

**Public Health and Public Protection**

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Mr Ashley Wem  
The Empire  
Corporation Road  
Middlesbrough  
TS1 2RT

Tel: (01642) 728717

Date: 20.05.2022

Ref:

Dear Sir

**LICENSING ACT 2003****Premises: The Empire, Corporation Raod, Middlesbrough, TS1 2RT**

I am writing to advise you that as the Responsible Authority for Public Health a representation has been made to the Licensing Authority in support of the review application made by Cleveland Police in respect of the above premises.

This representation is made in relation to the crime and disorder, public safety and protection of children from harm licensing objectives. There are a number of areas of concern regarding these premises which include admission and sale of alcohol to under 18's and incidents of serious alcohol related violence that places the safety of others at risk from serious health harms.

The operator of the premises has failed to comply with the law in relation to Licensing Act 2003 and they have failed to comply with licensing conditions which are in place to promote the licensing objectives.

If you would like to discuss this matter please do not hesitate to contact me.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Fiona Helyer'.

Fiona Helyer  
Public Health Officer  
Alcohol Control

**Middlesbrough Council**  
**The Licensing Act 2003 - Responsible Authority (RA) Representation**

**Name of RA Representative: Fiona Helyer, Public Health Officer**

**Address:** Public Protection Service, Civic Centre, Middlesbrough.

**Email:** EHTS@middlesbrough.gov.uk **Tel** 01642 728272

**Licence holder details**

Name and Address of Premises

The Empire Theatre

Address: Corporation Road, Middlesbrough, TS1 2RT

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

The Middlesbrough Empire 2008 Limited

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

MBRO/PL0173/019242

**Representation**

It is my opinion that the application fails to adequately satisfy the following licensing objectives:

- |   |                                  |
|---|----------------------------------|
| x | Prevention of Crime and Disorder |
|   | Prevention of Public Nuisance    |
| x | Public Safety                    |
| x | Protection of Children from Harm |

Grounds for representation (including details of any previous representations)

This representation is being made by the Responsible Authority for Health on the grounds of crime and disorder, public safety and the protection of children from harm to support the application made by Cleveland Police for review of the premises licence in respect of The The Empire.

The Empire is a well- known nightclub in Middlesbrough that attracts a high proportion of night time revellers to Middlesbrough town centre on a weekly basis. These premises are situated on Corporation Road, Middlesbrough. A premises licence is in place which allows licensable activities to take place, including the sale of alcohol, between the hours of 11am

– 3.30am, seven days a week.

Cleveland Police have applied to review the premises licence in respect of these premises and have presented evidence in relation to ongoing concerns around persons under the age of 18 years being allowed to frequent these premises for the purpose of consuming alcohol. Such activity has led to a serious assault occurring inside the premises whereby a 19 year old male has suffered injuries which are consistent with a puncture wound to his back leaving him in a stable but poorly condition and requiring hospital treatment.

The concerning factor around this incident is that the three males identified as suspects for the assault were all under the age of 18 years.

Further reports made to Police also imply that children under the age of 18 years have been allowed access into the premises where they have consumed alcohol, another incident concerning a person under 18 years old being assaulted inside the premises.

On 9 November 2022 I along with PC Arbuckle attended these premises as there had been a number of concerns raised around the levels of drinks being spiked which were occurring in Middlesbrough Town Centre. There was information to suggest that such activity was occurring at The Empire. Such led to management from the Empire taking action and publicising the national 'Spike it out' campaign which included the actions that they had taken to prevent such activity from happening at their premises.

During the visit we spoke to a male named Peter Hope, a manager employed at the premises. There was a lengthy discussion held around the alleged spiking activity, the checking of ID, drug searches and vulnerabilities within the night-time economy. We also discussed what preventative measures could be taken to resolve such issues. Free training from the Police and Public Health around vulnerability in the night time economy, underage sales and sales of alcohol to drunks was offered at this time.

Data received from James Cook University Hospital (JCUH) indicates that there has been a number of attendances to Accident & Emergency where patients have disclosed information regarding alcohol related violence/assaults occurring in and around licensed premises in Middlesbrough.

Data received from Middlesbrough Council's Safe Haven Service also indicates that several incidents of alcohol related violence, intoxication and/or substance misuse which they have tended to have taken place either inside The Empire or directly outside these premises.

Information received indicates that injuries received by members of the public from this location have required either, or a combination of the following medical treatments:

- Immediate onsite medical attendance
- Use of emergency services to transport the injured to hospital
- Attendance at Accident and Emergency

- Admission to James Cook University Hospital
- Ongoing outpatient treatment.

It is apparent that the safety of the public has been put at risk whilst attending The Empire. The information presented by Cleveland Police demonstrates the extent of the risks to the public safety presented by this premise, in terms of the extent of the injury, treatment required and the demands which have been placed on the Emergency services and hospital resources.

This representation is made in support of the review application made by the Police in that this licensed premises has breached licensing legislation in relation to underage sales of alcohol and has not operated within the constraints of the premises licence conditions which presents a risk to the safety of the public and does not support the prevention of crime and disorder, public safety and the protection of children from harm licensing objectives.

Further evidence will be submitted prior to any future licensing sub-committee hearing

Signed: 

Dated 20.05.22