

From: Christian Burns <
Sent: 11 January 2021 16:10
To: Yvonne Raine >
Subject: Witness Statement 08.01.2021.docx

hi yvonne

pls find a witness statement from my manager on site on that night to be entered into the system
the rest of my defence will be oral from me on the day

all his his details are attracted he won't be attending on the day

Christian Burns FBII
Managing Director
The Tavern Hospitality Group
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My Name is A [redacted] Watson, employee of Christian Burns for the Tavern Hospitality Group. I have previously been employed by Mitchell's & Butler's of 5 years managing large pubs as General Manager. I have been a personal licence for that period and DPS for various sites over the years.

On the night of the 17th October 2020, I was acting manager at Kennedy's bar, located on Bondgate Street, Bishop Auckland. We received a routine visit by members of both the council and police. Upon arrival they walked up to myself where I was currently stood at the bar. I greeted them courteously as I suspected who the plain clothed people were (council) although initially there was no immediate introduction of who they were. I was addressed with the wrong name and once I corrected the lady, I was told that I was wrong, and my name was incorrect. After going back and forth, she accepted that my name was A [redacted], not S [redacted].

By this point, all visiting parties were now inside the building and I was surrounded by a horseshoe of 6 persons, 3 from the council, and 3 police officers. I felt very intimidated by the situation as I was trapped with my back against the bar and 6 people surrounding me shoulder to shoulder.

I was questioned at that time about the capacity of the venue, the music level, current (at that time) Covid-19 measures etc. I calmly explained all points to them as requested, of which being the following;

Capacity.

I was asked what the current capacity limits were and I explained that due to the current Covid restrictions with only one household per table allowed in, of which was up to 6 people max, that the tables and chairs were laid out accordingly to give appropriate distance between each and that we ask everybody who comes in wishing to sit at the same table if they are from the same household. At the time, there was no law where we had to ask for evidence (driving licence, council tax bill etc.) of people living in the same household.

I was challenged by this as the council lady had said that people do not have a genetic make-up of people living in the same household. I argued this point and explained that A) we would be breaching Data Protection of individuals by asking people to show evidence of their current residence, and B) people can live in the same household without being related i.e. house shares, students etc.

Music Level.

I was quizzed about the level of music in the venue, apparently it was too loud. The current guidelines at the time were that background music could not be higher than 85dB at any one time. I had a decibel reader and was monitoring this constantly. However, DCC website had explicitly stated in black and white that all live music/live performers was exempt from the 85dB rule. Being that Kennedy's Bar is a karaoke venue, and that evening we had a singer for the night, the music level, at times, was higher than 85dB for this reason only. The council did not carry a decibel reader or even ask for mine, it was simply judged on natural hearing. When I explained about the DCC website

displaying this exemption I was told I was incorrect and that it was too loud, to which I kindly obliged and reduced the volume of music level and singing anyway.

Current Covid-19 Measures.

As part of the routine visit I was asked what measures we have in place and I had explained that we had spaced out seating, everyone was asked upon arrival if they were in the same household – anybody who said they weren't, were not allowed to sit together.

I also explained that we had hand sanitiser stations upon arrival, an up-to-date Track and Trace system, both electronic QR codes and also paper versions if the person did not have the app. We also had a strict 'mask on' policy if you were not sat at a table, to which I was accused of neglecting as one person at that time walked from their table to the toilet. I explained that both the doorman and I had both seen her NHS exemption card allowing her not to wear a mask, to which I was accused of lying and that it was too convenient that that one person had a card. We also had a table service only policy so there was no mixing or close contact at the bar etc.

Towards the end of what felt like an inquisition, Christian Burns arrived to ensure things were going smoothly, as he always does being the DPS and saw me surround by 6 people in a horseshoe at the bar. He did not intervene nor make his presence known as I was dealing with the visitors myself.

I was informed then that they would be in touch and to continue trading until we heard from the council. Surely if things were not within the guidelines or law then we would have been asked to close immediately, but it did not appear so, we could continue to trade.

Upon being ready to leave, I escorted them to the outside of the premises where we were joined by Mr Burns and the conversation continued in the same manner. We were accused of poorly running a bar during the Covid-19 pandemic, but when asked to explain which issues were concerning, this could not be answered and we were told that they would be in touch.

At that time, I felt very intimidated and was made to feel like a criminal, even though we were following the Covid-19 guidelines and the law at that time. However, upon receiving the closure notice nearly a week later, it was then lifted 48 hours later following an inspection from a senior member of the licencing committee from DCC.

I believe I have covered most, if not all, of the points from that evening, but I am more than happy to elaborate at any time if this is requested.

Kind Regards,

A Watson

Operations Manager

Tavern Hospitality Group