

STOCKTON-ON-TEES BOROUGH COUNCIL STATEMENT OF WITNESS

(Criminal Procedure Rules 2010 r. 27;
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

STATEMENT OF: Miss Kirsty Wannop
AGE (If over 18 enter "over 18") Over 18
OCCUPATION: Licensing Officer
ADDRESS: SEE OVER

This statement (consisting of 6 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 7 day of August 2023 Signed *K. Wannop*

1. I am a Licensing Officer employed and authorised by Stockton Borough Council. I have been employed in the Licensing Team since June 2018 and part of my duties is to investigate possible offences relating to the Licensing Act 2003.
2. The Dog House is a licensed premises located at 3 Macmillan Chambers, Prince Regent Street, Stockton-on-Tees. The current licensable hours for the supply of alcohol are 11:00 – 00:30 Monday to Sunday, the opening hours of the premises are 11:00 – 01:00 Monday to Sunday.
3. On Friday 17th March 2023 at approximately 23:30 I entered The Dog House with Police Licensing PC Andrew Thorpe as part of an out of hours proactive visit to licensed premises within Stockton-on-Tees. I walked inside where there was approximately 10 people and a DJ with music playing and disco lights. I identified myself to what appeared to be a member of staff and due to the music requested to speak outside.
4. When outside I requested the males name and he stated it was Mr Edward Hayes, I was aware that the licence for this bar was in the name of somebody else who had another premises is Stockton-On-Tees therefore questioned Mr Hayes on when he had taken over and who was the Designated Premises Supervisor (DPS). Mr Hayes stated that he had bought the lease to the premises on 17th February 2023 and Mr Steven Gunn who worked at The Sun Inn was the DPS.
5. I questioned whether Mr Hayes had submitted the transfer paperwork in February when he taken over the premises. Mr Hayes stated he had submitted it on 17th February 2023 when he had taken over the premises. I also asked Mr Hayes whether he had the premises licence which would show this but he stated he hadn't received this. I then questioned how much he had paid to transfer the licence and DPS and he was unsure, nor could he provide anything on site to show a receipt for the transfer.

Signed *K. Wannop*

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6. PC Thorpe and I then attended The Sun Inn to speak with Mr Steven Gunn to see if he had consented and completed paperwork to become the DPS at The Dog House as Mr Hayes had stated. Mr Gunn confirmed that he had been in conversation with Mr Hayes regarding becoming DPS but had not agreed or submitted anything to complete this variation.
7. I then returned with PC Thorpe to The Dog House and PC Thorpe requested to speak further with Mr Hayes and requested that he shut the premises as there wasn't a DPS in place.
8. On Monday 20th March 2023 I requested proof of the transfer from Mr Hayes and receipt for payment as after checking the system no transfers for the Premises Licence Holder or DPS had been received.
9. On Monday 20th March 2023 the transfer was received by Licensing but no consent to transfer had been received therefore efforts were made to receive consent from the previous licence holder.
10. On Tuesday 21st March 2023 I spoke to Mr Hayes who stated that he'd had discussions with Mr Gunn who would no longer be DPS and he had also had discussions with another member of his team Lauren Faulkner who going to be DPS but can't now as her Grandad was ill.
11. On Thursday 23rd March 2023 Mr Hayes then confirmed that Mr Charles Garthwaite would be DPS and paperwork had been submitted. I stated that I would need to speak to Mr Garthwaite.
12. On Thursday 23rd March 2023 I spoke to Mr Garthwaite and explained that there had been issues with the premises not submitting the correct paperwork when the premises was acquired. I also questioned Mr Garthwaite's involvement with the business given that all alcohol sales would be authorised by him. He stated that Mr Hayes hadn't been honest regarding what had happened on 17th March 2023 and that he no longer wanted to be named as DPS. Email confirmation of him withdrawing his application was received.
13. On Thursday 23rd March I spoke to Mr Hayes and explained that Mr Garthwaite had withdrawn his application to become the DPS. I also explained to Mr Hayes that he still hadn't supplied the evidence that he had previously submitted the transfers as stated on 17th March 2023 when we attended the premises with PC Thorpe. I told Mr Hayes that I felt he was being dishonest about this. He stated he had and would supply them.
14. On Thursday 13th April 2023 Mr Hayes confirmed he was going to apply to be DPS and his company is the licence holder.

Signed *K. Wannop*

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15. Following the transfer I attended the premises on Tuesday 18th April 2023 to go through the conditions attached the premises licence to ensure compliance. Upon inspecting the premises and discussing the conditions there was noncompliance in relation to CCTV, Polycarbonate glasses, incident logs, training files, Challenge 25 posters and signs to leave the premises quietly. I explained a further revisit would need to take place to check compliance.
16. On Tuesday 2nd May 2023 I arranged a date via Whatsapp on the mobile number supplied by Mr Hayes to revisit the premises on Thursday 11th May 2023.
17. On Thursday 11th May 2023 I attended the premises at 13:00. All issues with noncompliance could not be evidenced as compliant but Mr Hayes stated that signs that were necessary were being printed and progress was being made. He was slowly reducing the number of glasses and replacing with polycarbonates. Mr Hayes confirmed that full compliance could be seen by 18th May 2023. A revisit was scheduled with Mr Hayes for 19th May 2023 at 13:00.
18. On Monday 15th May 2023 information was received from Stockton Borough Council's CCTV detailing that *'While monitoring the cameras notice Kyle Pinkney on Prince Regent Street Kyle was talking to someone in a car and then a taxi pulls up and 2 males approach Kyle and then hit him several times. CCTV informed police coms and officers were tasked to attend while monitoring one of the males that attacked Kyle had the key to the Dog House pub and let himself inside and then the other male went into there as well. When police arrived and spoke to Kyle he informed officers that he did not want to make a complaint about the assault the males inside the Dog house turned the lights off inside but when they noticed that the police had left the males opened the door again and let some other males and females inside the pub. Cameras 38,23,12 and 37 were used.'*
19. The information regarding the incident picked up by CCTV was forwarded to PC Thorpe who agreed this premises needed a joint visit from Police Licensing and SBC licensing I advised PC Thorpe that arrangements were already in place with Mr Hayes to attend on Friday 19th May 2023 13:00 and PC Thorpe agreed to attend at this time as well.
20. On Thursday 18th May 2023 Mr Hayes contacted myself via Whatsapp to request delaying the revisit on Friday 19th May 20223 as he was unwell. I responded to Mr Hayes stating that the revisit really needed to go ahead to discuss the incident from the weekend and was of a high priority and we would like to still go ahead. Mr Hayes replied and agreed he would be available.
21. On Friday 19th May 2023 I attended The Dog House with PC Thorpe at 13:00 and the premises was locked and it appeared there wasn't anybody there. I called Mr Hayes but he did not answer. A message was sent via Whatsapp and Mr Hayes responded to say he was in a doctors appointment and wouldn't be at the premises until 15:00-

Signed *K. Wannop*

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15:30. A Further appointment was arranged via Whatsapp message for Monday 22nd May 2023.

22. On leaving work that day at around 16:00 I seen Mr Hayes near to the Dairy Car park in Stockton and said I would see him on Monday as arranged via message and Mr Hayes agreed.
23. On Monday 22nd May 2023 I attended the premises with PC Thorpe. Mr Hayes was still non compliant on conditions relating to signage and training logs. Mr Hayes said everything would be compliant in 24 hours. PC Thorpe discussed the incident on 13th May 2023 at 03:40. Mr Hayes explained that after closing he had been for a few drinks in Stockton-on-Tees. He stated that a customer had said that she had left a laptop in a taxi and they had decided to go into the premises to call the taxi company to retrieve the laptop.
24. PC Thorpe requested Mr Hayes email address and requested a copy of the CCTV from the night in question. PC Thorpe explained that re-entering the premises after closing may give an impression of using the premises outside of the licensable hours. PC Thorpe questioned Mr Hayes on who had keys to the premises, Mr Hayes confirmed he, and two members of his staff Reece Pears and Daniel Morrison had keys.
25. On 22nd May 2023 I requested a copy of the Council CCTV from 13th May 2023 at 03:40 from Security and Surveillance as the premises opening hours are 11:00 – 01:00 Monday to Sunday.
26. The CCTV footage was shared with PC Thorpe. The CCTV shows Prince Regent Street, an unknown male is already in situ when Mr Hayes and a second unknown male exit a licensed vehicle near to The Dog House, The two unknown males are then seen to assault a third male identified by CCTV as Kyle Pinkney. Mr Hayes and both unknown males then go to The Dog House at approximately 03:55. At approximately 04.05 a further six people enter the premises.
27. On Tuesday 23rd May 2023 I noticed a missed call via Whatsapp from Monday 22 May 2023 at 20:05 from Mr Hayes, I called Mr Hayes back but he did not answer. I then sent a message stating I have a missed call and had tried to call him back. Mr Hayes messaged to say it was accidental. I reminded Mr Hayes that I needed compliance with conditions and that PC Thorpe had sent the links for sharing the CCTV requested and to make sure he provided it.
28. On Wednesday 24th May 2023 I messaged Mr Hayes again requesting images of the signs and training logs that he had stated would be complainant within 24 hours at the visit on 22nd May 2023. Mr Hayes did then send images of the signs to leave premises quietly and I shared my email address with Mr Hayes to send the training logs, I again reminded Mr Hayes to send the CCTV to PC Thorpe.

Signed *K. Wannop*

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29. On Thursday 25th May 2023 I chased Mr Hayes again requesting the training logs and explained that this was taking a lot of officer time to chase for compliance with conditions.
30. On Monday 5th June 2023 I sent Mr Hayes a message requested he contact me as soon as possible.
31. On Wednesday 7th June I messaged Mr Hayes stating I had not received any correspondence.
32. On Friday 9th June 2023 Mr Hayes messaged stating he had been on a course most of the week and was attending a hospital appointment with a family member so was unavailable.
33. On Friday 9th June I had a meeting with PC Thorpe to discuss Mr Hayes not providing CCTV as requested. It was agreed that a further meeting be arranged for Thursday 15th June 2023 at 11am with Mr Hayes. An email was sent to Mr Hayes on Friday 9th June 2023 regarding the appointment, a read receipt was put on this email and a read receipt was received back confirming the email had been opened. A further Whatsapp messages was also sent to Mr Hayes regarding the appointment.
34. On Thursday 15th June 2023 I attended The Dog House with Sergeant Glyn Bavin and PC Thorpe at 11:00. The premises was closed and appeared to be empty. I called Mr Hayes and left a voicemail. A message was sent stating that we would attempt to meet again on Friday 16th June 2023 at 11:30. A further email was sent regarding the appointment with a read receipt and a read receipt was received back, confirming the email had been opened.
35. On Friday 16th June 2023 Mr Hayes messaged via Whatsapp stating he had not confirmed or agreed either of these appointments and that he had a pre-existing appointment in Hartlepool so would not be available. I responded to Mr Hayes stating that he had not responded to any of my correspondence until now and that I would be in touch in due course.
36. On Monday 19th June 2023 PC Thorpe emailed myself and Mr Hayes requesting a formal meeting at Middlesbrough Police Station. Mr Hayes responded to PC Thorpe with available dates and a time, and a date was arranged on Wednesday 22nd June 2023 via email for Wednesday 28th June 2023 at 13:00 for Mr Hayes convenience.
37. On Wednesday 21st June 2023 an email was received from Stockton Borough Councils CCTV who stated that *'At 3.15 this morning I noticed several people coming in and out of The Dog House Pub on Prince Regent Street. I did a quick CCTV review of 30 mins before and there are lots of comings and goings of people going in and out.'*

Signed 

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38. A request was made for a copy of the Council CCTV footage from Security and Surveillance as the premises opening hours are 11:00 – 01:00 Monday to Sunday.
39. On Wednesday 21st June 2023 an email was received from a member of the public stating *'Hello I would like to put a complaint in and remain anonymous this pub is serving alcohol after hours the music is too loud and having people in with the door locked and other businesses are not happy with customers due to loads of trouble the pub is the doghouse prince regent Street Stockton I'll attach a video of the pub as evidence he had the doors locked and people in there'*. The complainant also sent a video showing loud music inside the premises at around 22:30.
40. An email was sent on Monday 3rd July 2023 to the complainant stating investigations into the compliant were ongoing and asking if any further evidence could be provided.
41. On Thursday 22nd June 2022 the Council CCTV footage was received and upon reviewing the footage it appeared that there are people in the premises at 03:14 with activity inside. At 03:17 a further male enters the premises. At 03:25 3 males exit the premises and appear to be smoking, 1 male walks out of shot of the camera then re appears with another 2 males, one of which was on a pedal bike and they enter the premises.
42. On Wednesday 28th June 2023 I attended Middlesbrough Police Station for the arranged meeting with Mr Hayes and PC Thorpe. Mr Hayes did not attend. Attempts were made to contact Mr Hayes via phone and I left a voicemail.
43. To date My Hayes has not supplied CCTV from the premises, for incidents on 13th May 2023 and 21st June 2023, which is a breach of licence conditions.
44. This statement is made from the notes made in my pocket book, on my action diary and inspection sheets.

Signed *K. Wannop*