

Supplement to the agenda for

Licensing sub-committee

Monday 12 July 2021

4.30 pm

Online Meeting Only

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6.	REVIEW OF A PREMISES LICENCE IN RESPECT OF: THE LIVE INN, WHITBOURNE, WORCESTERSHIRE. WR6 5SP CALLED BY WEST MERCIA POLICE - LICENSING ACT 2003	3 - 4

MEMO REPORT

To: Pc [REDACTED] Date: 24TH April 2021
Ref: [REDACTED]
From: [REDACTED] Station/Dept: Leominster, Response
Ref: Assault Tel/Ext No: [REDACTED]

Subject: 22/15639/20 Assault at The Live Inn, Worcester, WR6 5SP

I am the officer who initially attended this incident and subsequently became the investigating officer. I am writing this report to assist the Licensing team with their review.

On attending the incident [REDACTED] - [REDACTED] was intoxicated and had armed himself with a baseball bat in order to deal with two customers who were banned due to not paying their bar tab. Initially [REDACTED] explained that he did not need the police as he was able to deal with the incident himself as that is what they did in the country. [REDACTED] went on to explain that he had called for the police previously but they never turned up so he didn't think that it was necessary this time. I asked if I could review the CCTV and was informed that [REDACTED] was the only one that could operate it. [REDACTED] was unable to operate the CCTV effectively due to the level of his intoxication at that time.

I was making preparations to arrest [REDACTED] on suspicion of assault when my colleague [REDACTED] intervened stating that there was no complaint from the victims at that time. When I returned off of annual leave I was given the incident to investigate. I was forwarded a copy of the CCTV and interviewed [REDACTED] about the incident. During the interview [REDACTED] did not acknowledge that he had done anything wrong and took some time to admit that his actions had amounted to an assault after being shown the CCTV footage. At one point during the interview [REDACTED] said that he wanted me to turn the tape off so that I could tell him what I would have really done if I was in his shoes. I explained to [REDACTED] that his action were not acceptable as a licensee let alone a reasonable person. I do not believe that [REDACTED] regrets his actions and would be more than happy to take the same approach in the future which is where my concerns lie regarding him running a pub. Of course this is only my opinion having dealt with him during the investigation. [REDACTED] expressed that he was trying to do the local community a favour by allowing bar tabs to be run. This is the first time that [REDACTED] has run a pub and maybe his inexperience led him to believe that running bar tabs would not bring on potential conflict over payments or debts.

I explained to [REDACTED] that his duty as a licensee was to safeguard his customers and call the police not to take matters into his own hands. On numerous occasions that I spoke to [REDACTED] he still tried to justify his actions. I don't believe that [REDACTED] is even aware of the various outcomes arming yourself with a baseball bat could lead to and that he was very lucky to have not been seriously injured. I have dealt with the matter with a

proportionate response however [REDACTED] is very lucky to have avoided this matter not ending up in a court. If [REDACTED] is allowed to continue running a pub he will need a serious attitude adjustment regarding such incidents and needs to ensure that he is not intoxicated as it is the belief that he was regularly drinking in excess whilst at the pub. I would also suggest that he is reminded that pub licensees are supposed to work with the police and not against them and any future vigilante type actions may result in a formal charge.