



X

## Representations On A Current Application For A Review Of A Premises Licence Or Club Premises Certificate Under The Licensing Act 2003

### Section 1 – Licence Details

Applicant Name (If Known)	The Porky Pint Limited (review application by Cleveland Police)
Premises Name and Address	<b>PLH Porky Pint Ltd</b> <b>DPS Mr Paul Henderson</b> <b>The Porky Pint</b> <b>Mill Lane</b> <b>Billingham</b>

### Section 2 - Responsible Authority

X Licensing

### Section 3 – Representation Grounds

<b>The representation is relevant to one or more of the following licensing objectives:</b>	X Prevention of Crime and Disorder
<b>Please tick relevant box(es)</b>	X Public Safety

### The grounds of the representation is based on the following:

(Please continue on a separate sheet if necessary)

I make this representation on behalf of Stockton-on-Tees Borough Council's Licensing Service and in support of the application made by Cleveland Police for a review of the premises licence held by The Porky Pint Limited.

Stockton-on-Tees are working towards an effective and robust licensing regime and the promotion of the four licensing objectives. The Licensing Service is responsible for the administration and enforcement of the Council's miscellaneous licensing functions, which includes the licensing of premises under the Licensing Act 2003. The Porky Pint, 40 Mill Lane, Billingham, TS3 1HP is currently a licensed premise: Ref 145374. The premise licence holder is Porky Pint Ltd, a check of companies house shows Mr Paul Henderson is sole director of this company. Mr Paul Henderson is also the named Designated Premise Supervisor at the premises.

Under The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020 certain businesses are required to close and no person may leave or be outside of the place where they are living without a reasonable excuse.

On Thursday 28 January 2021, I was made aware of a social media movement 'The Grand Reopening', encouraging restricted businesses to reopen on Saturday 30 January 2021, in contravention of the above legislation.

In addition, I received evidence of a public social media post in which Mr Paul Henderson confirms the 'Porky Pint' will be reopening, and Mr Henderson hoped 100s if not 1000s would attend. This information was shared with other regulatory authorities and Cleveland Police, a copy of the social media post is attached as reference LMK1.

On Thursday 28 January 2021, I called Mr Paul Henderson on his mobile number and I first explained what activities he can currently carry out from the premises, namely "off sales", he confirmed he understood this as he had been given recent advice from the Licensing Service on this. I then outlined the above information I was in receipt of and asked Mr Henderson, under what capacity he was planning to reopen, Mr Henderson then outlined his views on the validity of the global pandemic, the honesty of the Government and the mainstream media and his disbelief in official statistics. Mr Henderson also claimed to be aware of legislation which he believed allowed him to resume restricted services from the premises. At no point during this conversation did Mr Henderson say he was opening the premises for a business meeting. I said I understood Mr Henderson's financial concerns but explained the current regulations still allowed for the sale of food and drink, including alcohol for consumption off the premises.

I advised Mr Henderson failure to comply with the requirements of the Regulations is a criminal offence, he cannot carry on a restricted business or provide a restricted service, and I confirmed multiple agencies are working to ensure compliance with the regulations and if evidence is gathered that he was providing a restricted service the Local Authority will proceed to take enforcement action against him.

The call lasted for over 17 minutes. I produced a detailed warning letter which I attach as reference LMK2. This letter was emailed to Mr Henderson, sent to correspondence addresses and a copy was delivered by hand to the premises.

Mr Henderson did not take my advice and opened a restricted premise and provided a restricted service, namely the consumption of food and drink on the premises on Saturday 30 January 2021. The evidence from the Police and Trading Standards details this.

The Council were contacted by The Evening Gazette's media team and provided with a statement made by Mr Henderson in response to the review application which I attach as reference LMK3.

The news article and comments raised by members of the public are available to view online at: <https://www.gazettelive.co.uk/news/teesside-news/landlord-hits-out-ludicrous-nonsensical-20269107>

A condition of the premise licence for The Porky Pint under: The Prevention of Crime and Disorder states.

*A digital Closed-Circuit Television system (CCTV) will be installed and maintained in good working order and be correctly time and date stamped. The system will incorporate sufficient built-in hard-drive capacity to suit the number of cameras installed, whilst complying with data protection legislation. CCTV will be capable of providing pictures of evidential quality in all lighting conditions, particularly facial recognition. Cameras will encompass all ingress and egress to the premises, outside areas and all areas where the sale/supply of alcohol occurs. There will be a minimum of 31 days recording. The system will record for 24 hours a day. The system will incorporate a means of transferring images from the hard drive to a format that can be played back on any desktop computer. The digital recorder will have the facility to be password protected to prevent unauthorised access, tampering, or deletion of images. There will be at all times a member of staff on duty who is trained in the use of the equipment and upon receipt of a request for footage from a governing body, such as Cleveland Police or any other Responsible Authority, be able to produce the footage within a reasonable time, e.g. 24hrs routine or less if urgently required for investigation of serious crime.*

Licensing Officers attended the premises on 12 February 2021 to request the CCTV footage from the 30 January 2021 and 6 February 2021. Mr Henderson was not at the premises. Three members of staff were on site but could not provide the CCTV. A further formal request for CCTV was made and a reply was received from Mr Henderson's legal representative which is attached as reference LMK4. I again made a formal request for CCTV footage on 15 April 2021 a copy of which I attach as reference LMK5. To date I have not received a reply from Mr Henderson's legal representative.

Mr Henderson holds full responsibility for the premises, his failure to adhere to legislation, regulations and heed Government advice suggests a failure to understand the wider social impact of the management of his premises and the potential risks to public safety. His actions undermine the Prevention of Crime and Disorder and Public Safety objectives. Previous warnings, visits and advice given to Mr Henderson by the Licensing Service and colleagues failed to address and prevent a repetition of behaviour. As such the Licensing Service must have regard to the licensing objectives and concerns raised by members of the public both direct to regulatory services and through social media which are relevant to this review.

Signed: <i>L Maloney-Kelly</i>	Position: Licensing Team Leader	Dated: 19.04.21
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Date Received		Checked By	
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RE: COVID19 - The Great ReOpening - 30/01/2021



THORPE, Andrew (P0894) <[redacted]>  
To Leanne Maloney-Kelly

You forwarded this message on 28/01/2021 09:16.



**Mr Henderson** @PaulTHenderson · 46m  
@ClevelandPolice @stocktoncouncil we're opening on Saturday. There'll be 100's, hopefully 1000's attending.

1

10

16



I can see he's listed as a Director of the pub:

**HENDERSON, Paul Thomas**

Correspondence address

**40 Mill Lane, Billingham, England, TS23 1HF**

Role **ACTIVE**  
**Director**

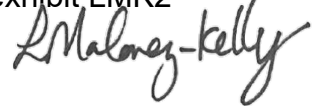
Date of birth  
**March 1983**

Appointed on  
**26 August 2020**

Nationality  
**British**

Country of residence  
**England**

Occupation  
**Director**



My Ref: 005790  
Your Ref: 145374

Municipal Buildings  
Church Road  
Stockton-on-Tees  
TS18 1LD

SAT NAV code: TS19 1UE

Tel: 01642 ~~393939~~

Email: ~~l.maloney-kelly@stockton.gov.uk~~

Date: 29/01/21

Dear Mr Henderson

**The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020  
Licensing Act 2003  
Porky Pint 40 Mill Lane Billingham TS23 1HF  
Premise Licence Holder: The Porky Pint Ltd  
DPS: Mr Paul Henderson**

The Local Authority have been made aware of a social media movement 'The Grand Reopening' encouraging restricted businesses to reopen this Saturday 30 January 2021 in contravention of the above legislation. In addition we have evidence of a public social media post in which you appear to confirm the 'Porky Pint' will be reopening. This information has been shared with other regulatory authorities and Cleveland Police.

I spoke to you today and first explained what activities you can currently carry out from the premises, namely "off sales", you understood this as you have been given recent advice from the Licensing Service on this. I then outlined the above information and asked you under what capacity you were planning to open at which point you outlined your views on the validity of the global pandemic, the honesty of the Government and the mainstream media and your disbelief in official statistics. You also claimed to be aware of legislation which you believe allows you to resume restricted services from the premises.

Previously a warning letter was issued to you from the Licensing Service on the 13 November 2020 after evidence was gathered you were providing a restricted service from the premises. In addition a prohibition notice dated 23 November 2020 was served on you under the Covid Regulations which applied at that time as you were again found to be providing a restricted service.

The current requirements to restrict activity or close in a Tier 4 area are found in The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020 at Regulation 8 and Part 3 of Schedule 3A. In Tier 4, a person responsible for carrying on a restricted business, or providing a restricted service as specified in the paragraph 15(6), must close any premises, or part of the premises, in which food or drink are provided for consumption on those premises, and cease providing food or drink for consumption on its premises. This is subject to exceptions listed in paragraph 12 and paragraph 13 of Schedule 3A.

The Porky Pint Ltd  
40 Mill Lane  
BILLINGHAM  
TS23 1HP

On 6 January 2021 the exceptions listed in paragraph 13 were amended to further restrict the sale of alcohol for consumption off the premises, except when sold for consumption off the premises and delivered in response to an order placed in accordance with paragraph 13 (2).

The Secretary of State has enabled all Local Authorities in England to enforce the requirements of Part 3 of Schedule 3A by way of prohibition notices, fixed penalty notices, criminal proceedings, and broader powers to take such action as is necessary to enforce any requirement.

These Regulations impose certain restrictions to protect against the risks to public health arising from coronavirus. Failure to comply with the requirements of the Regulations, without reasonable excuse, is a criminal offence. You cannot carry on a restricted business or provide a restricted service, multiple agencies are working to ensure compliance with the regulations and if evidence is gathered you are providing a restricted service the Local Authority will proceed to take enforcement action against you.

### **Coronavirus Regulations – Enforcement Powers**

Businesses and venues that breach restrictions will potentially be subject to a:

- Fixed Penalty Notice (fine) starting at £1,000 for the first offence and rising to £10,000 upon repeat offences
- Coronavirus Improvement Notice (which will require a minimum of 48 hours for a business to introduce necessary measures)
- Coronavirus Immediate Restriction Notice (which will impose the immediate closure or restriction of an activity within premises for a 48 hour period where rapid action is needed)
- Coronavirus Restriction Notice and Prohibition Notice (which will require the closure or restriction of an activity for a 7 day period)

It is also an offence, without reasonable excuse to fail to comply with a notice, this may result in a fine, or where necessary court proceedings, with magistrates able to impose potentially unlimited fines.

### **Licensing Act 2003 – Power to Review a Premises Licence**

In addition if evidence is gathered that you are undermining the Licensing Act 2003 licensing objectives which include, public safety and crime and disorder, an application can be made to review the premise licence which may result in changes to the licensable activity, additional licence conditions or the suspension or revocation of the premise licence. The Licensing Committee could consider deliberate breaches of Coronavirus Regulations to be so serious that the revocation of the licence is appropriate.

### **Anti-social Behaviour, Crime and Policing Act 2014 – Power to seek a Premises Closure Order**

The Council will also consider other statutory powers available including powers under the Anti-social Behaviour, Crime and Policing Act 2014.

A Premises Closure Order may be made by the Magistrates Court and would prohibit access to the premise for a period of up to three months.

Should the Council have to take legal proceedings then an application will be made against you for any costs that have been incurred.



I trust that after considering the contents of this letter you will appreciate that opening your premise is in breach of the Coronavirus Regulations is entirely irresponsible and undermines the national efforts to protect public health and minimise the number of deaths during the pandemic. I look forward to your co-operation and would request that on receipt of this letter you confirm to me in writing by e-mail that you will not open your premise in breach of the regulations.

A copy of this letter will be retained on record and may be referred to in evidence in any Court proceedings.

Yours Sincerely

Leanne Maloney-Kelly  
Licensing Team Leader

Cc. Mr Paul Henderson, 47 Watermarque, 100 Browning Street, BIRMINGHAM B16 8GY  
Emailed [paul@hwlegacy.group](mailto:paul@hwlegacy.group)

LMK3

**From:** Kristy Dawson < >  
**Sent:** 29 March 2021 08:57  
**To:** Media < >  
**Subject:** Statement from The Porky Pint

Good morning,

I hope you are well.

Last week we requested a comment from Stockton Council about The Porky Pint continuing to operate during the lockdown and we were sent this comment:

A spokesperson for Stockton-on-Tees Borough Council said: "Licensing officers attended the Porky Pint on Mill Lane in Billingham, alongside officers from Cleveland Police, on Saturday 30 January and found the venue to be open to the public with a number of customers drinking inside in breach of the lockdown restrictions.

"Mr Henderson as the premise licence holder was given a fixed penalty notice for carrying on a restricted business during a national lockdown while the police handed out a separate fine to a customer who refused to leave the venue when asked.

"Cleveland Police have since submitted a request for a formal review of the premises licence to be held. That process is now underway and the relevant parties have been notified with a formal notice served.

"The licensing committee will meet to review the licence in the coming weeks."

We asked Paul Henderson, who runs the business, if he would like to say anything about continuing to operate during the lockdown and he has sent us a lengthy statement.

I wanted to offer you the opportunity to respond to it if you would like to do so.

Please see his statement below.

Thanks  
Kristy

Kristy Dawson  
Multimedia Journalist  
Teesside Live / The Gazette

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Thank you to the Evening Gazette for giving us the opportunity to comment on the ongoing harassment of our business by Cleveland Police and Stockton Council Licensing Team.

Both the Police and Council are aware that our issue is not and has never been with Cleveland Police or Stockton Council Licensing. That is, until now.



We have previously had the greatest of sympathy for the impossible position that they have been placed in.

As they have told me many times, they are “just following orders”.

Our issue has always been with the current government in Westminster which seems hell bent on destroying small businesses and permanently stealing and destroying the rights and freedoms of the British public. For no good reason, based on all of the facts and evidence we now have available to us 12 months in to the pandemic.

Everyone is entitled to their own opinions – god knows, they have exercised that entitlement ad nauseam these past 12 months – but they are not entitled to their own facts.

It is ludicrous and nonsensical that petrol stations, supermarkets, and fast-food chain drive through services, where hundreds if not thousands of people will be touching the same surfaces each day, can remain open, whilst small businesses are being driven to bankruptcy by the unlawful enforced closure of their premises.

A person can go to work all day in a van with their workmate, but then cannot go and enjoy a pint at a bar with them afterwards. Children can spend 8 hours a day in a classroom with their friends but are reduced to dystopian video call parties for any of their friends’ birthdays as it would be illegal for them to meet and have a real children’s birthday party.

Then again, small businesses and families in Teesside cannot afford to donate hundreds of millions of pounds to political parties or pay expensive law firms and lobbying firms to threaten and cajole politicians, so I suppose we really should not be surprised now, should we?

I am, however, surprised that Cleveland Police have chosen to commence a costly Premises License Review with the intention of revoking the Premises License of a small local independent hospitality business such as ours. The action will cost the Council – and local tax payers - tens of thousands of pounds, at the very least. And will go on for months, as we will be defending and appealing all attempts made by Cleveland Police to attempt to revoke the Premises License for as long as it takes for common sense and justice to prevail.

I am also left baffled and bemused that it is Cleveland Police that have submitted this Premises License Review application to Stockton Council Licensing Authority, as their officers have told me repeatedly that it is not upon the Police to prosecute or enforce Coronavirus Regulations, as it is a civil matter and up to the Council.

Even more perplexing is that Cleveland Police, Stockton Council and Crown Prosecution Service Cleveland know fine well that almost all fines and prosecutions brought under the Coronavirus Regulations have inevitably been dropped as unlawful.

What a waste of time and public (Teesside tax payer) money.

We employ several local staff - young people - and many with young families. Despite making no profits during the last year, the business is planning to expand to Hartlepool and Redcar, creating many more new jobs and tax revenue for Stockton and other local councils.

At a time when the actions of this criminal government have left over 700,000, mostly young people, unemployed – with millions more to follow once the furlough scheme ends - I would have thought

that Cleveland Police and Stockton Council would be promoting small businesses and not trying to destroy them.

Especially with all the good work being done by the Tees Valley Mayor's office to promote the region as a place that welcomes and encourages the hard work of business owners employing residents of Billingham and beyond.

This criminal government in Westminster has squandered £300 million of public money on an advertising campaign to terrorise the people of Britain, and a whopping £400 billion – all additional debt that the ordinary working people of Britain and Teesside must pay back through increased taxes - on Orwellian and largely unnecessary boondoggles like the £37 billion surveillance tool of "Track and Trace" that doesn't work, is entirely illegal, and puts the private data of British citizens in the hands of private companies to exploit and sell as they see fit.

This government would do well to heed the old adage "When you find yourself in a hole, stop digging".

I am sure that the people of Billingham and the wider Stockton Council electorate would rather their recently increased Council Tax payments be spent on paying Cleveland Police to, oh, I don't know, maybe investigate and arrest actual criminals? Drug dealers, rapists, violent thugs, fraudsters? Not on trying to ruin and destroy an independent small business for daring to question and challenge the unlawful and illogical actions of a criminal government?

Our business has already been fined £1,000, and now Cleveland Police want to abuse their power and misuse the Licensing Act to try and force us to close our doors for good.

Our business has an exemplary record of no crime or disorder and excellent food hygiene standards, and is a much-loved local family-friendly venue and has received no complaints other than in relation to our protests against the unlawful actions of a lying, criminal government.

The irony of this action by Cleveland Police is that it comes at a time when hospitality venues are about to reopen, and by the time the Review is held, most all businesses will be reopened normally – which is precisely the "offence" for which Cleveland Police seem to believe that our community hub venue deserves to be destroyed at the cost of so many jobs, and the loss of a place that has been a critical source of social interaction and companionship for so many lonely and elderly local residents for so long.

In closing, I would like to say "Thank You" to Cleveland Police and Stockton Council. I had been deliberating whether to run for a seat on Stockton Council in the upcoming local elections on 6th May this year, and their application to review the Premises License of our business to try and destroy it has made up my mind to do so.

I will be running as an Independent candidate to bring desperately needed context and perspective to local government action, to stamp out this petty tyranny by a useless minority drunk on power in Cleveland Police and the Council, and to support and promote the interests and businesses of the residents of Billingham and across all the electoral wards of Stockton Borough Council.

Who knows? It may be that by the time the Premises License Review takes place, that I am a councillor for Stockton Council as the authority responsible for deciding whether to revoke the license or not.

Then, things could get very interesting indeed.

Paul T Henderson

LMK4

**From:** Graeme Cushion <>  
**Sent:** 02 March 2021 11:23  
**To:** John Wynn <>  
**Subject:** Porky Pint - CCTV request

Dear John,

I have now had the opportunity to discuss your letter with Paul Henderson, and he is very much of the view that, whilst you have cited two areas of legislation, the request is nonetheless insufficiently specific to warrant disclosure of the CCTV footage requested at this time.

Should a more specific request be received, then that of course will be reviewed, as you would expect.

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

Yours sincerely,

Graeme

Graeme Cushion | Partner

**Poppleston Allen**

#### **Coronavirus - Important Information**

We would like to reassure you that business continues as usual. We are currently running both offices with a skeleton team, with the majority of the team working securely from home and whom remain available via email or phone. Contact details can be found on our [website](#) and the email footers. Where possible, all correspondence will be dealt with electronically and there may be a delay in sending our hard copy documents by post.

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**From:** John Wynn <>

**Sent:** 23 February 2021 08:15

**To:** Graeme Cushion <>

**Cc:** Leanne Maloney-Kelly <>; Jonathan Nertney <>; Jimmy Jones <>; Natalie Hodgson <>; Andrew Thorpe <>

This document was classified as: OFFICIAL

Subject: Porky Pint request for CCTV.docx

This document was classified as: OFFICIAL

Good Morning Graeme

Please find attached the formal request for the CCTV footage from the Porky Pint. I hope that this answers your concerns on why the footage is needed and how it will be handled whilst in our custody.

Best Regards

John Wynn

Licensing Officer

Stockton on Tees Borough Council



My Ref: 143574  
Your Ref:

Municipal Buildings  
Church Road  
Stockton-on-Tees  
TS18 1LD

SAT NAV code: TS19 1UE  
Tel: 01642 52  
Email: @stockton.gov.uk  
Date: 15.04.21

Dear Mr Cushion

**Licensing Act 2003 – Review of Premise Licence 143574  
Porky Pint 40 Mill Lane Billingham TS23 1HF  
Premise Licence Holder: The Porky Pint Ltd  
DPS: Mr Paul Henderson**

Thank you for confirming you are representing Mr Henderson in the review of the premise licence for The Porky Pint. Further to the letter dated 23 February 2021 from my colleague John Wynn requesting CCTV footage and previous email dated 18 February 2021 requesting the said CCTV footage is retained and not deleted.

This is a further formal request for CCTV footage to be provided from the above premises from 12:00 – 18:00 on both Saturday 30 January 2021 & Saturday 6 February 2021, the times requested reflect the hours of operation at the premises at the time. The request for CCTV is relevant to the current proceedings under the Licensing Act 2003 and footage maybe used as evidence in the review committee hearing.

In accordance with the current premise licence;

**A digital Closed Circuit Television system (CCTV) will be installed and maintained in good working order and be correctly time and date stamped. The system will incorporate sufficient built-in hard-drive capacity to suit the number of cameras installed, whilst complying with data protection legislation. CCTV will be capable of providing pictures of evidential quality in all lighting conditions, particularly facial recognition. Cameras will encompass all ingress and egress to the premises, outside areas and all areas where the sale/supply of alcohol occurs. There will be a minimum of 31 days recording. The system will record for 24 hours a day. The system will incorporate a means of transferring images from the hard-drive to a format that can be played back on any desktop computer. The digital recorder will have the facility to be password protected to prevent unauthorised access, tampering, or deletion of images. There will be at all times a member of staff on duty who is trained in the use of the equipment and upon receipt of a request for footage from a governing body, such as Cleveland Police or any other Responsible Authority, be able to produce the footage within a reasonable time, e.g. 24hrs routine or less if urgently required for investigation of serious crime.**

Emailed: Graeme Cushion  
<G.Cushion@popall.co.uk>



Once Mr Henderson hands over the data to be taken 'off site', the local authority become the data controller, please be assured all CCTV is stored in a locked cabinet within secure council offices, following proceedings we can either arrange for the CCTV to be returned to Mr Henderson or destroyed, whichever is preferable.

I would appreciate if this was actioned as a matter of urgency.

Yours sincerely

Leanne Maloney-Kelly  
Licensing Team Leader



**Representations On A Current Application For A Review Of A Premises Licence Or Club Premises Certificate Under The Licensing Act 2003**

**Section 1 – Licence Details**


Applicant Name (If Known)	The Porky Pint Limited (review application by Cleveland Police)
Premises Name and Address	<b>PLH Porky Pint Ltd DPS Mr Paul Henderson The Porky Pint Mill Lane Billingham</b>

**Section 2 - Responsible Authority**

X Licensing

**Section 3 – Representation Grounds**

<p><b>The representation is relevant to one or more of the following licensing objectives:</b></p> <p><b>Please tick relevant box(es)</b></p>	X Prevention of Crime and Disorder
	X Public Safety

<p><b>The grounds of the representation is based on the following:</b> (Please continue on a separate sheet if necessary)</p> <p>I submitted a representation on 19 April 2021, on behalf of Stockton-on-Tees Borough Council's Licensing Service in support of the application made by Cleveland Police for a review of the premises licence held by The Porky Pint Limited.</p> <p>Following a third formal request for CCTV footage on 15 April 2021 I received a response from Mr Henderson's legal representative which I attach as reference LMK6.</p> <p>In addition I attach two statements JHW1 and JHW2 and supporting evidence produced by Licensing Officer John Wynn, who will be in attendance at the hearing. CCTV referred to as DVD ref no 10498 will also be available to view at the Sub Committee Hearing.</p>		
Signed:		Position: Licensing Team Leader
		Dated: 11.05.21



## Sandra Percival

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**From:** Graeme Cushion <G.Cushion@popall.co.uk>  
**Sent:** 21 April 2021 14:55  
**To:** Leanne Maloney-Kelly  
**Subject:** FW: Porky Pint - CCTV request

Hi Leanne,

I apologise for the delay in coming back to you but I now have my client's instructions, as outlined below.

Best regards,

Graeme

Graeme Cushion | Partner

### Poppleston Allen

E:G.Cushion@popall.co.uk | T:0115 9538 503 | M:07769 720 319 | W:www.popall.co.uk

Nottingham Office: 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS

#### Coronavirus - Important Information

We would like to reassure you that business continues as usual. We are currently running both offices with a skeleton team, with the majority of the team working securely from home and whom remain available via email or phone. Contact details can be found on our [website](#) and the email footers. Where possible, all correspondence will be dealt with electronically and there may be a delay in sending our hard copy documents by post.

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**From:** Paul T. Henderson [mailto:paul@hwlegacy.group]  
**Sent:** 21 April 2021 14:45  
**To:** Graeme Cushion  
**Subject:** RE: Porky Pint - CCTV request

Good afternoon Graeme.

Re: the further request by Stockton Council Licensing for CCTV from 30 January and 6 February for the periods 1200 – 1800 on each day, I do not believe that we are obliged to provide the footage as requested for the following reasons:

1. The venue was not open as a Licensed Premises during those periods, therefore the License Conditions do not apply, including the Operating Condition relating to provision of CCTV to Council and Police on demand.
2. The business is registered as a Data Controller with the ICO. As such, and in any event, as Director of the company that operates the business, I am obliged to keep personal data secure and confidential as per the Data Protection Act and related statute and regulatory provisions. Any breach leaves the business and me personally open to prosecution and/or substantial fines.

Anyone that may have attended the premises during the periods to which the request for CCTV footage relates did so on the understanding that it was open as a venue for business meetings and emotional support group

meetings. There were also customers attending to collect food from the separate food delivery and collection service operated by the business from the same premises but not undertaking any Licensable Activities and therefore operating outside of the Premises License.

All individuals described above attended with a reasonable expectation of privacy and that their personal data, including their image, be kept confidential by me and the business as Data Controller.

3. The Police and Council have stated that they are investigating alleged breaches of the Licensing Act and Coronavirus Regulations, both of which might result in criminal prosecution and conviction against me personally.

It is a long settled principle of both statute and common law that as a private citizen being criminally investigated by the State – manifested here by the Council and Police – that I have right not to self-incriminate. Therefore I refuse to provide the State with any information that they have already stated that they intend to use to pursue my prosecution.

4. The Council has not specified exactly and precisely why they are requesting the CCTV footage for the days and periods of time as stated in their various requests. The requests remain vague and unspecific despite repeated requests by us to them for specificity and clarification.
5. The Council and Police have cited two different legislative instruments – one primary, the other secondary – which adds to the uncertainty of what it is, precisely, they are alleging and what it is, precisely, they intend to do as a result of any alleged offence(s).

The business has already received a Fixed Penalty Notice and a Prohibition Notice as per Coronavirus Regulations. And is now subject to a Premises License Review under the Licensing Act for vaguely stated reasons related to alleged offences that undermine two of the four Licensing Objectives i.e. Prevention of Crime and Disorder and Public Health.

For one, more or all of the reasons described again above, the request for CCTV footage is denied.

Thank you.

**Paul T. Henderson**  
**Principal**  
**HW Legacy Group**  
**m: +44 (0) 7510 082 431 s: paulthenderson**

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**From:** Leanne Maloney-Kelly [<mailto:Leanne.Maloney-Kelly@stockton.gov.uk>]  
**Sent:** 15 April 2021 10:57

**To:** Graeme Cushion  
**Subject:** FW: Porky Pint - CCTV request

This document was classified as: OFFICIAL

Mr Cushion,  
Please find attached a further CCTV request.

Regards

**Leanne Maloney-Kelly**

Team Leader - Licensing  
Stockton-on-Tees Borough Council

Telephone: 01642 526566 | Mobile: 07384797728 | Email: [leanne.maloney-kelly@stockton.gov.uk](mailto:leanne.maloney-kelly@stockton.gov.uk) | Web: [www.stockton.gov.uk](http://www.stockton.gov.uk)

---

**From:** Graeme Cushion <[G.Cushion@popall.co.uk](mailto:G.Cushion@popall.co.uk)>  
**Sent:** 02 March 2021 11:23  
**To:** John Wynn <[John.Wynn@stockton.gov.uk](mailto:John.Wynn@stockton.gov.uk)>  
**Subject:** Porky Pint - CCTV request

Dear John,

I have now had the opportunity to discuss your letter with Paul Henderson, and he is very much of the view that, whilst you have cited two areas of legislation, the request is nonetheless insufficiently specific to warrant disclosure of the CCTV footage requested at this time.

Should a more specific request be received, then that of course will be reviewed, as you would expect.

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

Yours sincerely,

Graeme

Graeme Cushion | Partner

**Poppleston Allen**

E:[G.Cushion@popall.co.uk](mailto:G.Cushion@popall.co.uk) | T:0115 9538 503 | M:07769 720 319 | W:[www.popall.co.uk](http://www.popall.co.uk)

Nottingham Office: 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS

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From: John Wynn <[John.Wynn@stockton.gov.uk](mailto:John.Wynn@stockton.gov.uk)>  
Sent: 23 February 2021 08:15  
To: Graeme Cushion <[G.Cushion@popall.co.uk](mailto:G.Cushion@popall.co.uk)>  
Cc: Leanne Maloney-Kelly <[Leanne.Maloney-Kelly@stockton.gov.uk](mailto:Leanne.Maloney-Kelly@stockton.gov.uk)>; Jonathan Nertney <[Jonathan.Nertney@stockton.gov.uk](mailto:Jonathan.Nertney@stockton.gov.uk)>; Jimmy Jones <[Jimmy.Jones@stockton.gov.uk](mailto:Jimmy.Jones@stockton.gov.uk)>; Natalie Hodgson <[Natalie.Hodgson@stockton.gov.uk](mailto:Natalie.Hodgson@stockton.gov.uk)>; Andrew Thorpe <[Andrew.Thorpe@cleveland.pnn.police.uk](mailto:Andrew.Thorpe@cleveland.pnn.police.uk)>  
Subject: Porky Pint request for CCTV.docx

This document was classified as: OFFICIAL

Good Morning Graeme

Please find attached the formal request for the CCTV footage from the Porky Pint. I hope that this answers your concerns on why the footage is needed and how it will be handled whilst in our custody.

Best Regards

John Wynn

Licensing Officer

Stockton on Tees Borough Council

Telephone: 01642 526568 | Email: [john.wynn@stockton.gov.uk](mailto:john.wynn@stockton.gov.uk)  
| Web: [www.stockton.gov.uk](http://www.stockton.gov.uk)

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**STOCKTON-ON-TEES BOROUGH COUNCIL  
STATEMENT OF WITNESS**

**(Criminal Procedure Rules, r 27.1 (1); Criminal Justice Act 1967, S.9,  
Magistrates' Courts Act 1980, S5B)**

STATEMENT OF John Harley WYNN

AGE (If over 18 enter "over 18") **Over 18**

OCCUPATION: Licensing Officer

ADDRESS: SEE OVER

This statement (consisting of 2 pages 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.

Dated the 4 day of 02 2021 Signed J. H. Wynn

\_\_\_\_\_ being unable to read the above statement, I

\_\_\_\_\_ of \_\_\_\_\_

read it to him before he signed it.

Dated the \_\_\_\_ day of \_\_\_\_ 20 Signed \_\_\_\_\_

I am a Licensing Officer employed by Stockton-On-Tees Borough Council in the Licensing service. I have held this post for over 2 years having previously worked in Trading Standards for 37 years. At 14 30 on Saturday 30<sup>th</sup> January 2021, I went into the Porky Pint, 40 Mill Lane Billingham. I was accompanied by SBC Civic Enforcement Officer Sam Toulson. The reason for the visit was that the licensing service had become aware through social media that the premise would be open as part of the 'Grand Reopening' movement in direct contravention of the The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020.

As we entered the main bar on the left of the entrance doorway, I could see a group of approximately 3 males stood directly in front on me and a table in the corner at which 2 females were seated. There was also a male sat at a table underneath the window. Several people from both groups were holding glasses or had glasses in front of them and they appeared to contain lager and other drinks. A male stepped forward who I know to be Paul Henderson the owner and DPS of the bar and said to me "have we met" I introduced myself as a Licensing Officer.

J. H. Wynn

Signed \_\_\_\_\_

**STOCKTON-ON-TEES BOROUGH COUNCIL  
STATEMENT OF WITNESS**

**(Criminal Procedure Rules, r 27.1 (1); Criminal Justice Act 1967, S.9,  
Magistrates' Courts Act 1980, S5B)**

**Continuation Statement of John Harley WYNN**

I suggested that we go into a neighbouring room to talk away from the customers. I asked Sam Toulson to take footage of the customers in the bar on his body mounted camera. I asked Mr Henderson what his intentions were and if he was going to remain open and he said that he was. He stated he was hosting a business meeting and an emotional support meeting and that he was allowed to do this based on legal advice published on a website. I said to him that in my opinion he was hosting an illegal gathering, but he stated that he thought he was right. He also stated that people in the meeting had become thirsty, so he had served them drinks. He confirmed that he had read the warning letter e-mailed to him by my manager Leanne Maloney-Kelly the previous day. I asked him again what his intentions were, and he said that he would remain open. I confirmed to him again that in my opinion it was an illegal gathering and that he faced a possible closure order or an FPN. I also stated that he possibly faced a premise licence review. I said to him that I would need to take advice and contact the Police and he stated ask the Police not to send 5 officers like the last time. I left the premise at 14:37 and immediately contacted the Police and I was informed that a unit would be despatched.

At 15:50, An officer from Cleveland Police arrived and I discussed the breach of the legislation with him. The officer went into the premise to speak to the owner and the customers. He returned after approx. 20 minutes and he requested confirmation on a number of points with regard to the legislation.

At 16:40, a further 2 Police officers turned up and went into the premise after I spoke with them and introduced myself. Shortly after a number of customers left the premise and walked away. At 17:00 I went back into the premise and confirmed with one of the officers that 1 customer had been issued with an FPN. I stated that I needed to go as we had received information that another premise had been reported as open and trading. I reminded Mr Henderson that he could not serve drinks to customers and left the premise at 17:08.

On Monday 1<sup>st</sup> February 2021. I contacted the security and surveillance centre and requested a copy of the camera footage.

On Wednesday 3<sup>rd</sup> February 2021, I received a DVD disc reference number 10498 from Mr Richard Blackburn who is a security centre supervisor.

Signed \_\_\_\_\_

*J.H. Wynn*

**STOCKTON-ON-TEES BOROUGH COUNCIL  
STATEMENT OF WITNESS**

**(Criminal Procedure Rules, r 27.1 (1); Criminal Justice Act 1967, S.9,  
Magistrates' Courts Act 1980, S5B)**


STATEMENT OF John Harley WYNN

AGE (If over 18 enter "over 18") **Over 18**

OCCUPATION: Licensing Officer

ADDRESS: SEE OVER

This statement (consisting of 2 pages 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.

Dated the 11 day of May 2021 Signed 


\_\_\_\_\_ being unable to read the above statement, I  
\_\_\_\_\_ of \_\_\_\_\_

read it to him before he signed it.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ **20** Signed \_\_\_\_\_

I make this statement in addition to my statement dated 04/04/2021.

On 12<sup>th</sup> February 2021 I went to the licensed premises of The Porky Pint, 40 Mill Lane, Billingham. The reason for the visit was that I needed to obtain CCTV footage for the 30<sup>th</sup> January 2021 7 6<sup>th</sup> February 2021. I had arranged to meet PC Andrew Thorpe & PC Jason Arbuckle from Cleveland Police Licensing at the premise. At approximately 2 pm we all went into the premise and I introduced myself to a female who was serving behind the bar. I asked if the owner and DPS of the premise Mr Paul Henderson was present and I was informed that he was out of the area. I explained the reason for my visit, and I asked if anyone could work the CCTV so we could obtain the requested footage. The female informed me that only Paul Henderson could access the CCTV system and she offered to contact him on his mobile phone. I spoke to Mr Henderson and explained the reason for my visit. He confirmed to me that only he could operate the CCTV system and that he had misgivings about releasing the

Signed 

Home Address: .....

.....

Home Tel. No: ..... Business Tel. No. ....

**Please circle dates when witness will not be available**

Month of:							Month of:							Month of:						
1	2	3	4	5	6	7	1	2	3	4	5	6	7	1	2	3	4	5	6	7
8	9	10	11	12	13	14	8	9	10	11	12	13	14	8	9	10	11	12	13	14
15	16	17	18	19	20	21	15	16	17	18	19	20	21	15	16	17	18	19	20	21
22	23	24	25	26	27	28	22	23	24	25	26	27	28	22	23	24	25	26	27	28
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29	30	31					29	30	31					29	30	31				

Contact point, if different from above .....

Address .....

Tel. No. ....



**STOCKTON-ON-TEES BOROUGH COUNCIL  
STATEMENT OF WITNESS**

**(Criminal Procedure Rules, r 27.1 (1); Criminal Justice Act 1967, S.9,  
Magistrates' Courts Act 1980, S5B)**

**Continuation Statement of: John Harley Wynn**

footage due to data protection rules. I stated to him that it is a condition of his premise licence that someone is on the premise at all times who can operate the system and that he should release any footage following a request from a Police or Licensing officer. He stated he was not aware of any conditions on his licence regarding CCTV. I assured him that I had examined the premise licence that same day and the condition did exist. Mr Henderson asked me to put my request in writing to him and I agreed to do this.

Later that same day I e-mailed Paul Henderson the formal request for the CCTV footage. I now produce this e-mail as **Exhibit Number JHW1**.

On 13<sup>th</sup> February 2021, I received an e-mail from Paul Henderson in response to my request for the CCTV footage. I produce this e-mail as **Exhibit Number JHW2**.

On 15<sup>th</sup> February 2021, I received an e-mail from Graeme Cushion of Poppleston Allen Solicitors. He stated that he was acting for Paul Henderson and that he would be in contact when he had received his client's instructions. I now produce this e-mail as **Exhibit Number JHW3**.

On 19<sup>th</sup> February 2021, I received an e-mail from Mr Cushion. The e-mail requested more information in respect of the request for CCTV footage and how the information would be handled. I now produce this e mail as **Exhibit Number JHW4**.

On 23<sup>rd</sup> February 2021, I e-mailed Graeme Cushion attaching a formal written request for the CCTV footage. I now produce this e-mail and copy of the formal request as **Exhibit Numbers JHW5 & JHW6** respectively.

On 2<sup>nd</sup> March 2021, I received an e-mail from Graeme Cushion which stated that Mr Henderson had stated that the request was not specific enough, so he was not releasing the footage. I now produce this e-mail as **Exhibit Number JHW7**.

misgivings about releasing the footage due to data protection rules. I stated to him that it is a condition of his premise licence that someone is on the premise at all

Signed



**STOCKTON-ON-TEES BOROUGH COUNCIL  
STATEMENT OF WITNESS**

**(Criminal Procedure Rules, r 27.1 (1); Criminal Justice Act 1967, S.9,  
Magistrates' Courts Act 1980, S5B)**

**Continuation Statement of**

## Sandra Percival

---

**From:** John Wynn  
**Sent:** 12 February 2021 15:07  
**To:** Paul T. Henderson  
**Cc:** THORPE, Andrew (P0894); Leanne Maloney-Kelly; Jonathan Nertney; Jimmy Jones  
**Subject:** Request for CCTV Footage  
**Attachments:** Porky Pint.pdf

This document was classified as: OFFICIAL

Hello Paul

Further to our recent telephone conversation. I am requesting a copy of CCTV footage of The Porky Pint for the following times/dates;

12:00 – 18:00 – Saturday 30<sup>th</sup> January 2021 &  
12:00 – 18:00 – Saturday 6<sup>th</sup> February 2021.

Please find attached a copy of your premise licence with attached conditions (Contained in Annex 2) regarding the provision of CCTV in the premise and also that footage should be provided to an authorised officer on request. No person in the premise today could provide a copy which in itself is a breach of your licence conditions. Can you please give me an indication of when you can provide the requested footage and I will arrange to pick it up at a suitable time and date and this includes tomorrow. The footage needs to be provided within 24 hours.

Do not hesitate to contact me if you require any further information or clarification.

Best Regards

**John Wynn**

Licensing Officer

Stockton-on-Tees Borough Council

Telephone: 01642 526568 | Email: [john.wynn@stockton.gov.uk](mailto:john.wynn@stockton.gov.uk) | Web: [www.stockton.gov.uk](http://www.stockton.gov.uk)



**Stockton-on-Tees**  
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**From:** [Paul T. Henderson](#)  
**To:** [John Wynn](#)  
**Cc:** [Andrew Thorpe](#); [Leanne Maloney-Kelly](#); [Jonathan Nertney](#); [Jimmy Jones](#)  
**Subject:** RE: Request for CCTV Footage  
**Date:** 13 February 2021 07:22:49  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.jpg](#)

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Good morning John.

As discussed on the telephone yesterday, I have now spoken to counsel and to our solicitor. I'll be able to provide a formal response to the request on Monday.

In the meantime, the main points of contention and concern are:

1. There are real and serious Data Protection and Privacy issues to be addressed;
2. The request is non-specific. There is no reason stated as to why the information is being requested;
3. The venue was not operating under the Conditions of the Premises License during the periods of time to which the request relates i.e. the venue was not being used to undertake any Licensable Activities;
4. There are potential Criminal Justice and Rule of Law implications in relation to the request and the provision of the information requested that must first be addressed.

Given that it is now the weekend, there is no further information that we can provide until Monday.

The venue will not be open for business meetings or support group meetings today or tomorrow.

In the meantime, if you have any additional questions please feel free to give me a call or send me an email.

Thank you.

**Paul T. Henderson**  
**Principal**  
**HW Legacy Group**  
**m: +44 (0) 7510 082 431 s: paulthenderson**

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---

**From:** John Wynn <John.Wynn@stockton.gov.uk>  
**Sent:** 12 February 2021 15:07  
**To:** Paul T. Henderson <paul@hwlegacy.group>  
**Cc:** Andrew Thorpe <Andrew.Thorpe@cleveland.pnn.police.uk>; Leanne Maloney-Kelly

<Leanne.Maloney-Kelly@stockton.gov.uk>; Jonathan Nertney  
<Jonathan.Nertney@stockton.gov.uk>; Jimmy Jones <Jimmy.Jones@stockton.gov.uk>  
**Subject:** Request for CCTV Footage

This document was classified as: OFFICIAL

Hello Paul

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Do not hesitate to contact me if you require any further information or clarification.

Best Regards

**John Wynn**

Licensing Officer  
Stockton-on-Tees Borough Council

Telephone: 01642 526568 | Email: [john.wynn@stockton.gov.uk](mailto:john.wynn@stockton.gov.uk) | Web: [www.stockton.gov.uk](http://www.stockton.gov.uk)



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## Sandra Percival

---

**From:** Graeme Cushion <G.Cushion@popall.co.uk>  
**Sent:** 15 February 2021 16:57  
**To:** John Wynn; Paul T. Henderson  
**Cc:** Andrew Thorpe; Leanne Maloney-Kelly; Jonathan Nertney; Jimmy Jones  
**Subject:** RE: Request for CCTV Footage

Hi John,

I hope you are keeping well despite all of the current challenges?

I have been engaged by Mr Henderson to advise in respect of recent enforcement issues, including the request for CCTV footage.

Mr Henderson is anxious to ensure that he is compliant with all relevant legislation and regulations, and in that regard I will be providing him with assistance towards a proper response to your request.

I will be in touch in the next few days.

Best regards,

Graeme

Graeme Cushion | Partner

### Poppleston Allen

E:G.Cushion@popall.co.uk | T:0115 9538 503 | M:07769 720 319 | W:www.popall.co.uk

Nottingham Office: 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS

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**Sent:** 12 February 2021 15:07  
**To:** Paul T. Henderson  
**Cc:** Andrew Thorpe; Leanne Maloney-Kelly; Jonathan Nertney; Jimmy Jones  
**Subject:** Request for CCTV Footage

This document was classified as: OFFICIAL

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12:00 – 18:00 – Saturday 6<sup>th</sup> February 2021.

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Do not hesitate to contact me if you require any further information or clarification.

Best Regards

**John Wynn**

Licensing Officer

Stockton-on-Tees Borough Council

Telephone: 01642 526568 | Email: [john.wynn@stockton.gov.uk](mailto:john.wynn@stockton.gov.uk) | Web: [www.stockton.gov.uk](http://www.stockton.gov.uk)



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## Sandra Percival

---

**From:** Graeme Cushion <G.Cushion@popall.co.uk>  
**Sent:** 19 February 2021 14:25  
**To:** John Wynn  
**Cc:** Andrew Thorpe; Leanne Maloney-Kelly; Jonathan Nertney; Jimmy Jones; Graeme Cushion  
**Subject:** The Porky Pint, 40 Mill Lane, Billingham TS23 1HF

Dear John,

Following on from my email on Monday, I can now confirm that Paul Henderson has had the opportunity to seek proper legal advice in respect of the various issues currently in play.

Firstly, you have requested CCTV footage relating to two Saturday afternoons between midday and 6pm.

So that Paul can properly discharge his duties under data protection legislation I would be most grateful if you could provide precise details as to the nature of your request, the reason for your request, how and where the data will be held, and also undertake to returning or destroy the footage once it has been used for the identified purpose. The request as made is a wide one, and we would respectfully ask that it be narrowed down, so that it focuses on and reflects a purpose which is reasonably required.

With regard to the recent Fixed Penalty Notice issued in respect of alleged non-compliance with the Coronavirus Regulations on the 30<sup>th</sup> January, you may already be aware that Paul has made representations in challenge of this. Paul is someone who has strongly held views with regard to the government's handling of the Coronavirus pandemic and the way in which it has passed associated regulations. It is his intention not to pay the Fixed Penalty Notice in any event and to challenge it fully should the matter proceed by way of prosecution through the Magistrates Court. Please keep us informed as to your intentions in this regard.

I would, however, like to take this opportunity to reassure you that regardless of the rights or wrongs of what has happened to date, he has no intention to open his premises in the future for the consumption of food or alcohol on the premises until such time as there is a relaxation of the current regulations, and such consumption is permitted by such regulations.

I look forward to hearing from you.

Yours sincerely

**Graeme Cushion**

Graeme Cushion | Partner

**Poppleston Allen**

E:G.Cushion@popall.co.uk | T:0115 9538 503 | M:07769 720 319 | W:www.popall.co.uk

Nottingham Office: 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS

### **Coronavirus - Important Information**

We would like to reassure you that business continues as usual. We are currently running both offices with a skeleton team, with the majority of the team working securely from home and whom remain available via email or phone. Contact details can be found on our [website](#) and the email footers. Where possible, all correspondence will be dealt with electronically and there may be a delay in sending our hard copy documents by post.

**Cybercrime notification:** Our bank account details will NOT change during the course of a transaction. Please speak to us before



## Sandra Percival

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**From:** John Wynn  
**Sent:** 23 February 2021 08:15  
**To:** Graeme Cushion  
**Cc:** Leanne Maloney-Kelly; Jonathan Nertney; Jimmy Jones; Natalie Hodgson; Andrew Thorpe  
**Subject:** Porky Pint request for CCTV.docx  
**Attachments:** Porky Pint request for CCTV.docx

This document was classified as: OFFICIAL

Good Morning Graeme

Please find attached the formal request for the CCTV footage from the Porky Pint. I hope that this answers your concerns on why the footage is needed and how it will be handled whilst in our custody.

Best Regards

**John Wynn**

Licensing Officer

Stockton-on-Tees Borough Council

Telephone: 01642 526568 | Email: [john.wynn@stockton.gov.uk](mailto:john.wynn@stockton.gov.uk) | Web: [www.stockton.gov.uk](http://www.stockton.gov.uk)



My Ref:  
Your Ref:

Municipal Buildings  
Church Road  
Stockton-on-Tees  
TS18 1LD

SAT NAV code: TS19 1UE  
Tel: 01642 526568  
Email: [john.wynn@stockton.gov.uk](mailto:john.wynn@stockton.gov.uk)  
Date: 23.02.21

Dear Mr Cushion

**The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020  
Licensing Act 2003  
Porky Pint 40 Mill Lane Billingham TS23 1HF  
Premise Licence Holder: The Porky Pint Ltd  
DPS: Mr Paul Henderson**

Thank you for your email dated 19 February 2021.

This is a formal request for CCTV footage to be provided from the above premises from 12:00 – 18:00 on both Saturday 30 January 2021 & Saturday 6 February 2021, the times requested reflect the current hours of operation at the premises.

The request for CCTV is relevant to potential proceedings under the following legislation:

1. The Licensing Act 2003 which may include an application for a review of the premises licence.; and/or
2. The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020.

The Local Authority have been liaising with Cleveland Police on these issues and have informed them that we are making a formal request for the CCTV footage. On receipt of the requested footage can you please confirm if you are happy for this to be shared with them, or if you would require a separate CCTV request direct from the police.

Once Mr Henderson hands over the data to be taken 'off site', the local authority become the data controller, please be assured all CCTV is stored in a locked cabinet within secure council offices, following proceedings we can either arrange for the CCTV to be returned to Mr Henderson or destroyed, whichever is preferable.

Yours sincerely

John Wynn  
Licensing Officer

Emailed: Graeme Cushion  
<[G.Cushion@popall.co.uk](mailto:G.Cushion@popall.co.uk)>

## Sandra Percival

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**From:** Graeme Cushion <G.Cushion@popall.co.uk>  
**Sent:** 02 March 2021 11:23  
**To:** John Wynn  
**Subject:** Porky Pint - CCTV request

Dear John,

I have now had the opportunity to discuss your letter with Paul Henderson, and he is very much of the view that, whilst you have cited two areas of legislation, the request is nonetheless insufficiently specific to warrant disclosure of the CCTV footage requested at this time.

Should a more specific request be received, then that of course will be reviewed, as you would expect.

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

Yours sincerely,

Graeme

Graeme Cushion | Partner

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Best Regards

John Wynn

Licensing Officer

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| Web: www.stockton.gov.uk

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