

# Public Document Pack



<b>MEETING:</b>	Statutory Licensing Regulatory Board Sub-Committee
<b>DATE:</b>	Wednesday, 15 March 2017
<b>TIME:</b>	2.00 pm
<b>VENUE:</b>	Meeting Room 4, Barnsley Town Hall

## SUPPLEMENTARY AGENDA – Police Background Information

- 4 Application for a Review of a Premises Licence - Whispers, Regent Street, Barnsley (*Pages 3 - 120*)

The Service Director Culture, Housing and Regulation will submit a report on an application received from the South Yorkshire Police for a review of the premises licence in respect of Whispers, 12a Regent Street, Barnsley.

To: Chair and Members of Statutory Licensing Regulatory Board Sub-Committee:-

Councillors Frost, Daniel Griffin and W. Johnson together with Councillor Wilson (Reserve Member)

Andrew Frosdick, Director Legal and Governance  
Sajeda Khalifa, Solicitor  
Phillip Spurr, Service Director Culture, Housing and Regulation  
Kate Liddall, Senior Licensing Officer  
Simon Frow, Head of Regulatory Services  
Garry Kirk, Service Director Legal Services

Please contact William Ward on 01226 773451 or email [governance@barnsley.gov.uk](mailto:governance@barnsley.gov.uk)

Tuesday, 7 March 2017

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# Appendix

Re: Hot Spot, Barnsley

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Compiled 30th March 2016

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**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 Kirsty Green (for and on behalf of the Chief Constable, South Yorkshire Police)  
(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing  
Act 2003 for the premises described in Part 1 below (delete as applicable)

**Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Whispers 12a, Regent Street	
<b>Post town</b> Barnsley	<b>Post code (if known)</b> S70 2HG

<b>Name of premises licence holder or club holding club premises certificate (if known)</b>  Springchoice Leisure Ltd
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<b>Number of premises licence or club premises certificate (if known)</b> 067102
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**Part 2 - Applicant details**

I am

**Please tick yes**

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises ☐
  - b) a body representing persons living in the vicinity of the premises ☐
  - c) a person involved in business in the vicinity of the premises ☐
  - d) a body representing persons involved in business in the vicinity of the premises ☐
- 2) a responsible authority (please complete (C) below) ☒

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**

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  South Yorkshire Police Liquor Licensing Dept c/o Force HQ Carbrook Hall Road Sheffield S9 2EH
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
- 3) the prevention of public nuisance
- 4) the protection of children from harm

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>

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

The grounds for this review are based on the following aspects of the 2003 Licensing Act objectives: -

**Protection of children from harm  
Prevention of Crime & Disorder**

This review is for premises currently known as Whispers, formerly known as Hot Spot, Barnsley (however has a licence issued under a previous name of Regents).. The Premises Licence is No 067102 issued on 1<sup>st</sup> June 2012. The Premises Licence Holder (PLH) is Springchoice Ltd and Designated Premise Supervisor (DPS) is Craig Allott.

Between October 2015 and December 2015, there have been four incidents reported to South Yorkshire Police, for the premises. One incident, reports a fight which transpired to be door security unable to deal with a fight in the premises along with a large number of people attending an 18<sup>th</sup> Birthday party. Another incident reports a party whereby both under, and over, 18's were in attendance and under 18's were drinking alcohol, a third incident reports door staff having problems with two people who did not agree to being ejected from the club and a fourth incident of a male having been assaulted in the premises.

On 27<sup>th</sup> May 2015, a visit was made to the premise due to there being no Designated Premise Supervisor and a closure notice being in place. At this meeting advice was given which including advice around underage events and training.

Since that date, information was received about underage events, at the premise,

aimed at 14-18 year olds and concerns over youths being drunk on these nights. There were also concerns re the management of a foam party held in September and due to another planned for November, how the Management would address these concerns.

Information also received that underage were attending the premise, that people gathering outside the venue were aged between 12-20 years old. In December, a report was received of a College party to be held at the event.

Since the meeting on 27<sup>th</sup> May 2015, there have been numerous communications between Responsible Authorities and persons at the premise. A meeting in November was by the Police, and BMBC, Licensing Officers, to discuss an action plan which was to be drawn up to try to address management of the premises and concerns over underage attending during the weekend period.

The action plan was agreed and signed on 25<sup>th</sup> November, communications continued, between the Police and BMBC Licensing and the premises, until there was a breach of the action plan on 2<sup>nd</sup> January 2016.

A further meeting was held with the DPS and PLH on the 11<sup>th</sup> of January 2016 to discuss the breach of the action plan.

A licensing visit was made by Police Officers on the 30<sup>th</sup> January 2016. At that time underage persons were identified as being inside the venue. This was a further breach of the action plan.

Again a meeting took place with the PLH on the 1<sup>st</sup> of February 2016 to discuss the second breach of the action plan.

Discussions then took place with the Management and the Police Licensing team in relation to voluntarily adding conditions onto the premise licence.

On the 17<sup>th</sup> of February 2016 the Police Licensing officer contacted the DPS to discuss staff training. She was notified that Mr Booth would be taking a 'back step' in the running of the venue.

On the 18<sup>th</sup> of February 2016 the PLH was e mailed by the Police Licensing Dept with regards to the wording of licensing conditions to be added to the premise licence to assist him.

Further communication has taken place between the Police Licensing Officer and the Management.

On the 4<sup>th</sup> of March 2016 a test purchase operation took place whereby the premise passed.

Whilst the incidents, in isolation, may not necessarily result in a review, there has been information since May 2015, advise and support offered to the premises by both South Yorkshire Police and Barnsley Council Licensing and subsequent information which has caused concerns around how the premises have been managed, and more importantly, around the Protection of Children from Harm. This has led South Yorkshire Police to make the decision to submit this application for review.

Further information, outlining details of incidents and meetings, between South Yorkshire Police, and BMBC, representatives is provided in the statements of Licensing Officer K Green, BMBC Licensing Officer D Rimmington, Licensing Manager B Mumby and other relevant Police employees.



**Please provide as much information as possible to support the application**  
(please read guidance note 2)

Please see attached documents.

**Please tick yes**

Have you made an application for review relating to this premises before ☐

If yes please state the date of that application

Day

Month

Year

**If you have made representations before relating to this premises please state what they were and when you made them**

No representations have been made in the past.

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, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – Signatures (please read guidance note 3)**

**Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). If signing on behalf of the applicant please state in what capacity.**

Signature

Date March 2016

Capacity Licensing Officer - South Yorkshire Police

**Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)**

Kirsty Green  
c/o South Yorkshire Police Liquor Licensing Dept  
Force HQ  
Carbrook Hall Road  
Sheffield  
S9 2EH

**Post town**  
Sheffield

**Post Code**  
S9 2EH

**Telephone number (if any)** 0114 2964308

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

### **Notes for Guidance**

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



## PREMISES CHRONOLOGY

**Name of premises: HOT SPOT**

**Address: REGENT STREET**

<u>Date of intel input</u>	<u>Comment</u>	<u>Reference</u>
27.05.2015	Licensing visit with BMBC regarding closure notice at venue and no DPS. Please refer to Kirsty Green's statement for more details.	Licensing Visit - LEO
27.05.2015	Email sent to Mr Phillip Booth with all information and documents that had been discussed at the visit earlier that day.	Email sent - Mr Booth
17.06.2015	Email received from PCSO Katherine McFadzean regarding underage events at Hot Spot aimed at 14-18 year old olds.	Email received - PCSO
18.06.2015	Licensing visit with Ann Gallagher Licensing Officer at BMBC and SYP Licensing Officer SYP Michelle Hudson to remove closure notice as new DPS in place.	Licensing Visit - LEO
22.06.2015	Licensing visit with Ann Gallagher following information received from PCSO on the 17.06.2015. Please refer to Kirsty Green's statement for more details.	Licensing Visit - LEO
22.06.2015	Email sent to PCSO McFadzean updating regarding licensing visit carried out earlier that day.	Email sent - PCSO
08.07.2015	Telephone call received from Licensing Officer Debbie Rimmington at BMBC regarding advice given for scheduled event at venue. Please refer to Kirsty Green's statement for more details.	Telephone call - BMBC
15.07.2015	Telephone call received from Mr Booth to discuss an up and coming gay pride event.	Telephone call - Mr Booth
22.08.2015	Assault at the venue. It was reported that a female had been hit with a bottle and received a cut to the head. Please refer to Kirsty Green's statement for more details.	Assault
26.08.2015	Licensing visit with Ann Gallagher following incident on the 22.08.2015. Please refer to Kirsty Green's statement for more details.	Licensing Visit - LEO
31.08.2015	Telephone call received from PCSO McFadzean regarding complaints that she had received from Bamsley Interchange and Youth Services. Please refer to PCSO McFadzean's statement for more details.	Telephone call-PCSO
02.09.2015	Licensing visit with Debbie Rimmington regarding complaints received in connection with the underage nights at the venue. Please refer to Kirsty Green's statement for more details.	Licensing Visit - LEO

18.09.2015	Email received from Inspector Mitchell regarding concerns raised by PCSO Alison Wales in connection to a recent underage foam party at the venue. Please refer to PCSO Wales statement for more details.	Email received - Inspector
18.09.2015	Telephone call made to Mr Booth to bring to his attention the concerns raised by PCSO Wales following the recent foam party. Please refer to Kirsty Green's statement for more details.	Telephone call - Mr Booth
01.10.2015	Email received from PCSO McFadzean regarding observations made outside Hot Spot on the 30.09.2016. Please refer to PCSO McFadzean's statement for more details.	Email - PCSO
05.10.2015	Telephone call made to Mr Booth to bring to his attention concerns raised by PCSO. Please refer to Kirsty Green's statement for more details.	Telephone call - Mr Booth
05.10.2015	Email sent to PCSO McFadzean updating her regarding my conversation with Mr Booth earlier that day.	Email - PCSO
14.10.2015	Licensing visit in relation to Pubwatch and enquiries made regarding sexual entertainment licence. Please refer to Kirsty Green's statement for more details.	Licensing Visit - LEO
16.10.2015	18 <sup>th</sup> Birthday party at venue. Reports made to Police of fighting and disturbance. Please refer to Kirsty Green's statement for more details.	Reports to Police
19.10.2015	Licensing visit with Debbie Rimmington to discuss incident on the 16.10.2016. Please refer to Kirsty Green's statement for more details.	Licensing Visit - LEO
19.10.2015	Telephone call received from Mr Booth, regarding the venue hosting the rearranging the birthday party that was closed down on the 16.10.2016. Please refer to Kirsty Green's statement for more details.	Telephone call received - Mr Booth
19.10.2015	Telephone conversation with Mr Booth with further discussions regarding the 18 <sup>th</sup> birthday party. Please refer to Kirsty Green's statement for more details.	Telephone call - Mr Booth
20.10.2015	Telephone call made to both Premise Licence Holder Mr Christopher Palmer and Mr Booth asking them to make contact so that I could obtain details for the DPS.	Telephone call - Mr Palmer & Mr Booth
20.10.2015	Telephone call received from another licensee in the Town Centre, regarding the event on the 16.10.2015 and to bring to my attention threats on social media. Please refer to Kirsty Green's statement for more details.	Telephone call - Town Centre DPS
20.10.2015	Telephone call with Mr Booth, regarding the rearranged 18 <sup>th</sup> birthday party and to bring to his attention concerns raised by another licensee. Please refer to Kirsty Green's statement for more details.	Telephone call - Mr Booth
20.10.2015	Telephone call made to DPS Mr John Linacre, in connection with the rearranged 18 <sup>th</sup> birthday party. Please refer to Kirsty Green's statement for more details.	Telephone call - DPS



20.10.2015	Telephone call received from Mr Linacre who confirmed that the 18 <sup>th</sup> birthday party had been cancelled. Concerns raised with Mr Linacre. Please refer to Kirsty Green's statement for more details.	Telephone call - DPS
20.10.2015	Text message received from Mr Booth advising that the event was '100% not going ahead'.	Text – Mr Booth
30.10.2015	Licensing visit as part of Op Tandem. No issues identified.	Visit - Op Tandem
04.11.2015	Telephone call made to Mr Booth in connection with another arranged foam party. Meeting arranged. Please refer to Kirsty Green's statement for more details.	Telephone call – Mr Booth
06.11.2015	Licensing visit as part of Op Tandem. No issues identified.	Visit - Op Tandem
07.11.2015	Licensing visit as part of Op Tandem. No issues identified.	Visit - Op Tandem
09.11.2015	Licensing visit with Debbie Rimmington to discuss forthcoming events at the venue. Also discussed 18 <sup>th</sup> birthday party that had been rearranged. Please refer to Kirsty Green's statement for more details.	Licensing Visit – LEO
10.11.2015	Spoke with Mr Linacre to raise concerns regarding cancelled party being allowed to go ahead and to discuss forthcoming underage foam party. Please refer to Kirsty Green's statement for more details.	Telephone call - DPS
10.11.2015	Email sent to Town Centre PCSO and LPT response team to advise regarding forthcoming underage foam party at the venue.	Email - SYP
17.11.2015	Telephone call made to Mr Booth to obtain details for forthcoming derby football game. Also requested notification of all events.	Telephone call – Mr Booth
19.11.2015	Information received from PCSO McFadzean regarding a 'private party' at the venue that weekend. Please refer to PCSO McFadzean's statement for more details.	Email - PCSO
21.11.2015	Licensing visit on Op Tandem. Venue was closed voluntarily upon the request of the acting Inspector due to problems with anti-social behaviour, underage drinking and staff struggling to cope with customers at the event. Please refer to T/Inspector Andrew Norton's statement for more details.	Visit - Op Tandem
23.11.2015	Licensing visit with Mr Linacre, Mr Booth, Mr Palmer and Debbie Rimmington. Action Plan discussed and reviewed. Please refer to Kirsty Green's statement for more details.	Licensing visit - LEO
24.11.2015	Telephone call made to Mr Linacre advising that I had yet to receive an email regarding forthcoming events, therefore requesting him to send me details.	Telephone call- DPS
24.11.2015	Email received from Mr Booth detailing forthcoming events, including a 19 <sup>th</sup> birthday party on the coming Friday and a 16 <sup>th</sup> birthday party on a Saturday in December.	Email – Mr Booth

24.11.2015	Telephone call received from Debbie Rimmington who advised of further concerns that had been brought to her attention for the event that was held on the 20.11.2015.	Telephone call - BMBC
24.11.2015	Telephone call made to Mr Linacre to discuss forthcoming events and to arrange a follow up meeting. Please refer to Kirsty Green's statement for more details.	Telephone call - DPS
24.11.2015	Telephone call made to Mr Palmer to confirm attendance at scheduled meeting the following day, to discuss further concerns that had been brought to our attention.	Telephone call - PLH
24.11.2015	Email sent to Mr Linacre reiterating request regarding details for security and supervision. In addition, I also requested that should any underage event take place, that they inform me of what safeguarding provisions they have in place.	Email - DPS
25.11.2015	Email received from Debbie Rimmington regarding concerns raised by the security staff that were working on the night of the 20.11.2015, which were discussed the previous day.	Email - BMBC
25.11.2015	Licensing visit with Debbie Rimmington, Mr Palmer and Mr Linacre. Discussed further concerns raised and action plan reviewed and signed. Please refer to Kirsty Green's statement for more details. Action Plan Exhibit KG 1.	Licensing Visit - LEO
25.11.2015	Text sent to Mr Linacre in relation to birthday party at the weekend. Please refer to Kirsty Green's statement for more details.	Text - DPS
26.11.2015	Email received from Mr Linacre detailing forthcoming events.	Email - DPS
27.11.2015	Telephone call received from Mr Linacre asking for advice regarding acceptable forms of ID.	Telephone call - DPS
27.11.2015	Licensing visit as part of Op Tandem. No issues identified.	Visit - Op Tandem
28.11.2015	Licensing visit as part of Op Tandem. No issues identified.	Visit - Op Tandem
29.11.2015	Minor breach of the peace at venue, with two males refusing to leave. Please refer to Kirsty Green's statement for more details.	Incident
30.11.2015	Telephone call made to Mr Linacre, to ask for an update from over the weekend.	Telephone call - DPS
03.12.2015	Email received from Mr Linacre with details for forthcoming weekend.	Email - DPS
07.12.2015	Email received from Mr Linacre with details for forthcoming weekend.	Email - DPS
08.12.2015	Email sent to Mr Linacre asking for more details for the forthcoming weekend in relation to supervision.	Email - DPS

15.12.2015	Email received from Mr Linacre with details for forthcoming weekend.	Email - DPS
15.12.2015	Telephone call made to Mr Linacre in connection with a college party that was being held at the venue. Please refer to Kirsty Green's statement for more details.	Telephone call - DPS
16.12.2015	Telephone call made to Mr Palmer to raise concerns regarding the scheduled college party. Please refer to Kirsty Green's statement for more details.	Telephone call - PLH
16.12.2015	Several telephone call conversations exchanged with the DPS to further discuss the college party. Please refer to Kirsty Green's statement for more details.	Telephone call - DPS
16.12.2015	Telephone call made to Mr Palmer to reiterate conversations with Mr Linacre and amendments made to event. Please refer to Kirsty Green's statement for more details.	Telephone call - PLH
16.12.2015	Email sent to Mr Linacre requesting more details for scheduled college party, asking for expected numbers or the capacity to which they were working towards for staffing.	Email - DPS
17.12.2015	Copied into email sent from BMBC to Safeguarding Worker at Barnsley College. Please refer to Debbie Rimmington's email for more details. Exhibit KG 2.	Email - BMBC
18.12.2015	Email received from Mr Linacre advising that there would be eight security staff working for the college party and working to expected numbers of 600.	Email - DPS
25.12.2015	Incident at venue. Please refer to Kirsty Green's statement for more details.	Incident
04.01.2016	Telephone call made to Mr Linacre regarding incident on the 25.12.2015. Please refer to Kirsty Green's statement for more details.	Telephone call - DPS
05.01.2016	Telephone call made to Mr Linacre to arrange meeting. DPS advised regarding event that he had cancelled on the 02.01.2016 due to it being a breach of the action plan. Please refer to Kirsty Green's statement for more details.	Telephone call - DPS
05.01.2016	Telephone call made to Mr Palmer asking to attend an arranged meeting to discuss concerns in relation to an event on the 02.01.2016.	Telephone call - PLH
05.01.2015	Email sent requesting visit to venue on Op Tandem to ensure premise are compliant with action plan.	Email sent - SYP
06.01.2016	Email received from PCSO McFadzean regarding event on the 02.01.2016. Please refer to PCSO McFadzean's statement for more details.	Email - PCSO
11.01.2016	Licensing meeting with Mr Linacre, Mr Palmer LEO Manager Benita Mumby and Debbie Rimmington. Discussed beach of action plan, which	Licensing Visit - LEO

	occurred on the 02.01.2016. Please refer to Kirsty Green's statement for more details.	
11.01.2016	Additional meeting held with Benita Mumby, Mr Palmer and Mr Booth. Please refer to Benita Mumby's statement for more details.	Visit – LEO manager
13.01.2016	Email received from PCSO McFadzean regarding concerns highlighted to her in connection with the venue. Please refer to PCSO McFadzean's statement for more details.	Email - PCSO
13.01.2016	Email requesting licensing visit on Op Tandem. No issues identified.	Email - SYP
15.01.2016	Licensing visit as part of Op Tandem, however venue appeared closed.	Visit – Op Tandem
16.01.2016	Text sent to Mr Palmer asking for a follow up meeting on the 18.01.2016, to establish if any legal advice had been sought following our meeting on the 11.01.2016.	Text - PLH
16.01.2016	Licensing visit as part of Op Tandem. No issues identified.	Visit – Op Tandem
18.01.2016	Contact made with Mr Palmer to rearrange meeting that was scheduled for the 18.01.2016. Meeting rearranged for the 25.01.2016.	Text - PLH
20.01.2016	Email received from Mr Linacre with details for forthcoming weekend.	Email - DPS
23.01.2015	Licensing visit on Op Tandem. No issues identified.	Visit – Op Tandem
25.01.2016	Meeting with Mr Palmer and Debbie Rimmington. Please refer to Kirsty Green's statement for more details.	Meeting with PLH
26.01.2016	Telephone call made to Mr Palmer who advised regarding a meeting that he had with Mr Booth the previous day. Please refer to Kirsty Green's statement for more details.	Telephone call - PLH
27.01.2016	Telephone call received from Mr Linacre apologising for not notify of all events that they had scheduled at the venue.	Telephone call - DPS
27.01.2016	Email received from Debbie Rimmington advising that there was no record of a Helen Warren working at BMBC. Please refer to Kirsty Green's statement for more details.	Email - BMBC
27.01.2016	Email from Street Pastors detailing an incident on the 20.11.2015 where they visited Hot Spot. Please refer to Kirsty Green's statement for more details.	Email – Street Pastors
28.01.2016	Email received from DPS with details for forthcoming weekend.	Email - DPS
30.01.2016	Licensing visit on Op Tandem whereby underage were identified inside the venue. Please refer to PC Matthew Mitchell's statement for more details.	Visit – Op Tandem

01.02.2016	Email received from Mr Linacre regarding a cancelled event due to host being underage. Please refer to Kirsty Green's statement for more details.	Email - DPS
01.02.2016	Telephone call received from Mr Linacre advising me about further breach of the action plan that had taken place on the 30.01.2016. Please refer to Kirsty Green's statement for more details.	Telephone call - DPS
01.02.2016	Text messages exchanged with Mr Palmer to arrange to meet with him later that day to discuss a further breach of the action plan.	Texts - PLH
01.02.2016	Email sent to PC Mitchell requesting more details for the visit on the 30.01.2016.	Email - PC
01.02.2016	Meeting with Debbie Rimmington and Mr Palmer to advise regarding second breach of action plan. Please refer to Kirsty Green's statement for more details.	Licensing visit - LEO
02.02.2016	Email received from PC Mitchell with further details of visit on the 30.01.2016. Please refer to Kirsty Green's statement for more details.	Email - PC
02.02.2016	Email sent to LPT Inspector and Sargent requesting a visit to be carried out at the venue on the 07.02.2016 due to birthday party being cancelled.	Email - SYP
03.02.2016	Email received from Mr Linacre with details for forthcoming weekend.	Email - DPS
03.02.2016	Email sent to Mr Linacre requesting further details for weekend, asking for expected numbers.	Email - DPS
04.02.2016	Email received from Mr Linacre regarding expected numbers for the forthcoming events.	Email - DPS
06.02.2016	Licensing visit on Op Tandem. Please refer to Kirsty Green's statement for more details.	Visit – Op Tandem
07.02.2016	Licensing visit carried out as part of Op Tandem. Venue was closed.	Visit – Op Tandem
08.02.2016	Email received from Mr Linacre DPS advising that he had removed himself as DPS.	Email - DPS
10.02.2016	Telephone call received from new Mr Craig Allott and meeting arranged. Please refer to Kirsty Green's statement for more details.	Telephone call - DPS
12.02.2016	Licensing visit carried out as part of Op Tandem. No issues identified.	Visit – Op Tandem
13.02.2016	Licensing visit carried out as part of Op Tandem. No issues identified.	Visit – Op Tandem
15.02.2016	Meeting with new DPS Mr Craig Allott. Please refer to Kirsty Green's statement for more details.	Meeting – LEO
15.02.2016	Text message received from Mr Allott regarding forthcoming weekend.	Text - DPS

16.02.2016	Meeting with Benita Mumby to discuss next course of action for Hot Spot. Please refer to Benita Mumby's statement for more details	Meeting – LEO Manager
16.02.2016	Email sent from Benita Mumby to Mr Palmer regarding option of varying their licence. Follow up telephone call from Mr Palmer. Please refer to Benita Mumby's statement for more details.	Email & call - PLH
17.02.2016	Emails sent between Benita Mumby and Mr Palmer regarding additional conditions and CCTV document. Please refer to Benita Mumby's statement for more details.	Email - PLH
17.02.2016	Telephone call made to Mr Allott. Mr Allott notified that Mr Booth would be taking a 'back step' in the running of the venue. Please refer to Kirsty Green's statement for more details.	Telephone call - DPS
17.02.2016	Telephone call received from another licensee to notify me of an event planned at the venue on the 26.02.2016. Please refer to Kirsty Green's statement for more details and promotional adverts Exhibit 3 & 4.	Telephone call – town centre licensee
17.02.2016	Telephone call made to Mr Allott in relation to the event on the 26.02.2016. Please refer to Kirsty Green's statement for more details.	Telephone call - DPS
18.02.2016	Email sent from Benita Mumby to Mr Palmer. Please refer to Benita Mumby's statement for more details.	Email - PLH
19.02.2016	Email sent from Benita Mumby to Chris Palmer. Please refer to Benita Mumby's statement for more details.	Email - PLH
19.02.2016	Licensing visit carried out as part of Op Tandem. No issues identified.	Visit – Op Tandem
22.02.2016	Licensing visit with Debbie Rimmington. Mr Allott updated regarding improvements made and advised new scheduled event for the 26.02.2016. Please refer to Kirsty Green's statement for more details.	Licensing Visit - LEO
23.02.2016	Telephone received from Town Centre licensee regarding the event on the 26.02.2016. Please refer to Kirsty Green's statement for more details.	Telephone – town centre licensee
23.02.2016	Telephone call made to Mr Allott to advise regarding information received from another licensee. Please refer to Kirsty Green's statement for more details.	Telephone call - DPS
26.02.2016	Text message received from Mr Allott advising regarding details for weekend and to advise that strippers had been cancelled.	Text - DPS
29.02.2016	Telephone call made to Mr Allott to arrange meeting. Please refer to Kirsty Green's statement for more details.	Telephone call - DPS
01.03.2016	Text sent to Mr Allott requesting an email be sent to notify of all events.	Text - DPS
02.03.2016	Text sent to Mr Allott requesting details for forthcoming weekend.	Text - DPS
02.03.2016	Text message received from Mr Allott advising regarding details for weekend and to cancel meeting.	Text - DPS

02.03.2016	Email sent to Mr Allott requesting further details following his text.	Email - DPS
04.03.2016	Email received from Mr Allott detailing further details for events as requested.	Email - DPS
04.03.2016	Passed Test Purchase operation. Please refer to Kirsty Green's statement and PC Paul Carpenter's statement for more details.	Test purchase
05.03.2016	Telephone call made to Mr Allott to discuss test purchase operation. Please refer to Kirsty Green's statement for more details.	Telephone call - DPS
09.03.2016	Telephone call made to Mr Allott to request details for forthcoming weekend and arranged meeting on the 14.03.2016. Please refer to Kirsty Green's statement for more details.	Telephone call - DPS
11.03.2016	Text message received from Mr Allott with details for forthcoming weekend.	Text - DPS
14.03.2016	Text message received from Mr Allott to cancel scheduled meeting that day. Please refer to Kirsty Green's statement for more details.	Text - DPS
14.03.2016	Text sent to Mr Allott regarding cancelled meeting. Please refer to Kirsty Green's statement for more details.	Text - DPS
14.03.2016	Telephone call received from Mr Allott regarding rescheduling meeting. Please refer to Kirsty Green's statement for more details.	Telephone call - DPS
17.03.2016	Answer machine message left for Mr Allott regarding arranging visit. Please refer to Kirsty Green's statement for more details.	Telephone call - DPS
23.03.2016	Telephone call received from Debbie Rimmington with an update regarding action taken by Health & Safety at BMBC.	Telephone call - BMBC
23.03.2016	Contact made with an outreach and engagement worker from Addaction who raised concerns in connection with Hot Spot.	Telephone call - Addaction
24.03.2016	Answer machine message left for Mr Allott asking him to make contact. Please refer to Kirsty Green's statement for more details.	Telephone call - DPS
27.03.2016	Email received from outreach and engagement worker from Addaction regarding concerns at Hot Spot. Please refer to Kirsty Green's statement for more details. Exhibit 5.	Email - Addaction
27.03.2016	Incident involving a 16-year-old female at the venue. Please refer to Kirsty Green's statement for more details.	Incident
30.03.2016	Telephone call made to Mr Allott to discuss incident on the 27.03.2016. Also discussed further breaches of the action plan and arranged a meeting for the 04.04.2016.	Telephone call - DPS





**BETWEEN**

**SOUTH YORKSHIRE POLICE**

Complainant

**and –**

**Hot Spot (Whispers), Regent Street  
DPS – Craig Allott  
PLH – Springchoice Leisure Ltd**

Respondent

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**WITNESS STATEMENT OF**

**Kirsty Green**

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I am a Licensing Enforcement Officer, employed by South Yorkshire Police currently based at Barnsley. I have been in my current role since June 2010. I have been Investigating incidents that have occurred at Whispers formally known as Hot Spots, Barnsley on behalf of South Yorkshire Police. In addition to the statements of Licensing Manager Benita Mumby, T/Inspector Andrew Norton, PC Matthew Caines, PC Matthew Mitchell, PC Paul Carpenter, PCSO Alison Wales and PCSO Katherine McFadzean, the following matters have come to the attention of South Yorkshire Police.

1. On the 27<sup>th</sup> May 2015, licensing visit carried out with BMBC Licensing Officer Ann Gallagher. Spoke with Mr Phillip Booth to advise that they were not licensed to open, as they did not have a DPS in position and a closure noticed that had been served previously for this same reason was still in place. Advised that they needed a DPS and to have all the necessary paperwork completed before they could open again. Whilst at the venue I queried staff training, to which we were advised that they were in the process of putting together a list of policies and

procedures. Despite Mr Booth stating that all his staff were experienced, I advised that he must complete at the minimum, some in-house training with them and set out his expectations/requirements that were specific to his venue. I advised that I would send through some documents that he could use for training his staff on licensing issues and some relevant posters. I also spoke about challenge 25, refusal logs, ejection logs and an incident book/log. Discussed under 18's events and the lower age limit that Mr Booth was going to put in place. Initially Mr Booth stated that he was thinking of 10-17 years old, however we recommended against this, stating that we felt 10 years old was too young and that it might be more appropriate to have the minimum age at 14. We asked how he was going to regulate entry, to which he stated that he was looking at a membership scheme and that children could only be a member if their parents approved it. We stated that although this was a good idea, he would still need to check their ages, as parents may approve regardless of their age, which was not appropriate. We advised that they would need a male and female member of security, as for under 18 events searches needed to be gender specific. I stated that all bags would need to be searched upon entry and that toilet checks would need to be completed, with a policy in place instructing staff what to do with confiscated items. It was explained that they would need to complete a risk assessment prior to the event and that there would need to be a member of staff present throughout the event that had an enhanced CRB check. I advised that they would need to have policies and procedures in place to deal with anyone vulnerable and a designated room to hold anyone deemed as vulnerable while the necessary action was taken ie first aid. I enquired what time the events would run, to which Mr Booth advised that it would be 6-9.30pm. Ann also directed him to Safeguarding on the Barnsley Gov website, where she advised that there were helpful documents that may assist him with the events. I enquired regarding his

- student nights and asked what ages he was appealing to, to which Mr Booth stated that these would be strictly over 18s only.
2. On the 17<sup>th</sup> June 2015, email received from PCSO Katherine McFadzean regarding parties that were being advertised aimed at 14-18 year olds every Monday and Thursday at Hot Spots.
  3. On the 18<sup>th</sup> June 2015, licensing visit by Licensing Officer Michelle Hudson and Ann Gallagher. New DPS was in place, so closure notice removed.
  4. On the 22<sup>nd</sup> June 2015, licensing visit with BMBC Licensing Officer Debbie Rimmington following email received from PCSO on the 17.06.2016. We reiterated to Mr Booth what had been discussed on a previous visit, that an age range of 14-17 for underage events would be more appropriate, to which Mr Booth stated that he was happy with. We explained that aiming an event at this age group would be easier to manage due to no alcohol being available. Mr Booth stated that he was still trying to establish a membership scheme and that when this was completed he wanted to introduce a card scanning system, which would show a picture of the individual and hold all their details on file, he hoped that this would be up and running by mid-July. Mr Booth queried his licence and whether if he held a 'private party' he had to stick to his licence and conditions that were stipulated, to which we confirmed that he did. We also advised that similar procedures for underage events would need to be in place for 18<sup>th</sup> birthday parties, due to potentially vulnerable people being present once again.
  5. On the 8<sup>th</sup> July 2015, telephone call received from Debbie Rimmington who advised that she had spoken with Mr Booth, who had made some queries regarding having a BBQ at the front of the premise. Mr Booth was advised that the premise licence did not allow off sales, therefore no drinks would be allowed onto the front of the property, and that the area must be sectioned off to stop customers spilling onto Regent Street and the highway.

6. On the 22<sup>nd</sup> August 2015 at 02:24, a report was made to Police of an assault at the venue. It was detailed that a male had approached a female at a charity event and when she had her back to him, he had hit her over the head with the bottle. This had smashed causing a cut on the top of her head and the female required hospital treatment. This incident was crimed, however, there was no CCTV at the location and no independent witnesses that were able to provide a description of the male suspect, therefore police were unable to locate the offender and the compliant was closed.
7. On the 26<sup>th</sup> August 2015, licensing visit with Ann Gallagher following the incident on the 22.08.2015. Mr Booth advised that it was not a glassing as rumours had stated, as they were operating with fully polycarbonate all night. Mr Booth explained that two females were engaged in an altercation, resulting in security staff intervening and ejecting them outside. He went on to explain that a male had then approached a female at the bar and punched her to the side of the head. This resulted in her hitting her head on the bar side and cutting her head open. Mr Booth stated that after this incident, the event was closed down and everyone was asked to leave. Upon inspection of their incident log, it became apparent that neither incident was recorded. Therefore, advice given to both Mr Booth and his head doorman, who was present at the time, regarding the importance of completing their incident log. I also stressed that they should be completing a refusal and ejections log to show their due-diligence. Mr Booth gave assurances that this would be done. In addition, I also stressed that it was best practise to brief all security staff prior to them working and to keep a written record of this. Mr Booth advised that because of this incident it had become evident that their camera system was not adequate; therefore, replacement cameras would be installed before the weekend, which would record for 28 days.
8. On the 2<sup>nd</sup> September 2015, licensing visit with Debbie Rimmington. Spoke with Mr Booth regarding complaints received from Youth Services of drunken youths

entering the venue. I advised that PCSO's had also received complaints from the interchange that on his youth nights they had seen an increase in drunken youths loitering and causing a nuisance. Mr Booth asked our opinion on employing a member of security staff to monitor Mandela Gardens before the venue opened, to establish who was drinking to ensure they were refused entry. We advised against this and stated that we did not feel that it was appropriate. We explained if youths were in Mandela gardens then they were not on the boundaries of their premise, therefore security were not carrying out front line duties by refusing or restricting entry. I enquired if he had a briefing sheet yet for his security staff detailing their duties and to give instruction of where management would like them to be positioned. I explained that this would be discussed with security at the beginning of their shift and the sheet signed to demonstrate that they understood. He advised that he did not, however would ensure that they had one in place for the forthcoming event. I asked if all security were linked via radio, to which he confirmed that they were. He explained that one member of security staff remained at the front of the venue to observe the children as they arrived and directed them to the side entrance, where they were asked for ID and had their bags checked. I recommended improved communication between security staff, as complaints had been received that youths were entering despite being visibly intoxicated. Mr Booth stated that he would reinforce this. He advised me regarding an incident that had occurred the previous week, whereby a female had collapsed in the toilets and later admitted drinking before entering the venue. I stressed that was why it was so important to ensure that checks were being completed on the youths to ensure, as much as they were capable, that they were not intoxicated before entry. I asked to see the incident log for this incident only to be advised there was not one. I stressed as I had done the previous week the importance of completing an incident log as well as a refusals and ejections log. Mr Booth advised of an underage foam party that was scheduled to be on a

Friday. We advised against an underage event being held on a Friday night and Mr Booth agreed to move the event to a Thursday.

9. On the 18<sup>th</sup> September 2015, email received from Inspector Julie Mitchell regarding information from PCSO Alison Wales raising concerns in connection with a recent foam party at the location. For more information please refer to PCSO Alison Wales statement.
10. On the 18<sup>th</sup> September 2015, spoke with Mr Booth regarding the issues raised from the foam party the previous night. Mr Booth advised that all in attendance were supervised and a number of teenagers were spoken to about getting changed, due to underwear being clearly visible through their clothing. He stated that most had brought a coat, towel or change of clothes and parents collected the majority of those attending. However, he stated that he was aware that approximately 6 youths did wander off towards the Town Hall and another group made their way to the bus station.
11. On the 1<sup>st</sup> October 2015, email received from PCSO McFadzean, regarding observations made outside Hot Spot on the 30.09.2015. Please refer to PCSO McFadzean's statement for more information.
12. On the 5<sup>th</sup> October 2015, telephone call made to Mr Booth to raise the concerns that PCSO McFadzean that brought to my attention. Mr Booth advised that he had a gaming session on upstairs that day with Xbox competitions and that the area had been sectioned off; with their own separate entrance/exit to get upstairs. Mr Booth stated that he was aware of the group outside; alleging that the young male had a relative that was frequenting down stairs so had gone outside to speak with him. However, Mr Booth stressed that this was only for a short period and that the young male was not drinking at any point. Mr Booth stated that he had been present all day and had been monitoring the youths who had they gone outside.

13. On the 14<sup>th</sup> October 2015, licensing visit at Hot Spot to discuss Pubwatch. Mr Booth asked if there would be any objection if he were to apply for an adult entertainment licence. I advised that I would suspect that it would be met with objections due to him hosting weekly underage events in the venue.
14. On the 16<sup>th</sup> October 2015 at 22:25, Police received a call reporting large groups of people fighting outside the location. At 22:31, Police received a further call from a taxi driver stating that it was 'all kicking off at the location, no cars can get down. Big fight going on, seems to be a big riot going on; bouncers will not be unable to cope with it'. 'Approximately 50 people in the crowd'.
15. On the 19<sup>th</sup> October 2015, I carried out a licensing visit with Debbie Rimmington. Spoke with Mr Booth regarding problems at the party on the 16.10.2015, also present were two security staff who worked on the night in question. Mr Booth stated that initially they were advised that the party would only be 100-150 people therefore; they only had 2-security working, with bar staff. I advised that even if there were only 150 people at the event, I did not feel that two security staff was adequate for an 18<sup>th</sup> birthday party, with the potential problems that can arise when dealing with underage. Mr Booth advised that there were two fights in the bar that security struggled to deal with. Explaining that one member of security was dealing with a female who was unwell and being sick in the toilets and the other was dealing with another matter inside. I advised I had concerns over insufficient security cover and made comment that a designated member of staff should have been dealing with the two matters mentioned. I queried who their first aider was, to which I was informed that it was a member of staff, but he was 'swamped on the bar'. Mr Booth was advised that his and his staff's first priority should be to the welfare of injured/unwell customers, leaving the bar to other staff members. It was stressed that better policies should have been in place so that staff knew their responsibilities i.e. to administer first aid and what to do in an emergency. The security staff present explained that another fight started inside

that then continued outside, resulting in large groups exiting the venue to watch on the street. They explained that it was at this point that the Police were called and the venue had been closed. I advised that there was clear lack of management at the event, and that either he or the DPS should have been present to make decisions and ensure that people carried out their duties. We advised Mr Booth that if expected numbers were 100-150, then the event should have been capped at this figure to enable the correct ratio of staff to customers. It was stressed that it was the venues responsibility to manage their own customers and ensure that they have adequate measures to do so. I explained that them closing the event with no warning of the problems, led to 300+ people on the street with the majority underage and nowhere to go, thus having a negative impact on other venues in town also. Mr Booth advised he had asked the security company for additional staff, only to be told that there was none available. He went on to say another licensed premise had four security staff working who were 'doing nothing'. I stressed that it was their responsibility to ensure that they had the correct number of security and staff working for an event and not to rely on others to offer support. I explained that to remove security staff from another venue, who had deemed it necessary to have that level of security present, could potentially have left them vulnerable. I stressed that I was extremely concerned due to the basic procedures and measures that were either not in place or were over looked for the event. I asked to see their incident log, of which it detailed two incidents inside and the large fight outside, however there was no mention of the female unwell in the toilets or the other matter that the other member of security was dealing with. I explained that all incidents needed to be logged regardless of how small or large. Mr Booth asked his security who were present to 'take on board what we had discussed'. I advised Mr Booth that it was managements responsibility to give direction to security and bar staff as to what policies to



enforce. It was reiterated regarding briefing of security staff and the importance of written evidence of this, to which Mr Booth stated that he understood.

16. On the 19<sup>th</sup> October 2015, telephone call received from Mr Booth. He said due to the 18<sup>th</sup> birthday party being cut short the previous weekend, he had offered the girl an opportunity to hold the party again, at the venue, this weekend. Mr Booth went on to say that he felt bad that the event had been closed down, meaning that the girl had been unable to celebrate her birthday and felt responsible for the problems that occurred. I advised that there were many issues at the premise, for which some the event holder was also accountable for, especially as it was her guests that had caused the fighting and problems in the first instance.
17. On the 19<sup>th</sup> October 2015, telephone call with Mr Booth who stated that he had spoken with the girl who had assured him that the party would only be for close family and friends. I had my reservations regarding the attendees and reminded Mr Booth that her previous assurance was that it would be only 100-150 people attending the party on the 16.10.2015. I advised I could foresee the same people attending the event with similar problems occurring and potential repercussions following the last incident. I stressed to Mr Booth that I would strongly advise them against holding this event again.
18. On the 20<sup>th</sup> October 2015, telephone call received from another Town Centre licensee regarding the event that had taken place at Hot Spot on the 16.10.2015. They stated that they had heard that it was taking place again and that threats had been made on Facebook about 'smashing the place up', with people implying that they would go looking for individuals that were involved in the fighting the previous week.
19. On the 20<sup>th</sup> October 2015, telephone call received from Mr Booth. I advised Mr Booth regarding the information received from the licensee that I had spoken with and the threats that they had seen on social media sites. Mr Booth stated that he was aware of this, as he had seen several comments himself on Facebook. I

queried the rationale behind the event still being allowed to go ahead. I stressed that if he let the event go ahead, he did so being fully aware of the threats that had been made on social media and the problems that having the same group of individuals together could have. Mr Booth stated that he understood what I was saying, however 'at the end of the day we are a nightclub and need to remain in business'. I stated that although I acknowledged this, they needed to ensure that they were running the venue safely and responsibly. Mr Booth advised that he would be holding a meeting that night with DPS, Directors, Mr Palmer, himself and other interested parties to establish if the event should go ahead or not. I advised Mr Booth that other licensees were extremely concerned regarding this event being held and potential problems reoccurring. I stated that as his decision had an impact on the rest of the Town Centre; it was important that a decision was made quickly so that other licensees could be made aware, to enable them to get additional resources in place. I asked Mr Booth to notify me of their decision as soon as one had been made, to which he assured me that he would do. I requested once more the contact details for the DPS.

20. On the 20<sup>th</sup> October 2015, telephone call made to DPS Mr John Linacre, who advised that he was currently in a meeting to decide whether the 18<sup>th</sup> birthday party should go ahead. Mr Linacre advised that he had with immediate effect, enforced that no under 18s were allowed in the venue on any Friday or Saturday nights, stating 'it is a night club and needs to be treated as one'. He stated that should under 18s wish to frequent the venue, then this must be done on the designated nights.

21. On the 20<sup>th</sup> October 2015, further call from Mr Linacre who informed me that the event had been cancelled for this forthcoming weekend, stating that it would be advertised on their website that it was business as usual. I raised concerns with Mr Linacre that had been highlighted the previous day with Mr Booth in connection with the event on the 16.10.2015, regarding lack of security and staff

present on the night, no policies and procedures outlining roles and responsibilities and the fact that neither Mr Booth nor himself were present. Mr Linacre stated that he understood and had already had a meeting with Mr Booth to address some of the issues that I had raised. I asked if additional training would be given, to which he stated that they had recently had a change of staff, so training would be reviewed.

22. On the 20<sup>th</sup> October 2015, text message received from Mr Booth advising that the event was '100% not going ahead'.

23. On the 4<sup>th</sup> November 2015, telephone call made to Mr Booth who advised that he had an underage foam party on the 12.11.2015. Mr Booth advised that in order to gain entry people must have a change of clothes and a towel; in addition, there would be a monitored changing area. A meeting was arranged to discuss this and another scheduled event.

24. On the 9<sup>th</sup> November 2015, a licensing visit was carried out with Debbie Rimmington. Discussed forthcoming 'rave' event and plans in place with event organiser. Mr Booth was also present and again discussed the 18<sup>th</sup> birthday party that was closed down on the 16.10.2015. He advised that following the event he had removed both the security staff that had been working that night. He went on to say that, he felt that they were largely responsible, due to various 'bad calls' that they had made throughout the night, which ultimately in his opinion led to the event being closed down. I stated that although the door staff had to take some responsibility for the failing of the event, I stressed that lack of management was a major contributing factor. I stressed that the security staff were making decisions that were not in their remit and should have been made by either the DPS or another member of staff with delegated authority. I stated that this did not happen nor where expectations set out to them prior to the event-taking place i.e. to cap the event at 150 people, which I stressed again, was a failing by management. I queried if the 18<sup>th</sup> birthday party had been rescheduled, to which

Mr Booth stated that it had and alleged that he had told me of this. I stressed that the last conversation I had with him both Mr Linacre and himself was them informing me that the event was cancelled, with a text message received from him stating that the event '100% not going ahead'. I stressed that at no point had I had any further discussions with either him or Mr Linacre in connection with this birthday party, nor was I notified that this was going ahead. We advised that following our meeting on the 19.10.2015, further information had come to light that the wristbands were being distributed by the female whose birthday it was. I stated that as a result numerous underage were being served in the venue, to which Mr Booth stated that this had also been brought to his attention. Debbie also advised that a complaint had been received that drugs were being openly taken inside the club at the tables. We discussed the forthcoming foam party. Mr Booth stated that he had stipulated that attendees must bring a change of clothes, to prevent such problems that occurred at the last event. Initially Mr Booth stated that there would be lockers available for belongings, however it became evident that there were not enough lockers for the numbers expected to attend and no plan in place to resolve this. Discussed processes in place for changing areas for both males and females after Mr Booth initially stated that 80 females could use the ladies toilets to change. Upon inspection of the toilets and the small number of cubicles present, it was deemed that the toilet was only suitable for approximately 15 females.

25. On the 10<sup>th</sup> November 2015, spoke with Mr Linacre to relay concerns that I had discussed with Mr Booth the previous day in connection with the 18<sup>th</sup> birthday party. Mr Linacre advised that Mr Booth had assured him that I was aware and had been notified of the rescheduled 18<sup>th</sup> birthday party. Discussed the foam party and the problems highlighted with belongings, to which Mr Linacre came up with a solution. Mr Linacre stated that he would be having a meeting with Mr Booth and would ensure that I was notified of all up and coming events.

26. On the 17<sup>th</sup> November 2015, telephone call made to Mr Booth to obtain details for forthcoming derby football game, to establish opening times and number of security working. I also requested that he send me details of all up and coming events.
27. On the 21<sup>st</sup> November 2015, email received from T/Inspector Andrew Norton regarding event at Hot Spot on the 20<sup>th</sup> November. Please see T/Inspector Andrew Norton's statement for more details.
28. On the 23<sup>rd</sup> November 2015, licensing visit carried out with Debbie Rimmington, also present was Mr Christopher Palmer, Mr Linacre and Mr Booth, to discuss the incident on the 20.11.2015. I advised Mr Booth that I had spoken with him only last week and requested that he send me details of all up and coming events, however I stated that despite this I was unaware of the birthday party on the 20.11.2015. Mr Booth alleged that he had told me about this when I had contacted him for details in connection with a forthcoming football game. I stressed that when I had spoken with him he had informed me of a party that was taking place after the football match; however, there had been no mention of any party that was scheduled for the 20.11.2015. Mr Booth, Mr Linacre and Mr Palmer were advised that there were issues with wristbands once again. Explaining that police had reported that a female member of staff, who appeared to be extremely intoxicated, was issuing the bands from behind the bar and that the wristbands were being swopped amongst customers. In addition, it was reported that people over the age of 18 were purchasing drinks and then passing them on to people who were underage. Mr Booth alleged that the female member of staff that we were referring to was off duty and had taken it upon herself to go behind the bar. He alleged that as soon as staff were aware of what she was doing she had been removed. Initially Mr Booth informed us that only security staff were issuing wristbands, therefore we queried how the member of staff had possession of the bands and why they were behind the bar. Mr Booth stated that

the wristbands had not been stored in a secure location; therefore, 'someone must have got hold of them'. Upon inspection of the wristbands, there were clear flaws in the design as they could easily be removed and re-sealed. At this, Mr Booth then said that he had other bands that were of better quality and asked that we try these. Again, we were able to remove the band and reseal it, demonstrating that the bands could have been passed between customers of all ages in order for them to purchase an alcoholic drink. It was queried whether people were still being challenged at the bar despite the wristbands being used, to which Mr Booth alleged that they were. Therefore, we asked to see their refusals log, to which he stated that it had not been completed on the night. We asked who was responsible for challenging customers with alcoholic drinks whilst they were inside the venue, to ensure that they were old enough. Mr Booth alleged that he had asked his security staff to do this. We asked if he had briefed his security staff prior to them starting work and had these instructions documented, to which Mr Booth stated that he had nothing to confirm that a briefing had taken place. It was queried with Mr Booth why he had failed to carry out a briefing, as this had been discussed previously on more than one occasion. As it was evident that their refusals, ejection and incident log had not been completed, Mr Palmer asked if the toilet checks had been completed, to which Mr Booth demonstrated that these had not been done since July 2015. We asked who was supervising on the night in question, to which Mr Booth stated that he was. Therefore, it was stressed that it was his responsibility to ensure that the logs were being completed and that checks were being carried out on the door. However, it was pointed out that ultimately the responsibility lie with Mr Linacre as the DPS and Mr Palmer as the Premise Licence Holder. Mr Palmer stated that some youths may have already have been intoxicated upon entry and that they 'could only do as much as they could'. We advised that this was correct, however it was evident that the wristbands were not at all effective, that bar staff (whether

they were working or not) were issuing bands and could have been serving to underage. We went on to say that there was no evidence that challenges were being carried out to people upon purchasing an alcoholic drink, nor that any challenges were taking place randomly inside the venue. We asked if people were being searched upon entry to ensure that they were not smuggling in alcoholic drinks. Mr Booth alleged that his security staff had been asked to do this, however again he was unable to provide any proof that these were his instructions. Mr Booth, Mr Linacre and Mr Palmer were asked why underage had been allowed into the venue when Mr Linacre had previously enforced that Friday and Saturday nights were strictly 18+. Mr Booth stated that it was a 'private party' and that underage had been allowed into the venue until 23:30, but that the party was booked until 03:00. Mr Palmer stated that he felt that the party should not have been allowed to continue until that time and both Debbie and I stressed we felt that 23:30 was too late for underage to be in the venue, especially given that it was a Town Centre premise. I asked what provisions they had in place to ensure that any underage got home safely, as we stated that they could not guarantee that a bus service was still operating at that time. Their response being that they felt that it should be down to the individuals parents to ensure that they got home safely. We stated that this could not be relied upon, explaining that they had an element of responsibility to underage frequenting their venue. Mr Booth alleged that there were 700+ customers present for the party. I advised that expecting all under 18s to leave the party at 23:30 was a naive expectation, due to their only being 6 security staff working and a number of staff. We asked Mr Booth, Mr Linacre and Mr Palmer how they had intended to eject all underage from the venue when they were amongst a large crowd of people, to which there was no response. Mr Booth stated that he had spoken with the Police Officer who had given them time to correct the situation as he felt that he had it under control. Mr Booth went on to say that, it was when the Inspector arrived that the event

was closed down, despite Mr Booth still feeling that they had it under control. I stressed that the Officer who had attended initially had given him some time in order to try to resolve the problems; however, upon his return, with no improvement he had altered the Inspector. I explained that ultimately the Inspector did not have confidence in the management or staff when he frequented the premise and felt that the only option would be for the venue to close, which was done voluntarily. I stressed that this was not done lightly and would have been a last resort. Mr Palmer asked what impact this had, to which I advised that this resulted in Police resources being extremely stretched and left numerous individuals underage vulnerable in the Town Centre in the early hours of the morning. It was also highlighted that a number of underage had then gone into the Town Centre and had tried to gain entry into other licensed premises, which had then caused problems for other venues. I informed them that this was the second birthday party in a month that had been closed either by the venue or upon the request of the Police because staff/management were unable to cope or manage the customers present. We advised that due to continuous problems and safeguarding concerns at the venue, we would be placing them on an action plan. All points of the action plan were discussed and agreed except the point of 'over 18s only on Friday and Saturday nights'. Their concern being that this action did not leave them able to cater for functions. It was agreed that another meeting would be arranged and that we would discuss this point further after consideration.

29. On the 24<sup>th</sup> November 2015, telephone call made to Mr Linacre to enquire if he was aware of the arranged event for the coming Friday. Mr Linacre stated that he had only been made aware of the event within the last 30 minutes during a meeting with Mr Booth. I asked who had taken the booking to which Mr Linacre confirmed that it was Mr Booth. I queried why Mr Booth was taking such bookings without consultation with himself. Mr Linacre assured me that he had advised Mr



Booth that it was over 18s only to the event and that everyone must produce identification upon entry. Advice given regarding capacity and ratio of security staff. Further meeting arranged to discuss additional concerns that had been raised from the event on the 20.11.2015. I advised Mr Linacre that a licensing visit would be carried out at the weekend and officers would be challenging anyone that they felt were underage. Also advised that the email that I had received lacked information.

30. On the 25<sup>th</sup> November 2015, licensing visit with Debbie Rimmington also in attendance was Mr Palmer and Mr Linacre. PS Simon Booth was also present initially to obtain the CCTV footage from the 20.11.2015. However, it became apparent that the CCTV was of little or no use. The cameras were of very poor quality with no date stamp and were only focused on the bar areas. It also became evident that neither Mr Booth nor Mr Linacre knew how to use the system, with the possibility that the CCTV had not even recorded as the footage appeared to keep jumping back. Debbie highlighted all the new allegations that had been brought to her attention since our initial meeting on the 23.11.2015. Mr Linacre stated that he was currently reviewing the policies and procedures that were in place at the venue. Debbie advised that at present they were in breach of conditions on their premise licence due to the quality of the CCTV. The points on the action plan were agreed and the action plan signed by Mr Linacre. Mr Palmer stated that although initially he had not agreed that Friday and Saturday nights should be 18+ only, he now agreed that this was the only way that they could safeguard anyone under the age of 18. Stating that through the facts and hearsay information that had been relayed to them, it was evident that they were unable to manage events with mixed ages. Mr Palmer asked Mr Linacre if the youths were searched upon entry to ensure that they were not smuggling their own alcohol in. Mr Linacre stated that he was not sure of this and would speak with security staff to ensure that the necessary checks were completed. Mr Palmer asked how the

security staff were not at fault for losing control of the event at the weekend. Debbie advised that the security staff had accepted some responsibility, however they had stressed that there was no direction or management from supervisors, staff were failing to do their jobs and had been abusive to security staff when they had tried to enforce things. Advice was given regarding the forthcoming birthday parties now the action plan was signed and appropriate times were discussed should the event take place during the day. Please see Exhibit KG1 for Action Plan.

31. On the 25<sup>th</sup> November 2015, text message sent to Mr Linacre recommending that should the birthday party take place on Saturday that it end at 17:00, which would allow two clear hours before people would start frequenting the night time economy.
32. On the 29<sup>th</sup> November 2015, minor breach of the peace identified at the venue by Police with customers refusing to leave. No issues after Police intervention.
33. On the 15<sup>th</sup> December 2015, telephone call made to Mr Linacre in connection with a college party scheduled for the 20.12.2015. Advised that although they had measures in place for the event, I did not feel that the times of the event were appropriate for minors in attendance. I advised that 01:30 for the event to be closed was too late for a 16 year old frequenting a Town Centre venue, especially as the only means of getting home, should a lift not be available, would be a taxi, as there would be no buses at that time. Mr Linacre stated that it should be down to the parents to be responsible enough and pick them up. I advised that we had discussed this previously, stressing that this could not be relied upon. Mr Linacre stated that he was aware that 16 year olds frequented the Town Centre, therefore did not see it as an issue. I advised that I was not denying that underage tried to gain entry into licensed premises, however that was why security staff were employed and relevant checks completed at the bar to prevent them from entering and being served. I explained that in this instance they were inviting

underage to frequent their venue and attend the event. Therefore, they had an element of responsibility for the minor's welfare.

34. On the 16<sup>th</sup> December 2015, telephone call made to Mr Palmer to discuss concerns regarding the college party. Mr Palmer was advised that Debbie Rimmington was also present and that he was on loudspeaker. Mr Palmer advised that he had spoken with Mr Linacre and Mr Booth and felt that closing at 00:00 was a good compromise. We stressed that we still felt that this was too late due to lack of public transport at this time. Mr Palmer stated that he did not feel it was fair that we were placing all the responsibility on themselves as a venue to ensure that the individuals got home ok. We explained that they were inviting underage into their premises for the event; therefore, they had a duty of care to ensure that there were adequate means for the children to get home safely. It was suggested that they contact the college due to this being a 'college run' event as Mr Booth had advised, to ask what measures they have or will be putting in place, due to concerns raised from both BMBC and SYP. Mr Palmer stated that he would do this, as it was not financially viable to close the event at 22:30. We advised that this was not our request. We explained that our concerns were with the time that under 18s were permitted inside the venue. Mr Palmer stated that they were 16/17 and not young children, to which we explained that they were still minors and classed as children until they were 18 years old. Mr Palmer stated that upon entry everyone would be asked to look at the CCTV that is now installed at the entrance, so that everyone's image was captured upon entry. We advised that at present we did not have any concerns regarding security measures, but with the times that underage were allowed into the venue. Mr Palmer stated that he would speak with Mr Linacre and ensure that the college were contacted and then would get back to us.
35. On the 16<sup>th</sup> December 2015, further telephone call received from Mr Linacre. Mr Linacre was advised that Debbie Rimmington was also present on loudspeaker at

the time of the call. Mr Linacre advised that he and Mr Booth had had a meeting and had reviewed the event and had now agreed to close at 00:00. We advised that we felt 00:00 was still too late. Mr Linacre stated that they had put everything in place that they could, i.e. wristbands, security and had employed a personal licence holder to be present at the event; therefore, they did not feel that they could do anymore. I advised that the reason that the venue had been placed on an action plan was ultimately because of parties that were not controlled that had mixed ages in attendance. We asked Mr Linacre why the event was being held so late and why it could not be started earlier to allow under 18s to attend and leave at an appropriate time, with the event then continuing for over 18s. At this, Mr Linacre did not comment and stated that the event was going to go ahead regardless.

36. On the 16<sup>th</sup> December 2015, further telephone call received from Mr Linacre who advised that he had discussed the event further with Mr Booth and had agreed that under 18s would be allowed into the venue until 23:00. However, anyone that was able to prove that they had safe means of getting home, such as a lift from their parents or a taxi, would be allowed to stay. We asked Mr Linacre how they were going to regulate this and check this information, i.e. to contact their parents or taxi companies. At this, Mr Booth stated that he would personally make contact even if it were required for 200 people. It was stressed that this would be extremely time consuming and hard to manage and enforce, to which Mr Linacre agreed. We advised that we had spoken with Mr Palmer and discussed contact being made with the college, to ask if they had put any measures in place to ensure student safety, with them requesting the event for the times specified. Therefore, we recommended that Mr Linacre do this and get back to us once again.

37. On the 16<sup>th</sup> December 2015, telephone call received from Mr Linacre who advised that someone from the student union had requested the event, therefore

was not something that had been requested from the college itself, as we had previously been instructed. Mr Linacre advised that they were happy to change the times with the event now starting at 19:30 with under 18s being asked to leave the venue at 22:30.

38. On the 16<sup>th</sup> December 2015, telephone call received from Mr Palmer who reiterated the changes for the event on the 20.12.2015. I confirmed that I was happy with the reviewed opening times.
39. On the 17<sup>th</sup> December 2015, I was copied into an email from Debbie Rimmington to the Safeguarding Officer at Barnsley College, bringing to their attention the event on the 20.12.2015. Please refer to Debbie Rimmington's email for more information. Exhibit KG2.
40. On the 25<sup>th</sup> December 2015 at 04:28, report to Police from male stating that he had been assaulted at the venue and had received minor bruising. A crime was recorded; however, the complainant then did not wish to pursue the matter.
41. On the 4<sup>th</sup> January 2016, telephone call made to Mr Linacre to advise regarding incident on the 25.12.2015. Mr Linacre stated that he had not been made aware of the incident, however would check paperwork. Mr Linacre advised that the venue would be closing shortly for a few weeks for improvement work and would ensure that we were notified of any events. Mr Linacre also advised that he would soon be removing himself as DPS from the premise licence.
42. On the 5<sup>th</sup> January 2016, telephone call made to Mr Linacre to arrange to visit to review the remaining action points on the action plan. Whilst on the phone Mr Linacre informed me that over the festive period he had to pull an event that Mr Booth had organised for his birthday on the 02.01.2016. Mr Linacre explained that the party was for both under and over 18s and had been scheduled to start at 18:00. Mr Linacre also advised that Mr Booth had been working with the female again who was underage that had caused problems at the previous events, stating that she had been promoting this event on her Facebook site. I advised Mr

Linacre that to hold the event would have been a breach of their action plan, as Friday and Saturday nights were strictly 18+. Mr Linacre stated that he understood this, which is why he had pulled the event. Mr Linacre again informed me that he would be leaving the venue shortly, stating that he did not feel in full control at the premise and was not prepared to risk his licence.

43. On the 6<sup>th</sup> January 2016, email received from PCSO McFadzean regarding the event on the 02.01.2016. For more information please refer to PCSO McFadzean's statement.

44. On the 11<sup>th</sup> January 2016, I attended a meeting at Hot Spot in attendance was Mr Linacre, Mr Palmer, Debbie Rimmington, and Licensing Manager Benita Mumby. We advised the purpose of our visit was to review the action plan and discuss breaches that had taken place. I advised regarding the information that had been given to me from PCSO McFadzean. Mr Linacre stated that he had cancelled the event on that night, however was aware that a private party was taking place but with 18+ only in attendance. I stressed that the event on the 02.01.2016 was a clear breach of the action plan, as the party was held on a Saturday. I explained that there had been a further breach of the action plan, as it specified that all planned events had to be authorised by the DPS. However, as Mr Linacre stated that he cancelled the event, it clearly went ahead without his knowledge. Mr Palmer stated that he had seen Mr Booth on the night in question at 21:00 and he had asked him specially if he had anything planned at Hot Spot and whether there would be any underage present. Mr Palmer stated that Mr Booth informed him that there was a party planned, but that no underage would be there. It was queried why an hour and half previous Mr Booth had confirmed with PCSO McFadzean that underage would be allowed into the event and would have their hand stamped upon entry? Mr Palmer queried whether the underage that would be present would be Mr Booth's family members. Mr Palmer was advised that the youths that were spoken with at the bus station were known to the Police and

there were no known family links to Mr Booth. I stressed that I had specially requested that an email be sent prior to any event taking place, notifying me of what the event was, how many people were expected, who was in charge at the event and the number of security staff employed. I stated that I had not received an email at any point notifying me of the event on the 02.01.2016, which was another breach of the action plan. Mr Palmer was also advised that we had received information that the female who had been previously linked to underage in the venue, had again being promoting events for the premise, specially this one on her Facebook website. We advised that at a previous meeting we had been assured that she had nothing to do with the premise anymore and was no longer employed. Mr Linacre confirmed that he had not instructed this female to carry out any promotional work and had not re-employed her. We asked Mr Palmer and Mr Linacre whether Mr Booth could have asked her to carry out promotional work for the venue, to which they stated that they did not know. We asked Mr Linacre and Mr Palmer if Mr Booth was aware of the action plan, to which Mr Linacre stressed that he was fully aware of what was expected of them and had seen the action plan. We asked what Mr Palmer intended to do to alleviate our concerns with Mr Booth and the management of the venue. Mr Palmer stated that he could not commit to what action he intended to take at present, as he would have to seek legal advice as to what he was permitted to do with the lease that he had entered into with Mr Booth. The remaining points on the action plan were reviewed and training logs that had been completed with staff were inspected. Debbie and I were shown the CCTV and it was recommended that they review the positioning of some of the cameras, as the cameras behind the bars did not capture any customers, just staff. It was also recommended that they have a camera positioned on the dance floor.

45. On the 11<sup>th</sup> January 2016, small additional meeting held with Mr Booth, Mr Palmer and Benita Mumby. Please see Benita Mumby's statement for more details.
46. On the 13<sup>th</sup> January 2016, information received via email from PCSO McFadzean, in connection with information that she had received from a nominal at the bus station. Please see PCSO McFadzean's statement for more information.
47. On the 25<sup>th</sup> January 2016, meeting with Debbie Rimmington and Mr Palmer. Mr Palmer was asked where he was presently with Hot Spot and whether he had yet sought legal advice. Mr Palmer advised that he did not need to seek legal advice to know that should he serve Mr Booth with an eviction notice, then he would 'come back with a compensation claim'. Mr Palmer alleged that Mr Booth had spent over £70,000 so far on improvement work in the venue, therefore he would be seeking compensation for this should he ask him to leave. Mr Palmer stated that following the meeting two weeks ago and the subsequent meeting that involved Mr Booth, Benita and himself, he had 'told' Mr Booth that the young female was banned from the venue. Mr Palmer was advised that even if she was banned from the venue, which would prevent her from gaining entry, then this did not prevent her from still being employed or promoting events at the venue. I advised that I had received some information from PCSO McFadzean after she had spoken with a male at the bus station. I stated that this male had confirmed that they organise events with this said female for Hot Spot and that there is regularly underage in the back room, alleging that Mr Booth had told them that Police had approved this. Mr Palmer stated that he was aware of underage being present on the 02.01.2016, as it had been discussed during the separate meeting that had taken place with Benita Mumby, with Mr Palmer stating that Mr Booth had 'near enough admitted that underage had frequented the venue on that night'. I discussed the 'dance classes' that were being held at the venue on



Friday's for children and adults and asked for more details, enquiring as to what ages they were aimed at. I advised that neither Mr Booth nor Mr Linacre had included this event in their email that I had requested they send of all up and coming events as per the action plan. Mr Palmer stated that he was not aware of such an event and would need to speak with Mr Booth about it. It was explained that the action plan stated that it was strictly 18+ on Friday and Saturday nights, therefore we would have expected, even out of courtesy, an email advising us of the event that was being held. Debbie advised Mr Palmer that she had a meeting with their BMBC Safeguarding team and further enquiries were being made. Mr Palmer asked if it would be possible to have photos of the underage youths that were frequenting the venue, so that door staff could refuse them entry. I advised that SYP would not be able to supply such information due to them being minors. Mr Palmer asked why PCSOs were not walking up to their venue to advise that there were underage in the Town Centre and who to look out for. We advised that this was an unrealistic expectation, and stressed that it was not the PCSO's responsibility to alter all licensed premises to underage that were in the Town Centre. Debbie also stressed the circumstances for this venue were different, in that these individuals were being allowed into the premise and were being invited, for example the event that took place on the 02.01.2016. Mr Palmer stated that there were some very good fake IDs being used at present. At this we agreed, explaining that as long as a venue had done everything in their power to ensure that the ID that was being presented was legitimate, then they would not be held responsible. Mr Palmer advised that in several weeks the DPS would be changed over to Mr Booth's partner. Concerns were raised in connection with this in relation to communication and compliance, as it was outlined that evidence suggests that at present Mr Booth does not abide by the action plan that has been put in place. Mr Palmer stated that this would be something that we would need to address with her. We assured him that as soon as she was in position

then we would have a meeting, but until then she was not technically connected to the venue. Mr Palmer stressed that he had a meeting with Mr Booth who had assured him that there would be no further events being held, where there would be a mixture of ages in attendance. Debbie asked him to confirm this once again, to which Mr Palmer reiterated once more that there would be no further events with mixed ages (over and under 18 year olds). I advised Mr Palmer that if this was the case then this was incorrect. I advised that I had been instructed by Mr Linacre via email that on the 07.02.2016 they would be hosting an 18<sup>th</sup> birthday party, expecting 150 people of which 30 of whom would be underage. Mr Palmer did not comment other than to state that this was not a breach of their action plan. We agreed that this was not a breach; however, it did go against Mr Booth's assurance that he had made with him, of no further events with mixed ages in attendance. Debbie discussed with Mr Palmer an enquiry that BMBC had received regarding the venue applying for a sexual entertainment licence, to which Mr Palmer confirmed that it was not something that he was currently looking into.

48. On the 26<sup>th</sup> January 2016, telephone call made to Mr Palmer. Mr Palmer was advised that Debbie Rimmington was also present at the time of his call and that he was on load speaker. Mr Palmer advised that he had a meeting with Mr Booth after he had spoken with us the previous day. Mr Palmer explained that he had been present whilst Mr Booth had tried calling and subsequently texted the young female advising her that, 'she was no longer allowed into the venue or connected to the premise, therefore did not want her to promote any further events at the venue'. Mr Palmer stated that he had also spoken with Mr Booth regarding the male who had spoken with the PCSO regarding promoting events at the venue and asked if it was their DJ. I informed Mr Palmer that it was not the same male that I had referred to the previous day. Mr Palmer went onto say that this DJ was 17 years old and he had been told that he was no longer welcome to work at the

venue. Mr Palmer stated that he had been discussing the underage events with Mr Booth, who had advised him that present throughout all the events was a Helen Warren, who was employed by BMBC and was 'something to do with Safeguarding'. We advised that we were not aware of this female, however Debbie stated that she would make enquiries. It was also queried whether this female had been present on the events where underage had been drinking and when the events had to be closed due to loss of control, to which Mr Palmer stated that he was not sure. Mr Palmer stated that he had discussed the dance classes with Mr Booth who informed him that the children's section of the class had attracted 10 children aged below 10 years old, all of whom were accompanied by their parents. The age range was again queried as to whether it was aimed at under 10's, open to all ages or whether there was a cap on the age, to which Mr Palmer did not know the answer to.

49. On the 27<sup>th</sup> January 2016, email received from Debbie Rimmington informing me that she had checked all three BMBC internal databases and asked the Safeguarding Officer for the Local Authority, and found no record of a Helen Warren working for the authority.
50. On the 27<sup>th</sup> January 2016, email received from the Street Pastors detailing their report over the festive period. It was noted that 'On the 20.11.2015 at 22:50 they arrived at 'Hot shots'. (I suspect that this should say Hot Spot, due to name reference and location given) a large crowd of very young people in Eastgate at the back entrance to hot shots. There were lots of 15/16yr olds drinking alcohol and smoking. There were younger children there as well. Spoke to door staff and a 'manager' who confirmed that there was a mixture of under and over 18 year olds. It was a private party. They didn't appear concerned that there was under-age drinking, but clearly some of the children would be getting drunk. We spent a lot of time at hot shots, as it happened it didn't get too bad, more security staff turned up and some youngsters were even refused entry.'

51. On the 30<sup>th</sup> January 2016, licensing visit carried out as part of Op Tandem at 2300hrs. For more information, please see PC Matthew Mitchell's statement.
52. On the 1<sup>st</sup> February 2016, email received from Mr Linacre advising me that the event on the 07.02.2016 had been cancelled and that the venue will not be open that night. Mr Linacre stated that Mr Booth had pulled the event after further checks highlighted that the girl would be 17 and not 18 years old.
53. On the 1<sup>st</sup> February 2016, telephone call received from Mr Linacre, who advised that he had been made aware by Mr Booth of a party that was held at the venue on Saturday where someone under the age of 18 attended. Mr Linacre advised that Mr Booth had alleged that this was just one female who was 16, who was accompanied by both her parents and remained with them throughout the night and left with them. However, Mr Linacre advised that he had stressed to Mr Booth that this was a clear breach of their action plan. I agreed that this was a breach of the action plan, stating that I had been made aware of the incident and advised that I had emailed the officer who visited for more details. I advised that I had already spoken with Debbie Rimmington and had arranged to visit Mr Palmer to discuss the further breach and how we were now going to proceed. At this point Mr Linacre stated that he wanted his name off the licence; therefore, advice was given of how he could do this.
54. On the 1<sup>st</sup> February 2016, licensing visit with Debbie Rimmington to meet with Mr Palmer. We advised Mr Palmer that there had been another 'private party' held at the venue, where underage had again being identified. Mr Palmer stated that he was aware of this and Mr Booth had assured him that this was one female who was accompanied by her parents throughout the evening. We advised Mr Palmer that it was irrelevant how many underage were present, the fact that there was any present was a breach of their action plan. Debbie also advised that she had checked their systems for a Helen Warren, the name that Mr Booth had supplied as the member of staff who worked the underage events. Debbie explained that

despite searches made through all BMBC databases and further enquiries with Safeguarding, there was no one known by that name who works for BMBC. At this, Mr Palmer contacted Mr Booth, who confirmed once again that the females name was Helen Warren, to which Debbie reiterated that there was no one working for BMBC with that name connected to safeguarding. Mr Palmer asked if the 18+ on Friday and Saturday nights applied to any other venue in the Town Centre, to which it was confirmed that no other venue had such conditions, because other venues were not on an action plan due to issues identified with underage. We advised Mr Palmer that we were left with no alternative but to apply for a review of the licence. We explained that the action plan had been put in place in November, with a breach a month later. We stressed that with a second breach now taking place, it meant that the action plan was clearly not working; therefore, we were left with no alternative but to complete papers to review the premise.

55. On the 2nd February 2016, email received from PC Matthew Mitchell informing me that there were approximately 3-4 underage present in the private party area of the venue. He stated that they did appear to be supervised by their parents; therefore, he did not feel that it was appropriate to ask for their details at that time.
56. On the 6<sup>th</sup> February 2016, licensing visit as part of Op Tandem. Checks were completed; however, it became apparent that the security briefing had not been completed/signed since 2<sup>nd</sup> and 3<sup>rd</sup> of January 2016.
57. On the 8<sup>th</sup> February 2016, email received from Mr Linacre advising that he had removed himself as DPS from the venue.
58. On the 10<sup>th</sup> February 2016, telephone call received from Mr Craig Allott advising that he was the new DPS for the venue and a meeting was arranged for the 15.02.2016.

59. On the 15<sup>th</sup> February 2016, licensing meeting with Debbie Rimmington and Mr Allott. Mr Allott advised that the standard of the paperwork and the running of the business was very poor, explaining that there was no licensing knowledge and or acknowledgement of any rules or regulations that needed to be in place for any ideas that they had for the venue. Mr Allott advised that he had reviewed files to find that there was no training inside and when he had questioned staff on a basic challenge policy there was no basic knowledge, therefore he intended to implement his own training with staff. We updated Mr Allott with the problems at the venue and the incidents that had led to the action plan being implemented and the subsequent breaches since. We explained that at present we were preparing papers for an application to review the premise licence, to which Mr Allott stated that he fully understood.
60. On the 17<sup>th</sup> February 2016, telephone call made to Mr Allott, to make him aware of some training that was available from Phoenix Futures. Mr Allott advised that he had had a further meeting with Mr Palmer, who had agreed that the premise would be run under his instruction and that Mr Booth would be taking a back step in the running of the venue.
61. On the 17<sup>th</sup> February 2016, telephone call received from another licensee who advised that they had received a promotional advert for an event at Hot Spot on the 26.02.2016, 'Venus Special Dance Troupe'. Please see Exhibit 3 and 4.
62. On the 17<sup>th</sup> February 2016, telephone call made to Mr Allott to advise regarding event on the 26.02.2016. Mr Allott stated that he was not aware of any such event and would need to address this the following day. Advert sent through to Mr Allott via email.
63. On the 22<sup>nd</sup> February 2016, licensing visit with Debbie Rimmington. Spoke with Mr Allott who advised that he had now appointed a bar manager and bar supervisor, with the belief that this would install more accountability amongst staff. He also advised that he is currently putting together all the training

documents for his staff and had created individual training logs. Mr Allott stated that the event on the 26.02.2016 had been cancelled; however, there was a Romanian night scheduled and they had booked two strippers. Mr Allott went on to advise that they now had an events book, where all events had to be recorded, stressing that should an event not be in the book then this would not take place. Mr Allott advised that at present all under 18s had to be out of the venue by 7pm and that underage events were currently under 'negotiation'. Mr Allott stated that he had noticed a number of underage trying to gain entry into the venue, however he had witnessed both security and staff refusing them service. Mr Allott advised that he had now ceased employment with the 17 year old DJ, explaining that he had attended the venue again last Friday, assuming to start work, to which he was asked then to leave.

64. On the 23<sup>rd</sup> February 2016, telephone call received from another Town Centre licensee advising that they had received yet another prompt for the event on the 26.02.2016 with further graphic images displayed on the advert.
65. On the 23<sup>rd</sup> February 2016, telephone call made to Mr Allott to advise regarding telephone call received from another licensee. Mr Allott advised that the promoters were advised the previous week to take down all such advertising. Mr Allott advised that he had tried searching however had been unable to find anything on social media. Advice given to monitor.
66. On the 29<sup>th</sup> February 2016, telephone call made to Mr Allott to arrange a meeting that week. Mr Allott advised that he had cancelled the event at the weekend, as he was 'not happy with how it was being run'. Meeting arranged for the 02.03.2016.
67. On the 2<sup>nd</sup> March 2016, text message received from Mr Allott detailing events for weekend as requested and to cancel scheduled meeting that day.
68. On the 4<sup>th</sup> March 2016, test purchase operation carried out at the venue. The volunteers managed to enter at the door and approach the bar. A male employee

behind the bar picked up a glass initially to serve the volunteers, but was then prompted to complete an age check by another member of staff present. ID was then requested and the volunteers were refused service. Please see PC Paul Carpenter's statement for more details.

69. On the 5<sup>th</sup> March 2016, telephone call made to Mr Allott to discuss the test purchase operation carried out the previous night. Mr Allott advised that it was his bar manager that was initially going to service the minors before another member of staff intervened. Mr Allott advised that he would be addressing this with his bar manager.
70. On the 9<sup>th</sup> March 2016, telephone call made to Mr Allott to request details of forthcoming events. Mr Allott advised that he had gone through all the documentation again with his bar manager following the test purchase operation. A visit was also arranged for the 14.03.2016.
71. On the 14<sup>th</sup> March 2016, text message received from Mr Allott to cancel the arranged meeting.
72. On the 14<sup>th</sup> March 2016, after failed contact with Mr Allott, text message sent advising that I was unavailable Tuesday or Wednesday, therefore the meeting would have to be that day as scheduled.
73. On the 14<sup>th</sup> March 2016, telephone call received from Mr Allott, who advised that he would be unable to make the meeting, therefore it was agreed that Michelle Hudson would make contact and arrange to visit either Thursday or Friday.
74. On the 17<sup>th</sup> March 2016, answer machine message left with Mr Allott by Michelle Hudson asking him to make contact to arrange meeting for that day.
75. On the 24<sup>th</sup> March 2016, answer machine message left for Mr Allott by Michelle Hudson asking him to make contact and to advise regarding the action taken by Health & Safety at BMBC.



76. On the 24<sup>th</sup> March 2016, email received from Outreach and Engagement worker from Addaction/ Immortals Community Engagement Project: Please see email for more details. Exhibit 5.
77. On the 27<sup>th</sup> March 2016 at 23:39, Police received a call to report that a 16 year old had been assaulted inside the venue and had received a punch to the face. The incident has been crimed and is still currently being investigated by Police.
78. On the 30<sup>th</sup> March 2016, telephone call made to Mr Allott, who advised that there did appear to be an improvement with the running of the venue, however, there was still some problems with Mr Booth. An example he gave was that at the weekend they held a children's party at the venue with face painting and a bouncy castle. At this party, Mr Booth then wanted to open up the bar to allow people to purchase drinks, which Mr Allott stated he refused to do. Meeting arranged for the 04.04.2016. I advised Mr Allott that there had been an assault on Bank Holiday Sunday, involving a 16-year-old female, who had attended a 'private party' at the venue. I asked Mr Allot what this 'private party' was, to which he informed me that it was an 18<sup>th</sup> birthday party in the back room. I advised Mr Allott that for the last two weeks, I had failed to receive any notification of any events, which were further breaches of the action plan and I had not been made aware of this event. Mr Allott then alleged that it 'wasn't a party as such but a gathering of the male's friends that were out to celebrate his birthday'. Mr Allott stated that he wanted to look into the matter further and asked if he could call me back in 10 minutes. However, no call was received from Mr Allott.
79. On the 4<sup>th</sup> April 2016, licensing visit with Debbie Rimmington to meet with Mr Allott. Mr Allott introduced us to the new Director at the venue Mr Jamie Griffiths. We asked when this change had taken place, to which we were advised that it was approximately a month ago. We asked what Mr Booth's position was now in the venue, to which we were advised that he was now a consultant and that he was helping run the venue as Mr Griffiths was 'new to this'. We queried with Mr

Griffiths how he had become involved with the venue, to which he advised us that he had been a DJ at the venue on several occasions and 'thought he would give it a go'. I asked Mr Allott if we could inspect this training records, refusal log and incident log. Upon inspection of the training records it became apparent that training had not been completed since December 2015, when we had initially inspected them following the implementation of the action plan. I asked Mr Allott why no further training had been completed with staff, especially after he had stressed on a previous meeting that training and knowledge amongst staff was very poor. I advised that he had assured us some weeks ago that he would be implementing his own training with staff and would be keeping training records. Mr Allott alleged that training had been completed on a one to one basis; however, there was nothing recorded to reflect this. Debbie and I inspected the training that was currently in place from the previous DPS and under the Challenge 21 policy, it quoted that 'privileges' would be given at weddings, birthdays etc. I queried what this meant, especially under the Challenge 21 policy, to which both Mr Allott and Mr Griffiths stated that they did not know. I also queried whether the drugs policy was up to date and being followed, as it made reference to a drugs box, which Mr Allott stated he was unsure if they had one or not. I advised Mr Allott that Debbie and I would carry out a further visit the following week to review all amended policies and procedures and training records. We inspected their refusals log to find that this had been completed. We discussed the details for an event that was scheduled to take place on the 08.04.2016 and Mr Allott advised that they would be using a wristband system. We asked to inspect the bands that would be used. I placed the wristband on Debbie, only for her to rip it off with ease; I was then able to re-seal it on my own wrist. Mr Allott stated that this had 'never happened before' and asked if we could try it again. Another band was placed on Debbie's wrist, however on this occasion she was unable to rip it off without it being apparent that it had been tampered

with. I queried as to why they would use a wristband and not a stamp, as this was not transferable. Mr Griffiths stated that some stamps can be washed off; however, we advised that other venues use very good ink that is water proof that could not be easily removed. Mr Allott stated that he would take this on board and look at using both a stamp and wristbands for future events.

I believe that the contents of this statement are true and I understand it may be placed before the court.

I also understand that the contents of this statement may be shared with agencies working in partnership with the South Yorkshire Police.

Signed.....

Dated



**BETWEEN**

**SOUTH YORKSHIRE POLICE**

Complainant

- and -

**Hotspot (Whispers) Regent Street  
DPS – Craig Allott  
PLH – Springchoice Leisure Ltd**

Respondent

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**WITNESS STATEMENT OF**

**Benita Mumby**

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1. I am the Licensing Manager, employed by South Yorkshire Police currently based at Force Headquarters, Carbrook, Sheffield. I have been in my current role as Licensing Manager for South Yorkshire Police for approximately 4 years. A large part of my role is to liaise with the Licensing Enforcement Officers (LEO) who work across South Yorkshire and provide support and advice where issues are identified within Licensed premises.

Kirsty Green works as an LEO in the Barnsley area and she made me aware of events being advertised at Whispers (FKA Hot Spot), to which under 18's were being actively targeted to attend. Concerns were raised regarding these events and incidents which occurred on the nights of these events, a decision was made to ask the premises to sign up to a Voluntary Action Plan. I am aware that the premises agreed to the actions set out in the plan, and this was signed in November 2015.

A breach, of the plan, occurred and on the 11<sup>th</sup> January 2016, I attended a meeting, at the premises, in company with Kirsty Green and Debbie Rimmington, BMBC LEO.

Also in attendance at the meeting was the Premise Licence Holder Mr Christopher Palmer and the Designated Premise Supervisor Mr John Linacre.

At the beginning of the meeting, I introduced myself and stated that I wished to be open and honest about why I was there. I explained that I was considering a review of the premise licence based on the information I was aware of however I would defer that decision until after this meeting and after consultation with both Kirsty and Debbie. During the meeting, matters were discussed in which Mr Philip Booth had involvement and Mr Palmer asked if it would be beneficial, as Mr Booth was on site, to ask him to clarify some issues. We agreed that myself, and Mr Palmer, would speak to Mr Booth in a separate part of the bar area in order for me to ask about some points raised. Mr Booth advised that he had 'pulled' the party, via social media, which he had organised for 2<sup>nd</sup> January 2016, on 28<sup>th</sup> December 2015. He decided, instead, to hold a private party, on that date, for his friends and family. One of the actions was that door security "shall be briefed upon their responsibilities at the start of their shift...", I asked Mr Booth who briefed security and how. He advised me that Ricardo is the Head door man and he would do that when he came on duty, which was 2000hrs. Door staff were briefed via a letter, at the bar, which outlined recent incidents and/or issues. Mr Palmer asked if anyone could access the bar before 2000hrs, Mr Booth replied yes, the side access would be open and that a doorman would have been there from about 1930hrs, possibly Andy, having his tea. The reason this question was asked is due to reference made in PCSO Katherine McFadzean statement that she had spoken to a member of door staff at approximately 1920hrs on the evening of 2<sup>nd</sup> January 2016.

Mr Palmer queried, with Mr Booth, re underage attending on the night of the private party as Mr Booth had told him, on the night of 2<sup>nd</sup> January 2016, at approximately 2100hrs that no underage would be there. Mr Booth said people could pay £2 to get into the party, that wristbands were issued, as is normal, and that under 18's

attending were known to him. When I asked him who these were, he said "acquaintances and friends of acquaintances", I said this would suggest that he did not know, personally, all the underage who may attend. I also asked him how the door staff would distinguish underage "friends", from members of the public, his reply was "these people would say they are attending his birthday party".

Mr Palmer then said that he had witnessed, from the Lazy Pasta premises, door staff turning people away who looked underage. I feel this is a positive comment however whilst Mr Booth tried to say this was as a result of his good work, I reminded him that this was part of Door security's remit and should be expected as a matter of course.

I then asked Mr Booth why, for a private party, he was charging an entrance fee, he replied that it was to cover his overheads and the drink. I asked him, that if I had attended on the night and paid £2, would I have got in, his reply was "probably".

I pointed out to Mr Booth that paying a fee to get into a party, which was open to the public, would be perceived as an event rather than a private party and with under 18's being allowed to attend, this would then mean that part of the action plan had been breached. This being the action "People only over the age of 18 are to be permitted into the venue on Friday and Saturday nights." Mr Booth's response to this was that with New Year's Eve falling on a week day, he hadn't realised that the 2<sup>nd</sup> January was a Saturday.

Mr Palmer asked Mr Booth if Shannon was still involved with the premises and did she get a financial incentive. Mr Booth assured him that she no longer had anything to do with the premise, that she had been there to try and attract custom e.g. birthday parties. When Mr Palmer asked how old she was, Mr Booth replied "coming up to her 18<sup>th</sup> birthday". I was aware that a young female had had an 18th birthday party at the premise, on 16<sup>th</sup> October 2015, which was stopped due to drunken behaviour and fighting. It transpires that this female was in fact the female whom Mr Booth

stated was coming up to 18 and had been employed, by him, to promote the premise.

Mr Palmer told Mr Booth that because he had breached the action plan, and Responsible Authorities had concerns, he had put him in a difficult position and he would have to consider his next course of action. I told Mr Booth that we were not here to tell Mr Palmer to "get rid of him" as this was his decision however that we were concerned over recent events.

Mr Palmer then asked Mr Booth if he would bring him a cup of coffee. Once Mr Booth was out of earshot, Mr Palmer then asked me what I thought. I said I was happy with the conversation however there were a couple of things to mention. The first being that I felt uncomfortable with Mr Booth actively seeking to attract young people, under 18, to attend events in the premise based within a busy Town centre late at night and did not understand why he was doing this. The second was that, in the current climate around underage drinking and being vulnerable, and the safeguards which would need to be in place, why other options, to attract business, were not considered such as Northern soul nights etc. I said to Mr Palmer that I was happy with the conversation, Mr Booth then came back with Mr Palmer's coffee and our conversation ended. Myself and Mr Palmer then returned to where the others were sat.

Before we left Mr Booth showed me a Facebook page on which he had cancelled the advertised party for 2<sup>nd</sup> January, I advised him that I did not question he had done this and to keep this saved in case he needed to provide it at a later date.

On 16<sup>th</sup> February, I had a meeting with Kirsty during which she advised me that there had been a further breach of the action plan reported, this being underage in the premises on 30<sup>th</sup> January 2016, a Saturday evening. We also discussed whether we had exhausted all possible options before looking to submit papers for a premise



review. One option we looked at was of asking Mr Palmer if he would consider adding extra conditions to the premise licence, namely those actions from the Action Plan along with one specific to Safeguarding.

As I was unable to speak to Mr Palmer on the phone, I sent him an email content detailed below.....

"Morning Chris

I have just tried to ring you however you must be busy and there is no voicemail facility for me to leave a message – hence this email. I have had a meeting with Kirsty and during the meeting the matter of Hot Spot was discussed. I am aware that there has been a further breach of the action plan, regards under age on the premises, and that Kirsty has spoken to you about this. She also says that she has informed you that our next course of action is to take the premise to a review.

Whilst I agree with Kirsty on this, we always look to ensure we have exhausted all other possible solutions/options prior to submitting papers.

An option we would like you to consider is adding conditions to the current licence, namely the actions along with....

"a minimum of one member of staff must be assigned to act as Children's Safeguarder at the premises whenever under 18's are present. This role must be fulfilled in compliance with the guidance and training issued by the Safeguarding Children's Board".

We would also ask that the condition regards CCTV is amended to reflect the system being to SYP spec (information of this would be sent through).

If you would let me know your thoughts on this proposal, I would appreciate it. The best number for me is my office number as my blackberry is with our IT department.

Thanks

Benita"

Mr Palmer then rang me and we discussed this. He said he would speak to Mr Booth and get back to me as to its feasibility. During the phone call, he mentioned that a letter had been sent to Philip, which apparently accused him of 'grooming' young people, that Facebook had comments which made the same accusations, that Philip was angry about this and would be seeking legal advice. The letter, of which I have not had sight, was apparently signed as from "BMBC". At no point in any conversation I have been party to, had the word "grooming" been mentioned and I am confident that neither Kirsty, nor Debbie, would have sent such a letter.

On 17<sup>th</sup> February, I received an email from Mr Palmer advising me that he had spoken to his tenant Mr Booth, that he was 'upset' with the latest breach accusation as the 16/17year old female had been at the premise with her parents. Mr Palmer did say that both he and Mr Booth were "keen to work with all relevant authorities for the benefit of all concerned..."

On the 18<sup>th</sup> February I replied to Mr Palmer's email with the following....

"Chris

I was in a meeting with our legal team yesterday regards another licensing issue however the matter of wording of conditions cropped up. As the Govt are trying to streamline licence conditions to make them less vague, more specific and enforceable, I have been advised to request that the condition regards Fri & Sat nights is amended to read....

"On a Friday and Saturday, all under 18's are to be off the premises by 1900hrs- only 18+ to then be allowed entry to the premises."

This would ensure a consistent approach to these evenings and removes any confusion over any person's perception of what "night" is.

I appreciate you are to speak to Phil regards the proposal however I would respectfully ask if you would let me know what your decision on this would be, by Fri 26<sup>th</sup> Feb 2016. This would give a time frame in which to then expect an amended application if that is the next course of action or whether we would be submitting review papers.

Many thanks  
Benita

To date, 11<sup>th</sup> March 2016, I have not had any communication, from Mr Palmer or any other party associated with the premise, that extra conditions were to be added to the licence.

I also understand that the contents of this statement may be shared with agencies working in partnership with the South Yorkshire Police.

Signed.....

Dated.....11<sup>th</sup> March 2016.....

**WITNESS STATEMENT**

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s. 58

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Statement of PCSO 8303 KATHERINE MCFADZEAN .....

Age If under 18 Over 18 .... (If over 18 insert "over 18") Occupation: PCSO .....

This statement (consisting of 5 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature  (witness) Date: 11-4-2016Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am a Police Community Support Officer within South Yorkshire Police, currently on West LPT stationed at Commerce House, Barnsley.

On Thursday 27<sup>th</sup> August at approx 1900hrs, I was on foot patrol in Barnsley Interchange. At this time, a worker from Targeted Youth Support, approached myself after have found two youths under the influence of alcohol in Barnsley Interchange, one of who had no shoes on. Parents of these youths had to be phoned to collect the children. Also the agency, informed me there was a large amount of youths drunk in the town centre. When approaching unknown youths all stated that they had been into Hot Spot Night Club.

On Wednesday 30<sup>th</sup> September 2015 at approx 1800hrs, I was on patrol in Barnsley Town Centre. At this time, my attention was drawn to a large group of youths gathering outside Hot Spot Night Club, Regent Street, Barnsley Town Centre. I had concerns due to the amount in the group and that the youths ranged in age from 12 years to 20 years. I went to speak with the youths. There was no alcohol seen with under 18s but my concerns were reported to licensing due to the amount of under 18's mixing with over 18's, and the group spilling on to Regent Street.

Signature:  Signature Witnessed by: .....

Continuation of Statement of: PCSO 8303 Katherine McFADZEAN .....

Page 2

Whilst on directed BKRIB patrol on Wednesday 18<sup>th</sup> November 2015 at approx 18:30 I spoke with a 18 year old male who I know and have come in to contact weekly for approx the past 2 years whilst on patrol, outside Bamsley Interchange, Midland Street, Bamsley.

BKRIB patrol is designated multi-agency Child Sexual Exploitation patrol for 2 hours per week.

The 18 year old male informed me that on Friday 25<sup>th</sup> November 2015 he was hiring out Hot Spot Night Club, Regent Street, Bamsley from 2000-0600hrs. The male was hiring it for the purpose of his 19<sup>th</sup> Birthday Party and it would be a private party for the whole venue.

At this time, I had concerns over this male hiring the venue as he is openly a member of the football supporters group, Bamsley Youth Squad.

Also, my other concern was that this male spends majority of his time in and around Bamsley Interchange, Midland Street, Bamsley associating with under 18's. I believed that this party would attract many people who were under 18, and cause issues on Regent Street between Hot Spot Night Club and Bamsley Interchange.

At this time, I reported my concerns to Darren Glover the local tasking officer, my LPT Inspector Julie Mitchell, the local licensing officer and Bus Station Management.

Signature: .....

Signature Witnessed by: .....

2013

RESTRICTED (when complete)

Continuation of Statement of: PCSO 8303 Katherine McFADZEAN .....

Page 3

Whilst on directed BKRIB patrol on Wednesday 18<sup>th</sup> November at approx 18:35 hours, outside Bamsley Interchange, I spoke with a unknown female approx aged 14/15.

The unknown female wanted to speak with me to pass on concerns she had for Hot Spot Night Club.

The unknown female informed Hot Spot Night Club, was holding underage discos on a Monday and Thursday.

She informed me that Hot Spot Night Club was been referred to as 'BFS' which is short for Bald Fanny Club.

The reason for this nickname is that previously children who are In Year 6 of Primary school, aged 10 and 11 years were attending these nights.

The unknown female also stated that if youths looked under age, they were not allowed into the premises however, they would let them stand at the doors and listen to the music.

The unknown female source stated that she had only been a few times. But on the occasions she had been into Hot Spot Night Club she knew that there were 4 female's under the age of 12 in the venue, also with people over 17.

The information was submitted on a NIR and passed onto licensing.

Signature: .....



Signature Witnessed by: .....

2013

RESTRICTED (when complete)

Continuation of Statement of: PCSO 8303 Katherine McFADZEAN .....

Page 4

Whilst on patrol on Saturday 2<sup>nd</sup> January 2016 approx 1730hrs I spoke with a 16 year old girl and a 15 year old girl, both who are known to me,, in Barnsley Bus Station, Regent Street, Barnsley. Both females stated they were off home to get change their clothes so they could attend 'Phil's Party' at Hot Spot Night Club.

At this time, I informed APS Andy Frogatt over the party, he then asked me to pop in and speak with the door men at this location.

At approx 1920hrs I attended at Hot Spot Night Club, and spoke with a male door man at the front doors.

I asked the male door man about a private party been held and he informed me that there was in the back room. Also that underage were to be allowed in with a wrist band, only if they showed ID to prove how old they were.

When I asked for numbers expected and times of the party, the male door man couldn't give me any. At this time, he phoned Phil the manager, further details of Phil are unknown.

I then spoke with Phil on the phone and I informed him that we had intelligence that underage were attending at his venue this evening.

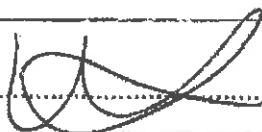
Phil went on to clarify that if 16/17 year olds were attending at Hot Spot Night Club on 25/11/2016 and that they would be allowed in and get a stamp on their hand. There would be two different stamps, one for under 18s and one for over 18s. Phil went on to state that under 18s would be chucked out at 0000.

I then went on to ask Phil if there was a private party and numbers and times for the party.

Phil stated that there wasn't a party and it had been cancelled.

I then went on to explain that I had just spoke with a male door man who just informed me that there was a party. Phil then went onto to say it was actually his private party, because it was his birthday. When asked for further details he was very cagey and refused.

Signature: .....



Signature Witnessed by: .....

2013

RESTRICTED (when complete)

Continuation of Statement of: PCSO 8303 Katherine McFADZEAN .....

Page 5

Whilst on patrol on 12<sup>th</sup> January 2016, at approx 2100 I was speaking with a 19 year old male, who I know, outside Bamsley Interchange, Midland Street, Bamsley.

This male was informing me that himself, and an unknown female, who is believed to be 17/18 years old, were involved in organising the parties at Hot Spot Lounge. The male stated that you were allowed a party for free if you promise that so many people attend at the venue.

The male openly admitted that the back room is full of under 18s on a weekend night, Friday and Saturday. The male stated that Phil the manager, details unknown, allowed under 18s in the back room of the venue. When I challenged the male on this, he stated that the police had agreed to this. The male went on to mention a system of wristbands and stamps to tell the difference between over 18s and under 18s. He also informed me that under 18's would be ask to leave the premises by 0000.

The male stated that a lot of under 18s enter the building via the back door so as not to be seen by the police or members of the public. The male went on to inform me that at times, the front door can be locked but youths can be in the back room. The male also stated that there was a special knook that was used to gain entry to the rear door to be used my under 18s known to the club.

The male went on to state that he worked for Phil, but not properly, he just helps in bringing people to the venue. Once people are in the venue, the male, would be drinking and working at the same time, and all staff are able to do this, the aim to join in and make it fun. The male stated that the good thing about all the underage youths been at Hot Spot Night Club was they were not in the town.

Signature: ..... Signature Witnessed by: .....

2013

RESTRICTED (when complete)





**WITNESS STATEMENT**

CJ Act 1967, s.9 MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

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Statement of Allison Wales PCSO 8256 .....

Age if under 18 Over 18 .... (If over 18 insert "over 18") Occupation: PCSO .....

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature ..... Date: Tuesday 15<sup>th</sup> March 2016...Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am a Police Community Support Officer in South Yorkshire Police currently stationed at Commerce House, Westgate, Barnsley with West 1 LPT.

At approximately 20.30hrs on 17<sup>th</sup> September 2015 I was in full uniform on lone foot patrol in Barnsley town centre. At this time I became aware of a large number of young females, under the age of 16, wandering around Regent Street scantily clothed and wet through. The children did not have any dry outer garments and were shivering with the cold. Some of the clothing had become see through and their bodies clearly visible beneath. When asked, they informed me that they had attended a foam party at the Hot Spot club on Regent Street. None of the children I spoke too had coats or dry clothes with them and had not arranged to be collected by parents. I asked where they were going and what they would be doing and was informed by most that they were going around town to look for something to eat.

A short while after seeing the children on Regent Street, some were seen and again spoken to in Peel Square. Their clothing was still wet and see through, and they were all shivering with the cold. Another group was seen around the Interchange on Eldon Street

Signature: ..... Signature Witnessed by: .....

Continuation of Statement of: Alison Wales.....

Page 2

just hanging around and not in any hurry to go home. No parents or adults were seen supervising or collecting these children.

Although this event took place in September I remember it being a clear, dry night but cold. I also recall that these children were still in town, cold and wet, as it began to get dark.

Shortly after this took place I was collected by my supervisor PSCO 8147 Robert Peacock and told him of my concerns for the safety and wellbeing of these children. These concerns were passed on to the Licensing Officer and Intelligence Unit.

Signature: ..... Signature Witnessed by: .....

URN

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Statement of Andrew Norton.....

Age if under 18 Over 18 .... (If over 18 insert "over 18") Occupation: T/Insp

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature A.Norton ..... (witness) Date: 01/03/16 .....

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

I am a Police Officer employed by South Yorkshire Police, currently stationed at Barnsley.

On Saturday 21<sup>st</sup> November 2015 I was working a 17:00hrs x 03:00hrs duty. I was engaged in management of the district wide operation Tandem. This encompasses the management of crime and anti-social behaviour in the night-time economy and intelligence led tasking with regard to risk locations and individuals.

Uniformed officers were detailed to conduct the following activities-

Public order foot patrols of Barnsley town centre, supported by officers in public order vans.

Public order foot patrols of Wombwell town centre, supported by officers in public order vans.

Licencing checks at town centre public houses.

Patrols of high crime / risk areas and arrest attempts for wanted persons, also curfew checks.

Approximately 23:30hrs that date I was contacted by TPS Caines, who requested I join him and his public order van as a matter of urgency at the 'Hot spot' night club on Regent street, where they had been conducting a licencing check. As I drove onto Regent Street, I was confronted by a scene of disorder. Dozens of youths, many underage, drunk and rowdy, blocking the road. Police officers present were struggling to control them. As a consequence, I re-deployed the Wombwell public order van to that location to assist officers in managing the issues. I entered the location and on doing so spoke with, Shadow security management, who had been working a boxing match at the metrodome had come down to help as

Signature: ..... Signature Witnessed by: .....

Continuation of Statement of: Andrew Norton .....

Page 2

their staff could not cope. Owners of shadow were there and stated they had voiced their concerns over the running of the event to the owner of the premise who ignored them.

On entering the location it was clear that the event was out of control. Numerous youths, many clearly underage were very drunk, rowdy, and staff were doing nothing. I saw a female working behind the bar who was drunk, and she was shouting and swearing, slurring her words. After making enquiries with the staff I managed to locate the owner and after a brief conversation he agreed to close the venue. Between police and security staff we managed to get the youths out and directed towards the interchange and taxi rank. Due to the numbers involved ( well over 100 ) we did not/could not arrest or disperse any. A significant number made their way towards the town centre via the arcade and officers witnessed number of small pockets of disturbance. Police officers were deputed to attend at licenced premises in the town centre and warn licensees and staff of the issues and the fact that they were not to allow any of these underage individuals entry or service.

After approximately an hour the youths had left the area, by taxi or lifts from family. Officers were then able to resume their normal duties.

I would state that the youths involved were between 15 to 17 years of age. Predominantly male. They were clearly underage and could not be mistaken as being 18 or above by any reasonable person.

The effect of this incident was to remove officers from other public order duties and tasking. As such key points in the town centre and in Wombwell were not covered in order to prevent crime and disorder through a high visibility presence.

Had serious disorder taken place at the venue then officers would have struggled to deal due to the numbers involved. Also, our ability to deal with public order matters elsewhere was compromised.

Signature: ..... Signature Witnessed by: .....

**WITNESS STATEMENT****Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B**

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Statement of Matthew John Caines .....

Age If under 18 Over 18 .... (If over 18 insert "over 18") Occupation: TPS 3741 .....

This statement (consisting of ... page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature ..... (witness) Date: 07/03/2016 ..

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

I am a Police Officer in the South Yorkshire Police service currently stationed at Barnsley.

On Friday 20<sup>th</sup> November 2015, I was working a 1700hrs x 0300hrs duty in full uniform. I was engaged on operation Tandem providing high visibility public order patrols in Barnsley Town Centre.

At approximately 2300hrs, I was in company with several other officers when I attended at the Hot Spot nightclub on Regent Street. The purpose for this visit was to conduct a licensing check.

On arrival, I noted that the premises were extremely busy. There was a large group of people stood outside the front doors and it was apparent that there were several under age persons present within this group. They were very rowdy and most of those present outside were clearly drunk.

On entering the location, it was indeed very busy. The crowd was mixed, but primarily made up of young person's, many of whom were clearly under the age of 18. Of concern was the fact that many of these youngsters were openly drinking alcohol and many appeared extremely drunk. There were several members of both bar and door staff present but they were apparently oblivious to the ongoing underage drinking.

I identified the manager and DPS of the premises, Phil Booth. He advised me that a birthday party had been taking place and that a wristband policy was in place to identify those persons who were over the age of 18. I expressed my concern regarding the apparent lack of management and Booth assured me that all those under the age of 18 would be vacating the premises by 2330hrs.

Signature: ..... Signature Witnessed by: .....

Continuation of Statement of: Matthew John CAINES .....

Page 2

I advised Booth that I would re-attend later in evening and that the premises would be monitored throughout the night.

At approximately 2330hrs, I re-attended at the Hot Spot club in order to make a further check of the premises. On arriving, it was clear that the earlier advice given to the Phil Booth had been ignored. The premises were even busier than before and the behaviour amongst the customers many of whom were clearly underage had become increasingly rowdy. There were groups of teenagers aged between 15 to 18 who were drinking alcohol and not being challenged or any intervention by staff. Many of the customers including those who were underage were quite clearly drunk.

I contacted A/Insp Norton, who attended the location and I was able to brief him as to the current situation. Following this conversation A/Insp Norton had a discussion with Booth who agreed to close the premises. Several officers attended the location and began to disperse the group out of the premises and towards the Interchange and taxi ranks within the Town Centre. There was in excess of 100 persons.

As the group dispersed, I had to intervene several times to prevent several incidents of minor disorder from escalating. This was clearly because of the general intoxication amongst the younger members of the group.

Signature: ..... Signature Witnessed by: .....

**WITNESS STATEMENT**

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of Matthew John CAINES .....

Age if under 18 Over 18 .... (If over 18 insert "over 18") Occupation: TPS 3741 .....

This statement (consisting of 1. page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature ..... (witness) Date: 29/03/2015 ..

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

Further to my statement dated 7<sup>th</sup> March 2016 relating to the Hot Spot Lounge, Regent Street, Bamsley, I would like to clarify the following:

In the statement I referred to Phillip BOOTH as the DPS. This was an error on my part and BOOTH was in fact the manager of the premises on the night in question.

Signature: ..... Signature Witnessed by: .....





**WITNESS STATEMENT****Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B**

URN

--	--	--	--

Statement of Matthew John Caines .....

Age If under 18 Over 18 .... (If over 18 insert "over 18") Occupation: TPS 3741 .....

This statement (consisting of ... page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature ..... (witness) Date: 07/03/2016..

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

I am a Police Officer in the South Yorkshire Police service currently stationed at Barnsley.

On Friday 20<sup>th</sup> November 2015, I was working a 1700hrs x 0300hrs duty in full uniform. I was engaged on operation Tandem providing high visibility public order patrols in Barnsley Town Centre.

At approximately 2300hrs, I was in company with several other officers when I attended at the Hot Spot nightclub on Regent Street. The purpose for this visit was to conduct a licensing check.

On arrival, I noted that the premises were extremely busy. There was a large group of people stood outside the front doors and it was apparent that there were several under age persons present within this group. They were very rowdy and most of those present outside were clearly drunk.

On entering the location, it was indeed very busy. The crowd was mixed, but primarily made up of young person's, many of whom were clearly under the age of 18. Of concern was the fact that many of these youngsters were openly drinking alcohol and many appeared extremely drunk. There were several members of both bar and door staff present but they were apparently oblivious to the ongoing underage drinking.

I identified the manager and DPS of the premises, Phil Booth. He advised me that a birthday party had been taking place and that a wristband policy was in place to identify those persons who were over the age of 18. I expressed my concern regarding the apparent lack of management and Booth assured me that all those under the age of 18 would be vacating the premises by 2330hrs.

Signature: ..... Signature Witnessed by: .....

Continuation of Statement of: Matthew John CAINES .....

Page 2

I advised Booth that I would re-attend later in evening and that the premises would be monitored throughout the night.

At approximately 2330hrs, I re-attended at the Hot Spot club in order to make a further check of the premises. On arriving, it was clear that the earlier advice given to the Phil Booth had been ignored. The premises were even busier than before and the behaviour amongst the customers many of whom were clearly underage had become increasingly rowdy. There were groups of teenagers aged between 15 to 18 who were drinking alcohol and not being challenged or any intervention by staff. Many of the customers including those who were underage were quite clearly drunk.

I contacted A/Insp Norton, who attended the location and I was able to brief him as to the current situation. Following this conversation A/Insp Norton had a discussion with Booth who agreed to close the premises. Several officers attended the location and began to disperse the group out of the premises and towards the Interchange and taxi ranks within the Town Centre. There was in excess of 100 persons.

As the group dispersed, I had to intervene several times to prevent several incidents of minor disorder from escalating. This was clearly because of the general intoxication amongst the younger members of the group.

Signature: ..... Signature Witnessed by: .....

**WITNESS STATEMENT**

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of Matthew Blake Mitchell.....

Age if under 18 Over 18.... (If over 18 insert "over 18") Occupation: PC 1168.....

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature *Matthew Blake Mitchell*..... (witness) Date: 10/03/2016..Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am a Police Officer in South Yorkshire Police, currently stationed at Barnsley.

At 2300hrs on Saturday 30<sup>th</sup> January 2016, I was on duty in high-visibility uniform acting as the Duty Sergeant for Barnsley, including the Town Centre. I had cause to attend the 'Hotspot Lounge' licenced premises on Regent Street, Barnsley. I attended in company with PC 2541 OGDEN. Licensing tasking requested a check be done of that location after an incident I was also attendant at a number of weeks earlier, where the premises was temporarily closed by the Duty Inspector, specifically due to concerns over a number of under-age customers suspected to be consuming alcohol on the premises.

Upon entering the main door of the premises, I could clearly see the licensee of the premises was present, a male I know to be Phil BOOTH. I had met him in the weeks prior during the incident detailed above. He was playing pool with another male I do not know. As I approached, I could see that there were very few customers in the club, no more than ten. However, my attention was drawn to my left – a male who I do not know was slumped at a booth, appearing to be sleeping. In front of him was a half-empty bottle of lager, laying on its side on the table. I formed the opinion this male was drunk, due to the awkward position he was sleeping in – sat, but slumped over to his side without any support for his upper body. The male was less than 10m away from BOOTH and there were no obstructions to BOOTH's view due to the lack of customers. I was somewhat surprised that BOOTH would allow a person of this level of intoxication to sleep in the premises.

I greeted BOOTH and pointed out the slumped male immediately – he called one of his staff over to seemingly deal with him.

Signature: *Matthew Blake Mitchell*..... Signature Witnessed by: .....

Continuation of Statement of: Matthew Blake Mitchell .....

Page 2

I then conducted the remaining checks which had requested. Specifically the following, the results of which I show below:

**License checks, both personal and premises** – BOOTH produced the venue licence 06712 and an individual licence 008991.

**Refusals/Ejections book** – There were two books, one at the bar and one at the door.

At the bar, the last entry was 23/01/16. This detailed a refusal after challenge for someone attempting to buy cider. Allegedly took place at 1700hrs (according to the bar staff, although there was no record of the time in the book).

At the door, the last entry did not match with the bar refusal, which was dated 1020hrs 27/01/16. When challenged as to why someone had been rejected from the bar, but not the door, no explanation was forthcoming.

**Briefing log** – There was a generic briefing log at the front of the booklet, but the last date it was signed was in early January 2016. An explanation as to why the staff had not signed the briefing document in the meantime was that when a specific event was staged, there was a bespoke briefing document, although none were produced for previous events, due to no parties being hosted since the implementation of the action plan. No explanation was given as to why the generic briefing document was unsigned for on the night I attended, which did not have an event planned.

**Incident Log** – located behind the bar. This appeared to be fairly regularly kept, but appeared to lack any consistency in relation to format of entry. Last entry was 26/01/16 due to an unruly and drunken customer. A 'clicker' was located behind the bar, but due to the lack of customers on the night, it was not used which I believed was reasonable in the circumstances.

**Physical checks of all the premises rooms** – The rear room, with the dance floor, was occupied by a small private party (this was the information given to me by BOOTH). I noted that around 20-25 people were present, mainly sat on the left side of the room, gathered around tables. I noted that I could see a small number of people that appeared to be under the age of 18. One specifically was a young female. I approximate her age to be around 12-14 years, she had long light coloured hair and was sat facing the left side wall. I did not check the identification of the young girl, or the other children I suspected to be under 18,

Signature:  Signature Witnessed by: .....

Continuation of Statement of: Matthew Blake Mitchell

Page 3

mainly as I was aware that due to the limited numbers in the premises, attention was drawn to the police presence. I was conscious of not appearing oppressive, directly toward the customers. Instead, I took the matter up with BOOTH. He suggested that it was a private party, and that alcohol was not being served to the underage customers and that parents/guardians accompanied them all. I challenged him in relation to the previous matter with the underage party - stating that he assured police last time that no underage drinking was taking place, despite the fact that there was evidence to the contrary. He tried to assure me that the bar was aware that they were not to serve anyone under the age of 18.

I conducted a further check of the upstairs room - it was closed off to the public and completely empty.

I notified BOOTH verbally that due to the concerns I had in relation to the checks, and the apparent lack of ability or willingness that he had to comply with them, then an update would be provided to the Licensing Officer, detailing the observations I had made and the concerns that the visit had raised.

I left the premises and could see that the male I had seen sleeping at the booth was now gone. The half-empty bottle of beer had been removed.

I had no further interaction at the venue and updated the SYP briefing document electronically before my retirement from shift.

Signature: *M. Mitchell* Signature Witnessed by: .....



**WITNESS STATEMENT**

CJ Act 1967, s.9 MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN

Statement of PAUL MARK CARPENTER .....

Age If under 18 OVER 18. (If over 18 insert "over 18") Occupation: POLICE CONSTABLE.....

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature ..... *P. Mark Carpenter* 2978 ..... Date: 03/04/16 .....Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am a Police Constable in the South Yorkshire Police, currently stationed at Wombwell Police Station.

On Friday the 4<sup>th</sup> of March 2016, I attended at Churchfield Barnsley Police Station and briefed all personnel involved in the planned test purchase operation. This is namely the purchase of alcohol from licenced premises to under 18's within Barnsley Town Centre.

Also present were 2 females who were Police volunteers with South Yorkshire Police.

At 23.10 hours on Friday the 4<sup>th</sup> March 2016, I entered a licensed premises in company with PC 984 WOOD. The premise was trading under the name of Hot Spot Lounge. Located at 12 Regent Street, BARNSELEY.

I was shortly followed by the above mentioned Police volunteers who I observed order with 1 of the bar staff the following alcoholic item(s) 1 x Malibu and Coke. 1 x Vodka and Coke.

Male Staff Member. Bearded in description.

The Male staff member grasped a glass and was about to serve the Police Volunteers, but was prompted by another member of staff to ask them for ID.

The volunteers then left the building.

PC 984 WOOD and I returned later with Uniformed Police Officers. I introduced and identified ourselves to the members of staff and explained the test purchase operation. The offence of selling alcohol to an under aged person was outlined. A Warning was given to this Male Staff Member.

Signature: ..... *P. Mark Carpenter* 2978 ..... Signature Witnessed by: .....





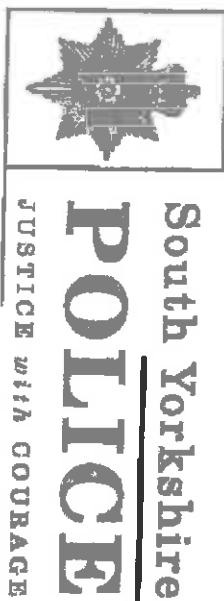


EXHIBIT W41

## ACTION PLAN

1. Date  
November 2015
2. Premises  
Hotspot, Regent Street, Town Centre,  
Barnsley
3. Designated Premises Supervisor  
John Linacre
4. South Yorkshire Police Representative  
Kirsty Green Licensing Enforcement Officer

### Outline and Purpose

This action plan is an agreement between all the parties identified above to provide a framework of assistance and guidance to ensure compliance with the licensing objectives in respect of licensable activities conducted at Hotspot, Regent Street, Town Centre, Barnsley. This Action Plan has been suggested to the Designated Premise Supervisor/Premise Licence Holder as a means of ensuring that the premise is run to the standard expected by the Responsible Authorities under the Licensing Act 2003.

The failure by the Designated Premises Supervisor to abide by the action plan or any of its components with due cause or reasonable excuse, together with raised concerns as to the non compliance with the conditions of a licence or with the licensing objectives, may result in an application by the police to the Licensing Authority, to review the conditions of the licence (which includes adding new conditions, or the alteration, or omission of any established conditions) under Section 182 of the Licensing Act 2003.

### Background

On the 16<sup>th</sup> October 2015, Hotspot hosted an 18<sup>th</sup> birthday party. There were numerous youths present at the event who were intoxicated and three separate disturbances broke out at the location. As a result of the venue, being unable to control the customers present the event was stopped and the premise closed. On the 20<sup>th</sup> November 2015, the premise hosted another birthday party. On this occasion, the venue voluntarily closed upon the instructions of South Yorkshire Police, as bar and security staff were unable to control the customers present. Numerous underage youths were identified at the event who were intoxicated and rowdy with staff from the venue failing to intervene.

### Methodology

South Yorkshire Police will facilitate the improved compliance by regular meetings with the DPS ensure the elements of the action plan are satisfied and to address any delays or issues relating to its implementation. Compliance with the action plan will be reviewed at these meetings and non-attendance or repeated rescheduling of meetings may lead to an adverse inference of non co-operation.

### Action

Action	Implementation Date	Date Completed
The DPS to become an active member of Town Centre pubwatch and any localised sub groups. Approach the pubwatch chairperson and sign up to be a member ready for the next scheduled pubwatch meeting. To attend all meetings unless this is impractical after taking all reasonable steps.	01.12.2015	
A colour CCTV system to the specification of South Yorkshire Police (provided) will be fitted maintained and in use at all times the premises are open. CCTV images will be stored for 31 days. Police will be given access to, and copies of images for purposes in connection with the prevention and detection of crime and disorder.	02.01.2016	
An incident book must be maintained and be made available upon request for inspection by the Responsible Authorities under the Licensing Act 2003.	01.12.2015	
Refusal and ejection log to be maintained by bar staff and security staff. To be made available upon request for inspection by the Responsible Authorities under the Licensing Act 2003.	01.12.2015	

Implement training for staff, detailing Information/processes/procedures surrounding customer behaviour, drugs, intoxication and injury. Training to be reviewed every 6 months and a training log kept which can be produced upon request of an authorised person. A copy of SYP Violent Incident Protocol supplied.	23.12.2015	
People only over the age of 18 years old to be permitted into the venue on Friday and Saturday nights.	Immediately	
Designated Premise Supervisor to be present on Friday and Saturday nights. If this is not possible a designated personal licence holder to be left in charge.	Immediately	
Door staff shall be SIA registered and shall have a signing in book kept at the premises. They shall complete their details together with details of their SIA badge numbers whenever they start duty. They shall also be briefed upon their responsibilities at the start of their shift and a log kept of this, to be produced upon the request of either SYP or an authorised person.	27.11.2015	
Notification of all up and coming events at the venue, with expected numbers, number of security staff working and who will be in charge at the event.	Immediately	
All planned event will be authorised by the Designated Premise Supervisor.	Immediately	

The signatories below agreed this action plan and all its components

Signed on behalf of premises ..... *John Davis* .....

Print Name ..... *John Davis* .....

Date ..... *25/11/15* .....

Position ..... *DD* .....

Signed on behalf of South Yorkshire Police..... *[Signature]* .....

Print Name ..... *Kirsty Allen* .....

Date ..... *25/11/15* .....

Position ..... *LO* .....

**LINSEY FLETCHER**

---

Debbie Rimmington

**From:** Rimmington, Debbie <debbierimmington@b.  
**Sent:** 17 December 2015 10:23  
**To:** D Wall  
**Cc:** KIRSTY GREEN  
**Subject:** Barnsley College Student Union party at Hotspot

Good morning Diane,

I am a Licensing Enforcement Officer for Barnsley MBC.

I am contacting you to make you aware of a Barnsley College Student union Christmas party which is due to be held at Hotspot on Regent Street on Sunday night (20<sup>th</sup> December).

Initially the party was planned to finish at 01:30 on Monday morning but after the police and BMBC licensing raised grave concerns with the licensee as to under age children being in the town centre and potentially having to make their own way home in the early hours of the morning, the venue has agreed that anyone under the age of 18 must leave the venue at 10:30pm.

We were initially told that this event was booked by Barnsley College but have since found out that it has in fact been booked by the students themselves.

I feel you should be made aware of events like this especially when they attract a large amount of attention to underage students/children. I believe the forecasted attendance to this event to be 400 students, but I do not know as to what ratio of these will be minors.

I think it is fair to say that we still have concerns in relation to underage children being in the town centre late at night and how they will get home after the event.

If you would like to discuss this matter further or have any further information that may assist us in the future please could you contact me either by return e-mail or on the mobile telephone number provided below.

Kind Regards,

Debbie

Deborah Rimmington  
Regulatory Services Field Officer  
Culture Housing and Regulation  
Business Unit 5  
Place Directorate  
Barnsley MBC  
01226 775696  
07786525961  
[debbierimmington@barnsley.gov.uk](mailto:debbierimmington@barnsley.gov.uk)

**\*\*\* Barnsley MBC Disclaimer:**

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Tackling child sexual exploitation is a priority for the Force and it is the responsibility of everyone to help spot the signs and say something.

For more information visit [www.southyorkshire.police.uk/spotthesigns](http://www.southyorkshire.police.uk/spotthesigns)

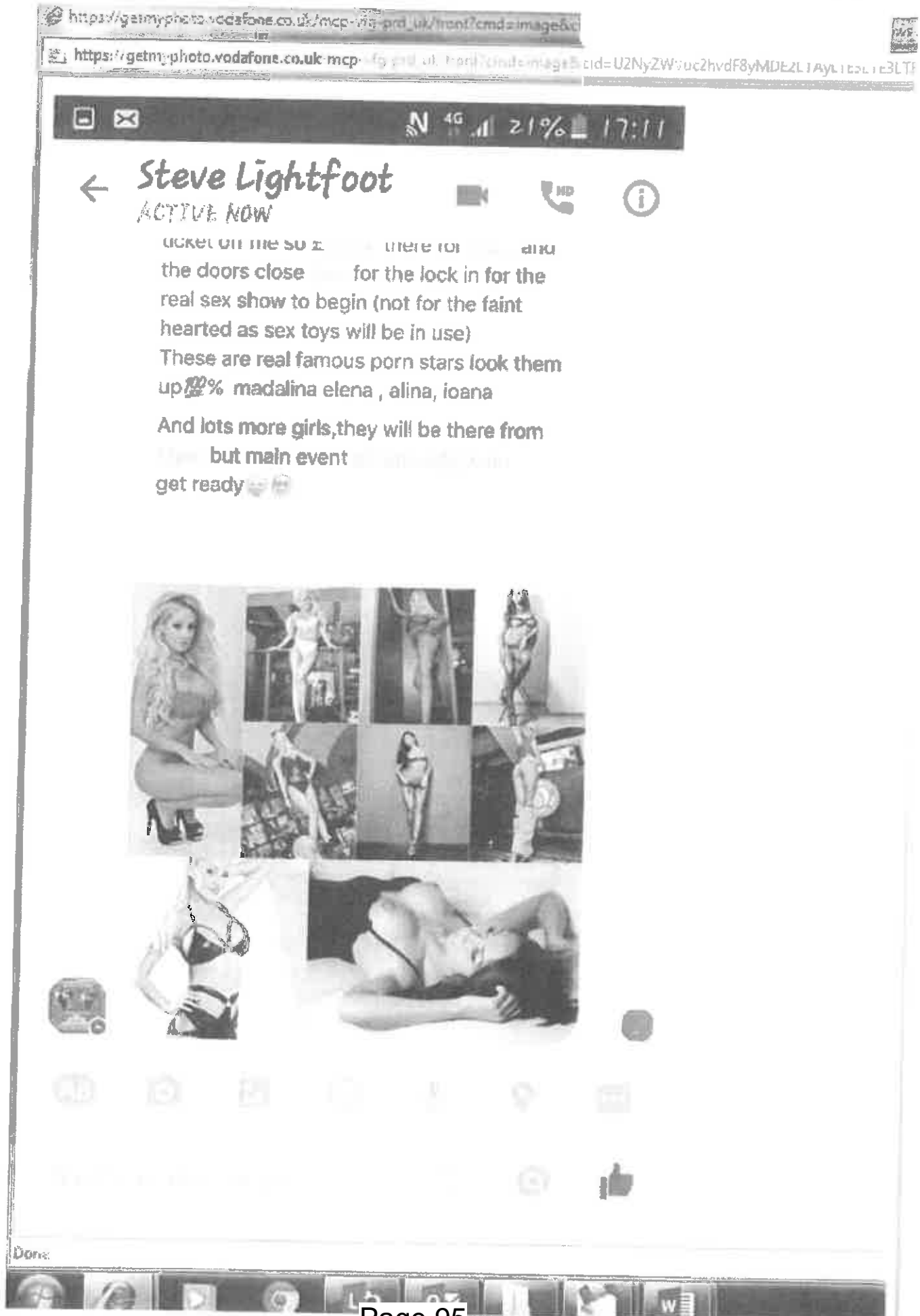
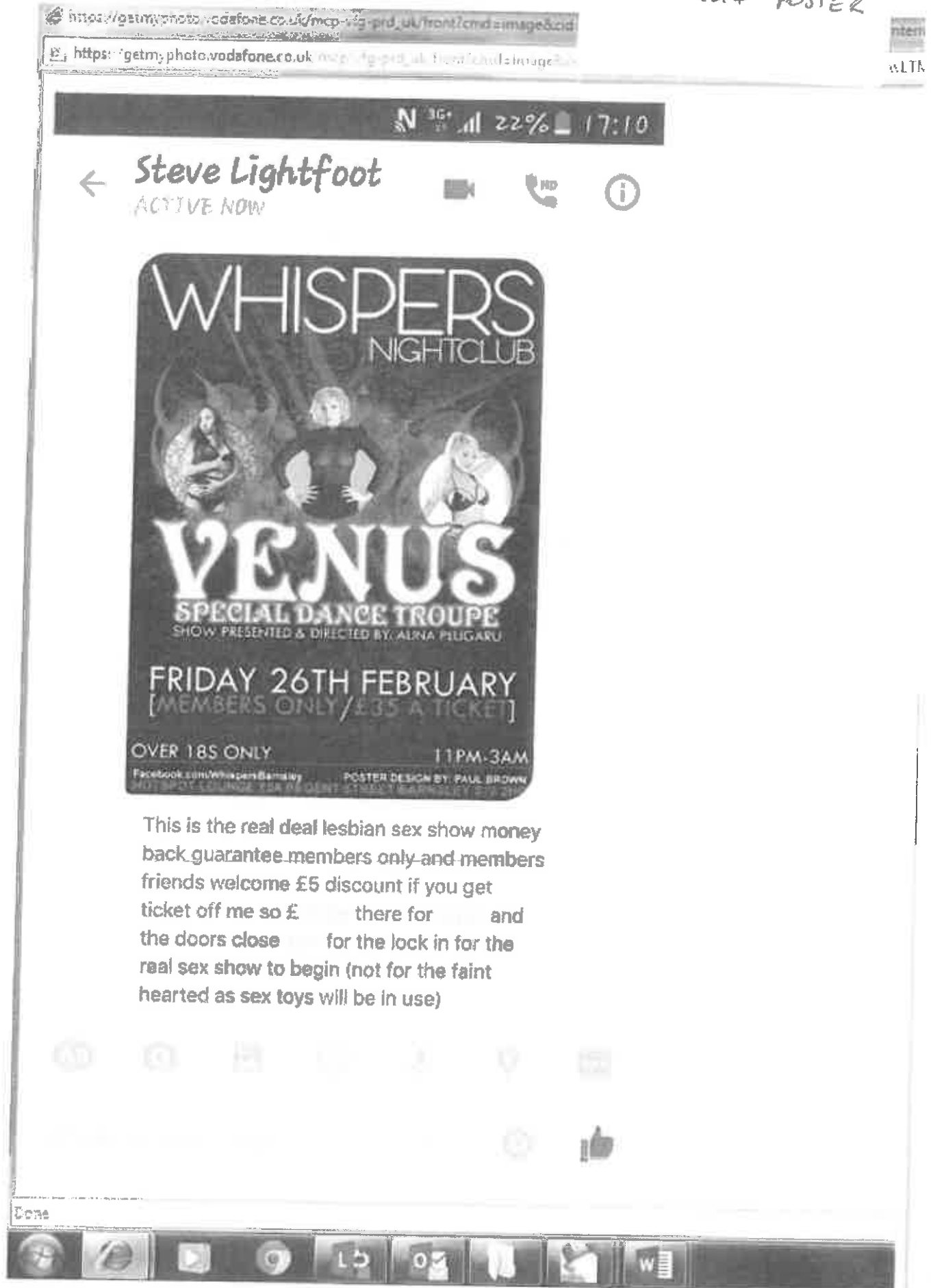






EXHIBIT K44 POSTER



This is the real deal lesbian sex show money  
back guarantee members only and members  
friends welcome £5 discount if you get  
ticket off me so £ there for and  
the doors close for the lock in for the  
real sex show to begin (not for the faint  
hearted as sex toys will be in use)



**LINSEY FLETCHER**

EXHIBIT 445 email

**From:** Tom Driver <t.driver@addaction.org.uk>  
**Sent:** 24 March 2016 15:00  
**To:** KIRSTY GREEN  
**Subject:** Whispers

Tom Driver

Hi Kirsty in response to your phone conversation yesterday

I have some basic information that I have obtained on detached outreach and during multi agency meetings.

Below I have done a basic description of what I know regarding the Hotspot/Whispers Nightclub

I have heard numerous reports from both young people and other organisations regarding underage drinking at the Hot Spot venue. During Detached outreach sessions within the town centre young people have mentioned that they have used the venue to drink and have had no issues getting in without identification.

Information We received made us aware of young people mixing with older peers at a 18<sup>th</sup> Birthday party. We were informed that the venue was using under 18 and over 18 wristbands to identify who could drink alcohol on the premises. As you can imagine this resulted in wristbands being swapped and under 18s being served with alcohol. The frequency that hotspot was mentioned by the young people was highest between October and January.

Thanks

Tom

Tom Driver

Outreach and Engagement Worker

Addaction/ Immortals Community Engagement Project

1-3 Regents Street

Barnsley

S70 2EG

Phone : 01226 705980

Fax :01226 786335

**addaction**

**the IMMORTALS**

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For more information visit [www.southyorkshire.police.uk/spotthesigns](http://www.southyorkshire.police.uk/spotthesigns)





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**Place Directorate  
Culture, Housing and Regulation  
Regulatory Services  
Head of Service : Simon Frow**

---

Regents  
12A Regent Street  
Barnsley  
S70 2HG

My Ref: MAU 067102  
Your Ref:  
Date: 7 March 2016  
Enquiries to: Licensing Section  
Direct Dial: 01226 773843  
E-Mail: [regulatoryservices@barnsley.gov.uk](mailto:regulatoryservices@barnsley.gov.uk)

Dear Sir/Madam,

**Licensing Act 2003, Section 37  
Application to vary a Premises Licence to Specify an Individual as DPS  
Regents, 12A Regent Street, Barnsley, S70 2HG**

With regard to the above, I enclose the Premises Licence and Premises Licence Summary.

The premises licence became effective on 1 June 2012.

Under the provisions of the Licensing Act 2003 you may, in certain circumstances, have a right of appeal against some or all of the Licensing Authority's decisions made in respect to your application. Appeals should be made to the Magistrates' Court for the area in which the premises are situated, within twenty one days of receiving the premises licence.

If you need advice on the appeal procedure, you should contact the court, but please note court staff cannot give you legal advice. If you need legal advice, for example about the likely success of an appeal, you should contact a solicitor or a Citizens Advice Bureau immediately.

If you consider there is a mistake in the premises licence or the premises licence summary, the Licensing Authority will correct anything which it accepts as being a clerical mistake. If you believe there is such a clerical mistake, please contact us. This does not affect your right to appeal.

The premises licence will last indefinitely unless it is surrendered or revoked, but will lapse in the event of the death of the holder of the premises licence or upon the licence holder becoming mentally incapable or financially insolvent.

An annual fee is payable on the anniversary of the grant of the licence, unless the premises are a school or community building (e.g. village hall) and the licence is granted in respect of regulated entertainment only. We will send you a reminder for the payment of the annual fee and advise you of what sum is then payable. The fees are set by Government and may be subject to change.

Finally, there are specific provisions in section 57 of the Licensing Act 2003 concerning the requirements for keeping, displaying and producing the premises licence and premises licence summary whenever the premises are used for any licensable activity authorised by the licence. A brief summary of these requirements is set out below for your convenience:

---

**PO Box 634, Barnsley, South Yorkshire S70 9GG**

### Premises Licence

The holder of the premises licence must ensure that the premises licence (or a certified copy of it) is kept at the premises and is either in the custody or control of the holder of the premises licence or some other specific person who works at the premises (e.g. manager).

### Premises Licence Summary

The holder of the premises licence must ensure that the premises licence summary (or a certified copy of it) is prominently displayed at the premises and, if the premises licence (or a certified copy of it) is in the custody of someone other than the holder of the premises licence, a notice must also be prominently displayed stating the position (e.g. manager) of that person.

### Duty to Produce

A police constable or an authorised officer (e.g. a Council licensing officer) may require such person who has custody of the premises licence (i.e. the holder of the premises licence or such other nominated person, as referred to above) to produce the licence for examination.

### Offences

The holder of a premises licence commits an offence if they fail to comply with the above requirements relating to a premises licence and / or a premises licences summary. Anyone who has custody or control of the premises licence (i.e. the holder of the premises licence or such other nominated person, as referred to above) commits an offence if they fail, without reasonable excuse, to produce the licence in accordance with a requirement under the above duty to produce. A person guilty of an offence under section 57 is liable on summary conviction to a fine.

If you have any queries on this matter please contact the Licensing Section on 01226 772468.

Yours faithfully

Yvonne Walker  
Technical Clerk



## BARNSELY METROPOLITAN BOROUGH COUNCIL

### PREMISES LICENCE LICENSING ACT 2003

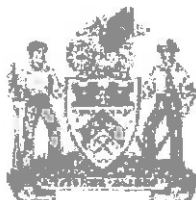
Schedule 12 Part A  
Regulation 33, 34

<b>Premises Licence Number</b>	067102
<b>Date of Grant</b>	1 June 2012
<b>Premises Address</b>	Regents 12A Regent Street Barnsley
<b>Postcode</b>	S70 2HG
<b>Telephone Number</b>	
<b>Activities authorised by this licence</b>	
The sale by retail of alcohol, The provision of regulated entertainment, The provision of late night refreshment	
<b>Times authorised to undertake licensable activities</b>	
<b>Indoor sporting events</b> Indoor sporting events permitted: Seven days a week from 12:00 until 01:00 (the following morning)	
<b>Live Music</b> Licensed for live music indoors (see times below): Live music permitted: Seven days a week from 17:00 until 00:00 (the following morning)	
<b>Recorded Music</b> Licensed for recorded music indoors (see times below): Recorded music permitted: Seven days a week from 12:00 until 04:00 (the following morning)	
<b>Performances of Dance</b> Licensed for Performances of Dance indoors (see times below): Performances of dance permitted: Seven days a week from 12:00 until 01:00 (the following morning)	
<b>Late Night Refreshment</b> Licensed to provide late night refreshment indoors (see times below): Provision for late night refreshment available: Seven days a week from 23:00 until 01:00 (the following morning)	
<b>Supply of Alcohol</b> Supply of alcohol permitted: Seven days a week from 12:00 until 03:00 (the following morning)	

<b>Conditions consistent with a former Children's Certificate under Section 168A of the Licensing Act 1964</b>	
Not applicable	
<b>Embedded Restrictions</b>	
Not applicable	
<b>There shall be no adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises of an adult nature unless they are specified below:</b>	
None Specified	
<b>Opening Hours of the Premises</b>	
Hours premises are open to the public: Seven days a week from 11:00 until 04:00 (the following morning)	
<b>Whether the sale by retail of alcohol is for consumption on and/or off the premises</b>	Alcohol-On The Premises
<b>Name, (registered) address, telephone number and email(where relevant) of premise licence holder</b>	Springchoice Leisure Limited Hart Moss Doyle The Old Co-op Building High Street Dodworth Barnsley
<b>Registered Number of Company if Applicable</b>	02674388
<b>Designated Premises Supervisor</b> <i>(This section will be blank if the licence does not authorise the sale of alcohol)</i>	
<b>Name and Address of the designated premises supervisor</b>	Mr Craig Alwyn Allott 66 Racecommon Road Barnsley
<b>Post Code</b>	S70 6AB
<b>Personal Licence Number and issuing authority of the personal licence held by the designated premises supervisor</b>	KMCPL 0771 Kirklees Metropolitan Council

**REGULATORY SERVICES TEL: 01226 772468**





## BARNSELY METROPOLITAN BOROUGH COUNCIL

### PREMISES LICENCE SUMMARY

<b>Premises Licence No.</b>	067102
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<b>Premises Address:</b>	Regents 12A Regent Street Barnsley
<b>Postal Code</b>	S70 2HG

<b>Telephone Number</b>
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<b>Activities authorised by this licence</b>
The sale by retail of alcohol, The provision of regulated entertainment, The provision of late night refreshment

<b>Times authorised to undertake licensable activities</b>
<b>Indoor sporting events</b> Indoor sporting events permitted: Seven days a week from 12:00 until 01:00 (the following morning)
<b>Live Music</b> Licensed for live music indoors (see times below): Live music permitted: Seven days a week from 17:00 until 00:00 (the following morning)
<b>Recorded Music</b> Licensed for recorded music indoors (see times below): Recorded music permitted: Seven days a week from 12:00 until 04:00 (the following morning)
<b>Performances of Dance</b> Licensed for Performances of Dance indoors (see times below): Performances of dance permitted: Seven days a week from 12:00 until 01:00 (the following morning)
<b>Late Night Refreshment</b> Licensed to provide late night refreshment indoors (see times below): Provision for late night refreshment available: Seven days a week from 23:00 until 01:00 (the following morning)
<b>Supply of Alcohol</b> Supply of alcohol permitted: Seven days a week from 12:00 until 03:00 (the following morning)

<b>The opening hours of the premises</b>	
Hours premises are open to the public: Seven days a week from 11:00 until 04:00 (the following morning)	
<b>Where the licence authorises the sale by retail of alcohol whether this is for consumption on and/or off premises</b>	
Alcohol-On The Premises	
<b>Granted on:</b>	1 June 2012



## BARNSELY METROPOLITAN BOROUGH COUNCIL

### PREMISES LICENCE

Part B

Premises Licence Number	067102
Name, (registered) address, telephone number and email(where relevant) of premise holder	Springchoke Leisure Limited Hart Moss Doyle The Old Co-op Building High Street Dodworth Barnsley
Registered Number of Company if Applicable	02674388
Name and Address of the designated premises supervisor	Mr Craig Alwyn Allott 66 Racecommon Road Barnsley
Post Code	S70 6AB
Personal Licence Number and issuing authority of the personal licence held by the designated permises supervisor	KMCPL 0771 Kirklees Metropolitan Council

**REGULATORY SERVICES TEL: 01226 772468**

## ANNEX 1

### MANDATORY CONDITIONS

#### LICENSING ACT 2003

Licence ref no.	067102
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##### **1. Supply of Alcohol**

Where this Licence authorises the supply of alcohol the following conditions will apply:

- a) No supply of alcohol may be made under the premises licence-
  - i) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - ii) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- b) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

##### **2. Door Supervision (except theatres, cinemas, bingo halls & casinos)**

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:

- i) Be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- ii) Be entitled to carry out that activity by virtue of section 4 of the Act.

2. But nothing in subsection (1) requires such a condition to be imposed:

- (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
- (b) in respect of premises in relation to:
  - i) Any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
  - ii) Any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3. For the purposes of this section:

- (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and
- (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

### **3. Exhibition of Films**

1. Where this licence authorises the exhibition of films, the licence includes a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.

3. Where –

(a) The film classification body is not specified in the licence, or

(b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.

4. In this section “children” means any person aged under 18; and

“Film classification body” means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984 (c39) (authority to determine suitability of video works for classification).

### **4. Irresponsible Promotions (On Licenced Premises only)**

1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

1) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.

a) games or other activities which require or encourage, or are designed to require or encourage, individuals to–

i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

ii) drink as much alcohol as possible (whether within a time limit or otherwise);

b) Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which causes a significant risk of undermining a licensing objective.

c) Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective.

d) Selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favorable manner.

### **5. Dispensing of Alcohol Directly Into the Mouth (On Licenced Premises only)**

The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

### **6. Tap Water (On Licenced Premises only)**

The responsible person shall ensure that free potable water is provided on request to customers where it is reasonably available.

### **7. Age Verification Policy**

- 1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol,
- 2) The Designated Premises Supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- 3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either a holographic mark or an ultraviolet feature.

### **8. Measures (On Licenced Premises only)**

The responsible person shall ensure that—

- 1) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
  - i) beer or cider: ½ pint;
  - ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - iii) still wine in a glass: 125 ml; and
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (b) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

### **9. Alcohol Pricing and Duty**

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of the condition set out in paragraph 1 -

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;  
(b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

- (i) P is the permitted price,
- (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- (f) Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (g) (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## ANNEX 2

### Conditions consistent with the Operating Schedule

Licence ref no. 067102

All incidents, such as refusals to sell alcohol, shall be recorded in an incident book which must be kept on the premises for a period of not less than 12 months. The book shall be made available for inspection by any Authorised Officer from the Police and Licensing Authority.

- A closed circuit television system (CCTV) shall be installed and maintained at the premises, this must cover all public areas including all areas where licensable activities take place and encompass the following:
    - The system shall be in good working order at all times when licensable activities take place at the premises and all recordings must be kept for a minimum of 28 days.
    - Authorised Officer from the Police and Licensing Authority shall be allowed a copy of these recordings at any reasonable hour, and in any case within 48 hours of any such request being made.
    - All recorded materials shall be kept in a safe and secure location and must not be made available or accessible to any unauthorised persons.
    - Clearly visible signage will be provided at all exits to the premises asking customers to leave the premises quietly.
    - A Challenge 21 (or higher age) policy will operate within the licensed premises, with signs predominantly displayed close to every entrance to the premises and at each bar area where the sale of alcohol may take place.
    - No speaker is located near any window, door or door entrance to prevent any noise breaking out from the premises.
- Except for access and egress, all doors and windows remain closed at all times to prevent any noise breaking out from the premises.

## ANNEX 3

### Conditions attached after a hearing by the Licensing Authority

Licence ref no. 067102

Not Applicable

## ANNEX 4

### Plan of the Premises to which this Licence relates:

Plan as per appendix 1  
(See attached)



**BETWEEN**

**SOUTH YORKSHIRE POLICE**

Complainant

**- and -**

**Hot Spot (Whispers), Regent Street  
DPS – Craig Allott  
PLH – Springchoice Leisure Ltd**

Respondent

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**WITNESS STATEMENT OF**

**Kirsty Green**

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1. I am a Licensing Enforcement Officer, employed by South Yorkshire Police currently based at Barnsley. Following on from my statement that was submitted for the review of the premise licence for Whispers, formally known as Hotspot, Regent Street, Barnsley, I have continued to investigate incidents that have occurred at the venue on behalf of South Yorkshire Police. The following matters have come to the attention of South Yorkshire Police since my last statement.
2. On the 6<sup>th</sup> April 2016, licensing visit with Debbie Rimmington following non-attendance by the venue at the Pubwatch meeting that afternoon. I tried to contact Mr Allott to no avail. At the time of our visit, Mr Booth was present and advised that Mr Allott was not there and he was also unable to contact him via telephone.
3. On the 11<sup>th</sup> April 2016, licensing visit in attendance were Mr Griffiths and Mr Allott. I reviewed what they had completed in relation to the training documents that we had requested and noted that they only had four policies in place. Mr Allott showed me tests that the bar manager had completed that related to each

of the policies, stressing that no other members of staff had completed the training as they wanted to test it before it was rolled out. I queried where the other policies were for example prevention of crime and disorder. Mr Allott advised that the contents of that policy were so detailed that he wanted to break it down with the help of Mr Griffiths. I asked if they had a training log in place, to which Mr Allott stated that this was a work in progress, however assured me that it would be in place the following week. I advised Mr Allott that I would strongly recommend that they get the basic training in place for staff and then expand at a later day if they wished. I stated that when I had visited the previous week he had made assurances that all the training would be in place. However, I stated that not all the policies were implemented and the training had only been completed by one member of staff. I reminded Mr Allott that he would need to email through details of the forthcoming events for the weekend, to which he assured me that he would do.

4. On the 25<sup>th</sup> April 2016, licensing visit with Debbie Rimmington. All training was complete with up to date policies and procedures and training logs with staff completed.
5. On the 16<sup>th</sup> May 2016, licensing visit with Debbie Rimmington. Debbie advised that she had received complaints regarding 'rave nights' being held upstairs. Mr Allott disputed this and stated that the upstairs area was not fit to open with electrics not to standard and the area being full of rubbish. Mr Allott advised that there might again be a change in the hierarchy at the venue as Mr Griffiths was perusing his own venue to open. Advised Mr Allott that Police had received a complaint that a 'landlord' had assaulted a male at the weekend. Mr Allott advised that he would review CCTV and look into the matter. Mr Allott was questioned as to the involvement of a Mr Stephen Lightfoot at the venue, to which Mr Allott advised that he had recently invested some money, however anticipated that this

would be paid back shortly, stating that he did not have any influence in the managing of the venue.

6. On the 31<sup>st</sup> May 2016, email sent to Mr Allott advising that although I appreciated his email that notified me of events scheduled for the venue that weekend, I did not receive this until Saturday. Therefore, stressing that should I have needed to be aware of an event-taking place, then it would have been too late. I stated that all emails should be sent through to both Michelle Hudson and myself and should be done so by no later than Wednesday.
7. On the 31<sup>st</sup> May 2016, further email sent to Mr Allott advising that I would be on leave until 20.06.2016, therefore upon the request of the Licensing Manager Benita Mumby asking that emails notifying of forthcoming events to be sent through to Michelle Hudson and BarnsleyLicensing. All parties were copied into the email sent.
8. On the 15<sup>th</sup> June 2016, telephone call made to Mr Allott by Benita Mumby. This was following information received and having sight of a poster from an officer that advertised £20 entry into the venue, then free bar all night on the 17.06.2016. No email received notifying of such event. Answer machine message left asking an email to be sent with details of any forthcoming events.
9. On the 22<sup>nd</sup> June 2016, telephone call made to Mr Allott to query the event on the 17.06.2016 with 'free drinks all night'. Mr Allott alleged that this was not the case and that drinks were not free. He advised that a voucher was issued and a discount was given upon purchase of a drink. I advised that Police had not been notified of this event and we had received no email as had been requested before I went on leave. Mr Allott stated that someone had hacked into his email account, so had not used his emails for the last two weeks. However, I advised that an email could have been sent from another account. I queried a boxing event that was being advertised, to which Mr Allott advised that the promoters were

scheduled to visit that week to assess the venue. However, Mr Allott advised that they were currently selling tickets and it was being advertised.

I advised Mr Allott that he did not attend Pubwatch that had taken place that day, to which he stated that he was unaware of meeting being held. I reminded Mr Allott that he had attended the last meeting, where it had been arranged. I advised that during the Pubwatch meeting it had been brought to my attention that people who were currently on a Pubwatch ban had been frequenting the venue. Mr Allott advised that he was aware of two females that had been drinking in the venue that were on a ban, however as soon as he was aware had asked them to leave. After discussion Mr Allott also confirmed that another individual on the banning list had frequent their venue.

10. On the 22<sup>nd</sup> June 2016, further telephone call made to Mr Allott to confirm meeting the following week. I advised that I had been approached by an officer who was investigating an incident that had occurred at the venue on the 30.05.2016. I explained that despite several attempts they been unable to obtain CCTV of the incident, which had been hindered by their bar manager being off sick. I advised that she was scheduled to visit on Friday to collect and asked that he ensure that this was available for her, to which Mr Allott assured me that he would do.
11. On the 24<sup>th</sup> June 2016, email received from PC Leanne Garforth advising that she had visited as scheduled on the 24<sup>th</sup> June 2016, only to be told that the CCTV had not been downloaded. PC Garforth advised that they had told her about my scheduled meeting with the DPS on the 27.06.2016, therefore had asked that they give the CCTV to me on that date.
12. On the 27<sup>th</sup> June 2016, licensing visit Debbie Rimmington. Mr Allott advised that we would be unable to gain access to the venue as he did not have a key, therefore the meeting would have to take place outside and we would be unable to review any documents should we wish. Mr Allott advised that there had been

no decision made on the boxing event, despite tickets being printed by Mr Lightfoot and being available to purchase. Mr Allott advised that Mr Griffiths was no longer the Director of the venue and had quit, which left Ms Maria Ramos as the sole Director. Mr Allott explained that due to Ms Ramos wishing to leave the business Mr Lightfoot had subsequently invested more money and wanted to become a Director. Mr Allott voiced his concerns regarding the hierarchy at the venue, stressing that it was not stable with constant changes in management and Directors. I advised that PC Garforth had contacted me to advise that despite being assured the CCTV would be available on the 24.06.2016; the footage had still not been downloaded. Mr Allott stated that he did not understand why this had not been done and would ensure that it was completed that day. I advised that due to meetings I was unavailable to collect it later that day, however Debbie Rimmington advised that she would collect later that afternoon.

13. On the 29<sup>th</sup> June 2016, I spoke with Debbie Rimmington who advised that despite trying to contact Mr Allott on the 24.06.2016 and leaving him subsequent voice and text messages, he had failed to contact her to collect the CCTV for PC Garforth.

I believe that the contents of this statement are true and I understand it may be placed before the court.

I also understand that the contents of this statement may be shared with agencies working in partnership with the South Yorkshire Police.

Signed.....

Dated



## PREMISES CHRONOLOGY

Name of premises: **WHISPERS(HOT SPOT)**

Address: **12A REGENT STREET BARNSELEY**

Date of Intel input	Comment	Reference
05.04.2016	Email sent to DPS Mr Allott with guidance documents.	Email sent - DPS
06.04.2016	Licensing visit. Please refer to Kirsty Green's statement for more details.	Licensing visit - LEO
09.04.2016	Passive drugs operation. One search carried out but nothing of note and very quiet. It was brought to the attention of LEO that a manager at the venue attempted to impede officers using the dog, demanding they sign into the premises.	Passive drugs operation
11.04.2016	Licensing visit. Please refer to Kirsty Green's statement for more details.	Licensing visit - LEO
15.04.2016	Telephone call received from Mr Allott to advise that the premises would not be opening that evening.	Telephone call - DPS
18.04.2016	Telephone call made to Mr Allott to enquire if he wanted me to visit to review his training documents. Mr Allott advised staff were now trained in all but H&S so asked that a visit be carried out the following week. Advised Mr Allott that to abide by the action plan he would need to send details of all forthcoming events.	Telephone call - DPS
25.04.2016	Licensing visit. Please refer to Kirsty Green's statement for more details.	Licensing visit - LEO
26.04.2016	Email received from Mr Allott with details for forthcoming weekend.	Email receive - DPS
10.05.2016	Email received from Debbie Rimmington requesting a meeting with Mr Allott following information that she had received about alleged events that had taken place at the venue that we were unaware of.	Email received - BMBC
14.05.2016	Male alleging that he had been abused at Whispers and assaulted by landlord at the venue. Individual did not want to pursue complaint.	Incident
16.05.2016	Licensing visit. Please refer to Kirsty Green's statement for more details.	Licensing visit - LEO
17.04.2016	Telephone call received from Mr Allott who advised that he had reviewed CCTV and had found a male who had been aggressive to customers had been asked to leave by the manager. Upon refusing, the male had been escorted off the premise by the manager and member of staff, which was done by holding his arms. Mr Allott stated CCTV demonstrated that no excessive force was used.	Telephone call - DPS
17.05.2016	Email sent to officer in charge of the investigation reported on the 14.05.2016, updating him and providing him with Mr Allott's details should	Email sent - OIC

	he wish to discuss further and view CCTV.	
18.05.2016	Email received from Mr Allott with details for forthcoming weekend.	Email received - DPS
20.05.2016	Licensing visit carried out as part of Op Tandem. No issues identified.	Visit – Op Tandem
21.05.2016	Licensing visit carried out as part of Op Tandem. No issues identified.	Visit – Op Tandem
27.05.2016	Licensing visit carried out as part of Op Tandem. No issues identified.	Visit – Op Tandem
28.05.2016	Licensing visit carried out as part of Op Tandem. No issues identified.	Visit – Op Tandem
28.05.2016	Email received from Mr Allott on Saturday with details for events that weekend.	Email received - DPS
30.05.2016	Female alleging assault, on-going investigation.	Incident
31.05.2016	Email sent to Mr Allott, please refer to Kirsty Green's statement for more details.	Email sent - DPS
31.05.2016	Email sent to Mr Allott, please refer to Kirsty Green's statement for more details.	Email sent - DPS
15.06.2016	Telephone call made to Mr Allott, please refer to Kirsty Green's statement for more details.	Telephone call - DPS
22.06.2016	Telephone call made to Mr Allott, please refer to Kirsty Green's statement for more details.	Telephone call - DPS
24.06.2016	Email received from PC Leanne Garforth, please refer to Kirsty Green's statement for more details.	Email received - SYP
27.06.2016	Licensing visit. Please refer to Kirsty Green's statement for more details.	Licensing visit - LEO
29.06.2016	Contact with Debbie Rimmington at BMBC. Please refer to Kirsty Green's statement for more details.	Contact - BMBC