

ANNEX B

Durham Constabulary
Force HQ
Aykley Heads
Durham
DH1 5TT

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:

The Prince of Wales Public House
22 Front Street,
West Auckland
County Durham
DL14 9HW

Premises licence number (if known): WV/PRE0111/05

Name of premises supervisor (if known): Colin Dennis LEE DCC/PER70665

I am a Chief Constable³ 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:

On Friday 07th December 2012 Officers from Bishop Auckland Serious Crime commenced a proactive operation on the Prince of Wales public house, Front Street, West Auckland. This operation was instigated as a result of intelligence indicating that the pub was been used by ██████████ as a place to supply cocaine. ██████████ is part of a large OCG group in the Bishop Auckland area. The DPS is Colin Denis Lee b ██████████ ██████████

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.

██████████ is also part of the same OCG group.

At 2145 hours the same day ██████████ left the Prince of Wales Public House approached his ██████████ which parked approximately 15 meters away from the pub, he approached the front drivers side door, reached into the side compartment and appeared to remove something from it, he went to walk towards and a police strike was called. ██████████ tried to run away and in the process it appears that he dropped 3 packets of drugs, one packet had 6 grams of white powder in it. ██████████ was detained and a mobile phone and his car key were recovered. At the time of the operation there were about 20 -30 people inside the public house.

A further search of his car was undertaken and in the door where ██████████ had been seen to approach there was a sweet bag containing a further 12 individual packaged white powder. The car was recovered and ██████████ was searched at Bishop Auckland Police Office, a quantity of cash was recovered (approximately £250.00)

The 6 grams of white powder have not been field tested and are waiting further forensic testing, although the packaging and appearance are all the same as the 12 small wraps. The 12 small packages recovered from his car were field tested, 3 were chosen at random and these have all tested positive for cocaine. These are averaging out at approximately 1.5 grams per packet. Cocaine has an estimated street value of £40 / gram, so essence we have recovered drugs to the street value of £960.00. ██████████ claimed that he valeted cars but declined to provide any details during his interview.

The hard drive from the Prince of Wales public house has been seized as part of the investigation and further enquiries are ongoing. It would appear that from this operation, intelligence and the evidence gained to date that ██████████ is supplying controlled drugs from this public house. The DPS was not present on Saturday 08th December 2012 and was not available for contact.

It is apparent that the Prince of Wales PH is being used for serious crime namely the sale and supply of Cocaine. At the time of the arrest and seizure of the drugs the public house had a number of patrons within. This criminal activity is deemed as serious criminal acts and is being investigated as such. It is believed that should this premise be allowed to remain open then it will continue to be used as an operating point for further criminal activity. Furthermore known organised crime group members are frequenting the premise and associating with the DPS.

It is apparent that the Prince of Wales PH is being used for serious crime namely the sale and supply of Cocaine.

The police seek an immediate suspension of the licence WV/PRE0111/05



(Signed)

cc

(Date)



FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

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

Durham County Council
Annand House,
John Street North.
Meadowfield.
Co 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 Mr M. Barton [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:

**The Prince of Wales Public House
22 Front Street,
West Auckland
County Durham**

Post town: Bishop Auckland

Post code (if known): **DL14 9HW**

2. Premises licence details:

Name of premises licence holder (if known): **DANBURY ASSOCIATES LTD**

Number of premises licence holder (if known): WV/PRE0111/05

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]

On Friday 07th December 2012 Officers from Bishop Auckland Serious Crime commenced a proactive operation on the Prince of Wales public house, Front Street, West Auckland. This operation was instigated as a result of intelligence indicating that the pub was being used by [REDACTED] as a place to supply cocaine. [REDACTED] is part of a large OCG group in the Bishop Auckland area. The DPS is Colin Denis Lee b [REDACTED], he is the father of [REDACTED] is also part of the same OCG group.

At 2145 hours the same day [REDACTED] left the Prince of Wales Public House approached his [REDACTED] which parked approximately 15 meters away from the pub, he approached the front drivers side door, reached into the side compartment and appeared to remove something from it, he went to walk towards and a police strike was called. [REDACTED] tried to run away and in the process it appears that he dropped 3 packets of drugs, one packet had 6 grams of white powder in it. [REDACTED] was detained and a mobile phone and his car key were recovered. At the time of the operation there were about 20 -30 people inside the public house.

A further search of his car was undertaken and in the door where [REDACTED] had been seen to approach there was a sweet bag containing a further 12 individual packaged white powder. The car was recovered and [REDACTED] was searched at Bishop Auckland Police Office, a quantity of cash was recovered (approximately £250.00)

[REDACTED] was interviewed and denied dropping the packages outside the pub when officers went to search him, he stated the cash was from a win at the local bookmakers on a gambling machine and the drugs from his car were Lucose. (a non controlled drug).

The 6 grams of white powder have not been field tested and are waiting further forensic testing, although the packaging and appearance are all the same as the 12 small wraps. The 12 small packages recovered from his car were field tested, 3 were chosen at random and these have all tested positive for cocaine. These are averaging out at approximately 1.5 grams per packet. Cocaine has an estimated street value of £40 / gram, so essence we have recovered drugs to the street value of £960.00. [REDACTED] claimed that he valeted cars but declined to provide any details during his interview.

The hard drive from the Prince of Wales public house has been seized as part of the investigation and further enquiries are ongoing. It would appear that

from this operation, intelligence and the evidence gained to date that [REDACTED] [REDACTED] is supplying controlled drugs from this public house. The DPS was not present on Saturday 08th December 2012 and was not available for contact.

It is apparent that the Prince of Wales PH is being used for serious crime namely the sale and supply of Cocaine.

The police seek an immediate suspension of the licence WV/PRE0111/05

Signature of applicant:
Date: 10/12/12
Capacity: Chief Constable



Contact details for matters concerning this application:

Address:
Sgt 1590 T.J.Robson
AHRU.
Annand House
John Street North,
Meadowfield,
Co Durham
DH78RS

Telephone number(s): 0191 3752308

Email: tim.robson@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.