MISSOULA, DURHAM - PREMISES LICENCE REVIEW APPLICATION

STATEMENT AND DOCUMENTS FROM STONEGATE PUB COMPANY LTD 18th May 2018

Yvonne Raine

From:

Yvonne Williams <

on behalf of Graeme Cushion.

Sent:

To:

18 May 2018 09:34

Yvonne Raine; 'Chris.Southey

Subject: Attachments: Missoula, Durham - Review of Premises Licence Hearing on Tuesday, 22 May 2018 1. Witness Statement - Rob Hawkesworth.pdf; 2. Exhibit RH 1.pdf; 3. Exhibit RH

2.pdf

Importance:

High

Dear Yvonne and Chris,

I attach statement on behalf of the Company in the name of Mr Rob Hawkesworth, who will be one of the attendees at the hearing on Tuesday. He is the company's Head of Risk.

Attached to it is some correspondence between myself and Chris, which is solely intended to demonstrate that the parties have been working together towards agreement on the Operational Plan, the latest version of which is also

I do not seek to mislead anybody here by suggesting that the Operational Plan is agreed as currently drafted. We are close to agreement and such agreement may or may not be achieved in advance of the hearing. Nonetheless, it is a very useful document as almost every detail is agreed between the parties, with a potential question remaining over how much of it should be conditionalised on the licence going forward.

Yvonne - I would be most grateful if you were able to provide a copy of all of this to the other interested parties and of course the Committee Members themselves in advance of the hearing.

I look forward to seeing you both next week and should you have any queries then please do not hesitate to contact me

Kind Regards.

Graeme

Graeme Cushion | Partner

Poppleston Allen

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Witness Statement

(CJ Act 1967, S.9 MC Act 1980, ss. 5A(3a) and 5B. MC Rules 1981, R.70)

Statement of: Rob Hawkesworth

Age: Over 18

Occupation: Head of Risk Management

This statement (consisting of 5 pages each signed by me) is true to the best of my knowledge and
belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I
have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated: 2018

Signature:

Background

- I am Head of Risk Management for Stonegate Pub Company (SPC). I make this statement in connection with the tragic and unfortunate incident which led to the death of February 2018.
- I have been in my role since SPC was formed in 2010 to acquire 333 pubs from Mitchells and Butlers. Prior to that, I joined the hospitality sector in 2002, always in the field of Risk Management. My role involves putting in place a framework of Policies and Procedures for our operators to use relating to Operational Safety, i.e. Food safety, Fire safety and Health and Safety. I am assisted in this role by Stonegate's Operational Risk Manager, an experienced Chartered Environmental Health Practitioner, qualified to Msc. Bsc (Hons) and MCIEH.
- 3. Since inception in 2010, Stonegate has acquired a number of other premises and companies, to achieve its present status of the UK's largest privately owned pub company. A portfolio of almost 700 venues includes pubs, bars and nightclubs across the UK, entertaining approximately 100 million people each year. Missoula Durham will have approximately 160,000 guests each year. To our knowledge, we have never suffered any other serious injury in a queue, and prior to the accident at Missoula, we are not aware of any type of barrier failing and causing injury. The fact that it did in this case is a terrible tragedy, from which as a company and a board we have all tried to learn to ensure that nothing like this ever happens again.

Signature	anamanaman manaman anaman manaman anaman	 Signature witnessed by	

Document Ref || 2146413438

- 4. Stonegate takes its responsibilities in respect of the safety of staff and customers extremely seriously. There is a structured set of policies and processes in relation to Health and Safety which have been in place since inception. The Board of Directors meets every 4 weeks, with matters of safety reported and discussed. The Company operates a Risk Management Group, meeting every 3 months, comprising 4 Board directors and relevant functional representatives to discuss all matters of Risk management, including safety, and to implement changes where required.
- Operational responsibility for the 700 venues is devolved to two Managing Directors, supported by 8 Operations Directors who in turn manage 51 Area Managers, each with an average span of control of 14 sites for which they carry specific responsibility.
- 6. In matters of safety, Stonegate is supported by NSF, internationally renowned operational safety consultants, who are engaged for their expert knowledge and additionally to undertake two full safety audits of all of our sites each year, to cover operational risk including food safety, health and safety and fire safety.

The Venue and operation history

- 7. The venue was originally acquired in 2006 as part of the Town and City Pub Company, which later merged with Stonegate in 2011. It was purchased as a shell at the time of development of the Watergate complex, then initially branded as Slug and Lettuce. In 2010 the site underwent a refurbishment, at which time the barriers were installed, to provide wind protection and to delineate the permitted external areas. They were solid inter-locking barriers which had been in place for over 7 years.
- 8. The site was rebranded as Missoula and reopened in September 2016, which is when the current General Manager took over at the venue. In line with other pub/bar operators in Durham, Missoula ran a student offer on a Wednesday night. For the first 12 months, the student night was managed by the venue staff until it was decided to engage with a well-known and well regarded Promoting Agency, known as Voodoo, which operates successfully in other towns and cities. Voodoo was engaged from October 2017, with the same student evening in place, but with the introduction of VIP entry on the lower terrace for prepaid/promised tickets, mainly to the sports teams.
- 9. At busy times, and as required by Risk Assessment, Missoula would employ the services of Phoenix Security, acknowledged expert outsourced providers of door staff to control the

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queues, admission and capacity of the venue. Phoenix also supply security for the Walkergate Complex as a whole.

10. In early 2017, some competitor businesses of Missoula alleged over-crowding inside the venue. Responsible authorities became involved and following observations and meetings an amended operational plan was agreed between the Police, the Walkergate Complex, the Fire and Rescue Services and the Local Authority Licensing Department. The operational plan included a system for queuing. This became effective in March 2017 and was in place up until the tragic events of February 2018. At peak times, and depending on the numbers arriving at the venue, we would open up a second entrance so as to create two separate queues. Neither we, Phoenix nor any responsible authority had cause to question the queuing system over the period from March 2017 to February 2018. I think it right to say that the queuing operation was regarded as safe and well-controlled. Missoula Durham operates to a capacity of 650 persons, although the venue has the capacity to operate safely to a higher number (900) when chairs/tables are removed. On busier trading nights, the venue can turn over between 900 and 1200 people through the doors, although obviously never more than 650 at any one time. Certainly these are not unusual numbers for this venue, and our Area Management are routinely managing sites with larger capacities.

February 7th 2018 - The Incident and Post Incident actions

- 11. The Company and staff involved remain horrified that the incident happened and with such tragic consequences. We have extended our sincere thoughts and sympathies through the family's legal team and we are cooperating with the authorities during their investigation. The site remained closed during the initial stages of the investigation and to enable a respectful distance from the incident itself it was only reopened with the full agreement of the Police and after the creation of a comprehensive new Operating Plan.
- 12. The detail of that Operating Plan has been the subject of ongoing discussions between ourselves and Durham Constabulary's licensing department regarding licensing matters. We are grateful to the Police for their assistance with this and attach correspondence between our lawyers and the Police in that regard, Exhibit "RH 1". Also attached is the latest version of that Operating Plan, marked Exhibit "RH 2" which may be subject to further refinement both in the final run-up to the Review hearing and thereafter. The process of engagement with the Police in relation to the formulation and finalisation of the Operating Plan has also involved two meetings involving the company's Operations Director and Director of

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Operational Support. Those meetings have proved invaluable both in terms of discussing the Operating Plan but also in building a positive working relationship for the future.

- 13. We continue to conduct our own internal investigation into events but, as the Police have stated, the purpose of the Review is not to investigate what happened as this is still subject to a separate police and local authority investigation. Furthermore, we have not had disclosure of the investigation material, including CCTV footage. As I have stated above, we are co-operating with the ongoing investigation.
- 14. We have taken specific actions at Durham which are noted in the operating plan, including the following:
 - We immediately removed the perimeter demarcation screens whilst we reviewed the queueing plan and systems;
 - We immediately ceased the use of a Promoter;
 - We closed the venue to review the operation;
 - We agreed a reopening plan with the authorities.
- 15. The queueing system has been amended, with no access available at the rear (lower) entrance, with a single queue being managed at the upper (main) entrance. In summary, this comprises a long, snake-backed queue controlled by conventional barriers on both sides, at one single level, similar to that which one would see at large public events.
- 15. In addition, to ensure that best practice and learning is applied across our organisation, we took a number of further steps:
 - Full review of all means of queueing at all of our sites;
 - We have created a central register of queuing systems to ensure corporate oversight of our systems.
 - Review of door staff suppliers, with a view to consolidate these services to a smaller number of scale suppliers;
 - Centralised oversight of management of promoted events. Further staff training on crowd control/queue management.
 - · A revised risk assessment on crowd and event management.

Signature	Signature witnessed by
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16. As will be seen from the Plan itself, the intention is that any revisions to the plan, and any relevant risk assessments will be shared on a transparent basis with responsible authorities, and elements of the plan itself are proposed for incorporation into the licence.

Summary

- 18. We deeply regret that this incident happened and with such a tragic outcome.
- 19. Naturally, we have closely monitored this site and its operational activity since. We reopened only when we were fully satisfied that our operational system was safe. Our Directors have been heavily involved at site, observing our operational activity and we have engaged expert opinion on management of crowds at venues to confirm that this type of accident cannot recur. We continue to give this aspect of our operation proper focus, and will continue to share our plans and relevant risk assessments with responsible authorities. We assure all relevant parties that, at all levels of our organisation, we are absolutely determined that nothing of this sort can ever happen again.

Signature		Signature witnessed by	NAME OF THE OWNER OF THE OWNER OF THE OWNER,
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MISSOULA, UNIT 7 WALKERGATE, DURHAM, DH1 1SQ

Exhibit marked "RH 1" referred to in the s9 Statement of Rob Hawkesworth

Yvonne Williams

From:

Sent: To:

Graeme Cushion

12 February 2018 16:39

'dean.haythornthwaite(

police.uk'

Subject:

'Rachel Stockdale(

police.uk'

Attachments:

Missoula, Durham

Operational Plan.doc; Weekend Deployment - No changes.docx; Security

Deployment - Wednesday.docx

Importance:

High

DOCID:

2146291499

SENTON:

12/02/2018 16:38:20

Dear Dean and Rachel,

I understand that you had a positive and productive meeting with the Operational Representatives from

In that regard I attach the Operational Plan which formed part of that meeting and also the Security Deployment

The company's CCTV provider, SECOM have been instructed to conduct a survey of the site and to ensure CCTV coverage of the customer queuing areas.

Additionally, pre and post-shift briefings will take place between the duty manager and the head doorman. documented in the front of house diary.

One matter discussed following the meeting was the bottomiess Prosecco in conjunction with food offer which my clients have asked me to confirm will henceforth be removed.

I trust that you will find all of this acceptable and understand that you will be having discussions with other relevant Authorities as to when the premises may be permitted to reopen.

I look forward to hearing from you at your earliest convenient in that regard.

Should you have any queries in the meantime then please do not hesitate to contact me. Regards.

Graeme

Begin forwarded message:

From: Dean Haythornthwaite <dean.haythornthwaite@

police.uk>

Date: 10 February 2018 at 08:33:20 GMT

To: Graeme Cushion <

Cc: Rachel Stockdale < reunel Stockdale © Subject: Re: Missoula, Durham

police.uk>

Yes, no problem

Dean

From: Graeme Cushion <

Sent: Friday, 9 February 2018 16:57

To: Dean Haythomthwaite <dean.haythornthwaite@

CC: Rachel Stockdale < Rachel Stockdale

police.uk>

police.uk>

Subject: Re: Missoula, Durham

Thanks Dean.

Midday ok?

Just double checking!

Kind regards

Graeme

Greeme Cushion Partner Poppleston Allen

On 9 Feb 2018, at 16:49, Dean Haythornthwaite 1.police.uk> wrote: <dean.haythomthwaite

Hi Graeme,

Thanks for your email. Insp Stockdale and I will be available and in attendance on Monday. At this stage it would be my opinion that there would not be a need for a representative from the university to be present.

Thanks again and we look forward to working together.

Dean Haythornthwaite

From: Graeme Cushion Sent: Friday, 9 February 2018 14:37 To: Rachel Stockdale < Rachel Stockdale Haythornthwalte <dean.haythornthwalter

police.uk>,Dean 1.police.uk>

Subject: Missoula, Durham

Dear Rachel and Dean.

I represent the interests of Stonegate Pub Company Limited and I'm advising them in relation to the unfortunate events of the last 48 hours.

I understand that you are both amenable to meeting with company representativas at the premises on Monday, 12 February 2018, hopefully at noon or otherwise at a time of your convenience.

It is proposed that the following company representatives will be in attendance at that meeting:

- Helen Charlesworth, Managing Director;
- Jonathon Guest, Area Manager; and
- Stave Rucastle, Designated Premises Supervisor.

Whilst there need be no fixed agenda for this meeting those representing the company would like to discuss the following:

- The circumstances surrounding the unfortunate events of the evening of 7 / 8 February;
- Support and training for the operational team with particular regard to vulnerability;

- Any initial thoughts in reference to potential reopening of the premises;
- Appropriate operational plan towards reopening and beyond.

I have been asked to make it clear that the company at present have taken the decision to keep the premises closed until further notice. Due to the potential for customer confusion over the weekend, our clients have been in touch with the management of the local complex who have confirmed that neighbouring premises have increased their door security in anticipation.

My clients also wondered whether it might be appropriate for a representative from the University to attend this meeting?

I look forward to hearing from you just to confirm the details of the meeting.

Regards.

Greeme

Graeme Cushion | Partner

Poppleston Allen

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<image775b88.PNG>

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Graeme	Cushion	Partner
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Poppleston Allen

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Yvonne Williams

From: Sent:

Graeme Cushion

To:

02 March 2018 12:50

Subject:

'Chris Southey' RE: Missoula

DOCID:

2146321898

Hi Chris

I understand the concern and can confirm that proper escalation procedures are already in place and will form

I will be in touch next week.

Best regards,

Graeme

Fram: Chris Southey [mailto:Chris.Southey

police.ukl

Sent: 02 March 2018 11:25 To: Graeme Cushion

Subject: FW: Missoula

Hi Graeme.

Thank you for your e-mall.

I have sought the views of officers; they are pleased to note the active steps which your clients are taking to review and, where necessary, Improve, clarify and extend the scope of, their current procedures. The Constabulary does see the benefit in these circumstances of seeking to avoid a piecemeal approach and, accordingly, of permitting the operators into early next week to conclude their substantive proposals.

Officers would emphasise, however, that the escalation process to be adopted in future by your clients – to be structured in terms of potential risks and appropriate response, together with clear lines of responsibility in circumstances of escalation where control measures have proved ineffective-should be in place today, in time for the weekend trade tonight and tomorrow. The Constabulary are of the view that this process is fundamental to the safe operation of these premises, and would be grateful if, on behalf of the operators, you could provide this to me, copying in Jane Spraggon, Rachel Stockdale and Dean Haythornthwaite, by 3 o'clock

I look forward to hearing from you.

Chris Southey Solicitor Durham Constabulary This e-mail is intended only for the person(s) to whom it is addressed, and may contain privileged or confidential information. If you have received this in error, please contact the sender immediately.

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From: Graeme Cushion [mailto Sent: 01 March 2018 17:29 To: Chris Southey < Chris Southe

Subject: Re: Missoula

police.uk>

Hi Chris

We are working on the questions posed in the meeting and in your email.

As indicated during the meeting there are a number of parties who require input here, so the suggested response by tomorrow is not workable.

I do not want to respond in a piecemeal fashion and as such would ask that you bear with us, probably until Tuesday or Wednesday of next week.

I assure you that the immediate concern relating to the underage girls had been addressed but will deal with that alongside everything else.

I am around tomorrow if you want to talk.

Best regards

Graeme

Graeme Cushion Partner Poppleston Allen

Currier | Pariner

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On 28 Feb 2018, at 14:49, Chris Southey < Chris. Southey

police.uk> wrote:

Dear Graeme,

It was helpful to meet with you and with representatives of Stonegate yesterday; I hope that you all had safe journeys home in this tricky weather.

In discussion with officers after you had left, I realised that I had not suggested a date for your clients to respond on the various matters which we raised with them. To this end, I would be grateful to receive by this Friday (2nd March), via yourself, the views of Stonegate as to the

- to relate what was in place prior to the incident on 7th February and that which is now proposed to be implemented, in terms of:-
 - (a) their overall risk management policy and operating procedures
 - (b) their arrangements for communication of escalating and acute incidents with Phoenix Security and Walkergate Limited, identifying the ultimate decision-maker
 - (c) their arrangements for delineation of the area controlled by them outside the
- Their proposals for future crowd-control in the vicinity of the premises, to include such reployment as they deem appropriate of barriers- indicating, if so, their preferred
- Provision of a risk assessment document, to include express reference to the differences which the DPS has identified in behaviour between customers attending on Wednesdays and those who attend during the rest of the week, and the modifications in crowd-control which are consequently requisite
- Inclusion within their operating model of their policy relating to controlled drugs. It would be helpful if the operators could clarify whether they will contact the police if drugs are found on the premises, or if they find a customer in possession of them, and whether they will pass on intelligence to the police, should they suspect drugs to have

- Confirmation in writing that the operators will never again use promoters for events at these premises
- Further confirmation that they will inform the police at least 28 days in advance whenever they are planning to hold large or all-ticket events
- Their proposals for future use of the premises on Wednesdays after 11 p.m.
- Clarification of their proposed changes to procedures, following the unfettered access to the premises on 24th February of three under-age girls
- Confirmation of the outcome of the investigation undertaken by Stonegate into this

I look forward to hearing from you.

Chris Southey Solicitor **Durham Constabulary**

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Yvonne Williams

From:

Graeme Cushion

Sent:

06 March 2018 17:19

To:

Chris Southey

Subject:

Re: Missoula, Unit 7 Walkergate, Durham

DOCID:

2146324423

Many thanks Chris.

Graeme Cushion

Partner

Poppleston Allen

On 6 Mar 2018, at 17:17, Chris Southey < Chris. Southey

,police.uk> wrote:

Dear Graeme,

Thank you very much for your e-mail. I will be discussing with officers the measures which your clients are putting forward, and will come back to you, once I have their views.

Chris Southey Solicitor Durham Constabulary

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From: Yvonne Williams | Sent: 06 March 2018 15:27 To: Chris Southey < Chris Southey

On Behalf Of Graeme Cushlon

olice.uk>

Subject: Missoula, Unit 7 Walkergate, Durham Importance: High

Dear Chris,

I write in response to your email of the 28th February which was a follow up from our meeting which took place in Durham the day before.

I sincerely hope that the combination of this email, together with its attachments will provide you with a satisfactory response to your questions.

Within your email there were nine bullet pointed questions.

The first three questions relate to health and safety measures in place at the venue. We are conscious of the fact that there are ongoing regulatory investigations and, to date, we have not had sight of the Walkergate CCTV coverage of the 7th February, nor any other evidence which has been gathered as part of the investigation. Kennedys solicitors are liaising with DS Lindsay Banks-Brown in the Major Crime Unit and have requested that senior personnel within Stonegate charged with health and safety responsibilities have sight of the CCTV footage in order to understand what happened with a view to making any changes necessary going forward, both at Missoula and other venues, to keep people safe and for reasons of public safety. Systems and procedures in place may change if the CCTV footage reveals further issues to be addressed but in the interim, in response to questions 1-3, please find attached the following.

- Previous Stonegate Security Deployment Plan our understanding is that this had been agreed with relevant Authorities following discussions in February 2017;
- Stonegate Risk Assessment for Events reviewed following the incident on 07.02.18;
- Stonegate Risk Assessment for Queues conducted following the incident on 07.02.18;
- Phoenix Security Communications Plan and Risk Assessment which demonstrates the communication arrangements and operational measures between Stonegate, Phoenix and Walkergate; and
- Stonegate Operational Plan incorporating some of the escalation protocols communicated to you last week.

As mentioned at the meeting, many of the procedures in our client's operational plans were in place previously, but have now been formally documented as you would expect following an incident of such significance. The documented operational measures are contained within the attachment "Stonegate Operational Plan". The principal changes have been highlighted in yellow and red for ease of reference. Any changes to the procedures, systems and operation of the venue have been done to increase public safety and comply with Durham Constabulary's licensing requirements in light of the tragic incident. Changes made should not be taken as an acknowledgment by Stonegate that the measures in place at the time of the incident were insufficient.

Drugs Policy

Your fourth bullet point relates to drugs and I attach the Company's policy in that regard. The Company are, of course, committed to the prevention of drug use and preventing customers from bringing drugs into their premises. They would, of course, communicate with the Police in that regard.

Promoters

Although it has already been indicated within Stonegate's Operational Plan, there is no current intention to use promoters in respect of Wednesday night student events at these premises.

Large/Ticketed Events

I can confirm that the Police would be informed at least 28 days in advance of any large or all ticketed events at the premises.

Future Student Events

You will appreciate that there will be a significant period of time before these happen again, as a result of the current agreement to limit trading on Wednesdays to 11pm, and then the student holidays thereafter.

When the student nights resume, they will be student only events run from 10pm, will only be promoted internally and subject to the operational practices outlined in the attachments to this email.

Underage incident

I am responding here to your final two bullet points.

The Designated Premises Supervisor, Stephen Rucastle has conducted a full review of the CCTV footage of the evening in question.

It appears that three girls who we are told are underage, have come to the Missoula front door at 00:30.

Only one member of door security was on the door at that time as two others were in the process of dealing with an incident on the dance floor.

The one remaining member of door staff stopped the girls in question and checked their bags.

It appears that he did not ask for identification but was shown a hand stamp which he erroneously believed to be from Missoula and to Indicate that they had been checked properly earlier in the evening.

Mr Rucastle has satisfied himself that ID checks were being properly conducted during the majority of the trading evening.

The following remedial action has been taken.

- The door man in question has been removed from employment at Missoula and a verbal warning has been issued to the Head Doorman as a result of this incident.
- Mr Rucastle has sourced a much more distinctive stamp for use in relation to patrons gaining entry to the venue.
- The door company have been advised in the strongest possible terms of the need to maintain absolute vigilance on the door and conduct thorough ID checks at all times.

Finally, can I assure you on behalf of my client, that they remain committed to working in partnership with you to ensure the safe future operation of this venue and to fostering strong working relationships with relevant Authorities.

Should you have any queries then please do not hesitate to contact me.

Yours sincerely

Graeme

ppleston Allen

T. 0115 9538 503 11:

W www.popali.co.uk

dottingham (14fee 37 Stoney Street, The Lace Market, Ivottingham, NG1 11 S <image001.png><image002.png><image003.png><image004.png>

<image005.png>

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Yvonne Williams

From:

Graeme Cushion

Sent: To:

16 April 2018 19:25 Yvonne Williams

Subject:

Fwd: Missoula

Attachments:

Mimecast Attachment Protection Instructions; ATT00001.htm, missoula

operational plan 16.4.18.pdf; ATT00002.htm; missoula-schedules to

operational plan.pdf; ATT00003.htm

DOCID:

2146379002

Could you print for weds first thing please..ta

Begin forwarded message:

From: "Chris Southey" < Chris Southey

police.uk>

To: "Graeme Cushion" «
Subject: RE: Missoula

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Hi Graeme,

Sorry not to get back to you earlier- but I have, hopefully, been putting my time to good effect in drafting the attached, which may prove a useful starting-point for our discussions on Thursday.

Please feel free to make any comments on this, and to share the material with management at Stonegate prior to Thursday. I'll be around Wednesday before 10- would 9.30 be a convenient time to ring?

Chris Southey ... Solicitor Durham Constabulary

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From: Graeme Cushion [mailto: Sent: 16 April 2018 16:58

To: Chris Southey < Chris. Southey(

Subject: Missoula

.police.uk>

Hi Chris,

Did you still want to have that call?

I am driving tomorrow but back at my desk Wednesday if that works?

Best,

Graeme

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Yvonne Williams

From:

Graeme Cushion

Sent:

27 April 2018 15:18

To:

Chris Southey

Subject:

Missoula, Durham - Operational Plan

Attachments:

Operational Plan [Amended].rtf; missoula-schedules to operational plan.pdf

DOCID:

2146398037

SENTON:

27/04/2018 15:17:25

Dear Chris.

I appreciate that you are on holiday this week but thought I would have the revised Operational Plan ready for you on your return!

I have left the changes which I have made in red for now so that you can clearly see where I have been tinkering.

I sincerely hope that I have not missed anything that was discussed at the meeting.

When we are in a position where we have an agreed document could I suggest that we agree a condition to be added to the licence along the following lines:

"Enhanced safety measures will be in place during the operation of "Student Nights" during student term time. Those measures are as outlined in the "Stonegate Operational Plan" which has been agreed with the relevant Responsible Authorities. Amendment to that plan may be made from time to time in agreement with relevant Responsible Authorities".

I look forward to hearing from you when you have had a chance to run all of this past your various officers.

Regards.

Graeme

Yvonne Williams

From:

Graeme Cushion

Sent:

09 May 2018 15:21

To:

'Chris.Southey

police.uk'

Subject:

Missoula, Durham · Hearing on Tuesday, 22 May 2018 · Operational Plan

[Revised]

Importance:

High

DOCID:

2146412424

SENTON:

09/05/2018 15:19:40

Dear Chris,

Following on from previous emails and voicemails I wondered if we are anywhere close to achieving agreement in respect of the revised Operational Plan?

It would be good to understand whether we have an agreed position to present to the Licensing Committee on

I look forward to hearing from you at your earliest convenient

Regards

Graeme

From: Graeme Cushion Sent: 02 May 2018 12:24

To: Chris Southey

Subject: Re: Missoula, Durham

Chris

Many thanks for this.

I would welcome a quick chat about this whenever you have time?

Kind regards

Graeme

On 2 May 2018, at 11:33, Chris Southey < Chris Southey

police.uk> wrote:

Hi Graham.

Thanks very much for sending through your revised draft Operational Plan, which I've picked up on my return from holiday, and which I'm circulating to officers for their views. Apologies for the overload of my inbox-it's an occupational hazard of going on leave!

I'll come back to you as soon as I have the responses of officers to hand.

Chris Sauthey Solicitor **Durham Constabulary** This e-mail is intended only for the person(s) to whom it is addressed, and may contain privileged or confidential information. If you have received this in error, please contact the sender immediately.

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Yvonne Williams

From:

Graeme Cushion

Sent: To:

09 May 2018 17:00 Chris Southey

Subject:

Re: Missoula, Durham - Hearing on Tuesday, 22 May 2018 - Operational Plan

[Revised]

DOCID:

2146413024

Chris

No problem I am around.

8est

Graeme

On 9 May 2018, at 16:55, Chris Southey < Chris. Southey

olice.uk> wrote:

Dear Graeme.

Thanks for your e-mail.

I think we're agreed, subject to one or two matters-can I give you a ring tomorrow to discuss?

Chris Southey Solicitor **Durham Constabulary**

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From: Yvonne Williams [Sent: 09 May 2018 15:21

To: Chris Southey < Chris. Southey

On Behalf Of Graeme Cushlon

police.uk>

Subject: Missoula, Durham - Hearing on Tuesday, 22 May 2018 - Operational Plan [Revised] Importance: High

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I look forward to hearing from you at your earliest convenient.

Regards.

Graeme

Craente Custion (Partner

Poppleston Allen

T: C++ 9538 503 | M

Www.popall.co.uk

!ottingham Office: 37 Stoney Street, The Lace Market, Nottingham, NG1 1L3 <image001.png><image002.png><image003.png><image005.jpg>

<image006.png>

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Chris Southey Solicitor Durham Constabulary

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Exhibit marked "RH 2" referred to in the s9 Statement of Rob Hawkesworth



OPERATIONAL PLAN IN RESPECT OF MISSOULA. UNIT 7 WALKERGATE. DURHAM, DH1 1SQ

OVERVIEW

This Operational Plan has been put together by the Operational Team with responsibility for the running of Missoula, Durham and in conjunction with Durham Constabulary.

The purpose of the document is to achieve clarity in terms of the operational practices in place at the premises on given days of the week.

Enhanced operational measures are in place on Wednesday nights when the premises is trading during University Term Time. These enhanced measures come in the form of the numbers of security personnel employed on a Wednesday night as outlined in the table on page 4 and within the section on page 8 entitled "(A) Queue System".

Only these elements of the Operational Plan will be enforceable as if they were actual conditions on the premises licence.

The Plan as a whole may be subject to revision from time to time in agreement with Responsible Authorities and the dedicated Licensing Unit of Durham Constabulary.

With the exception of:

- (a) Part A ("The Walkergate complex as a whole"), and
- (b) Those provisions which recite the express responsibilities of SIA Security staff,

This Plan is incorporated into the Premises Licence for "Missoula", Durham; any breaches of the Plan (save of the excepted provisions) above) will accordingly also constitute breaches of the said licence. The Stonegate Pub Company, as the Premises Licence Holder, will investigate such breaches to ascertain whether they attract the imposition of internal disciplinary sanctions.

Stonegate will exercise due diligence with regard to its sub-contracting of security functions at the premises to such firms from time to time as it may consider appropriate.

A. The Walkergate Complex as a Whole

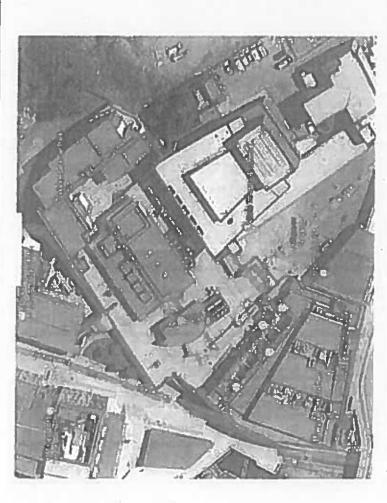
Responsibility for the security of the Walkergate complex (save for upper Millennium Place) is contracted out by Walkergate Ltd. to SIA Security staff; by virtue of a separate contract, the same firm carry out similar functions with regard to the specific security of "Missoula".

For the Walkergate complex as a whole, the current working schedules and staff numbers are as follows:

SIA	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
1 x Steward	20:00-06:30	21:00-07:30	20:00-06:30	20:00-06:30	20:00-06:30	20:00-06:30	20:00-06:30
1 x Steward	17:30-01:00	17:30-01:00	17:30-03:00	17:30-03:00	17:30-03:00	17:30-01:00	17:30-03:00
1 x Steward						21:30-02:30	

These staff provide public reassurance to those frequenting large and small venues alike, as well as ensuring that any noise generated within the complex does not adversely affect guests staying at the Premier hn, nor the residents of flats adjoining the complex. They have the ability at all times to communicate by radio with boal Pubwatch and Shopwatch systems, which are in turn linked to Durham Constabulary. Amongst their further responsibilities are fire observance and reporting crime prevention and dealing with vagrants and persons noted by the police as associated with ASB.

Their area of authority is shown below.



Between 17:30pm and closure of licensed premises, these staff maintain radio and verbal communication with door-staff at every venue. The larger venues, including "Missoula", maintain their own dispersal policies with a view to ensuringsafe exodus of customers from the site.

B. MISSOULA

The contract between Stonegate and relevant SIA Security staff for the security of "Missoula" itself makes provision for SIA Security staff deployment on Wednesday rights and at the weekend. SIA Security Staff are responsible for supervising all means of entry and egress, and for managing customer flow, with the assistance of information from management at "Missoula" to advise them of bottlenecks and of any other concerns.

The below customer flow control measures diagram indicates the security personnel and the numbers deployed on high- risk days of the week.

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
CONTROL	N/A	NIA	Agreed Queue and Deployment		Agreed Queue and Deployment	Agreed Queue and Deployment	N/A
CONTROL MEASURE	NIA	N/A	10 Security Personnel From 10pm 4 x SIA Security Stewards working in the complex area, risk assessing entry and egress of customers to the venue.	¥ N	4 Security Personnel From 10pm	2 Security from 5pm 1 Security from 6pm 1 security from 7pm 2 security from 8pm 2 security from 9pm	V/A
CONTROL	NIA	N/A	All Static furniture removed as crowd concentration is on dance floor.	NA NA	Lower beer garden closed from 9pm	Gradual removal of some static furniture to account for increased guest presence on the dance floor.	NIA
CONTROL	N/A	N/A	Lower beer garden closed	N/A	N/A	Lower beer garden closed	N/A

			from 9pm			пот 9рт		
CONTROL NA	×.	N/A	Radio Comms/ verbal	NA	Radio Comms/ verbal	Radio Comms	N/A	

Typical levels of custom for the premises are shown in the table below. It is readily apparent that Wednesday nights attract large numbers of students, and that this results in close to 100% occupancy of the premises; the deployment of security staff on these days reflects this state of affairs.

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Day trade	10%	10%	10%	10%	10%	20%	20%
(Opening – 3pm)				1		8	
Audience	Shoppers/Families						
Afternoon/Evening	10%	10%	10%	10%	25%	20%	25%
(3pm 10pm)							
Audience	Shoppers/Locals						
Late Night	10%	10%	%06	20%	70%	80%	20%
(10pm - Close)						5,	
Audience	Millennials	Millennials	Students	Millennials	Locals	Locals	Locals

Risk Assessments

Walkergate communicate to Stonegate the areas which cannot be used for queuing and work with the company to establish the areas that may be used for this purpose. There are meetings between Stonegate and Walkergate management weekly and monthly at a Complex meeting attended by all other businesses on the Complex, and daily if required.

Missoula External Risk Management

Risk	Residual Risk	Who is At Risk	Potential Outcomes	Control Measure	Responsibility	Oversight
Slip	Medium	Customer & Staff	Personal Injury	Regular checks	Landlord/Security/Mgt	General Manager
Trip	Medium	Customer & Staff	Personal Injury	Regular checks/CCTV	Landlord/Security/Mgt	General
Disorder	Medium	Customer & Staff	Multiple Personal Injury	Regular checks/CCTV	Security/Mgt	General
Overcrowding Medium	Medium	Customer & Staff	Multiple Personal Injury	Regular checks	Security/Mgt	General Manager

security provider, it is the responsibility of SIA Security staff to ensure the safety and security of all guest including staff, it is also expected all incidents Management at the premises agree the deployment plan and liaise with the security company before, during and after operation but as a professional maintain order, record entry and egress from the premises and to deal with any issues of disorder within and around the venue as and when it occurs. As a third party contractor it is the primary responsibility of SIA Security staff to manage the risks identified. Their role is to control the customers, are recorded while the operation is trading and communicated to the DPS. All incidents will be reported immediately to the Designated Premises Supervisor or Manager on duty. Thereafter the Designated Premises Supervisor, or Manager, will be responsible for determining whether to record the incident and whether he should take any further action in accordance with the escalation assessment (Appendix 1). Atbusytimes, a member of management from the premises will also be inattendance inthe outside areas inorder to monitor the numbers of customers and to ensure that any manifest problems are reported onwards, where appropriate, in accordance with (Appendix 1).

Where outside areas are covered by CCTV, the duty manager at the premises must ensure that the system is in full working order and is set to record whenever the outside areas are in use. Where any part of the areas is not covered by CCTV, consideration is to be given to providing this coverage.

QUEUE MANAGEMENT AND DISPERSAL POLICY

and when leaving towards the end of licensing hours. This policy accordingly sets out the steps which are to be taken at such times in order to minimise Stonegate acknowledge that special consideration needs to be paid to the management of customers when congregating on arrival outside the premises, the potential for disorder and disturbance. These include the management of queues, together with measures to disperse customers over an extended period and to ensure that they leave in an orderly fashion, and without bottles or glasses. It is the ultimate responsibility of the premises Licence Holder to implement and maintain this process. To this end, whilst Stonegate has no direct jurisdiction for any area beyond the curtilage of "Missoula", it will use its best endeavours to encourage customers to queue safely, and to leave the immediate area of the premises in an appropriate manner.

(A) QUEUE SYSTEM

This is SPECIFIC to HIGH VOLUME TRADING EVENTS (Student Nights).

The deployment plan has taken into consideration the planters located outside the premises. The distance between the venue perlmeter and the planters is enough to allow for two queue channels (see attached Schedule 2)

QUEUE NUMBERS

Each barrier will be set up to allow for 2 abreast queuing with 3 people lining the length of 1 barrier. This equates to 6 persons per block with a total of 8 blocks. This equates to 48 persons per queue, a total of 96. This will be controlled with clickers at the entry point and communication from the door

persons monitoring this area of the deployment.

The holding queue will hold a maximum of 200 persons. This means that there is a total of 296 queuing/moving guests on the complex. It is proposed that all persons queue OFFTHE COMPLEX in the same way that Lloyds operate their system. CROWD MARSHALS (no3) would be at the top and bottom of the accessible for members of the public accessing other premises. Barriers would be across the front door of Missoula so that no persons can enter the stairs to ensure guests do not queue on stairs and that they join the appropriate queue at the bottom of the stairs. The central stair case would remain premises without passing

through the queue system. With this system in place it will be possible to use TENSA style queuing systems as opposed to crowd control barriers (see attached Schedule 3).

VENUE PERIMETER OUTLINE

As a condition of the tenancy, the premises must provide a semi fixed perimeter to outline the licensed areas. Further to the removal of the fixed perimeter fencing asemifixed perimeter will be provided using planters and banners. The installation will be risk assessed and will form another part of the risk management process with regard to entry and egress of persons to the premises.

(B) DISPERSAL POLICY

1) Progressive Winding Down

In all instances the premises should ensure that the playing of music, which includes both live music and DJ music, is progressively wound down over the last half hour of the trading session, or immediately after the service of alcohol ceases. During this period, it is the responsibility of the General (Duty) Manager to ensure music is played which is of a quicter nature and a lower BPM.

Lighting levels throughout the premises should be gradually increased over the same period and not raised in a single step just prior to closure.

radio to the complex security who monitor our in-house radios. Complex security are aware of the closing times and will be in position and ready to guide and direct revellers to a safe route home or to the nearest transport. The SIA stewards and security are aware of the risks associated with persons who SIA Security staff providing the venue security will ensure that the progressive wind down is complied with. Verbal communications will be relayed by

may be intoxicated finding their way home and vulnerability awareness is essential.

transferred to the complex security who have forged good links with the local police and the University Christian street Angels who provide essential Both verbal and radio communications from venue management and security will identify any specifically vulnerable individuals. This information is help and assistance during the course of the Wednesday evening.

2) Announcement and Signage

Towards the end of the night announcements should be made if possible which include:

- signage at the exit points of the venue and also all door supervisors must ensure that bottles and glasses are removed from any customers (a) All customers are reminded that they must not take alcohol off the premises and this should be enforced by the provision of appropriate who are attempting to leave the premises with them.
- (b) Customers should be asked to leave the premises in an orderly manner. Again, signage should be erected at appropriate exit points thanking them for their custom and requestingin addition that customers are considerate when they leave the premises.
- (c) Details of local public transport and/or taxi services should be easily available to customers to enable them to disperse easily. This can be achieved by means of signage or by the availability of business cards for local taxi companies.

persons who may have hidden drinks on leaving are intercepted at the earliest opportunity. They will also ensure good conduct is maintained and venue. External venue door staff will ensure that glass products are seized from persons leaving the venue. Complex security will ensure that any During the close of the evening SIA Security staff will uphold the dispersal policy ensuring that glasses and bottles are not removed from the that the customers are directed to a safe transportation point.

3) Door Supervisors' Role

Door-staff, together with the managers of "Missoula" and security staff for the Walkergate complex, are responsible for using their best endeavours to ensure that:

- (a) Customers leave the premises in a quiet and orderly manner;
- (b) Any groups of customers subsequently found lokering outside are to be asked politely to move on;
- (c) No bottles or glasses are to betaken outside;
- (d) Customers should not be "herded out" at the conclusion of licensing hours, but should instead be encouraged to leave gradually;
- (e) Members of door-staff should be visible outside the premises after closing until all customers have dispersed;
- (f) Egress from the premises is via the nominated exit, and that all other exits are manned by staff in order to deny egress, save in the event of an emergency evacuation.

4) General/Duty Manager's Role

It is the ultimate responsibility of the General Manager (or in his absence, the Duty Manager) to ensure that:

- Door-staff are acting effectively, and in line with the responsibilities set out at 3 above; (a)
- Customers do not cause any disturbance or nuisance within the vicinity of the premises. If any disturbance does occur, the customers in question should be asked to move on, if safe to do so. If the situation becomes hostile, the police should be called to assist; (q)
- A member of the management team is visible with the door-staff until all customers have dispersed. (C)

COMMUNICATION

Continuous risk assessments conducted by staff must be placed on record, and will be used to create such operational measures as the style of Effective communication at all times between management and security staff-for both the Walkergate complex and "Missoula" is essential. operation at the premises may require. The means of communication are shown in diagrammatical form, at Schedule 4,

Staff are expected to risk-assess the measures for the premises, and to make such revisions to them as may be appropriate.

OPERATIONAL MEASURES

RESPONSIBLE PERSONS	Duty Manager	Duty manager & General Manager	Duty Manager (Dally). Assistant Manager (Dally). General Manager (Weekly).
CONTROL MEASURES	Managers Daity Checklist	Due Diligence Dairy Weekly Sign-Off Audited.	Due Diligence Diary Specific Managers KPI Weekly Review in Managers Meeting
PURPOSE	To allocate staff to their designated positions, to communicate to all staff the management on duty. To communicate any H&S issues, general Company Comms & Event Specific Information. To Communicate financial targets, staff incentives & breaks.	To record and verbalise any relevant incidents, company comms, staffing issues, customer service reports & trading anomalies. Also, to carry out a financial handover at start and close of business and also at any shift change.	To record any Maintenance and H&S Issues in and around the venue that would impact the customer service journey or would pose a risk to H&S of guests and staff. To schedule Maintenance Works and cascade to the relevant department for authorisation and release.
FORMAT	Printed Document	Company Diary & Meeting	Company Diary Pronett · Mainlenance Portal
FREQUENCY	Daily	Twice Daily	Twice Daily
ITEM	Team Brief Sheet	Managers Handover	Maintenance & H&S Log

Duty Manager	Head Doorperson	Duty Manager	Duty Manager Head Doorperson	Duty Manager Head Doorperson
Sign On and Sign Off over the radio		Automatically Emailed from The CMS.	Pre-Session Checklist in Due Diligence Diary.	Due Diligence Log. Incident Reports. Daily Management Daily (Post-Shift Security Check)
To communicate from Site to the City Centre CCTV	Monitoring Station. Radio to be operated by Duty Manager on all occasions that Security Personnel are not present. When security personnel are present, the Head Door person is to assume responsibility for its use.	To indicate any pre-booked parties or ticket sales for the current day. This would be used to determine any additional staffing requirements or altered table configuration.	A brief comms meeting between Security and Venue Management to discuss the expected trade fevel, staffing levels, foreseeable operational issues and any maintenance or H&S issues that have arisen prior to the commencement of the trading session.	A comms meeting between Security and Venue Management to discuss that night's trade, operational issues and any maintenance or H&S issues that have arisen during the session, to record and handover any incidents that require writing-up and to complete the daily Incident Register and due diligence log.
Hytera P0785 Radio		Printed Document	Meeting between Duty Manager & Head Doorperson	Meeting between Duty Menager & Head Doorperson
Daily		Daily	Nightly (Where security are required).	Nightly (Where security are required).
CCTV Radio		Pre Booked Run Sheet	Security Pre-Shift Brief	Security De-Brief

May also include the review of the CCTV from any serious incident.	Night Time Only Radio Check at start of shift working will have a radio to ensure two-way comms issued to them in order to are working. Periodic	the shift. A minimum of 1 Duty ensure all in working order. Manager would be issued a	radio to monitor broadcasts and also communicate any	management team and	security 1 Additional Radio on each operation bar in order that staff can contact security
	nternal Radio Link	155			

In this diagram of adopted operational measures effective communication is identified.

EVACUATION

responsible for evacuating their own premises, and Walkergate staff would be responsible for the egress of persons off the site. We would need to know In the event of a fire in the flats adjoining the Walkergate Complex, there would be a general fire alarm. In this case, all individual units would be what the evacuation plan and muster pointwere of the flats in order to assess any issues there might be.

Management at the premises work closely with local residents and have received no complaints or issues from them in the past.

The Evacuation Plan is in the fire risk assessment folder, this is audited by the boal fire authority and an external contractor.

The queue system does not block any entrances and so does not interfere with any evacuation.

Walkergate Security are primarily responsible for the evacuation of the complex with support from venue management once the individual units have been evacuated.

An integrated Evacuation Policy has not been submitted to management at the premises, but this should definitely be something to consider moving forward.

LARGE EVENTS

Advance notice of any large events taking place at the premises will be provided to the dedicated Licensing Unit of Durham Constabulary and the Licensing Team at Durham County Council. Such notice will be provided at least 14 days in advance.

A Large Event is a pre booked event for 325 people or more.

PROMOTERS

Event promotion will be the subject of risk assessment and consultation with relevant Responsible Authorities. Notification of intention to use a promoter will be given to relevant Responsible Authorities a minimum of 14 days in advance, including the dedicated Licensing Unit of Durham Constabulary.

Stonegate Pub Company Limited

Thursday, 17th May 2018

Escalation Assessemnt

	Duty Manage General Manage Arms Manager Constitution of the Consti
Election non violence	Manager Manager Direct Manager Direct Manager Manager Direct Police Local Authorth
Ejection minor vialence	
Election involving physical injury	
Hospital attendance by guest	
Hospital attendance by staff	
Refusal of service	
Refusal of entry	
Slips and trips	
Failure of RA control measures	
Damege to fixtures and fittings	
H&S issues complex	
H&S issues venue	
Drug searches no evidence found	
Drug searches evidence found	
Use of false identification	
Threats to employees and contractors	
Attendance by ambulance or paramedic	
Attendance by responsible authority	
Major Incident (as per company definition)	
Overcowdine	

This list is not exhaustive or definitive and is intended merely as a guide.

