

# LICENSING ACT SUB-COMMITTEE AGENDA



**Friday 6<sup>th</sup> January 2012**

**at 10.00am**

**in Committee Room C, Civic Centre, Hartlepool**

MEMBERS: LICENSING ACT SUB-COMMITTEE:

Fleet, Hall, Sutheran

1. **APOLOGIES FOR ABSENCE**
2. **TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
3. **ITEMS FOR DECISION**
  - 3.1 Application for the review of premises licence – The Loft, 56 Church Street, Hartlepool – *Assistant Director, Regeneration and Planning*

# LICENSING ACT 2003

## Procedure for Review Hearings



Prior to the commencement of the meeting, a representative of the Democratic Services Section shall establish the identity of those present, who they represent and who intends, or wishes to speak.

1. The Chair's opening comments, including introduction of Members of sub-committee and officers present. Explanation of the decision to be considered.
2. Head of Public Protection and Housing outlines the application, any relevant representations and relevancy to Licensing Policy and statutory guidance.
3. Members ask any questions of the Head of Public Protection and Housing.
4. Applicant for Review presents their case (either personally or via legal representation) and introduces witnesses where appropriate.
5. Questions by Members to applicant and/or applicant's witnesses.
6. Representations by responsible bodies and/or interested parties and witnesses introduced where appropriate.
7. Questions by Members to responsible bodies/interested parties and/or their witnesses.
8. Licence/Club Certificate holder presents their case (either personally or via legal representation) and introduces witnesses where appropriate.
9. Parties may question and clarify issues raised with the consent of the Chair.
10. If required, applicant/responsible bodies/interested parties to be given opportunity to sum up.
11. If required, the Licence/Club Certificate holder to be given opportunity to sum up.
12. Members to have the opportunity to clarify any points raised. The Chair shall ask whether all parties are satisfied they have said all they wish to.
13. Members to go into closed session to deliberate.
14. Chair informs parties of their decision, with reasons.

**Report of:** Assistant Director, Regeneration and Planning

**Subject:** APPLICATION FOR THE REVIEW OF PREMISES  
LICENCE – THE LOFT, 56 CHURCH STREET,  
HARTLEPOOL

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## 1. PURPOSE OF REPORT

- 1.1 To consider an application for the review of a premises licence in respect of The Loft, 56 Church Street, Hartlepool.

## 2. SUMMARY OF APPLICATION

- 2.1 Party requesting review: Cleveland Police
- Premises to which the review relates: The Loft  
56 Church Street  
Hartlepool
- Licence Holder Ms Linda Baker
- 2.2 The current licence authorises the following activities between 1000 and 0400 hours on Monday to Sunday inclusive: -
1. Alcohol Sales (On & Off Licence)
  2. Live Music
  3. Recorded Music
  4. Performance of Dance
  5. Anything Similar to 2, 3 or 4 above
  6. Provisions of Facilities for Making Music
  7. Provisions of Facilities for Dancing
  8. Entertainment Similar to 6 or 7 above
- 2.3 A copy of the premises licence is attached as **Appendix I**.
- 2.4 A copy of the application for review, including Police witness statement, is attached as **Appendix II**.
- 2.5 The application for review refers to the following licensing objectives:
- The Prevention of Crime and Disorder
  - Public Safety

### **3. BACKGROUND**

- 3.1 Cleveland Police has requested a review of the premises licence on the grounds that there have been numerous incidents, including violence and anti-social behaviour, within the premises which have undermined the licensing objectives.
- 3.2 The application for review has been advertised in the prescribed manner and no additional representations have been received.

### **4. ISSUES**

- 4.1 An application for the review of a licence is made under Section 51 of the Licensing Act 2003. The application must be made by either a Responsible Authority or Interested Party as defined by the Act. Cleveland Police are a Responsible Authority.
- 4.2 The application must also relate to at least one of the Act's 'licensing objectives'. These are: -
- i) The prevention of crime and disorder;
  - ii) Public safety;
  - iii) The prevention of public nuisance; and
  - iv) The protection of children from harm
- 4.3 Following consideration of the application, relevant representations and any comments of the licence holder, Members may take such steps as they consider necessary for the promotion of the licensing objectives.
- 4.4 The steps are: -
- To take no action;
  - To modify the conditions on the licence (this may include altering or omitting an existing condition or adding a new condition);
  - To exclude a licensable activity from the scope of the licence;
  - To suspend the licence for a period not exceeding three months;
  - To revoke the licence.

### **5. RECOMMENDATIONS**

- 5.1 That Members consider the representations made by the Cleveland Police and the licence holder and determine what action, if any, should be taken.



## Appendix I

## THE LICENSING ACT 2003

## PREMISES LICENCE (PART A)

Premises licence number

HART/PS/124

## Part 1 - Premises details

Postal address of premises or, if none, Ordnance Survey map reference, or description

The Loft  
56 Church Street

Post Town Hartlepool

Post Code TS24 7DX

Telephone number 01429 222400

Where the licence is time limited the dates

N/A

**Licensable activities authorised by the licence. Any entertainment authorised by this licence is limited to indoors only, unless stated otherwise**

1. Alcohol Sales (On & Off Licence)
2. Live Music
3. Recorded Music
4. Performance of Dance
5. Anything Similar to 2, 3 or 4 above
6. Provisions of Facilities for Making Music
7. Provisions of Facilities for Dancing
8. Entertainment Similar to 6 or 7 above

**The time the licence authorises the carrying out of licensable activities.**

1. Alcohol Sales (On & Off Licence)
2. Live Music
3. Recorded Music
4. Performance of Dance
5. Anything Similar to 2, 3 or 4 above
6. Provisions of Facilities for Making Music
7. Provisions of Facilities for Dancing
8. Entertainment Similar to 6 or 7 above

All of the above

Monday to Sunday 10:00 – 04:00

**The opening hours of the premises**

Monday to Sunday

10:00 – 04:30

**Where the licence authorises supplies of alcohol whether these are on and / or off supplies**

On and Off Sales

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Linda Baker  
1 Greywood Close  
Hartlepool  
TS27 3QJ

Tel: 07973884494

**Registered number of holder, for example company number, charity number (where applicable)**

**Name, address and telephone number of designated premises supervisor where the premises licence authorizes the supply of alcohol**

Linda Baker  
1 Greywood Close  
Hartlepool  
TS27 3QJ

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorizes for the supply of alcohol**

HART/PL/606  
Hartlepool Borough Council

**Date licence granted:** 14<sup>th</sup> June 2011

**ANNEX 1 – Mandatory Conditions**

1. No supply of alcohol may be made under the premises licence-
  - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

2. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children–
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to–
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
  - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on–
    - (i) the outcome of a race, competition or other event or process, or
    - (ii) the likelihood of anything occurring or not occurring;
  - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

3. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.  
  
(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
6. The responsible person shall ensure that–
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures–
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml; and
  - (b) customers are made aware of the availability of these measures.

## **ANNEX 2 – Conditions consistent with the Operating Schedule**

1. Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours includes:

New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31<sup>st</sup> December).

Permitted hours under this licence do not prohibit:

- (a) During the first twenty minutes after the above hours the consumption of the alcohol on the premises;
  - (b) During the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
  - (c) During the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
  - (d) Consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
  - (e) The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
  - (f) The sale of alcohol to a trader or club for the purposes of the trade or club;
  - (g) The sale or supply of alcohol, to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's navel, military or air forces;
  - (h) The taking of alcohol from the premises by a person residing there; or
  - (i) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
  - (j) The supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises
2. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
  - (i) He is the child of the holder of the premises licence
  - (ii) He resides in the premises, but is not employed there
  - (iii) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from where there is no other convenient means of access or egress.

- (iv) The bar is in the railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition “bar” includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

No child under 16 years of age shall be admitted to any other part of the licensed premises unless accompanied by an adult

3. This licence is subject to such further conditions as are consistent with any restrictions imposed on the use of the premises for the existing licensable activities under the licence by virtue of the Children and Young Persons Act 1933.
4. Except with the prior written approval of the Licensing Authority and subject to any conditions which may be attached to such approval: -
  - (a) No special effects, naked flames, smoke production or any process creating a risk of fire, or the illusion of smoke or fire shall be used for the purpose of providing regulated entertainment on the premises.
  - (b) No explosives or highly flammable substances shall be brought into or used on the premises.
  - (c) No special effects shall be used or displays given on the premises, which consist of or include the use of lasers.

Applications for consent, giving detailed descriptions of the equipment to be used and details of the event, including dates and times must be made not less than 28 days before the date of the event.

5. There shall be maintained on the premises at all times an adequate and appropriate supply of first aid equipment and materials for use by patrons.
6. The licensee must ensure that the electrical socket outlets in the licensed premises, which are used for the purpose of providing licensed entertainment are protected by a residual current device being a 30 MA tripping circuit
7. In the event of the fire alarm being activated a suitable relay must be provided so that the electrical power supply to all sound amplification system in the licensed premises must be immediately intercepted so that the alarm can be clearly heard in all parts of the licensed premises.

8. Before any dancing takes place in the premises suitable facilities shall be provided for dancing and details of the same shall be agreed with the local authority.
9. A drugs policy shall be prepared and implemented.

**ANNEX 3 – Conditions attached after a hearing by the Licensing  
Authority**

NONE



**ANNEX 4 - Plans**

YOU ARE REMINDED THAT IT IS YOUR LEGAL OBLIGATION TO ATTACH THE CURRENT 'PLAN' TO THIS PREMISES LICENCE AND KEEP THIS LICENCE (OR A CERTIFIED COPY) IN A SECURE PLACE AT THE LICENSED PREMISES.

IT IS AN OFFENCE NOT TO PRODUCE YOUR PREMISES LICENCE (INCLUDING THE PLAN) UPON REQUEST BY A POLICE OFFICER, LOCAL AUTHORITY OFFICER OR AUTHORISED PERSON.

Application for Review of Premises  
Licence



The Loft/Diablos  
Church Street, Hartlepool

APPLICATION FOR REVIEW OF PREMISES LICENCE

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**APPLICATION FOR THE REVIEW OF A PREMISES LICENCE OR CLUB  
PREMISES CERTIFICATE UNDER THE LICENSING ACT 2003**



**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 this 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. You may wish to keep a copy of the completed form for your records.

I Marie Nevison

*(Insert name of applicant)*

**apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

**Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> The Loft Church Street	
<b>Post town</b> Hartlepool	<b>Post code (if known)</b> TS24 7DX

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Ms Linda Baker 1 Greywood Close Hartlepool TS27 3QJ
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<b>Number of premises licence or club premises certificate (if known)</b> HART/PS/124
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**Part 2 - Applicant details**

I am

**Please tick yes**

- 1) an interested party (please complete (A) or (B) below)
  - a) a person living in the vicinity of the premises ☐
  - b) a body representing persons living in the vicinity of the premises ☐
  - c) a person involved in business in the vicinity of the premises ☐
  - d) a body representing persons involved in business in the vicinity of the premises ☐
- 2) a responsible authority (please complete (C) below) ☒
- 3) a member of the club to which this application relates (please complete (A) below) ☐

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

Please tick

Mr ☐

Mrs ☐

Miss ☐

Ms ☐

Other title  
(for example, Rev)

**Surname**

**First names**

**I am 18 years old or over**

**Please tick yes**

☐

**Current postal  
address if  
different from  
premises  
address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address  
(optional)**

**(B) DETAILS OF OTHER APPLICANT**

**Name and address**

**Telephone number (if any)**

**E-mail address (optional)**



### (C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Chief Constable of Cleveland Police c/o Sgt Wrigley Licensing Unit Hartlepool Police Office Avenue Road Hartlepool TS24 8AJ
Telephone number (if any) 01642 302567
E-mail address (optional)

**This application to review relates to the following licensing objective(s)**

**Please tick one or more boxes**

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm



**Please state the ground(s) for review (please read guidance note 1)**

Cleveland Police make an application to review this premises licence for the following reasons:

The Loft has been a problem premises to Cleveland Police for some time and is continuing to cause concern. There was a transfer of Premises Licence Holder in May 2011 from Admiral Tavern to Ms Linda Baker.

Concerns have centred on violence, anti social behaviour, and drunk and disorderly persons associated with the premises.

Concerns were such that on 21<sup>st</sup> September 2011; a meeting was held between the Premises Licence Holder and DPS, Linda Baker, Sgt Wrigley and PC Hussain in order to discuss problems and how they could be addressed. At this meeting, Linda Baker agreed to an Action Plan suggested by Cleveland Police. Cleveland Police were of the opinion that the Action Plan would assist with preventing the licensing objectives being undermined. The Action Plan entailed, eg, CCTV, which must be made available to police on demand, two Door Supervisors on duty at core times and Challenge 21 Policy.

However, on 8<sup>th</sup> October 2011 at 03.25 hours, Inspector Haytack of Cleveland Police reported an incident whereby he noticed approximately 30 - 40 persons, who were clearly drunk, pushing and shoving to gain entry to the club. It was noted that there was only one Door Supervisor on duty, who was struggling to control the crowd. This was despite the agreed Action Plan some three and a half weeks earlier. Inspector Haytack spoke to Linda Baker regarding this incident.

On 29<sup>th</sup> October 2011, Inspector Haytack once again had issues with intoxicated persons leaving the premises on closing.

On 30<sup>th</sup> October 2011 at 01.20 hours, on no less than four occasions, Cleveland Police were called to the premises to deal with fights, which had broken out in the premises and spilled out onto the street. The situation was of such concern that Inspector Westmoreland and PC Hussain had to ask the premises to close voluntarily. This was necessary in the interests of public safety and had the premises not agreed, Cleveland Police would have had no alternative but to close the premises under Section 161 Licensing Act 2003.

It was noted on 30<sup>th</sup> October, that despite the agreed Action Plan, there was again, only one Door Supervisor on duty and, when CCTV footage was requested, Linda Baker admitted that she did not have any in the premises. It was further noted that Ms Baker was not happy at Cleveland Police asking her to close voluntarily and she appeared more concerned that this was her busy night and the time for her to make money. There appeared to be no understanding of the seriousness of the situation.

Cleveland Police believe due to the above concerns they have had no alternative but to make an application to review the premises licence as failure to do so may lead to persons being seriously injured.

Please provide as much information as possible to support the application (please read guidance note 2)

Please tick yes

Have you made an application for review relating to this premises before ☐

If yes please state the date of that application

Day Month Year  

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**If you have made representations before relating to this premises please state what they were and when you made them**

**Please tick yes**

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – Signatures** (please read guidance note 3)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature 

Date 4<sup>th</sup> November 2011

Capacity Solicitor

<b>Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)</b>	
<b>Post town</b>	<b>Post Code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b>	

#### **Notes for Guidance**

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

**Copies of this completed application form must be sent to:-**

**The Licensing Team (HBC),  
 Principal Trading Standards Officer (HBC)  
 Development Control Manager (HBC)  
 Principal Environmental Health Officer (Commercial Services) (HBC)  
 Principal Environmental Health Officer (Environmental Protection) (HBC)  
 Head of Safeguarding and Review (Licensing) (HBC)  
 Cleveland Police,  
 Cleveland Fire Brigade**

**Addresses for the above organisations are attached.**

**The Licensing Section  
 Public Protection and Housing  
 Hartlepool Borough Council  
 Civic Centre  
 Victoria Road  
 Hartlepool  
 TS24 8AY**

## LICENSING ACT 2003



If you are making an application to Hartlepool Borough Council for a new licence, or a variation to an existing licence, under the Licensing Act 2003, you must send a copy of your application to each of the following organisations. This must be done at the same time as you send your application to the Council.

The Licensing Team  
Hartlepool Borough Council  
Bryan Hanson House  
Hanson Square  
Hartlepool  
TS24 7 BT

The Licensing Officer  
Hartlepool Police Office  
Avenue Road  
Hartlepool  
TS24 8AB

Chief Fire Officer  
Community Services Group  
Fire Engineering Hartlepool  
Fire Brigade HQ  
Endeavour House  
Stockton Road  
Hartlepool  
TS25 5TB

Development Control Manager  
Hartlepool Borough Council  
Bryan Hanson House  
Hanson Square  
Hartlepool  
TS24 7BT

Hartlepool Safeguarding Children Board  
Child and Adult Services Department  
Hartlepool Borough Council  
Bevan House  
35 Avenue Road  
Hartlepool  
TS24 8HD

Principal Environmental Health Officer (Commercial Services)  
Hartlepool Borough Council  
Bryan Hanson House  
Hanson Square  
- Hartlepool  
TS24 7 BT

Principal Environmental Health Officer (Environmental  
Protection)  
Hartlepool Borough Council  
Bryan Hanson House  
Hanson Square  
Hartlepool  
TS24 7 BT

Principal Trading Standards Officer  
Hartlepool Borough Council  
Bryan Hanson House  
Hanson Square  
Hartlepool  
TS24 7 BT

For more information contact the Council's Licensing Team on  
(01429) 523354 or [licensing@hartlepool.gov.uk](mailto:licensing@hartlepool.gov.uk) or visit Bryan  
Hanson House, Hanson Square Hartlepool, TS24 7BT



**RESTRICTED (when complete)****CLEVELAND POLICE****WITNESS STATEMENT**

(CJ Act 1967, s9 MC Act 1980, ss5A(3)(a) and 5B; Criminal Procedure Rules 2005, r.27.1(1))

URN	17			
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Statement of Yasmeen HussainAge if under 18 Over 18 (If over 18 insert "Over 18") Occupation Police Constable 2086

This statement (consisting of 13 page(s) 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 anything in it, which I know to be false, or do not believe to be true.

Signature Date: 2<sup>nd</sup> November 2011Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am a Police Constable employed by Cleveland Police, currently posted in the Alcohol Licensing Unit in Hartlepool.

Part of my role is to monitor licensed premises within Hartlepool and ensure that they are not undermining the licensing objectives and abiding by the licensed conditions which have been attached to their licence. If premises are not abiding by the conditions imposed then it is my duty to collate evidence of the breaches and inform the licence holder of the issues.

A review has been initiated by Hartlepool Police in relation to The Loft Public House, which is situated on Church Street Hartlepool. Detailed below are offences and incidents which have been recorded by Hartlepool Police and caused particular concern in relation to The Loft Public House.

On the 1<sup>st</sup> May 2011 at 02:30 hours there was a disturbance outside The Loft Public House between two drunken males. Police attended the location and one officer placed himself

Signature 

Signature Witnessed by \_\_\_\_\_

10

**RESTRICTED (when complete)****CLEVELAND POLICE**

Page No 2

Continuation of Statement of **Yasmeen Hussain**

between the two males who were shouting abuse towards one another threatening violence. Whilst the police were trying to diffuse the situation one of the males has swore at the officer to move out of the way in order to allow him to assault the male he was arguing with. The officer declined to move and the male assaulted the officer with his clenched fist numerous times. The male responsible for the assault was arrested, and the second male involved was arrested for being drunk and disorderly.

On the 8<sup>th</sup> May 2011 at 03:13 hours police had cause to attend the loft Public House as they had received reports that there was a drunken female inside the premises who had passed out. Police attended the premises and found a female who was heavily under the influence of alcohol and who was in and out of consciousness, an ambulance was requested as there were concerns for the female's welfare due to her incapacitated condition. Paramedics assessed the females condition and deemed it necessary to take the female to Hartlepool General Hospital due to the amount of alcohol she had consumed.

On the 15<sup>th</sup> May 2011 at 03:10 hours police had cause to attend The Loft to a report of a disturbance. Upon arrival police were informed that 3 males had been inside the premises who were involved in an altercation with door staff. The 3 males were ejected from the premises by door staff and a member of door staff has been assaulted by the 3 males, the suspects were still in the vicinity of Church Street, who were located and arrested for assault. The member of door staff had sustained an injury to the centre of his forehead which was bleeding and a cut to his right ear.

Signature



Signature Witnessed by



**RESTRICTED (when complete)****CLEVELAND POLICE**Page No **3**Continuation of Statement of **Yasmeen Hussain**

The Loft had no CCTV to assist in apprehending offenders and to Prevent Crime and Disorder taking place inside the premises.

On the 21<sup>st</sup> May 2011 at 23:57 hours, Police received a report of a male who had been assaulted in The Loft Public House. Police attended and found a male who had a bloody nose, police were informed that the male had been stamped on which caused his bloody nose. The injured male was taken to hospital, and the suspect who was still in the vicinity was arrested on suspicion of assault.

On the 29<sup>th</sup> May 2011 at 03:52 hours Police have cause to speak to a male who has come out of The Loft Public House, the male is drunk and becomes abusive. The male is given a Section 27 Direction to leave notice to leave the town centre, this was to prevent any crime from been committed or further disorder.

On the 3<sup>rd</sup> July 2011 at 02:35 hours Police attended The Loft Public House to a report of a member of door staff being assaulted. Upon speaking with the member of door staff he informed police that he had allowed a male entry into the premises, but refused entry to a male accompanying him, due to this the male allowed entry without any warning has assaulted the doorman.

At the time the door man stated he was alone on the doorway of The Loft, the second doorman was inside the premises.

Signature PC2080

Signature Witnessed by \_\_\_\_\_

**RESTRICTED (when complete)****CLEVELAND POLICE**

Page No 4

Continuation of Statement of **Yasmeen Hussain**

Subsequently the male responsible for assaulting the doorman was identified and arrested on suspicion of assault. This assault could have been avoided had there been 2 x doormen working on the front doors of The Loft Public House.

On the 14<sup>th</sup> August 2011 at 02:30 hours police were on patrol on Church Street, Hartlepool, as part of licensing patrols to reduce drink related violence and anti social behaviour in the area. At this time PC Crowe was stood outside The Loft Public House where he observed a known male through the large front glass window. The known male was stood inside The Loft and appeared to be drinking a pint of what appeared to be lager. Due to having previous dealings with the male, PC Crowe was aware that he had a Drink Banning Order which prohibits him from entering Church Street between the hours of 20:00 – 07:00. I exhibit this statement as YH/1

The Loft had been issued a photograph of the male by Hartlepool Licensing Unit to make the premises aware that he has a Drink Banning order and for them to be able to identify the male from the photograph provided.

On the 11th September 2011 at 03:15 hours police were on patrol on Church Street Hartlepool. At this time PC Busby was stood outside The Loft Public House when he observed a male leave the premises with a bloodied nose and a tooth missing. Upon speaking with the male he had confirmed that he had been assaulted inside The Loft but refused to co-operate with police or provide a statement to police. PC Busby attended The Loft and upon speaking with door staff PC Busby was informed that the premises doesn't have any CCTV. Due to there being no CCTV at the premises this crime could not be

Signature 13

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**RESTRICTED (when complete)****CLEVELAND POLICE**

Page No 5

Continuation of Statement of **Yasmeen Hussain**

investigated and this allowed the suspect to carry on without being brought to justice for an offence of assault. I exhibit this statement as YH/2

On the 18<sup>th</sup> September 2011 at 04:20 hours Inspector Haytack was on patrol on Church Street Hartlepool, in company with PC Hussain as part. All licensing premises had closed, however Inspector Haytack had observed a crowd of approximately 30 persons who had left The Loft were congregating outside the premises, all appeared to be under the influence of alcohol. Past experience has shown that allowing crowds to congregate can lead to incidents of disorder or alcohol related offences. To prevent any crime or disorder from occurring Inspector Haytack along with other police officers made efforts to disperse the crowds to nearby taxi rank, this took a significant amount of persuasion.

I exhibit this statement as YH/3

On the 21<sup>st</sup> September 2011 PC Hussain and Sgt Wrigley from Hartlepool Alcohol Licensing Unit had a meeting with Linda Baker premises licence holder. All the above incidents which had occurred were highlighted to Ms Baker. As an early intervention measure between the police and Ms Baker, it was agreed between both parties that the best way to tackle the issues around The Loft would voluntarily agree to an Action Plan because at the time the premise was undermining the licensing objectives, this was signed by Linda Baker and PC Hussain. The specified actions agreed were

- 1) The premises should employ 2 x SIA accredited door staff on their entrances at core times. Door staff should be able to walk through the premises in order to identify barred and drunk persons and be able to deal with them more effectively. This would help bar

Signature 14 PC2086

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**RESTRICTED (when complete)****CLEVELAND POLICE**

Page No 6

Continuation of Statement of **Yasmeen Hussain**

staff and management as it would reduce the risk of threats or assaults towards them as well as patrons inside the premises.

2) CCTV should be installed inside the premises, and will be provided in the form of a recordable system providing pictures of **Evidential Quality** in all lighting conditions particularly facial recognition.

Cameras shall compass all ingress and egress to the premises, fire exits and all areas where the sale/supply of alcohol occurs.

Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in date order, numbered sequentially and kept for a period of 31 days and handed to police on demand.

The premises licence holder must ensure at all times a DPS or appointed member of staff is capable and competent in at downloading CCTV footage in a recordable format Either Disc or VHS to the Police /Local Authority on demand.

The recording equipment and tapes/discs shall be kept in a secure environment under the control of the DPS or other responsible named individual.

An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is complaint, in the event of any failing's actions taken must be recorded.

3) The premise should keep an up to date refusals register which should be completed as accurately as possible. It should show details such as time and date of refusal, the name of the person refused and which staff refused them and a short explanation as to why. If they are unable to give a name for the person refused then a description of the person and their

Signature Signature Witnessed by 15



**RESTRICTED (when complete)****CLEVELAND POLICE**

Page No 7

Continuation of Statement of **Yasmeen Hussain**

clothing should be given. I exhibit this as YH/4

On the 8<sup>th</sup> October 2011 at 03:25 hours Inspector Haytack was on patrol on Church Street, Hartlepool. At this time he noticed a crowd of approximately 30 – 40 persons gathered around the front entrance of the the Loft Public House. The majority of the people attempting to gain entry into the premises were drunk, at the time there was only one member of door staff on the entrance who was struggling to control the patrons.

Inspector Haytack spoke with the door man and requested to speak with the licensee of the premises, however the door man was unable to leave his post due to the fact he was on his own covering the doors to the premises, he managed to get a message to Linda Baker the licence holder, via his radio.

Inspector Haytack spoke to Ms Baker and expressed his concerns, to which Ms Baker stated that she was doing her best not allowing drunken persons onto the premises, and would deal with the issue. Police assisted in dispersing patrons from the locality, there was other premises that were still open, however The Loft was the only one having issues.

I exhibit this as YH/5

On the 13<sup>th</sup> October 2011 PC Hussain spoke to Linda Baker in relation to Inspector Haytack having to attend the premises when there was only one member of door staff on the main door. Ms Baker was advised that Inspector Haytack had concerns regarding a large crowd congregating outside the premises. Ms Baker stated that all the persons congregating outside the premises had left to go and have a smoke, and would then return inside the

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**RESTRICTED (when complete)****CLEVELAND POLICE**Page No **8**Continuation of Statement of **Yasmeen Hussain**

premises until 04:00 hours, as her licence stipulates she can serve alcohol until 04:00 hours. Ms Baker was reminded of her obligations as a licensee and the necessity to have 2 door staff on the main doors at all times to support one another.

On 21<sup>st</sup> October 2011 PC Hussain spoke with Linda Baker, where she was reminded to ensure she had both of her door staff working on the front door of the premises to offer support to one another. Ms Baker was advised that The Loft does attract large groups, therefore, it is important to have both of her door man working on the doors for safety. She was further advised if there are any issues at the premises, she should report them to the police and they will deal with any reports.

On the 25<sup>th</sup> October 2011 PC Hussain again spoke with Ms Baker and asked if there had been any progress with CCTV being installed in the premises. Ms Baker stated that she was looking into the cost of how much CCTV would cost and would be able to give a definitive answer in the next week. This is despite agreeing to CCTV in a meeting some five weeks ago.

On 29<sup>th</sup> October 2011 at 03:45 hours, Inspector Haytack was on patrol on Church Street Hartlepool, as part of licensing patrols to reduce drink related violence and anti social behaviour in the area. At this time, he was stood near the Loft Public House and there was a group of approximately 30 persons congregating directly in front of the premises. The premises were in the process of closing, however he noticed that the majority of persons congregating outside The Loft had come from inside The Loft. The majority appeared to be

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**RESTRICTED (when complete)****CLEVELAND POLICE**

Page No 9

Continuation of Statement of **Yasmeen Hussain**

were all under the influence of alcohol, their speech was slurred and they were unsteady on their feet. Upon observing the group, it was clear that there was potential for public disorder and numerous arguments and scuffles were beginning to break out between the group outside the Loft. The crowd became abusive towards officers as they attempted to move the group on and the abuse continued towards officers during this process. Due to the disorder arrests were made for persons being drunk and disorderly and owing to their aggression, violent behaviour and resistance, they were handcuffed prior to being placed in police vans. Upon calming down one of the females arrested informed Inspector Haytack that she and others arrested had been in The Loft prior to their arrest. I exhibit this as YH/6.

On 30<sup>th</sup> October 2011 at 01:00 hours PC Haworth was on patrol in company with PC Malloy on Church Street Hartlepool. At this time, due to information received via CCTV that a bar was shouting for assistance due to fighting in progress, a female came out of The Loft and shouted at PC Haworth "GET IN THERE THEY ARE MURDERING EACH OTHER" The female pointed over towards the loft. PC Haworth had gone into the Loft in company with other officers, including PC Hussain from the Alcohol Licensing Unit, where they observed approximately 5 males pushing and shoving one another. At the time there was one door man on duty in the premises who was struggling with a male. PC Haworth made her way to the doorman to assist him as other males were pulling at him. The doorman then escorted a male out of the premises. PC Haworth noticed that the doorman was sweating and out of breath. Approximately 7 males were escorted out of the premises and two of the males had visible facial injuries. All males escorted outside were angry and were showing aggression towards others and to the police. A few moments later, the emergency exit door of The Loft

Signature



Signature Witnessed by

**RESTRICTED (when complete)****CLEVELAND POLICE**Page No **10**Continuation of Statement of **Yasmeen Hussain**

flew open and two males burst out and fell onto the ground followed by a bar stool! A number of females who had come out of The Loft informed PC Howarth that they had been frightened inside the premises. I exhibit this as YH/7

Due to the large scale disturbance, officers on Church Street were struggling to maintain order necessitating the despatch of further units to Church Street to assist.

Inspector Westmoreland attended Church Street as he was the Inspector responsible for the Night Time Economy. As inspector Westmoreland arrived, he observed numerous persons outside The Loft acting in a hostile and aggressive manner towards each other. He further observed a male being lead away from The Loft by police who was under arrest, the male was unsteady on his feet speech slurred, and he was being aggressive towards officers and shouting and swearing.

Sgt Galloway who was present, informed Inspector Westmoreland that the disorder was related to The Loft. There was further disorder outside the front of the Loft, several fights were occurring near to the front of the Loft, numerous individual were shouting threats towards each other and acting in a hostile manner. In it's totality this was an ugly incident with the potential for serious injury and further disorder. Sgt Galloway further informed Inspector Westmoreland that there had been further disorder in and around the vicinity of The Loft. Inspector Westmoreland spoke with the door supervisor who was sweating heavily and short of breath. He informed Inspector Westmoreland that he was the only door supervisor on duty at The Loft.

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**RESTRICTED (when complete)****CLEVELAND POLICE**

Page No 11

Continuation of Statement of **Yasmeen Hussain**

Inspector Westmoreland requested to speak with Linda Baker which the door supervisor arranged, although Linda Baker was not on the premises at the time the fighting and disorder occurred. Whilst waiting for Ms Baker, Inspector Westmoreland asked the door supervisor if the Linda Baker would consider closing the premises voluntarily, to which he stated he had already informed her of this and that there had been trouble at the premises earlier in the evening.

Inspector Westmoreland entered the premises and spoke with Ms Baker when she arrived and informed her of all the disorder and fighting associated with the premises, the premises having no CCTV and only one door supervisor. he pointed out if the premises remained open, this would be to the detriment of public safety.

Linda Baker was asked if she would consider a voluntarily closure of the premises, Ms Bakers initial reaction was the financial implications of closing early would be severe. Inspector Westmoreland reiterated the issues around public safety, at which point Ms Baker agreed to a voluntarily closure. Inspector Westmoreland informed PC Hussain that Ms Baker had agreed to a voluntarily closure, and requested PC Hussain speak with Ms Baker. I exhibit this as YH/8

I attended The Loft in company with PC Haworth and PC Molloy. Whilst Ms Baker was on the phone to Kevin Jackson who provides security for The Loft, she informed Mr Jackson that police had closed the premises.

I informed Ms Baker the reason for closing the premises was due to the fighting and disorder from the premises, at this point Ms Baker stated that there had only been one fight in the premises. However a member of staff stated that 4 fights had occurred inside the premises, I

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Signature Witnessed by

20

**RESTRICTED (when complete)****CLEVELAND POLICE**

Page No 12

Continuation of Statement of **Yasmeen Hussain**

advised Ms Baker that there was still no CCTV inside the premises and due to the frequency of incidents public safety was at risk, therefore the decision was made to close the premises.

It appears that the management of The Loft are willing to promote commercial considerations above the safety of their customers and their staff. The lack of door staff is a contributory factor in that there are sufficient safeguards on the door to prevent wholly inappropriate individuals entry to the premises. The paucity of door staff also means that in the event of trouble the one door supervisor is quickly overwhelmed and effectively rendered helpless. Furthermore their inability to ensure that the premises has a fully functioning and fully operational CCTV system further aggravates the situation in that no deterrent is available and subsequently police enquiries are frustrated.

This is clear breach of the licensing objectives as public safety is definitely not being promoted or implemented inside the premise, neither is the prevention of crime and disorder which is evident in this statement. There have been numerous assaults in the past few months within the premises; the premises had to be closed recently to promote public safety due to the disorder which occurred within the premises.

It is the belief of Cleveland Police that despite an Action Plan to recover the current state of the premises, there has been no appreciable improvement and measures which should have been implemented have not been. This indicates a casual approach to the Licensing Objectives and an almost wilful disregard of the measures necessary to restore good management and safety to the Loft. This being so, there is no alternative to Review

Signature 21  
Signature Witnessed by \_\_\_\_\_



**RESTRICTED (when complete)**  
**CLEVELAND POLICE**Page No **13**Continuation of Statement of **Yasmeen Hussain**

Proceedings being implemented because of the singular lack of co-operation shown by Ms  
baker in regard to the Action Plan

Signature Signature Witnessed by 22

**RESTRICTED (when complete)****CLEVELAND POLICE****WITNESS STATEMENT**

(CJ Act 1967, s9 MC Act 1980, ss5A(3)(a) and 5B; MC Rules 1981, r70)

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Statement of Liam CROWEAge if under 18 Over 18 (If over 18 insert "Over 18") Occupation Police Contable 2231

This statement (consisting of 2 page(s) 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 anything in it, which I know to be false, or do not believe to be true.

Signature Liam CroweDate: 14/08/11Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am a Police Constable for Cleveland Police and I am currently stationed at Hartlepool Police Station.

At approximately 0230 hours on Sunday 14<sup>th</sup> August 2011, I was on duty in full Police uniform with PC 2352 WALLACE on foot patrol outside of THE LOFT on CHURCH STREET, HARTLEPOOL.

I would describe THE LOFT as a busy licensed premise which is situated in the centre of CHURCH STREET opposite other licensed premises such as DECADES and NEXUS NIGHT CLUB.

I would describe CHURCH STREET, as a public place consisting of residential housing and various licensed premises and other small business premises. Furthermore CHURCH STREET has a single carriageway running directly through the centre. This carriageway runs from MAINSFORTH TERRACE, HARTLEPOOL to TOWER STREET, HARTLEPOOL.

Whilst stood directly outside THE LOFT on the pedestrian pathway, I saw a male I know to be [REDACTED]Signature Liam CroweSignature Witnessed by 23

**RESTRICTED (when complete)****CLEVELAND POLICE**

Page No 2

Continuation of Statement of **Liam CROWE**

[REDACTED] stood inside the premise, through the large front window. I could clearly see that [REDACTED] drinking a pint of what appeared to be lager at this time.

I have dealt with [REDACTED] on previous occasion which is the reason I immediately recognised him.

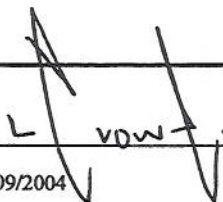
Due to me having previous knowledge of [REDACTED] I know that he has an active drinking banner order which prohibits him from entering numerous streets in HARTLEPOOL town centre, including CHURCH STREET between the hours of 2000 hours and 0700 hours.

As a result of this information both I and SGT 974 DAWBER entered the premise and walked to end of the bar located on the ground floor. At this point, I saw [REDACTED] stood with another unknown male attempting to order more drinks. I therefore intervened and escorted [REDACTED] outside of the premise so that I could discuss the matter further.

Once outside I formally arrested and cautioned [REDACTED] for breaching his Drinking Banning Order to which he made no reply.

[REDACTED] was then placed into a marked Police vehicle and transported to Hartlepool Custody.

Signature



Signature Witnessed by

24



**RESTRICTED (when complete)****CLEVELAND POLICE****WITNESS STATEMENT**

(CJ Act 1967, s9 MC Act 1980, ss5A(3)(a) and 5B; Criminal Procedure Rules 2005, r.27.1(1))

URN	17			
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Statement of Lee Justin BusbyAge if under 18 Over 18 (If over 18 insert "Over 18") Occupation Police Constable 1655

This statement (consisting of 1 page(s) 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 anything in it, which I know to be false, or do not believe to be true.

Signature

Lee Busby 1655Date: 28<sup>th</sup> September 2011Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am a Police Constable with Cleveland Police, currently based at Hartlepool Police Office on the District Support Unit.

At 03.15hrs on Sunday 11<sup>th</sup> September 2011, I was on duty in full uniform in company with other officers on licensing patrols on Church Street, Hartlepool. At this time I observed a male I now know to be T [REDACTED] 32 leave the LOFT Public House with a Bloodied nose and a tooth missing. On speaking with [REDACTED] he was heavily intoxicated and he refused to supply a statement to Police regarding this incident, but [REDACTED] confirmed that he had been assaulted inside the LOFT. I attended the LOFT to try and obtain CCTV to investigate this incident further, on speaking with door staff the LOFT doesn't have CCTV in operation, so I was unable pursue any further investigation. This Crime couldn't be investigated due to lack of CCTV.

The LOFT Public House needs to reassess the CCTV inside there establishment, to avoid any further possible crimes going undetected due to this issue.

Signature

Lee Busby 1655Signature Witnessed by N/A

**RESTRICTED (when complete)****CLEVELAND POLICE****WITNESS STATEMENT**

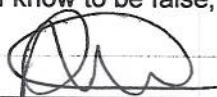
(CJ Act 1967, s9 MC Act 1980, ss5A(3)(a) and 5B; Criminal Procedure Rules 2005, r.27.1(1))

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Statement of Paul HaytackAge if under 18 Over 18 (If over 18 insert "Over 18") Occupation Inspector 910

This statement (consisting of \_\_\_\_\_ page(s) 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 anything in it, which I know to be false, or do not believe to be true.

Signature

 910.
Date: 28/09/2011Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am a Police Inspector in Cleveland Police currently stationed at Hartlepool on V relief response team.

At 4:20 on the morning of Sunday the 18<sup>th</sup> of September I was on duty on Uniform foot patrol. At this time I was in company with PC Hussain, the District licensing officer in Church Street.

Part of my regular duties on a Saturday nightshift is to monitor issues surrounding the Night Time Economy. In Church Street there are a number of premises which have a licence allowing them to carry out their trade until 4am. Once this time has elapsed it is very important for those using the premises to disperse from outside. The reason for that is if crowds are allowed to congregate, in my experience, this can lead to incidents of disorder or the commission of alcohol related offences.

At the time stated above I was aware that a crowd of about 30 persons were hanging round on the pavement directly outside the front of The Loft. I noticed that The Loft was closed with no staff around. I had noticed that these persons had left the loft when it closed, and all appeared to be under the influence of alcohol.

Signature

 910.

Signature Witnessed by

26



**RESTRICTED (when complete)****CLEVELAND POLICE**Page No **2**Continuation of Statement of **Paul Haytack**

Although, as stated, there had been other premises open until 4am it was just outside of The Loft which still had persons congregating.

PC Hussain and I then had to make efforts to get the persons present to disperse towards a nearby taxi rank which after a concerted amount of persuasion they eventually did.



Signature \_\_\_\_\_

Signature Witnessed by \_\_\_\_\_



## Action Plan

<u>Name of premises.</u>	The Loft
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<u>Name(s) of representative.</u>	<u>Date &amp; time of meeting.</u>	<u>Location of meeting.</u>	<u>Police officer(s) present.</u>
Linda Baker	21/09/11	Hartlepool Police Office	Sgt 1814 Wrigley PC 2086 Hussain

### Evidence: (details of evidence from reported crimes, incidents etc...)

The Loft is an on-licensed premise on Church Street, Hartlepool. Between April 2011 and September 2011 there have been a total of 13 incidents and 5 offences reported at the above premises.

The incidents/offences include the following:

Violence, dispersals of large groups, anti social behaviour, drunk & disorderly persons in the premises who have Drink Banning Orders. Concerns for the safety of patrons who have come from inside The Loft and have been under the influence causing Anti Social Behaviour. There have been assaults which have occurred inside the premises, and issues with groups of males and door staff.

There was an incident where door staff had been assaulted by a reveller, whilst door staff was seeking treatment this left the entrance/exit to the premises unmanned leaving patrons who are barred enter the premises, also allowing revellers to leave the premises with bottles and glasses. This could have been prevented had there been 2 x door staff. The premise seems to suffer from persons having Anti-social Behaviour orders and barred persons attending the premises. There have also been reports of threats towards staff, which may be attributable to the undesirable element who are finding their way in.

However over the last few weeks there has been improvement with The Loft, hopefully this will continue.



Cleveland Police considers the current state of the above premises to be undermining the four licensing objectives and of an unacceptable level. By working in partnership, Cleveland Police would like to resolve the issues of crime and antisocial behaviour at the above premises by signing the below agreement of specified actions.

This is a voluntary agreement and is to be considered as an early intervention by Cleveland Police in order to avoid a potential review of the premises licence.

<u>Action No.</u>	<u>Specified Action.</u>
<u>1.</u>	<p>The premises should employ 2 x SIA accredited door staff on their entrances at core times. Door staff should be able to walk through the premises in order to identify barred and drunk persons and be able to deal with them more effectively.</p> <p>This would help bar staff and management as it would reduce the risk of threats or assaults towards them as well as patrons inside the premises.</p>
<u>2.</u>	<p>CCTV should be installed inside the premises, and will be provided in the form of a recordable system providing pictures of <b>Evidential Quality</b> in all lighting conditions particularly facial recognition. Cameras shall compass all ingress and egress to the premises, fire exits and all areas where the sale/supply of alcohol occurs. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in date order, numbered sequentially and kept for a period of 31 days and handed to police on demand.</p> <p>The premises licence holder must ensure at all times a DPS or appointed member of staff is capable and competent in at downloading CCTV footage in a recordable format Either Disc or VHS to the Police /Local Authority on demand.</p> <p>The recording equipment and tapes/discs shall be kept in a secure environment under the control of the DPS or other responsible named individual.</p> <p>An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is complaint, in the event of any failing's actions taken must be recorded.</p> <p>The premise should keep an up to date refusals register which should be completed as accurately as possible. It should show details such as time and date of refusal, the name of the person refused and which staff refused them and a short explanation as to why. If they are unable to give a name for the person refused then a description of the person and their clothing should be given.</p> <p>This would also help with identification from CCTV footage.</p>



3.	Challenge 21 should be promoted and enforced by SIA and bar staff. Training should be provided to staff where required. A refusals register should be kept and maintained and should be made available immediately to police upon request. Apex radios should be utilised to inform other users when a reveller has been denied access to a licensed premise.
4.	The front of the premises should be kept clear of non-patrons, ie smokers and persons who are either leaving or entering. Door staff should encourage revellers to move away from the front of the premises to ensure that large groups don't congregate and create a hotspot for disorder. This will also limit the opportunity for conflict. If possible an area should be cordoned off for patrons of the premises engaging in activities such as smoking.
5.	Tap water should be made available to revellers at all times the premises is open. A cooling down period should be adopted 30 minutes prior to closing when the music is turned down, the lights are turned up and staff encourage revellers to drink water and leave the premises in a timely manner. This will ensure that revellers are not rushing their drinks and attempting to leave with bottles and glasses.

The above actions have been designed to assist the licence holder address the issues outlined and promote the licensing objectives.

Print name L. BAKER.

Officer details P.C. 2086 M. Hussain

Signed [Signature].

Signed [Signature] PC2086.



4415

**RESTRICTED (when complete)**  
**CLEVELAND POLICE**  
**WITNESS STATEMENT**


(CJ Act 1967, s9 MC Act 1980, ss5A(3)(a) and 5B; Criminal Procedure Rules 2005, r.27.1(1))

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Statement of **Paul haystack**

Age if under 18 **Over 18** (If over 18 insert "Over 18") Occupation **Inspector 910**

This statement (consisting of \_\_\_\_\_ page(s) 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 anything in it, which I know to be false, or do not believe to be true.

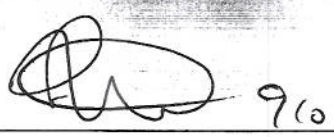

Signature  Date: **15/10/2011**

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am an Inspector in Cleveland Police, currently stationed at Hartlepool on V relief response.

On the late evening early morning of Friday the 7<sup>th</sup> of October/Saturday the 8<sup>th</sup> of October I was on duty in full uniform on foot patrol in the area of Hartlepool town Centre. One of my roles during this period is to patrol the areas of Church Street and Victoria road, and deal with any issues that arise from the night time economy.

At 3:25 am on the morning of Saturday the 8<sup>th</sup> of October 2011 I was in the area of Church Street, when my attention was drawn to the front entrance of The Loft nightclub. I am aware that this premise has a licence which allows it to stay open until 4am. I noticed that there was a large group of between 30 to 40 persons gathered around the front entrance. The majority of these persons were clearly drunk, and were pushing and shoving towards the entrance in an attempt to gain entry to the club. I noticed that there was only one member of door staff posted at the entrance, and he was clearly struggling to control these persons.

Signature  910 Signature Witnessed by  31



**RESTRICTED (when complete)****CLEVELAND POLICE**

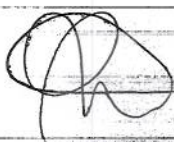
Page No 2

Continuation of Statement of **Paul haytack**

As a result of my concerns I spoke to the doorman and asked to speak to the licensee. He could not leave his post due to the fact that he was on his own but he managed to get a message to her.

I spoke to the licensee and expressed my concerns, she said that she was doing her best not to allow drunken persons onto the premises, and would deal with the issue of the group. We then assisted in dispersing the drunker persons from the locality.

At this time in the morning there are a couple of other licensed premises that are still trading and I noticed that The Loft was the only one that was having issues.

 910.

Signature

 910.

Signature Witnessed by

32



44/6.

**RESTRICTED (when complete)**

**CLEVELAND POLICE**

**WITNESS STATEMENT**

(CJ Act 1967, s9 MC Act 1980, ss5A(3)(a) and 5B; Criminal Procedure Rules 2005, r.27.1(1))

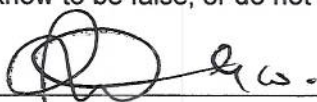
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Statement of **Paul Haytack**

Age if under 18 **Over 18** (If over 18 insert "Over 18") Occupation **Inspector 910**

This statement (consisting of \_\_\_\_\_ page(s) 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 anything in it, which I know to be false, or do not believe to be true.

Signature



Date: **02/11/11**

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am an Inspector in Cleveland Police, currently stationed at Hartlepool on V relief response.

At 3:45 on the morning of Saturday the 29<sup>th</sup> of October 2011 I was on duty on uniform foot patrol in the Church Street area of Hartlepool. My main role at this time is to monitor and deal with any issues that arise as a result of the Night Time economy.

At this time I was stood near to the licensed premises known as "The Loft", which has a licence to stop serving and close at 4am that morning. I noticed that there was a group of about 30 persons who were congregating directly in front of the main entrance to the premises. It was clear that the premises were in the process of emptying and I noticed that the majority of this group had come from within, and were clearly under the influence of alcohol. Their speech was slurred, and they were unsteady on their feet.

After observing this group it appeared to me that there was a potential for public disorder, several arguments and minor scuffles were beginning to break out between the persons outside of The Loft.

Signature



Signature Witnessed by

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**RESTRICTED (when complete)****CLEVELAND POLICE**

Page No 2

Continuation of Statement of **Paul Haytack**


My initial response was to utilise officers from my team to attempt to move the persons on, and disperse them towards the taxi rank further up Church Street.

This was met with abuse from one or two members of the group. The abuse continued from these persons despite several warnings from the officers involved. Due to the continued disorder from these people, arrests had to be made for offences of being drunk and disorderly. In total 4 individuals had to be arrested and due to their aggression, resistance and violent behaviour, all had to be handcuffed, before being taken away in Police vans.

I arrested one of the group, a female I now know [REDACTED], for being drunk and disorderly. Once she had calmed down sufficiently to talk to she outlined that her and a couple of the others arrested had been in The Loft prior to their arrest.

 P. H.

Signature

 P. H.

Signature Witnessed by

44/7

**RESTRICTED (when complete)**

**CLEVELAND POLICE**

**WITNESS STATEMENT**

(CJ Act 1967, s9 MC Act 1980, ss5A(3)(a) and 5B; MC Rules 1981, r70)

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Statement of Lorene HAWORTH

Age if under 18 Over 21 (If over 18 insert "Over 18") Occupation Police Constable 1966

This statement (consisting of 2 page(s) 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 anything in it, which I know to be false, or do not believe to be true.

Signature



Date: 2<sup>nd</sup> November 2011

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am a police constable with CLEVELAND police currently stationed in HARTLEPOOL, within Z relief, the response policing unit.

At about 01.00hrs on Sunday 30<sup>th</sup> October 2011 I was in full Police uniform at in company with my colleague also in full police uniform PC 2242 Molloy, it was at this time we wee on high visibility licensing patrol on Church Street, Hartlepool when CCTV communicated that a bar was shouting for assistance due to fighting. It was at this time a female came out of The Loft on Church Street and shouted over to me "GET IN THERE THEY ARE MURDERING EACH OTHER", she pointed over to the door of The Loft. My colleague and I then ran over and went into bar. Upon first sight the bar was very crowded, the area of the bar is relatively small, roughly 40ft long by 20ft. I could see unknown males shouting and pushing against one another, about 5 males in a group near to the bar, I could see the door staff a Paul Williams struggling with a male, I immediately went over to assist him as other males were pulling at Williams to let go of a male. Williams then walked a male out, I could see him visibly sweating and out of breath. PC Molloy and I escorted about 7 males out, two of which had visible facial injuries. All males that were escorted outside were extremely angry and had

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Signature Witnessed by

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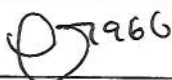
**RESTRICTED (when complete)****CLEVELAND POLICE**

Page No 2

Continuation of Statement of **Lorene HAWORTH**

been showing aggression to others. I then went outside where the same males were shouting. At this point there were many persons outside and Police struggling to disperse. It was moments later the emergency exit door flew open and two males burst out and fell onto the ground followed by a bar stool. I then saw another quickly close the exit door. These males were dealt with. I stayed outside The Loft dispersing people, a number of females approached me stating that they had been frightened inside The Loft when the fighting was occurring. A short time after the Inspector requested help closing The Loft and clearing the occupants. This was done effectively. I was then asked to accompany PC 2086 Hussain while to speaks with the DPS of The Loft. Whilst inside The Loft, with PC Molloy, Williams, a member of bar staff, PC Hussain and the female DPS. The member of bar staff stated that there had been 4 separate fights within the bar and that Williams was struggling to stop it. He stated that it had started with two females fighting, and implied that the following fights were a result of the females fighting. PC Hussain discussed with the DPS the importance of preventing crime and disorder relating to public houses and alcohol. 

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Signature Witnessed by

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YH/8

**RESTRICTED (when complete)**

**CLEVELAND POLICE**

**WITNESS STATEMENT**

(CJ Act 1967, s9 MC Act 1980, ss5A(3)(a) and 5B; Criminal Procedure Rules 2005, r.27.1(1))

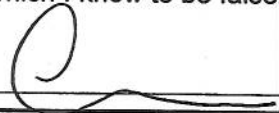
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Statement of Glen WESTMORELAND

Age if under 18 Over 18 (If over 18 insert "Over 18") Occupation Acting Police Inspector

This statement (consisting of \_\_\_\_\_ page(s) 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 anything in it, which I know to be false, or do not believe to be true.

Signature

 965

Date: 02/11/2011

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am the above named person and I am an Acting Police Inspector with Cleveland Police. I am based at HARTLEPOOL POLICE OFFICE on the Z relief operational police team.

On Saturday 29th October 2011 I was on duty on a 17-00 x 03-00 tour of duty. [REDACTED]

[REDACTED] I was in full Police uniform.

At 23:35 hours I commenced mobile patrol in the CHURCH STREET and VICTORIA ROAD areas of HARTLEPOOL. I was in a marked Police Vehicle. This was as part of the management strategy of the Licensed Premises in HARTLEPOOL TOWN CENTRE. All of the officers [REDACTED] were assigned specific duties and patrols [REDACTED]

[REDACTED] I would describe the Night Time Economy on Saturday Evening as being extremely busy. Police had already dealt with numerous incidents of assault and public order in the town, however none of which were directly related to a specific licensed premises.

At approximately 01:25 hours on Sunday 30<sup>th</sup> October 2011 I was on VICTORIA ROAD on mobile patrol when it was relayed via the Airwaves Communications Channel that staff in a bar on CHURCH STREET were requesting Police assistance. I started to make my way to

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Signature Witnessed by \_\_\_\_\_

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**RESTRICTED (when complete)****CLEVELAND POLICE**

Page No 2

Continuation of Statement of **Glen WESTMORELAND**

this location.

As I was making my way towards this location Sergeant 132 GALLOWAY requested that CCTV monitored THE LOFT PUBLIC HOUSE.

Almost immediately after making this request, Sergeant 132 GALLOWAY requested all Police Units to CHURCH STREET.

Upon arrival at CHURCH STREET at approximately 01:28 I parked my vehicle on CHURCH STREET in between the junctions of STATION APPROACH and WHITBY STREET. I immediately alighted my Police Vehicle and started to make my way down towards THE LOFT where there appeared to be numerous persons outside the premises acting in a hostile and aggressive manner towards each other.

At this point I observed two Police Officers leading a male under arrest away from THE LOFT. I then made my way back to the Police Van and unlocked the rear doors which enabled this male to be placed in the rear cage. This male was unsteady on his feet, his eyes were intoxicated and his speech was slurred. He was also aggressive towards officers and was shouting and swearing.

Sergeant 132 GALLOWAY made his way towards my location and indicated that there was disorder occurring relating to THE LOFT.

At this time there was further disorder outside the front of THE LOFT, and Sergeant 132 GALLOWAY made his way back towards that location.

At this time I remained with the Police van as there was a prisoner in the rear of the van.

At this time I observed several fights on CHURCH STREET. There was disorder near to the front of THE LOFT with several individuals appearing to shout threats at each other and acting in a hostile manner.

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Signature Witnessed by

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**RESTRICTED (when complete)****CLEVELAND POLICE**Page No **3**Continuation of Statement of **Glen WESTMORELAND**

Sgt 132 GALLOWAY made his way back to my location after approximately 5 minutes. He again indicated that there had been disorder in and around the vicinity of THE LOFT.

I made my way to the front of THE LOFT. At the entrance to THE LOFT I spoke with a Door Supervisor. I now know this male to be Paul WILLIAMS. WILLIAMS was sweating heavily and appeared short of breath. WILLIAMS was the only door supervisor at this location. I requested that WILLIAMS get the Designated Premises Supervisor to make their way to my location. WILLIAMS arranged this.

I asked WILLIAMS if he was ok and he confirmed that he was. I asked him if the Designated Premises Supervisor would consider voluntarily closing the premises as it appeared there was disorder occurring in relation to the premises.

WILLIAMS stated to me that he had already informed the Designated Premises Supervisor of this fact as there had been trouble on the premises earlier in the evening.

After approximately 5 minutes I entered the premises and spoke with the Designated Premises Supervisor who identified herself as Linda BAKER. I informed BAKER that the staff at her premises had already requested assistance tonight due to a fight, and that there had been disorder on CHURCH STREET, including fighting, which had been due to persons who had left THE LOFT.

I also informed BAKER that I had been informed there had been disorder on the premises earlier that evening. BAKER indicated that she thought there had been only one fight. I asked BAKER if the premises had any CCTV, and she confirmed that it did not. I explained that as there had been disorder both inside and outside the premises related to THE LOFT, and there was no CCTV and only one member of door staff, then if the premises remained open it may be to the detriment of public safety.

Signature



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Signature Witnessed by

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**RESTRICTED (when complete)****CLEVELAND POLICE**

Page No 4

Continuation of Statement of **Glen WESTMORELAND**

Due to the above considerations, I requested BAKER to consider voluntarily closing the premises. The initial reaction of BAKER was in relation to the financial implications of closing early. I again reiterated the issues around public safety, at which point BAKER was cooperative and stated she would close voluntarily. I thanked BAKER for her co-operation. BAKER then asked if this would be looked upon favourably by the Licensing Department. I informed BAKER that I could not comment on this matter as I was not in the Licensing Department, however it would show that she had cooperated with the Police. I also informed her that they had a duty to promote the licensing objectives.

Police Officers then assisted staff with clearing THE LOFT of the remaining customers.

I then spoke with PC HUSSAIN, who works as part of The HARTLEPOOL DISTRICT LICENSING UNIT, and informed her that BAKER had been cooperative and had agreed to close the premises voluntarily. I requested that PC 2086 HUSSAIN spoke with BAKER in relation to the licensing objectives.

I spoke with PC 2086 HUSSAIN after she had spoken with BAKER, and PC HUSSAIN confirmed that staff at THE LOFT had informed her that there had been 4 fights in the premises earlier in the evening prior to staff requesting Police assistance.

Signature



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Signature Witnessed by

**RESTRICTED (when complete)****CLEVELAND POLICE****WITNESS STATEMENT**

(CJ Act 1967, s9 MC Act 1980, ss5A(3)(a) and 5B; Criminal Procedure Rules 2005, r.27.1(1))

URN	17			
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Statement of **Yasmeen HUSSAIN**Age if under 18 **Over 18** (If over 18 insert "Over 18") Occupation **Police Constable 2086**

This statement (consisting of      page(s) 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 anything in it, which I know to be false, or do not believe to be true.

Signature \_\_\_\_\_ Date: **4<sup>th</sup> January 2012**Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am a Police Constable employed by Cleveland Police, currently posted in the Alcohol Licensing Unit in Hartlepool.

In relation to the statement I submitted on 2<sup>nd</sup> November regarding The Loft Public House, situated on Church Street, Hartlepool, I would like to add the following:

On Saturday 24<sup>th</sup> December 2011 at 03:49 hours, there was a disturbance outside The Loft Public house between a drunken male who was arguing with door staff Paul Williams. I attended in company with PC 810 Smith and spoke with the drunken male who informed me he had come out of The Loft to have a cigarette and was not allowed entry back into the premises. I informed him that the management had the right to refuse entry and the premises would be closing shortly. The male became very abusive and had to be warned regarding his language on numerous occasions prior to him leaving the vicinity.

On the same morning, my attention was drawn to a female who I witnessed walking out of

Signature

Signature Witnessed by



**RESTRICTED (when complete)****CLEVELAND POLICE**Page No **2**Continuation of Statement of **Yasmeen HUSSAIN**

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The Loft Public House. She had hold of a pint glass of alcohol and as I approached the female, I could clearly tell that she was underage. When I spoke with the female, she furnished me with her personal details and when I conducted checks, it was ascertained the female was only 17 years of age. I asked the female if she had been asked to produce any identification on entering licensed premises to which she informed me that no identification had been requested from her.

On Monday 27<sup>th</sup> December 2011 at 02:50 hours, there was a disturbance outside The Loft between 2 drunken females. I approached one of the females, who had a facial injury. The female informed me that she had been involved in a disturbance inside The Loft with another female and this has how she has received her facial injury. This was documented in my PNB which was signed by the female.

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Signature \_\_\_\_\_ Signature Witnessed by \_\_\_\_\_