

DURHAM COUNTY COUNCIL

At a Meeting of **Statutory Licensing Sub-Committee** held in Council Chamber, Council Offices, Chester-le-Street on **Wednesday 27 February 2013 at 12.00 pm**

Present:

Councillor C Carr (Chair)

Members of the Committee:

Councillors B Arthur and A Hopgood

Also Present:

H Johnson (Licensing Team Leader) and G Proud (Legal Officer), Sgt Tim Robson (Durham Constabulary) and Sgt Tim Kelly (Durham Constabulary)

1 Apologies for Absence

There were no apologies for absence.

2 Substitute Members

There were no substitution of members.

3 Declarations of Interest

There were no declarations of interest received.

4 Application for the Expedited Review of a Premises Licence - The Flintlock Inn, West Cornforth

Consideration was given to an application and supporting certificate received under s53A of the Licensing Act 2003 from Durham Constabulary for an expedited review of the premises licence of The Flintlock Inn, 48 High Street, West Cornforth (for copy see file of minutes).

The Licensing Team Leader advised the Sub-Committee that it should consider whether any interim steps were necessary pending determination of the summary review application which would take place within 28 days. The options open to the Sub-Committee were modifications to the conditions of the premises licence, exclusion of the sale of alcohol by retail from the licence, removal of the Designated Premises Supervisor (DPS) or suspension of the licence. If Members decided to take interim steps, the Licence Holder would have an opportunity to make representations and a further hearing would have to be held within 48 hours.

Sergeant Robson spoke on behalf of Durham Constabulary and indicated that the current Designated Premises Supervisor and Licence Holder was a Nicola Bush and she had managers running the premises.

He went on to say that at 7.48 pm on the evening of 25 February 2013 a call was received stating that a disturbance had taken place at the Flintlock Public House and that members of the informants family had been threatened with shotguns.

At 8.05 pm a further call was received from the manageress of the premises reporting that a number of travellers had been in the premises and had been asked to leave. Following this, information came to light that they would return with knives and machetes. Police believed that the report given to them at the time of reporting was inaccurate.

An argument occurred in the premises involving a number of persons linked to serious violent crime and disorder. It was alleged that the individuals left and returned wearing ski masks and brandishing a sawn off shotgun and a knife. A fight ensued and it is alleged that the manager of the premises placed a sawn off shotgun into the mouth of one of the travellers. The weapons were used to inflict injuries on those within the premises and resulted in stab and slash wounds, a double fracture of the wrist, wound to the crown of the head and numerous cuts and bruises.

Although the premises were covered by CCTV, it was intentionally switched off for 40 minutes during the whole violent incident. The CCTV monitor and recording device were situated in the domestic dwelling area of the premises upstairs and could only be accessed by management.

The suspects in relation to the violent incident are linked to the control and operation of the Flintlock Public House. The manager and manageress had now been arrested and the stepson of the manager remained at large. Very little information was being presented to the Police for fear of retribution.

The Designated Premises Supervisor had shown little commitment to attending the premises and providing day to day control and accountability. She had left the running of the premises in the hands of the manager and manageress who are subject to arrest and police investigation. The Police have had difficulty in contacting her and since the incident her mobile phone had been disconnected.

The Police indicated that they had serious concerns that there would be further incidents of violence, serious crime and disorder if the Flintlock Public House remained open. There was an ongoing feud between a number of violent individuals and the Police believed that there was a likelihood of retribution from the travelling community and from the family of the manager and manageress.

Sergeant Kelly advised the Sub-Committee that he had attended Newton Aycliffe Magistrates Court at 10.00 am this morning with his Inspector and was granted a Closure Order in respect of Flintlock Public House in order to prevent violence, disorder or serious crime being associated with the premises. The Closure Order

would remain in place until the decision of the Licensing Authority. The Closure Order was shown to members of the Sub-Committee.

Members of the Sub-Committee sought clarification from the Police on a number of issues.

The Sub-Committee left to deliberate in private at 12.45 pm. After reconvening at 12.50 pm the Chairman delivered the Sub-Committee decision that, having carefully considered all of the information presented to them including the closure order and taking account of the serious nature of it and the clear implications that the premises were associated with serious crime the Committee considered that it had no alternative to make the decision.

Resolved:

That the Designated Premises Supervisor be removed and the premises licence be suspended with immediate effect.