

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

Name of RA Children's Services, Middlesbrough Council,

Address: Preventions and Partnerships, Children's Services, 154 Borough Road,
Middlesbrough, TS1 2EJ

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Licence holder details

Name and Address of Premises

The Empire

Address:

The Empire

**Corporation Road,
Middlesbrough, TS1 2RT**

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

The Middlesbrough Empire 2008 Ltd

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

MBRO/PR0139/019085

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
	Public Safety
x	Protection of Children from Harm

Grounds for representation (including details of any previous representations)

- 1.0 I Jeff Watson, as the designated officer for the 'Responsible Authority', Children's Services, Middlesbrough Council, have had sight of the application by Andrew Thorpe, Licensing Officer, Cleveland Police, requesting a review of The Empire, Corporation Road.
- 2.0 Middlesbrough Council's Children's Services, fully support the application from Cleveland Police for The Empire's licence to be reviewed under the Licensing Act 2003. We do so on the following grounds:

- 3.0 In our opinion the police request includes two incidents where children under the age of 18 years have been in the premises which suggests that the management of The Empire are not fulfilling their legal duty under the Licensing Act 2003, to protect children from harm, and in both occasions they have failed to prevent crime and disorder.
- 4.0 In respect of the serious incident on 1st May 2022, this clearly led to the arrest of three young people, one aged 15 years and two aged 16 years. All three children had vulnerabilities that were previously known to children's services. Although those vulnerabilities were not directly linked to this incident, the use of alcohol and incident could exacerbate the issues.
- 5.0 I am not aware of the identity of the child involved in the incident on 4th April 2022 where he was 'hit in the face', but again, this is a worrying incident involves a child under the age of 18 that took place in The Empire.
- 6.0 I also support the statement that there is intelligence that young people are entering The Empire.
- 7.0 As the Chair of the Middlesbrough VEMT Practitioner Group, I can say that the source of intelligence discussed in the meeting is usually from the children themselves to the professionals with who they work, and/or from professionals who have seen photographs of children on social media openly stating they were in the Empire. This intelligence cannot be quantified without naming the individual Children, which is something that is not in the best interests of the children
- 8.0 In the past 6 months, the VEMT Practitioner Group have discussed 4 pieces of intelligence regarding 4 different children, 2 of which have come from Stockton MACE, the equivalent of the Middlesbrough VEMT practitioner group.
- 9.0 Whilst I am not in possession of any direct evidence that the children have been sold alcohol themselves I do believe that the premises have a license to sell alcohol and therefore have a legal duty under the Licensing Act to protect children from harm and to prevent Crime and Disorder.
- 10.0 In order to fulfil their duty in relation to children, I would expect any premises to train staff, to rigidly run a 'proof of age' system (similar to 'Think 25'), and to have a refusals book in which they record refusals.
- 11.0 However, this clearly has not stopped three children, one aged only 15 years and two aged 16 years, from entering the premises and committing a serious offence on 1st May 2022. Nor has the current system preventing a further child from entering the premises on 4th April 2022 and being assaulted.
- 12.0 In addition to any harm caused through violence, there is also harm caused by the impact of alcohol on the person. Alcohol is much more harmful for children than it is for adults due to their brains not being fully formed until the age of 18 years.
- 13.0 The current guidance on the consumption of alcohol by children and young people was issued in December 2009 by the Chief Medical Officer for England. This states:

“Children and their parents or carers are advised that an alcohol-free childhood is the healthiest and best option.

However, if children drink alcohol underage, it should not be until at least the age of 15 years.

If young people aged 15 to 17 years consume alcohol, it should always be with the guidance of a parent or carer or in a supervised environment.

Parents and young people should be aware that drinking, even at age 15 or older, can be hazardous to health and that not drinking is the healthiest option for young people.

If 15 to 17 year olds do consume alcohol, they should limit it to no more than one day a week. Young people aged 15 to 17 years should never exceed the recommended adult weekly alcohol limits (no more than 14 units a week) and, when they do drink, they should usually drink less than that amount.

14.0 In considering the two violent incidents, the intelligence regarding children being admitted to the Empire and the likely harms this will cause, I have serious concerns about the effectiveness of current systems at the Empire to prevent crime and disorder and to protect children from harm.