

[Insert name and address of relevant licensing authority and its reference number (optional)]

**Application for the 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
that 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 Chief Inspector Amanda Dumighan

(Insert name of applicant)

**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, if none, ordnance survey map reference or description The South Beach Fulmar Drive Blyth Northumberland NE24 3RJ | |
| Post town Blyth | Post code (if known) NE24 3RJ |

| |
|--|
| Name of premises licence holder or club holding club premises certificate (if known) Marston's PLC |
|--|

| |
|--|
| Number of premises licence or club premises certificate (if known) NPR/405 |
|--|

Part 2 - Applicant details

I am

Please tick ✓ yes

- 1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

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

Please tick ✓ yes

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

| |
|--|
| Name and address Northumbria Police Chief Inspector Amanda Dumighan Northern Area Command Bedlington Police Station Schalksmuhle Road Bedlington Northumberland NE22 7LA |
| Telephone number (if any) |
| E-mail address (optional) |

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

- | | |
|---|---------------------------------|
| | Please tick one or more boxes ✓ |
| 1) the prevention of crime and disorder | ✓ |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | ✓ |

Please state the ground(s) for review (please read guidance note 2)

The grounds for this review are based around the licensing objectives, namely, the prevention of crime and disorder and protection of children from harm.

The operation and management of The South Beach Public House, Blyth lies with the premises licence holder Marston's and the designated premise supervisor Mr Colin Royal.

Over the last 2 years there has been consistent and numerous reports and intelligence in relation to violence, drug use, poor management and community disquiet about the South Beach public house.

Community tension regarding the South Beach Public House is high and many local people have told Northumbria Police that they would not use the South Beach public house because of the issues of violence, poor management, drug use and the reputation it has now gained.

A sentiment echoed in the many recent social media posts about the premises.

Meetings have been held in which the premises licence holder Marston's and the designated premises supervisor Mr Colin Royal have been informed and made aware of the issues that have been reported to the Police.

On each occasion there has been a plan agreed to improve the negative factors within the public house but these measures have failed and the same issues continue to be reported to the Police.

Northumbria Police have great concerns regarding the way in which the South Beach Public House is being managed and the detrimental effect it has on the local community.

For a detailed background please see the Witness Statement of Sergeant Jon Caisley.

In the circumstances, Northumbria Police respectfully request that the Licensing Sub-Committee consider the revocation of the premises licence.

Please provide as much information as possible to support the application (please read guidance note 3)

The South Beach public house is situated on Fulmar Drive, South Newsham, Blyth and is located within the housing estate known locally as South Beach. The premise licence holder is Marston's PLC and the designated premise supervisor is Mr Colin Royal.

The properties on the South Beach estate are mainly owner occupied or private rental.

The South Beach public house forms part of public area within the estate with car parking to both the south and north of the premises.

There is a convenience store located next door to the public house and a private club and community centre beyond that.

To the west of the South Beach Public House is a large grass field.

The location of the public house is surrounded on three sides by houses which are within approximately 100 metres of the premises; there are two entrances to the premises at either side of the property and a large beer garden.

Prior to 2018 there were few calls to the Police about the premises however since that time there has been an escalation in calls reporting incidents at the premise.

A summary of the incidents, intelligence received and action taken are in chronological order.

At 22:15 on the 28th July 2018 Northumbria Police received a report regarding concern for children. The caller reported that there were young children running around the bar with aged between 10 years and 14 years.

The caller was concerned that despite raising his concerns to staff, they had failed to take any action and appeared uninterested.

The caller reported that the children were not at the premises as part of any function.

At 20:44 on the 6th October 2018 Northumbria Police received a report of a suspicious male at the bar in the South Beach pub. The caller reported that the male was dealing drugs to people inside the pub and they had seen him passing small bags of white powder to people. The caller stated that they had observed the drug dealing and they provided the name of the person they had seen dealing.

At 21:10 on the 5th November 2018 Blyth Neighbourhood Policing Team carried out a licensed premises visit at the South Beach Public House following substantial disorder and violence against officers dealing with a number of reports of people firing fireworks at houses and members of the community in the immediate area. Officers noted that customers of the premises were setting off fireworks at the Police and there was under 18's in the bar. Upon speaking to the designated premises supervisor Colin Royal they found him to be intoxicated and described him as having no control over the premises. Mr Royal offered to close the bar voluntarily.

On Wednesday 8th November 2018 a meeting was held at Blyth Neighbourhood Police Office. Present at the meeting was Mr Rob Robson (Marston's) Mr Colin Royal the designated premises supervisor, Police Sergeant Pallace, Suzanne Kirkwood, Licensing Officer Northumberland County Council and Mr Stephen Cochrane Licensing Co-ordinator.

The meeting was held to discuss recent incidents on bonfire night and the apparent lack of management at the premises.

It was agreed that corrective measures would be put into place for Bonfire night 2019.

At 22:04 on the 22nd December 2018 Northumbria police received a report of assault inside the South Beach public house. The caller reporting that a bar person had been injured after being head-butted in the face and also reporting that another male had discharged a fire extinguisher inside the bar. The caller said between 4 and 5 males were part of the group causing issues. Police attended but the males had left the area. A crime report was submitted for assault occasioning actual bodily harm with the bar person as victim.

At 23:59 on the 30th December 2018 Northumbria Police received a report of a male being assaulted at the South Beach public house. The victim had been outside the premises when he had been approached and assaulted in what the victim described as an unprovoked attack causing a black eye. The victim chose not to support a Police investigation and no other evidence was available to identify a suspect.

At 22:11 on the 23rd March 2019 Northumbria Police received a report of assault at the South Beach Public House. The caller stated that he was punched by a male known to him whilst he was drinking inside the bar. Police investigated and interviewed a suspect. The incident had not been caught on the premises CCTV system and none of the witnesses identified were prepared to provide the Police with a statement.

At 13:07 on the 31st March 2019 Northumbria Police received a report of drug dealing within the South Beach public house. The caller reporting that drugs were being dealt openly within the pub and that it was especially bad on Friday and Sunday nights. The caller reported that people were taking drugs in the toilets of the bar and that the management were aware but did not take any action. The caller told Police that he used to be a regular at the pub but no longer went because the drug taking had become so bad.

At 22:01 on the 4th May 2019 Northumbria Police received a report of a fight ongoing at the South Beach Public house. Several persons were reported to be involved. Officers attended this priority incident and found that the fight had ended and one faction had left the pub. Officers spoke to the staff who were happy for the remaining persons who had been involved to stay in the premises. Nobody came forward to make a formal complaint to the officers.

At 20:35 on the 5th May 2019 Northumbria Police received a report from staff that a male was causing problems within the bar. The caller reported a male 'kicking off' within the bar and starting fights with other customers. Police attended and took crime details for damage to the pub as the male had ripped the hand dryers from the wall in the toilets. No member of staff would support Police action by providing a statement and officers were told that the offender was in some way related to the management; officers were also told that the damage could be made good with minimal effort or cost.

At 16:02 on the 7th June 2019 Northumbria Police received a report of fraudulent use of the card machine within the premises; the caller reported that a member of staff was using an old card machine to refund money into their own bank account. The caller named the offender and arrangements were made for a statement and CCTV download however nobody would provide a statement and the CCTV images were overwritten as they had not been downloaded in time. Because of this Police were unable to take any further action.

At 22:06 on the 6th July 2019 Northumbria Police received a report of a fight ongoing within the bar involving 4 or 5 people. The caller reported that the manager had been assaulted during this fight and the caller believed that some of those fighting looked as though they were going to use glasses as weapons. Police attended and spoke to the manager Graham ELLIOTT who told them no assaults had taken place and it had just been a heated argument. All parties had left the pub prior to Police attendance.

At 23:46 on the 19th July 2019 Northumbria Police received a report of a male having been assaulted at the South Beach public house. The victim had been kicked in the head and was bleeding from his ears. The report was made by the Ambulance service however a further call was made from staff at the pub reporting a group of males causing issues within the premises. The staff was concerned as members of the group were known to carry weapons. A short while later a further call was made by staff to report that some of the doors and windows were being smashed and that a number of cars had arrived at the pub and groups of people from the cars were now trying to gain access to the pub. The same caller then reported that the doors of the pub had been completely kicked in. Crime details were obtained and an investigation took place however there was no CCTV footage, no witnesses and no forensic evidence. This crime was closed as undetected.

At 16:16 on the 25th August 2019 Northumbria Police received a report regarding threats from a male inside the South Beach Pub. The caller reports that a male had head butted her friend and threatened to stab people. The caller reports that the male is on drugs and is also drinking alcohol. The caller states that staff had told them that the male was already barred from the pub. The caller then updated the Police to say the male was stood outside preventing them from leaving the pub. Crime details were obtained however the victim would not support police action or assist with an investigation

therefore the crime was finalised as undetected.

At 11:30 hours on the 25th October 2019 a meeting was held between Police, the designated premises supervisor Mr Colin Royal and Mr Rob Robson from Marston's brewery.

The meeting was held at the request of the Police following significant disorder at the previous year's bonfire night where youths were throwing fireworks at members of the community and their houses and at Police attending the area who were using the public house to evade capture by the Police. Youths were running inside the busy pub to hide themselves.

As Police officers dealt with the numerous reports of firework related Anti-Social Behaviour some adults who had been drinking in the South Beach spilled out into the car park and were throwing stones, glass and fireworks at the Police.

The meeting was to ensure that the pub had no events planned for Bonfire night and to ensure that suitable security was in place to prevent people being able to run in and out of the pub.

The outcome of this meeting was that no events or live bands were planned by the South Beach Pub and Colin Royal agreed to provide extra security for the back door which leads out into the beer garden and the park area of South Beach estate. These measures appeared to help reduce complaints of disorder on Bonfire night.

At 18:29 on the 13th December 2019 Northumbria Police received a report of a male who was barred from the pub refusing to leave. The caller was the manager requesting Police assistance to remove the male. Police attended however the male had left the premises prior to their arrival.

At 19:26 on the 18th January 2020 Northumbria Police received a call from management at the pub requesting Police assistance in removing a male from the premises who was barred. The caller went on to say that they had removed the same male from the bar 4 times the previous evening. The male had left prior to Police arrival and during a Neighbourhood Team call – back to the manager; it was reported that 2 males repeatedly entered the pub despite being on the pub watch list. The manager described the males as being high on Ketamine.

At 21:25 hours on the 31st January 2020 – Licensed premises visit.

Officers from Blyth Neighbourhood Policing Team conducted a walk-through of the premises following receiving intelligence about drug use within the bar. The toilet area was checked and small re-sealable bags were found containing powder residue located.

Locals within the bar reported that the drug use was constant within the premises.

The bar manager was informed and told officers that they were aware of the drug problem and had barred one male that they believed to be involved.

At 20:47 on the 21st January 2020 Northumbria Police received a report of trouble with a male at the South Beach pub. The caller was staff who reported that a barred male was refusing to leave and Police assistance was required to remove the male. The male left prior to Police arrival.

At 23:04 on the 21st January 2020 Northumbria Police received a further report of a barred male refusing to leave the premises, again this male left the premises prior to Police arrival.

Monday 2nd March 2020

Meeting held with Mr Colin Royal and Mr Rob Robson (Marston's) Present Inspector Hall, Sergeant Daniels and Mr Cochrane Licensing Co-ordinator.

The purpose of the meeting was to discuss the drug use within the pub.

Northumbria Police had received intelligence regarding drug use and drug dealing within the pub. Mr Royal admitted that there was a drug issue within the premises but could not provide any further information. Under reporting of the problem was discussed as it was clear Mr Royal knew that there was an issue but had not reported it to the Police or assisted in Police action to catch those responsible.

An action plan was agreed as follows:

- 1/ Increased reporting of incidents
- 2/ Re-join the Pub-watch scheme.
- 3/ Colin Royal to change work times and dates.
- 4/ Staff Training

28th May 2020 – Information received that the pub was still trading despite the Covid Lockdown. Information was submitted by Northumberland County Council licensing department asking if Police could conduct an unannounced visit to the bar.

At 21:54 on the 29th May 2020 – Northumbria Police received a report that the South Beach public house was still trading despite the Covid 19 lockdown. The caller was reporting that there was 8 people sat in the beer garden being served drinks.

Caller also reporting that there had been Facebook posts made locally where people have been boasting about having a good drinking session at the South Beach pub. The caller states that the manager is letting people in and out via the beer garden so that CCTV does not pick them up.

Police attended at 22:05 and found that there was no one in the grounds of the premises.

The ground floor was in complete darkness and the upstairs living area was lit with the licensee upstairs. There was no evidence to suggest that this activity is ongoing.

On the 3rd June 2020 – Information received stating that the South Beach pub has been operating during the lockdown on numerous occasions and that it was getting out of hand. Information suggests that the pub being opened was a 'hot topic' in the local area and residents were concerned.

Saturday the 4th July 2020 reopening of licensed premises with Covid 19 safeguarding guidance measures in place.

At 19:51 on the 4th July 2020 Northumbria Police received a report from a member of the public that they had walked past the South Beach pub at 19:30 hours and there was glass bottles being thrown over the beer garden fence.

The caller states that there is an ambulance outside the pub and they were concerned things were getting out of hand.

At 20:16 on the 4th July 2020 Northumbria Police received a complaint about the public house. The caller reports that there is a large amount of people at the pub, they also report that an ambulance was called because a female had collapsed in the toilets due to taking drugs. Caller also reporting the use of cocaine at the pub. There were several calls from the public; one report mentioned that the caller could see people in the beer garden snorting cocaine off their arms.

At 20:32 on the 4th July 2020 Northumbria Police received a report of a large fight 300 metres from the South Beach Pub, the caller being the pub manager.

Officers attended and found that the fight had stopped but upon speaking to witnesses it became apparent that the large group fighting had come out of the South Beach pub and started fighting in the car park in front of the convenience store.

Witnesses told officers that they had seen some males with blood on their faces.

Sergeant Caisley attended this incident in person and observed the pub and those drinking inside. Sergeant Caisley could see that the pub looked over crowded taking into account the Covid guidance issued to pubs prior to them re-opening and could see very young children in the beer garden mingling with extremely intoxicated and rowdy adults.

He did not see anyone following the Covid measures put in place and no member of staff encouraging people to follow the guidelines.

The bar was busy and staff did not appear to notice Sergeant Caisley was there as they were busy serving people at the bar.

There was no social distancing being observed at the bar which clearly was putting the public and the staff at the bar at heightened risk of contracting Coronavirus.

A large amount of broken glass was in the car parks at both sides of the public house and people were wandering in and out of the beer garden with drinks.

Whilst observing the public house Sergeant Caisley was made aware of a report of damage caused to the door of the private club located near the South Beach Pub.

The manager of the club told Sergeant Caisley that a male had come out of the South Beach pub carrying a pint of beer and tried to get into the club.

When the male had been refused entry to the club he had kicked the door, breaking a pane of glass in the door. The male then walked back into the South Beach public house.
A crime report was submitted for criminal damage to the club doors.

Sergeant Caisley spoke to the manager of the South Beach, Mr Colin Royal and expressed his concerns about the way the pub was being managed and made him aware of the numerous incidents that had been reported as a result of what was going on at the premises.

During this discussion Mr Royal agreed that the customers were not following Covid guidance and that his staff had told him that they couldn't cope with the numbers in the pub, Mr Royal mentioned that he was considering closing the pub down for the night.

Sergeant Caisley advised Mr Royal that this was a sensible option as Police were looking to implement their closure order powers due to the crime and disorder associated to the premises.

Mr Royal closed the premises, had he not done so Northumbria Police would have reverted to closure powers under the anti-social behaviour act.

Upon leaving the premises Sergeant Caisley immediately became involved in the following incident which was a report of a fight on Plover Way where he saw a group of approximately 15 males involved in a running fist fight in the street.

Due to the noise these males were making many residents of the street had come out to see what was going on. He recognised the males involved as having previously been sitting drinking in the South Beach pub beer garden when he had entered the pub earlier.

Sergeant Caisley had to physically intervene in two fights involving a number of drunken males and arrested a male for being drunk and disorderly.

The rest of the group ran off through the many footpaths and cuts leading off Plover Close.

Community contacts made Sergeant Caisley aware of heightened community tensions following the incidents on Saturday 4th July 2020.

Local social media groups had received a number of comments about the incidents at the premises, the fights and the open drug taking within the premises.

There was images and video recording of the fights and disorder and many negative comments about how the premises was being managed.

Sergeant Caisley received several telephone calls from members of the public voicing their concerns about the pub and letting him know that few local people or families go to the South Beach pub due to the drug taking and the behaviour of the people who drink in the pub. The public interest has not diminished since that time.

There was an online newspaper article about the trouble at the pub and a number of comments about how the collapsed female found in the toilets had been taking drugs, followed by replies from the South Beach pubs Facebook page denying the female had been taking drugs and writing that the trouble had been blown out of proportion.

There were comments made on social media stating that the pub could not be held responsible for the behaviour of people who had left the pub which attracted a number of replies from the public and prompted telephone calls to the Blyth Police Neighbourhood Team office to check the validity of the comments.

Sergeant Caisley received an email from a concerned resident which read, "Just wanted to say thanks for the police presence near the South Beach pub, Blyth last night it was scary to see groups of young men and women wandering the street and pushing and shoving each other. There was little sign of social distancing. It was reassuring to see the police presence. I'm sorry that the officers have to put themselves at risk by confronting these people".

At 21:35 hours on Sunday 5th July 2020 a licensed premises check was carried out by staff from the Blyth Valley Neighbourhood Policing Team.

Prior to this visit Police had been informed by the designated premises supervisor Colin Royal that he intended to show the football on the television but he was limiting numbers allowed in to the pub and closing at 21:30 hours.

When officers attended at 21:35 hours the bar was still open and selling drinks to customers within the bar. The officers spoke to bar staff who said they were meant to be closed at 21:30 hours but Mr Royal had not come downstairs to close the pub.

Officers asked Mr Royal to come down to the bar (from his flat located upstairs) and upon speaking to him could see that he was intoxicated, his eyes were glazed, speech slurred and he smelled of intoxicating liquor. Some of the customers heard the conversation between the Police Officers and Mr Royal and tried to persuade him to keep the bar open but officers remained until people saw off their drinks and left.

On the 7th July 2020 a meeting was held at Cramlington Police Station, present were Sergeant Caisley, Mr Stephen Cochrane Licensing Co-ordinator, Mr Colin Royal and Mr Rob Robson (Marston's) .

During this meeting Police discussed the incidents reported to Police on Saturday 4th July 2020, drug use within the bar, concerns over the way the pub was being managed, disgraceful behaviour and community disquiet. The community concerns were also discussed along with the social media activity including some of the responses made from the South Beach pub Facebook page.

Mr Robson and Mr Royal left the meeting to discuss and formulate an action plan.

(Please see E mail attached)

Over the last 2 years there has been consistent and numerous reports and intelligence about the South Beach public house which causes a great deal of concern regarding the way in which the pub is being managed.

Meetings have been held in which the management have been informed of the issues that have been reported to the Police and on every occasion Colin Royal has been aware of the issue.

On each occasion there has been a plan agreed to improve the negative factors within the public house but these measures have failed and the same issues continue to be reported to the Police.

Many local people have said that they would not use the South Beach public house, a sentiment echoed in the many recent social media posts about the pub and community disquiet is high.

In the circumstances, Northumbria Police respectfully request that the Licensing Sub-Committee consider the revocation of the premises licence.

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

| Day | Month | Year |
|-----|-------|------|
| 0 | 0 | 0 |

If you have made representations before relating to the 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 ✓
- I understand that if I do not comply with the above requirements my application will be rejected ✓

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature

.....

Date

28/8/2020

.....

Capacity

Chief Inspector Nabholz

.....

Police.

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Northumbria Police
Chief Inspector Amanda Dumighan
Northern Area Command
Bedlington Police Station
Schalksmuhle Road
Bedlington
Northumberland
NE22 7LA

| | |
|--------------------------------|------------------------------|
| Post town Bedlington | Post Code NE22 7LA |
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Telephone number (if any) 101 extension

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

