

Middlesbrough
Council



PREMISES LICENCE

Part A

Premises licence number

MBRO/PR0122/019091

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Inn Off The Park 339 Linthorpe Road Linthorpe	
Post town	Post code
Middlesbrough	TS5 6AB
Telephone number	
01642 823322	

Where the licence is time limited the dates
N/A

Licensable activities authorised by the licence
Sale of Alcohol Recorded Music Facilities for dancing Indoor sporting events

The times the licence authorises the carrying out of licensable activities
SALE OF ALCOHOL ON AND OFF PREMISES Monday to Sunday : 11am to 12 midnight
RECORDED MUSIC Monday to Sunday : 11am to 12 midnight
FACILITIES FOR DANCING Friday to Sunday : 7.30pm to 12 midnight
INDOOR SPORTS Monday to Sunday : 11am to 12.30am

The opening hours of the premises

Monday to Sunday : 11am to 1.am

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

Alcohol sales permitted ON and OFF the premises

Part 2

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

Mrs Linda Margaret Spensley

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

N/A

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

Mrs Linda Margaret Spensley

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

MBRO/PL0064/018420 Middlesbrough Borough Council

Granted on 1 September 2005

Authorised Officer

Annex 1 - Mandatory conditions

Mandatory conditions in accordance with Section 19 of the Licensing Act 2003:

Where a premises licence authorises the supply of alcohol:

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

Effective from 6 April 2010

1. (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.
2. 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 disability).
3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

Effective from 1 October 2010

4. (1) The premise 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.

5. 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: 1/2 pint;

(ii) gin, rum, vodka or whiskey: 25ml or 35ml; and

(iii) still wine in a glass: 125ml; and

(b) customers are made aware of the availability of these measures.

Mandatory conditions in accordance with Section 21 of the Licensing Act 2003:

(1) Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must be licensed by the Security Industry Authority.

(2) But nothing in subsection (1) requires such a condition to be imposed -

(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or

(b) in respect of premises in relation to -

(i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

(ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

For the purposes of this section -

(a) 'security activity' means an activity to which paragraph 2(1)(a) of that Schedule applies, and

(b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Annex 2 - Conditions consistent with the operating Schedule

Embedded Restrictions and Benefits

ON LICENCES

Alcohol shall not be sold or supplied except during permitted hours.
In this condition, permitted hours means:

Monday to Sunday : 11am to 12 midnight

On New Years Eve from the end of permitted hours on New Years 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 December).

The above restrictions do not prohibit:

- a) During the first 20 minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- b) During the first 30 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;
- c) Consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- d) The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- e) The sale of alcohol to a trader or club for the purposes of the trade or club;
- f) 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 naval, military or air forces;
- g) The taking of alcohol from the premises by a person residing there; or
- h) 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
- i) 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

CHILDREN

No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- (1) He is the child of the holder of the premises licence
- (2) He resides in the premises, but is not employed there
- (3) 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 which there is no other convenient means of access or egress.
- (4) The bar is in 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.

As the provisions of the Private Places of Entertainment (Licensing) Act 1967 was previously adopted and applied throughout the Borough of Middlesbrough, private entertainment for gain may be provided throughout the premises by virtue of the previous Justices' Licence/Public Entertainment Licence/Theatre Licence.

The sale of hot food and drink may be provided for up to 30 minutes after the end of permitted hours by virtue of the previous Justices' Licence.

LICENSING OBJECTIVES

GENERAL - ALL FOUR LICENSING OBJECTIVES

None

THE PREVENTION OF CRIME AND DISORDER

None

PUBLIC SAFETY

Health and Safety policy in place for the premises

THE PREVENTION OF PUBLIC NUISANCE

1. Entry to the premises is by means of a CCTV monitored coded electrically locked door

2. All external windows shall be kept closed when regulated entertainment (ie playing of records at private functions) is being provided except in the event of an emergency

THE PROTECTION OF CHILDREN FROM HARM

None

Annex 3 - Conditions attached after a hearing by the licensing authority

Not Applicable

Annex 4 - Plans

Attached

APPENDIX 2



Inn off the park, 339 Linthorpe Road

Head of Service:

Ref:

Service Area: Licensing

Scale: 1:800

Created by: Ian Davies

Date: 25th July 2012



LEGAL SERVICES

HEAD OF LEGAL SERVICES

Julia E. Hatton LL.B. (Hons)

SOLICITORS

Joanne Monkman B.A. (Hons)

Marie Nevison LL.B.

LEGAL EXECUTIVE

Michelle D. Phillips F.Inst.L.Ex.

HEADQUARTERS

P.O. Box 70
Ladgate Lane
Middlesbrough
TS8 9EH

Telephone: 01642 326326
Facsimile: 01642 301227
DX 68801 Middlesbrough 7

Your Ref:
Our Ref: LICE/20/797/MN

When telephoning please use
(01642) 301231 to contact
Marie Nevison
Marie.Nevison@cleveland.pnn.police.uk

29th June 2012

Dear Sirs,

**Re: Application for Review of Premises Licence
Inn off the Park, 339 Linthorpe Road, Middlesbrough**

Please find attached four bundles of the documents upon which Cleveland Police intend to rely at the hearing in this matter.

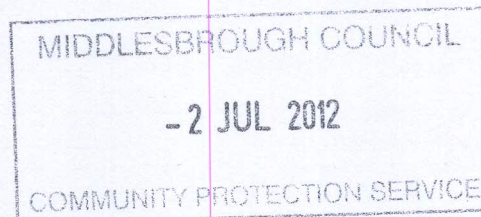
I would be grateful if you could send out the bundles to the committee members prior to the hearing, so that they have a chance to read them beforehand.

Please do not hesitate to contact me if you have any further queries.

Yours faithfully,

Marie Nevison
On behalf of Legal Services

Mr Hodgkinson
Licensing Department
Middlesbrough Council
P.O. Box 65
Vancouver House
Gurney Street
Middlesbrough
TS1 1QP



CRIMESTOPPERS
0800 555 111

Application for Review of Premises
Licence



CLEVELAND
POLICE
Putting People First

Inn off the Park
339 Linthorpe Road
Middlesbrough

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 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Inn off the Park 339 Linthorpe Road	
Post town Middlesbrough	Post code (if known)

Name of premises licence holder or club holding club premises certificate (if known) Linda Margaret Spenceley

Number of premises licence or club premises certificate (if known)

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 | <input type="checkbox"/> |
| b) a body representing persons living in the vicinity of the premises | <input type="checkbox"/> |
| c) a person involved in business in the vicinity of the premises | <input type="checkbox"/> |
| d) a body representing persons involved in business in the vicinity of the premises | <input type="checkbox"/> |
| 2) a responsible authority (please complete (C) below) | <input checked="" type="checkbox"/> |

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 944 Paul Higgins Middlesbrough Police Bridge Street West Middlesbrough
Telephone number (if any) 01642 303176
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

<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>

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

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

On 30th March 2012, as a result of an Operation to safeguard young persons, this premises was visited by police. Police witnessed a 15 year old and 16 year old female drinking alcohol. However, upon being approached initially, the 16 year old female advised police that she was 18 but the 15 year old admitted to being 15. Following this, the 16 year old, who persisted with the fact that she was 18, advised police that she had never been challenged over her age at this premises and it was she who had given the 15 year old alcohol.

At this point, the plan was to take home all persons under 18, including the 15 year old drinking alcohol. There were 13 young persons in total and the time was approximately midnight. Where these other young persons were sitting, there were a number of pints and shorts glasses. However, there nothing to confirm that these alcohol drinks had been consumed by them.

It was planned that the 16 year old (who was saying she was 18) would be dealt with for supplying alcohol to a person under age. However, it was then established that this female was only 16 and not 18. The 16 year old was subsequently dealt with for providing false details to police.

As a result of the above, Barry Woolams was given a fixed penalty notice for selling alcohol to children. This penalty ticket was later paid.

On 28th April 2012 at approximately 22.45 hours, a further visit was carried out by police as part of the safeguarding young persons Operation. Whilst visiting, a female

who police suspected was under age was questioned when found to be with an alcoholic drink in her possession and smelling of alcohol. When questioned, the female admitted to being only 17, purchasing the drink herself at the bar and had not been asked for identification. The female was taken home by police.

As a result of the above, Charles Churchill was given a fixed penalty notice for selling alcohol to children. This penalty ticket was later paid.

In addition to the above, Cleveland Police are concerned about young persons visiting the premises who, although they have not purchased alcohol from the premises, they are in the premises under the influence of alcohol at a late hour. This has resulted in police removing them from the premises and taking them home.

Cleveland Police have had no option to make this application for review due to the fact that both the Crime and Disorder and Protection of Children from Harm are being undermined.

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

Please see attached documents

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

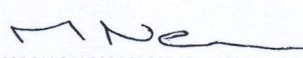
Please tick yes

- 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 29th June 2012

Capacity Solicitor

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

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.

RESTRICTED (when complete)

CLEVELAND POLICE

WITNESS STATEMENT

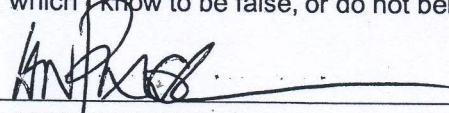
(CJ Act 1967, s9 MC Act 1980, ss5A(3)(a) and 5B; MC Rules 1981, r70)

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Statement of Ian FIXTER

Age if under 18 Over 18 (If over 18 insert "Over 18") Occupation Police Constable 1677

This statement (consisting of 4 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: 28/06/12

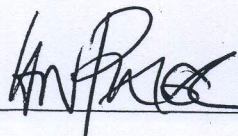
Tick if witness evidence is visually recorded (supply witness details on rear)

I am Police Constable 1677, employed by Cleveland Police; currently working as part of the District Licensing Unit based at Middlesbrough Police Station.

My role as a Licensing Officer involves dealing with licensed premises which include on/off alcohol sales and late night refreshment venues. I carry out regular enforcement visits at all licensed premises. This is to ensure that premises are run correctly, the conditions of the licence are being adhered to and the licensing objectives are being promoted.

The premises which is subject to this review is INN OFF THE PARK, Linthorpe Road, Middlesbrough which is a busy Town Centre street and in extremely close proximity to a residential area.

The current premises licence in place allows the establishment to sell alcohol Monday to Sunday between the hours of 11:00hrs-midnight. The premises has a main bar area and pool/snooker area in a room to the left of the bar area. The current Premises Licence

Signature 

Signature Witnessed by N/A

RESTRICTED (when complete)**CLEVELAND POLICE**

Page No 2

Continuation of Statement of **Ian FIXTER**

holder and Designated Premises Supervisor is Linda SPENSLEY.

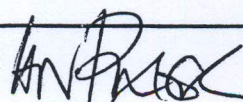
It is a concern of Cleveland Police that the premises has been visited by Police on two separate occasions to which underage persons have been located consuming alcohol on the premises.

On Friday 30th March 2012 at around 23.40 hours officers including T/Insp MARSAY attended the venue as part of an on going operation tackling underage drinking within licensed premises. Upon this occasion a number of young persons were located within the bar area with alcoholic drinks in front of them many of these were found to be under 18 years of age. Two females aged 15 and 16 years were located consuming alcohol in the establishment; the alcohol was removed from them and it was found that they had purchased the drinks without being challenged about their ages.

The member of bar staff who was identified in serving the females was found to be Barry WOOLAMS.

On 26th April 2012 at 13.15 hours I conducted a recorded interview with WOOLAMS regarding the sale of alcohol on the above occasion. Whilst under caution, WOOLAMS fully admitted responsibility for this sale and was subsequently issued a Penalty Notice for Disorder (PND) for selling alcohol to a person under 18; contrary to Sec 146(1) of the Licensing Act 2003.

Signature

Signature Witnessed by **N/A**

RESTRICTED (when complete)**CLEVELAND POLICE**

Page No 3

Continuation of Statement of **Ian FIXTER**

On Friday 28th April 2012 at approx 22:45 hours, officers again attended Inn Off the Park as part of the same operation tackling underage drinking. On this occasion a small number of persons were present within the premise. Two females aged 17 and 18 were located drinking alcohol in the pool table area; the 17 year old female stated that she had purchased alcohol at the bar without being challenged regarding her age.

The member of staff identified as serving the female on this occasion was Charles CHURCHILL.

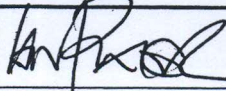
On 21st May 2012 at 14.14 hours CHURCHILL was interviewed by PC1841 PRICE regarding the sale of alcohol on the above occasion. Whilst under caution, CHURCHILL fully admitted responsibility for this sale and was subsequently issued a Penalty Notice for Disorder (PND) for selling alcohol to a person under 18, contrary to Sec 146(1) of the Licensing Act 2003.

The premise was again visited on Saturday 19th May 2012 at approx 23:00 hours by officers including T/Insp MARSAY. On this occasion a group of people had congregated in the bar area, including 2 females aged 16 and 17 years old, both of whom smelt of alcohol. Neither of the females had a drink in their possession and both denied purchasing any alcohol within the establishment, they were removed and taken home by their parents.

In relation to the above incidents, I can produce the following exhibits:

IAF/1 – Statement from T/Insp MARSAY regarding visits to establishment on 30/03/12 and 28/04/12 (2 pages)

Signature


Signature Witnessed by N/A


RESTRICTED (when complete)**CLEVELAND POLICE**

Page No 4

Continuation of Statement of **Ian FIXTER**

IAF/2 – Statement from T/Insp MARSAY regarding visit to establishment on 19/05/12 (2 pages)

IAF/3 – Statement from PC1841 PRICE regarding visit to establishment on 28/04/12 and subsequent interview/disposal of CHURCHILL (2 pages)

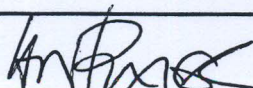
IAF/4 – PND: D0018504/3 issued to WOOLAMS on 26/04/12 (3 pages)

IAF/5 – PND: D0031800/0 issued to CHURCHILL on 21/05/12 (3 pages)

It is the belief of Cleveland Police (acting as a responsible authority) that there appears to be a culture and tolerance of underage drinking taking part within this establishment. On the 3 separate occasions that Police officers have attended Inn Off the Park, persons under the age of 18 have been found to be in possession of alcohol or under the influence of alcohol.

This directly undermines the licensing objectives regarding public safety and the protection of children from harm.

Signature

Signature Witnessed by **N/A**

IAF | 1

RESTRICTED (when complete)

CLEVELAND POLICE

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

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Statement Bryan MARSAY

Age if under 18: **Over 18** (if over 18 insert "Over18") Occupation: Temporary Police Inspector 323

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 in it anything which I know to be false or do not believe to be true.

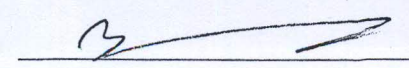
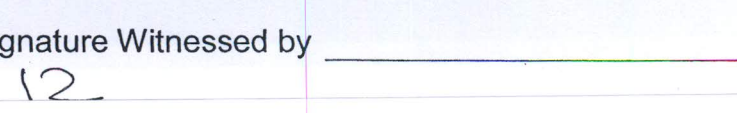
Signature:  Date: 09/05/12

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

I am a Temporary police Inspector 323 currently attached to Middlesbrough Police Station W relief.

My team at Middlesbrough are currently running a pre planned operation, named CONTEGO which is aimed at enforcing licensing laws and safe guarding young and vulnerable persons within Middlesbrough. The operation is been ran over a number of months and is taking place with the assistance of BERNARDOS, SECOS project.

On the 30th MARCH 2012 I was on duty in full uniform in the company of a number of uniformed officers, PC ARBUCKLE from the district licensing unit and a youth worker from the BERNARDOS project. At approximately 2340hrs we attended INN OFF THE PARK, LINTHORPE ROAD MIDDLESBROUGH to perform a high visibility licensing check at the premises. On arrival I attended the main bar area. The upstairs is split into sections including an area for playing pool a bar and terrace area. On entering the premises it was not busy, with approximately 20-30 persons inside spread out over all of the areas. I directed officer to all of the areas to check and challenge any of the patrons who appeared under the age of 18 years of

Signature  Signature Witnessed by 

RESTRICTED (when complete)

CLEVELAND POLICE

Page No 2

Continuation of Statement of Bryan MARSAY

age. It was immediately apparent that many of the persons in the bar appeared young. I spoke to two females both smelt of intoxicating liquor and both were drinking alcohol in the main bar area. They were sat on a sofa near to the main entrance and in clear view of the main bar. One of the females was 16 years old and one 15 years old. The 16 year old female stated she had purchased the alcohol at the bar and had not been challenged at all re any identification. Within the bar was a group of males and females with pints and short glasses on the table in front of them. It transpired that many of these were under 18 years of age. In total from all upstairs areas 13 of the persons spoken to by officers were under 18 years of age ranging from 15 to 17 years. I apprised the licensing officer who spoke with the supervisor and bar staff.

All persons under the age of 18 years were removed and returned to there parent's with the assistance of all agencies.

On the 28th APRIL 2012 at approximately 2245hrs I again attended INN OFF THE PARK, LINTHORPE ROAD MIDDLESBROUGH to perform a high visibility licensing check at the premises as part of Operation CONTEGO along with a number of uniformed officers, PC PRICE and PC BRYAN from the district licensing unit and two social workers from BERNARDOS. I attended the main upstairs area and then the area containing pool tables. There were very few persons inside approximately 15 over all areas.

One female was stopped by officers in the company of another female in the area containing pool tables. The female was 17 years of age she smelt of intoxicating liquor and was in possession of a glass of alcohol. She stated she had purchased it at the bar and had not been asked for any identification. The second female was 18 years of age. Both appeared very young. The female was removed and returned to the custody of her mother.

I apprised the officers from the licensing unit and they spoke with the bar staff.

Signature



Signature Witnessed by

13

IAF/2

RESTRICTED (when complete)

CLEVELAND POLICE

WITNESS STATEMENT


Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN				
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Statement Bryan MARSAY

Age if under 18: **Over 18** (if over 18 insert "Over18") Occupation: Temporary Police Inspector 323


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 in it anything which I know to be false or do not believe to be true.

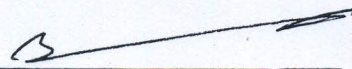
Signature:  Date: 10/06/12

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

I am a Temporary police Inspector 323 currently attached to Middlesbrough Police Station W relief.

My team at Middlesbrough are currently running a pre planned operation, named CONTEGO which is aimed at enforcing licensing laws and safe guarding young and vulnerable persons within Middlesbrough. The operation is been ran over a number of months and is taking place with the assistance of BERNARDOS, SECOS project.

On 19th MAY 2012⁷ at 2300hrs my team and I, accompanied by two members of BERNARDOS attended INN OFF THE PARK Public house, LINTHORPE ROAD, MIIDLESBROUGH. On entering the premises there were approximately 15 persons in the main bar area. Two young females were spoken to, one aged 17 years and one aged 16 years, they were not accompanied by adults. Both smelt of intoxicating liquor however both stated they had just arrived after been at a private party and had not purchased drinks at INN OFF THE PARK nor attempted to. They were sat on a sofa and there were no empty glasses near them. I spoke with the DPS a man I now know to be an Andrew WALKER 

Signature  Signature Witnessed by _____

14

RESTRICTED (when complete)

CLEVELAND POLICE

Page No 2

Continuation of Statement of Bryan MARSAY
GUISBOROUGH. Both females were removed from the bar area and there parents informed
who attended and collected them.

IAF13

RESTRICTED (when complete)
CLEVELAND POLICE
WITNESS STATEMENT


Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN	17			
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Statement Emma Jane PRICE

Age if under 18: **Over 18** (if over 18 insert "Over18") Occupation: Police Constable 1841

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 in it anything which I know to be false or do not believe to be true.

Signature:  Date: 25/06/2012

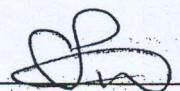
Tick if witness evidence is visually recorded (supply witness details on rear)

I am the above named person and I am employed by Cleveland Police, currently working within the Middlesbrough District Licensing Unit.

On Friday 28th April 2012 I was on duty in plain clothes conducting licensing checks at licensed premises within the Middlesbrough area as part of an on going operation; this was in company with PC 1969 BRYAN and a number of uniformed officers.

At 22:45 on this day I attended INN OFF THE PARK, Linthorpe Road, Middlesbrough. Here uniformed officers located a female in the premises who was consuming alcohol under age; identifying herself as being 17 years of age. This female stated that she had purchased the alcohol from the bar herself and was not challenged regarding her age or asked for identification.

I approached the bar and spoke with a male who I know to be Charles CHURCHILL. I made

Signature  Signature Witnessed by _____

RESTRICTED (when complete)

CLEVELAND POLICE

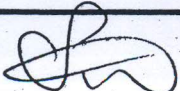
Page No 2

Continuation of Statement of Emma Jane PRICE
aware of the female drinking alcohol under age to which CHURCHILL stated that he was the manager on duty and that he was the only person serving alcohol on this evening. He stated that he was aware of licensing legislation regarding underage sales and that the sale could have only been done by him as no other members of staff were on duty.

On Monday 21st May 2012 at 14.14 hours I was on duty in plain clothes when I conducted a voluntary interview with CHURCHILL regarding the underage sale; [REDACTED] CHURCHILL made a full admission to the offence of supplying alcohol to a person aged under 18, contrary to Section 146 Licensing Act 2003.

At 14.24 hours this interview was concluded and CHURCHILL was issued with a Penalty Notice for the offence; this was ticket reference number D00318000.



Signature  Signature Witnessed by 17.

Form/Template Revised 03/2010

IAF 14



CLEVELAND POLICE
PENALTY NOTICE £80
PENALTY AMOUNT

IMPORTANT - READ THE NOTES ON THE BACK OF THIS FORM

PN No. 0018504 3

PART 4 CTO COPY

TITLE MR SURNAME WOOLAMS

FORENAMES

BARRY

DATE OF BIRTH (ddmmyyy) ADDRESS

[Redacted address information]

POST CODE TS5 5BR

OFFENCE TIME 2300 HRS. OFFENCE DATE 30032012

AT (LOCATION) LNN OFF THE PARK
LINTHORPE ROAD

OFFENCE CODE DA18 DATE OF ISSUE 26042012

YOU (offence particulars) SOLD ALCOHOL TO
A PERSON UNDER 18
YEARS OF AGE

CONTRARY TO (Act containing offence)
SEC 146(1) LICENSING ACT 2003

PLACE OF ISSUE: Street Custody

I acknowledge receipt of this Penalty Notice
Signature [Signature]

ISSUED BY: Surname [Signature] Signature [Signature]

ADMIN 1677 DISTRICT M1662

RANK PC Signature

MUST BE COMPLETED
ADDITIONAL DETAILS OF RECIPIENT

Gender: M F Officer Defined Ethnicity 1 Self Defined Ethnicity W1

Occupation BARMAN

Telephone No.:

Mobile Tel. No.:

Notebook No. [Redacted]

Local Authority Code [Redacted]

A/S No. 12/0000/00/4+4+80 9

Custody (Pic) No. 17M0/WCP/368/12

RECEIVED 022777

18



CLEVELAND POLICE

PENALTY NOTICE

PENALTY AMOUNT

£80

PART 5B

STATEMENT OF WITNESS

(C.J. Act 1967, S. 9; M.C. Act 1980, ss. 5A(3)(a) & 5B; M.C. Rules 1981, r. 70)

IMPORTANT INFORMATION

REMOVE PARTS 1-4 BEFORE WRITING ON THIS PAGE

STATEMENT OF (name) Ian Fitter

Age 018 Occupation PC1677

This statement, signed by me, is true to the best of my knowledge and belief: 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.

At 1330 on 26.4.12
I issued this FPN to
Barry Woodams
at M8 custody
The FPN procedure
was fully explained
at this time

(Continue on MG11A if necessary and affix firmly to PND)

SIGNED [Signature] BANK/GRADE/No. 1677

DIVISION/UNIT MDCU DATE 26092012

DETAILS OF OFFICER CORROBORATING EVIDENCE

NAME

OFFICER No.

SIGNED (Sig)

NOTEBOOK No.

DATE

SUPERVISORS DETAILS

OFFICER No. 19

PART 5A

IMPORTANT INFORMATION:

ANY STATEMENT OFFERED BY THE SUSPECT OR A 3RD PARTY WITNESS SHOULD BE RECORDED IN YOUR POCKET NOTEBOOK

HEIGHT: BUILD:

COMPLEXION

DESCRIPTION and/or VISIBLE DISTINCTIVE MARKS AND FEATURES

REPLY TO CAUTION

None

AT (time) 1330 ON (date) 26 04 20 12

I/D CHECKS MADE (e.g. documents seen)

Drivers' Licence Passport Bank/Credit Card National Insurance

Travel/Photo Card IND Card PNC Radio Other (specify)

Specify Other *IRS/Training records.*

Details (e.g. driver/card/passport no./National Insurance no. etc.)

Fingerprints taken Photograph taken DNA taken

ADDITIONAL NOTES (continue on separate sheet if necessary and affix firmly to PND)

3rd Party Witness Statement: Particulars Obtained?

Y N (If Yes then write details below)

Location of CCTV evidence etc.

1AF/5



CLEVELAND POLICE
PENALTY NOTICE
PENALTY AMOUNT £80

IMPORTANT - READ THE NOTES ON THE BACK OF THIS FORM

PN No. **D** 0031800 0

PART 4 CTO COPY

TITLE **MR** SURNAME **CHURCHILL**
CHURCHILL
FORENAMES

CHARLES RANDALL
DATE OF BIRTH (ddmmyyyy) ADDRESS

[Redacted]
[Redacted]
[Redacted]

POST CODE **TS5 1UBA**

OFFENCE TIME **02:52** HRS. OFFENCE DATE **28/04/2012**

AT (LOCATION) **LINCOLN ROAD**
LINCOLN ROAD

OFFENCE CODE **DA179** DATE OF ISSUE **21/05/2012**

YOU (offence particulars) **Supply of alcohol on behalf of a club to a person aged under 18.**

CONTRARY TO: (Act containing offence)

5116 Licensing Act 2003.
PLACE OF ISSUE: Street Custody

I acknowledge receipt of this Penalty Notice
Signature *[Signature]*

ISSUED BY: Surname **Price** Signature *[Signature]*

ADMIN **1841** DISTRICT **1728**

RANK **PC** Signature *[Signature]*

MUST BE COMPLETED
ADDITIONAL DETAILS OF RECIPIENT

Gender: M F Use codes on aide memoire only Officer Defined Ethnicity Self Defined Ethnicity **31**

Occupation **Bar manager**

Telephone No.:

Mobile Tel. No.: **07933568044**

Notebook No. [] [] [] [] []

Local Authority Code [] []

A/S No. **12/000060/498968T**

Custody (Pic) No: **1728/WCP543/12**

022922



CLEVELAND POLICE

PENALTY NOTICE

PENALTY AMOUNT £80

PART 5B

STATEMENT OF WITNESS

(C.J. Act 1967, S. 9; M.C. Act 1980, ss.5A(3)(a) & 5B; M.C. Rules 1981, r. 70)

IMPORTANT INFORMATION

REMOVE PARTS 1-4 BEFORE WRITING ON THIS PAGE

STATEMENT OF (name) Emma Jane Peice

Age 0-18 Occupation PC 1841 Peice

This statement, signed by me, is true to the best of my knowledge and belief: 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.

On 21st May 2012 at 14.32 hours following making an admission on a tape interview for a Section 146 Licensing Act 2003 offence, selling to a person under 18. Churchill was issued with a fixed penalty notice for the offence

(Continue on MG11A if necessary and affix firmly to PND)

SIGNED [Signature] RANK/GRADE/No. PC

DIVISION/UNIT MDW DATE 21052012

DETAILS OF OFFICER CORROBORATING EVIDENCE

NAME PC 1969 BRYAN

OFFICER No. 1969

SIGNED (Sig) [Signature]

NOTEBOOK No. []

DATE []

SUPERVISORS DETAILS

OFFICER No. []

22

PN No. **D** 0031800 0

PART 5A

IMPORTANT INFORMATION:

ANY STATEMENT OFFERED BY THE SUSPECT OR A 3RD PARTY WITNESS SHOULD BE RECORDED IN YOUR POCKET NOTEBOOK

HEIGHT: [redacted] [redacted] [redacted]

COMPLEXION [redacted]

DESCRIPTION and/or VISIBLE DISTINCTIVE MARKS AND FEATURES
[redacted]

REPLY TO CAUTION

I accept this ticket

AT (time) 1431 ON (date) 21052012

I/D CHECKS MADE (e.g. documents seen)

- Drivers' Licence Passport Bank/Credit Card National Insurance
- Travel/Photo Card IND Card PNC Radio Other (specify)

Specify Other

Details (e.g driver/card/passport no./National Insurance no. etc.)

Fingerprints taken Photograph taken DNA taken

ADDITIONAL NOTES (continue on separate sheet if necessary and affix firmly to PND)

3rd Party Witness Statement: Particulars Obtained?

Y N (If Yes then write details below)

Witness details

Location of CCTV evidence etc.

Sarah
Morris/COMPROT/Middlesb
rough_Borough_Council/GB

To
cc
bcc

14/08/2012 08:43

Subject Fw: Inn Off the Park



"HIGGINS, Paul (p0944)"
<Paul.Higgins@cleveland.p
nn.police.uk>

13/08/2012 15:45

To "Fiona Helyer" <Fiona_Helyer@middlesbrough.gov.uk>

cc "NEVISON, Marie (C7711)"
<Marie.Nevison@cleveland.pnn.police.uk>,
<churchill_cr@yahoo.com>, "FIXTER, Ian (P1677)"
<Ian.Fixter@cleveland.pnn.police.uk>

Subject Inn Off the Park

Hi Fiona

In relation to our review application for Inn off the Park, please find attached a list of proposed conditions which we have discussed with the premises licence holder and DPS. The position of the Police is that we would be satisfied with the attachment of these conditions onto the licence as an outcome for the review hearing. The conditions have been agreed with the premises and I will forward you an e mail from the DPS confirming this. With regard to the conditions around the CCTV we accept that this may take some time to fit and would accept that these conditions could be prefixed with the sentence "As of the 1st October 2012".

For your information it is also our intention to request the premises to close for a period of 7 days under section 169A of the Licensing Act 2003

Many Thanks

Paul

From: HIGGINS, Paul (p0944)

Sent: 07 August 2012 13:59

To: 'churchill_cr@yahoo.com'

Subject: Document1

Hi Charles

Please let me know what you think about the conditions, I have included one about CCTV which will require the fitting of the type of hard drive cctv system we discussed.

Thanks

Paul

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*** Email Security scanned this email for malicious content

*** IMPORTANT: Do not open attachments from unrecognized
senders ***



Document1.doc

Prevention of crime and disorder

1. Digital colour CCTV to cover both internal and external areas of the premise. This will be recording at all times, retain footage for a period of 31 days and be able to produce copied footage on a disc to be made available to reasonable requests of members of police and other responsible authorities.
2. There shall always be member of staff on duty, who can operate the CCTV system including copying footage.
3. An incident book to be maintained and kept on the premises at all times.

Protection of Children from Harm

1. There shall be no person under the age of 18 years old on the premises after 9pm
2. Within 10 minutes either side of 8.30pm a member of staff shall visually check all customers and notify any person under 18 years that they must leave the premises by 9pm
3. Any person on the premises aged under 18 shall be accompanied by a responsible adult.
4. A responsible adult shall not be responsible for more than 3 persons under 18 years of age
5. The premises shall adopt a challenge 25 policy, whereby any person appearing to be under the age of 25 years shall be asked for photo ID prior to being served alcohol.
6. Only photo ID will be accepted as proof of age, either passport, driving licence or PASS accredited proof of age.
7. Signage of a minimum A4 size shall be displayed at both the entrance to the premises and the bar area with regard to the Challenge 25 policy.
8. Staff shall have up to date licensing training, particularly covering under age sales which will be documented and signed by both management and each individual member of staff. This will be refreshed every 6 months.
9. A refusals book shall be maintained and kept on the premises at all times.
10. Conditions 1 and 2 under the protection of children from harm shall be suspended on any occasion when a pre arranged private party is taking place. On such an occasion members of the public shall not be permitted access to either the whole premises or the part of the premises where the private party is located.

Sarah
Morris/COMPROT/Middlesb
rough_Borough_Council/GB

To
cc
bcc

14/08/2012 08:40

Subject Fw: Document1

From: Charles Churchill [mailto:churchill_cr@yahoo.com]
Sent: 13 August 2012 14:47
To: HIGGINS, Paul (p0944)
Subject: Re: Document1

Paul,

We have held a meeting and discussed the proposed conditions and have absolutely no problem in putting them into action. They are very similar to the conditions we had drafted and we have already actioned some of them.

One small matter is, after having our CCTV man in, we may not have the required system in place until late September. The specification will be as discussed. If we can have a little time to get the system installed all will be up and running by the beginning of October.

Kind Regards

Charles Churchill

--- On Tue, 7/8/12, HIGGINS, Paul (p0944) <Paul.Higgins@cleveland.pnn.police.uk> wrote:

From: HIGGINS, Paul (p0944) <Paul.Higgins@cleveland.pnn.police.uk>
Subject: Document1

To: churchill_cr@yahoo.com

Date: Tuesday, 7 August, 2012, 13:59

Hi Charles

Please let me know what you think about the conditions, I have included one about CCTV which will require the fitting of the type of hard drive cctv system we discussed.

Thanks

Paul

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