

FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

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

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 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:

**Memory Lane
51 Church Street**

Post town: Seaham

Post code (if known): **SR7 7HF**

2. Premises licence details:

Name of premises licence holder (if known): Emma Louise BIRD

Number of premises licence holder (if known): DCCC/PLA0653

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 20th April 2024 at 23:11hrs a call was made to the police control room from ambulance reporting that a male had been assaulted at Memory Lane public house and that the victim was unconscious with head injuries.

Police officers have arrived on scene at 23:24hrs and they are meet by a female in the bar area of Memory Lane who shouts to officers, "HES NEARLY DEAD".

Police are informed the victim is the smoking area and find the victim laid on the ground. The victim is unconscious and officers can see he has serious facial injuries and significant blood loss. There is a member of the public with the victim.

Due to the level of injuries the victim had sustained and how he was presenting to ambulance staff, police officers travelled with the victim to the hospital which is for the continuity of evidence following serious incidents whereby victims may have life threatening injuries.

Following the victim being taken to hospital remaining police officers on scene have tried to establish what has happened and a request is made to view the CCTV. Officers are advised by staff that they are unable to view any CCTV at the premises as they are unable to access it. This is due to an ongoing dispute between the owners and one of them removing access to the CCTV. Officers have had to contact one of the owners who isn't the Premises licence holder or Designated premises supervisor and attend her home address so the cctv footage could be viewed on her mobile phone.

The delay in being able to view the cctv, firstly to try and establish what has taken place and to identify how the victim has received his injuries i.e. has a weapon been used, level of force used by the suspect which could potentially assist in the medical treatment of the victim and secondly to identify who was responsible and possible witnesses who may have still been on scene has frustrated the enquiry and does not uphold the crime and disorder objective.

Consideration was made due to the seriousness of the assault and level of injury to the victim of placing a crime scene on the smoking area of the bar, however all glassware etc had been removed from the scene by staff prior to police officers arrival and the glass on floor has been swept into piles by staff.

The interference of the crime scene and removal of items has impacted on the chance of being able to obtain any forensics at the scene and the continuity of evidence is no longer in tact. The decision was therefore made that the requirement for a scene preservation was not going to be beneficial to this investigation, so police officers captured the crime scene on their Body Worn Video during initial attendance and again following victim being removed by ambulance.

Officers at the scene have been unable to identify any staff member who was in

charge at the time of the incident. Two members of bar staff have been identified one of which stated a female was having a drink with a group of males, so she went outside to speak to the males and they came back into the pub. She stated the victim was stood at the bar at this point, but had no idea at what point victim left the bar, and the next thing she knows she's being told he is injured. She stated that she didn't go outside to assist as she doesn't like the sight of blood.

This incident has been charged as a section 18 assault which is grievous bodily harm (GBH) with intent and is currently being investigated by CID.

The suspect was originally unknown, however has since been identified and is currently on conditional police bail not to attend any licensed premises, whilst further enquiries are carried out.

CCTV has captured the assault in full and it shows a horrific attack on the victim who has significant injuries to his face. The victim has been punched over a dozen times to the face whilst he appears unconscious displaying a clear intent to cause serious harm to the victim.

The victim has been advised he has several fractures across multiple different parts of his face and will require surgery at a later date. The victim is still in hospital and so far due to his injuries has been able to give police a full account of what has happened.

The nursing looking after the victim has been spoken to and confirmed that he has multiple facial bone fractures, and is still in a significant amount of pain and at this time the swelling is too much for the doctors to proceed with surgery.

CCTV will be available for viewing at the hearing.

The premises did not report this incident to the police and although I acknowledge they did call an ambulance, they still have a responsibility to report incidents to the police and not rely on other agencies to do so on their behalf. There was also no intervention by any members of staff.

The conditions around CCTV is not being adhered to when the system cannot be accessed within the venue and despite it being a Saturday evening with karaoke on there were no doorstaff present at the venue.

The incident also took place after 11pm when the bar should have been closed and the CCTV shows that patrons appear to be intoxicated. Due to the difficulties in obtaining CCTV it has not yet been possible to get the inside camera's (as the police's focus has been on this serious assault) to see if alcohol sales were taking place after 11pm.

Due to the seriousness of the incident reported by ambulance at the weekend, the poor management at the premises and breach of license conditions around the CCTV and potentially the hours of operation 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 for an immediate suspension of the premises licence.

At the full review hearing the police will seek to have the premises licence revoked.

Signature of applicant: Caroline Dickenson
Date: 23rd 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.