


**METROPOLITAN
POLICE**
TOTAL POLICING
Form for Applying for a Summary Licence Review
Application for the review of a premises licence under section 53A of the Licensing Act 2003

(premises associated with serious crime, serious disorder or both)

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 the 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.

Insert name and address of relevant licensing authority and its reference number:
Name: Hammersmith and Fulham Council

Address:

145 King Street

Post town: London

Post code: W6 9XY

Ref. No.:
I PC Nicole SONDH 2438AW
on behalf of the chief officer of police for the Metropolitan Police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.
1. Premises details
Postal address of premises or club premises, or if none, ordnance survey map reference or description:

McGettigans, 1 Fulham Broadway

Post town: Fulham

Post code: SW6 1AA
(if known)

2. Premises licence details
Name of premises licence holder or club holding club premises certificate (if known):

McGettigan Holding 2015 Ltd

Number of premises licence or club premises certificate (if known):

2023/02072/LAPR

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 (Please read guidance note 1)

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or serious disorder or both, and the certificate accompanies this application.

Please tick the box to confirm:


PROTECTIVE MARKING

4. Details of association of the above premises with serious crime, serious disorder or both

(Please read guidance note 2)

On Sunday 1st September at approximately 01:25hrs police were called by a member of the public to McGettigans, 1 Fulham Broadway, London, SW6 1AA following a fight where a female had sustained a head injury and then a short time after suffered a seizure. Upon attendance by police in the first instance security stated to police that there was a minor altercation inside the premises that had been resolved and there were no further issues. It was not relayed to police that the female suffering the seizure had also been assaulted during the altercation. A short time later a second call was received by police from LAS (London Ambulance Service) who stated that the female patient they were treating at the premises had a lump on her head, it has been suggested that this has been caused by either a bottle or a phone. Police attended again and this is where it has been confirmed that a fight has taken place inside the premises. No suspects had been detained or identified by security and there were no witnesses willing to speak with police. A scene was then put in place by police and the victim relayed to hospital where at the time she had remained unresponsive. Due to the injuries received an offence of GBH was recorded.

CCTV footage has been seen and retained it shows the fight however is not clear and the assault is difficult to make out, it is of poor quality. This is the only camera covering the incident and it is therefore apparent that the premises is not covered sufficiently and in particular where licensable activity is taking place, given that the incident takes place directly in front of the DJ Booth.

Police Licensing became aware of the incident on 02/09/2024 and a post incident form was sent to the DPS Deborah Gomes to determine their version of events and the actions that had been taken by the premises during the incident and immediately after. The form was returned with no detail of the fight inside the premises and only explained the treatment provided to the female victim. Police licensing then arranged to meet with the DPS to discuss the incident further and also requested that the premises licence holder be present, Deborah explained that she was the only representative and did not provide a contact. Police Licensing then made contact with a representative who submitted an application in 2021 who referred police onto Mr Donal O'Doherty who explained that he manages the accounts for McGettigan Holding 2015 Ltd and this is solely owned by Mr Dennis McGettigan.

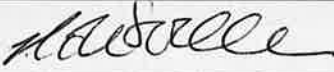
On Wednesday 4th September Police Licensing meet with the DPS, Deborah Gomes at the premises with Mr O'Doherty attending virtually. During this meeting it was still apparent that the DPS did not feel it necessary to have called police at the time and that the fight had not occurred describing it as pushing and shoving only, although admitting that the female had been hit during the altercation.

Whilst completing the licensing investigating it also transpired that at the time of the incident the premises was not operating in accordance with a licence. The premises licence allows the premises to trade for licensable activity until 01:00hrs on a Saturday night/Sunday morning. The premises had applied for a TEN for 31st August between the hours of 01:00 and 03:00, therefore these hours would have been authorised for trading in the early hours of 31st August. This was explained to the DPS who stated that she always applies for TENS this way and that it is a continuation of licensable hours. CCTV was viewed for the 31st August and it appeared that no event was taking place after 01:00hrs.

During the meeting Police Licensing asked to view the incident log for the premises to which they have a licensing condition to complete. It transpired from the incident book that previous incidents had not been recorded and in addition to this incidents that had been reported had not been reported to police. In particular a sexual offence that occurred in May 2024 where a male has grabbed and groped a female outside the premises and then been allowed inside the premises to buy the same female a drink.

The failings presented by the premises in relation to the incident on 1st September causes concern with regards to how the premises is currently operating and their ability to uphold the licensing objective in particular in the Prevention of Crime and Disorder. There is a serious concern as to why police were not called and were sent away and this has also been highlighted on a previous call received by police where police attendance was cancelled by security and then called back a short time later to reports of a fight, again no persons had been detained and no witnesses present. It is believed that the premises will continue to fail to promote the licensing objectives and will therefore be a risk to the public, we are therefore seeking revocation of the premises licence and the licence suspended pending a full hearing.

Signature of applicant

Signature:		Date:	04/09/2024
Capacity:	Police Licensing		

Contact details for matters concerning this application

Surname:	SONDH	First Names:	Nicole
Address:	Hammersmith and Fulham Police Station, 226 Shepherds Bush Road		

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Post town:	Hammersmith	Post code:	W6 7NX
Tel. No.:		Email:	Nicole.Sondh@met.police.uk

Notes for guidance

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.
Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:
 - conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
 - conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.Serious disorder is not defined in legislation, and so bears its ordinary English meaning.
2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

Retention Period: 7 years
MP 146/12



**METROPOLITAN
POLICE**

TOTAL POLICING

Certificate under Section 53A(1)(b) of the Licensing Act 2003

Metropolitan Police Service | New Scotland | Yard 8-10 Broadway | London | SW1H 0BG

I hereby certify that in my opinion the premises described below are associated with:
serious crime

Premises (Include business name and address and any other relevant identifying details):

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

McGettigan's Fulham, 1 Fulham Broadway

Post town:

London

Post code:
(if known)

SW6 1AA

Premises licence number (if known):

2023/02072/LAPR

Name of premises supervisor (if known):

Ms Deborah De Araujo Gomes

I am a Superintendent * in the Metropolitan Police Service.

*Insert rank of officer giving the certificate, which must be superintendent or above.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case because:

(Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned)

This case has come to light after a female was assaulted within the premises, the venue was cleared prior to police arrival losing any potential witnesses and not detaining any suspects. Further investigation found that during another incident a female was sexually assaulted and whilst the incident was logged police were not called or informed. Therefore losing any forensic opportunities or potentially identifying the offender at the scene. Despite training given to the venue staff there were no considerations for the victim's welfare or suspect detained. Officers have met with the designated premises supervisor and a representative for the licensee today but still believe that the issues are not resolved. As a result of this and other failings identified the police are seeking revocation of the premises licence and interim steps for the licence to be suspended and the Dps to be removed

Signature

Signature:

Date:

04/09/2024