

## **Regulation 28: REPORT TO PREVENT FUTURE DEATHS**

In response to your above report I would comment as follows.

My business premises, "Goldies Bar", 93 High Street, Stockton on Tees is licensed to provide alcohol and regulated entertainment under the provisions of The Licensing Act 2003 by Stockton on Tees Borough Council and as such is subject to mandatory and voluntary conditions to ensure compliance with the four statutory licensing objectives namely:

1. The prevention of crime and disorder
2. Public safety
3. The prevention of public nuisance
4. The protection of children from harm

I have enclosed a copy of my licence which outlines the range of conditions attached to the licence which I have a statutory obligation to comply with.

As a licensed premise I am subject to regular compliance inspections by the responsible authorities, including the police and local authority licensing officers and when areas of concern or non compliance are identified I can be subject to prosecution and/or a review of my premise licence by the Council which in turn could result in the suspension, amendment or revocation of my licence and ultimately the loss of my business.

Following the sad death of Mr Dalkin a formal review of my premises licence was brought by Cleveland Police with representations from local authority licensing and public health officers.

This formal review was heard by the Licensing Sub Committee of the Council's Statutory Licensing Committee on 8th June 2020.

At that hearing the Committee could have determined that I was unfit to continue as the designated premise supervisor, but they did not. They could have also determined to revoke my premise licence, but once again they did not. Instead they heard that I had entered into extensive constructive negotiations with all parties to the review to discuss whether the issues which were at the root cause of the review application could be addressed by agreement being reached on amendments to the premise licence including additional conditions.

At that hearing the Committee were told that I had acknowledged that changes needed to be made and I gave assurances to the Committee that I would introduce and maintain improvements at the premises.

The Committee determined therefore that the review could be dealt with in the manner suggested by the parties and that was a proportionate solution to the review so they resolved to amend my premise licence as follows:

1. A reduction in hours for the supply of alcohol to 02:30
2. Maintaining an incident book
3. The provision of an external customer management policy
4. A minimum price for the sale of alcohol
5. The use of an external security agency to provide registered door supervisors and which is on the 'Approved Contractors List'
6. Minimum numbers of door supervisors to be employed stipulated
7. A condition that I cannot be included towards the minimum number of door staff
8. Door staff signed in at Che Bar cannot also be signed in at Goldies Bar at the same time

Therefore with particular reference to your four matters of concern I would make the following points:

Point 1. This is both illegal under the provisions of the Licensing Act 2003 and is subject to a mandatory condition on my licence that any person carrying out security activity must be licensed by the Security Industry Authority.

Point 2. This is now prohibited by a condition on my licence.

Point 3. and Point 4. The minimum number of door supervisors to be provided is now stipulated as a condition on my licence and a further condition prohibits door supervisors signed in at Che Bar also being signed in and used in Goldies Bar.

Since the review hearing my premises have been subject to compliance inspections by Cleveland Police when no further issues have been identified and they are satisfied with how the premises are being managed.

In conclusion I would reiterate that as a premise licence holder under the provisions of the Licensing Act 2003 I have a statutory obligation to ensure compliance with the conditions on my licence and any further concerns or non compliance found could result in my prosecution and/or ultimately the revocation of my licence and the loss of my business.

I trust this information confirms to you that action has been taken to address your concerns and that these changes are regularly monitored for compliance by the regulatory authorities.

Yours Sincerely,

A solid black rectangular box used to redact the signature of the sender.