

ITEM 4 – ADDITIONAL INFORMATION FROM DURHAM CONSTABULARY

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From: [durham.police.uk](mailto:duham.police.uk)

To: [durham.gov.uk](mailto:duham.gov.uk)

Date: Thur 31/08/2023 19:57

Good evening Karen,

Please see the attached documentation – an officer’s report and copy of notes – for circulation to all relevant parties prior to Tuesday’s Committee hearing.

I am now out of the office until Monday however will have intermittent access to my emails, so please let me know if you require any further information or documentation.

Thank you for your advice and guidance in relation to this.

Kind regards,

Charlotte

Sergeant 2722 Charlotte Martin

Prevention & Problem Solving Team and Licensed Economy Team

Governance & Insights Command

Durham Constabulary

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Officer's Report

I am Sergeant Charlotte Martin of Durham Constabulary, currently covering the role of Sergeant in the Force's Licensed Economy Team.



On Friday 25th August 2023, PC Alan Newcombe, also of the Force's Licensed Economy Team, submitted an objection to Durham County Council in response to a Temporary Event Notice (TEN) application made by the applicant Mr Steve Kimpton, the Secretary of the Newton Aycliffe Navy Club. This TEN application was in relation to an 18th birthday party to be held at the Club on Saturday 30th September 2023 between 19:00-23:00 hours, for the sale of alcohol, the sale of alcohol on or on behalf of a club and the provision of regulated entertainment. The objection was made by PC Newcombe on behalf of Durham Constabulary on the grounds of the Prevention of Crime and Disorder and Public Safety.

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The aforementioned is due to be heard at a Special Statutory Licensing Sub-Committee on Tuesday 5th September 2023 at 13:00 hours. This report has been completed in advance of the Committee hearing to provide members of the Committee with background and further information relevant to the objection made by Durham Constabulary.

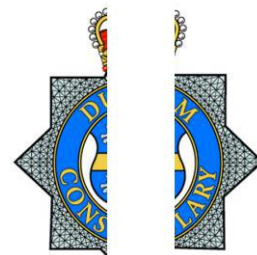
Newton Aycliffe Navy Club has operated under a Club Premises Certificate for a number of years however, since Friday 2nd June 2023, now operates under a Premises License after an application submitted to the Licensing Authority was granted. This was prompted following a large-scale disturbance at the premises which took place on Saturday 8th April 2023. Details of this incident is as follows.

On Saturday 8th April at 21:26 hours, Police received a call from the Chairman of the premises reporting a 'brawl' between two families from a wedding being held at the premises (incident DHM-08042023-0457 refers). On attendance, officers observed an elderly female laid on the floor as a result of being knocked by others involved in the fighting, and was subsequently assisted by officers, paramedics and transported to hospital for further treatment. Furthermore, a child was also assisted and transported to hospital for treatment, again inadvertently caught up in the fighting. During the investigation, officers reviewed CCTV from the premises and were able to identify two individuals responsible for starting a fight, resulting in approximately 10-15 people spilling out from inside the premises to the beer garden area and fighting outside. Two males were arrested for violence offences following this incident. It was also apparent that licensing rules relating to the Club Premises Certificate were likely breached; that is to say that guests were likely not signed in club members.

This violent incident is not the first to have taken place within the premises within recent months. In the six months prior to this incident, a further two incidents of violence are recorded on Police systems. Details of these incidents are as follows.

On Saturday 12th November 2022 at 20:11 hours, Police received a call from the Chairman of the premises reporting approximately ten persons fighting outside the premises (incident DHM-12112022-0416 refers). On attendance, officers spoke to the caller who stated that there had been pushing and shoving with some punches thrown. The caller was asked for details of persons involved however stated he was unable to provide them as he did not know who they were. As this is a member's club, a log should be kept of attendees; this incident a clear breach of the Club Premises Certificate. A crime of public order was recorded by Police.

On Friday 30th September 2022, the Licensed Economy Team attended the premises with a passive drugs dog with the permission of the premises management/Committee. This was part of a pro-active operation targeting drug use within Licensed Premises in County Durham and Darlington. During the walk through, the dog indicated on one male who was subsequently searched and a small amount of powder located on his person, believed by the searching officer to have been a prohibited drug. The male became aggressive, encouraged by other patrons who also became involved in the disturbance. One male was arrested for a public order offence.



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The incident which took place on Saturday 8th April 2023, along with the further two incidents described above, triggered a number of visits to the premises by Police and Local Authority and a Premises License application being submitted. This is common practice across club venues to allow for non-members to use the facilities for private functions and events, thus creating additional revenue for the premises and preventing further breaches of their Club Premises Certificate.

A set of conditions were suggested by Police and agreed by the applicant during the consultation period. The Premises Licence currently has the agreed condition that:

“A minimum of two SIA registered door staff will be on duty at the premises from 19:00 hours until close for every private function/event. The need for further door staff will be risk assessed for each function/event”.

This condition was agreed and included in order to prevent a repeat of any of the above incidents where no door staff were on duty or present at the premises.

The use of TENs has been discussed at length with the applicant Mr Steve Kimpton and other members of the premises management/Committee. Including this objection made by Durham Constabulary, there have been three separate objections to TENs submitted by or on behalf of the applicant Mr Steve Kimpton. The applicant Mr Steve Kimpton has informed Police previously of his intention to apply for a Premises License variation in the future to remove the above condition from the Premises License. It is understood that this would be at a point in time when the premises has held a number of private functions and events successfully, safely and without issue. Durham Constabulary’s Licensed Economy Team have made it clear to the applicant Mr Steve Kimpton on numerous occasions that future discussions regarding this would be welcomed.

Within this specific TEN application, the applicant Mr Steve Kimpton describes the proposed event as an 18th birthday party restricted to the function room for the duration of the event. This would suggest therefore that the proposed event would fall within the above condition of the Premises License which stipulates that a least two SIA door staff would be on duty for the duration of the event between 19:00-23:00 hours. It is believed that the TEN application made by the applicant Mr Steve Kimpton is done so with the sole intention of circumnavigating the above condition of the Premises License. As detailed in the objection made on Friday 25th August 2023, Durham Constabulary feel that the use of a TEN in these circumstances is wholly inappropriate and not in the spirit of TEN applications. The purpose of the Premises License is to facilitate private functions and events such as this proposed event and a TEN should not be used to avoid this.

On Thursday 31st August 2023 at 13:30 hours, the applicant Mr Steve Kimpton was invited to attend Annand House, Meadowfield, to discuss the TEN application, the subsequent objection made by Durham Constabulary and a viable way to hold the event safely. Mr Darren Hull, Team Leader for

Consumer Safety for Durham County Council, was asked to attend the meeting as an independent party. Notes taken throughout the duration of the meeting by Mr Darren Hull have been provided for review by members of the Committee if required. The applicant Mr Steve Kimpton stated during the meeting that the TEN application was made to evidence the premises' ability to hold a private function or event successfully, safely and without issue to support an intended future Premises Licence variation. Durham Constabulary reiterated to the applicant Mr Steve Kimpton details of the large-scale disturbance which occurred at the premises only a matter of months ago and suggested that a longer period of time was needed to evidence the premises' ability to operate within the Premises Licence conditions and therefore the Licensing Objectives; failings that the incidents described within this report highlighted to all parties. The applicant Mr Steve Kimpton stated that Durham Constabulary had previously recommended the submission of a TEN application for this event however was not able to provide any further information during the meeting to address any of the concerns detailed either above or in the objection made by Durham Constabulary. He was informed therefore that the objection made by Durham Constabulary would not be withdrawn prior to the Committee hearing scheduled for Tuesday 5th September 2023.



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The applicant Mr Steve Kimpton was reminded that Durham Constabulary's position was one of co-operation and support to the premises and the members of the premises management/Committee, both now and moving forward. Durham Constabulary do not propose that the event is cancelled however recommend that it be held in line with the Premises License conditions and therefore the Licensing Objectives.

Sergeant Charlotte Martin
31/08/2023



Paul Conway.

SECT - CHAIRMAN MARTIN.

TENS

COMMITTEE ON TUES.

MEET EXPLAIN & SUPPORT.

1345 31/8/23

WANT THINGS TO WORK
PAUL ADVISED TO PUT TEN IN.

OBJECTION SUBMITTED - SHOULD HAVE COMMENTED TO SAY OBJECTION WOULD
GO IN AS ADVICE WAS GIVEN BY PAUL.

ONLY GOOD INFO ON TEN SO CAN SHE HAVE MORE.
GO THROUGH EVENT & CAN EXPLAIN OBJECTION.

CHANGES AT CLUB. + COMMITTEE

NEW TO WHOLE SITUATION. - PREVIOUS DENKER & COMMITTEE HAD OLD
STANDARD NOT UP ON "LICENSING STUFF"

HAD NO LICENCE

ILL HEALTH.

WEDDING INCIDENT.

ADMIT DRINKING IN CLUB & ASK TO LEAVE & COME BACK

TO MEET WITH NICOLA.

TOOK ADVICE FROM POLICE & COUNCIL.

CONFUSING. - SOME ADMITTED

2-3 TENS TURN DOWN FOR SAME REASON.

NOT GOING TO DO ANY MORE TENS - TRY TO PUT EVENTS ON.

& IN NEW YEAR WILL GO FOR VARIATION.

BOTH AGREED TO GET BEST EVIDENCE.

Event is yearly. - Academy took club every year.

STARTED 18TH BIRTHDAY BUT NOT SURE WHO.

EVENTS HAVE NEVER CREATED AN ISSUE & SAID WOULD BE GOOD TO DO
WITHOUT DOORSTAFF AS WILL SHOW GOOD & CAN WITHOUT DOORSTAFF

OTHER REASONS TO CONSIDER WHEN OBJECTIONING. TEN LOOKS TO
BE DONE WITHOUT DOORSTAFF & SET AROUND CONDITIONS page 7

Police - too early to do now

DONT WANT TO BRING ON NOT WAITING EVENT
BUT CONDITION IS THERE FOR A REASON.

Said will go ahead unless he withdraws TEN or they
withdraw objection but objection will not be removed
said current course is TENs but as Paul advised
they decided to
condition only put on for a reason.

Said no issue withdrawing as doorstaff booked

Police said not trying to put pressure on.

DONT WANT BREAKDOWN IN RELATIONSHIP. Will speak to Ben

Breakdown in Commis. Admitted & Agencies for Admitted
Should have informed before objection written.

Doorstaff Set for rest of year.