve this. The vast majority of business in Hammersmith and Fulham have complied with the regulations knowing full well that their business will likely suffer. The actions of the licence holder, Mr Vincezeo Defeo clearly demonstrate that he would put his own profits before the health of his customers and community. Mr Defeo has also continued to commit offences by breaching The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 on numerous occasions. This course of conduct has demonstrated that Mr Defeo has no regard for the Licensing objectives or the Licensing Authority officers who enforce the Licensing Act. As such it is the submission of the MPS that Mr Defeo is not a responsible premises licence holder and the Premises Licence for 152 Wandsworth Bridge Road should be revoked.



Yours sincerely

Pc Tom Stewart 4230AW



Pc 4230AW

Hammersmith and Fulham Police Licensing Team (Central West Basic Command Unit)

Appendices:

Appendix 1 – Police statement by Pc Neal Hutchings detailing visit on the 22/05/2020

Appendix 1.1 - Body worn footage from Police and Council visit on the 22/05/2020

Appendix 2 - Police statement by Pc Entwistle detailing visit on the 23/05/2020

Appendix 2.1 - Body worn footage from Police visit on the 23/05/2020

Appendix 3 – Police statement Pc Adam Deweltz detailing Police visit on the 24/05/2020

Appendix 3.1 - Screenshot from body worn video taken during Police visit on the 24/05/2020

Appendix 4 - Police statement by Pc Neal Hutchings detailing visit on the 25/05/2020

Appendix 4.1 - Body worn footage from Police visit on the 25/05/2020