



Statutory Licensing Sub-Committee

Date Wednesday 18 January 2012
Time 9.40 am
Venue Council Chamber, Council Offices, Chester-le-Street

Business

Part A

1. Declarations of Interest (if any)
2. Application for the Review of a Club Premises Certificate - Seaham Park Cricket Club, The Pavilion, Seaham Town Park, Stockton Road, Seaham (Pages 1 - 80)

The application has been mediated and a copy of the mediation agreement is attached.
3. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration

Colette Longbottom
Head of Legal and Democratic Services

County Hall
Durham
13 January 2012

To: **The Members of the Statutory Licensing Sub-Committee**
Councillors B Arthur, C Carr and J Hunter

Contact: Jill Errington

Tel: 0191 370 6250

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Statutory Licensing Sub-Committee

Tuesday 17th January 2012, 10am

**Application for the Review of a Club
Premises Certificate**



**Report of Terry Collins, Corporate Director, Neighbourhood
Services**

Name and Address of Premises: Seaham Park Cricket Club, The Pavillion,
Seaham Town Park, Stockton Road, Seaham, County Durham, SR7 0HX

1. Summary

The Sub-Committee is asked to consider and determine an application by the Chief Constable of Durham Constabulary to review the club premises certificate in respect of Seaham Park Cricket Club.

A copy of the club premises certificate is attached at Appendix 1.

A plan showing the location of the premises is attached at Appendix 2.

2. Details of the Application

The application is for a review of the club premises certificate (DOEC010) held by Seaham Park Cricket Club.

On 27th October 2011 the Licensing Authority received an application from Jon Stoddart, Chief Constable of Durham Constabulary, asking the Licensing Authority to determine the action necessary to secure and promote the licensing objectives, the applicant would urge the Authority to withdraw the club premises certificate forthwith as necessary to promote the licensing objectives concerned.

The application is deemed by the Licensing Authority to be relevant.

This application for a review relates to the following licensing objectives:

- The prevention of crime and disorder
- The prevention of public nuisance and;
- The protection of children from harm

A copy of the application for the review of the premises licence and any supporting documents are attached at Appendix 3.

The application for review was advertised in accordance with the regulations.

3. Representations

Comments were received by Mark Welsh, Town Clerk of Seaham Town Council in respect of the application. This is attached as Appendix 4.

4. The Parties

The Parties to the hearing will be:

- Sgt 1590 Tim Robson, Licensing and Partnerships, Durham Constabulary – on behalf of the Applicant
- Matt Forster, Solicitor, Mincoffs Solicitors– representing Seaham Park Cricket Club

5. Durham County Council Statement of Licensing Policy

The Sub-Committee's attention is drawn to the following relevant parts of the Policy:

- 5.0 The Prevention of Crime and Disorder
- 7.0 The Prevention of Public Nuisance
- 8.0 The Protection of Children from Harm

Relevant information is attached at Appendix 5.

6. Section 182 Guidance

The Sub-Committee's attention is drawn to the relevant parts of the Guidance issued under section 182 of the Licensing Act 2003 as follows:

- Part 11 – Reviews

Relevant information is attached at Appendix 6.

7. For Decision

The Sub-Committee is asked to determine the application for the review of the premises licence and to take any of the following steps that it considers necessary for the promotion of the licensing objectives:

- No further action
- Modify or add conditions to the club premises certificate
- Exclude a licensable activity from the club premises certificate
- Suspend the club premises certificate for a period (not exceeding three months)
- Revoke the club premises certificate

Background Papers:

- Durham County Council's Statement of Licensing Policy
- Guidance issued under section 182 of the Licensing Act 2003.

Contact: Helen Johnson Tel: 0191 3018803
Email: helen.johnson2@durham.gov.uk

Appendix 1
Club Premises Certificate

LICENSING ACT 2003

Section 78.



Club Premises Certificate

Council Offices, Seaside Lane, Easington Village
Peterlee, Co. Durham SR8 3TN

Reference Number:

3823

Club Premises Certificate

DOEC010

Club Details

Name of club in whose name this certificate is granted and relevant postal address of club	
SEAHAM PARK CRICKET CLUB	
Address THE PAVILLION SEAHAM TOWN PARK STOCKTON ROAD	
Post town SEAHAM	Postcode SR7 0HX
Telephone number 0191 5817083	

If different from the postal address of the club premises to which this certificate relates, if any, or if none, ordnance survey map reference or description.	
Post town	Postcode
Telephone number	

Where the club premises certificate is time limited dates
NOT APPLICABLE

Qualifying club activities authorised by the certificate

SUPPLY OF ALCOHOL

The times the certificate authorises the carrying out of qualifying club activities
Alcohol shall not be sold or supplied except during permitted hours. In this condition permitted hours means:

- a) on weekdays, other than Christmas Day, Good Friday or New Years Eve, 10am to 11pm.
- b) on Sundays, other than Christmas Day or New Years Eve, 12 noon to 10.30pm
- c) on Good Friday, 12 noon to 10.30pm
- d) on New Years Eve, except on a Sunday, 10am to 11pm
- e) on New Years Eve on a Sunday, 12 noon to 10.30pm
- f) on Christmas Day, as provided by the rules of the club and notified in writing by the chairman or secretary of the club to the chief executive of the justices for the petty sessions area in which the premises are. The said hours shall:
 - i. not exceed six and a half hours
 - ii. not begin earlier than 12 noon
 - iii. not end later than 10.30pm
 - iv. provide for a break of at least 2 hours including 3pm to 5pm;
 - v. not extend for more than three and a half hours after 5pm
- g) On New Years Eve from the end of permitted hours to the start of permitted hours on following day, midnight on 31st December.

The opening hours of the club

09.00 TO 00.00 DURING CRICKET SEASON
AS ALCOHOL LICENSING HOURS, PLUS TWENTY MINUTES, AT ALL OTHER TIMES

Where the certificate authorises supplies of alcohol whether these are on and/or off the premises

ON AND OFF SUPPLIES

Annex 1 – Mandatory conditions.

1. Any alcohol supplied for consumption off the premises must be in a sealed container and must be made to a member of the club in person and made at a time when the premises are open for the purposes of supplying alcohol, in accordance with the club premises certificate, to members of the club for consumption on the premises.

The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

The club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol: -

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

The responsible person shall ensure that:-

(a) Where any of the following alcoholic drinks is sold or supplied for sale or consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:-

1. Beer or cider - ½ pint;
2. Gin, rum, vodka or whisky - 25ml or 35ml; and
3. Still wine in a glass - 125ml; and

(b) Customers are made aware of the availability of these measures.

2. Alcohol shall not be sold or supplied except during permitted hours. In this condition permitted hours means:

- a) on weekdays, other than Christmas Day, Good Friday or New Years Eve, 10am to 11pm.
- b) on Sundays, other than Christmas Day or New Years Eve, 12 noon to 10.30pm
- c) on Good Friday, 12 noon to 10.30pm
- d) on New Years Eve, except on a Sunday, 10am to 11pm
- e) on New Years Eve on a Sunday, 12 noon to 10.30pm
- f) on Christmas Day, as provided by the rules of the club and notified in writing by the chairman or secretary of the club to the chief executive of the justices for the petty sessions area in which the premises are. The said hours shall:
 - i. not exceed six and a half hours
 - ii. not begin earlier than 12 noon
 - iii. not end later than 10.30pm
 - iv. provide for a break of at least 2 hours including 3pm to 5pm;
 - v. not extend for more than three and a half hours after 5pm
- g) On New Years Eve from the end of permitted hours to the start of permitted hours on following day, midnight on 31st December.

The above restrictions do not prohibit the supply to, or consumption by, any person of alcohol in any premises where they are residing.

The above restrictions do not prohibit:

(a) the consumption of alcohol on the premises during the first twenty minutes after the above hours.

(b) during the first twenty minutes after the above hours, the taking of alcohol from the premises unless the alcohol is supplied or taken in an open vessel;

(c) the consumption of the alcohol on the premises by persons taking meals there during the first thirty minutes after the above hours, if the alcohol was supplied for consumption ancillary to these meals

(d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;

(e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;

(f) the sale of alcohol to a trader or club for the purposes of the trade or club;

(g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.

(h) the taking of alcohol from the premises by a person residing there; or

(i) the supply of alcohol for consumption on the premises to any friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by person so supplied; or

(j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or the person carrying on or in charge of the business on the premises.

Annex 2 – Conditions consistent with the club operating Schedule

NOT APPLICABLE

Annex 3 – Conditions attached after a hearing by the licensing authority.

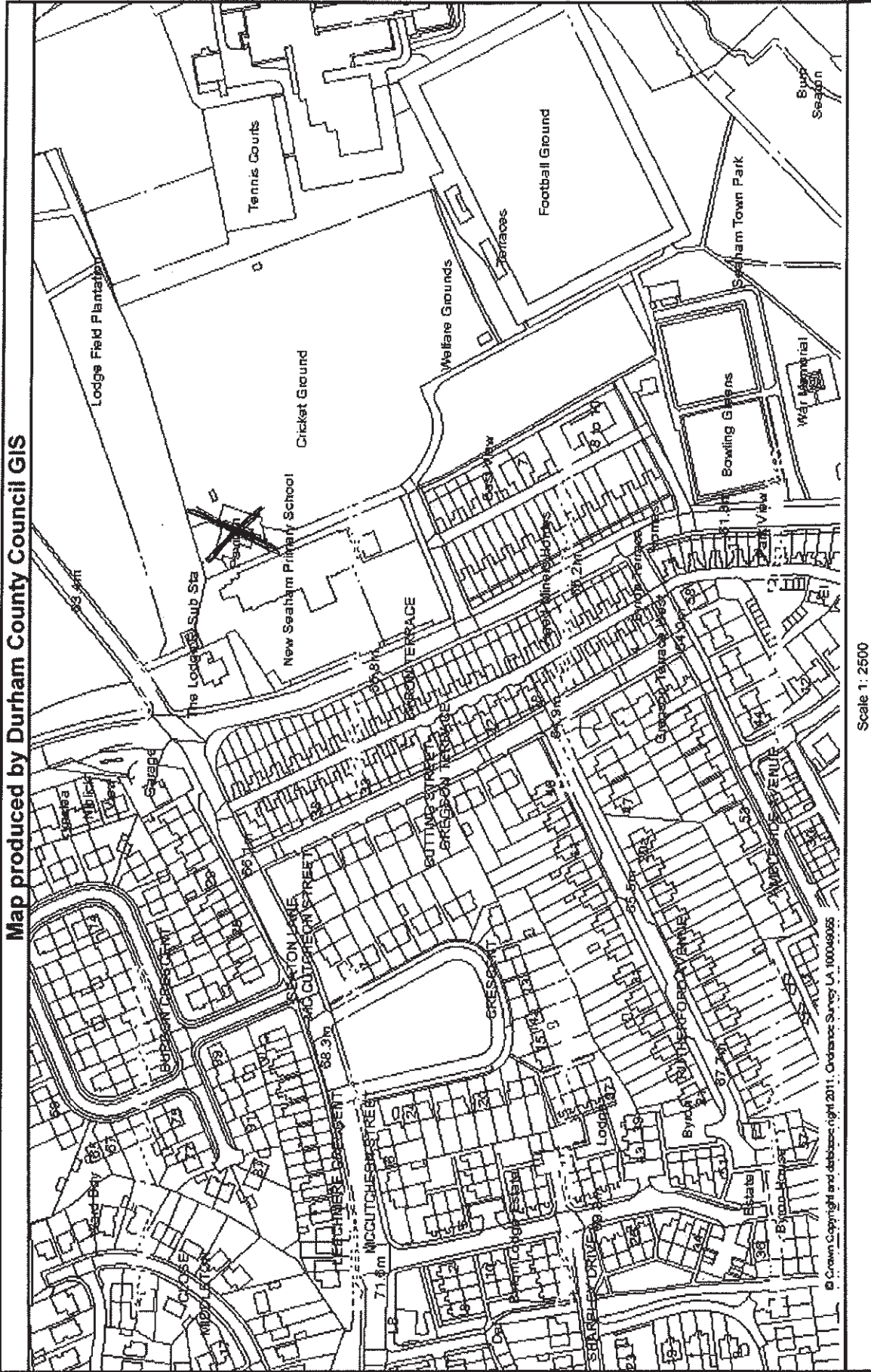
NOT APPLICABLE

Annex 4 - Plans

AS ATTACHED

Appendix 2 Location Plan

Map produced by Durham County Council GIS



Scale 1: 2500

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Appendix 3
Review Application and Supporting Documents

Application for the review of a premises licence or 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 Chief Constable of Durham

(Insert name of applicant)

apply for the review of a premises licence under section 51 Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Seaham Park Cricket Club The Pavillion Seaham Town Park Stockton Road	
Post town Seaham	Post code (if known) SR7 0HX

Name of premises licence holder or club holding club premises certificate (if known) Seaham Park Cricket Club

Number of premises licence or club premises certificate (if known) DOEC010
--

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please 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

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)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Chief Constable of Durham Durham Constabulary Police Headquarters Aykley Heads Durham DH1 5TT
Telephone number (if any) 0345 6060365
E-mail address (optional)

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

Please tick one or more boxes

- | | |
|---|--|
| 1) the prevention of crime and disorder | <input checked="checked" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="checked" type="checkbox"/> |
| 4) the protection of children from harm | <input checked="checked" type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

See attached Grounds

Please provide as much information as possible to support the application
(please read guidance note 2)

See attached Grounds

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day

Month

Year

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

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
- 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

27.10.2011

Capacity Chief Inspector

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5) Sgt Timothy Robson Licensing and Partnerships Police Office Newcastle Road	
Post town Chester-le-Street	Post Code DH3 3TY
Telephone number (if any) 01913752525	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

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.

GROUNDS FOR REVIEW

1. The Applicant is seeking a review of the club premises certificate for Seaham Park Cricket Club as it is a necessary course of action to address concerns relating to the protection of children from harm, the prevention of crime and disorder and the prevention of public nuisance objectives in the Licensing Act 2003.
2. Evidence obtained by the Applicant has shown this club has sold to and allowed the consumption of alcohol on its premises by underage youths and children.
3. On the 18th June 2010 a report was received that approximately 20 underage youths were at the club drinking alcohol, both served by staff as well as bringing their own alcohol. Unfortunately Police Officers could not attend until after the club was closed.
4. On the 12th November 2010 an anonymous male reported in excess of 20 youths in the club being served alcohol and that this was happening every night. The caller reported the staff at the club knowing the youths are underage but still serving them. At around 10PM Acting Sergeant Pool and other Officers attended the club and saw a large number of youths standing outside with pint glasses and bottles of "alcopops". As they approached the youths ran away and several people shouted "the police are here", leading to a number of youths running out of the club, leaving half drunk pint glasses and bottles. Acting Sergeant Pool spoke to [REDACTED], who was in charge. [REDACTED] had been sitting in clear view of the bar and was drunk and did not appear concerned that there were so many underage youths in the club consuming alcohol.
5. On the 19th February 2011 a local resident reported to PC McKinlay that a group of youths were behaving aggressively near to the club. When she attended some 40 youths made off in different directions. One very drunk youth was taken home and the Officers then returned and spoke to the residents who were angry as this was an ongoing problem.
6. On the 5th August 2011 an anonymous female reported approximately 40 youths, aged around 13 or 14 years old, being served alcohol at the

club. The Officers attended some 50 minutes later and found everything in order. The anonymous female has since been spoken to by Sergeant Robson and said she saw some 20 young persons in the club, aged between 13 and 15 years old, drinking snakebites and lager.

7. On the 12th August 2011 a local resident reported witnessing a number of youths going into the club to drink alcohol. She stated this had been happening over the last few weeks. Officers attended within 40 minutes and found all in order. The resident has since been spoken to and said her quality of life has been affected by drunken youths passing her home, on one occasion vomiting near her house and damaging her partner's vehicle. She reported that one morning she found lager poured all over her car and an empty pint glass under each wheel. She did not want to be identified for fear of reprisals from the patrons of the club.
8. On the 9th September 2011 the Applicant received an anonymous letter from a concerned parent after their 14 year old son returned home from the club drunk, having been served in the bar. When they visited the club they report witnessing what they described as a youth club that sold alcohol.
9. On the 23rd September 2011 Sergeant Robson and other officers attended the club. He saw about 20 young persons outside the building drinking pints of lager and bottles of "alcopops". He did not see anyone on the entrance and no signing in book. Inside the club there was a 16th birthday party. Sgt Robson saw 3 males and 1 female, all 16 years old, with pints of lager and cider. All were drunk and none had identification. He spoke to [REDACTED], expressing his concerns. In total 19 young persons, possessing alcohol and without identification, were spoken to. Most of the young persons were 16 years of age. Some had hidden alcohol on the lower shelf of the tables and [REDACTED] and other bar staff began collecting the alcohol back from the young persons and taking it to the bar. [REDACTED] was spoken to and asked to stop removing evidence from the tables. One 16 year, who had drunk 2 pints, was spoken to and asked who had served him. He replied "all of them".

10. Sergeant Robson then spoke to [REDACTED], [REDACTED] and [REDACTED], the [REDACTED]. Both [REDACTED] and [REDACTED] were heavily intoxicated and had difficulty standing. They had no explanation for the sales and access to alcohol by children and young persons on the premises. When Sergeant Robson then spoke to the committee member serving behind the bar, [REDACTED], he asked what age they challenged at to which she replied "eighteen", despite displaying Challenge 21 signs on the bar wall.
11. Overall the club has sold alcohol to and allowed the consumption of alcohol by children and young persons on the premises on a number of occasions. Those in control of the club have shown a lack of regard for these actions breaching licensing laws and the implications on the local area and the child or young person themselves. There is a clear lack of training of those selling alcohol, apparent from the lack of evidence of challenges or requests of identification or knowledge of schemes adopted to prevent underage sales.
12. Whilst it is for the Licensing Authority to determine the action necessary to secure and promote the licensing objectives, the Applicant would urge the Authority to withdraw the club premises certificate forthwith as necessary to promote the licensing objectives concerned.

POLICE BUNDLE OF EVIDENCE

**APPLICATION TO REVIEW CLUB PREMISES
CERTIFICATE**

SEAHAM PARK CRICKET CLUB
THE PAVILLION
SEAHAM TOWN PARK
STOCKTON ROAD
SEAHAM
SR7 0HX

INDEX

<u>No</u>	<u>Details</u>
1.	Club Premises Certificate
2.	Operating Schedule
3.	Evidence of Qualifying Conditions
4.	Rules/Constitution
5.	Club Registration Certificate
6.	Plan
7.	Aerial Photographs
8.	Statement of Sgt Robson dated the 11 th October 2011
9.	Alcohol Related Incidents
10.	Incident Log dated 18 th June 2010
11.	Incident Log dated 12 th November 2010
12.	Statement of PC Pool dated the 12 th October 2011
13.	Incident Log dated 19 th February 2011
14.	Incident Log dated 5 th August 2011
15.	Incident Log dated 12 th August 2011
16.	Anonymous letter (received on the 9 th September 2011)

LICENSING ACT 2003

Section 78.

Club Premises Certificate

District of Easington Licensing Authority
Council Offices, Seaside Lane, Easington
Village
Peterlee, Co. Durham SR8 3TN

Reference Number:

3823

Club Premises

DOEC010

Certificate

Club Details

Name of club in whose name this certificate is granted and relevant
postal address of club

SEAHAM PARK CRICKET CLUB

Address

THE PAVILLION
SEAHAM TOWN PARK
STOCKTON ROAD

Post town

SEAHAM

Postcode

SR7 0HX

Telephone number

0191 5817083

If different from the postal address of the club premises to which this
certificate relates, if any, or if none, ordnance survey map reference
or description.

Post town

Postcode

Telephone number

Where the club premises certificate is time limited dates

NOT APPLICABLE

Qualifying club activities authorised by the certificate

SUPPLY OF ALCOHOL

The times the certificate authorises the carrying out of qualifying club activities

Alcohol shall not be sold or supplied except during permitted hours. In this condition permitted hours means:

- a) on weekdays, other than Christmas Day, Good Friday or New Years Eve, 10am to 11pm.
- b) on Sundays, other than Christmas Day or New Years Eve, 12 noon to 10.30pm
- c) on Good Friday, 12 noon to 10.30pm
- d) on New Years Eve, except on a Sunday, 10am to 11pm
- e) on New Years Eve on a Sunday, 12 noon to 10.30pm
- f) on Christmas Day, as provided by the rules of the club and notified in writing by the chairman or secretary of the club to the chief executive of the justices for the petty sessions area in which the premises are. The said hours shall:
 - i. not exceed six and a half hours
 - ii. not begin earlier than 12 noon
 - iii. not end later than 10.30pm
 - iv. provide for a break of at least 2 hours including 3pm to 5pm;
 - v. not extend for more than three and a half hours after 5pm
- g) On New Years Eve from the end of permitted hours to the start of permitted hours on following day, midnight on 31st December.

The opening hours of the club

09.00 TO 00.00 DURING CRICKET SEASON
AS ALCOHOL LICENSING HOURS, PLUS TWENTY MINUTES, AT ALL OTHER TIMES

Where the certificate authorises supplies of alcohol whether these are on and/or off the premises

ON AND OFF SUPPLIES

Annex 1 - Mandatory conditions.

1. A Club Premises Certificate may not authorise the supply of alcohol for consumption off the premises unless it also authorises the supply of alcohol to a member of the club for consumption on those premises. The supply of alcohol for consumption off the premises must

a) only be made at a time when the premises are open for the purposes of supplying alcohol, in accordance with this club premises certificate, to members of the club for consumption on the premises.

b) be in a sealed container

c) only be made to a member of the club in person.

2. Alcohol shall not be sold or supplied except during permitted hours. In this condition permitted hours means:

a) on weekdays, other than Christmas Day, Good Friday or New Years Eve, 10am to 11pm.

b) on Sundays, other than Christmas Day or New Years Eve, 12 noon to 10.30pm

c) on Good Friday, 12 noon to 10.30pm

d) on New Years Eve, except on a Sunday, 10am to 11pm

e) on New Years Eve on a Sunday, 12 noon to 10.30pm

f) on Christmas Day, as provided by the rules of the club and notified in writing by the chairman or secretary of the club to the chief executive of the justices for the petty sessions area in which the premises are. The said hours shall:

i. not exceed six and a half hours

ii. not begin earlier than 12 noon

iii. not end later than 10.30pm

iv. provide for a break of at least 2 hours including 3pm to 5pm;

v. not extend for more than three and a half hours after 5pm

g) On New Years Eve from the end of permitted hours to the start of permitted hours on following day, midnight on 31st December.

The above restrictions do not prohibit the supply to, or consumption by, any person of alcohol in any premises where they are residing.

The above restrictions do not prohibit:

(a) the consumption of alcohol on the premises during the first twenty minutes after the above hours.

(b) during the first twenty minutes after the above hours, the taking of alcohol from the premises unless the alcohol is supplied or taken in an open vessel;

(c) the consumption of the alcohol on the premises by persons taking meals there during the first thirty minutes after the above hours, if the alcohol was supplied for consumption ancillary to these meals

(d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;

(e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;

(f) the sale of alcohol to a trader or club for the purposes of the trade or club;

(g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.

(h) the taking of alcohol from the premises by a person residing there; or

(i) the supply of alcohol for consumption on the premises to any friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by person so supplied; or

(j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or the person carrying on or in charge of the business on the premises.

Annex 2 - Conditions consistent with the club operating Schedule

NOT APPLICABLE

Annex 3 - Conditions attached after a hearing by the licensing authority.

NOT APPLICABLE

Annex 4 - Plans

AS ATTACHED

SEAHAM PARK CRICKET CLUB
OPERATING SCHEDULE

GENERAL

1. The Club is established to promote the playing of cricket and have a bar to provide refreshments before during and after the game. The bar income is accumulated throughout the year to finance three senior and four junior cricket teams during the season.
2. The bar is open throughout the year from 11.00am until 11.00pm Monday to Friday and 12.00 noon to 10.30pm on Sundays.

PREVENTION OF CRIME & DISORDER

3. The Club is managed by a committee of members who supervise the bar to ensure the safety, prevention of nuisance, crime and disorder.
4. The Club does not employ security staff and committee members are responsible for supervision. We have no previous history of crime and disorder and consider current arrangements work well.
5. We actively promote responsible drinking and discourage excessive drinking.
6. We confirm we have a zero tolerance to drugs and display signs to that effect.
7. We confirm we are a member of a local pub watch scheme and regularly send a representative to area meetings.
8. The whole of the Club premises is accessible to under 18's and their use of the Club facilities is encouraged but all junior members are aware of the Club's policy concerning the prohibition of sale of alcohol to under 18 year olds.

PUBLIC SAFETY

9. Public safety is a high priority and all fire fighting equipment is regularly inspected and maintained.
10. First aid is available at the Club and we have qualified first aiders in attendance at the Club.

PREVENTION OF PUBLIC NUISANCE

11. The Club is located in a park setting but requires the members to conduct themselves with regard for the wellbeing of other park users.
12. All deliveries to the Club are during office hours and are timed to ensure minimal noise and disruption to others.

PROTECTION OF CHILDREN FROM HARM

13. Under 18's are part of the fabric of the Club and have access to the premises under supervision of their respective team manager and parents.
14. The Club has a trained Child Protection Officer under the supervision of the England and Wales Cricket Board.

EVIDENCE OF QUALIFYING
CONDITIONS

I William Giblin of ~~Seaham Park Cricket Club~~ County Durham Chairman of Seaham Park Cricket Club will say as follows:-

1. The Club has been in existence for over 70 years as a Cricket Club.
2. I confirm that members cannot be admitted to the benefits of the Club until a period of two days has elapsed from their application.
3. The Club has in excess of 25 members.
4. Alcohol is sold solely for the benefit of the Club as a whole.
5. The Club is conducted in good faith and there are:-
 - (i) No restriction on the Clubs freedom to purchase alcohol.
 - (ii) No provision where money or property is applied other than for the benefit of the Club as a whole.
6. The Club has an annual general meeting on the 30th August each year where the Club finances are disclosed and all books of account are opened to scrutiny.
7. I confirm that the premises are consistent with those required to carry out the objects of the Club.
8. I confirm that alcohol sales are supervised by the Club Committee made up of members of the Club aged over 18, Bar Committee members are elected by the members of the Club in annual general meeting.
9. There are no arrangements for any person to receive benefit from alcohol sale. All proceeds are applied for the benefit of the Club as a whole.

I believe the facts stated in this document are true.

SIGNED 

WILLIAM GIBLIN

DATED 10.05.05



RULES/CONSTITUTION OF SEAHAM PARK CRICKET COMMUNITY AMATEUR SPORTS CLUB

1. Name

The name of the Club is Seaham Park Cricket Club

2. Club Purposes

The purposes of the Club are to promote the amateur sport of cricket in Seaham and community participation in the same.

3. Permitted means of advancing the Purposes

The Committee has the power to:

- (a) acquire and provide grounds, equipment, coaching, training and playing facilities, clubhouse, transport, medical and related facilities;
- (b) provide coaching, training, medical treatment, and related social and other facilities;
- (c) take out any insurance for club, employees, contractors, players, guests and third parties;
- (d) raise funds by appeals, subscriptions, loans and charges;
- (e) borrow money and give security for the same, and open bank accounts;
- (f) buy, lease or licence property and sell, let or otherwise dispose of the same;
- (g) make grants and loans and give guarantees and provide other benefits;
- (h) set aside funds for special purposes or as reserves;
- (i) invest funds in any lawful manner;
- (j) employ and engage staff and others and provide services;
- (k) co-operate with or affiliate to firstly any bodies regulating or organising the Sport and secondly any club or body involved with it and thirdly with government and related agencies;
- (l) do all other things reasonably necessary to advance the purposes;

NONE of the above powers may be used other than to advance the purposes consistently with the Rules below and the general law.

4. Membership

(a) Membership of the Club shall be open to anyone interested in the sport on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. However, limitation of membership according to available facilities is allowable on a non discriminatory basis.

(b) The Club may have different classes of membership and subscription on a non discriminatory and fair basis. The Club will keep subscriptions at levels that will not pose a significant obstacle to people participating.

(c) The Club Committee may refuse membership, or remove it, only for good cause such as conduct or character likely to bring the Club or sport into disrepute. Appeal against refusal or removal may be made to the members.

5. All General Meetings (AGM)

(a) All members may attend all general meetings of the Club in person.

(b) Such meetings need 21 clear days' written notice to members.

(c) The quorum for all general meetings is 20 members present or 25% of the total membership whichever is greater.

(d) The Chair or (in his or her absence) another member chosen at the meeting shall preside.

(e) Except as otherwise provided in these Rules every resolution shall be decided by a simple majority of the votes cast on a show of hands.

(f) Formalities in connection with General Meetings (such as how to put down resolutions) shall be decided by the Committee and publicised to Club members.

6. Annual General Meetings

The Club will hold an AGM once in every calendar year and not more than 15 months after the last AGM. At every AGM:

(a) the Members will elect a Committee including a Chair, Treasurer and Secretary to serve until the next AGM;

(b) the Treasurer will produce accounts of the Club for the latest financial year audited as the Committee shall decide;

(c) the Committee will present a report on the Club's activities since the previous AGM;

(d) the Members will appoint a suitable person to audit the accounts; and

(e) the Members will discuss and vote on any resolution (whether about policy or to change the Rules) and deal with any other business put to the meeting.

00000000000000000000

Extraordinary General Meetings (EGM)

An EGM shall be called by the Secretary within 14 days of a request to that effect from the Committee or on the written request of not less than 12 members signed by them. Such EGM shall be held on not less than 14 nor more than 21 days' notice at a place decided upon by the Committee or in default by the Chair.

8. The Committee

(A) Role

Subject to these Rules the Committee shall have responsibility for the management of the Club, its funds, property and affairs.

(B) Property etc

(i) The property and funds of the Club cannot be used for the direct or indirect private benefit of members other than as reasonably allowed by the Rules and all surplus income or profits are reinvested in the club.

(ii) The Club may provide sporting and related social facilities, sporting equipment, coaching, courses, insurance cover, medical treatment, away-match expenses, post match refreshments and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Finance Act 2002.

(iii) The Club may also in connection with the sports purposes of the Club:

(a) sell and supply food, drink and related sports clothing and equipment;

(b) employ members (though not for playing) and remunerate them for providing goods and services, on fair terms set by the Committee without the person concerned being present;

(c) pay for reasonable hospitality for visiting teams and guests;

(d) indemnify the Committee and members acting properly in the course of the running of the Club against any liability incurred in the proper running of the Club (but only to the extent of its assets).

(iv) The Committee will have due regard to the law on disability discrimination and child protection.

(C) Composition etc

(i) The Committee shall consist of at least three and not more than nine members (including Officers).

(ii) The Committee members may co-opt club members (up to the maximum permitted number) to serve until the end of the next AGM.

(iii) Any Committee member may be re-elected or re-co-opted without limit.

(iv) A Committee member ceases to be such if he or she ceases to be a member of the Club, resigns by written notice, or is removed by the Committee for good cause after the Member concerned has been given the chance of putting his/her case to the Committee with an appeal to the Club members, or is

removed by club members at a general meeting. The Committee shall fairly decide time limits and formalities for these steps.

(D) Committee Meetings

(i) Whenever a Committee member has a personal interest in a matter to be discussed he/she must declare it, withdraw from that part of the meeting (unless asked to stay), not be counted in the quorum for that agenda item and withdraw during the vote and have no vote on the matter concerned.

(ii) The Committee may decide its own way of operating. Unless it otherwise resolves the following rules apply:

- (a) at least 2 members must be present for the meeting to be valid;
- (b) committee meetings shall be held face to face;
- (c) the Chair or whoever else those present choose shall chair meetings;
- (d) decisions shall be by simple majority of those voting;
- (e) a resolution in writing signed by every Committee member shall be valid without a meeting;
- (f) the chair of the meeting shall not have a casting vote.

(E) Delegation etc.

The Committee may delegate any of their functions to sub-committees but must specify the scope of its activity and powers; the extent to which it can commit the funds of the Club; its membership; its duty to report back to the Committee. The Committee may wind up any sub-committee at any time or to change its mandate and operating terms.

(F) Disclosure

Annual club reports and statements of account must be made available for inspection by any member and all club records may be inspected by any Committee member.

9. Amendments

(a) These Rules may be amended at a general meeting by two-thirds of the votes cast but not (if relevant) so as to jeopardise the Club's status as a Community Amateur Sports Club as first provided for by the Finance Act 2002 and not in any event to alter its purposes (unless the procedure set out in 9(b) has been followed) or winding up provisions.

(b) The Club Purposes may be changed to include a nother eligible sport if the Committee unanimously agree and the members also agreed the change by a 75% majority of votes cast.

10. Winding Up the Club

(a) The members may vote to wind up the Club if not less than three quarters of those present and voting support that proposal at a properly convened general meeting.

(b) The Committee will then be responsible for the orderly winding up of the Club's affairs.

(c) After settling all liabilities of the Club, the Committee shall dispose of the net assets remaining to one or more of the following:

(i) to another Club with similar sports purposes which is a registered charity and/or

(ii) to another Club with similar sports purposes which is a registered CASC and/or

(iii) to the Club's governing body for use by them for related community sports.

Adopted at a meeting held

at SEAHAM PARK CC CLUBHOUSE

on 10th March 2004

Signed

Name MR W GIBLIN

Signature [Redacted]

[Name and signature of chair of meeting]

Witnessed

Name J WATSON

Address SEAHAM CO DURHAM

Occupation COACH

Signature [Redacted]

[Name, address, occupation and signature of witness]

Licensing Act 1964

**Club Registration Certificate
(Renewal)**

In the County of Durham

Petty Sessional Division of North Durham Magistrates' Courts

Before the Magistrates' Court sitting at Chester le Street

WHEREAS the Seaham Park Cricket Club

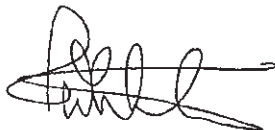
Was on the 13th day of September, 1962 registered for the period of ONE year from that date in respect of the club premises situate at

Byron Terrace, Seaham

(AND WHEREAS the said club registration certificate has from time to time been renewed)

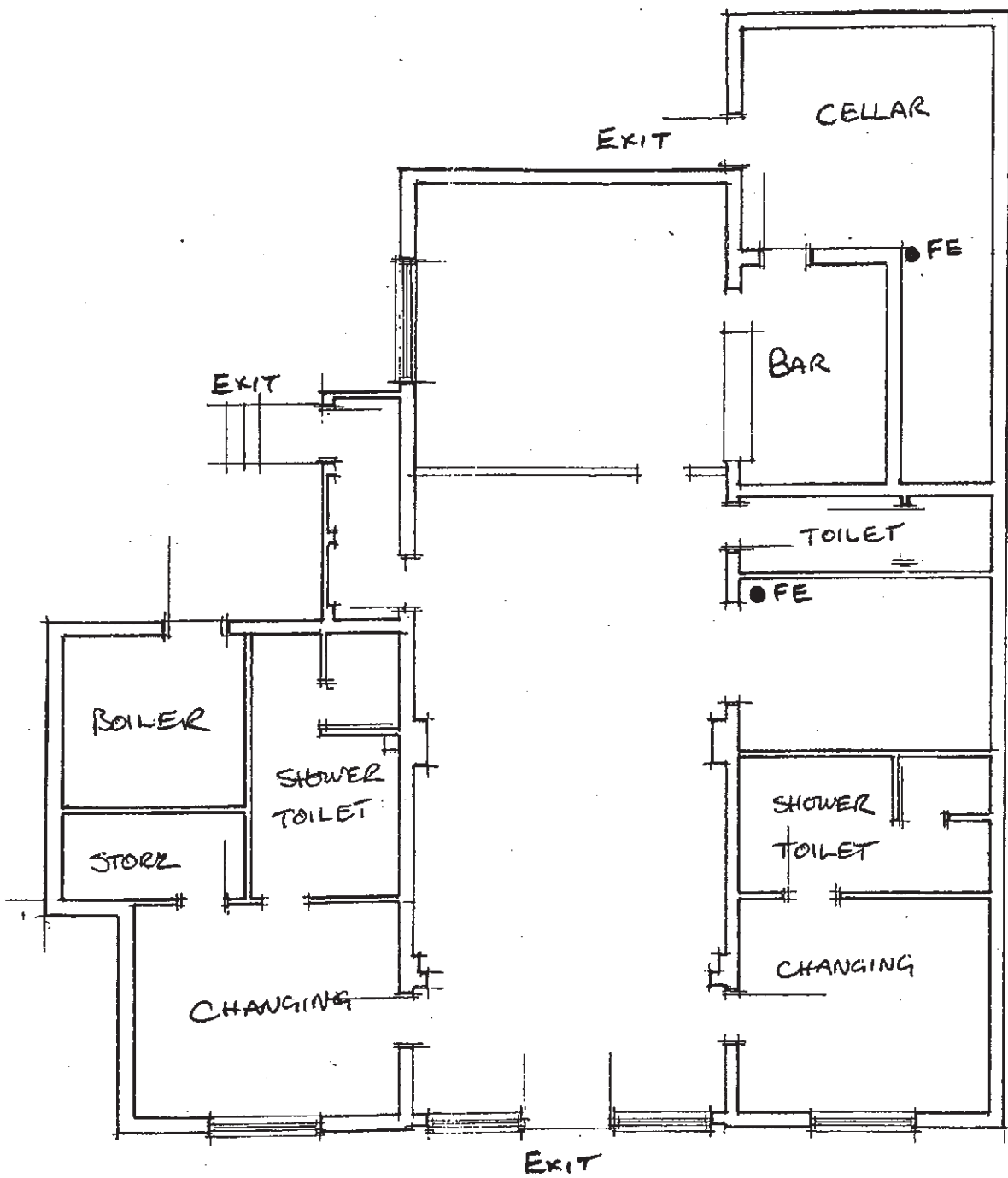
THIS IS TO CERTIFY that the said club Registration certificate has been renewed for the period of FIVE YEARS from the 6th day of September 2002, in respect of the (same) club premises.

DATED this 6th day of September, 2002



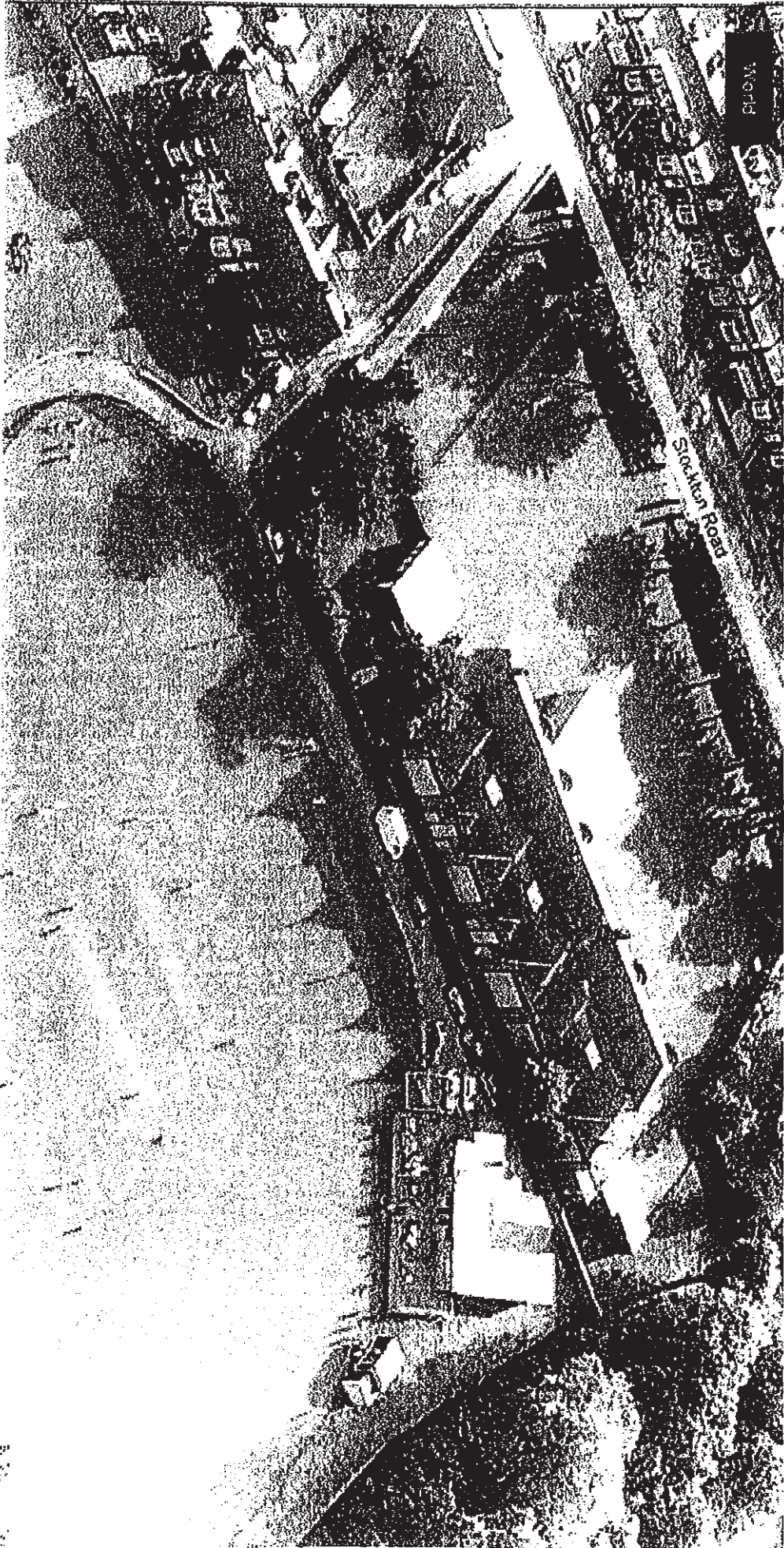
Robert C Whitehouse

Justices Chief Executive for the said Division.

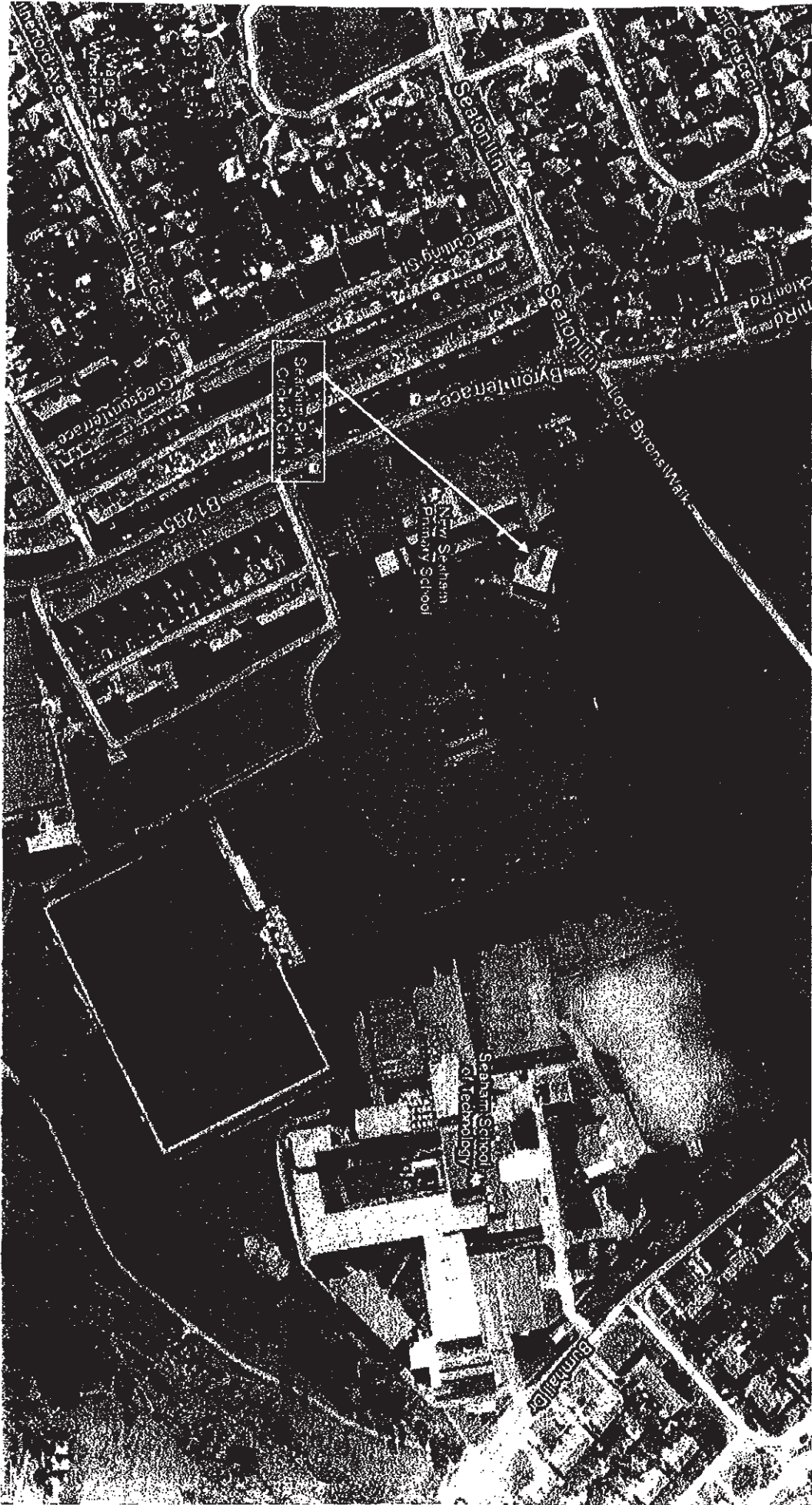


EXISTING PLAN

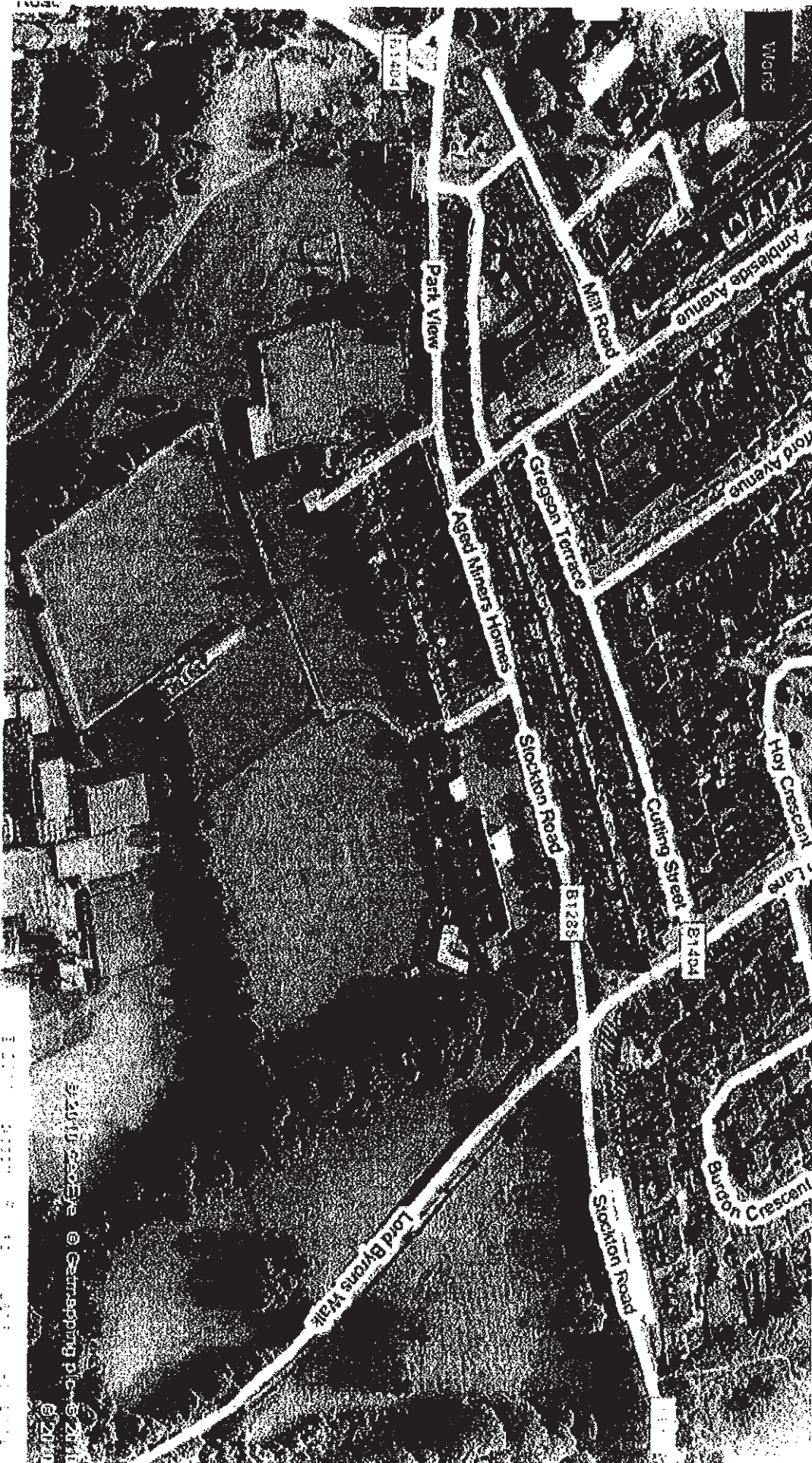
SEAHAM P
1:100



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Witness Statement

(CJ Act 1967, s.9 MC Act 1980, ss 5A (3)(a) and 5B; MC Rules 1981, r70)

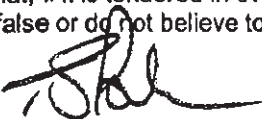
Statement of **Timothy John Robson**

Age if under 18 Over 21 (if over 18 insert 'over 18').

Occupation: Police Sergeant 1590

This statement (consisting of 4 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.

Signature:



Date: 11th October 2011

I am a Police Sergeant in the Durham Constabulary, presently stationed in the Substance Misuse Unit at Chester Le Street Police Office. I have seven years experience in pure licensing. I hold a National Certificate for Personal Licence Holders, a National Certificate for Designated premises Supervisors, a National Certificate for Licensing Practitioners and I am the holder of a Personal Licence for alcohol retail. I hold an award in assessment of licensed premises, and I am a Best Bar None assessor.

Seaham Park Cricket Club is situated at Seaham Town Park in Stockton Road Seaham. The club is situated between New Seaham Primary School and Seaham School of Technology. The premise holds a Club Premises Certificate DOEC010 3823 and no other licence. The certificate allows the sale of alcohol on and off the premises but when off sales are made the alcohol must be sold in a sealed container to a club member. Members of the club can sign in bona fide guests and children should always be accompanied by a team manager or a parent.

The club is established to promote the playing of cricket and have a bar to provide refreshments before, during and after a game.

At 10pm on the 18th June 2010 a known individual reported that there were approximately 20 youths at the Cricket Club and that they were drinking underage. The informant stated that the youths were aged as young as 13 years old and were bringing their drinks out into the grounds

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Signature witnessed by:

P.T.O.

Continuation of Statement / Interview of: **Timothy John ROBSON**

Page No.: 2

after being served by barstaff. Due to officers being committed to other tasks they were unable to attend until after the closing time of the premise so this information could not be authenticated.

At 9.22pm on 12th November 2010 an anonymous call was made to the police reporting that there were currently in excess of 20 youths in the cricket club being served with alcohol. The male caller stated that this happened almost every night. The caller stated that the bar staff knew that they were under age but still continued to serve them. The caller stated that he had just left the Cricket club and stated that these youths would be in there all night. Acting Sergeant 2071 Jason Pool and other officers were deployed to attend the club. At 10.06pm the same day a further call was received from the anonymous male informant stating that the youths were still inside the club and being served with alcohol and the police had not arrived yet. Owing to the resources available and priority tasks officers were unable to attend at the earlier time. At 10.09pm the same day A/Sgt Pool attended the club with other officers where he witnessed a number of youths outside of the premise with open containers of alcohol. The young persons then made off and some alerted others within the club. Upon entering the club there was no control on entry and exit and the premise contained a number of young persons who left their alcoholic drinks and ran from the premise via other doors. Staff at the premise and committee members who were there were complacent over the police concerns but were also drunk. A detailed statement of this visit has been obtained from A/Sgt Pool.

At 12.02am on 19th February 2011 a member of the public reported to PC 1396 Jennifer McKinlay that a group of youths had been squaring up to one another at the rear of the cricket club. Upon the officers arrival approximately 40 youths made off in various directions. One very drunken youth was taken home. This male was 17yrs old. After returning the youth home PC McKinlay was

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Continuation of Statement / Interview of: **Timothy John ROBSON**

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approached by the occupants of a dwelling very close to the club who expressed their concern and were very irate with the police officer as this was an ongoing concern.

At 8.43pm on 5th August 2011 an anonymous female who gave her telephone number called the police and reported that approximately 40 youths were at Seaham Park Cricket club and being served with alcohol. The informant stated that she knew a number of the youths and knew that they were aged between 13 and 14 years of age. She stated that she did not challenge the staff but stated that the youths present were attending a party.

At 10am on the 26th September 2011 I spoke to the informant who declined to give a statement as she feared for reprisals from the young drinkers or club members. The lady informed me that she had been in the club at about 7.30pm on the 5th August 2011 waiting for her husband and when he arrived she refused to remain there any longer or have a drink as the club had over 20 young persons aged between 13 years and 15 years drinking "snakebites" (cider and lager mix) and lager but she stated that none of the children were drinking spirits. The informant told me that she knew their ages as she has a 13yr old child herself.

At 8.42pm on the 12th August 2011 a report was made to the police from a [REDACTED] who resides in [REDACTED] Seaham which is in close proximity to the club. [REDACTED] stated that she had just witnessed a number of youths go into the cricket club and believed that they were going to be drinking underage as this has been happening over the last few weeks. I have since spoken to [REDACTED] who informed me that after 11pm on a night her quality of life was being impacted upon by young people totally drunk staggering and screaming as they pass her home. She stated that she has witnessed very young persons vomiting near her house and her partners van had been damaged. She stated that on one morning she went out to her vehicle to find four empty pint glasses had been placed under each wheel and lager had been poured all over her car. [REDACTED]

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Signature:



Signature witnessed by:

Continuation of Statement / Interview of: **Timothy John ROBSON**

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[REDACTED] expressed her concern at being identified as she feared reprisals from the individuals who were drinking at the club.

On the 9th September 2011 a letter was received by the Chief Constable from an anonymous person expressing their concerns over the current situation at the Seaham Park Cricket Club. In this letter the writer stated that his/her 14yr old son had returned home one Friday night and could hardly walk as he was so drunk. When questioned by the parent the child stated that he had been served in the bar and it was a regular occurrence on a Friday night. After speaking to the child's friends parents it became clear that it was well known that underage drinking takes place there.

With this in mind the informant visited the club on Friday 5th August 2011 and gave a description of what he/she saw as that of a youth club that sold alcohol.

Acting on this information at 9.30pm on Friday 23rd September 2011 I was in uniform on duty in Seaham whilst in company with PCSO Level and other officer I attended the Seaham Park Cricket Club. I approached the club house in an unmarked police vehicle. As I approached the illuminated side door to the premises I saw approximately 20 young children outside of the club with open drinks containers clearly containing pints of lager. Females were drinking from open bottles of alcopops such as blue WKD and Smirnoff ice. This is an immediate breach in club rules. I alighted from the vehicle and activated my body worn camera, PCSO Level activated her hand held camera. Suspecting an offence was being committed I utilised my powers of entry under section 180 of the licensing act. I approached the door and the children upon seeing my uniform started to go back into the club. I followed some females into the club through the side door. There was no persons in charge or control of the door and I saw no signing in book. Persons could enter and exit freely without there being a checking process in place. Upon entering the club was crammed with persons dancing to music and balloons indicated that it was a 16th birthday party. I looked to my

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Signature witnessed by:

Continuation of Statement / Interview of: **Timothy John ROBSON**

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left and I saw 3 males and one female all with pints of lager and cider on the table in front of them, they all looked very young and all were born in 1995, all were 16yrs of age although they gave their ages at 17yrs. All were drunk. None of the persons had identification when asked. As I was speaking to the children I was approached by a female whom I now know to be ~~XXXXXXXXXX~~ a ~~XXXXXXXXXX~~. I expressed my immediate concerns that children were being allowed access to alcoholic drinks and she stated that it was a private party and all of the parents were in the club. I stressed that a letter of complaint had been received and identification must be checked. I returned to the children to continue taking details whilst other officers took details of other children in possession of alcohol. 19 children under 18yrs were identified in possession of alcohol all did not have any identification. Most were 16yrs of age. Only two males checked had identification. Other children were seated at tables where alcohol had been placed on the lower shelf such that it would be hidden from the police. PCSO Level saw this occurring and asked children to put their drinks back on the top of the table which they did. I noted at this point that ~~XXXXXXXXXX~~ was collecting glasses from all the young persons around the room and taking them to the bar. I immediately followed and asked her to stop removing the evidence from the tables. I videoed the pints of lager that had been taken from the children seated at the table near the entrance and I noted at this time that other bar staff had cleared a number of pints from tables and still full they had been returned and placed on the bar. This intimated to me that the staff had sold the drinks and had now confiscated them from the child. I videoed the bar with the full pints gathered on it. Two females were working behind the bar. I returned to the children whom I had seen with the lager and I spoke to one of them who stated he had consumed two pints. This child was aged 16yrs and I asked him to point out the member of bar staff who had

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Signature witnessed by:

Continuation of Statement / Interview of: **Timothy John ROBSON**

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served him. He replied "ALL OF THEM". Clearly no identification had been asked for as this child did not possess any.

I asked [REDACTED] to gather together all the senior committee members as I wished to speak to them. I was taken to the cellar area through the bar where the kegs and associated pumping gases were located and as I walked into this area I noted a female smoking inside of the building albeit with the cellar exit door open. An ashtray was inside of this room. On passing the bar I noted that staff had collected a number of full and half full pints from patrons and placed them on the bar. It is my belief that staff had seized these drinks from persons they knew to be under 18years.

I spoke to [REDACTED] born [REDACTED], being a [REDACTED] born [REDACTED] being the [REDACTED] and [REDACTED] born [REDACTED] the [REDACTED]. I noted that both [REDACTED] and [REDACTED] were heavily intoxicated indeed [REDACTED] and [REDACTED] had difficulty in standing. I expressed my grave concerns at the number of young children having access to alcohol at the 16th Birthday. I pointed out that all of the bar staff had sold alcohol to a 16year old who had no identification. When I asked the committee for an explanation as to why this had happened I was informed that they could not give any. I pointed out that where they were sitting they had good clear line of sight of the bar serving area. I pointed out that I would be reporting the facts to the force legal officer for a decision to be made on the offences committed. I then spoke to one of the females serving behind the bar. She stated her name was [REDACTED] born [REDACTED] and confirmed she was a member of the committee and had been serving alcohol that night. [REDACTED] said to [REDACTED] "I think that the people that you have served alcohol to you have assumed are over 18" [REDACTED] stated that "it was a private party and her neighbours bairns birthday" at which I confirmed that the person was 16yrs

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Signature witnessed by:

Continuation of Statement / Interview of: **Timothy John ROBSON**

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of age. I asked for the policy on establishing age. I asked what the level of challenge was set at as some choose 18, some 21 and some 25. [REDACTED] said "Eighteen".

Signs displayed on the bar wall specify Challenge 21, clearly this was not being adopted. It was apparent that staff were simply asking age and not asking for identification.

I then spoke to [REDACTED] born [REDACTED] who was also serving at the bar this evening.

I returned to the bar and I saw that all of the seized drinks had now been cleared away. I spoke to [REDACTED] and [REDACTED] and gave instructions on the future sales of alcohol that night. I then left the building and spoke to other officers regarding their findings in the club.

The history of events associated with Seaham Park Cricket Club have demonstrated that the Committee operating this premise are not exercising proper control of the premises. The committee are failing to ensure that alcohol is only being sold to persons over 18yrs of age and are clearly complacent as to the law and club rules. Children are allowed to leave the premise with open alcohol containers contrary to club rules. Alcohol is being sold to children from bar staff who are wholly inadequate in their social responsibilities. The bar staff are unaware of the level of challenge particularly during vulnerable events such as children's birthday parties. The club has no signing in process or entry exit monitoring system in place. Functions are being held under the remit of a premises licence whereby individuals who are not members of the club can clearly purchase alcohol by their own volition other than by members for bonafide guests. Committee members who are clearly drunk in the premises have failed in their duties to prevent children gaining access to alcohol and this in itself has caused children to gain access to alcohol unchecked and become drunk and impact on the quality of life of residents in the area. The area surrounding the club is subject to high levels of alcohol fuelled anti social behaviour and damage of which I firmly believe that Seaham Park Cricket club is responsible.

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Signature witnessed by:

RESTRICTED

Seaham Cricket Club

Highlighted by: the North Area Licensing Unit

Issues: Concerns have been raised by the community that under-age drinking regularly occurs within the premise and that the staff and management are fully aware of this and continue to serve youths under 18.

In June 2010, a call was made stating approximately 20 youths who were under 18 were being served alcohol by bar staff. The Club was closed on Police arrival (DHM-18062010-0546).

In November 2010, the Police attended Seaham Cricket Club (IDHM-12112010-0486) following concerns of underage drinking. The Police attended and it was estimated that over 100 youths in the bar, many of who made off carrying their alcohol. The [REDACTED] was spoken to who admitted he was in charge and was intoxicated. He was unconcerned that the Police were in attendance and was unaware of the capacity of the club and if it had been exceeded.

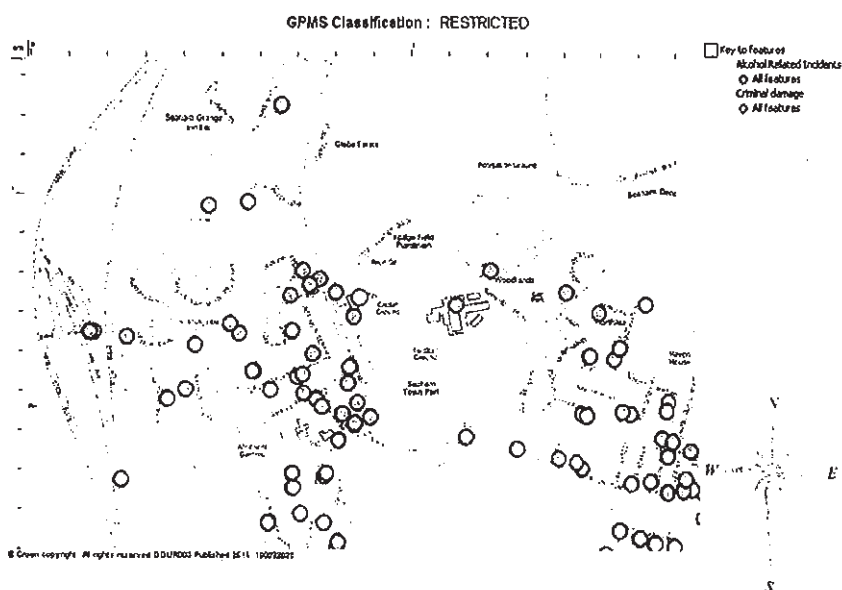
In February 2011, Police were contacted due to a group of youths who were outside Seaham Cricket Club (IDHM-19022011-0002), some were intoxicated and described as 'squaring up to each other'. The caller stated this was an ongoing issue.

In August 2011, a call was made stating that approximately 40 youths aged approximately 13-14 years were being served alcohol a Seaham cricket Club (IDHM-05082011-0442), however on Police attendance there were no youths consuming alcohol and the manager perceived the call to be malicious.

A second call was made in August, again about under age drinking occurring in the premises. However on Police arrival a private party was ongoing and no under age youths consuming alcohol were identified (DHM-12082011-0473).

In September 2011 an anonymous letter was received by the Police highlighting concerns about underage drinking and youths who were at risk of excessive alcohol consumption.

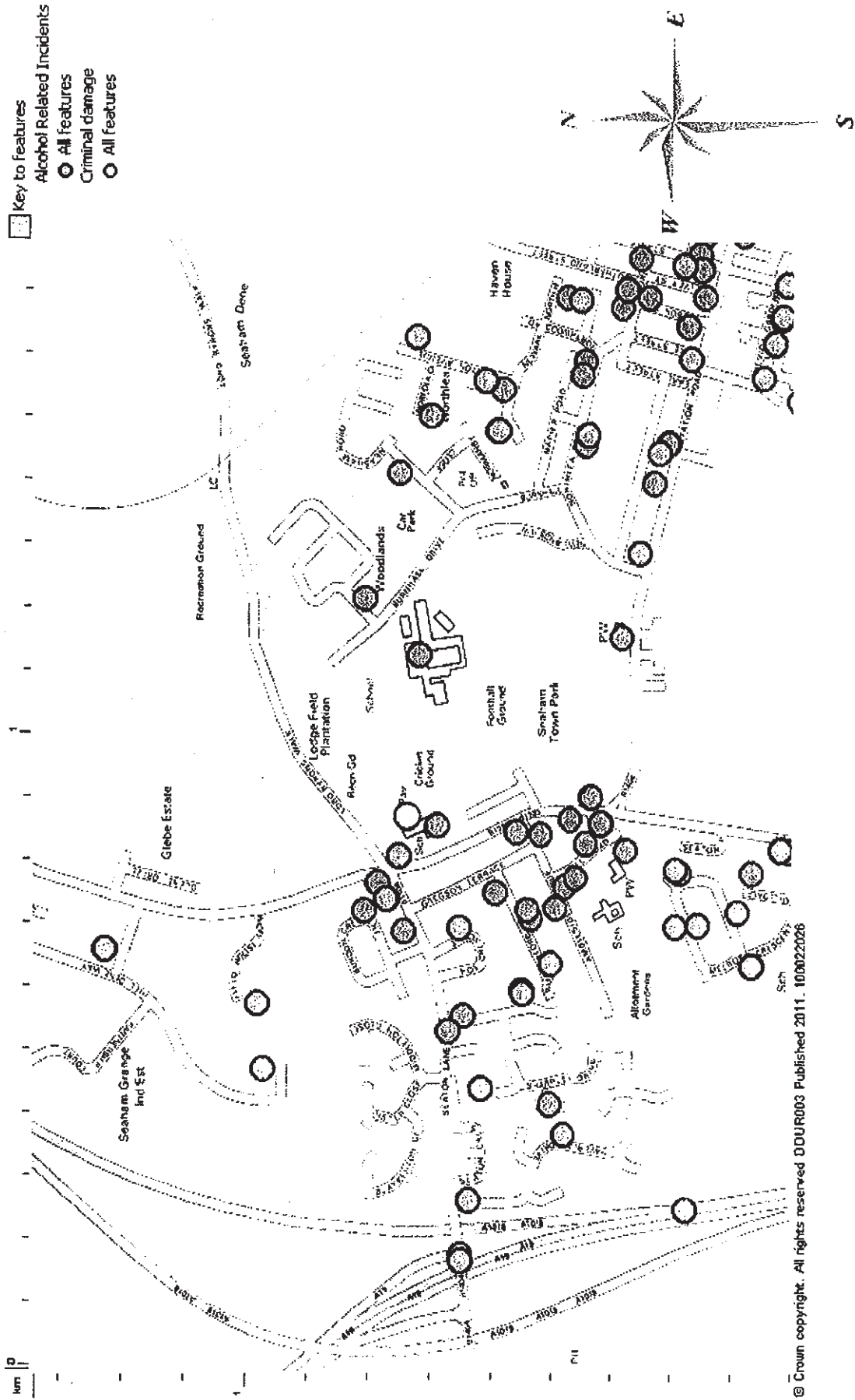
The next diagram shows alcohol related incidents and recorded criminal damage crimes which occurred around the Cricket Club between October 2010 and October 2011-10-05



Action: A review of the premises is now underway.

RESTRICTED

GPMS Classification : RESTRICTED



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DURHAM CONSTABULARY RESTRICTED

ISR Report:

DHM-18062010-0546 (Closed)

18/06/2010 22:04:14	353, SUSPICIOUS ACTIVITY	DHM-18062010-0546 / DHM	TEL	DURHAM
Priority:(4) Non-attendance	SUSPICIOUS ACTIVITY	F1	Officer Dealing:02429	
Operator:06695	Dispatcher:06771	F1J (440774,550178)	Creator Wkstn:DISP_S5	

Address Information	
SEAHAM PARK CRICKET CLUB	
BYRON TER, , SEAHAM, SR70HX	
Proximity:	<input checked="" type="checkbox"/> Gazeteer Validation

Disposition Codes
SUSP CIRCUMSTANCES
EVENT CODE - MOPI 4

Complainant Information	
	CLI: [REDACTED]
	SEAHAM, [REDACTED]
WITNESS <input type="checkbox"/> Media Consent <input type="checkbox"/> Visit Reqd.	

Date / Time Information		
Initial input	18/06/2010	22:04:14
Held	18/06/2010	22:04:23
Received	18/06/2010	22:07:19
Dispatched	18/06/2010	22:10:48
Disposed	18/06/2010	23:33:04

Qualifiers	
DISPOSAL QUALIFIERS	NO QUALIFIERS
THEME	PUBLIC SAFETY

ISR Comments				
Reports that there are approx 20 youths at this premises drinking underage. The youths are aged as young as 13 years old. They are bringing the drink into the grounds and being served by the barstaff.	18/06/2010	22:06:51	DISP_S5	06695
Caller has witnessed this occurring.	18/06/2010	22:06:58	DISP_S5	06695
Requests polcie look into this.	18/06/2010	22:07:10	DISP_S5	06695
QUESTION?. HAVE YOU COMPLETED THE QUESTION SET? ANSWERING YES WILL EXIT	18/06/2010	22:07:15	DISP_S5	06695
A..... YES (INDICATES CHECK BOX IS ON)	18/06/2010	22:07:27	DISP_S5	06695
NCC supv noted	18/06/2010	22:07:27	DISP_S5	06695
Officer have been diverted by their supervision to attend the above referenced incident.	18/06/2010	22:14:02	SUPD_N2	05907
Su8pv consulted. There has been no oficer free to attend at this time and units are committed.	18/06/2010	22:42:25	DISP_N8	06771
The club is now closed and therefore a police resource will not be sent at this time.	18/06/2010	23:31:40	DISP_N7	01767
BEat and licencing tags left.	18/06/2010	23:32:01	DISP_N7	01767
Disposition code: ',353','04'	18/06/2010	23:32:27	DISP_N7	01767
# Arrests 0 # Cautions 0 # Reports 0	18/06/2010	23:33:03	DISP_N7	01767
OIC / Handling Officer 02429	18/06/2010	23:33:04	DISP_N7	01767
Qualifiers,NO QUALIFIERS	18/06/2010	23:33:04	DISP_N7	01767

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DURHAM CONSTABULARY RESTRICTED

ISR Report:

DHM-12112010-0486 (Closed)

12/11/2010 21:22:50	353, SUSPICIOUS ACTIVITY	DHM-12112010-0486 / DHM	TEL	DURHAM
Priority:(2) Priority	SUSPICIOUS ACTIVITY	F1	Officer Dealing:02394	
Operator:07203	Dispatcher:05562	F1J (440774,550178)	Creator Wkstn:CH_N18	

Address Information	
SEAHAM PARK CRICKET CLUB	
BYRON TER, , SEAHAM, SR70HX	
Proximity:	<input checked="" type="checkbox"/> Gazeteer Validation
Complainant Information	
ANON MALE, WITHELD	
UNKNOWN CALL SOURCE [N] Media Consent [N] Visit Reqd.	

Disposition Codes
SUSP CIRCUMSTANCES
EVENT CODE - MOPI 4

Date / Time Information		
Initial Input	12/11/2010	21:22:50
Held	12/11/2010	21:22:51
Received	12/11/2010	21:23:23
Dispatched	12/11/2010	21:54:48
At Scene	12/11/2010	22:25:07
Area Supv Informed	12/11/2010	21:32:17
Re-Contact Caller	12/11/2010	21:53:11
Cleared	12/11/2010	22:25:09
Disposed	13/11/2010	02:03:17

Qualifiers	
DISPOSAL QUALIFIERS	Youth Related
DISPOSAL QUALIFIERS	Alcohol Related
THEME	PUBLIC SAFETY

ISR Relations	
PERSONS - CONNECTED TO INCIDENT	DAVID THYNE (Date of Birth : 13/03/1958)

ISR Comments				
QUESTION SET HAS BEEN EXITED BEFORE COMPLETION	12/11/2010	21:23:28	CH_N18	07203
Caller reporting that there are currently in excess of 20 youths in the cricket club being served with alcohol.	12/11/2010	21:24:02	CH_N18	07203
This happens almost everynight.	12/11/2010	21:24:10	CH_N18	07203
Caller has just left the cricket club and states these youths will be in their all night.	12/11/2010	21:24:34	CH_N18	07203
The bar staff know they are all under age but still serve them.	12/11/2010	21:24:46	CH_N18	07203
Caller would not give any names and wished to remain anon.	12/11/2010	21:24:56	CH_N18	07203
STATUS CHANGED MANUALLY Received->Received FIVE STEP PROCESS	12/11/2010	21:31:38	DISP_N8	05562
STATUS CHANGED MANUALLY Received->Area Supv Informed FIVE STEP PROCESS Sgt 2071 aware of incident	12/11/2010	21:32:17	DISP_N8	05562
	12/11/2010	21:32:26	DISP_N8	05562

STATUS CHANGED MANUALLY Area Supv Informed->Received OTHER REASON				
***** Dispatch unable to re-contact caller as no number available *****	12/11/2010	21:52:42	DISP_N8	05562
STATUS CHANGED MANUALLY Received->Re-Contact Caller FIVE STEP PROCESS ***** Unable to re-contact caller as no telephone number *****	12/11/2010	21:53:11	DISP_N8	05562
STATUS CHANGED MANUALLY Re-Contact Caller->Received OTHER REASON	12/11/2010	21:53:24	DISP_N8	05562
Sgt 2071 and PC 2394 attending Cricket Club.	12/11/2010	21:54:37	DISP_N8	05562
Further call from the informant stating the youths are still in their being served with alcohol and police have not attended yet. Caller advised officers en route.	12/11/2010	22:06:34	CH_N18	07203
update	12/11/2010	22:06:52	CH_N18	07203
A/Sgt 2071 advised of further call.	12/11/2010	22:09:10	DISP_N8	05562
Police attended Seaham Park, Cricket Club on Bryon Terrace, Seaham following reports of underage youths drinking in the club.	13/11/2010	01:56:30	DISP_N8	05562
As police arrived 30-40- youths made off from the premises across the fields leaving behind many pint glasses of alcoholic drinks.	13/11/2010	01:56:30	DISP_N8	05562
Police entered and spoke to a male who identified himself as the treasurer, called [REDACTED] born [REDACTED] of [REDACTED]	13/11/2010	01:56:30	DISP_N8	05562
[REDACTED] was quite heavily intoxicated and when asked who was in charged he replied, "That's probably me".	13/11/2010	01:56:30	DISP_N8	05562
Thyne was not able to identify any member of staff who holds a liquor licence to sell alcohol and merely pointed to a laminated piece of paper behind the bar which he said was the	13/11/2010	01:56:30	DISP_N8	05562
licence.	13/11/2010	01:56:30	DISP_N8	05562
This paper showed a policy number of DOECO10 REF: 2823.	13/11/2010	01:56:30	DISP_N8	05562
Inside the small cricket club I would estimate there to have been at least 100 other youths in the premises many of whom made off out the rear exit as I entered and there was about	13/11/2010	01:56:30	DISP_N8	05562
20 adults also in the bar area.	13/11/2010	01:56:30	DISP_N8	05562
I asked [REDACTED] how many people were allowed in the premises but he stated he had no idea, and he also confirmed there was no CCTV in the premises.	13/11/2010	01:56:30	DISP_N8	05562
When I pointed out the underage persons in the bar he stated that there was some sort of organised gathering for the cricket club, but he did not seem bothered about them drinking.	13/11/2010	01:56:30	DISP_N8	05562
[REDACTED] was warned that the matter would be passed onto the licensing unit but again he did not seem bothered.	13/11/2010	01:56:30	DISP_N8	05562
[REDACTED] was told to remove the youths from the bar prior to police returning later in the evening.	13/11/2010	01:56:30	DISP_N8	05562
Disposition code: '353','04'	13/11/2010	02:03:17	DISP_N8	05562
# Arrests 0 # Cautions 0 # Reports 0	13/11/2010	02:03:17	DISP_N8	05562
OIC / Handling Officer 02394	13/11/2010	02:03:17	DISP_N8	05562
Qualifiers,Alcohol Related,Youth Related	13/11/2010	02:03:17	DISP_N8	05562
DHM-12112010-0486 HAS BEEN DISPOSED	13/11/2010	02:03:17	DISP_N8	05562

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WITNESS STATEMENT

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

URN

Statement of: JASON POOL

Age if under 18: 018 (if over 18 insert 'over 18') Occupation: POLICE CONSTABLE 2071

This statement (consisting of 2 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.

Signature:  (witness) Date: 12/10/2011

I am a police constable in the Durham Constabulary currently based at Peterlee police station.



On Friday 12th November 2010 I was on duty in uniform carrying out Acting Sergeant duties from Seaham police station working from 21.00 hours and 07.00 hours on Saturday morning.


Around 22.00 hours I attended Seaham Park Cricket Club on Bryon Terrace in Seaham with several other police officers following reports that there were a large number of youths in the club drinking alcohol.


As I drove down the track towards the cricket club I could see a large group of youths standing to side of the club and as we got nearer some of them put their pint glasses and Alco pop bottles on the floor and hurried back inside whilst some of them ran away and around the side of the cricket pitch.

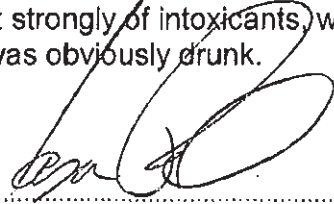
As I exited my vehicle and walked towards the entrance I could hear several people shouting, "the police are here", and as I entered I could see large groups of youths, male and female clearly under than age of 18, running out of the other entrance/exit area leaving have half drank pint glasses on the tables and I could also see half drank bottles of Alco pops on the tables and floors.

some of my officers tried to speak to the youths who exited as we got there but they ran off along the side of the cricket pitch.

I went to the bar area and asked a female behind the bar who was in charge, she pointed towards a male who identified himself as  born  was sitting down at a seated area in clear view of the bar about 10 feet away, drinking with several other adults but came to me as I was asking the female questions.

 stated that he was the treasurer of the Cricket Club and when I asked him who was in charge of the club he replied, "That's probably me".

 smelt strongly of intoxicants, was unsteady on his feet and his could not speak clearly, he was obviously drunk.

Signature:  Signature witnessed by:

I asked him which staff member hold the liquor licence allowing alcohol to be served and he merely pointed to a laminated piece of paper which showed a policy number of DOEC010 REF:3823.

I made a note of the policy details on the form and then asked [redacted] how many people were allowed in the premises at any one time as I would estimate that there were at least 100 youths aged from 14 upwards inside and around the premises who all made off as we got there as well as around 20 adults who were mainly seated close to the bar area. Of the youths who made off from the premises I would estimate their average age to have been 16 years.

[redacted] stated that he had no idea how many people were allowed in the club and did not seem at all bothered about the matter or the fact there were so many underage youths drinking in the club.

I explained to [redacted] that the incident would be reported to the Licensing unit as well as telling him to ensure the youths were not allowed back in the premises after we left but again he did not seem at all bothered.

Unfortunately due to being committed to other incidents, my officers and myself were unable to re-attend the club that evening to ensure the youths had not returned but we did not receive any my phone calls highlighting any more problems there during that evening.

It is my belief that the youths made off from the premises when we arrived because they were all underage and consuming alcohol illegally, further more, they were consuming alcohol inside the premises without being challenged or asked for identification by any member of staff.

I can recall that the female who I initially spoke to behind the bar and [redacted] were not bothered at all about the reason for our visit or the fact that I would report the issues to the licensing department.

Signature: [Handwritten Signature]

Signature witnessed by:

Signature: [Handwritten Signature]

Signature witnessed by:

DURHAM CONSTABULARY RESTRICTED

ISR Report:

DHM-19022011-0002 (Closed)

19/02/2011 00:02:39	432, ROWDY/NUISANCE INCIDENT	DHM-19022011-0002 / DHM	RADIO	DURHAM
Priority:(3) Scheduled	TO CLOSE	F1	Officer Dealing:01396	
Operator:06597	Dispatcher:	F1J (440774,550178)	Creator Wkstn:DISP_N8	

Address Information	
SEAHAM PARK CRICKET CLUB	
BYRON TER, , SEAHAM, SR70HX	
Proximity:	<input checked="" type="checkbox"/> Gazeteer Validation

Disposition Codes
ROWDY OR INCONSIDERATE BEHAV
EVENT CODE - MOPI 3

Complainant Information	
MCKINLAY PC 1396	
POLICE OFFICER <input type="checkbox"/> Media Consent <input type="checkbox"/> Visit Req.	
Sex: F	

Date / Time Information		
Initial Input	19/02/2011	00:02:39
Held	19/02/2011	00:04:52
Received	19/02/2011	00:05:12
Resulted	19/02/2011	00:19:35
Disposed	19/02/2011	00:19:36

Qualifiers	
DISPOSAL QUALIFIERS	Self Deployment
DISPOSAL QUALIFIERS	Youth Related
DISPOSAL QUALIFIERS	Alcohol Related
THEME	ANTI SOCIAL

ISR Relations	
PERSONS - CONNECTED TO INCIDENT	ELLIS BEECH (Date of Birth : 13/12/1993)

ISR Comments				
QUESTION SET HAS BEEN EXITED BEFORE COMPLETION	19/02/2011	00:05:23	DISP_N8	06597
PC 1396 reports a member of public has reported directly to her that a group of youths have been squaring up with each other near to the cricket club.	19/02/2011	00:07:57	DISP_N8	06597
PC 1396 reports approximately 40 youths made off in various directions upon her arrival.	19/02/2011	00:08:22	DISP_N8	06597
One very drunken youth was taken home.	19/02/2011	00:08:31	DISP_N8	06597
Relation Type:CONNECTED TO INCIDENT Last Name: [REDACTED] First Name (s) [REDACTED] Date of Birth: [REDACTED] 1.H/A-Street,Town / 2.Alt.Add. [REDACTED] SEAHAM Sex:M	19/02/2011	00:09:42	DISP_N8	06597
[REDACTED] was spoken with in the company of his parents.	19/02/2011	00:10:00	DISP_N8	06597
The occupants of [REDACTED] Seaham were spoken with.	19/02/2011	00:10:17	DISP_N8	06597
They were quite irate as this is an ongoing problem.	19/02/2011	00:10:29	DISP_N8	06597
Logged for the attention of the local NPt.	19/02/2011	00:10:43	DISP_N8	06597
Disposition code: '432','03'	19/02/2011	00:19:36	SUPD_N2	05269
# Arrests 0 # Cautions 0 # Reports 0	19/02/2011	00:19:36	SUPD_N2	05269

OIC / Handling Officer 01396	19/02/2011	00:19:36	SUPD_N2	05269
Qualifiers,Alcohol Related,Self Deployment,Youth Related	19/02/2011	00:19:36	SUPD_N2	05269
DHM-19022011-0002 HAS BEEN DISPOSED	19/02/2011	00:19:36	SUPD_N2	05269

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ISR Report:

DHM-05082011-0442 (Closed)

05/08/2011 20:43:24	353, SUSPICIOUS ACTIVITY	DHM-05082011-0442 / DHM	999	DURHAM
Priority:(2) Priority	SUSPICIOUS ACTIVITY	F1	Officer Dealing:02338	
Operator:07204	Dispatcher:06767	F1J (440774,550178)	Creator Wkstn:CH_P_37	

Address Information		Disposition Codes
SEAHAM PARK CRICKET CLUB		
BYRON TER, , SEAHAM, SR70HX		
Proximlty:	<input checked="" type="checkbox"/> Gazeteer Validation	
Complainant Information		EVENT CODE - MOPI 4
ANON FEMALE, ██████████		
DECLINED		
OTHER SOURCE <input type="checkbox"/> Media Consent <input type="checkbox"/> Visit Req'd.		

Date / Time Information

Qualifiers	
DISPOSAL QUALIFIERS	Alcohol Related
THEME	PUBLIC SAFETY

Unit Activity					
E27V	05/08/2011	21:14:23	02338		En-Route
SEAHAM PARK CRICKET CLUB, BYRON TER, , SEAHAM					
E19U	05/08/2011	21:18:16	02419		En-Route
SEAHAM PARK CRICKET CLUB, BYRON TER, , SEAHAM					
E19U	05/08/2011	21:26:07	02419		Available
RESOURCE HAS BEEN REMOVED DHM-05082011-0442					
E19U	05/08/2011	21:26:07	02419		Available
UNIT HAS BEEN DIVERTED:DHM-05082011-0463 DHM-05082011-0442					
E27V	05/08/2011	21:30:52	02338		At Scene
2101090					
E27V	05/08/2011	21:35:37	02338		Available
2101090					

ISR Comments

QUESTION SET HAS BEEN EXITED BEFORE COMPLETION	05/08/2011	20:44:24	CH_P_37	07204
reports approx 40 youths in above location who are all being served alcohol	05/08/2011	20:45:04	CH_P_37	07204
caller states she knows a number of the youths and that they are aged 13/14 years	05/08/2011	20:45:26	CH_P_37	07204
caller did not challenge staff in the premises	05/08/2011	20:45:36	CH_P_37	07204
the youths are present attending a party	05/08/2011	20:46:01	CH_P_37	07204
STATUS CHANGED MANUALLY Received->Received FIVE STEP PROCESS	05/08/2011	20:47:33	NE_P_09	06256
LOG CHECK - NO PATROLS AVAILABLE	05/08/2011	20:48:10	NE_P_05	06767
2338 - The cricket club is full of adults. There is couple of youths at the front of the premises who are in company with adults and are not drinking alcohol. Everything is order.	05/08/2011	21:35:37	NE_P_09	06256

██████████ states that they ejected a female from the premises a short while ago and it is possibly a malicious call from her.	05/08/2011	21:35:37	NE_P_09	06256
Disposition code: '389','04'	05/08/2011	21:36:28	NE_P_09	06256
# Arrests 0 # Cautions 0 # Reports 0	05/08/2011	21:36:28	NE_P_09	06256
OIC / Handling Officer 02338	05/08/2011	21:36:28	NE_P_09	06256
Qualifiers,Alcohol Related	05/08/2011	21:36:28	NE_P_09	06256
DHM-05082011-0442 HAS BEEN DISPOSED	05/08/2011	21:36:28	NE_P_09	06256

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ISR Report:

DHM-12082011-0473 (Closed)

12/08/2011 20:42:21	353, SUSPICIOUS ACTIVITY	DHM-12082011-0473 / DHM	TEL	DURHAM
Priority:(2) Priority	SUSPICIOUS ACTIVITY	F1	Officer Dealing:00382	
Operator:07079	Dispatcher:07120	F11 (440774,550178)	Creator Wkstr:CH_P_36	

Address Information	
SEAHAM PARK CRICKET CLUB	
BYRON TER, , SEAHAM, SR70HX	
Proximity:	<input checked="" type="checkbox"/> Gazeteer Validation
Complainant Information	
[REDACTED]	
[REDACTED] SEAHAM	
WITNESS <input type="checkbox"/> Media Consent <input type="checkbox"/> Visit Reqd.	

Disposition Codes
SUSPICIOUS/INSECURE
EVENT CODE - MOPI 4

Date / Time Information		
Call Received	12/08/2011	20:42:21
Incident Created	12/08/2011	20:42:21
Address Validated	12/08/2011	20:44:07
Initial Input complete	12/08/2011	20:44:25
Transfer Sent	12/08/2011	20:45:55
Transfer Accepted	12/08/2011	20:44:25
Dispatched	12/08/2011	21:01:57
At Scene	12/08/2011	21:09:42
Units Cleared	12/08/2011	21:24:48
Disposed	12/08/2011	22:07:35

Qualifiers	
DISPOSAL QUALIFIERS	Youth Related
THEME	PUBLIC SAFETY

Unit Activity					
E28V	12/08/2011	21:01:57	00382	03550	En-Route
[REDACTED], SEAHAM					
E28V	12/08/2011	21:09:42	00382	03550	At Scene
2100964					
E28V	12/08/2011	21:09:44	00382	03550	At Scene
2102387 TIMER SET TO EXPIRE AT 12/08/2011 21:59:44					
E28V	12/08/2011	21:24:48	00382	03550	Available

ISR Comments				
QUESTION SET HAS BEEN EXITED BEFORE COMPLETION	12/08/2011	20:44:29	CH_P_36	07079
Caller reports that she has just witnessed a number of youths go into the Cricket club and they will be underage drinking as this has been happening over the last few weeks	12/08/2011	20:45:06	CH_P_36	07079
The youths will cause a nuisance when they are leaving later as caller has had problems	12/08/2011	20:45:43	CH_P_36	07079

STATUS CHANGED MANUALLY Received->Received FIVE STEP PROCESS	12/08/2011	20:53:42	NE_P_05	01190
LOG CHECK - NO PATROLS AVAILABLE	12/08/2011	20:53:46	NE_P_05	01190
STATUS CHANGED MANUALLY Received->Area Supv Informed FIVE STEP PROCESS A/Sgt 927 aware	12/08/2011	20:59:06	NE_P_09	07120
From 382 - has attended the cricket club and spoken to the owner owner	12/08/2011	21:20:36	NE_P_09	07120
PDC supv noted	12/08/2011	21:38:59	SUP_P_02	05907
QUESTION SET HAS BEEN EXITED BEFORE COMPLETION	12/08/2011	22:01:03	NE_P_09	07120
QUESTION SET HAS BEEN EXITED BEFORE COMPLETION	12/08/2011	22:02:03	NE_P_09	07120
14/12/1957 who stated that there was private party ongoing at the premises.	12/08/2011	22:02:47	NE_P_09	07120
There were no problems in the venue and all persons drinking alcohol were over the legal age limit.	12/08/2011	22:03:20	NE_P_09	07120
No offences disclosed.	12/08/2011	22:04:10	NE_P_09	07120
Disp has recontacted the informant - answerphone message left advising of outcome.	12/08/2011	22:05:51	NE_P_09	07120
Disposition code: '355','04'	12/08/2011	22:07:35	NE_P_09	07120
# Arrests 0 # Cautions 0 # Reports 0	12/08/2011	22:07:35	NE_P_09	07120
OIC / Handling Officer 00382	12/08/2011	22:07:35	NE_P_09	07120
Qualifiers, Youth Related	12/08/2011	22:07:35	NE_P_09	07120
DHM-12082011-0473 HAS BEEN DISPOSED	12/08/2011	22:07:35	NE_P_09	07120

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Dear Chief Constable,

As an extremely concerned parent I feel obliged to write to you and inform you of the current situation taking place at our Local Cricket Club (Seaham Park CC) in Seaham Co Durham. My son who is Only 14 years old and plays cricket there and often goes to the club on a night to play pool and hang about with his mates. A Month or so back he came home one Friday night and could hardly walk he was that drunk. The next day we quizzed him on where he had been and where he had purchased the alcohol from and was shocked to find he had actually been served it at the bar in the cricket club and this was a regular thing especially on a Friday night. After speaking to a few of his friends parents it became clear that it was well known of the underage drinking that takes place within the cricket club. I approached his coach whom to be fair has nothing to do with the actually bar and he admitted that he was aware of the underage drinking but could do nothing about it as he only dealt with the cricket side of the club and social side was ran by different people.

With this in mind I visited the cricket club on the night of Friday 5th August and was absolutely gob-smacked at what I saw it could only be best described as youth club that sold alcohol. After this visit I reported it to Sea ham Police who up to now don't seem to have done anything about it although I am told a number of officers are actually members there and play cricket there. Although I no longer allow my Son to go to the club I can't help but think it is only a matter of time that a serious incident takes place there with that many kids under the influence of alcohol. As a responsible and worried parent I simply cannot turn a blind eye to this. If the Police do not act on this then I will be left with no choice but to go to the local newspaper and report what is going on and what appears to be the Police turning a blind eye including a copy of this letter. I hope it does not get and hope you see fit to act upon the information.

Yours Sincerely

A very Concerned Parent.

Received at HQ
on
9th Sept 2011

DURHAM CONSTABULARY



Aiming for
EXCELLENCE

C. H. SOUTHEY, LL.B, M.A.
Solicitor to the Chief Constable

Police Headquarters, Aykley Heads, Durham. DH1 5TT
DX 68850 Durham 8
Direct Line: (0191) 375 2191

S. J. MOONEY, LL.B
Deputy Force Solicitor

Direct Line: (0191) 375 2764

J. MARTIN, F.Inst. L.Ex
Legal Executive

Direct Line: (0191) 375 2068

J. M. TURNBULL, B.A.
Assistant Force Solicitor

Direct Line: (0191) 375 2947

FAX No: (0191) 375 2290

Our Ref: SM
Your Ref:

Date: 16 November 2011

Dear Sirs

Re: Application for Review of Club Premises Certificate
Applicant: Chief Constable of Durham
Premises: Seaham Park Cricket Club

With reference to the above matter I attach a copy of a further statement produced by the Police. This is the statement of PC 1396 Jennifer McKinlay dated 10 November 2011.

I confirm a copy of this statement has today been served upon the solicitors representing the premises.

If there are any problems please do not hesitate to contact me on my direct line.

Yours faithfully


S J Mooney
Deputy Force Solicitor

(Enc)

FAO Helen Johnson
Licensing Unit
Environment, Health and Consumer Protection
Unit 1
Damsen Way
Dragonville Industrial Estate
Durham
DH1 2YN



NOT PROTECTIVELY MARKED

WITNESS STATEMENT

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

URN

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Statement of: Jennifer McKINLAY

Age if under 18: OVER 18 (if over 18 insert 'over 18') Occupation: Police Constable 1396

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.

Signature: Jennifer McKinlay (witness) Date: 10/11/2011

I am a police constable in Durham Constabulary currently stationed at Seaham Police Office.

On Saturday the 19th of February 2011 I was on duty on mobile patrol, in full uniform in company with PC 2571 WILSON.

At around 2350hrs on this day, whilst on mobile patrol we were flagged down by two members of the public who were stood outside of [redacted] Byron Terrace, Seaham. They advised us that there had been a disturbance involving a large group of youths who were squaring up to each other in the vicinity of the Cricket Club. The cricket club is situated behind New Seaham Primary School which is opposite Byron Terrace.

We approached the cricket field and could see in the darkness that a large number of youths ran off upon seeing us, all in various different directions.

We did manage to speak to one intoxicated female who gave the name of [redacted] Seaham. She was extremely intoxicated and was returned home and suitably advised and left in the care of her mother. She did not provide us with any information as to where she obtained her alcohol.

Upon speaking with the occupants of [redacted] it was apparent that they were very unhappy and stated that this was a regular problem. They stated that they fear for their property and cars etc. that they park on the main road. They also stated that on a number of occasions they have had cause to ask youths to move on and all they get in return is a tirade of abuse.

I advised them that I would create an incident log of their complaint and make the local beat team aware of the problem. They stated that they believed the youths were getting their alcohol from the local cricket club, however, on this occasion there was no evidence to suggest this.

Having worked as a police officer in Seaham for nearly 12 years I am aware that the cricket club field has always been a popular place for the local youths to congregate and that this causes the local residents some distress and annoyance.

Signature: Jennifer McKinlay Signature witnessed by:

Appendix 4
Comments from Seaham Town Council

Helen Johnson

Subject: FW: RE: Premises Licence Review - Seaham Park Cricket Club, The Pavillion, Seaham Town Park, Stockton Road, Seaham, SR7 0HX

From: Clerk [<mailto:Clerk@seaham.gov.uk>]

Sent: 04 November 2011 11:43

To: kelly watson

Subject: RE: Premises Licence Review - Seaham Park Cricket Club, The Pavillion, Seaham Town Park, Stockton Road, Seaham, SR7 0HX

Dear Ms Watson,

I have been requested by the Members of Seaham Town Council to write to you with regard to their comments on the review of this premises licence.

The key initial point to be made is that Seaham Town Council do not condone the activity which has led to this review.

The sports club relies on the income generated from the bar and if that income were lost it would have a detrimental effect on the club, potentially affecting it's future existence which would in turn have a detrimental effect on the facilities available to the community.

The Town Council have discussed the issues with the club and made it clear to them that the Council cannot tolerate illegal activity to take place in any of its buildings. The club have given assurances that they will put in place stringent measures to ensure that individual identification is appropriately checked, no 18th birthdays will be accepted only 21st birthday celebrations and they will do their utmost to ensure no alcohol is served to under age youths. With regard to these measures the Town Council request that the club is closely monitored and that these improved measures are checked on a regular basis by the enforcement team.

If you require any further clarification on this matter please do not hesitate to contact me.

Yours sincerely,

Mark Welsh
TOWN CLERK
Seaham Town Council
3/4 Adelaide Row
Seaham
County Durham
SR7 7EF

Tel: 0191 5818034
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Appendix 5

Relevant Parts of the Licensing Policy

Relevant Parts of the Council's Statement of Licensing Policy

5.0 The Prevention of Crime and Disorder

5.1 Licensed premises, especially those offering late night / early morning entertainment, alcohol and refreshment may sometimes, if not properly managed, become a source of public nuisance, generating crime and disorder problems.

5.2 As a matter of Policy the Licensing Authority will require every holder of a Licence, Certificate or Permission to be responsible for minimising the impact of crime, disorder and anti-social behaviour by their patrons both on and within the vicinity of their premises, including for example on the pavement, in a beer garden or in a smoking shelter. The Licensing Authority suggests that applicants demonstrate in their Operating Schedules that suitable and sufficient measures, ranging from the design and layout of the premises through to the daily operation of the business have been identified and will be implemented and maintained with the intention of preventing crime and disorder. Procedures to deal with drunken customers, violence and anti social behaviour in and outside premises and the provision of closed circuit television in certain premises must be considered by applicants and licencees when addressing this issue. The Licensing Authority will also expect that Personal Licence holders will actively participate in established "Pubwatch" schemes where issues relating to crime and disorder can be addressed. The Licensing Authority support involvement in "Best Bar None" initiative which enables premises to demonstrate good safe operating procedures.

5.3 The Licensing Authority considers the effective and responsible management of the premises through competent and efficient and regular instruction, recorded training, supervision of staff and the adoption of good practice, such as 'Challenge 25', to be among the most important control measures for the achievement of all Licensing Objectives. The Licensing Authority will take a positive view of anyone who invests in appropriate training, and in particular nationally accredited qualifications tailored to the Licensing sector. Training records should be kept available for inspection by all enforcement agencies.

5.4 The application for premises selling alcohol must identify a Designated Premises Supervisor (DPS) who must also hold a Personal Licence. The DPS does not have to be present on the premises at all times when alcohol is being sold. However, the DPS and Premises Licence Holder remain responsible for the premises at all times. It is important that there is an accountable, responsible person present when alcohol is being sold or supplied to ensure, for example, that alcohol is not sold to persons who have had too much to drink, or to those under the age of 18 years, and so that the Licensing Authority and Police can discuss any problems or issues arising from the licensable activities offered on the premises. The Licensing Authority considers it to be good practice if the DPS or Premises Licence Holder is present in the licensed area of the premises:

- Between 22:00 hours and closing time, when the premises is one that regularly opens after midnight for both regulated entertainment and the sale or supply of alcohol for consumption on the premises.
- At all times when the premises is a "vertical drinking establishment" where little or no seating is provided.
- At times where there is a substantial increase in customers i.e. for televised major sporting events etc.

5.5 The Licensing Authority will only impose a maximum number of people that can attend a premises or an event where there is a clear and justifiable need in respect of that particular premises or event, any such decision will be based on the nature and style of the operation. The Licensing Authority will consider information provided by the applicant and any other body, in particular the Council's Building Control Section, Environmental Health Section and the Durham and Darlington Fire and Rescue Service before setting a maximum number. Applicants will be expected to detail the arrangements that would be put in place e.g. provision of door staff to ensure that the permitted number of people attending the premises or event will not be exceeded.

5.6 Whenever security operatives/door supervisors are employed at licensed premises to carry out security functions they must be licensed by the Security Industry Authority (SIA). If a licensee directly employs security operatives they will need to be licensed by the SIA as a supervisor/manager.

5.7 The numbers of licensed door supervisors, both male and female, required at any premises will be dependant upon the nature of the activities licensed and the characteristics and capacity of the establishment and hours of trading.

5.8 In addition to the requirement of the Licensing Authority to promote the Licensing Objectives, the Council also has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in its area and to consider crime and disorder in its decision making process.

7.0 Prevention of Public Nuisance

7.1 Licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of nuisances impacting on people living, working or sleeping in the vicinity of the premises.

7.2 The concerns relate, amongst other things, to litter, light pollution, noxious odours and noise nuisance resulting from music, human voices, ventilation equipment and vehicles. The Licensing Authority will expect applicants to demonstrate that suitable and sufficient measures have been identified, and will be implemented and maintained, with the intention of preventing public

nuisance relevant to the individual style and characteristics of the premises and events.

7.3 If an external structure or area is to be used by customers, whether for consumption of alcohol or smoking, the applicant will be expected to offer measures designed to minimise its impact on local residents in respect of both public nuisance and crime and disorder. These measures may include a restriction on hours that areas / structures will be used, appropriate signage requesting customers to consider local residents and monitoring of such areas by staff.

7.4 The placement of tables and chairs outside of licensed premises may give rise to public nuisance including noise and litter. When tables and chairs are situated on the public highway relevant consents will be required. Enquiries for consents should be directed to the Council's Licensing Team. In predominantly commercial areas such as shopping centres the Licensing Authority will normally allow the use of tables and chairs outside but will expect them to be removed before the premises close, and any resulting litter/ debris cleared away.

7.5 Applicants should give consideration to reducing potential noise nuisance by, for example:

- Assessment of likely noise levels in the premises.
- Assessment of likely noise levels if outdoor drinking is allowed.
- The sound insulation the building would provide (e.g. double glazing, openable windows, double doors / lobbies to entrances).
- The distance and direction to the nearest noise sensitive premises.
- Likely noise sources outside of the premises (e.g. emptying bottle bins, taxis, unruly customers leaving the premises).
- Dispersal of patrons – where necessary the Licensing Authority will expect a dispersal policy for patrons at the end of the evening. The policy will specify such issues as alterations to the style and volume of music played, public address announcements and use of appropriate signage at exits.
- Ways to limit noise / disorder from patrons leaving the premises.

7.6 The extent to which the above matters will need to be addressed will be dependant on the nature of the area where the premises are situated, the type of premises concerned, the licensable activities to be provided, operational procedures and the needs of the local community.

7.7 Applicants are advised to seek advice from Durham County Councils Environmental Health Team and incorporate any recommendations in their Operating Schedule before submitting their applications.

8.0 Protection of Children from Harm

8.1 While the Act does not prohibit children from having free access to any licensed premises, the Licensing Authority recognises that limitations may have to be considered where it appears necessary to protect children from physical, moral or psychological harm.

8.2 The Act makes it an offence for any child under the age of 16 who is not accompanied by an adult from being present:

- at any time on pub premises, or other premises being used exclusively or primarily for the supply of alcohol for consumption on those premises; or
- between the hours of midnight and 05:00 hours on restaurant premises or other premises that supply alcohol for consumption on the premises
- the Licensing Authority will judge the merits of each separate application before deciding whether to impose conditions limiting the access of children to individual premises where it is necessary to prevent physical, moral or psychological harm.

8.3 The Licensing Authority may consider the following when dealing with a Licence application where children may have limited access:

- Limitations on the hours when children may be present.
- Limitations on under 18s
- Limitations or exclusion when certain activities are taking place.
- Requirements for an accompanying adult to be present.
- Full exclusion of people under 18 from the premises when certain licensable activities are taking place (e.g. entertainment of a sexual nature).
- Limitations on the parts of premises to which children might be given access.
- Any other limitations appropriate to the application and according with the four Licensing Objectives.

8.4 The Licensing Authority will work closely with the Police and the Council's Trading Standards Service to ensure the appropriate enforcement of the law,

especially relating to the sale and supply of alcohol to children. Alcohol must not be served to persons under the age of 18, except in limited circumstances allowed by the law, and then only after verifying a person's proof of age e.g. 16 and 17 year-olds may drink beer, wine or cider with a table meal in relevant premises, where accompanied by an adult aged 18 years or over. The currently accepted verifications for proof of age are a passport, a photo card driving licence or a proof of age scheme such as Challenge 25

Events which are aimed at children under the age of 18 years on licensed premises will not be looked on favourably by the licensing authority unless the applicant can demonstrate that all safeguards for children have been addressed such as the removal of alcohol advertising.

8.5 Recorded staff training programmes, the use of a refusals register, in-store signage and limited access to alcoholic drink can all reduce the likelihood of illegal sales.

8.6 The Licensing Authority commends the use of the 'Portman Group' Code of Practice on the naming, packaging and the promotion of alcoholic drinks in all licensed premises.

Appendix 6
Section 182 Guidance – Part 11, Reviews

11. Reviews

THE REVIEW PROCESS

- 11.1 The proceedings set out in the 2003 Act for reviewing premises licences represent a key protection for the community where problems associated with the licensing objectives are occurring after the grant or variation of a premises licence.
- 11.2 At any stage, following the grant of a premises licence, a responsible authority, or an interested party, may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.
- 11.3 The Regulations allow applications for reviews to be made electronically, as long as the licensing authority agrees and the applicant submits a subsequent written application. The licensing authority may also agree in advance that the application need not be given in writing. However, these applications are outside the formal electronic application process and may not be submitted via businesslink or the licensing authority's electronic facility.
- 11.4 In addition, a review of the licence will normally follow any action by the police to close down the premises for up to 24 hours on grounds of disorder or noise nuisance as a result of a notice of magistrates' court's determination sent to the licensing authority.
- 11.5 Licensing officers may not initiate their own reviews of premises licences, but elected members of the licensing authority may request reviews if they are concerned about licensed activities at a premises or such matters are brought to their attention (see paragraph 8.15 above). Officers of the local authority who are specified as responsible authorities under the 2003 Act, such as environmental health officers, may also request reviews on any matter which relates to the promotion of one or more of the licensing objectives.
- 11.6 Representations made by a department of the local authority which is a responsible authority should be treated by the licensing authority in precisely the same way that they would treat representations made by any other body or individual.
- 11.7 In every case, the representation must relate to particular premises for which a premises licence is in existence and must be relevant to the promotion of the licensing objectives. After a licence or certificate has been granted or varied, a complaint relating to a general (crime and disorder) situation in a town centre should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.
- 11.8 Representations must be in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing.
- 11.9 It is important to recognise that the promotion of the licensing objectives relies heavily on a partnership between licence holders, authorised persons, interested parties and responsible authorities in pursuit of common

aims. It is therefore equally important that reviews are not used to drive a wedge between these groups in a way that would undermine the benefits of co-operation. It is good practice for authorised persons and responsible authorities to give licence holders early warning of their concerns about problems identified at the premises concerned and of the need for improvement. A failure to respond to such warnings is expected to lead to a decision to request a review.

- 11.10 Where the request originates with an interested party – e.g. a local resident, residents' association, local business or trade association – the licensing authority must first consider whether the complaint made is relevant, vexatious, frivolous or repetitious.
- 11.11 Further information for interested parties about the review process is available in "Guidance for interested parties: applying for a review" which can be found on the DCMS website.

REPETITIOUS REPRESENTATIONS

- 11.12 Relevance, vexation and frivolousness were dealt with in paragraphs 9.8 – 9.13 above. A repetitious representation is one that is identical or substantially similar to:
- a ground for review specified in an earlier application for review made in relation to the same premises licence which has already been determined; or
 - representations considered by the licensing authority when the premises licence was first granted; or
 - representations which would have been made when the application for the premises licence was first made and which were excluded then by reason of the prior issue of a provisional statement;

and, in addition to the above grounds, a reasonable interval has not elapsed since that earlier review or the grant of the licence.

- 11.13 Licensing authorities are expected to be aware of the need to prevent attempts to review licences merely as a second bite of the cherry following the failure of representations to persuade the licensing authority on earlier occasions. It is for licensing authorities themselves to judge what should be regarded as a reasonable interval in these circumstances. However, the Secretary of State recommends that more than one review originating from an interested party should not be permitted within a period of twelve months on similar grounds save in compelling circumstances or where it arises following a closure order.
- 11.14 The exclusion of a complaint on the grounds that it is repetitious does not apply to responsible authorities which may make more than one request for a review of a premises within a 12 month period.
- 11.15 When a licensing authority receives a request for a review from a responsible authority or an interested party or in accordance with the closure procedures described in Part 8 of the 2003 Act, it must arrange a hearing. The arrangements for the hearing must follow the provisions set out by the Secretary of State in regulations. The details may be viewed on the DCMS website. The Secretary of State considers it particularly important that the premises licence holder is fully aware of the representations made in respect of the premises, any evidence supporting the representations and that they or their legal representatives have therefore been able to prepare a response.

LICENSING ACT 2003

TO: Durham County Council Licensing Department as the Licensing Authority.

Application for Review of a Premises Licence

Premises: Seaham Park Cricket Club, The Pavillion,
Seaham Town Park, Stockton Road, Seaham,
SR7 0HX.

Applicant: The Chief Constable of Durham

Date of application: 27th October 2011

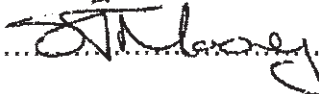
I Stephen James Mooney (Deputy Force Solicitor on behalf of the Chief Constable of Durham – the Applicant for the Review), pursuant to Regulation 9 of The Licensing Act 2003 (Hearings) Regulations 2005, give notice to the Licensing Authority that I consider a hearing to be unnecessary and request that the Licensing Authority dispenses with such provided that the club premises certificate is subject to the following steps and modified as follows:

1. The Club Premises Certificate be suspended for the period of three months from 17th January 2012 to 15th April 2012;
2. Before the 15th April 2012 the current ~~Chairman, Secretary, and the current Treasurer~~, be removed from the Club Committee; and
3. The following conditions be attached to the Club Premises Certificate:

- | |
|---|
| 1. The Licence holder shall ensure that at all times when the premises are open for any licensable activity, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence. |
| 2. Staff will be trained on their responsibilities under the Licensing Act and a record will be kept of training. Training will initially be refreshed before the 15 th April 2012 and thereafter every 6 months. The training will be refreshed by an external company. That record will be available for inspection at the premises by the Police or the Licensing Authority upon providing reasonable notice. |
| 3. Clear and legible notices shall be displayed at exits and on the terrace advising patrons not to leave the confines of the grounds whilst in the possession of a glass or open alcohol container. Patrons will also be reminded that, except during the cricket season and when a game or practice is taking place, no alcoholic drinks are allowed to leave the |

premises (including the terrace).
4. Clear and legible notices shall be displayed at exits and other circulatory areas requesting patrons to leave the premises having regard to the needs of local residents, in particular emphasising the need to refrain from shouting.
5. No person shall work behind the bar serving alcohol unless they have undergone training regarding the Licensing Act and sales of alcohol.
6. Fire fighting equipment shall be provided in the licensed premises in accordance with the risk assessment and staff shall be suitably trained as necessary.
7. Posters will be displayed at the premises advising members of the Challenge 25 Policy in operation.
8. All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 25 years (Challenge 25 Scheme) and who is seeking to purchase or consume alcohol on the premises. Such credible evidence, which shall include a photograph of the customer, will either be a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.
9. The premises will operate a 'Refusals Book' to record refusals of sales of alcohol, in line with the premises Challenge 25 Policy. Such will be available for inspection by the Police or the Licensing Authority upon providing reasonable notice.
10. An incident book will be kept and maintained at the premises to record incidents of crime and disorder associated with the provision of licensable activities from the premises, or incidents in the vicinity brought to the attention of the management. Such will be available for inspection by the Police or the Licensing Authority upon providing reasonable notice.
11. There will be no parties at the premises for any birthdays under 21.
12. Any special events or functions shall be organised and operated under a risk assessment. Such risk assessment shall be discussed and minuted at a Committee meeting.

It is considered that together these measures address the concerns which led to the review application. It is believed that a full days hearing is no longer necessary, as a result of mediation and partnership working. Disposing of the hearing will also have the benefit of saving Police and Council time and any further public expense.

Signed:..........

Full name/names: Stephen James Mooney – Deputy Force Solicitor

Date: 12th January 2012

LICENSING ACT 2003

TO: Durham County Council Licensing Department as the Licensing Authority.

Application for Review of a Premises Licence

Premises: Seaham Park Cricket Club, The Pavillion,
Seaham Town Park, Stockton Road, Seaham,
SR7 0HX.

Applicant: Durham Constabulary

Date of application: 27th October 2011

I Matthew Foster (Solicitor from Mincoffs Solicitors LLP, acting for and on behalf of the Club Premises Certificate Holder, Seaham Park Cricket Club - Respondent to this Review), pursuant to Regulation 9 of The Licensing Act 2003 (Hearings) Regulations 2005, give notice to the Licensing Authority that I consider a hearing to be unnecessary and request that the Licensing Authority dispenses with such provided that the club premises certificate is subject to the following steps and modified as follows:

1. The Club Premises Certificate be suspended for the period of three months from 17th January 2012 to 15th April 2012;
2. Before the 15th April 2012 the current Chairman, ~~Matthew Foster~~, and the current Treasurer, ~~Matthew Foster~~, be removed from the Club Committee; and
3. The following conditions be attached to the Club Premises Certificate:

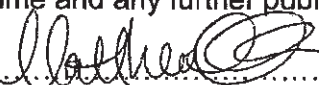
1. The Licence holder shall ensure that at all times when the premises are open for any licensable activity, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence.

2. Staff will be trained on their responsibilities under the Licensing Act and a record will be kept of training. Training will initially be refreshed before the 15th April 2012 and thereafter every 6 months. The training will be refreshed by an external company. That record will be available for inspection at the premises by the Police or the Licensing Authority upon providing reasonable notice.

3. Clear and legible notices shall be displayed at exits and on the terrace advising patrons not to leave the confines of the grounds whilst in the possession of a glass or open alcohol container. Patrons will also be reminded that, except during the cricket season and when a game or practice is taking place, no alcoholic drinks are allowed to leave the

premises (including the terrace).
4. Clear and legible notices shall be displayed at exits and other circulatory areas requesting patrons to leave the premises having regard to the needs of local residents, in particular emphasising the need to refrain from shouting.
5. No person shall work behind the bar serving alcohol unless they have undergone training regarding the Licensing Act and sales of alcohol.
6. Fire fighting equipment shall be provided in the licensed premises in accordance with the risk assessment and staff shall be suitably trained as necessary.
7. Posters will be displayed at the premises advising members of the Challenge 25 Policy in operation.
8. All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 25 years (Challenge 25 Scheme) and who is seeking to purchase or consume alcohol on the premises. Such credible evidence, which shall include a photograph of the customer, will either be a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.
9. The premises will operate a 'Refusals Book' to record refusals of sales of alcohol, in line with the premises Challenge 25 Policy. Such will be available for inspection by the Police or the Licensing Authority upon providing reasonable notice.
10. An incident book will be kept and maintained at the premises to record incidents of crime and disorder associated with the provision of licensable activities from the premises, or incidents in the vicinity brought to the attention of the management. Such will be available for inspection by the Police or the Licensing Authority upon providing reasonable notice.
11. There will be no parties at the premises for any birthdays under 21.
12. Any special events or functions shall be organised and operated under a risk assessment. Such risk assessment shall be discussed and minuted at a Committee meeting.

It is considered that together these measures address the concerns which led to the review application. It is believed that a full days hearing is no longer necessary, as a result of mediation and partnership working. Disposing of the hearing will also have the benefit of saving Police and Council time and any further public expense.

Signed: 

Full name/names: Matthew Foster for and on behalf of Seaham Park Cricket Club

Date: 12th January 2012