



Statutory Licensing Sub-Committee

Date Tuesday 18 December 2012
Time 10.00 am
Venue Council Chamber, Council Offices, Chester-le-Street

Business

Part A

1. Declarations of Interest (if any)
2. Application for Expedited Review of a Premises Licence - Red Velvet, Front Street, Consett (Pages 1 - 6)
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
10 December 2012

To: The Members of the Statutory Licensing Sub-Committee

Councillors J Shiell, B Arthur, B Graham and C Carr

Contact: Jill Errington

Tel: 03000 269703

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ANNEX C

FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

[Insert name and address of relevant licensing authority and its reference number (optional)]

Durham County Council Licensing
Annand House
North John Street,
Meadowfield.
Durham
DH78RS

Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing the form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. **Use additional sheets if necessary.**

I Superintendent Colin Williamson [on behalf of] the chief officer of police for the Durham Constabulary police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details:

Postal address of premises, or if none or not known, ordnance survey map reference or description:

**Red Velvet
MR S GILL - G GILL LEISURE LTD
31 Front Street
Consett
Co. Durham**

Post town: Consett

Post code (if known): **DH85AB**

2. Premises licence details:

Name of premises licence holder (if known): **MR SUKHDEV SINGH GILL**

Number of premises licence holder (if known): DWTSPR0242

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

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

(Please tick the box to confirm)

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

[Please read guidance note 2]

An intelligence led police operation has identified that on several occasions during the last 6 months controlled drugs have been sold by members of staff to patrons within the premise. The substances purchased by customers at the venue have been tested and have been found to be Cocaine. The controlled drugs were readily available to the purchasers and were sold on demand by a number of members of staff who were not acting as individuals in the sales but as a group of dealers within. The quantity of the drugs made available to purchase and the ease of access by individuals to the substances, demonstrate that this premise is associated with serious criminal activity namely the sale and supply of controlled substances not only in a licenced premises but within a venue that is authorised as a Sex Entertainment Venue.

On Friday 14th December 2012 a magistrates warrant was executed at Red Velvet whereby officers entered the building and conducted a search of the premise and any persons within. As a result of this search The DPS and three members of staff were arrested on suspicion of being concerned in the supply of controlled drugs namely cocaine. Cocaine was found on each of the arrested members of staff.

The degree of seriousness of the offences associated with this premise indicate that expeditious remedial action must be taken and therefore a standard review process is deemed to be inappropriate.

On the basis of the serious crimes being committed within Red Velvet, the police seek the immediate suspension of the premise licence number DWTSPR0242

Signature of applicant:

Date: 15/12/12

Capacity: Superintendent with Delegated Authority

Contact details for matters concerning this application:

Address:

Insp. 220 Colin Dobson

AHRU

Annand House

North John Street,

Meadowfield.

Durham

DH78RS

Telephone number(s): 0191 3752308

Email: colin.dobson@durham.pnn.police.uk

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

Durham Police
Force HQ
Aykley Heads
Durham

CERTIFICATE UNDER SECTION 53A(1)(b) OF THE LICENSING ACT 2003

I hereby certify that in my opinion the premises described below are associated with serious crime / serious disorder / both serious crime and serious disorder¹.

*Premises*²:
Red Velvet
MR S GILL - G GILL LEISURE LTD
31 Front Street
Consett
Co. Durham
DH85AB

Premises licence number (if known): DWTSPR0242

Name of premises supervisor (if known): MR DAVID IAN BARTLEY

I am a Superintendent ³ in the Durham
police force.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case, because⁴:

An intelligence led police operation has identified that on several occasions during the last 6 months controlled drugs have been sold by members of staff to patrons within the premise. The substances purchased by customers at the venue have been tested and have been found to be Cocaine. The controlled drugs were readily available to the purchasers and were sold on demand by a number of members of staff who were not acting as individuals in the sales but

¹ Delete as applicable.

² Include business name and address and any other relevant identifying details.

³ Insert rank of officer giving the certificate, which must be superintendent or above.

⁴ Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned.

as a group of dealers within. The quantity of the drugs made available to purchase and the ease of access by individuals to the substances, demonstrate that this premise is associated with serious criminal activity namely the sale and supply of controlled substances not only in a licenced premises but within a venue that is authorised as a Sex Entertainment Venue.

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The degree of seriousness of the offences associated with this premise indicate that expeditious remedial action must be taken and therefore a standard review process is deemed to be inappropriate.

On the basis of the serious crimes being committed within Red Velvet, the police seek the immediate suspension of the premise licence number DWTSPR0242

.....
(Signed)  (Date) 15.12.2012

