

**APPLICATION FOR A REVIEW OF A
CLUB PREMISES CERTIFICATE
Under the Licensing Act 2003**

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 this 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. You may wish to keep a copy of the completed form for your records.

**I Police Constable Michael Sullivan on behalf of the Commissioner of the
Metropolitan Police Service**

**Apply for the review of a club premises certificate under section 87 of the
Licensing Act 2003 for the premises described in Part 1 below (delete as
applicable).**

Part 1 – Club Premises details

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

Gwalia Working Men's Club
Manor Park Road

Post town London

Post code (if known) NW10 4JU

Name of club holding club premises certificate
Gwalia Working Men's Club and Institute Limited

Number of club premises certificate
236478

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

- a) a person living in the vicinity of the premises ☐
- b) a body representing persons living in the vicinity of the premises ☐
- c) a person involved in business in the vicinity of the premises ☐
- d) a body representing persons involved in business in the vicinity of the premises ☐

2) a responsible authority (please complete (C) below)

☒

3) a member of the club to which this application relates (please complete (A) below)

☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title (for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

☐

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Michael Sullivan PC 368QK Brent Police Licensing Wembley Police Station 609 High Road Wembley HA0 2HH
Telephone number (if any) 02087333206
E-mail address (optional) Michael.sullivan3@met.police.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|-----------------------------------------|----------|
| 1) The prevention of crime and disorder | X |
| 2) Public safety | X |
| 3) The prevention of public nuisance | X |
| 4) The protection of children from harm | X |

<p>Please state the ground(s) for review (please read guidance note 1)</p> <p>The Gwalia Working Mens Club holds a Club Premises Certificate which allows the supply of alcohol from 11.00am until 01.30am Monday to Sunday, and is open to members and guests from 11.00am until 02.00am Monday to Sunday.</p> <p>The Gwalia is failing to promote all four of the licensing objectives, prevention of crime and disorder, the prevention of public nuisance, public safety, and the protection of children from harm</p> <p>Police have no faith in the ability of the Committee to operate the premises responsibly and therefore wish to bring the matter before the sub-committee for consideration.</p> <p>The current Chairman Mr Brian Simmons has stated that he takes on the role of Chairman but has not officially been voted in. The last committee members details Police received in June 2000 lists the Chairman as W Fowle 12 Fawcett Gardens NW10 and the Secretary Mr Rawlinson 4 Quilborough 2 NW10.</p> <p>The Brent Licensing Police team have tried to work with Mr Simmons and the committee to turn the club around, but with no success as Mr Simmons has been obstructive and has refused to fulfil police requests.</p> <p>Officers spoke to Mr Simmons on the 19/06/2015 after information was received that there was to be a Traveller party in the Harlesden area, and that there was current tension between rival families. Mr Simmons informed officers that there was no event booked for that weekend, but that the club did hold regular Traveller functions which often resulted in fights, but the club rarely called police as they normally close the bar and let them fight it out. Resulting in the club retaining the £500 deposit which is taken with every booking. Mr Simmons went on to say he had taken several bookings for July 2015 for traveller events, in addition to numerous non traveller events booked by non members, he explained the money generated from these events was what was keeping the</p>

club from going into administration.

On the **25/06/2015** Officers held a meeting with Mr Simmons at the Civic Centre to discuss the clubs current issues around holding unlicensed functions. Mr Simmons confirmed that the club holds several non members, (unlicensed events) a month, this has been happening for many years. He also reiterated that the club holds Traveller functions, on average two a month, that a lot of them get out of hand with fights breaking out, and damage being caused to the premises. They don't call police but just close the bar. He went on to say that they take a £500 deposit and if there is any trouble or damage they keep the deposit.

Mr Simmons was advised that in future the club needed to submit a Temporary Event Notice (TEN) for all non member events. Mr Simmons was also informed that there were current tensions between local traveller families which had been resulting in serious violence, and that police had concerns that this could escalate at these unlicensed functions. Mr Simmons seemed unfazed by this, and was adamant that the club will continue holding these events.

On the **23/08/2015** at about 01.10 hours, police received three (3) 999 calls regarding a large fight happening at the Gwalia Club, on police arrival they found a group of Travellers outside the club, this was made up of men women and children. Several people had blood on their faces. It was established that they had been inside the Gwalia club attending an engagement party when two separate groups started fighting. Police separated the two groups to prevent any further incidents. No one wanted to make any allegations however one group stated that they feared the other group coming back out of the Gwalia and attacking them. It was decided by officers to remove this group from the area to prevent this happening. Officers noted that some of the group were very drunk and unable to stand up unaided.

On the **26/08/2015** I contacted the three people that had called the police on the **23/08/2015** to report the fight. The first person I spoke to was a local resident, who did not want her details disclosed. She stated that she was asleep when she heard a large disturbance outside; when she looked out she saw a large group of people fighting and one male lying in the road unconscious with what appeared to be a head injury. She mentioned that this was a regular occurrence, this time it seemed more serious than usual, and that is why she called police as she feared for people's safety. I then phoned and spoke to one of the other callers, she stated she was passing by when the fight started, and called police as there were people with injuries. She did not hang around and left the area, again she did not want her details disclosed.

I then called the third person; I spoke to a female who stated that she had called police when the fighting started as she was frightened, and that people were getting injured. She also went on to say that she feared for the children that were inside the Gwalia. She stated that it was her engagement party and that her mother had booked the hall for it. She was asked if she or anyone at the venue were members of the Gwalia, she replied no none of them are members, but this is where travellers book events. She stated that her mother had given the club a £500 deposit, and that the club had refused to give it back because of the trouble.

I then called the club chairman Mr Brian Simmons to discuss the incident. I asked him if he had submitted a TEN for the event on the **23/08/2015** as the police had no record of one being submitted, Mr Simmons said that there had been no function at the club on the **23/08/2015** and that the fight had taken place outside the club, but had nothing to do with the Gwalia. I then informed him that I had spoken to the public who had called 999 and they had confirmed to me that there was an event in the club and the fight was between patrons from the club.

Mr Simmons continued to deny that an event had taken place. I asked him if he could supply me with a copy of the CCTV footage for that date. I also informed him that I had spoken to one of the Police officers that had attended the 999 calls and he had confirmed that the people involved had stated that they had been to an engagement party in the club, also that he had witnessed members of the fighting groups going back into the club, and that this officer would be supplying me with a

statement about what he had witnessed. Mr Simmons became angry and abruptly hung up.

Exhibit MJS/01 - CAD report

Exhibit MJS/02 - CAD report

Exhibit MJS/03 - CAD report

Exhibit MJS/04 - Officers Statement

Exhibit MJS/05 - Officers Statement

A formal letter requesting a copy of the clubs CCTV from the **23/08/2015** was hand delivered to the club dated **29/08/15**, I called Mr Simmons a few days later to ask if he had received the letter. He confirmed he had, but stated that he had not downloaded the CCTV, and that if I wanted it, it was down to me to come and get it off the system. I reminded him of his licensing conditions, to which he became angry and eventually put the phone down on me for a second time - No CCTV from this date was ever given to police.

Exhibit MJS/06 - Formal Request for CCTV

On the **27/08/2015** A TEN was submitted for an event that was to be held at the Gwalia on the 11/09/15. Due to the recent history and the lack of cooperation from Mr Simmons police submitted representations objecting to this notice. At the Licensing committee hearing the Gwalia Club decided to withdraw the TEN and cancel the function on the advice of their solicitor. Mr Simmons informed officers that he had been in contact with his solicitor (Hodders Solicitors) who would be contacting the Licensing unit.

Exhibit MJS/07 - Police Representations for TEN dated 27/08/2015

Police spoke to Mr James Tompkins from Hodders solicitors, who are acting for the Gwalia club. It was decided that a meeting would be held with officers from Brent Police Licensing Team, the Gwalia Committee members and Mr Tompkins, to discuss how the club could move forward and put a plan of action together for the club to operate successfully, progress and work within their authority.

On the **08/10/2015** a meeting was held at the Gwalia Club, police outlined their concerns around recent events at the club and suggested several things the club should do when considering holding non member events; these were agreed by the handful of committee members that were present.

1. The club Must submit a TEN for every non member function, and this must be submitted with a minimum of 10 working days, as per the legislation.
2. A signed contract for non member events will be submitted to the police prior to the event, along with a copy of the applicants photo ID.
3. Each non member event will have door stewards consisting of Committee members.
4. The front of the Premises will not be used as a smoking area, and no congregating.
5. No pint glasses or bottles will be used on these events, only toughed glass or plastic.

Police further requested that the club provide a copy of the clubs rules, an up to date list of club members, an up to date list of the clubs Committee members, and the minutes from the last club meeting. This request was emailed to Mr Tompkins.

Several requests have been made via Mr Tompkins for the above information, but police have never been given the requested information.

Exhibit MJS/08 - E-mail formal request

Exhibit MJS/09 - E-mail update request

On the **12/12/2016** officers from Brent Licensing team were conducting licensing visits on the Borough of Brent, at about 01.00 hours they drove into Manor Park Road Harlesden NW10 from Craven Park Road NW10, when their attention was drawn to a large group of drunken youths in the road directly outside The Gwalia Workingmen's Club.

It was estimated that there were between 50 to 70 teenagers most seemed very drunk and most were staggering across the road dodging traffic, some were slouched on the pavement, and a couple were vomiting against the wall of the club. The majority of the teens were very loud, shouting to one another and laughing. Officers entered the club there were still youths leaving and there were still people inside. Officers spoke to a drunk male who confirmed that an 18th Birthday party had taken place, this was apparent as there were people removing 18th birthday banners and Balloons. There was a DJ packing away his equipment and glasses and bottles being removed from tables and put on the bar. Mr Brian Simmons was present and spoken to. On seeing officers he said 'oh fuck sake not you again' He immediately stated that it was a members function and that police had no right to be in the club. Police informed him that they had spoken to one of the drunken revellers outside who had stated that it had been an 18th Birthday party and not a private members party. Mr Simmons stated that a Pat Conway was the member who was holding the party, when asked if officers could speak to Pat Conway Mr Simmons replied 'he's not here'. He was then asked if there was anyone supervising the drunken teenagers outside he said 'yes we had security on the door but they have gone now'. Officers were then approached by an aggressive female, who demanded to see the officers warrant cards, she then stated that it was her niece's 18th Birthday party; however the niece had gone off to hospital with her mother, as she had injured herself by falling off the stage whilst dancing as she was drunk. She was asked 'what relation she was to Pat Conway, to which she replied 'I don't know Pat, who's Pat'? Another committee member then came over and started being abusive to officers and said words to the effect of, why are you here this is a private members club you have no right to be in here, fuck off you fucking arsehole, he was warned about his behaviour. By this time several other people had come over and were shouting and arguing with officers all were very anti police and seemed to think that we were there to cause problems for the club. One of the people made reference to there being in excess of Two Hundred (200) people in the club tonight, and there were no problems. Officer then went outside as they had concerns for the drunken teens and assisted in removing them from the road. There were no door supervisors.

Exhibit MJS/10 - Officers Statement
Exhibit MJS/11 - Officers Statement

Formal request letters have been delivered to the club requesting a copy of the clubs CCTV dated the **12/12/2015**, regarding above incident, and a letter again asking for a copy of the clubs rules, club members, a list of Committee members and minutes of last committee meeting.

Again police to date have never been given the requested information.

Exhibit MJS/12 - Formal Request for CCTV
Exhibit MJS/13 - Formal Request for Club Information
Exhibit MJS/14 - E-mail formal request

Police have a copy of the Gwalia Club Rule Book in their Archives and can only assume that it is still current, as the Licensing Authority have no recent documentation

Exhibit MJS/15 - Gwalia Club Rule book

On page 26 of the Gwalia Rule book, it deals with the point of Members introducing Visitors, it reads.

34. Introduction of Visitors

A member may personally introduce friends as his guests, and an Associate may introduce female friends as a guest, but no member or Associate may introduce more than two friends at any one time. The visitor and the member or Associate introducing him shall sign their names in a book kept for that purpose.

Further down the page it goes on to mention who is allowed to make payments for intoxicating liquor - it states

Members and Associates must accompany guests introduced by them during the period of their stay in the club, and no guest shall be permitted to make any payments for intoxicating liquor directly or indirectly.

Police are sceptical that these rules are being adhered to, and evidence of this suggest that on the 12th December 2015, an 18th Birthday party was held at the club, with in excess of two Hundred people.

Police doubt that there are enough members of this club that would have been present at the Party to accommodate this amount of signed in guests.

However if the club had been forthcoming with the police's formal request for the clubs CCTV footage, Committee and club members list on the **16/12/2015** any uncertainty could have been dismissed.

From comments that were made on the night of the party, police believe that this was a non member's function, and this is highlighted in officer's statements, and in previous paragraphs in this review.

Police records show that on the **23/05/2005** the club applied to the local Magistrates Court for the renewal of it's Club Registration Certificate, this was applied for by the Club Secretary Mr Harry George Rawlinson, on the **16/08/2005** Mr Rawlinson made a further application to the local

Authority to convert the Club Registration Certificate to a Club Premises Certificate, this was to conform with the new Licensing Act 2003. On the **31/05/2006** the secretary Mr Rawlinson made application on behalf of the club to vary the premise licence extending the hours until 01.00. Representations were made to this application by the police, licensing sergeant Adrian Adolphus requested numerous conditions be attached to the certificate. Hodders solicitors represented the venue, the club agreed for these conditions to be attached to the certificate. Within Sergeant Adolphus's representation letter, dated the **24/06/2006** he highlighted the fact that the sale of intoxicating liquor to persons other than members and their guests is no longer a provision of a club premises certificate and therefore they would have to submit a Temporary Event Notice or consider applying for a premises licence to entertain non members or hire the premises for other use.

Since this variation application in **May 2006** the police and local authority have not received any correspondence from the club as regard to changes of committee members, members, or rules.

Exhibit MJS/16 Application for Renewal of Club Registration Certificate

Exhibit MJS/17 Application for Club Premises Conversion

Exhibit MJS/18 Application for Variation to a Club Premises

Please provide as much information as possible to support the application

1929586/11 Suspect who was unprovoked punched victim in the face **06/11/2011 0135**

1929588/11 Smash toilet sink and smash mirror **06/11/2011 0135**

1929589/11 Victim 1 punched in the head and body **06/11/2011 0135**

On Sunday **06/11/11** Suspect was arrested for ABH, this was as a result of Suspect attending a christening at Gwalia Working Mans club, on Manor Park Road, NW10, and after having had too much alcohol to drink, he punched Victim 1 in the head, back and body. Victim 1 stated this attack was unprovoked; suspect became mad like a raging bull removed his shirt before attacking people and the property and had to be restrained by people in the venue. There was reddening to Victim 1 back and neck where he was punched. Victim 1 refused medical attention.

Crimint: QKRT433057. January 2014 - Police called to Gwalia working mans club in Harlesden at 0103 hours by the manager after a wedding became out of hand. The customers were from the local Irish community and all seemed to be suffering from too much drink, the venue had suffered smashed glasses and up turned tables when local units arrived. Also present were small children running around. The manager was spoken to and did not wish to make any allegations but needed police assistance in removing the wedding party of around 120 people from the venue. This took over an hour so not to push everyone out in to the road at once a dog unit was also present. No security had been employed by the club.

The below three **Computer Aided Dispatch (CADS)** refer to large fight at location as outlined above in the review.

CAD - 00755/23AUG15

CAD - 00758/23AUG15

CAD - 00767/23AUG15

Police reserve the right to give evidence on any further incidents which may take place at, or in the vicinity of the premises, between the service of this application and the hearing and/or during the time allowed for any appeal proceedings.

Summary

The above evidence highlights a clear mismanagement of the club by the Chairman Mr Simmons and the Committee, police had tried to work with the Gwalia to promote the licensing objectives but it appears that they have no intention of wanting to comply, Mr Simmons has been obstructive and rude throughout the time police have attempted to work with him, and he seems to think that the police are trying to ruin the club.

The above evidence shows a complete disregard for the Licensing objectives, the club has also failed to show any regards towards local residents who would have to witness the disorder outside their front doors when these unlicensed events occur.

Police feel that there is no other option other than to ask for the Committee to consider revoking the clubs licence as all other intervention has failed, the club already has a large amount of conditions attached to it licence, and adding more conditions to it would not help as the club has shown a complete disregard for most of its current conditions, an example of this is when Mr Simmons informed me that the clubs CCTV system only records for about 7days, when the licence states it must record for a minimum of 31 days..

These regular unlicensed functions are allowed by the club without any control measures being put in place, there are no door supervisors employed and very little to no checks completed on the people booking the club. This was apparent when officers witnessed the large group of rowdy teenagers that were found drunk and staggering in and out of the road after a birthday party in the club with no supervision. More worryingly is that the club is allowing people to fight in the club and not call police, this shows a complete lack of responsibility of a responsible club, and it appears only by luck that there hasn't been a more serious incident at the venue, however if this is allowed to continue then it will only be a matter of time.

Have you made an application for review relating to this premises before? Please tick ✓ **Yes**
☐

If yes, please state the date of that application

Day		Month		Year			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

If you have made representations relating to this premises before, please state what they were and when you made them

Checklist

Please tick ✓ Yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate X
- I understand that if I do not comply with the above requirements my application will be rejected ☐

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature 

Date 4TH FEBRUARY 2016

Capacity Licensing Constable on behalf of the Chief Officer of Police

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
Post town	Post code
Telephone number	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Data Protection: The London Borough of Brent will use this information for the purposes of The Licensing Act 2003 and related purposes. Any member of the public may examine the application form on request. In addition, this information may be disclosed to the Police, The London Fire and Emergency Planning Authority, relevant ward Councillors and other Council departments.

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with law enforcement agencies and other bodies responsible for auditing or administering public funds for these purposes.

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

Please return the completed form and any accompanying documents to the following address with a copy to the premises licence holder / Club that the application relates to:-

Safer Streets
Brent Council
Brent House
3rd Floor West, 349-357 High Road
Wembley,
Middlesex
HA9 6BZ

☎ 020 8937 5359

Fax: 020 8937 5357

Email: environmentandprotection@brent.gov.uk

Please send copies of your application and any supporting documents to the responsible authorities. Contact details shown below:

Chief Officer of Police
Brent Licensing Department
Wembley Police Station
603 Harrow Road
Wembley
Middlesex
HA0 2HH

Tel: 020 8733 3206

North West Area 1
London Fire Brigade
169 Union Street
London
SE1 0LL

Tel: 020 7587 2778

Trading Standards
Brent Council
Brent House
349-357 High Road
Wembley
Middlesex
HA9 6BZ

Tel: 020 8937 5555

Environmental Health Department
Brent Council
Brent House
349-357 High Road
Wembley
Middlesex
HA9 6BZ

Tel: 020 8937 5252

Children's Services
Brent Council
Chesterfield House
9 Park Lane
Wembley
HA9 7RJ

Tel: 020 8937 4175

Licensing Authority
Brent Council
Brent House
349-357 High Road
Wembley
Middlesex
HA9 6BZ

Tel: 020 8937 5359

Area Planning Service
Brent Council
Brent House
349-357 High Road
Wembley
Middlesex
HA9 6BZ

Tel: 020 8937 5210

Public Safety Team
Brent Council
Brent House
3rd Floor East
349-357 High Road
Wembley, Middlesex
HA9 6BZ

Tel: 020 8937 5359

DAAT
Public Health Directorate
Wembley Centre for Health
and Care
116 Chaplin Road
Wembley
HA0 4UZ