

## 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,  
Meadowfield.  
County Durham Constabulary  
DH7 8RS

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

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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  
Sgt 484 Caroline Dickenson [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:

**GW HORNER'S  
2 FRONT STREET  
CHESTER LE STREET**

Post town: CHESTER LE STREET

Post code (if known): **DH3 3BE**

**2. Premises licence details:**

Name of premises licence holder (if known): AMBER TAVERNS

Number of premises licence holder (if known): DCCC/PLA0001

**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]

**This incident occurred on Monday night 15th April 2024 at 8:20pm.**

**G W Horner's is a public house located on Front Street, Chester Le Street. The pub DPS is Shannon Halliday. At the time of the incident the DPS was not on duty but was at home in the flat above the pub.**

**Shannon Halliday has been the DPS since 9th January 2024.**

**The pub has an older crowd on Monday evening. There was a karaoke ongoing at the time of the incident.**

**At 8:20pm the victim is seen on CCTV to enter the gents' toilets. 20 seconds later the suspect is seen to enter the toilets. A witness is seen outside of the toilets speaking on his mobile phone.**

**Approximately 2 minutes later, the toilet door is slightly opened, from CCTV you can see that there is a commotion inside of the toilets. The witness is seen to react to this, and he opens the toilet door, once opened, the suspect leaves the toilet squeezing by the witness. He is seen to look at his hands before going off camera. The witness enters the toilet and discovers the victim unconscious lying on the toilet floor. The witness then leaves the toilet to find help.**

**The suspect is seen on CCTV to make his way back to his seat, pick up his drink and then walk to the front door stopping briefly to speak with two males at the door. He then walks out of the door with one of those males, speaks with him briefly and then walk off alone at speed along Come Terrace and out of view.**

**Several persons are now seen with the victim including his girlfriend, Bar staff are seen to call the ambulance service. She does not call the police. The DPS is now present and she did not call police. When the victim is removed by paramedics, the DPS mops the floor destroying the crime scene. No other person present calls the police.**

**The victim, is taken to the RVI, he is in and out of consciousness. On arrival at**

hospital, he is found to have the following injuries. A laceration to the rear of his head, a fractured skull, bleed on the brain and a fractured cheek bone. He has memory loss and cannot remember what happened to him in the toilets.

Police are eventually contacted on Sunday 21st April 2024 by the sister of victim. A criminal investigation is then commenced which due to the serious injuries the victim has received is recorded as a section 20 assault which is wounding or inflicting grievous bodily harm. Due to the delay in police being made aware of this incident the level of investigation will be impacted as the scope for forensics, initial accounts from witness and potentially the victim have been lost.

This incident highlighted several licensing issues regarding GW Horner's.

**Crime and disorder objective.**

The initial incident was not reported by bar staff to the police. The ability to gain evidence from witnesses was lost, witnesses names were not recorded, CCTV was only then made available 6 days later, the quality of that CCTV was poor, and forensic opportunities were lost. The incident book was completed but not known when it was completed. The area manager Jeff Cowley was only vaguely aware of the incident when he was spoken to by police licensing.

If staff had looked at the CCTV at the time, they would have seen that this was an assault and not an accident or medical incident.

When bar staff called the ambulance service, they did not ask for police, they had believed this to be an accident or medical incident. Staff also stated that they believed paramedics were going to inform the police as the paramedics had apparently told staff that the police might come to the pub.

**Public safety**

The victim did not appear to have been given any form of first aid. This highlighted the fact that bar staff had no first aid training.

The quality of the CCTV system was known to be poor after an incident in February when the DPS was struck on the head with a glass by a customer of the venue

The pub is due for a refurbishment beginning May 26th for one week. CCTV will be upgraded at that point, but this will have meant that CCTV would continue to be poor for 3 more months from that time in February.

The CCTV is there to support the crime and disorder objective. The CCTV is of such poor quality that no person's face can be seen and so makes identifying suspects of crime more difficult, if not impossible, there is also no date or time stamp on the CCTV. Therefore, cannot be said to be supporting the crime and disorder objective.

Area manager of Amber Taverns Jeff Cowley was spoken to on Monday 22<sup>nd</sup> April with regard to this incident. He was offered the chance to voluntarily close whilst the failings were rectified or the alternative which was to have a summary review submitted to the local authority, highlighting the premises failings. Mr Cowley stated he supported the police but would not close the

premises at this time.

**Due to the seriousness of the incident reported to police by the victim's sister 6 days after the incident occurred, the poor quality of the CCTV and the subsequent poor management of the incident at the premises, which fell seriously short of the licensing objectives namely the prevention of crime and disorder objective. The police feel there is significant risk to Public Safety and the application for the review of a premises licence under section 53A of the licensing Act 2003 is justified as we will be asking an immediate suspension of the premises licence.**

Signature of applicant: Caroline Dickenson

Date: 23<sup>rd</sup> April 2024

Capacity: Licensing Sgt

**Contact details for matters concerning this application:**

Address: **Durham County Council, Licensing Services**

**St Johns Road North, Meadowfield,**

**DH7 8RS**

Telephone number(s):

Email:

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.