

Representations On A Current Application For A Grant/Variation Of A Premises Licence Or Club Premises Certificate Under The Licensing Act 2003

Section 1 – Licence Application Details

Applicant Name (If Known)	Darren BELL
Premises Name and Address	The Hardwick 2 High Newham Road Stockton on Tees TS19 8PD

Section 2 - Responsible Authority

- Trading Standards
- X Cleveland Police
- Environmental Health
- Cleveland Fire Service
- Planning
- Protection of Children From Harm

Section 3 – Representation Grounds

<p>The representation is relevant to one or more of the following licensing objectives:</p> <p>Please tick relevant box(es)</p>	<p>X Prevention of Crime and Disorder X Prevention of Public Nuisance Protection of Children from Harm Public Safety</p>
<p>Please Select:</p> <p>X I object to the application being granted at all I object to the application being granted in its current form*</p> <p>*If you choose this option remember to tell us what changes you would prefer to see.</p>	

The grounds of the representation is based on the following:

(Please continue on a separate sheet if necessary)

This is a second representation by Cleveland police relating to this premise. The original objection was made due to the conditions suggested by the applicant not being adequate. Since that time further information has come to light about the applicant and Designated Premise Supervisor that have given Cleveland police cause for concern.

This is a new application for a premises licence to allow the sale of alcohol on and off the premise.

The times for the sale of alcohol are :-

11:00 – 23:30hrs Sun – Thurs.

11:00 – 00:30hrs Friday and Saturday.

Cleveland Police are of the opinion that by granting this application the crime and disorder and public nuisance objectives would be undermined.

The application names Darren BELL as the premises licence holder and the designated premise supervisor is Patricia BELL.

Police have serious concerns in respect of Patricia and Darren BELL's involvement in this premise as Patricia BELL has previously been in charge of a licensed premise in Stokesley which has been subject to review proceedings as a result of her management. This premise is The Pack Horse, 47 High Street, Stokesley.

Prior to the review been held Patricia and Darren BELL vacated The Pack Horse and left no forwarding address meaning no hearing could be held.

The review was been brought by North Yorkshire police as they were seeking to revoke the licence in it's entirety as the premise was not operating in accordance with the authorisation which resulted in the premises having an adverse impact on the quality of life of the local community.

North Yorkshire police were bringing this action after working closely with Patricia BELL since the 3rd June 2019.

The review had been requested because of the below issues :-

- Customers drinking outside the premise causing noise nuisance and intimidation.
- Patricia BELL's conduct where she allegedly verbally abused an enforcement officer in the course of their work.
- Several breaches of premise license including the CCTV not being fit for purpose.
- The premise been operated outside of it's licensable hours.
- A premise improvement plan was which agreed with Patricia BELL on the 10th October 2019. This was not implemented showing that BELL was not willing to prevent crime and disorder.

Cleveland police are of the opinion that if the license is granted for this premise that the applicants would undermine the licensing objectives.

Signed: Emma Westmoreland	Position: Licensing officer to the Chief Constable of Cleveland Police	Dated: 23/07/2020
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RESTRICTED (when complete)

CLEVELAND POLICE

WITNESS STATEMENT

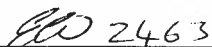
(CJ Act 1967, s9 MC Act 1980, ss5A(3)(a) and 5B; MC Rules 1981, r70)

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Statement of **Emma Elizabeth WESTMORELAND**

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

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  2463

Date: **27/08/2020**

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

I am Police Constable 2463 WESTMORELAND currently based in the Licensing Support Unit at Middlesbrough HQ.

My role as licensing officer involves considering applications for new licensed premises.

On the 2nd July 2020 Cleveland police received a application for a new premises licence made under the licensing act 2005 for a premises license to be granted for THE HARDWICK, 2 HIGH NEWHAM ROAD, STOCKTON- ON - TEES, TS19 8RQ. The applicant was Darren BELL with the proposed Designated Premise Supervisor named as Patricia BELL

Initially on receiving the application myself and PC THORPE attended the new premise and spoke with the applicant Darren BELL. BELL informed me that he had previously operated premises in STOKESLEY and enquired as to what conditions he would be required to have on his license. Having discussed this PC THORPE forwarded BELL a document of suggested conditions. PC 894 THORPE made initial representations to the licensing authority in case these were not agreed within the desiganated time parameters. At this time Cleveland Police had no other concerns regarding the application. On the 23rd July 2020 BELL signed and agreed to the suggested conditions forwarded to him by PC 894 THORPE.

On the 23rd July 2020 Cleveland Police received information from PC 1770 CHADWICK the licensing officer for North Yorkshire police alerting us to serious issues they'd had with Patricia BELL when she had operated a premise in there area. Due to this information Cleveland Police feel that Darren and Patricia BELL would not uphold the four licensing objectives, and therefore make official representation against this premise.

Signature  2463

Signature Witnessed by N/A

**Application for a 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 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 PC 1770 Deborah Chadwick on behalf of the Chief Constable of North Yorkshire Police 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

Postal address of premises or club premises, or if none, ordnance survey map reference or description

The pack Horse
47 High Street

Post town Stokesley

Post code (if Known) TS9 5AD

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

Patricia Bell

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

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) **x**
- 3) A member of the club to which this application relates (please complete (A) below)

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

Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Miss	<input type="checkbox"/>	Ms	<input type="checkbox"/>		Other title	<input type="checkbox"/>
								(for example, Rev)		
Surname						First names				
<input style="width: 100%;" type="text"/>						<input style="width: 100%;" type="text"/>				

Please tick Yes

I am over 18 years old or over

Current address

Post Town

Postcode

Daytime contact telephone number

Email address (optional)

(B) DETAILS OF OTHER APPLICANT

Name
Address
Telephone number (if any)
E-mail (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name PC Deborah Chadwick
Address

North Yorkshire Police Licensing Department
York Police Station
Fulford Road
York
YO10 4BY

Telephone number (if any)
01609 643306

E-mail (optional)
NYPLicensing@northyorkshire.pnn.police.uk

This application to review relates to the following licensing objectives(s)

Please tick one or more boxes ✓

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

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

I make this application on behalf of North Yorkshire Police who wish to seek a review of the above premises as the Licensing objectives of:-

The Prevention of Crime and Disorder
Public Safety
The Prevention of Public Nuisance

have been undermined on a number of occasions which will be evidenced below.

Mrs Patricia Bell has been the Premises Licence Holder and Designated Premises Supervisor since March 2019. The premises are situated on the main street in Stokesley Town Centre and have licensable activities as follows:-

- Live music , Friday and Saturday between 18:00 and 00:00
- Recorded Music , every day between 09:00 and 00:00
- Late Night Refreshment every day between 18:00 and 00:00 &
- Sale of alcohol every day between 09:00 and 00:00

Since June 2019 North Yorkshire Police and the Local Authority have responded to complaints regarding Disorder, Noise Nuisance and Anti- Social Behaviour by engaging with the operator, attending meetings and implementing a Premises Improvement Plan to address the concerns. However despite the interventions the Premises have failed to adhere to Premise Licence Conditions and have continued to undermine the Licensing objectives.

North Yorkshire Police are seeking a review of the Premises Licence to revoke the licence in its entirety as the Premises is not operating in accordance with the authorisation which has resulted in the Premises having an adverse impact on the quality of life of the local community.

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

On 3rd June 2019 Sgt Chris Ross from the Local Neighbourhood Policing Team and PC Debbie Chadwick from Police Licensing visited the Premises and spoke to Patricia and Darren Bell reference

concerns of calls for service to Police. See Appendix 1

On the **13th June 2019** Mr Kevin Suffield Licensing enforcement officer for Hambleton District Council contacted North Yorkshire Police Licensing department following complaints had been received from members of the public and local businesses. The complaints were in relation to customers drinking outside the premises, noise nuisance, intimidation and the conduct of the DPS whereby she verbally abused a parking enforcement officer. See Appendix 2

Sgt Jackie Booth the Force Licensing Manager for North Yorkshire Police, responded to Mr Suffield in relation to the complaints. See Appendix 3

On the **24th June 2019** Mr Suffield attended the premises in company with the local neighbourhood police Sergeant, Chris Ross. Mr Suffield discussed the issues and concerns regarding the management of the premises with Mr Darren Bell (husband of the DPS) and Mr Charlie Bell (Son of the DPS) Mr Suffield went through the Premises Licence Conditions thoroughly with Mr Bell and his son to ensure they were fully aware of what the requirements of the licence entailed. Mr Suffield noted several breaches of the Premises Licence, including; no summary displayed, no age verification signage and the CCTV system was not fit for purpose. Mr Suffield informed them that he would be re-visiting the premises to ensure that all conditions on the licence were being adhered to. See Appendix 4 and Appendix 5

On the **22nd July 2019** complaint to police sent from Stokesley Town Council regarding customers drinking outside and tables and chairs had been put out onto the pavement for customers to use. See Appendix 6.

On the **29th July 2019** Mr Kevin Suffield copied North Yorkshire Police Licensing into an email he had received relating to a complaint about the Packhorse. See Appendix 7

On the **8th August 2019**, Inspector Sarah Sanderson, PS Ross, Mr Suffield and an officer from Hambleton Councils Environmental team attended the Packhorse to discuss the recent complaints. Again the licensing conditions were discussed and the Bell family expressed their willingness to change and work with the responsible authorities to ensure compliance. See Appendix 4

On the **21st August 2019** NYP licensing department received an email from Hambleton Licensing Authority that a female complained that she was prevented from walking past the premises due to the people outside smoking and sitting on the tables and chairs obstructing the highway. She said that the music levels were unbearable and that this is often the case on a Thursday afternoon. See Appendix 8

On the **21st September 2019** Sgt Ross was on duty when at 0020 hrs he saw the Packhorse was still open and trading and music was coming from the premises. The premises are licensed until midnight for the retail sale of alcohol and the playing of live and recorded music. This is an offence under Section 136 of the Licensing Act 2003, unauthorised licensable activities. See Appendix 4

On **25th September 2019**, report to police of threats male wanting to petrol bomb premises. The reporting party the PLH did not want any further police involvement. See Appendix 1

On the **26th September 2019** following on from the 136 offence above, a meeting was held between the Licensing Authority, Police licensing and the local Policing team at Stokesley to formulate a joint partnership approach to address the recent complaints and non-compliance with the Premise Licence conditions. Following the meeting it was agreed that a visit under Section 179 of the Licensing act would be conducted by Police Licensing officers to check compliance and discuss the recent issues with the PLH.

PC Chadwick attended the Premises and spoke with the DPS, Patricia Bell and informed her that an offence had been committed by operating outside licensed hours, there were still complaints of customers drinking on the street and she confirmed that CCTV had still not been rectified despite being made aware that this was a breach of the licence conditions which had been brought to her

attention on the 24th June 2019. PC Chadwick issued Mrs Bell with a Section 19 closure notice (Section 19 of the criminal justice and police act 2001) and informed her that every alcoholic drink sold would be a prosecutable offence. This needed to be rectified by the 10th October 2019 or Police would be entitled to obtain a closure order at court. See Appendix 9 and 10

On the 10th October 2019 PC Bolland and PS Ross confirmed that CCTV was now installed and working and therefore a cancellation notice was issued. See Appendix 4 and 11

On that date a Premises Improvement Plan was also agreed with Mrs Bell which included the following objectives:-

- DPS Training appropriate Licensing legislation by all staff covering conditions attached to Premises Licence.
- Registered Door Staff on specific dates over festive period and specific one of occasions when deemed necessary.
- Additional two members of staff to obtain personal licence.
- CCTV to be working at all times.

The timescale and an explanation of the objectives set in the plan were explained to Mrs Bell and the consequences of non-compliance. The rationale for asking for SIA staff on specific dates was to address the concerns of Public Nuisance and Crime and Disorder and for the premises to demonstrate that they could implement measures to promote the licensing objectives. The other objectives were relevant to the Premise Licence Conditions. This plan was to be reviewed after 3 months and was signed and agreed with Mrs Bell. See Appendix 12

Best Practice and management of Licensed Premises advises a stepped approach of engagement with operators and responsible authorities to ensure measures are in place to promote the Licensing Objectives, with the aim of avoiding a Review of the Premises Licence.

The decision to implement a Premises Improvement plan was to afford the DPS an opportunity to work with the Police and Licensing Authority to ensure compliance with the premises Licence conditions and promotion of the Licensing objectives. This is consistent with Hambleton statement of Licensing Policy Enforcement Para 9.4.1 which states:-

- *Officers will endeavour to provide advice in a clear and simple manner and where any corrective or remedial work is necessary, an explanation will be given as to why it is necessary, and over what timescale it is required;*
- *Officers will generally seek an informal resolution to cases of non-compliance except where immediate formal enforcement action is required;*

On the 2nd November 2019 the police received two calls for service to the Premises. The first report by a member of staff from the Premises () stating fight at location was received at 22:19hrs and officers attend and spoke to a male as per police log claimed to be Landlords father (believed to be Darren Bell). He informed officers there was no assaults or damage to anyone present and a group that was not local had moved on. At 2320hrs the same day the police receive a report from a female that approximately one hour ago she was assaulted at the Packhorse. On receipt of this report the police commenced a criminal investigation. On 3rd November PC346 Davison attended the Packhorse and spoke to Darren Bell who informed the officer he was unable to work the CCTV as he was new. He then informed the officer about the individual who started the incident and that he had to escort her out of the premises at least three times. He was asked to provide a statement but stated "you'll see it on the cctv". As part of this investigation () was asked to provide a statement but declined stating he didn't want to get involved as he knew the locals, this contradicts what Mr Bell told police at the time of the original report.

CCTV footage was requested as this would provide the evidence required to progress the investigation. The police were informed that footage was unavailable as it had been overwritten as the CCTV system only retained footage for 10 days. See Appendix 13

The Premises licence conditions in respect of CCTV state:-

A colour digital CCTV system shall be installed within the premises and be operational and recording at all times when licensable activities take place and at any other times where members of the public are present on the premises.

The CCTV equipment shall have constant time/date generation which must be checked on a regular basis for accuracy.

The CCTV system must be capable of producing quality images of good evidential value. The CCTV system will have sufficient storage retention capacity for a minimum of 28 days consecutive footage.

On 4th December 2019 on receipt of the information that the Premises were again not adhering to the CCTV condition, PC Chadwick visited the premises in company with Mr Richard Marsden who is a Senior CCTV Officer and Certified Forensic Video Technician based with West Yorkshire Police. Mr Marsden confirmed that the footage was only retained for a maximum of 10 days and was therefore again in breach of the Premises licence conditions. See Appendix 14
PC Chadwick issued a second section 19 closure notice and again explained the procedure fully and informed Patricia Bell that the CCTV system needed to retain footage for a minimum of 28 days to comply with the licence conditions and this needed rectifying by the 13th December at the very latest. Again Mrs Bell was made aware that every alcoholic drink that was sold was a prosecutable offence whilst the licence conditions were being breached. See appendix 9

On the 18th December 2019 PC Chadwick and Mr Marsden returned to the premises to ensure the CCTV was fit for purpose and was operating in accordance with the Premises Licence. Mr Marsden confirmed that the 1 Terabyte hard Drive had been replaced with a 4 Terabyte hard drive and should therefore retain footage for at least 28 days. A Section 19 cancellation notice was again given to Mrs Bell. See Appendix 14 and 15

On the same date PC Chadwick discussed with Mrs Bell what actions had been undertaken in respect of the Premises Improvement Plan. Mrs Bell confirmed there was no staff training records and no staff members had obtained their personal licence.

In relation to the SIA staff, Mr Bell expressed his concern regarding this and said that they could not afford to employ door staff. PC Chadwick explained that it was part of the Premises Improvement Plan that Mrs Bell had agreed to on the 10th October and she had signed the document as she was the Premises Licence Holder and DPS. In light of the recent incident of disorder on 2nd November whereby it appeared that a large scale fight had taken place in the Premises, PC Chadwick reiterated that it was an agreed action and door staff were required to promote the Prevention of Crime and Disorder licensing objective. The Premises Improvement Plan had it been adhered to and implemented not only may have prevented the incident on the 2nd November, doorstaff may have prevented the fight inside, but compliance with the CCTV condition would have assisted the investigation with the apprehension and prosecution of offenders.

On 26th December 2019, report received to Police that members of public drinking outside the premises and intimidating member of the public. See Appendix 1

On the 21st January 2020 PC Chadwick and Sergeant Jackie Booth attended the Packhorse to see if the Premises Improvement Plan had been satisfactorily complied with. Upon entering the premises building work was being undertaken and the bar had been moved to the middle of the property and fixed seating was being installed in the front area of the property. The premises were open and trading at that time and alcoholic drinks were being served. Mrs Bell who was present was asked if she had submitted a variation to Hambleton District Council in respect of the changes to the internal layout for fixtures and fittings to which she replied she did not realise she needed permission. A third Section 19 closure notice was issued by PC Chadwick, requiring Mrs Bell to submit a variation to the council to change the premises plan as again the Premises was operating in breach of the Licence Conditions. See Appendix 16

PS Booth asked Mrs Bell to provide an update regarding the objectives in the Premises Improvement Plan. Mrs Bell produced some records which she claimed were staff training records. One of the names on the page was [REDACTED], who was present at the time of the visit. She was asked if she could operate the CCTV in the presence of PS Booth and she stated she did not know how to operate. The training records were inaccurate and inadequate and also did not comply with the Premises Licence condition which states:

- **A documented staff training programme shall be provided to all members of staff at the**

premises in respect of:

- **Operation of the CCTV system (including the downloading of evidence)**
- **Retail sale of alcohol**
- **Age verification policy**
- **Conditions attached to the Premises Licence**
- **Permitted licensable activities**
- **The licensing objectives and**
- **Opening times for the venue**

No other members of staff had completed their personal Licence and the time on the CCTV system was incorrect, whilst this was rectified in the presence of officers, it was a further breach of the CCTV condition on the premise licence:

- **The CCTV equipment shall have constant time/date generation which must be checked on a regular basis for accuracy.**

In light of all the issues surrounding the CCTV previously and the onus that Police stressed to the Premises licence holders of compliance with this, it was evident that there was no regard for compliance with this condition, and that they do not take the responsibility of compliance with the premises licence conditions seriously.

Mrs Bell also confirmed that no door staff had been employed over the Christmas period on the agreed dates of the Premises Improvement Plan.

Mrs Bell was informed that her failure to implement the Premises Improvement Plan and adhere to conditions on the premises Licence even after the interventions from Police seriously undermined the licensing objectives and the police would seek a review of the Premises licence.

On 7th February 2020 the police received a call of a fight outside the Packhorse. PS Ross attended the premises on the 9th February 2020 as a follow up to the report of the incident. CCTV from the premises which was again displaying the incorrect time shows an altercation inside the premises, which spills out into the street, with one male being punched to the floor and as he gets up being kicked in the head. The premises did not report the incident to police. There are grave concerns that no staff member given the level of violence in this incident reported the matter, which demonstrates that the Premises are not concerned about preventing Crime and Disorder. See appendix 1 and 19

The Police have considered a prosecution against Mrs Bell as the Premises Licence holder and Designated Premises Supervisor for offences of unauthorised Licensable activities. However, given the Crown Prosecution Guidelines in respect of the offence and the possible outcomes of a prosecution this would result in a punishment against an individual who would still be responsible for a Licensed Premises which could still operate for licensable activities.

The police are concerned that the level of Crime and Disorder is increasing at the Premises with the most recent incident on 7th February 2020 a serious violent assault, which could have had potentially fatal consequences. The Licensing objectives are about mitigating risks and there is no evidence of this by the operators of the Packhorse.

The above demonstrates that the Bell family all of whom appear to work at the Premises have taken no responsibility to ensure compliance with the Premises Licence Conditions and have failed to take on board the advice from responsible authorities.

As of the 12th February 2020 Hambleton Licensing Authority have not received a variation in respect of the Section 19 notice issued on the 21st January 2020, which again demonstrates that the operators are not willing to comply with the legal requirements of the Licensing Act.

The Premises since June 2019 have been the subject of complaints to Stokesley town Council, the Licensing authority and the Police. They have been given every opportunity to comply with the Licensing Act and authorisation issued by Hambleton Licensing Authority but have repeatedly failed.

It is believed that if the Premises are allowed to retain a Premise Licence this will have an adverse effect on the local community with continued Crime and Disorder affecting local businesses and residents.

It is the view of North Yorkshire Police that the Premises Licence should be revoked and would respectfully direct members to Section 17 of the Crime and Disorder Act 1998“ it shall be the duty of each authority to which the section applies to do all it reasonably can to prevent crime and disorder in its area.”

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	

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 **X**
- I understand that if I do not comply with the above requirements my application will be rejected **X**

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

CapacityApplicant.....
.....

Contact Name (where not previously given) and 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 by e-mail your e-mail address (optional)	

Notes for guidance

1. The ground(s) for review must be based on one of the licensing objectives.

6	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
7	12:16	06/06/19	Thurs	NYP- 06062019-	Further report of issues from customers in front of shop premises.	Advice given to RP. Informed landlord had been spoken to.	ASB personal
8	21:09	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
9	21:40	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
10	14:19	22/06/19	Sat	NYP- 22062019- 0292	Noise complaints & report of bad language outside (X2), with customers trespassing & drinking in private gardens. Bar staff allegedly ignored RPs concerns. Drinkers refuse to leave private gardens.	No units free to attend. Call back made to RP at 16:59. Issues have calmed down.	ASB nuisance
11	11:00	20/07/19	Sat	NYP- 20072019- 0203	Report that PH owner was shouting & swearing at RP yesterday (19/07/19) at approx. 11:30	RP spoken to and issues shared with Licensing	ASB personal
12	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
13	13:33	25/09/19	Wed	NYP- 25092019- 0250	Report of threat to petrol bomb premises by barred male who was refused entry.	Officer reports that RP does not want police involvement as suspect has since apologised.	Violence

14	00:11	27/09/19	Fri	NYP-27092019-0003	Possible OPL driver reported leaving PH	Vehicle not found.	
15	22:40	28/09/19	Sat	NYP-28092019-0610	Report sent to Licensing ref drinking outside		ASB/ Licensing
16	21:31	03/10/19	Thurs	NYP-03102019-0501	Report of possible OPL driver.	Vehicle not found.	
17		31/10/19	Thurs	NYP-31102019-	CCTV Report of drinking outside – beer bottles seen taken outside	Report passed to Licensing	Licensing
18	22:19	02/11/19	Sat	NYP-02112019-0545	Staff report fight ongoing inside, 6 persons involved (male & female). CCTV monitor – 2 female fighting outside	Officers attend but suspects have left. None identified. No LOE	Violence
19	23:20	02/11/19	Sat	NYP-02112019-0572	Female reports being assaulted (see NYP-02112019-0545). Injuries sustained (cut on cheek & black eye) Suspects identified.	Officers have difficulty obtaining CCTV from PH (eventually found it was not available as overwritten). CCTV from council obtained. Investigation ongoing.	Violence
21	20:31	07/12/19	Sat	NYP-07122019-0463	Officers report large group gathering outside	Situation monitored.	No offences
22	19:31	26/12/19	Thurs	NYP-26122019-0274	MOB report concerns regarding drinking outside the PH with patrons being intimidating.	No other calls received. NFA	ASB nuisance
23	00:48	04/01/20	Sat	NYP-04012020-0013	Report of believed ongoing fight at Packhorse, screaming and shouting heard.	Town CCTV report x4 males exit premises at 00:50 (premises should be shut to public at 00:30). Males in street officer attends, no reports or complaints from males, state was verbal only.	ASB Nuisance

Chadwick, Deborah

From: Kevin Suffield <Kevin.Suffield@hambleton.gov.uk>
Sent: 13 June 2019 11:01
To: NYP Licensing
Subject: FW: Numerous complaints Packhorse Stokesley
Attachments: Packhorse - Stokesley; Pack horse; Pack Horse Stokesley noise complaint; RE: Pack Horse, Stokesley ; Premises Licence The Packhorse Stokesley.docx; Packhorse

Jackie

We have had a number of complaints about the DPS of the Packhorse in Stokesley relating to her conduct, and customers drinking outside the front of the premises.

I have attached copies of the complaints received.

I was hoping that we could arrange a joint visit to the premises.

I am available on either Wednesday 19th or Thursday 20th next week if that is any good

The DPS Patricia Anne Bell has only been at the premises since the end of March 2019

Thanks

Kevin Suffield
Licensing Enforcement Officer
Kevin Suffield
Licensing Enforcement Officer
Legal Services
Tel: 01609 767180
Email: Kevin.Suffield@hambleton.gov.uk
Website: www.hambleton.gov.uk



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Good Average Poor

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From: Anita Huntsman <Anita.Huntsman@hambleton.gov.uk>
Sent: 06 June 2019 13:49
To: Kevin Suffield
Cc: Simon Fisher
Subject: Packhorse - Stokesley

Kev

[REDACTED] parking enforcement officer came in today to report an incident outside the Packhorse today. He was in the process of issuing a parking ticket to a [REDACTED] when a woman carrying a pint came out of the Packhorse and started shouting and swearing and telling him to give a [REDACTED] a ticket. It turned out that the [REDACTED] belonged to her (he assumes, the landlady of the Packhorse) and the [REDACTED] belonged to the [REDACTED] (I think both received parking tickets?). Apparently there was much fffing and jeffing and the owner of The Yorkshire Store came out and asked the woman to stop swearing as she had customers in her store [REDACTED] [REDACTED]). The woman from the Packhorse turned on her and said 'and you can F*** off you fat C***'.

[REDACTED] said it was awful, like an episode of Neighbours and that he was surprised we hadn't already received complaints as there was a number of people present [REDACTED] happy to speak to you about it.

[REDACTED]

Anita
Anita Huntsman
Senior Licensing Administration Officer
Legal Services
Ext. 7017

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Chadwick, Deborah

APPENDIX 2

From: [REDACTED]
Sent: 10 June 2019 12:55
To: Kevin Suffield
Subject: Pack horse

Afternoon Kevin,

Following up from our brief telephone call this morning!

I'm wanting to complain for antisocial behaviour from The Pack Horse bar since they have taken the premises over. The incident happened Thursday 6 th June around 12 noon When a parking ticket was issued to car outside the pack horse.

A female flew out from the bar hurling abuse at the traffic warden, the language was so appalling it's unrepeatable.

[REDACTED] and politely asked her to not use that language and asked her to tone it down.

In her response she gave the same back to me.

I was deeply stunned and did leave my customers very shocked.

This lady does work there but on this occasion which have found out she was drinking alcohol from early on that morning.

This is not the first time things have happened!

We are consistently have to put up with early drinkers who actually do swear when smoke outside and belch when the general public walk past going on with their day.

I feel this is unacceptable in a small market town.

My fellow business owners feel the same and the general public are complaining to us, saying that they don't want to hear or see this kind of ugly sight in the town and feel very intimidated when walking past.

My business & others around say they are being affected by this.

Times are hard for towns at the moment so we don't want anything else to hit us badly on the high street.

The Owner of the business from the Pack horse clearly can't curb his staff & punters in their behaviour.

The cheap alcohol is a magnet for this aggressive behaviour and is proofing they have no respect for anyone else but themselves.

Another incident happened 2 weeks 1 Saturday afternoon when a private party was on at The Queens Head public house.

That day was very scary !

Lots of travellers, horse & traps,
& lots of heavy drinkers outside.

This made businesses close early for the sheer unknown of these people.

Once again no respect what so ever for anyone else.

I hope you will consider all my points please.

We would like the high street abundance with only good and decent businesses, we are a good community and do look after one another but when it's abused like this and they get away with it then it's not nice.

Thank you
Kind regards

[REDACTED]

From: Julia Bell <Julia.Bell@hambleton.gov.uk>
Sent: 10 June 2019 08:50
To: Kevin Suffield
Subject: Pack Horse Stokesley noise complaint

Hi Kevin

Complainant's details are below:

Kind regards

From: Hambleton Online Forms
Sent: 07 June 2019 20:13
To: Environmental Health Technical Support
Subject: A Noise nuisance issue report form has been submitted

A 'Noise nuisance issue report form' form has been submitted on 2019-06-07 20:12:52
Reference: NoiseNuis123406955
A response is required within 5 working days.

Name:

Address:

Contact Details:

Email address: [REDACTED]
Alternative phone number: [REDACTED]
Preferred method of contact: Email

Details

Name of person responsible: Manager of the "Pack Horse" Bar

Location:
Pack Horse Bar

Postcode of noise: TS9 5AD

Nature of the problem:

On Friday and Saturday nights, the Fire Door round the back is often left open and this transmits the very loud music to the neighbourhood. I have spoken to the manager directly but the problem has not been rectified. [REDACTED]

From: Anita Huntsman <Anita.Huntsman@hambleton.gov.uk>
Sent: 11 June 2019 08:37
To: [REDACTED]
Cc: Kevin Suffield
Subject: RE: Pack Horse, Stokesley

Good morning [REDACTED]

We've had a number of reports regarding the Packhorse including some of anti-social behaviour. Kevin our enforcement officer is trying to arrange a joint visit with the police as they have more powers in that area. He's hoping to arrange this for next week, I'll ask him to let you know the outcome.

Regards, Anita

Anita Huntsman
Senior Licensing Administration Officer
Legal Services
Ext. 7017

-----Original Message-----

From: [REDACTED]
Sent: 10 June 2019 18:39
To: Anita Huntsman
Subject: Re: Pack Horse, Stokesley

Hi again

Just to let you know that I witnessed 2 people standing outside the Pack Horse pub yesterday drinking pints of beer. I am not sure that this permitted in the license.

Take care
[REDACTED]
[REDACTED]

> On May 28, 2019, at 2:17 PM, Anita Huntsman <Anita.Huntsman@hambleton.gov.uk> wrote:

- >
- > Afternoon [REDACTED]
- >
- > I'm well thank you, I hope you are too.
- >
- > I've attached for you a copy of the premises licence issued to 'The Packhorse' for your information. To summarise though, the licence authorises the sale of alcohol for consumption on and off the premises from 9am until Midnight every day. Conditions state that no sale for consumption on the premises can take place between 9am and 11am and also that all off sales should be in sealed containers.
- >
- > From your questions, I assume there may be a problem with consumption of alcohol outside the premises, so I've copied Kevin Suffield. Our enforcement officer into this response.
- >
- > If you need anything further, please let me know.
- >
- > Regards, Anita
- >

>
> Anita Huntsman
> Senior Licensing Administration Officer Legal Services Ext. 7017
>
> -----Original Message-----
> From: [REDACTED]
> Sent: 26 May 2019 11:37
> To: Anita Huntsman
> Subject: Pack Horse, Stokesley
>
> Hi Anita
>
> Hope you are well.
>
> Could you please advise me the licensing hours for the above please.
>
> Also, are there conditions in place regarding on street drinking?
>
> Thanks very much, and take care.
>
> Regards
> [REDACTED]
>
> Sent from my iPad
>
>
>
> <2019.04.13 - Premises Licence.doc>

Chadwick, Deborah

From: Booth, Jackie
Sent: 13 June 2019 15:32
To: 'Kevin Suffield'; Ross, Christopher
Cc: Simon Fisher; Chadwick, Deborah
Subject: RE: Numerous complaints Packhorse Stokesley
Attachments: [REDACTED]

Hi Kevin,
In relation to the Packhorse, Debbie and Sgt Chris Ross from the local NPT visited the premises on Monday 3rd June following a complaint to the local NPT Inspector from Stokesley town council on 31/05/19, please see attached for your records. (Albeit the Packhorse was not the only premises named and the Queens was also visited).

I have also reviewed incidents reported relating to the premises for which there are a total of 9 reported this year all since April;

[REDACTED]

[REDACTED]

01/05/19 – Intel report linked to amount of turnover from Premises no other details
29/04/19 – Report from [REDACTED] states she is the manager of the Packhorse attends police station to report she is having issues with customers from the Queens, standing at the front of her premises smoking, spitting and littering. Local officer attends and speaks to her and she states she is the [REDACTED] and that she is unhappy about customers outside the pub smoking as this is putting her customers off. Darren Bell from Packhorse spoken to and states happy to move smoking bins.

[REDACTED]

19/04/19 – Admin ASB nothing recorded.
04/04/19 – Call from premises regarding male who has been thrown out several times as scrounging cigarettes and money of persons. Officer attends unable to locate male.

The premises are certainly reporting incidents and appear to want to engage with the authorities. The suggestion is that the ASB is not just associated with them but also the Queens.

[REDACTED]

[REDACTED]

I am unavailable next week due to training and other commitments and Debbie is on Annual leave and I am also committed the following week.

If you do visit I would be grateful if you could update me.

Kind Regards
Jackie

PS133 Booth
Force Licensing Manager
Partnership Hub
Tel 101 Ext 30133
Mobile [REDACTED]
Email:- Jacqueline.booth@northyorkshire.pnn.police.uk

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CODE OF ETHICS; THE POLICING PRINCIPLES: Accountability, Fairness, Honesty, Integrity, Leadership, Objectivity, Openness, Respect, Selflessness

CODE OF ETHICS; THE STANDARDS OF PROFESSIONAL BEHAVIOUR: Honesty and Integrity, Authority, Respect and Courtesy, Equality and Diversity, Use of Force, Orders and Instructions, Duties and Responsibilities, Confidentiality, Fitness for Work, Conduct, Challenging and Reporting Improper Behaviour

From: Kevin Suffield [mailto:Kevin.Suffield@hambleton.gov.uk]
Sent: 13 June 2019 09:55
To: Booth, Jackie
Cc: Simon Fisher
Subject: Numerous complaints Packhorse Stokesley

Jackie

We have had a number of complaints about the DPS of the Packhorse in Stokesley relating to her conduct, and customers drinking outside the front of the premises.

I have attached copies of the complaints received.

I was hoping that we could arrange a joint visit to the premises.

I am available on either Wednesday 19th or Thursday 20th next week if that is any good

The DPS Patricia Anne Bell has only been at the premises since the end of March 2019

Thanks

Kevin Suffield
Licensing Enforcement Officer

Kevin Suffield
Licensing Enforcement Officer
Legal Services
Tel: 01609 767180
Email: Kevin.Suffield@hambleton.gov.uk
Website: www.hambleton.gov.uk

APPENDIX 5

Mrs Patricia Bell
The Packhorse
47 High Street
Stokesley
TS9 5AD

Your Ref:
My Ref: HDC/Licensing
Dealt with by: Kevin Suffield
Licensing Section
Telephone: [REDACTED]
22nd July 2019

Dear Mrs Bell

Complaint – The Packhorse, High Street, Stokesley

On Monday 24th June 2019, I along with Ps 1845 Chris Ross of Stokesley Police attended your premises to discuss a number of complaints received by the Council over the way the premises were allegedly being operated. In particular the way a member of your staff had spoken to a parking enforcement officer and a local shop owner, disturbance by customers congregating and drinking outside the front of your premises and noise nuisance.

As you were not present at the premises we spoke to your husband Darren Bell and your Son Charlie Bell who informed us that they were responsible for the day to day running of the premises. I informed both your husband and son that you are ultimately responsible for the premises as you are the premises licence holder and DPS.

Mr Bell informed us that both he and you had been in the licensing trade for a lot of years and had only recently moved into The Packhorse from The Queens Head in Stokesley.

I reiterated to both gentlemen that you were ultimately responsible for the premises but as they were in charge of the day to day running of the premises I was happy to discuss the complaints received by The Council with them, and that I would write to you following our discussions.

I informed them that The Council had received a number of complaints about the premises and the way they were being operated.

Your husband's response was to tell me that they were being victimised by the lady in the shop next door, "Yorkshire Store"

I explained that The Council had received a number of complaints from various people; they were not limited to one person.

I went on to outline the complaints received by The Council

- A parking enforcement officer had been issuing a ticket to a vehicle parked outside the premises when a woman had come out of your premises and started shouting and swearing at him.

Cont

- A lady from a local business had come out of her shop to ask this lady to stop shouting and swearing as it was upsetting her customers. The woman had then verbally abused the shopkeeper.
- On Friday & Saturday nights the fire door at the rear of the premises is often left open and this allows very loud music to be transmitted to the local neighbourhood
- Customers of The Packhorse are regularly standing on the pavement outside the front of the premises drinking, swearing and spitting
- The Police have received similar complaints in relation to the way the premises are being operated

Your husbands response to the complaint about the parking enforcement officer being shouted and sworn at and the shopkeeper being abused was to tell me that the woman involved was a member of his staff, who was off duty at the time and had been drinking in the pub, it had nothing to do with him.

In relation to the complaint about customers standing outside the front of the premises, drinking, swearing and spitting. His response was to tell us that they were not drinking. They were just outside having a cigarette. He did not accept that they were using bad language or spitting.

His response to the complaint about the fire door being left open was to deny that the door was left open.

Mr Bell confirmed the premises did have music and that you were looking into having sound proof blinds fitted to the windows.

I informed your husband that I was not an authority on Noise and would ask one of The Councils Environmental Health Officers to contact him to advise him in relation to noise issues.

When asked if he had seen a copy of the premises licence and the conditions attached to it, he replied, "Yes"

Asked if there was a copy of the summary displayed he replied, "No"

I showed your husband and Charlie a copy of the premises licence and the conditions attached to it before going through each condition with them ensuring they knew what each one meant and their responsibility.

Condition 1 No Notices displayed

Conditions 4,5,6 The CCTV system installed did not comply with the conditions. It did not record in colour, or record the time or date. Charlie informed me they were having a new system installed that would comply within the month.

Condition 7 Made aware that this condition prohibited the sale of alcohol until 11am on the premises

Condition 8 No Challenge 25 Posters (I would ask Trading Standards to send him some)

Condition 9, 10, 11 Charlie was aware of these conditions and would ensure he and his staff implemented them.

Condition 12 Made sure both Mr Bell and Charlie fully aware of this condition and customers COULD NOT stand outside with open containers i.e. drinks in their hands.

Condition 13, 14 Discussed the noise issues and that no noise should be heard beyond their boundary and when they had regulated entertainment they should make regular checks to ensure they were complying with the condition, advised to record their checks

Condition 15 This condition did not apply between the hours of 8am and 11pm (Live Music Act) no longer a licensable activity between these times, However after 11pm the condition did apply and they would have to ensure the doors and windows were shut.

We discussed the table and chairs outside the front of the premises and your husband was informed that you would need permission from NYCC to place these on the footpath.

I am due to re visit the premises at the beginning of August to ensure ALL the conditions are being complied with.

I remind you that as the premises licence holder, you have ultimate responsibility for the premises and the way they are operated. It is your responsibility to ensure that your premises are operated in such a manner as not to cause a nuisance to your neighbours.

The 2003 Licensing Act does provide a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken. These objectives being

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

Each objective is of equal importance and is of paramount consideration at all times. The Act also supports a number of key aims, one of which is the protection of local residents.

Local residents or a statutory body are entitled to apply for a review of your licence.

A review must be based upon a matter arising at or in the vicinity of the licensed premises and be connected to one of the licensing objectives.

I hope this is of assistance. Should you require any further assistance please do not hesitate to contact me.

Yours sincerely

Kevin Suffield
Licensing Enforcement Officer

Cc Via Email

APPENDIX 6

WITNESS STATEMENT

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

URN

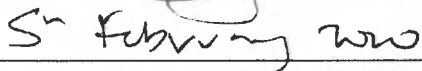
Statement of: SARAH JANE SANDERSON


Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: POLICE INSPECTOR 726

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


Signature: (witness) 

Date: 

I am Police Inspector 726 Sarah Sanderson and I employed by North Yorkshire Police with 24 years policing service. I currently work as the Hambleton Neighbourhood Policing Team Inspector with my main objective of policing issues within the community which includes crime trends and patterns and, anti-social behaviour. My role involves working very closely with partners agencies including Town and Parish Councils. On 22nd July 2019 at 0948 hours I received an e-mail from  the Clerk to Stokesley Town Council. She informed me regards complaints that the Town Council had received in relation to the Pack Horse Pub on Stokesley High Street in Stokesley. I exhibit the e-mail as Exhibit SJS/1.

Signature: 

Signature witnessed by: N/A

Witness contact details	URN				
Name of witness:					
Home Address:	Postcode:				
E-mail address:	Mobile:				
Home Telephone Number:	Work Telephone Number: 07813001924				
Preferred means of contact (specify details for vulnerable/intimidated victims and witnesses only):					
Gender:	Date and place of birth:				
Former name:	Ethnicity Code (16 + 1):				
DATES OF WITNESS NON-AVAILABILITY:					
Witness care					
a)	Is the witness willing to attend court?	If 'No', include reason(s) on form MG6 .			
b)	What can be done to ensure attendance?				
c)	Victims Only – does the victim fall into one of the 3 priority categories who are eligible for enhanced care under the Code of Practice for Victims of Crime? 1) Victims of most serious crimes <input type="checkbox"/> 2) Persistently targeted victims <input type="checkbox"/> 3) Vulnerable and intimidated <input type="checkbox"/> . If any of the boxes are checked then Inform CPS at pre-charge stage on MG3, and on MG11 at all other stages and/or where necessary MG2				
d)	Witness Only - Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? <input type="checkbox"/> (youth under 18; witness with mental disorder, learning or physical disability; or witness in fear of giving evidence or witness is the complainant in a sexual offence case) If they do submit MG2 with file in anticipated not guilty, contested or indictable only cases.				
e)	Does the witness have any particular needs? No If 'Yes' what are they? (Disability, healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns?).				
Witness Consent (for witness completion)					
a)	The Victim Personal Statement scheme (victims only) has been explained to me	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
b)	I have been given the Victim Personal Statement leaflet	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
c)	I have been given the leaflet "Giving a witness statement to the police..."	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
d)	I consent to police having access to my medical record(s) in relation to this matter (obtained in accordance with local practice)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	
e)	I consent to my medical record in relation to this matter being disclosed to the defence	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	
f)	I consent to the statement being disclosed for the purposes of civil, or other proceedings if applicable, e.g. child care proceedings, CICA	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	
g)	Child witness cases only. I have had the provision regarding reporting restrictions explained to me.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	
	I would like CPS to apply for reporting restrictions on my behalf.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>	
'I understand that the information recorded above will be passed on to the Witness Service, which offers help and support to witnesses pre-trial and at court'.					
Signature of witness:			PRINT NAME:		
Signature of parent/guardian/appropriate adult:			PRINT NAME:		
Address and telephone number (of parent etc.), if different from above:					
Statement taken by: SELF 					
Time and place statement taken:					

Sanderson, Sarah

From: Contact | [REDACTED]
Sent: 22 July 2019 09:48
To: Area2 Thirsk; 'Licensing Team'; Sanderson, Sarah
Subject: Complaint Received from [REDACTED] regarding Pack Horse Pub

I have today received a complaint from the [REDACTED] owner regarding the Pack Horse Pub [REDACTED]
[REDACTED]

They currently have street furniture outside their premises – and I know that they have received a letter from Highways advising them of the requirement to secure a licence – which I understand they still have not done? If this is the case, please can we follow up as the [REDACTED] owner reported that they carried additional table and chairs out on Saturday and that the language etc is leading to people not going into her shop. She did go and ask them to move the tables and chairs and received a lot of verbal abuse, which I have told her to report to the Police in addition she has said that they have posted a nasty item on facebook about her – again I have told her to report this to the Police.

As we are continuing to receive complaints from local businesses please could I ask for an update on the following:

Could you confirm if they have made a street furniture licence application?
Is their premises licence in place and does it include serving alcohol outside?
Signage application – has this been approved?

Thank you

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



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From: Kevin Suffield <Kevin.Suffield@hambleton.gov.uk>
Sent: 29 July 2019 10:24
To: [REDACTED]
Cc: Sanderson, Sarah; Simon Fisher; NYP Licensing
Subject: FW: Pack Horse Public House Stokesley

[REDACTED]

Thank you for your Email

The Packhorse premises licence issued by Hambleton District Council does not authorise external pavement seating. As the external seating is on the pavement at the front of the premises the licensing authority is NYCC

There is a condition on the licence which says "Doors and windows to these premises shall be kept closed during all regulated entertainment" However this condition does not apply between the hours of 8am and 11pm (covered by Live Music Act) so no longer a licensable activity between these times, However after 11pm the condition does apply and they would have to ensure the doors and windows were closed.

You will be aware The 2003 Licensing Act does provide a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken. These objectives being

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

Each objective is of equal importance and is of paramount consideration at all times. The Act also supports a number of key aims, one of which is the protection of local residents.

A review must be based upon a matter arising at or in the vicinity of the licensed premises and be connected to one of the licensing objectives.

A review can be instigated by any of the Responsible Authorities, a member of the public or local Councillor. If they believe your premises are undermining the licensing objectives.

Kevin Suffield
Licensing Enforcement Officer

Kevin Suffield
Licensing Enforcement Officer
Legal Services
Tel [REDACTED]
Email: Kevin.Suffield@hambleton.gov.uk
Website: www.hambleton.gov.uk

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25 September 2019
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From: Licensing Team
Sent: 29 July 2019 08:56
To: Kevin Suffield
Subject: FW: Pack Horse Public House Stokesley

Kev

One for you from Friday.

Anita

From: [REDACTED]
Sent: 26 July 2019 15:49
To: Licensing Team
Subject: Pack Horse Public House Stokesley

Good afternoon - My partner has previously contacted your department with concerns relating to the new "Sports Themed Bar" namely the Pack-horse on Stokesley High Street, [REDACTED] s.

I have major concerns relating to the impact the Packhorse and their practises is having [REDACTED]

Does their license cover them for external pavement seating ? There is a constant and continuous facility of chairs and tables on the pavement, which are seemingly utilised permanently by customers for smoking and drinking alcohol - [REDACTED] am I to presume they have an exemption as this is procedure is being totally ignored by authorities - its loud and is off putting to pedestrians and visitors during the day - and intimidating and a nuisance to customers during the evening. Numerous people have told us of their aversion to waking along the street on some evenings as the customers regularly spill out blocking access - the doors to the pub are left open and the noise is extremely loud and undoubtedly leaves many people feeling anxious.


Is there an allowance for the doors being left open ? The weekend theme is lively loud music - as the doors are constantly ajar - this, and the customer noise is clearly audible from a great distance, again, causing a negative atmosphere as people obviously try to avoid any sort of chaotic environment.

The damage to the environment and atmosphere this is causing is steadily increasing and many adjacent businesses and residents share my very great concerns, Im certain you will have received additional mails and submissions similar to this.

I would politely request that any steps that can be taken, should be immediately, to reduce the noise-visual impact of the street seating-improvement in access on the pavement -the reduction in pub customers on the street, and subsequent return to a civilised inviting area for the public.

Without some controls the reputation of the block will degenerate further, and impact on locals as well as crucial out of town visitors who will obviously become disenchanted, which will lead to businesses of Stokesley being irrecoverably compromised.

Please could you advise on any steps that can be taken, or indeed if your department is aware of the Packhorse trading in this manner which is deeply damaging .



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Hambleton District Council, Civic Centre, Stone Cross, Northallerton, DL6 2UU

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From: Simon Fisher <Simon.Fisher@hambleton.gov.uk>
Sent: 21 August 2019 12:08
To: Kevin Suffield
Cc: Sanderson, Sarah; NYP Licensing; 'Area2 Thirsk'; Paul Robertson; Environmental Health Technical Support
Subject: Pack Horse, Stokesley

Further to the previous correspondence relating to the Pack Horse, I've taken a call from [REDACTED] Stokesley resident) who says that at about 2pm on Thursday (15th August), she was prevented from walking past the premises due to the people outside smoking and sitting on the tables and chairs obstructing the highway. She said that the music levels were unbearable and that this is often the case on a Thursday afternoon.

She also said that, on Sunday 18th August, she witnessed customers being disorderly and throwing tables and chairs around outside the premises.

I've informed her that the music is exempt and that any permission for tables and chairs on the highway must be obtained from NYCC. There are no apparent licensing breaches based on the information provided but I have let her know that any failure to promote the licensing objectives may lead to one or more of the responsible authorities seeking a review of the licence.

[REDACTED]

Many thanks

Simon Fisher
 Principal Licensing Officer
Simon Fisher
 Principal Licensing Officer
 Legal Services
 Tel: 01609 767209
 Email: Simon.Fisher@hambleton.gov.uk
 Website: www.hambleton.gov.uk

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CLOSURE NOTICE MADE UNDER SECTION 19 OF THE CRIMINAL JUSTICE AND POLICE ACT 2001



NO. 1/19.

Date and time of the Closure Notice:

11:30 26/9/2019

Person making the Notice:

PC DEBBIE CHADWICK

Signature: *Debbie Chadwick*

Name (if applicable) and address of the affected premises:

THE PACE HORSE
HIGH ST
STOKESLEY.

Alleged unauthorised use of the premises:

BEACH CONDS -
4, 5, 6 - CCN - NO CCN
15 - Music on one of computers
(21/9/2019)
12 - Drinking outside

Steps which may be taken to end the alleged unauthorised use of the premises, or to prevent it from re-occurring:

CCN System installed.
No Music beyond 12:00.
No outside drinking
reached by 10th October

The person (if applicable) on whom the closure notice has been served:

Ops.
Name: *Patricia Bell*

Signature: *[Redacted]*

Patricia Bell
The Packhorse
High Street
Stokesley

10th October 2019



CANCELLATION OF CLOSURE NOTICE
Section 19 – Criminal Justice and Police Act 2001

Dear Ms Bell

I refer to the above premises.

A Closure Notice was served upon you by a Police Officer of North Yorkshire Police on the 26th September 2019 under Section 19(3) Criminal Justice and Police Act 2001. A copy of that Closure Notice is attached for your attention. The Closure Notice was served due to the alleged unauthorised use of the licensed premises as indicated on the attached Notice.

I, Constable 1520 Samantha Bolland (Alcohol Licensing officer) am satisfied that the premises are:

- (a) no longer being used for the unauthorised sale of alcohol; and
- (b) there is no reasonable likelihood that the premises will be so used in the future.

In the circumstances, a 'Notice of Cancellation' is being served upon you, in order to terminate the original Closure Notice. Under Section 19(8) Criminal Justice and Police Act 2001, this is a Cancellation of the original Closure Notice and it shall have immediate effect once it is served upon you. This Cancellation Notice will also be served upon all the other persons upon whom the original Closure Notice was served.

For the avoidance of doubt, North Yorkshire Police will not be applying to the Magistrates' Court for a Closure Order. This, therefore, concludes the matters as far as the Police are concerned on this occasion.

Yours sincerely,

PC Samantha Bolland
Collar Number 1520
Police Licensing Officer (Hambleton & Richmondshire)
North Yorkshire Police

Committed to the Code of Ethics



Our Ref: NYP/ PACKHORSE/1520

Date 10TH October 2019

The Pack Horse
47 High Street
Stokesley
TS9 5AD

Agreed Premises Improvement Plan to address issues of concern
17 PREM 00551

Premises:- The Pack Horse
Designated Premises Supervisor: Patricia Bell
Premises Licence Holder: Patricia Bell

The above premise has been identified as likely to be reviewed under the Licensing Act 2003 in that it has failed to comply with one or more of the Licensing objectives:-

- i) Prevention of crime and disorder
- ii) Public Safety
- iii) Prevention of public nuisance
- iv) Protection of children from harm

Summary.

After reports of ASB, persons drinking outside, noise issues emanating from the premises and persons causing noise issues outside the premises, the following concerns were identified;

- ASB outside the premises
- Noise issues from music coming from inside the premises and persons causing noise issues outside the premises.
- Lack of knowledge with regard to the Licensing Act 2003
- Non-compliance of licence conditions and licensable hours as specified within the Premises Licence.

I would ask that you accept this letter as both acknowledgement and documentation for your records. I am formally advising you of the next course of action required by North Yorkshire Police is to place the premises Licence holder Patricia Bell on a Premises improvement Plan for the next three months, so that she can be monitored to ensure that she is working to promote the Licensing Objectives, and her understanding of what is expected in the role as a premises Licence holder.

If the attached Premises Improvement Plan (PIP) is not complied with, this could directly lead to a review of the Premises Licence. The consequences of a successful review could include a number of options, those being :-

- i) to modify the conditions of the licence.
- ii) to exclude a licensable activity from the scope of the licence

- iii) to remove the Designated Premises Supervisor
- iv) to suspend the licence for a period of not exceeding three months
- v) to revoke the licence

The Premises Improvement Plan will be agreed in partnership, working to address the identified issues. The PIP must be specific, measurable, achievable, relevant and time bound.

Specific	Measurable	Achievable	Relevant	Time bound
DPS Training required in appropriate licensing legislation by all staff especially covering the conditions attached to the Premises Licence.	Records to be kept of all staff training in order to evidence due diligence.	In house training by the DPS with written evidence to support this training.	As above	Training to be implemented immediately. Police monthly meeting with DPS.
Registered SIA door staff x 1 to be present from 16:00 hours on the following occasions: 20 th Dec 2019 / 24 th Dec / 26 th Dec / 31 st Dec and 1 st January 2020 Also Registered SIA required at all other times the Police identify a specific need (i.e one off events / occasions when deemed necessary) Premises Licence Holder to submit Minor Variation to cover this aspect.	Details of Badge numbers of SIA to to be completed in incident book every occasion on duty. Police checks	Police checks As above	To Promote the Licensing Objectives .- Prevention of Crime and Disorder. Prevention of Public Nuisance. Public Safety and protection of children from harm. As above	Police checks Police checks.
Additional 2 members of staff to obtain their	Police check at first monthly review	As above	As above	Police checks.

<p>personal licences. This shall be completed by 14th November 2019. (date of first monthly review)</p> <p>CCTV is to be working at the premises that all times licensable activities are taking place.</p>	<p>Patricia to complete and submit minor variation to LA</p>		<p>As per premises Licence Condition</p>	
--	--	--	--	--

Signed on behalf of Richmondshire District Council (Licensing):

Cl. Jones 1845 Ross Date *10/10/19*

Signed on behalf of North Yorkshire Police

[Signature] Date 10/10/2019
PC1520

Signed by Licence holder / DPS: *[Redacted Signature]* Date *10/10/19*

Signed by Licence holder / DPS: *[Redacted Signature]* Date *10/10/19*

Final action plan review date..... 10th January 2020...

From: Sanderson, Sarah
Sent: 27 November 2019 15:18
To: Booth, Jackie; Chadwick, Deborah
Subject: FW: CCTV The Pack Horse [OFFICIAL]
Attachments: CID4 13797.pdf

Hello both ☺ No evidence tampered with at the Pack. S.

From: Jones, Lisa <Lisa.Jones@northyorkshire.pnn.police.uk>
Sent: 27 November 2019 15:16
To: Sanderson, Sarah <Sarah.Sanderson@northyorkshire.pnn.police.uk>
Subject: FW: CCTV The Pack Horse [OFFICIAL]

From: Werrett, Gillian <[REDACTED]>
Sent: 22 November 2019 14:31
To: Davison, Andrea <[REDACTED]>
Cc: Jones, Lisa <Lisa.Jones@northyorkshire.pnn.police.uk>
Subject: CCTV The Pack Horse [OFFICIAL]

Classification: OFFICIAL

Good Afternoon

This morning I attended The Pack Horse with PC Lisa Jones.

The footage only went back as far as the 13th November. I would say this is typical of a 1TB hard drive which the system had.

The hard drive was full, which meant the footage had overwritten and most likely NOT have been deleted.

I also checked the systems logs and saw there was activity on the 4th November, but this was just the user downloading footage.

There was no logs that showed the hard drive being formatted.

I hope this helps. Please let me know if you need any further assistance from me
I have attached my CCTV CID4

Kind Regards

[REDACTED]

[REDACTED]
CCTV Officer
Imaging Unit
Regional Scientific Support Services
Yorkshire & the Humber
Sir Alec Jeffries Building
Peel Avenue



Ref. No: 13797

CCTV EXAMINATION REPO

Crime No: 12190202767
 OC: PC 346 Andrea Dawson
 Telephone: 101 22 7184
 Division: CID

Date examined: 22/11/19
 Start time:
 End time:
 IAO: GW

Type of occurrence: S47 Assault
 Location of examination: The Pack Horse PH, 47 High St, Stokeoley
 Postcode: T59 SAD

Attending officer: PC 184 LISA JONES
 System: SANSCO
 Actual time: 11 14:30
 System time: 12:25:25
 Onsite: 13/11/19 Days
 Offsite date: 2/11/19
 Time frame: 22:00 - 22:30 RT
 Cameras reqd: ALL
 Replaced with: /

Tel:

Cameras							
Connected				Not working			
1	2	3	4	1	2	3	4
5	6	7	8	5	6	7	8
9	10	11	12	9	10	11	12
13	14	15	16	13	14	15	16

Retrieval method:
 See notes

Barcode: /

Examination notes:
 Hard drive FULL
 footage overwritten - no footage retrieved.

19/50987

I confirm that the installed CCTV system is functioning correctly

Name: _____ Signature: _____
 Date: _____

CLOSURE NOTICE MADE UNDER SECTION 19 OF THE CRIMINAL JUSTICE AND POLICE ACT 2001



NO. 2/19

Date and time of the Closure Notice:
11:59 - 4th December 2019

Person making the Notice:
RIMO Chadwick

Signature: *R Chadwick*

Name (if applicable) and address of the affected premises:
PACKHORSE
47 TIGHT STREET
STOYLESLEY

Alleged unauthorised use of the premises:
CON NET recording
for 28 days -
Black Con. 6
Annex 2

Steps which may be taken to end the alleged unauthorised use of the premises, or to prevent it from re-occurring:
increase the drive to allow 28 days retention
- Complete by 13th Dec 2019

The person (if applicable) on whom the closure notice has been served:

D/S
Name: PATRICIA BELL

Signature:

Patricia Bell
The Packhorse
High Street
Stokesley



18th December 2019

CANCELLATION OF CLOSURE NOTICE
Section 19 – Criminal Justice and Police Act 2001

Dear Ms Bell

I refer to the above premises.

A Closure Notice was served upon you by a Police Officer of North Yorkshire Police on the 4th December 2019 under Section 19(3) Criminal Justice and Police Act 2001. A copy of that Closure Notice is attached for your attention. The Closure Notice was served due to the alleged unauthorised use of the licensed premises as indicated on the attached Notice.

I, Constable 1770 Debbie Chadwick (Alcohol Licensing officer) am satisfied that the premises are:

- (a) no longer being used for the unauthorised sale of alcohol; and
- (b) there is no reasonable likelihood that the premises will be so used in the future.

In the circumstances, a 'Notice of Cancellation' is being served upon you, in order to terminate the original Closure Notice. Under Section 19(8) Criminal Justice and Police Act 2001, this is a Cancellation of the original Closure Notice and it shall have immediate effect once it is served upon you. This Cancellation Notice will also be served upon all the other persons upon whom the original Closure Notice was served.

For the avoidance of doubt, North Yorkshire Police will not be applying to the Magistrates' Court for a Closure Order. This, therefore, concludes the matters as far as the Police are concerned on this occasion.

Yours sincerely,

PC Debbie Chadwick
Collar Number 1770
Police Licensing Officer (Hambleton , Scarborough & Ryedale)
North Yorkshire Police

Committed to the Code of Ethics



**CLOSURE NOTICE MADE
UNDER SECTION 19 OF
THE CRIMINAL JUSTICE
AND POLICE ACT 2001**

NO. 2/2020

Date and time of the Closure Notice:
11:59 21ST JAN.
2020.

Person making the Notice:
RMO CHADWICK

Signature: *[Handwritten Signature]*

Name (if applicable) and address of the affected premises:
KACKHORSE
47 HUGH ST.
SIOKESLEY 159 SAD.

Alleged unauthorised use of the premises:
- PLAN NOT CORRECT -

Steps which may be taken to end the alleged unauthorised use of the premises, or to prevent it from re-occurring:
MINOR VARIATION
TO CHANGE PLAN.

The person (if applicable) on whom the closure notice has been served:
Name: PATRICIA BELL
[Redacted Signature]
Signature:



**CLOSURE NOTICE MADE
UNDER SECTION 19 OF
THE CRIMINAL JUSTICE
AND POLICE ACT 2001**

NO. 2/2020

Date and time of the Closure Notice:

11:59 21ST JAN.
2020

Person making the Notice:

R MO GARDNER

Signature: *[Handwritten Signature]*

Name (if applicable) and address of the affected premises:

WATERHOSE
47 HIGH ST.
SPRINGLEY / 159 SAD

Alleged unauthorised use of the premises:

- PLAN NOT CORRECT -

Steps which may be taken to end the alleged unauthorised use of the premises, or to prevent it from re-occurring:

MINOR VARIATION
TO CHANGE PLAN.

The person (if applicable) on whom the closure notice has been served :

Name: PATRICIA BELL

[Handwritten Signature]

Signature:

From: Ross, Christopher
Sent: 10 February 2020 01:03
To: Booth, Jackie
Cc: Sanderson, Sarah; Chadwick, Deborah
Subject: RE: 122200022215

The footage appears to have downloaded however we have lost the battle to get it to play on our systems. May need to go to Calder Park again.

From: Ross, Christopher
Sent: 10 February 2020 00:04
To: Booth, Jackie <Jacqueline.Booth@northyorkshire.pnn.police.uk>
Cc: Sanderson, Sarah <Sarah.Sanderson@northyorkshire.pnn.police.uk>; Chadwick, Deborah <Deborah.Chadwick@northyorkshire.pnn.police.uk>
Subject: RE: 122200022215

Jackie,
HDC CCTV request submitted yesterday.

I have also identified that someone allegedly recorded it and the person I know is trying to get the footage for me.

Pack Horse CCTV viewed (4 mins fast to my watch which matches our computer) with Charlie which has now hopefully downloaded (Police had issues before and needed the assistance of Calder Park) and should have all four cameras on it. We only viewed the external camera whilst in the premise (on that tiny monitor).

The internal camera nearest the front door was not working on attendance, which Charlie detailed was because he had damaged it in the refurb and had ordered a part / repair.

CCTV showed:-

2310hrs Couple of customers outside the premise with alcohol who re-enter the premise at 2315hrs, which Charlie details is when he was aware and told them to get in (t.b.c)

2323hrs An altercation spills out from the premise. A male who exits and is in the immediate vicinity of the front door is punched to the floor, as he gets up he is kicked in the face which knocks him down again and he is unsteady on his feet as he moves away. There is subsequent disorder in the street, which was at the extremity of the coverage, which increases as persons arrive in vehicles and get involved.

2339hrs the footage switches to night vision (stated that premise switches lights off) but appears the disagreement is continuing.

Charlie detailed that the argument started inside and was pushed outside, where it became physical. Charlie subsequently stands on the door and can view the disorder. (It appears evident that the premise would then view this as not their responsibility). A large number of customers also exited to watch the disorder (no calls to Police).

I spoke with Charlie that I would expect him to phone Police and that I consider the none reporting irresponsible and negative to the premise. He detailed when he reported things it was used against him. I reiterated that I had always been clear that, in my role, I viewed that as positive.

No contact / complaints received from anyone involved but if we can id, and the footage supports, I planned to have them brought in for affray.

Regards

Chris

From: Booth, Jackie <Jacqueline.Booth@northyorkshire.pnn.police.uk>
Sent: 09 February 2020 18:51
To: Ross, Christopher <Christopher.Ross@northyorkshire.pnn.police.uk>; Sanderson, Sarah <Sarah.Sanderson@northyorkshire.pnn.police.uk>; Chadwick, Deborah <Deborah.Chadwick@northyorkshire.pnn.police.uk>
Subject: 122200022215

Hi All,

The above incident relates to a fight allegedly outside the Packhorse. It has been reported by the Queens and CCTV did confirm there was persons fighting. There was no units available to attend and CCTV confirm that parties have then dispersed.

The Packhorse itself has not reported any incidents.

As part of the review we need to see the CCTV from the evening to ascertain what has happened and confirm if this started in the Packhorse.

Chris,

Are you able to attend and view the CCTV on Friday night from 2330hrs?

Regards

Jackie

PS133 Booth
Force Licensing Manager
Partnership Hub
Tel 101 Ext 30133
Mobile: 07710977979
Email:- Jacqueline.booth@northyorkshire.pnn.police.uk

Committed to the Code of Ethics

CODE OF ETHICS: THE POLICING PRINCIPLES: Accountability, Fairness, Honesty, Integrity, Leadership, Objectivity, Openness, Respect, Selflessness

CODE OF ETHICS: THE STANDARDS OF PROFESSIONAL BEHAVIOUR: Honesty and Integrity, Authority, Respect and Courtesy, Equality and Diversity, Use of Force, Orders and Instructions, Duties and Responsibilities, Confidentiality, Fitness for Work, Conduct, Challenging and Reporting Improper Behaviour

WESTMORELAND, Emma (p2463)

From: Licensing Team <licensingteam@hambleton.gov.uk>
Sent: 31 July 2020 11:59
To: NYP Licensing
Subject: The Packhorse, Stokesley

Good Morning

Please be advised that we have received and accepted a surrender notice in respect of the Packhorse, High Street, Stokesley.

Regards, Anita
Hambleton District Council

How do you rate your email response from Hambleton District Council?
Feedback survey - click below to begin



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