

Public Document Pack



MEETING:	Statutory Licensing Regulatory Board Sub-Committee
DATE:	Monday 19 December 2022
TIME:	10.00 am
VENUE:	Reception Room - Barnsley Town Hall

AGENDA

1 Appointment of Chair

2 Declaration of Interests

To receive any declarations of pecuniary or non-pecuniary interest from Members in respect of items on this agenda.

3 Procedure Document (*Pages 3 - 4*)

4 Application for a Review of the Premises Licence - Sugar Club, 7 Pitt Street, Barnsley (*Pages 5 - 238*)

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

Councillors Bowser, Clarke and Danforth together with Councillor Shepherd (Reserve Member)

Shokat Lal, Executive Director Core Services
Sajeda Khalifa, Solicitor
Debbie Bailey, Senior Licensing Officer

Please contact Jack Moore on email governance@barnsley.gov.uk

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Item 3

STATUTORY LICENSING REGULATORY BOARD SUB-COMMITTEE

PROCEDURE FOR CONDUCT OF REVIEW HEARINGS

Chair to open meeting and outline procedure:-

1. Service Director Legal Services to present the Local Authority report outlining the application and any relevant representations:-
 - (i) Members to ask relevant questions
 - (ii) Appellant/Representative to ask relevant questions
 - (iii) Responsible Authorities/Interested parties to ask relevant questions
2. Any parties making representations to address the Sub-Committee:-
 - (i) Members to ask relevant questions
 - (ii) Service Director to ask relevant questions
 - (iii) Appellant/Representative to ask relevant questions
3. Appellant/Representative to present their case:-
 - (i) Members to ask relevant questions
 - (ii) Service Director Officer to ask relevant questions
 - (iii) Responsible Authorities/Interested parties to ask relevant questions
4. Summing up of the Responsible Authorities/interested parties' evidence (no new evidence at this stage).
5. Summing up of the Appellant/Representative case (no new evidence at this stage)
6. All parties to retire.
7. Sub-Committee to make decision.
8. All parties invited back into the meeting and decision announced.

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Item 4

BARNSELEY METROPOLITAN BOROUGH COUNCIL

Report of the Principal Officer (Licensing) to the meeting of the Statutory Licensing Regulatory Board Sub Committee to be held on the 19th December 2022

LICENSING ACT 2003 APPLICATION FOR A REVIEW OF A PREMISES LICENCE

Sugar Club, 7 Pitt Street, Barnsley. S70 1AL.

1. Background

- 1.1 On 21 April 2022, an initial application was received from South Yorkshire Police, as a Responsible Authority under the provisions of Section 51 of the Licensing Act 2003, to review the above forementioned premise licence. A copy of the review application is attached as Appendix 1.
- 1.2 At this time Mr Vlad Sevciuc held the position as Designated Premises Supervisor for Sugar Club.
- 1.3 During the 28 consultation period, discussions were held between the premises licence holder and South Yorkshire Police and it was agreed that a review hearing was not required as the following conditions were agreed to be added to the premises licence to promote the licensing objectives:-

- ***Persons under the age of 18 not to permitted at any time.***
- ***The challenge 25 scheme must operate in the venue, both on the door and on each operational bar.***
- ***Staff will be trained to operate the scheme including how to recognise and respond to underage persons. Staff training records will be maintained and made available to authorities for inspection upon request.***

- ***Prominent challenge 25 posters will be displayed throughout the venue.***
- ***Refusal log shall be completed both on the door and for each operational bar.***
- ***A refusals log shall be kept for a min of 6 months. A refusal log should include; time, date, description of person, reason for refusal and name of person completing form.***
- ***Recognised ID scanner linked up to a central working data base. An ID scanner will be used at all times when security staff are employed. Images to be kept for 31 days and shall be downloaded and made available to South Yorkshire Police and authorised officers of the council upon request.***
- ***To be part of the town centre radio scheme and acquire a suitable number of radios sets for the premise.***
- ***A copy of the South Yorkshire Police violent incident protocol to be displayed within the premise, insight of staff only. This protocol should also form part of the staff training and training records to reflect such input.***
- ***A colour CCTV system to the specification and satisfaction of South Yorkshire Police will be fitted, maintained and in use at all times whilst the premises are open. The CCTV images will be stored for 31 days and police and authorised officers of the council will be given access to images for purposes in connection with the prevention and detection of crime and disorder.***
- ***Members of the management team will be trained in all aspects of the cctv system including the ability to configure, monitor, record and download.***
- ***A member of staff, fully trained in the operation of the cctv system, will be present at the venue at all times during opening hours. This member of staff will provide immediate***

access to the system, facilitate the playback of images and supply downloaded footage when requested to South Yorkshire Police.

- *A member of the management team will conduct a check of the cctv system on a weekly basis to ensure it is operating correctly. A record of the checks will be maintained and will be produced to the police/authorised officers of the council on request for inspection.*
- *CCTV camera to be located at the entrance of the venue at the side of the scanner to provide evidence of the use of the scanner and to ensure face recognition of all customers.*
- *The owner/manager will facilitate a review of the cctv system by a South Yorkshire Police Designing Out Crime Officer and will implement any recommendations within an agreed time frame.*
- *Policies must be in place for entry procedures, search procedures, drugs and toilet inspections.*
- *Incident logs must be kept at the premise which should contain date, time, description of incident, details of victim/offender/others involved, outcome/actions taken by staff, details of staff members involved, time/date and details of person completing form.*
- *Implement training for staff, detailing information/processes/procedures surrounding customer behaviour/dealing with conflict, drugs, intoxication and injury, age verification, vulnerable people and spiking. Training to be reviewed every 6 months and a training log kept which can be produced upon request of an authorised person.*
- *An accredited SIA security company will be used.*
- *Security staff to be employed for any planned event.*

- ***Security staff to be employed from 19:00, with an additional guard from 22:00 on both Friday and Saturday nights, in addition to an overriding risk assessment. Should the venue open prior to 19:00 a full assessment will be completed for the use of security staff.***
- ***South Yorkshire Police should be altered to the company that is being used and of any changes.***
- ***All security staff to be briefed at the start of every shift on expectations and potential problems that may arise, which is then to be logged and signed by all staff in attendance.***
- ***Security staff to use body worn video (BWV). The venue to create a BWV policy governing its deployment.***
- ***Training shall be given to security staff in relation to illness and injury, drugs, age verification, refusal and ejection, spiking, vulnerable people, prevention and reduction of crime and incident recording. This is to be completed by all security staff and refreshed every 6 months. A training log should be kept which can be produced upon request by an authorised person.***

1.4 On the 17th May 2022 the position of Designated Premises Supervisor for Sugar Club was transferred to Mr Thomas White.

1.5 On the 18th May 2022 an application for a minor variation was made by Sugar Events Limited to add the conditions agreed at 1.3 to the premises licence for Sugar Club. A new premises licence was issued on the 8th June 2022 containing the agreed conditions. A copy of the premises licence is attached as appendix 2.

1.6 On the 5th September 2022 the position of Designated Premises Supervisor for Sugar Club was transferred to Anna Harper.

1.7 On the 28th September an application was made to vary the premises licence for Sugar Club to add a second floor to the venue and extend the

opening hours. A copy of the variation application and a plan of the premises is attached as appendix 3.

- 1.8 On the 14th October 2022 the premises licence holder was notified that the 28 day consultation period would have to start again for the variation application as the notice in the local newspaper had been published outside of the 10 days required by the Licensing Act 2003.
- 1.9 On the 24th October 2022 an application to review the premises licence for Sugar Club was received from South Yorkshire Police.
- 1.10 On the 25th October 2022 an objection to the variation application for Sugar Club was received from South Yorkshire Police. It has been agreed by all parties that the date set for this hearing be adjourned until after the review hearing has taken place on the 19th December 2022.
- 1.11 Members are requested to determine the application for a review of the premises licence.

2 Premises Licence

- 2.1 The premises licence is held by Sugar Events Limited, a company of which Ashley Stockton is the Sole Director. The premises operates as a town centre venue surrounded by a variety of local amenities including retail, residential and other licensed premises. The current licence allows the provision for a number of licensable activities, including the sale of alcohol and regulated entertainment.

3 The Application for a Review of the Premises Licence

- 3.1 On the 24 October 2022, an application was made by South Yorkshire Police as a Responsible Authority to review the Premises Licence in respect of Sugar Club, 7 Pitt Street, Barnsley, as set out in Appendix 4.

The application for review relates to the following licensing objectives:-

- a) Protection of Children from Harm
- b) Prevention of Crime and Disorder

4 Grounds for Review

4.1 Details of the grounds for review are contained within Appendix 4, which states:-

Evidence to support this application centres around the protection of children from harm and the prevention of crime and disorder. Recent history will show that:

- On the 20th April 2022, South Yorkshire Police submitted to Barnsley Metropolitan Borough Council an application to review the premise licence at Sugar Club.
- On the 18th May 2022, Mr Stockton submitted a minor variation application to Barnsley Council Licensing to include the agreed licensing conditions on the premises licence.
- On the 11th June 2022 at 00:45, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that the ID scanner was not working and the violent incident protocol was not displayed whilst the venue was open to the public.
- On the 12th June 2022 at 00:02, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that the ID scanner not working whilst the venue was open to the public.
- On the 2nd July 2022 at 00:20, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions noting that the ID scanner was not working whilst the venue was open to the public.
- On the 9th July 2022 at 00:34, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that there was only one security guard employed when at that time there should have been two.

- On the 15th July 2022 at 23:45, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that security staff working at the venue were not equipped or wearing Body Worn Video (BWV) whilst the premise was open to the public.
- On the 17th July 2022 at 01:30, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that security staff working at the venue were not equipped or wearing Body Worn Video (BWV) whilst the premise was open to the public.
- On the 29th and 30th July 2022, breaches of the conditions on the premise licence were recorded when the venue opened without employing an accredited security company.
- On the 3rd August 2022, a breach of the conditions on the premise licence was recorded when officers visited to obtain CCTV and the DPS at the time was unable to supply the required footage claiming that he did not know how to download it.
- On the 20th August at 00:10, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that security staff working at the venue were not wearing Body Worn Video (BWV) whilst the premise was open to the public.
- On the 2nd September at 23:40, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that the ID scanner not working whilst the premise venue was open to the public. In addition the town link radio that is used to communicate between venues and is linked to the CCTV control room was switched off and not charged.
- On the 2nd October at 00:01, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that the ID scanner not initially working whilst the

venue was open to the public. In addition neither of the security staff working were wearing BWV.

- On the 8th October 2022 at 22:30, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that there was only one security guard working at the time of the visit, when from 22:00 there should have been two.
- The conditions that were added to the licence following the review application in May 2022 were agreed by all parties in order to try and promote the licensing objectives; protection of children from harm and prevention of crime and disorder. Given that there have been several breaches already of these conditions, which are listed above, it demonstrates that the management and owner of the venue is not promoting the licensing objectives, therefore failing to elevate any of our concerns.

4.2 Further supporting evidence and witness statements provided by South Yorkshire Police are attached at Appendix 5 and detail the following:-

- **Statement from Licensing Enforcement Officer Kirsty Green**
- **Statement of PC 2329 Sabato Michael Sabato dated 28.04.22 (Redacted)**
- **Email Exchange 10.01.22 (Exhibit 1)**
- **Action Plan January 2022 (Exhibit 2)**
- **Email Exchange 21.02.22 (Exhibit 3)**
- **Statement of PC 3698 Ashleigh Pollard dated 15.04.22 (Redacted)**
- **Statement of A/PS 1810 Sarah Botham dated 11.05.22 (Redacted)**
- **Email Exchange 06.04.22 (Exhibit 4)**
- **Statement of Inspector Peter Spratt dated 17.11.22**
- **Statement of PC 514 Gemma Fallis dated 24.04.22 (Redacted)**
- **Review Application 20.04.2022 (Exhibit 5)**
- **Statement of PC 3164 James Thornton dated 25.04.22**

- **Statement of PS 2030 Jodie Kean dated 26.04.22**
 - **Email Exchange 27.04.22 (Exhibit 6)**
 - **Statement of T/PS 576 Christopher Phillips dated 29.09.22 (Redacted)**
 - **Statement of PC 2683 Benjamin Johnston dated 29.11.22 (Redacted)**
 - **CCTV provided by Mr Stockton (Exhibit 7)**
 - **Statement of DC 2389 Catherine Simpson dated 21.09.22 (Redacted)**
 - **Email from DPS Ms Harper 13.08.22 (Exhibit 8)**
 - **Statement of PC 952 Dom Moffitt dated 19.09.22 (Redacted)**
 - **Statement of PC 1413 Benjamin Child dated 08.09.22 (Redacted)**
 - **Email from DPS Ms Harper 24.08.22 (Exhibit 9) (Redacted)**
 - **Statement of T/PS 2948 Gareth Lee dated 04.11.22 (Redacted)**
 - **Email from DPS Ms Harper 05.09.22 (Exhibit 10) (Redacted)**
 - **Statement of PC 1548 Euan Reilly dated 04.11.22**
 - **Statement of PC 1584 Esme Wright dated 04.10.22**
 - **Statement of PC 244 Beatrice Higgins dated 24.11.22 (Redacted)**
 - **Statement of PC 2083 Matthew Smith dated 27.11.22**
 - **SYP Objection to Late Temporary Event Notice (Exhibit 11)
(Redacted)**
 - **Application for Review (Exhibit 12)**
 - **SYP Objection - Variation Application Objection (Exhibit 13)
(Redacted)**
 - **Statement of T/PS Christopher Phillips dated 31.10.22 (Redacted)**
 - **Statement of Inspector Kieran Frain dated 17.11.22**
 - **Statement of A/PS 2347 Adam Craven dated 30.11.22**
- Further information, statements and body worn footage may be submitted at a later date.

5 Responsible Authorities/Interested Parties

5.1 Representation has also been received from Stephen Butler, Environmental Health Officer, (Health & Safety - Regulatory Services) in respect of the following licensing objective:

- **Public Safety**

5.2 A copy of Mr Butler's representation and statement detailing numerous concerns raised, inspections carried out and improvement notices served is set out in Appendix 6.

5.3 No other comments have been received from Interested Parties concerned with this matter.

6 Compatibility with the European Convention on Human Rights

The decision of the Board will amount to a determination of the Council and the rights of the applicant. Therefore, as far as it is possible to do so, the Board must comply with the requirements of Article 6 (the right to a fair trial). This means the applicant should be afforded the right to make oral representations at the meeting.

If Members decide to revoke or amend the licence then the reasons for the decision must be clearly stated.

7 Options available to the Statutory Licensing Sub-Committee

The Board must, having regard to the application for and any relevant representations, take such of the steps mentioned below as it considers necessary for the promotion of the licensing objectives.

The steps are:

- a) To modify the conditions of the licence;
- b) To exclude a licensable activity from the scope of the licence;
- c) To remove the Designated Premises Supervisor;

- d) To suspend the licence for a period not exceeding three months;
- e) To revoke the licence;

And for this purpose the conditions of the licence are modified if any of them are altered or omitted or any new condition is added.

8 Financial Implications

N/A

9 List of Appendices

Appendix 1 – Initial Application to Review Premises Licence

Appendix 2 – Premises Licence with Amended Conditions

Appendix 3 – Premises Licence Variation and Plan

Appendix 4 – Application to Review Premises licence

Appendix 5 - South Yorkshire Police Statements and Supporting Documentation

Appendix 6 – Representation and Supporting Evidence from Health & Safety Officer

Officer Contact: Debbie Bailey **Telephone No.**07786525961 **Date:** 30th November 2022

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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) apply for the review of a Premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description. Sugar Club, 7 Pitt Street, Town Centre	
Post town Barnsley	Post code (if known) S70 1AL
Name of premises licence holder or club holding club premises certificate (if known) Sugar Events Ltd	
Number of premises licence or club premises certificate (if known) 069586	

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)

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

Surname

First names

Please tick yes

I am 18 years old or over

Current address

Post Town

Post Code

Daytime contact telephone number

Email address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
E-mail (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address South Yorkshire Police Barnsley Police Headquarters Churchfield Barnsley S70 2DL
Telephone number (if any) 01226 736046
E-mail (optional) John.Kirkham@southyorks.pnn.police.uk /kirsty.green@southyorks.pnn.police.uk

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

Please tick one or more boxes Y

- 1) the prevention of crime and disorder Y
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm Y

<p>Please state the ground(s) for the review (please read guidance note 1)</p> <p>The grounds for this review are based on the following aspects of the 2003 Licensing Act objectives:-</p> <p style="text-align: center;">Prevention of crime and disorder Protection of Children from Harm</p>

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

Evidence to support this application centres around the protection of children from harm and the prevention of crime and disorder. Recent history will show that:

On the **8th January 2022 at 23:24**, South Yorkshire Police received a complaint alleging that there was a number of underage people in the venue. (SYP Incident 0968 08.01.2022).

Police officers visited Sugar Club following the complaint and conducted a licensing check. Upon entering a number of patrons left. Four patrons were confronted who all admitted to being 15 and 16, stating that they had visited Sugar Club as they knew no one was challenging for ID. Officers spoke with several other people inside Sugar Club who appeared to be under 18 and were unable to produce any ID. Footage from body worn cameras will be disclosed at a later date.

On the **27th January 2022**, Mr Stockton was served with an action plan following the incident on the 8th January where underage persons were found drinking in the venue and a subsequent review of the policies and procedures at the venue on the 20th January 2022.

On **Friday 4th March 2022**, as part of 'Street Safe' which is the operation name given to policing of the night-time economy, patrols officers attended the Sugar Club at 23:00. PC Pollard was amongst officers who approached the venue on foot and witnessed the security guard on the door go into the premise briefly and a number of individuals exit that appeared to be possibly under age. Unfortunately, officers were unable to obtain details of these individuals.

On entry into the club, PC Pollard noted that there was approximately 30 people inside with no one appearing obviously underage. After leaving the premise officers returned to their van and observed a male that had left on officers initial approach attempt to re-enter the club stating he had left his hat. When challenged by officers he did not have any ID on him and security refused entry this time.

On the **19th March 2022**, temporary Police Sargent Botham whilst conducting duties as part of 'Street Safe' spoke with a female on Pitt Street. The female was underage, and although she was not seen going in or coming out of premise, stated that she had been in the Sugar Club.

On the **25th March 2022**, police officers attended and conducted a licensing visit and observed underage youths drinking within the premises who confirmed that they have been sold alcohol.

Sugar Club opened in December 2021 and between the 31.01.2022 and the 05.04.2022 several intelligence reports were received by South Yorkshire Police detailing how underage people had been frequenting the venue.

On **9th April 2022**, South Yorkshire Police carried out a targeted operation on Sugar Club. Safeguarding issues were highlighted as part of the operation with the club allowing entry and serving alcohol to underage children. Several underage children admitted to drinking alcohol, one identified as being vulnerable and at risk of child exploitation.

On the **13th April 2022**, South Yorkshire Police received a late report of a serious assault that occurred at the venue on the 4th March 2022, 14/71225/22. This incident involved a male who was punched in his eye causing trauma and requiring medical treatment at Barnsley Hospital and Royal Hallamshire hospital in Sheffield. At this time this is still an on-going investigation.

On the **14th April 2022**, South Yorkshire Police received a homophobic complaint that occurred in the venue, 14/71073/22.

On the **20th April 2022**, Licensing visit carried out with BMBC & South Yorkshire Police Licensing Officers at the venue. Visit highlighted that CCTV only recorded until 04:00 when the venue is open until 05:30. No refusal logs had been recorded since the 02.04.2022, incident logs were missing and ones that were present were completely incorrectly with very little detail and the Premise licence was not displayed.

Further information, statements and body worn footage will be submitted at a later date.

Please tick Y yes

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

If yes please state the date of the application

Day Month Year

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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If you have made representations before relating to these premises please state, what they were and when you made them

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities
In addition, the premises licence holder or club holding the club premises certificate,
as
Appropriate
- I understand that if it do not comply with the above requirements my application x
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 (please read guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

Kirsty Green

Date

20.04.2022.....

Capacity

Licensing Enforcement

Officer.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5) John Kirkham / Kirsty Green Licensing Enforcement Officers Barnsley Police Headquarters	
Post town Barnsley	Postcode S70 2DL
Telephone number (if any) 01226 736046	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) John.kirkham@southyorks.pnn.police.uk /Kirsty.green@southyorks.pnn.police.uk	

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 the application.



Core Services Directorate
Legal Services
Head of Legal Services:
Jason Field

Sugar Events Ltd
Sugar Club
7 Pitt Street
Barnsley
South Yorkshire
S70 1AL

My Ref: LICENSING/MAU 068586
Your Ref:
Date: 7th June 2022
Enquiries to: Licensing Section
Direct Dial: 01226 773555
E-Mail: licensing@barnsley.gov.uk

Dear Sir/Madam,

**Licensing Act 2003,
Application For a Minor Variation to a Premises licence
Sugar Club, 7 Pitt Street, Barnsley, South Yorkshire, S70 1AL**

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

The premises licence became effective on 9 October 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:

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.

Surrender a Premises Licence

If you no longer require this licence or if the business is no longer trading you must inform the Licensing Section immediately, completing a surrender of licence request form available online. The licence holder will be liable for premises licence fees indefinitely unless the licence is surrendered or transferred.

Gaming Machine Licences

If applicable to this premises, please note that any gaming machine notifications in place at a premises lapse upon transfer and a new application must be made. Any gaming machine permits in place at a premises must be transferred separately and will also lapse on transfer.

If you have any queries on this matter please contact the Licensing Section via licensing@barnsley.gov.uk.

Yours faithfully,

J Dodds

Jacqueline Dodds
Licensing Support Officer, Litigation and Licensing



BARNSELY METROPOLITAN BOROUGH COUNCIL

PREMISES LICENCE LICENSING ACT 2003

Schedule 12 Part A
Regulation 33, 34

Premises Licence Number	068586
Date of Grant	9 October 2012
Premises Address	Sugar Club 7 Pitt Street Barnsley South Yorkshire
Postcode	S70 1AL
Telephone Number	01226 244433
Activities authorised by this licence	The sale by retail of alcohol The provision of regulated entertainment The provision of late night refreshment
Times authorised to undertake licensable activities	Recorded Music Licensed for recorded music indoors (see times below): Recorded music permitted: 7 days a week from 11:00 until 05:30 (the following morning) Licensed for recorded music outdoors (see times below): Recorded music permitted: Sunday to Thursday from 11:00 until 24:00 Recorded music permitted: Friday to Saturday from 11:00 until 01:30 (the following morning) Live Music Licensed for live music indoors (see times below): Live music permitted indoors: 7 days a week from 11:00 until 05:30 (the following morning) Licensed for live music outdoors (see times below): Live music permitted outdoors: Sunday to Thursday from 11:00 until 24:00 Live music permitted outdoors: Friday to Saturday from 11:00 until 01:30 (the following morning) Supply of Alcohol Supply of alcohol permitted: 7 days a week from 11:00 until 05:00 (the following morning) Late night refreshment Licensed for Late night refreshment indoors and outdoors (see times below) Late night refreshment permitted: 7 days a week from 11:00 until 05:30 (the following morning)
Conditions consistent with a former Children's Certificate under Section 168A of the Licensing Act 1964	Not applicable
Embedded Restrictions	Not applicable
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:
None Specified

Opening Hours of the Premises
Hours premises are open to the public: 7 days a week from 11:00 until 05:30 (the following morning)

Whether the sale by retail of alcohol is for consumption on and/or off the premises
Alcohol-On The Premises
Alcohol-Off The Premises

Name, (registered) address, telephone number and email(where relevant) of premise licence holder
Sugar Events Ltd
7 Pitt Street
Barnsley
S70 1AL

Registered Number of Company if Applicable 13670280

Designated Premises Supervisor
(This section will be blank if the licence does not authorise the sale of alcohol)

Name and Address of the designated premises supervisor
Mr Thomas White
25 Jackson Street
Barnsley

Post Code S72 8UR

Personal Licence Number and issuing authority of the personal licence held by the designated premises supervisor
095433
Barnsley Metropolitan Borough Council

LEGAL SERVICES TEL: 01226 773555



BARNSLEY METROPOLITAN BOROUGH COUNCIL

PREMISES LICENCE SUMMARY

Premises Licence No.	068586
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Premises Address:	Sugar Club 7 Pitt Street Barnsley South Yorkshire
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Postal Code	S70 1AL
--------------------	---------

Telephone Number	01226 244433
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Activities authorised by this licence
The sale by retail of alcohol The provision of regulated entertainment The provision of late night refreshment

Times authorised to undertake licensable activities
Recorded Music Licensed for recorded music indoors (see times below): Recorded music permitted: 7 days a week from 11:00 until 05:30 (the following morning) Licensed for recorded music outdoors (see times below): Recorded music permitted: Sunday to Thursday from 11:00 until 24:00 Recorded music permitted: Friday to Saturday from 11:00 until 01:30 (the following morning) Live Music Licensed for live music indoors (see times below): Live music permitted indoors: 7 days a week from 11:00 until 05:30 (the following morning) Licensed for live music outdoors (see times below): Live music permitted outdoors: Sunday to Thursday from 11:00 until 24:00 Live music permitted outdoors: Friday to Saturday from 11:00 until 01:30 (the following morning) Supply of Alcohol Supply of alcohol permitted: 7 days a week from 11:00 until 05:00 (the following morning) Late night refreshment Licensed for Late night refreshment indoors and outdoors (see times below) Late night refreshment permitted: 7 days a week from 11:00 until 05:30 (the following morning)

The opening hours of the premises
Hours premises are open to the public: 7 days a week from 11:00 until 05:30 (the following morning)

Where the licence authorises the sale by retail of alcohol whether this is for consumption on and/or off premises
Alcohol-On The Premises Alcohol-Off The Premises

Granted on: 9 October 2012



BARNSELY METROPOLITAN BOROUGH COUNCIL

PREMISES LICENCE

Part B

Premises Licence Number	068586
Name, (registered) address, telephone number and email(where relevant) of premise holder	Sugar Events Ltd 7 Pitt Street Barnsley S70 1AL
Registered Number of Company if Applicable	13670280
Name and Address of the designated premises supervisor	Mr Thomas White c/o Sugar Club 7 Pitt Street Barnsley South Yorkshire
Post Code	S70 1AL
Personal Licence Number and issuing authority of the personal licence held by the designated premises supervisor	095433 Barnsley Metropolitan Borough Council

LEGAL SERVICES TEL: 01226 773555

ANNEX 1

MANDATORY CONDITIONS

LICENSING ACT 2003

Licence ref no.	068586
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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.

2) 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 Licensed 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
- (c) 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. 068586

- Outdoor music shall only be allowed to be played: Sunday – Thursday up to 24:00 and Friday – Saturday up to 01:30
- The premise shall adopt a last entry policy of 04:00hrs whenever the premise is open to the public.
- The sale of alcohol shall cease 05:00hrs allowing a drinking up period prior to the premise closing at 05:30hrs
- Risk assess the use of polycarbonate drinking vessels & the decanting of glass bottles into polycarbonate drinking vessels, a record of the risk assessment to be kept for 6months.
- It is considered that for the nature of the operation door supervisors will not be required however, the use of door supervisors will be risk assessed on an event-by-event basis and a written record of the risk assessment be kept at site for 6 months and made available to the Police or an Officer of the Licensing Authority upon request. Where engaged, door staff shall be licensed by the SIA.
- Staff will receive training on matters concerning underage sales, drugs policies, and operating procedures. Records of such training will be kept and made available for inspection of the authorities.
- There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the Police.
- A colour CCTV system fitted, maintained and in use at all times whilst the premises are open. The CCTV images will be stored for 28 days and police and authorised officers of the council will be given access to images for purposes in connection with the prevention and detection of crime and disorder, in line with GDPR guidance. Members of the management team will be trained in the use of the system.
- Challenge 25 scheme must operate including a refusals log, signage and the maintenance of staff training records.
- Incident and refusal book maintained, such records to be retained for at least 12 months and available for inspection on request.
- Any drinks consumed outside to be in plastic drinking vessels
- Persons under the age of 18 not to be permitted at any time.
- The challenge 25 scheme must operate in the venue, both on the door and on each operational bar.
- Staff will be trained to operate the scheme including how to recognise and respond to underage persons. Staff training records will be maintained and made available to authorities for inspection upon request.
- Prominent challenge 25 posters will be displayed throughout the venue.
- Refusal log shall be completed both on the door and for each operational bar.
- A refusals log shall be kept for a min of 6 months. A refusal log should include; time, date, description of person, reason for refusal and name of person completing form.
- Recognised ID scanner linked up to a central working data base. An ID scanner will be used at all times when security staff are employed. Images to be kept for 31 days and shall be downloaded and made available to South Yorkshire Police and authorised officers of the council upon request.
- To be part of the town centre radio scheme and acquire a suitable number of radios sets for the premise.
- A copy of the South Yorkshire Police violent incident protocol to be displayed

within the premise, insight of staff only. This protocol should also form part of the staff training and training records to reflect such input.

- A colour CCTV system to the specification and satisfaction of South Yorkshire Police will be fitted, maintained and in use at all times whilst the premises are open. The CCTV images will be stored for 31 days and police and authorised officers of the council will be given access to images for purposes in connection with the prevention and detection of crime and disorder.
- Members of the management team will be trained in all aspects of the cctv system including the ability to configure, monitor, record and download.
- A member of staff, fully trained in the operation of the cctv system, will be present at the venue at all times during opening hours. This member of staff will provide immediate access to the system, facilitate the playback of images and supply downloaded footage when requested to South Yorkshire Police.
- A member of the management team will conduct a check of the cctv system on a weekly basis to ensure it is operating correctly. A record of the checks will be maintained and will be produced to the police/authorised officers of the council on request for inspection.
- CCTV camera to be located at the entrance of the venue at the side of the scanner to provide evidence of the use of the scanner and to ensure face recognition of all customers.
- The owner/manager will facilitate a review of the cctv system by a South Yorkshire Police Designing Out Crime Officer and will implement any recommendations within an agreed time frame.
- Policies must be in place for entry procedures, search procedures, drugs and toilet inspections.
- Incident logs must be kept at the premise which should contain date, time, description of incident, details of victim/offender/others involved, outcome/actions taken by staff, details of staff members involved, time/date and details of person completing form.
- Implement training for staff, detailing information/processes/procedures surrounding customer behaviour/dealing with conflict, drugs, intoxication and injury, age verification, vulnerable people and spiking. Training to be reviewed every 6 months and a training log kept which can be produced upon request of an authorised person.
- An accredited SIA security company will be used.
- Security staff to be employed for any planned event.
- Security staff to be employed from 19:00, with an additional guard from 22:00 on both Friday and Saturday nights, in addition to an overriding risk assessment. Should the venue open prior to 19:00 a full assessment will be completed for the use of security staff.
- South Yorkshire Police should be altered to the company that is being used and of any changes.
- All security staff to be briefed at the start of every shift on expectations and potential problems that may arise, which is then to be logged and signed by all staff in attendance.
- Security staff to use body worn video (BWV). The venue to create a BWV policy governing its deployment.
- Training shall be given to security staff in relation to illness and injury, drugs, age verification, refusal and ejection, spiking, vulnerable people, prevention and reduction of crime and incident recording. This is to be completed by all security staff and refreshed every 6 months. A training log should be kept which can be produced upon request by an authorised person.

ANNEX 3

Conditions attached after a hearing by the Licensing Authority

Licence ref no. 068586

Not Applicable

ANNEX 4

Plan of the Premises to which this Licence relates:

Plan as per appendix 1
(See attached)

Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference		You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
<p>Are you an agent acting on behalf of the applicant?</p> <p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>		<p>Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.</p>

Applicant Details

* First name	Ashley	
* Family name	Stockton	
* E-mail	ashleystockton81@icloud.com	
Main telephone number	+44 7425 935994	Include country code.
Other telephone number		
<p><input type="checkbox"/> Indicate here if you would prefer not to be contacted by telephone</p>		
<p>Are you:</p> <p><input checked="" type="radio"/> Applying as a business or organisation, including as a sole trader</p> <p><input type="radio"/> Applying as an individual</p>		<p>A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.</p>

Applicant Business

Is your business registered in the UK with Companies House?	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p>Note: completing the Applicant Business section is optional in this form.</p>
Registration number	13670280	
Business name	Sugar Events Ltd	If your business is registered, use its registered name.
VAT number	- none	Put "none" if you are not registered for VAT.
Legal status	Private Limited Company	

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

12,000

Section 3 of 18

VARIATION

Do you want the proposed variation to have effect as soon as possible? Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

Nightclub. Currently one floor. Proposed variation is to add an extra floor and increase the operating times so that we are in line with our competition.

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes
- No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes
- No

Section 8 of 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes
- No

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes
- No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Playing of recorded, amplified music in a nightclub

State any seasonal variations for playing recorded music.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 11 of 18

Continued from previous page...

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Both indoor and outdoor drinking. Music will be amplified

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="05:30"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="06:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="06:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="06:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="06:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

Continued from previous page...

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

There are two gambling machines and a punchbag machine on the premises

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

N/A

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

None

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 18

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Employ an additional security person to be placed upstairs.
CCTV to be positioned upstairs.

b) The prevention of crime and disorder

Employ an additional security person to be placed upstairs.
CCTV to be positioned upstairs.

c) Public safety

Continued from previous page...

Employ an additional security person to be placed upstairs.
CCTV to be positioned upstairs.

d) The prevention of public nuisance

Continue with the usual sound checks and ensuring customers leave the premises in a socially acceptable manner.

e) The protection of children from harm

Children are not allowed on the premises.

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000	£900.00
Band E - £125001 and over	£1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39999	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

DECLARATION

I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the

Continued from previous page...

* licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Full name

Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/barnsley/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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

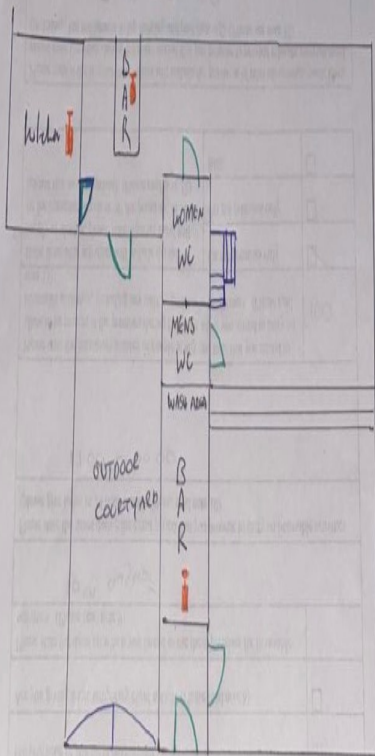
OFFICE USE ONLY

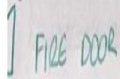

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Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [Next >](#)

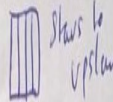
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Sugar Club
Restaurant
Plan
All AREAS TO BE ADDED TO LICENSE



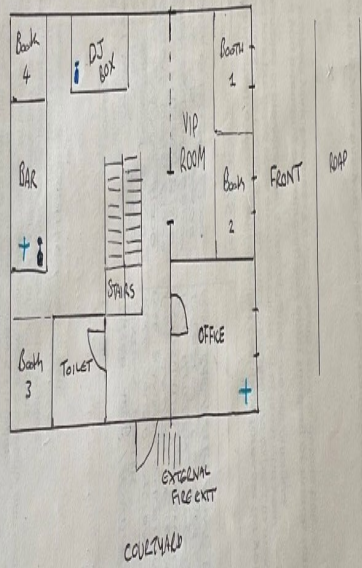
Key-
 FIRE DOOR
 - Double door/gate

FIRE EXTINGUISHER


≡ STEPS
 C = WATER CLOSET
 | = M
 Stairs to upstairs

SCALE 1M - 1CM


CANDY LOFT - UPSTAIRS
 STAIRS
 STO 1AL




KEY

 FIRE DOOR

 STAIRS

 FIRE EXTINGUISHER

 FIRST AID

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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) apply for the review of a Premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description. Sugar Club, 7 Pitt Street, Town Centre	
Post town Barnsley	Post code (if known) S70 1AL
Name of premises licence holder or club holding club premises certificate (if known) Sugar Events Ltd	
Number of premises licence or club premises certificate (if known) 069586	

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)

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

Surname

First names

Please tick yes

I am 18 years old or over

Current address

Post Town

Post Code

Daytime contact telephone number

Email address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
E-mail (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address South Yorkshire Police Barnsley Police Headquarters Churchfield Barnsley S70 2DL
Telephone number (if any) 01226 736046
E-mail (optional) John.Kirkham@southyorks.pnn.police.uk /kirsty.green@southyorks.pnn.police.uk

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

Please tick one or more boxes Y

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

<p>Please state the ground(s) for the review (please read guidance note 1)</p> <p>The grounds for this review are based on the following aspects of the 2003 Licensing Act objectives:-</p> <p style="text-align: center;">Prevention of crime and disorder Protection of Children from Harm</p>

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

Evidence to support this application centres around the protection of children from harm and the prevention of crime and disorder. Recent history will show that:

On the 20th April 2022, South Yorkshire Police submitted to Barnsley Metropolitan Borough Council an application to review the premise licence at Sugar Club.

On the 18th May 2022, Mr Stockton submitted a minor variation application to Barnsley Council Licensing to include the agreed licensing conditions on the premises licence.

On the 11th June 2022 at 00:45, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that the ID scanner was not working and the violent incident protocol was not displayed whilst the venue was open to the public.

On the 12th June 2022 at 00:02, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that the ID scanner not working whilst the venue was open to the public.

On the 2nd July 2022 at 00:20, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions noting that the ID scanner was not working whilst the venue was open to the public.

On the 9th July 2022 at 00:34, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that there was only one security guard employed when at that time there should have been two.

On the 15th July 2022 at 23:45, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that security staff working at the venue were not equipped or wearing Body Worn Video (BWV) whilst the premise was open to the public.

On the 17th July 2022 at 01:30, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that security staff working at the venue were not equipped or wearing Body Worn Video (BWV) whilst the premise was open to the public.

On the 29th and 30th July 2022, breaches of the conditions on the premise licence were recorded when the venue opened without employing an accredited security company.

On the 3rd August 2022, a breach of the conditions on the premise licence was recorded when officers visited to obtain CCTV and the DPS at the time was unable to supply the required footage claiming that he did not know how to download it.

On the 20th August at 00:10, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that security staff working at the venue were not wearing Body Worn Video (BWV) whilst the premise was open to the public.

On the 2nd September at 23:40, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that the ID scanner not working whilst the premise venue was open to the public. In addition the town link radio that is used to communicate between venues and is linked to the CCTV control room was switched off and not charged.

On the 2nd October at 00:01, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that the ID scanner not initially working whilst the venue was open to the public. In addition neither of the security staff working were wearing BWV.

On the 8th October 2022 at 22:30, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that there was only one security guard working at the time of the visit, when from 22:00 there should have been two.

The conditions that were added to the licence following the review application in May 2022 were agreed by all parties in order to try and promote the licensing objectives; protection of children from harm and prevention of crime and disorder. Given that there have been several breaches already of these conditions, which are listed above, it demonstrates that the management and owner of the venue is not promoting the licensing objectives, therefore failing to elevate any of our concerns.

Further information, statements and body worn footage will be submitted at a later date.

Please tick Y yes

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

If yes please state the date of the application

Day Month Year

20th April 2022

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

On the 20th April 2022, South Yorkshire Police applied to Barnsley Metropolitan Borough Council to review the premise licence of the Sugar Club. This was due to concerns in relation to the venue failing to promote the licensing objectives; protection of children from harm and prevention of crime and disorder.

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities
In addition, the premises licence holder or club holding the club premises certificate,
as
Appropriate
- I understand that if it do not comply with the above requirements my application x
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 (please read guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

John Kirkham

Date

24.10.2022.....

Capacity

Licensing Enforcement Officer.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5) John Kirkham / Kirsty Green Licensing Enforcement Officers Barnsley Police Headquarters	
Post town Barnsley	Postcode S70 2DL
Telephone number (if any) 01226 736046	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) John.kirkham@southyorks.pnn.police.uk /Kirsty.green@southyorks.pnn.police.uk	

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 the application.

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1. Statement from Licensing Enforcement Officer Kirsty Green
2. Statement of PC 2329 Sabato Michael Sabato dated 28.04.22 (Redacted)
3. Email Exchange 10.01.22 (Exhibit 1)
4. Action Plan January 2022 (Exhibit 2)
5. Email Exchange 21.02.22 (Exhibit 3)
6. Statement of PC 3698 Ashleigh Pollard dated 15.04.22 (Redacted)
7. Statement of A/PS 1810 Sarah Botham dated 11.05.22 (Redacted)
8. Email Exchange 06.04.22 (Exhibit 4)
9. Statement of Inspector Peter Spratt dated 17.11.22
10. Statement of PC 514 Gemma Fallis dated 24.04.22 (Redacted)
11. Review Application 20.04.2022 (Exhibit 5)
12. Statement of PC 3164 James Thornton dated 25.04.22
13. Statement of PS 2030 Jodie Kean dated 26.04.22
14. Email Exchange 27.04.22 (Exhibit 6)
15. Statement of T/PS 576 Christopher Phillips dated 29.09.22 (Redacted)
16. Statement of PC 2683 Benjamin Johnston dated 29.11.22 (Redacted)
17. CCTV provided by Mr Stockton (Exhibit 7)
18. Statement of DC 2389 Catherine Simpson dated 21.09.22 (Redacted)
19. Email from DPS Ms Harper 13.08.22 (Exhibit 8)
20. Statement of PC 952 Dom Moffitt dated 19.09.22 (Redacted)
21. Statement of PC 1413 Benjamin Child dated 08.09.22 (Redacted)
22. Email from DPS Ms Harper 24.08.22 (Exhibit 9) (Redacted)
23. Statement of T/PS 2948 Gareth Lee dated 04.11.22 (Redacted)
24. Email from DPS Ms Harper 05.09.22 (Exhibit 10) (Redacted)
25. Statement of PC 1548 Euan Reilly dated 04.11.22
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27. Statement of PC 244 Beatrice Higgins dated 24.11.22 (Redacted)
28. Statement of PC 2083 Matthew Smith dated 27.11.22
29. SYP Objection to Late Temporary Event Notice (Exhibit 11) (Redacted)
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32. Statement of T/PS Christopher Phillips dated 31.10.22 (Redacted)
33. Statement of Inspector Kieran Frain dated 17.11.22
34. Statement of A/PS 2347 Adam Craven dated 30.11.22

WITNESS STATEMENT OF
KIRSTY GREEN
1ST STATEMENT ON BEHALF OF THE APPLICANT

**BEFORE THE LICENSING COMMITTEE OF
BARNSELY METROPOLITAN BOROUGH COUNCIL**

IN THE MATTER OF A REVIEW OF
PREMISE LICENCE UNDER
SECTION 51 OF THE
LICENSING ACT 2003

CHIEF CONSTABLE OF SOUTH YORKSHIRE POLICE

And

SUGAR CLUB
SUGAR EVENTS LTD

WITNESS STATEMENT OF

KIRSTY GREEN

My name is Kirsty Green and I work for South Yorkshire police in the capacity of a licensing enforcement officer. My role is to look after all licensed premises within the Barnsley area.

There are several references in the statement to 'Street Safe'. 'Street Safe' is the operation name given to policing of the night-time economy by South Yorkshire Police. When referencing visits carried out during 'Street Safe', information has been obtained by myself from the Street Safe document.

The conversations detailed in my statement by licensing enforcement officer John Kirkham have been taken from information recorded on the South Yorkshire Police Innkeeper System.

1. On the 8th January 2022 at 23:24, South Yorkshire Police received a complaint alleging that there was a number of underage people drinking in Sugar Club.

(Police Incident SYP-20220108-0968 08/01/2022 23:24)

After receiving the complaint, police officers visited and conducted a licensing check. Upon entering a number of customers left. Four customers were confronted who all admitted to being 15 and 16, stating that they had visited Sugar Club as they knew no one was challenging for ID. Officers spoke with several other people inside Sugar Club who appeared to be under 18 and were unable to produce any ID. **Please see PC Sabato statement.** BWV – MTS/1 – 746060 - Sugar Club Licence Check.

2. On the 10th January 2022, telephone call made to leaseholder and Designated Premise Supervisor (DPS) Ashley Stockton. There was no response therefore, I left a message asking him to call me back as soon as possible.

3. On the 10th January 2022, telephone call made to premise licence holders Hartwood Estates where I spoke with a representative named Sarah. I explained what had occurred at the venue on the 8th January 2022 and asked for a meeting with themselves and Mr Stockton to discuss further.

Sarah called me back a short while later and advised that Alan who was responsible for the Barnsley area was not available to meet that week. Sarah also advised that she had spoken with Mr Stockton who had stated that he was feeling unwell and was going to undertake a PCR test. I stated that although I was disappointed that we would be unable to meet that week, I stressed that I had now highlighted the problems brought to my attention for them to address for the forthcoming weekend.

4. On the 10th January 2022, there was an email exchange between Mr Stockton and myself. The purpose of the email was to bring the concerns highlighted from

the 8th January 2022 to his attention and to try to arrange a meeting. Please see **Exhibit 1** for the content of the email exchange.

5. On the 14th January 2022, Licensing Enforcement Officer John Kirkham spoke with Mr Stockton on the telephone in relation to the incident on the 8th January 2022. Mr Stockton advised that after becoming aware of the issue he had taken steps to address it by employing security staff from 20:30 and had arranged for his DPS at Truth32 Mr Craig Wildsmith, to support the manager at Sugar Club. A meeting was arranged for the 20th January 2022 to review paperwork at the venue and to implement an action plan.
6. On the 20th January 2022, John Kirkham attended the Sugar Club in company with BMBC Licensing Officer Martin Cooper, also present was Mr Stockton and manager Vlad Sevciuc. A review of Mr Stockton's policies was carried out and the following was noted for elements that needed amending;
 - Anti-theft policy – details of the process regarding found property and process for dealing with anyone found stealing in the venue needed adding.
 - Child protection policy – procedure if young person falls ill inside the venue. Identification of member of staff with safeguarding training was missing. At the time, Mr Stockton advised that he would arrange safeguarding training for staff.
 - Licensed door staff procedure – required details of information given to door staff during briefing. Mr Stockton was advised that the briefing document must be signed by security staff on duty to indicate understanding.
 - Crime prevention policy – add details regarding the risk assessment conducted to decide security staffing levels.
 - First aid – identify a 'safe area' and include it in the policy.

- Managing conflict – document detailed DPS always on site, therefore recommended that this was amended to DPS or personal licence holder.

John Kirkham was unable to review their search policy at the time of the visit. John Kirkham also reviewed their incident log, toilet check sheets and refusal log, noting that the last refusal was the 15.01.2022. A check was conducted of the CCTV with no problems highlighted with quality. Highlighted to Mr Stockton was a camera with obstructed views due to foliage and a 'blind spot' in the same area near to the DJ booth. The external seating area was covered by one camera, however part of the seating area was not covered; therefore John Kirkham recommended that this camera was repositioned to give full coverage. Mr Stockton stated that the system retained images for 30 days and that both he and Mr Sevciuc could operate the system fully, this being demonstrated at the time. A further meeting was arranged for Mr Stockton the following day to implement the action plan.

7. On the 21st January 2022, John Kirkham received a message from Mr Stockton stating that he would be unable to attend the meeting due to his son being unwell and would rearrange the meeting.
8. On the 26th January 2022, I tried to call Mr Stockton however there was no response. Therefore, I sent an email to him rearranging the meeting with John Kirkham giving him the time and date of the proposed meeting.
9. On the 27th January 2022, meeting held with John Kirkham and Mr Stockton, also present was Inspector Clive Collings and Craig Wildsmith the DPS at Truth32. Truth32 is another venue in the town centre that Mr Stockton holds the premise licence for; he is the managing director of Truth Nightclub LTD that is currently detailed as the premise licence holder. Mr Stockton was served with an action plan following the incident on the 8th January where underage persons were found drinking in the venue and a subsequent review of the policies and

procedures. The details of the action plan were explained and the action plan was agreed and signed by Mr Stockton, Inspector Collings and John Kirkham. Mr Stockton was informed that the action plan would be monitored for compliance during the next twelve months and that regular visits would be made to the venue. He was also advised that further action would be taken in respect of failure to comply with the action plan or if further incidents occurred. Please see **Exhibit 2** for the Action Plan.

10. On the 28th January 2022, visit conducted as part of Street Safe. All in order.
11. On the 31st January 2022, information received that on the 30.01.2022 at approximately 02:00 there was a large quantity of underage people inside the venue.
12. On the 4th February 2022, visit conducted as part of Street Safe. All in order.
13. On the 20th February 2022, visit conducted as part of Street Safe. All in order.
14. On the 21st February 2022, information received that an argument was overheard from the street at the weekend. The argument being between a girl who was allegedly 14 years old and a family friend who confronted the girl after she left Sugar Club, with the adult female instructing the young girl to go home.
15. On the 21st February 2022, after being unable to speak with Mr Stockton via telephone, I sent an email to him advising that I had received information alleging that underage people had been frequenting the venue at the weekend. The email also reminded Mr Stockton of his responsibilities at the premise. Mr Stockton sent an email back acknowledging this. Please see **Exhibit 3** for the content of the email exchange.
16. On the 26th February 2022, visit conducted as part of Street Safe. All in order.
17. On the 3rd March 2022, John Kirkham carried out a licensing visit at Sugar Club with BMBC Martin Cooper to review the action plan set in January 2022, also present was Mr Stockton and DPS Mr Servciuc. John Kirkham inspected their refusals and ejection logs and noted that they been completed and had entries

from the previous weekend. Challenge 25 posters were displayed in prominent points in the club including at the point of sale for alcohol. A document containing details of all staff (including security staff) was produced indicating that all members of staff had read and understood the policies and procedures held by the club, which were dated confirming receipt of the training. A briefing document for security at the commencement of their shift was in use and was again signed by the member of staff acknowledging receipt of the briefing. The CCTV system was viewed and found to cover all areas of the club. The quality of images on playback were good and the system stored images for 30 days with access being given to footage on request. A basic risk assessment was provided in respect of security numbers required on a regular basis to allow the safe running of the club. Policy and procedure documents were checked and the following required attention;

- under 18 event policy required clarification in respect of safeguarding and appropriately trained staff.
- The search policy required further information in respect of searching persons in a room for privacy reasons, to ensure that two persons were present and the room used was covered by CCTV.
- The first aid policy required further information to ensure that staff trained in first aid were present and identifiable at the venue and identifiable by other staff members during the time it was operating.

Mr Stockton stated that he would include the information in the policies as required and would ensure that all documents were presented in a folder for ease of viewing and that the completed version would be sent via email. Mr Stockton was advised that the action plan remained in place and that further visits would be conducted to ensure compliance.

18. On Friday 4th March 2022, officers who were conducting Street Safe patrols raised concerns about potential underage people in the venue. **Please See PC Pollard's statement for more information.**
19. On the 17th March 2022, information received that underage were frequently using the venue and being sold alcohol and that many Barnsley supporters, many of whom who are underage are also accessing the premise during match days and drinking alcohol. Information received was that underage people were using fake IDs that were not being scrutinised by security in order to gain entry.
20. On the 19th March 2022, Temporary Police Sargent Botham whilst conducting duties as part of Street Safe spoke with a female on Pitt Street. The female was underage, and although she was not seen going in or coming out of the premise, stated that she had been in the Sugar Club. **Please see T/PS Botham's statement for more information.**
21. On the 21st March 2022, information received that that on the evening of the 19.03.2022, underage people had been frequenting the venue.
22. On the 23rd March 2022, after being unable to speak with Mr Stockton via telephone, I sent an email advising that I had received information of individuals on pubwatch frequenting Sugar Club. I reminded Mr Stockton that as both individuals were currently on a pubwatch ban, that both should be refused entry and service in the venue. Mr Stockton sent an email back stating that he would brief security once more to ensure that they were refused entry.
23. On the 25th March 2022, intelligence report submitted 14/30402/22. This detailed the visit that was conducted by police officers on the 08.01.2022 where underage people were found inside the venue.
24. On the 2nd April 2022, visit conducted as part of Street Safe. All in order.
25. On the 5th April 2022, information received that underage people were frequenting the venue on Friday and Saturday nights and being sent up to the 'VIP' area to evade any officers carrying out checks at the weekend.

Further information was also received that underage people were frequenting the venue on Friday and Saturday nights and that footage from social media had been seen of underage individuals inside the venue on those nights.

26. On the 5th April 2022, I tried to call Mr Stockton on the telephone, however there was no response; therefore I left a message asking him to contact me as soon as possible.
27. On the 5th April 2022, telephone call made to Mr Wildsmith advising that I needed to speak with Mr Stockton. Mr Wildsmith stated that he was also struggling to get hold of him, however stated that he was scheduled to speak with him later that day and would pass on my message and ask him to contact me.
28. On the 5th April 2022, email sent to Mr Stockton advising that I needed to speak with him and that I needed to arrange a visit to the venue.
29. On the 6th April 2022, email exchange with Mr Stockton. The email raised concerns that had been brought to my attention again about individuals on pubwatch and reports of underage people frequenting the venue and also concerns about being unable to contact him. Please see **Exhibit 4** for content of email exchange.
30. On Saturday 9th April 2022, South Yorkshire Police carried out a targeted operation on Sugar Club. Safeguarding issues were highlighted as part of the operation with the club allowing entry and serving alcohol to underage children. Several underage children admitted to drinking alcohol, one identified as being vulnerable and at risk of child exploitation. (Police Incident SYP-20220409-1099 at 23:40) **Please see Inspector Peter Spratt's statement.**
31. On the 13th April 2022, South Yorkshire Police received a late report that occurred at the venue on the 4th March 2022, (Police Incident SYP-20220413-1064 - 23:13 (FROM 04.03.2022)). Crime number - 14/71225/22. This incident involved a male who was punched in his eye causing trauma and requiring

medical treatment at Barnsley hospital and Royal Hallamshire hospital in Sheffield. This investigation was concluded with no offender being identified.

32. On the 14th April 2022, South Yorkshire Police received a homophobic complaint that occurred in the venue – Police Incident SYP-0030-14/04/2022. Complainant was in the venue when he was grabbed by the throat and called a name which he believed to be homophobic. Crime investigation 14/71073/22 completed – no offender identified and case closed.

33. On the 19th April 2022, I received a telephone call from Mr Stockton. Mr Stockton stated that he would like to rebuild the working relationship with me that he believed we once had and acknowledged that he needed to talk with me more. I advised that I had tried to speak with him on several occasions but there had been no response and he had failed to call me back, therefore leaving emails as my only communication method with him. Mr Stockton stated that he would now be available should I call and need to speak with him.

Mr Stockton spoke with me regarding another venue alleging that they were allowing underage people into the premise. I advised that I would report this through the correct channels. Mr Stockton then went on to state that he knew who had been complaining about him and that there were further issues there. I advised Mr Stockton that we had continued to receive complaints of underage people in the venue, which subsequently led to the operation on the 09.04.2022, where underage people were indeed found in the premise.

I enquired if there had been an altercation at the venue in the early hours of the 15.04.2022. Mr Stockton acknowledged that a male had frequented Sugar and may have been assaulted as he left the venue. Mr Stockton however stated that once outside the same male continued to cause problems on the street, which resulted in Police being called. I advised that I would like to see the footage of this incident via CCTV and would arrange to visit.

34. On the 16th April 2022, licensing visit carried out as part of Street Safe. Whilst PC Fallis was inside the premise it was noted that one female was unable to produce any ID as proof of age, instead she advised that she had presented ID on her mobile phone in order to gain entry. Information obtained from the Street Safe document. **Please refer to PC Fallis' Statement.**

35. On the 20th April 2022, licensing visit carried out with BMBC Martin Cooper, also present was Mr Stockton, Mr Servciuc and Chris Demondy who stated that he worked at the venue alongside the door staff. I asked to see their refusal logs to be presented with one for two bars. I asked how refusals were recorded for the other bar, to which Mr Servciuc stated that staff from the back bar came to the front bar to record any refusals made. I stressed that two refusal logs were required, one for each bar. I was presented with refusal logs for the front door; however, the last entry was the 02.04.2022. I queried where the refusals were from that day to present, to which they advised that they did not know.

I inspected the briefing sheets for security to find that the briefing sheet produced by Shadow Security was a generic one and noted all policies and procedures in place. I advised that the briefing should be specific to their venue and detail; previous problems at the venue, any problematic individuals, matters arising from pubwatch, issues regarding underage people and checks etc. I was then shown a piece of torn paper that was headed with 'briefing for security' for the 16.04.2022, with signatures from security staff with just one comment regarding asking for IDs. I stressed that this was not sufficient and was only for one day as they were unable to produce any other dates.

I discussed with them an incident that was brought to my attention in the early hours of the 15.04.2022. Mr Demondy advised that he had been working that day and explained that a male had been causing problems inside the venue that resulted in several other customers fighting and getting involved. Mr Demondy advised that they had managed to get all parties outside and the male had

continued to cause problems on the street, which resulted in the Police attending. I advised that police attended the incident as operators from the CCTV room had noticed an altercation on the street and sent officers to respond. I questioned why the incident had not been called in from the venue. I stressed that if police had been called when the male had been initially causing problems and trying to fight customers inside, then this may have prevented such an escalation outside when all the parties were ejected out onto the street. I queried how many staff were working that day, to which I was advised that four staff and a DJ were employed that night. Therefore, I stated that in my opinion there was sufficient staff for one of them to alert police. I inspected their incident log to find that no time had been recorded on the log.

I then inspected the remaining incident logs to find that a further nine logs had been completed incorrectly with no time recorded and limited information on the incidents, several of which were recorded by Mr Servciuc. I reviewed their policies and procedures to find that for incident recording, the instruction was to alert management to the incident immediately and they would then complete statements and the necessary paperwork as well as reviewing CCTV of the incident. This I stated that clearly not being practised.

One of the incidents on the 12.03.2022 noted that a 'female had passed out in the toilets. Placed in taxi'. Again, no time was recorded for the incident, with no person details, no taxi details and it had been recorded by Mr Servciuc. Martin Cooper and I stressed that they had a duty of care for this female especially given recent priorities in the area linked with vulnerable females and spiking. We asked for further details relating to this incident to which Mr Servciuc could not provide.

I queried the incident that had been reported to Police on the 04.03.2022 to which there was no incident log for and no knowledge of.

I spoke with Mr Stockton and stressed that the paperwork was poor and that although Mr Servciuc was the DPS, I stressed that he should also take

responsibility for this as the premise licence holder to ensure that Mr Servciuc was completing things properly and to a high standard. Mr Stockton's response to this was 'it's not that bad though is it' and 'we are trying'. I questioned the competency of Mr Servciuc stating that he had not done any of the policies and procedures, Mr Wildsmith had in fact wrote them. I highlighted that Mr Servciuc had clearly not read the policies and procedures for the venue, given that he had failed to stick to what was specified in them or instruct his staff to follow them. I advised that following the meeting on the 03.03.2022 with Mr Stockton, John Kirkham had requested several changes to be made to the policies and procedures to make them specific to this venue, to which I stated that they had failed to do despite having 6 weeks to complete.

I asked to review the CCTV of the incident on the 15.04.2022, to which I was actually shown an incident that occurred in the early hours of the 13.04.2022 at 03:45. This involved a group of males fighting inside the venue, which was bundled outside by staff/security. A short time after two females could then be seen fighting inside the venue that was again separated by staff. There was no call from the venue to police to report this incident nor was there any completed incident log.

When asked if we could see the CCTV from the early hours of the 15.04.2022 it transpired that the CCTV only recorded between 08:00-04:00 the following day. Therefore, between 04:00-05:30 when the premise was still open there was no CCTV coverage. Thus meaning that the incident in the early hours of the 15.04.2022 had not been captured as it occurred at approximately 05:00.

I asked to see their premise licence, which was produced from behind the bar, it was not displayed in the venue as is required.

36. On the 20th April 2022, application submitted for the Review of the premises licence for Sugar, under the Licensing Act 2003. Refer to **Exhibit 5**.

37. On the 23rd April 2022 at 23:20hrs, Police Officers as part of Street Safe visited Sugar Club and noted that the DPS was obstructive and tried to refuse them entry. **Please see PC Thornton's statement for more details.** BWV captured incident.
38. On the 24rd April 2022, South Yorkshire Police received information that there were underage people in the venue (**Police Incident SYP-20220424-0093 24/04/2022 (02:07)**). Following receipt of this information officers attended at 02:20 and carried out a visit to Sugar Club. No underage people were discovered inside the venue, however the DPS was angry and verbal towards officers present. **Please see PC Kean's statement.**
39. On the 25th April 20022, I received a telephone call from Thomas White who advised that he was scheduled to be put in position as the DPS at the venue and wanted to speak with me and notify me of this decision. I advised that I would be unable to discuss anything in relation to the venue until he was named as the DPS.
40. On the 27th April 2022, email received from Mr Wildsmith containing a copy of the policies and procedures that they had in place for Sugar Club. Email sent back to Mr Wildsmith highlighting areas for improvement in the paperwork provided. Copy of email exchange as **Exhibit 6.**
41. On the 28th April 2022, I received a telephone call from Mr White advising that a meeting had been arranged with Professional Security to discuss changing door company at the venue.
42. On the 30th April 2022, licensing visit carried out as part of Street Safe, no issues identified.
43. On the 1st May 2022, licensing visit carried out as part of Street Safe, no issues identified.

44. On the 1st May 2002, email received from Mr Wildsmith containing the policies and procedures from Sugar Club, however there did not appear to be any changes from the original documents that I was sent previously.
45. On the 3rd May 2022, I made a telephone call to Mr White. I advised that I had reviewed the policies and procedures that Mr Wildsmith had re-sent on Monday and they appeared to be the same from the previous week with no amendments. I asked if he had looked through the paperwork, to which Mr White informed me that he had not, but that he had asked Mr Wildsmith to make the necessary amendments following my email last week. I stressed that this was no longer Mr Wildsmith's responsibility but his own. I advised that I would give him the benefit of the doubt and give him until Friday to review all the paperwork, to familiarise himself with it and make all the necessary changes. I stressed that he needed to ensure that all points within the paperwork was relevant to himself and was how he wanted the venue to operate. I stressed that he should not be giving anyone else the responsibility to complete/amend this, stressing that he should do this. Mr White advised that he had a meeting the following day with Professional Security with the intention of changing security companies and would keep me updated with any developments.
46. On the 3rd May 2022, I forwarded the email to Mr White that I had sent to Mr Wildsmith the previous week and confirmed our earlier telephone conversation.
47. On the 4th May 2022, I received a telephone call from Mr White. He enquired if the training containing all the policies and procedures had to be completed by this Friday as I had previously requested. I stated that yes they did, as they were open to the public, therefore I would expect all policies and procedures in place by then. I stated that I was not asking him to re-write them, just become familiar with them and make the necessary amendments.

48. On the 4th May 2022, I then received a further telephone call from Mr White. He advised that he had looked through the policies and was scheduled to send them through in a short while for me to review once more to see if I was happy with them. I enquired how many security staff he had working at the venue to which he advised that they had one from 9pm when they opened and then another at 10-10:30, both until close. I asked Mr White if he was present at the venue from open until close, to which he advised that if he was not then a personal licence holder was. I stressed that he was new in position and it would be my strong recommendation that while the premise was open he was there, especially given recent problems at the venue.

49. On the 4th May 2022, email received from Mr White containing policies and procedures for Sugar Club.

50. On the 5th May 2022, John Kirkham spoke with Mr White regarding the policies and procedures that he had sent through the previous day. John Kirkham advised that after reviewing the paperwork the content did not reflect the changes suggested. The following was then discussed;

- Sugar Club policies – Contained details of age verification i.e. young people producing ID. Mr White agreed that this section should be contained within the age verification policy and amended the document.
- Counter terrorism policy – Mr White confirmed that he had not received training regarding project Argus and was not able to disseminate this training. It was discussed that Mr White would arrange the training for himself, however the comments regarding the DPS being trained would be removed pending the training taking place.

- Disorder strategies – The policy did not contain a direction that staff will complete an incident/ejections log following an incident.
- Drugs policy – Mr White confirmed that toilet attendants were now employed in both male and female toilets. The search policy was mentioned however, there was no detail of what that policy was. Mr White stated that he would review this and add further detail i.e search of bags, pockets etc. there was also no mention of the SIA standards in relation to drug searches. Mr White stated that he was not aware of these standards and would obtain details which would be incorporated in the policy.
- Drunkenness policy – Whilst on the telephone Mr White made the following amendments; any refusal of entry would be recorded in the refusals log by security staff/staff members. Anyone inside the premises appearing to be drunk would be removed by security staff and again a record would be made. Anyone falling unconscious would be attended to by a first aid trained member of staff and an ambulance would be called. If their condition improved then they would be removed to a quiet/private area. An incident log would be completed by the DPS/staff.
- First aid policy – The paperwork now indicates where first aid boxes are sited and identifies the DPS as first aid trained, however John Kirkham recommended that other members of staff should receive first aid training, as he may not always be available. Mr White advised that he would arrange this and would also identify security staff with this training.
- Managing conflict policy – Mr White accepted that there was no training course available to staff and would remove comments in

respect of this. John Kirkham advised again that the policy should contain details of what is expected from staff during an incident as per previous emails sent.

- Theft policy – Mr White stated that he would amend to contain details of where found property would be securely stored and that a property log would be completed by staff.
- Duty of care/Vulnerable people policy – Policy currently contains comments that a member of staff must attempt to deal with a customer under the influence of an illegal substance on their own. Mr White was asked to clarify in the policy what is expected from staff during such incidents.

Mr White advised that he would again review all of the policies and would make the amendments discussed. He stated that the policies would be complete and submitted by Friday 6th May 2022.

51. On the 6th May 2022, email received with policies and procedures for Sugar Club from Mr White.

52. On the 6th May 2002, licensing visit carried out as part of Street Safe, no issues identified. However, Mr White was not present in an official capacity at the venue, when the venue was visited by police officers he was in town socialising on a night out.

53. On the 7th May 2002, visit conducted as part of Street Safe. All in order.

54. On the 9th May 2022, I made a telephone call to Mr White to advise that I had reviewed the policies and procedures that he had sent through once more on the 06.05.2022 and I had made the following observations and comments;

- Counter terrorism policy - despite being under the counter terrorism policy title, crime prevention measures are then referenced and there is no mention of any counter terrorism.

- Crime scene policy - although it states that the scene should be preserved, as a side note I stated that I would stress that the area should not to cleaned or cleared up.
- Disorder strategies/managing conflict - I advised Mr White that there was no reference to how he wanted staff at the Sugar Club to deal with issues. For example there was no reference to glass collectors and their role with prevention of crime and disorder. I explained that they are ideally placed to be able to witness if any problems/issues arise in the venue. Therefore, how would he like them to address this, ie tell a member of security staff/management? Likewise, there was no mention of bar staff, who again are ideally placed within the venue. Again, should they witness anything how would he want them to address this? I stated that there was a lot of reference to the roles and responsibilities of security staff and how they would monitor people inside and when they go into the toilets. I advised that he had previously informed me that he employed one security guard from opening for the first hour and half, with an additional guard employed until close. Therefore, with limited security staff available, I would suggest that this is not feasible as part of their role, given that security would be positioned on the door.
- Drugs policy - within the drugs policy it states 'admissions will be refused to those suspected of dealing drugs, but only if it is believed that such action will not endanger the safety of staff and customers'. I therefore asked Mr White to clarify this, questioning that if the individual who is refused service is causing problems then would they still be allowed into the venue? I also raised that I thought that Mr White would need to specify that they had a drugs box, as reference is

made to this, then in another section a 'safe place' is referenced. I advised that toilet checks are also referred in this section, however it does not detail how often these are completed. I advised Mr White that it is noted that 'appropriate gender will be used for searching'. However, I stressed that he did not employ any female security staff. Mr White advised that every female bag is searched upon entry and that when doing so a female member of staff is brought from behind the bar to witness such search. I advised that I would make enquiries as to whether this is necessary as a body search was not being completed just checking inside their bag. I stated that my concern was that this was an unachievable goal, unless a member of female staff was constantly on the door.

- I stressed to Mr White that he should read the policies and procedures to ensure that they made sense, an example being within the drunkenness policy it reads, 'the refusal log will be completed by the refusal log'.
- I advised Mr White that in my opinion the age verification policy needed expanding further, given the problems with underage that have been highlighted.
- I explained that upon review of the vulnerable person policy there was reference to individuals under the influence of substances and sexual harassment, however there was no mention either in this policy nor in the age verification policy of what you would do if anyone underage was identified inside the venue.

I raised concerns that I felt that as the DPS he should be present in the venue whilst it was open, especially on Friday and Saturday nights and being new in position. I stated that I raised this with him the previous week, only to be notified

by officers that on Friday he was not present and he was on a 'night out'. Mr White advised that he was also out of the country for the forthcoming weekend, but he had a personal licence holder to remain on site. I stressed that if he was not in the country then he was limited as to what he could do for this weekend, however I stressed once more that as the DPS at the venue he needed to be present and working on those busy nights.

55. On the 9th May 2022, email sent to Mr Stockton and Mr White confirming the earlier telephone conversation and highlighting points raised.
56. On the 10th May 2022, Mr White failed to attend the pubwatch meeting and there was no representative present for the venue.
57. On the 10th May 2022, - Police Incident SYP-20220510-0143 - Female reporting that her drink was 'spiked' causing her condition to deteriorate before collapsing outside. Crime Investigation 14/86977/22 – completed and filed as no offender identified.
58. On the 13th May 2022, John Kirkham received a telephone call from Mr Wildsmith who advised that he would be managing the Sugar Club and Truth32 the forthcoming weekend as Mr White had some pre booked leave that he was taking. Mr Wildsmith advised that there would be a manager and personal licence holder present at Sugar Club whilst it was open. John Kirkham advised Mr Wildsmith that this was not ideal and that Sugar Club required robust management in light of recent incidents. Mr Wildsmith stated that he was fully aware of the issues and would ensure all staff were briefed.
59. On the 13th May 2022, email received from Mr White of the most recent policies that he had amended.
60. On the 13th May 2022, visit conducted as part of Street Safe. All in order.
61. On the 16th May 2022, email sent to Mr White and Mr Stockton following receipt of their recent policies, advising that although I had witnessed an improvement in my opinion there were still gaps within the documentation;

- Counter terrorism policy - each bullet point needs expanding upon to give the detail of what the procedures are.
- Crime prevention - there is still no mention of specific staff and their roles, ie glass collectors and bar staff.
- Age verification - it needs to be detailed what forms of ID are accepted and that checks are conducted both on the door and on the bar by staff.
- Duty of care for vulnerable people - there is still no mention what you do or expect your staff to do if they identify any underage in the venue.

62. On the 17th May 2022, following mediation, additional licence conditions were agreed with Mr Stockton and his legal representatives.

63. On the 18th May 2022, Mr Stockton submitted a minor variation application to Barnsley Council Licensing to include the agreed licensing conditions on the premises licence.

64. On the 21st May 2022, visit conducted as part of Street Safe. All in order.

65. On the 22nd May 2022, visit conducted as part of Street Safe. All in order.

66. On the 23rd May 2022, email sent to Mr White and Mr Stockton, to arrange a meeting on the 14th June 222, to review what had previously been discussed to ensure that it had been implemented.

67. On the 27th May 2022, visit conducted as part of Street Safe. All in order.

68. On the 28th May 2022, visit conducted as part of Street Safe. All in order.

69. On the 4th June 2022, visit conducted as part of Street Safe. All in order.

70. On the 5th June 2022, visit conducted as part of Street Safe. All in order.

71. On the 11th June 2022, licensing visit carried out as part of Street Safe. Breach of premise licence conditions, laptop for ID scanner was currently broken so not in use and the violent incident protocol was not displayed. **Please see PS 576 Phillips statement for more details.**

72. On the 12th June 2022, licensing visit carried out as part of Street Safe. Breach of premise licence conditions with ID scanner was not working at time of visit, to which Mr White claimed that it was due to be inspected Monday. **Please see PS 576 Phillips statement for more details.**

73. On the 13th June 2022, email sent to Mr Stockton with copy of violent incident protocol, despite having already provided him with one.

74. On the 14th June 2022, licensing visit carried out present was Mr White, Mr Stockton, Debbie Bailey and I. I advised that the purpose of our visit was to review their conditions and ensure that everything was now in place, with clear breaches of the premise licence identified throughout the visit.

Mr White demonstrated the ID scanner and how it worked, showing us that information was stored on a database for the required length of time and could be reviewed upon request.

I advised that I was aware from the weekend that this had not been working, to which Mr White advised that they had a technician coming that week to resolve it. It was stressed that the ID scanner needed to be working whenever the venue was open as it was now a condition of their licence, to which Mr White stated that he understood.

He advised that the CCTV camera was scheduled to be installed on Thursday in the entrance to the venue, which would capture that the scanner was being used upon entry.

I reviewed their paperwork to find that the managers signature had not been completed on any of the signing in sheets for security, nor any of the incident logs. The paperwork was also very unorganised with different signing in sheets, toilet checks and incidents logs all mixed in and in no date order. I advised regarding this and stated that it needed to be better organised.

I proceeded to go through the conditions from their premise licence and asked Mr White what time their outside music ceased, to which he advised that it continued

until closing. I stressed that it was stated on his conditions that Sunday - Thursday it should cease at 00:00 and then Saturday at 01:30.

I then asked what time his last entry to the venue was on a night, to which Mr White stated that it was 04:30. I stressed that this was incorrect and that the condition on the licence clearly stated that the last entry was 04:00.

I advised that both of the above conditions had been on the licence prior to the review conditions being added. I stated that I was therefore very concerned that he was unaware of these, as I stressed that as the DPS at the venue this was something that he should have known.

I was advised that all drinks were now served in polycarbonate vessels both in and outside of the venue, therefore taking away the need for a risk assessment linked to this.

I asked to see their training that had been implemented with staff and the content of this training. Mr White stated that he had been 'waiting to get the green light' from myself before implementing any training with staff. I advised that I had sent several emails and had several conversations with Mr White regarding the quality of the policies and procedures, however I stressed that it was not my responsibility to either write the training/policies/procedures or to give him the 'green light' on any of his paperwork. I stressed again that he was the DPS and it was his responsibility to ensure that everything was in place.

At this Mr White alleged that he had scheduled a staff meeting on Friday to complete all training that they had in place. Mr White stated that he had sent all his training policies to a company for them to put it into a training manual and that all the paperwork was on his laptop at home. I queried again why he would not have a copy for us to inspect at this meeting, to which there was no answer. I reviewed their CCTV system and found that it recorded for over the 31 days specified and recorded until they closed at 05:30. I was advised that both he and Mr Servciuc were trained in the use of the cameras and how to download any

footage.

I queried with Mr White why Mr Servciuc was now working back at the venue, given that he had terminated his employment recently. Mr White stated that they were extremely short staffed at present and alleged that no one wanted to work for them so had been left with no alternative.

There was no record of any checks completed on the CCTV by management to ensure that it was working. Advised regarding this.

Challenge posters were displayed in the venue and Debbie Bailey recommended that they also display one at the front of the venue at the side of the ID scanner.

Mr White advised that the rear bar was no longer in use and that they only used the bar to the front of the premise, therefore refusal logs were located there and on the front door. The last refusal on the front door was the 04.06.2022. Mr White informed me that there had been no refusals on the front door last weekend.

There was no refusals on the logs located on the bar either, to which Mr White informed me that no refusals had been made on the bar.

I discussed an incident with Mr White that had been noted detailing an incident on the front door where a male had been refused entry and then had continued to cause a nuisance on the door, trying to film guards and refusing to leave. This resulted in the guards also filming the male and their phone being knocked out of their hands. Mr White confirmed that they currently had a town link radio, to which I queried why this had not been radioed through to alert other licensees of the male and to also ask for assistance in removing the male. Again there was no definitive answer and Mr White stated that he did not feel that it had been significant enough. I disagreed and stated that this was a prime example of what the radio should be used for.

I advised that the incident logs that I had seen were not of adequate quality, stating that many of the details required as part of the conditions were missing. Therefore, I stated that these incident logs should be reviewed to ensure that the

necessary information was captured.

I was shown the violent incident protocol which was located in a staff file.

There were no policies and procedures for us to inspect and review. Nor was there any training in place for security staff.

Mr White advised that they had tried to employ another security company that were accredited, however his enquires had been unsuccessful. Debbie Bailey gave him contact details of other security companies that operate in the town centre for them to make enquiries.

There was no written briefing of security staff prior to their shift and I advised that they should generate their own and not use Shadows, as I had discussed with them previously, as theirs were too generic, not venue specific and were too long winded and irrelevant to some venues.

Mr White advised that security staff did not currently wear BWV (Body Worn Video) and there was no policy in place to govern this.

I spoke with both Mr White and Mr Stockton and stressed that prior to the conditions being agreed linked to the review, I had raised concerns regarding Mr White and his competency of being the DPS at this venue. I stated that I voiced that I did not feel that Mr White was strong enough to manage this venue and I stressed that the lack of conditions implemented so far only supported my concerns. I stated that they had had considerable time to become familiar with the conditions and stressed that they should all have now been implemented. I stated that I would carry out another visit the following week and expected all the conditions to be in place. I advised that following the review we would not be visiting every week and recording breaches, I stressed that if no improvements were to be made, then we would be back at a review stage once more.

Both Mr Stockton and Mr White stated that they understood.

75. On the 15th June 2022, email sent to Mr White and Mr Stockton to arrange a follow up meeting for the 22.06.2022. The email highlighted that all paperwork

should be available to view and any outstanding actions would be noted as potential breaches.

76. On the 17th June 2022, visit conducted as part of Street Safe. All in order.

77. On the 18th June 2022, visit conducted as part of Street Safe. All in order.

78. On the 22nd June 2022, I carried out a licensing visit with John Kirkham to meet with Mr Stockton. Mr Stockton advised that all music had now been stopped in the outside area to prevent any confusion. All policies and procedures were now in place including training for staff with training logs. A CCTV camera had been installed at the entrance to the venue and captured the use of the ID scanner. I was also shown the briefing document that was in place for security staff at the start of the shift that was signed by those in attendance.

There was a diary for the checks to be completed on the CCTV, however there were no entries, therefore I recommended that they put a comment to indicate that it had been completed.

There had been no further incident logs completed since my last visit, therefore I was unable to ascertain if improvements had been made on their content.

Therefore, I asked that he refresh this once more with Mr White. In addition, I advised that they needed to properly organise their toilet check sheets, refusal logs and incidents logs, as these remained very unorganised.

Mr Stockton advised that he had purchased a body worn camera for security. However, the policy regarding this was very basic and was only one line. We advised that this needed to be expanded upon and that they needed to detail when it would be used.

Mr Stockton advised that Professional Security were scheduled to visit this weekend with the intension of taking over the door the following weekend. I stressed that when they were in place it was essential that they complete training with them and not just rely on what Professional have in place. Mr Stockton stated that he understood this and would ensure that it was completed.

79. On the 24th June 2022, visit conducted as part of Street Safe. All in order.
80. On 25th June 2022, visit conducted as part of Street Safe. All in order.
81. On the 29th June 2022, licensing visit to venue where I spoke with Mr Stockton.
Mr Stockton showed me the amendments in the paperwork that I had suggested to him at the last meeting and demonstrated that the training for security staff was complete.
82. On the 29/06/2022 Police Incident SYP-20220629-0110 - 05:14 Male lawfully ejected by door staff. Assault-common assault emergency worker: suspect was arrested by PC 1609 Mcdowell for being drunk and disorderly in the town centre. On arrest suspect has started to resist and in doing so has attempted to spit at PC Mcdowell. Investigation 14/118152/22 – Investigation complete - filed with no further action taken.
83. On the 2nd July 2022 at 00:20, a visit was conducted as part of Street Safe.
Breach of premise licence conditions with ID scanner faulty and not working. DPS was unavailable and busy with tasks inside club. A further visit was conducted at 01:30 and ID scanner had now been fixed and was working. **Please see PC 576 Phillips statement for more details.**
84. On the 2nd July 2022 at 23:45, visit conducted as part of Street Safe. All in order.
85. On the 4th July 2022, email sent to Mr White and Mr Stockton advising that I was aware that their ID scanner had not been working at the weekend and that it was imperative that all conditions were adhered to when the venue was open. It was stressed in the email that should the venue open and the ID scanner not be working, then it would be considered a breach. It also stated that prior to opening the ID scanner should be checked to ensure that it was in working order.
86. On the 7th July 2022 – Police Incident SYP-20220712-0997 - Assault-GBH. The victim, has been drinking in the Sugar Bar with his friend. Victim has no recollection of the evening from 21.45 hours until he has awoken at 07.00 hours on Friday 8th July. Victim has a fractured cheek bone, fractured upper jaw and

fractured eye socket which he has sought treatment for on the 12/07/2022 before reporting to police. Victim has noticed three bank withdrawals that he states he has not made totalling £90 and £20 cash stolen. His bank card and wallet remain with him and has not been stolen. Investigation 14/126776/22 – filed as injuries may have been caused either when complainant was ‘pushed’ out of club causing him to fall to floor or later when he again fell to floor.

87. On the 9th July 2022 at 00:34, a visit was conducted as part of Street Safe.

Breach of premise licence conditions with only one security guard working.

Please see PC Johnson’s statement for more information.

88. On the 10th July 2022, a visit was conducted as part of Street Safe. No issues.

89. On the 11th July 2022, email sent to Mr White and Mr Stockton bringing to their attention a further breach of their premise licence conditions that was recorded on the 09.07.2022. It outlined that at the time of the visit only one security guard was employed when conditions stipulate that two should have employed. The email reminded them once more of their responsibilities to ensure that all conditions were being adhered to when they were open to the public, otherwise it would be considered a breach. Stating that if conditions could not be adhered to then the premise should not open. The email also advised Mr Stockton that I had tried to contact him via telephone to arrange a meeting on the 12.07.2022, asking him to confirm that this time and date was convenient.

90. On the 11th July 2022, telephone call made to Mr White regarding an alleged incident at the weekend. He advised that two males were involved in a heated argument inside Sugar Club. Both were ejected however Mr White assured me that one male was removed first and they waited for him to leave the area before the other male was then ejected, who was followed out by the rest of his friends. Mr White stated that it was his understanding that this group then met with the other male and the altercation continued, resulting in a large fight on the street. Mr White advised that incident logs had been completed and were available to be

viewed.

I advised that it was my understanding that they only had one security guard working at the weekend, which I stressed would be a clear breach of the conditions on their licence. I stressed that this was not the first breach of the licence, stressing that only the week previous they had opened when their ID scanner was not working. I stated that every time they opened and were not compliant with their conditions then it would be considered a breach. Mr White stated that they had problems trying to get a second security guard at short notice after one of them had to go home for a family matter. However, Mr White stated that he understood this and would ensure that this did not happen again.

91. On the 12th July 2022, licensing visit with BMBC Debbie Bailey also present was Mr Stockton.

Debbie reiterated what was in my email regarding recorded breaches at the venue. She explained that there had already been recorded breaches at the venue since the conditions had been agreed, examples being with the ID scanner not working and insufficient security staff working.

Debbie advised that should they be unable to comply with their licensing conditions then they should not be opening and stressed the consequences of any further breaches. We reviewed incident logs from the weekend to find that there had been three incidents. The incidents logs had been poorly completed with incorrect dates recorded. We stressed that this was the reason why they should not be opening with only one security guard. We stated that as one guard needs to remain on the door for ID checks, there was then no one that could monitor either the inside or outside areas. CCTV was reviewed from the weekend which demonstrated that security staff on the front door were not checking IDs as females could be seen entering without any interaction from guards. Instead, they could be seen interacting with a car that was parked up on the main road. When a second female security guard did start work, it appeared that she stood on the

front door for a considerable length of time talking before even commencing work. CCTV footage showed that eventually the female guard did locate herself in the beer garden, however then she could be seen smoking and chatting to customers. I stressed that this was not acceptable and that although I appreciated that they were having difficulties employing another security company due to shortage of staff, they needed to ensure that they had employed an accredited security before this forthcoming weekend. I stressed that should they be unable to do this and open, then it would be considered a breach. I advised that the incident logs had been completed incorrectly, therefore Mr White should not have signed them off. I stated that this clearly showed that Mr White had not checked what had been written. We reviewed the incident from the 08.07.2022 and established that the incident had not started in the venue but appeared to start from up the road. The CCTV confirmed that none of the main suspects had been in their venue. This contradicted Mr White's account of this incident given to me during a conversation on the 11th July 2022.

It was reiterated once more regarding the conditions on their licence and that if they could not adhere to them then they should remain closed. It was also reiterated to Mr Stockton regarding changing his security staff for the forthcoming weekend.

92. On the 13th July 2022, telephone call received from Mr Stockton who advised that he had arranged for Professional Security to take over the doors and they would be starting on Friday.

I discussed numbers of security staff and advised that as there was an after party scheduled at the venue for the forthcoming weekend, then he should ensure that a risk assessment was in place for numbers of security staff employed. I also advised the new security company would need to complete the training and briefing.

I recommended to Mr Stockton that he review all paperwork from the venue to

ensure that it was being completed to a high standard, to which he assured me that he would do.

93. On the 13th July 2022, email sent to Mr White and Mr Stockton confirming all points that had been raised at the visit the previous day.
94. On the 15th July 2022, email received from Mr Stockton confirming that Professional Security would now be employed on the door at Sugar Club.
95. On the 15th July 2022 at 23:45, visit conducted as part of Street Safe. No issues identified, however Mr White confirmed that there was no BWV yet for security staff and stated that these had been ordered and they were awaiting delivery.
96. On the 17th July 2022 at 01:30, visit conducted as part of Street Safe. No issues identified, however again Mr White confirmed that there was no BWV yet for security staff.
97. On the 18th July 2022 – Incident 0033 – male punched in face by second male, causing facial injuries consisting of cuts and swelling. Victim did not support police action and no offender identified.
98. On the 18th July 2022, telephone call made to Mr Stockton regarding incident in the early hours of the 18.07.2022. Mr Stockton confirmed that an incident had occurred and advised that an incident log had been completed and that it had been done properly on this occasion.

I advised that it had been brought to my attention that a male currently on a pubwatch ban had been frequenting his venue. Therefore, I asked Mr Stockton to speak with staff in relation to this. I also advised that I wanted to see CCTV of the incident and the incident logs, to which he assured me that he would send them over to me via Whatsapp.
99. On the 18th July 2022, telephone call received from Mr White. He advised regarding an incident on the 18.07.2022 and explained there had been an incident in the rear beer garden, where two groups had been involved in an altercation. Mr White explained that staff intervened and got one of the groups

outside whilst first aid was administered to the injured party. I questioned if security staff had been located outside to which they assured me that there were. Mr White advised that incident logs had been completed on the night.

Mr White denied that a male currently on a pubwatch ban had been in the venue.

100. On the 18th July 2022, CCTV and incidents sent over from Mr Stockton to myself via Whatsapp. Refer to **exhibit 7** – cctv footage

101. On the 18th July 2022, telephone conversation with Mr White. I raised concerns with Mr White regarding the CCTV in the rear yard relating to the incident on the 18.07.2022 and the fact that the punching machine restricts its view. In addition, I advised that there was also a blind spot in the rear area near the door that would need to be covered by CCTV. I also raised concerns that he had not picked up on either points raised above as the DPS.

I queried whether they had the radio system that Mr Stockton assured me that they were going to get which linked up the staff and security. Mr White stated that he would chase this up with Mr Stockton and get back to me. I stressed that after watching the CCTV my concern was that it appears that although a member of staff was positioned in the rear garden, security staff were not alerted to the incident quick enough or if in fact at all. I also advised that they should be using their town link radio to alert other licensed premises of potential problems. Mr White stated that he did not know that this was the purpose of the radio system and that now that he knew he would ensure that this was done. I stressed that he had been present at pubwatch meetings where the radio system had been discussed and the purpose of it, as well as having discussions with myself about the importance of it. I stated that although the radio was there to communicate with the SYP CCTV control room, its prime use was to increase communication between venues to try and prevent problems and problematic individuals from entering their venues. I arranged to visit the following week.

102. On the 18th July 2022, email sent to Mr Stockton and Mr White reiterating points of concern and issues raised during my conversation with Mr White and to arrange a follow up visit.

103. On the 20th July 2022, telephone call made to Mr White following a report of an alleged incident the night previous night at Sugar Club. I queried with Mr White if there had been an incident at the venue, to which he advised me that he was not at work, however no member of staff had contacted him to advise him of an incident, so suspected not.

I received a further call from Mr White a short while later and he advised that he had reviewed CCTV and found that there had been an altercation inside involving two groups. Mr White stated that the injured party had remained inside the venue at the time and continued their night out.

Mr White alleged that he had been up all night watching CCTV cameras in the venue as he had been unable to get into work. I questioned this stating that if this was the case, then how had he not been aware of any incident inside the venue when I had initially called him.

I advised Mr White that this had been the second incident in as many days. I stated that the number of incidents appeared to be increasing in the venue, not decreasing which would have been the desired result following the application to review. I stated that although the paperwork at the venue had improved, my concern was that the venue was not being managed properly, which I felt was leading to the increase in incidents.

I stated that it appeared that that his management of the venue was not strong and capable enough. I explained that I had reviewed CCTV on two occasions for the venue and on both occasions I had noted that the CCTV in the rear yard was obstructed by the punching machine, that there was a blind spot in the outside area and that security staff were not fulfilling their roles. I stated that these were all things that he as the DPS should be picking up on as part of his

responsibilities. I advised Mr White that I felt that there should be more security staff employed in the rear yard, as this appeared to be a weak spot at the venue. I advised that at present I was not sure that he could give the time and commitment to the venue that it required. I stated that the DPS at Sugar Club should be present whenever the venue was open, not just on Friday and Saturday nights, which I stated he was failing to do.

104. On the 20th July 2022, telephone call made to Mr Stockton. I reiterated my concerns with Mr Stockton following my conversation with Mr White. Mr Stockton stated that he was concerned that Mr White was more concerned with CCTV when it came to an incident than actually getting involved. I advised that this was not a view shared by myself as my experience showed that Mr White did not concern himself with CCTV enough. I advised that the incident that I reviewed that occurred on the street on the 08.07.2022, which transpired was not linked to their venue, was not the version of events that was portrayed to me by Mr White when I had contacted him. I explained that he had advised that one group had been retained inside whilst the other ejected, when I could find no evidence of any assault taking place in the venue after reviewing CCTV. I stated that if he had been aware of any incident or alerted to anything, then he should have reviewed CCTV and found all the facts and evidence prior to my call so that he could have made an informed observation and given accurate information.

I again raised concerns regarding key management aspects that had been overlooked with incident logs, CCTV and security staff, stressing that these should all have been managed by Mr White.

I advised that there had been a further increase in incidents at the venue, to which Mr Stockton stated that they could not stop incidents from occurring. I advised that given the review and conditions imposed, an increase in incidents would automatically be scrutinised and as a result I feel that the management of the venue had been rightly questioned.

I advised that I raised concerns initially about Mr White becoming the DPS and these concerns had not been alleviated. I advised that I had spoken with Mr White and explained, as I was doing so to him, that I did not think that Mr White was right for the role of DPS at Sugar Club.

105. On the 20th July 2022, telephone call received from Mr Wildsmith, who advised that he had spoken with Mr Stockton regarding our earlier telephone conversation. I advised that I had concerns regarding current management at the venue and he advised that he would speak with Mr Stockton and ensure that this was addressed.

106. On the 20th July 2022, further telephone call from Mr Stockton, who advised that he had spoken with Mr White and asked if Mr White could remain as DPS if he ensured that he was present on every night that it was open. I stated that we had now got to the stage where I did not think that this was adequate enough. I advised that I had questioned Mr White on too many occasions and in my opinion, Mr White was not right for the DPS position at the venue. I advised that I had also spoken with Debbie Bailey at BMBC and she had also shared this opinion. Mr Stockton advised that he would speak with Mr White and would advertise for the job. I stressed that whoever took on the role needed to be experienced and be able to commit to being present whenever it was open. Mr Stockton asked if he could speak with Debbie Bailey and I when he had someone in mind, to which I confirmed that he could do so. I advised that this would need to be a quick action, as due to incidents and concerns this could not continue.

107. On the 20th July 2022, email sent to Mr Stockton, which read;

'Following our earlier telephone conversation I would like to reiterate what we discussed and concerns raised.

Over recent emails I have detailed aspects of management which I feel have been poor in connection with CCTV, security and incident logs.

Following the application to review and the subsequent conditions that were

agreed, there has been an increase in incidents at the venue, which coupled with the above elements has led to grave concerns regarding the management of Sugar.

After reviewing incidents, I feel that a security guard should be present when the beer garden is in use, as this appears to be an area of weakness when incidents occur in the venue. This should be in addition to the two security staff that are already employed on a Friday and Saturday night.

As discussed on the telephone I do not feel that Tommy White is the correct DPS at this venue given the concerns already raised and his apparent lack of commitment to be at the venue when it is open, not only during the weekend but during the week.

I feel that this is a pressing matter that needs addressing with some urgency given the increase in incidents and our lack of confidence.

If you could please update me at your earliest opportunity as to how you will be proceeding, that would be much appreciated.

108. On the 22nd July 2022, visit conducted as part of Street Safe. No issues.
109. On the 23rd July 2022, visit conducted as part of Street Safe. No issues.
110. On the 25th July 2022, telephone call received from Mr Wildsmith informing me that Mr Stockton was interviewing for position of DPS at Sugar Club that afternoon and would keep me updated.
111. On the 27th July 2022, I attended a meeting at Sugar with Mr Wildsmith and John Kirkham.

Incidents that occurred on the 17th and 20th July were reviewed on CCTV, with a number of concerns raised;

- Both incidents occurred in the beer garden where there was a lack of both security staff and general staff.
- The CCTV of the incidents was poor as a great deal of the footage was obscured by a 'punching machine.'

- The member of security staff attending the incident on the 20th July was not easily identifiable as they were dressed in what appeared to be non-descript shorts and a white t-shirt. This gave the impression that he was not employed as a security guard and more a customer at the venue. Whilst Mr Wildsmith was informed that we appreciated that the weather on the day in question was exceptionally hot, the attire of the security staff should make them clearly and easily identifiable.
- In respect of the incident on the 17th July 2022, the footage identified 'blind spots' which prevented us from viewing the full extent of the altercation.
- On both occasions, the DPS of the venue was not present and cannot be seen on any of the footage viewed, despite been agreed during previous meetings that the DPS should be present at the venue when it is open.

Upon viewing the footage and hearing our concerns Mr Wildsmith stated that there was "no defence" to what he had seen. He also stated that action needed taking regarding the running of the club particularly as the owner, Mr Stockton was in the process of spending money to develop the upper floor of the venue to create a further bar.

112. On the 27th July 2022, email sent to Mr Stockton detailing the visit the previous day and outlining concerns.
113. On the 27th July 2002, John Kirkham had a telephone conversation with Mr White where the concerns raised at the visit the previous day were reiterated to him
114. On the 28th July 2022, John Kirkham sent an email to Mr White confirming points of concern following the visit the previous day upon his request via email.

115. On the 29th July 2022, email received from Mr Stockton advising that he had installed an extra system to the original cameras to capture all of the garden, which would prevent blind spots. Mr Stockton advised that he would be employing an additional security guard for the outside area from 23:30. In addition he informed that the forthcoming weekend would be Mr White's last as he had employed someone else to take the role of DPS.
116. The 30th July 2022, email received from email Operational Manager at Professional security;
- 'I wanted to make you aware of my decision regarding the Sugar Club. After various concerns since we took on the door, I have tonight decided to remove my door staff from this venue as I believe they are in danger and are unable to carry out their licensable duties correctly.
- There have been numerous red flags such as managers over riding my doorman's decisions and putting their safety at risk.
- We are an ACS accredited company with the SIA and I am not prepared to tarnish or ruin our companies reputation when things go wrong at this venue.
- I'm sorry if this causes issues for you Kirsty but I hope you can understand my reasons for doing so.'
117. On the 3rd August 2022, telephone conversation with Mr Dyson from Protech Security who confirmed that he had provided security for Sugar Club at the weekend after guards had failed to attend from Professional Security. It was during the conversation that Mr Dyson confirmed that he was not an accredited security company with the SIA. Therefore, this would have been a breach of the premise licence on the 29th and 30th July 2022 given that they opened without an accredited security company working.
118. On the 3rd August 2022, telephone call received from Mr Stockton. Mr Stockton advised that Professional Security had failed to attend on Saturday, which effectively left them with no security staff. He advised that they managed to

get some security from Protech Security last minute.

I advised that Professional Security had contacted me and advised that they had concerns regarding management over riding door staff decisions and as a result did not feel that they could fulfil their roles effectively.

I stated that I had spoken with Richard Dyson from Protech and he had confirmed that he was not an accredited company, therefore I stressed that he would not be able to supply security moving forward. I stated that whichever security company he chose to employ then he would need to ensure that they were accredited. I stated that should he fail to employ an accredited security company and still chose to open then this would be considered a breach of his licence.

Mr Stockton confirmed that Friday would be Mr White's last night and that his replacement would also be working on Friday to ensure that everything was completed and that conditions were being adhered to. Mr Stockton stated that all paperwork would be submitted this week to ensure that she was in charge from Saturday.

A meeting was arranged to meet the new DPS the following week.

119. On the 3rd August 2022, email sent to Mr Stockton confirming our earlier telephone conversation.
120. On the 5th August 2022, visits were conducted as part of Street Safe. No issues.
121. On the 5th August 2022, email received from Mr Stockton informing me that Phoenix Security would now be providing guards for Sugar Club.
122. On the 7th August 2022, email received from Catherine Simpson. This detailed a further breach of the licence conditions. DC Simpson detailed how she had visited on the 3rd August to collect some CCTV, only was unable to do so as Mr White stated that he did not know how to download it. Furthermore, she visited again on the 7th August and was unable to collect the CCTV due to confusion as to who was the DPS following Mr White's departure. In addition, DC Simpson

also raised concerns regarding the cleanliness of the bar area and behaviour of staff when she visited the venue. **Please refer to DC Simpsons statement.**

123. On the 7th August 2022, visit conducted as part of Street Safe. All in order.
124. On the 8th August 2022, email from DC Simpson forwarded to Debbie Bailey at BMBC for their attention with regards concerns raised about the cleanliness of the venue.
125. On the 8th August 2022, email sent to Mr Stockton. The email outlined the breaches of his licence with DC Simpson being unable to obtain CCTV footage from the venue on two occasions. It also advised that Mr Stockton needed to ensure that the correct paperwork had been submitted for the new DPS otherwise Mr White would still be detailed on the licence.
126. On the 8th August 2022, email received from Mr Stockton who confirmed the meeting the following week with the new DPS. Mr Stockton advised that he was unaware of any difficulty of officers obtaining CCTV and asked that they contact him and he would ensure that they had what they needed.
127. On the 8th August 2022, telephone call conversation with Mr Stockton. He reiterated that he was unaware of officers trying to obtain CCTV through Mr White on the 03.08.2022. Although Mr Stockton stated that he had been with officers the previous night whilst they tried to gather CCTV from their system and he advised that he was unaware that they had any difficulties. I advised that I would follow this up with the officer.

Mr Stockton advised that the new DPS was now in position and stated that he felt that she already had a lot more control in the venue. I reiterated that he needed to ensure that the correct paperwork was submitted.
128. On the 8th August 2022, email sent to DC Simpson regarding CCTV from Sugar. Details of Mr Stockton provided in the email for her to contact should she need to.

129. On the 9th August 2022 – Police Incident SYP-20220809-0558 at 22:00.

Caller reporting that he was in Sugar nightclub and was assaulted causing bruising and pain to his head. Caller reports that he was sat in the smoking area when he was approached by two males who told him to "fuck off" before punching him to his head. Caller states he was under influence of crack/cocaine at time. Investigation 14/143518/22 – completed and filed as police action was not supported by complainant.

130. On the 10th August 2022, licensing visit with Debbie Bailey also present was DPS Anna Harper and Mr Stockton. Discussed in length previous issues at the venue and the reasoning behind the application to review the licence and imposed conditions. We explained that since the conditions had been added to the licence, there had already been a number of breaches. We explained that at present the venue was very close to being taken back to review, therefore it was imperative that no further breaches were carried out and conditions were adhered to. I also stressed to Mr Stockton that if things did not vastly improve then I would object to the application that he hoped to apply for to increase licensable activity upstairs. Debbie Bailey stressed to Mr Stockton that it was imperative that he invest the time and resources in Ms Harper so that she could have a positive impact on the venue. Debbie Bailey stressed that money would not be an excuse given the investment that he was currently putting into the work upstairs. We discussed problems with regards current staff and Mr Servciuc the previous DPS in particular. Discussed conditions and Ms Harper advised that she had not yet had full sight of these, to which Debbie Bailey advised that she would email them directly to her. We spoke about the need for security in the rear area and better communication from the radio system. I advised that although the security guard in the rear yard was not a condition, it had been a requirement from myself to Mr Stockton to put in place, following recent incidents in that area.

We discussed pubwatch and the need for her to be added to the group to ensure that she was aware of any problematic individuals.

Ms Harper advised that she already knew how to operate the CCTV, however would further look at this prior to the weekend.

Ms Harper advised that she was very proactive when the venue was open and was not afraid to get involved with defusing situations and on the front door. She stressed that she is very 'front of house' and would not be up in the office whilst the venue was open, she assured us that she intended to be very hands on.

131. On the 13th August 2022, email received from Ms Harper with an update from the weekend. Please see **Exhibit 8**.

132. On the 13th August 2022 at 00:15, visit conducted as part of Street Safe.

During search of premise officers spoke with two females seen drinking inside, when asked to produce ID neither had any, so were asked to leave. Both stated friends had their ID, so unclear if they had been allowed entry without this checking.

133. On the 13th August 2022 at 22:50, visit conducted as part of Street Safe. All in order.

134. On the 15th August 2022, telephone call made to Ms Harper who advised that she was aware that officers had asked two females to leave as they did not have any ID. She advised that she addressed this with security staff who advised that they had already seen their ID previously therefore had not asked them for it. Ms Harper advised she had now included in the nightly briefing that all customers needed to be asked for ID regardless of whether this had been seen before. I asked Ms Harper to review CCTV of an alleged incident that had been reported on the 09.08.2022 to which she advised that she would review the CCTV and also any past incident logs to see if an incident had occurred.

135. On the 20th August 2022 at 00:10 a visit was carried out as part of Street Safe. During the visit a breach of the licence was observed as there was no BWV

on bouncers. It was noted that only one guard was carrying a camera in their pocket that was not charged up, whilst the other was not in possession of one at all. **Please refer to statements from PC 952 Moffitt and PC 1413 Child.**

136. On the 22nd August 2022, email received from Ms Harper who advised that she had viewed all CCTV from the 09.08.2022 and had seen no incident occur at the venue.
137. On the 24th August 2022, email sent to Mr Stockton and Ms Harper regarding the breach recorded at the venue on the 20.08.2022.
138. On the 24th August 2022, email received from Ms Harper regarding the Street Safe visit conducted on the 20th August 2022. Details of email - **Exhibit 9** refers
139. On the 25th August 2022, - Police Incident SYP-20220825-0107 at 03:32 - Male reported being assaulted in Sugar. No further contact made and investigation concluded (14/156905/22) – injuries unknown.
140. On the 27th August 2022, visit conducted as part of Street Safe. All in order.
141. On the 28th August 2022, - Police Incident SYP-20220828-0194 at 04:28 - Doorstaff reporting a male barred from the town centre has entered the premises causing problems.
142. On the 28th August 2022, visits were conducted as part of Street Safe. No issues.
143. On the 2nd September at 23:40, visit carried out as part of Street Safe. Breach of licence conditions recorded at venue. It was noted that there were approximately 40 customers inside, however the ID scanner was not working and had not been all evening. They also stated they had a radio to communicate with CCTV however this was switched off and not charged. Officers liaised with the DPS who assured them that these would be rectified upon a return visit. A further visit was carried out at 01:15 and the ID scanner was working and radio had been turned on. Information obtained from the Street Safe document. **Please refer to T/PS 2948 Lee statement.**

144. On the 3rd September 2022 visit conducted as part of Street Safe. All in order.
145. On the 5th September 2022 email received from Ms Harper addressing the licensing visit conducted on the 2nd September 2022. **Exhibit 10** refers.
146. On the 5th September 2022 email sent to Ms Harper acknowledging receipt of her email and to reiterate that if all conditions are not being adhered to at the venue at the time of opening then it should not open, otherwise it would be considered a breach of the licence.
147. On the 6th September, email received from Ms Harper giving assurances that they would ensure that both sets of equipment were fully charged moving forward prior to opening.
148. On the 13th September 2022, I spoke with Ms Harper prior to a pubwatch meeting. Ms Harper advised that Mr Stockton had asked her to submit a minor variation to extend the use of the property and licensable activity to upstairs. Ms Harper advised that she had advised Mr Stockton at the time that this was not the correct process and that it would require a full variation, however she stated that he had dismissed her comments and ultimately the application had been rejected for that reason.

I advised Ms Harper that only a month or so prior I had strongly recommended that they hold off on submitting this application, as they needed to prove that there were able to manage the venue properly before expanding it. I stressed that since the new conditions had been added to the licence there had been countless breaches already recorded, which showed that they were unable to manage the premise properly.

Ms Harper advised that she had voiced concerns with Mr Stockton about her not opening the venue up at night. She advised that she wasn't starting work until approximately 11pm, which meant that she was not in control of staff and ensuring that conditions were been adhered to prior to opening. I advised that from the Street Safe visits that I was aware of it did appear that the problems

were occurring prior to her starting her shift and that when she was present she had more control and was addressing problems. Ms Harper stated that she had requested with Mr Stockton to allow her to open up and to remain in the venue all night. However, Ms Harper alleged that he had rejected her request stating that her wage bill would be too high.

I stressed that at the meeting when we had initially met her with Mr Stockton, we had stressed to him that his priority should be managing sugar and allowing her to carry out her role as DPS. We had stressed that his priority should not be to expand the upstairs with the renovation work and heavy investment upstairs. I advised that we had stressed at the time that if they could not prove that they could manage the venue effectively then any application would be appealed by SYP. I therefore stated that I was very disappointed that he had ignored our advice and had ultimately reduced Ms Harpers hours at what appeared to be at the expense of carrying out the renovation work upstairs.

149. On the 14th September 2022, email received from Ms Harper advising that following our conversation the previous day she had spoken with Mr Stockton and it had been agreed that she would now start work from 21:00 so that she had more control prior to opening and they would be postponing the variation to include the upstairs area at Sugar.
150. On the 17th September 2022, visit conducted as part of Street Safe. All in order.
151. On the 18th September 2022, visit conducted as part of Street Safe. All in order.
152. On the 18th September 2022 – Police Incident SYP-20220918-0991 at 23:21 - Report of a male inside the premises causing issues for other customers and demanding drinks from staff. Police officers attended and the male immediately left the premises. No offences were disclosed.

153. On the 23rd September 2022, licensing visit as part of an SIA (Security Industry Authority) operation that was being carried out in the town centre along with Debbie Bailey, and the Neighbourhood Policing Team.

Several visits were carried out through the night with the venue closed. We visited at approximately 23:00 and despite the doors still being locked, voices were heard in the outside area, therefore we alerted them to our presence. We were greeted by Mr Servciuc, before going inside to find Ms Harper.

We were advised that there had been a power cut, which had prevented them from opening as their CCTV was not working properly, neither was there ID scanner and they were unable to put any music on.

Checks were done on the two SIA guards that were present at the time and all was in order.

I queried with Ms Harper who would be providing the security staff moving forward, given the information that Professional Security had recently purchased Phoenix who currently supply their security guards. Ms Harper stated that she would be speaking with Mr Stockton about this. I reminded her once more that the security company must be SIA approved, otherwise it would be breach of their licence conditions.

I queried with Ms Harper why Mr Servciuc was present, after she had advised me that she had terminated his employment, to which she advised that he had come to collect something from the venue. When I asked Mr Servciuc about his collection, he stated that he had collected it ages ago.

154. On the 23rd September 2022, following my initial visit at the venue officers visited as part of street safe at 23:30. A licensing check was completed and although all was in order officers tried their driving licenses in the scanner and neither worked. **Please see PC Euan Reilly's statement for more information.**

155. On the 24th September 2022 visits were conducted as part of Street Safe. No issues.

156. On the 29th September 2022, email received from Ms Harper notifying me of the assistance that they had given SYP by providing CCTV to help with an investigation.
157. On the 30th September 2022, visits were conducted as part of Street Safe. No issues.
158. On the 2nd October 2022 at 00:01, a licensing visit was conducted as part of street safe with breaches of their premise licence conditions discovered. Officers found either of the security staff wearing BWV and that the ID scanner was not working. They raised this with staff and eventually the ID scanner was working.
Please see PC 1584 Wright's statement.
159. On the 3rd October 2022, email sent to Mr Stockton and Ms Harper arranging a meeting for the 11th October 2022. Email later received from Ms Harper confirming meeting the following week.
160. On the 8th October 2022 at 01:34, a visit was conducted as part of Street Safe. No issues.
161. On the 8th October 2022 at 22:30, a visit was carried out as part of Street Safe. Breach of licence conditions recorded at venue as there was only security guard working at the time of the visit, when at that time there should have been two. **Please see PS 0244 Higgin's statement for more information.**
162. On the 9th October 2022, email received from Ms Harper asking to rearranging the scheduled meeting for the 19th October.
163. On the 10th October 2022, email sent to MS Harper advising that I was unable to attend on the 19th October as I was on leave.
164. On the 10th October 2022, telephone call made to both Ms Harper and Mr Stockton, no answer on either call.
165. On the 10th October 2022, text message received from Ms Harper advising that she was currently out celebrating her birthday and that the reason they wanted to reschedule the meeting was because the CCTV was not installed

upstairs yet at upstairs at Sugar. She stated that she was however due to attend the scheduled pubwatch meeting.

I replied back to Ms Harper via text message advising that I did not need to see the CCTV therefore if that was the only reason then I would like to keep the meeting.

Ms Harper replied to this stating that Mr Stockton was available and would therefore not attend a meeting without him being present. Ms Harper again requested a meeting on the 19th October.

I replied to Ms Harper stating that I was not available the following week as I was on leave.

166. On the 11th October 2022, there was no representative present at pubwatch from Sugar Club. The chairperson had been sent apologies from Ms Harper who claimed that she was feeling unwell.

167. On the 14th October 2022 at 23:48hrs, a visit was conducted as part of Street Safe. No issues were reported.

168. On the 16th October 2022, public disorder discovered by patrolling officers within Sugar Club at approximately 0040hrs. Reports suggested that a large group of women had begun fighting within the female toilets and it had spilt out onto the bar area. No disorder was seen by officers as all involved had begun to disperse but several women were told to leave the area due to their disorderly behaviour. One female refused and was arrested for being drunk and disorderly. Staff and security did not appear to be making attempts to help officers or eject those who appeared to be involved. **Please see PC Matthew Smith's statement for more information.**

169. On the 17th October 2022, South Yorkshire Police objected to a late TEN submitted by Sugar Club on the ground of public safety and Protection of children from harm. **Please see exhibit 11.**

170. On the 18th October 2022, John Kirkham contacted Ms Harper to request CCTV footage from the venue, which Ms Harper stated that she would download and deliver to the police station.
171. On the 18th October 2022, John Kirkham spoke with Mr Wildsmith after failing to speak with Ms Harper once more via telephone. Mr Wildsmith had been looking after Sugar Club on the 16.10.2022 in the absence of the DPS, whilst managing his other venue Truth32. Mr Wildsmith advised that he had not been present at the time of the incident but had been informed that a group of females had started fighting in the venue and had been ejected on to the street by door security. He was also aware that patrolling police officers were present outside the venue and had intervened to deal with the group. John Kirkham requested the CCTV of the incident and asked that it be brought to a pre-planned meeting on the 19.10.2022.
172. On the 19th October 2022, John Kirkham received a telephone call from Ms Harper in relation to the objection of the late TEN that they had submitted. Ms Harper voiced that Mr Stockton had invested heavily in the area upstairs and did not feel that it was fair that an objection had been made.
173. On the 19th October 2022, John Kirkham received a telephone call from Mr Stockton who wished to discuss why SYP had objected to the TEN that they had submitted.
174. On the 19th October 2022, Ms Harper attended the Police station and showed John Kirkham three reports from incidents that had occurred at their venue and provided him with CCTV from an incident on the 16.10.2022.
175. On the 22nd October 2022, crime reference 14/188954/22 refers to member of security staff at Sugar being assaulted. Investigation on going.
176. On the 22nd October 2022, email received from PS Oliver raising concerns about the quality of the CCTV that had been provided to SYP from Sugar Club in

relation to the incident on the 22.10.2022, deeming that the quality of the footage was that poor that it would be of no evidential value.

177. On the 23rd October 2022 at 00:13, visited conducted as part of street safe, no issues.
178. On the 24th October 2022, South Yorkshire Police submitted review papers submitted for sugar Club. **Please see Exhibit 12.**
179. On the 25th October 2022, South Yorkshire Police placed an objection to a variation put in place by Sugar Club. **Please see Exhibit 13.**
180. On the 29th October 2022, at 11:42 licensing visit conducted as part of street safe. It was noted that there had been a breach of their premise licence conditions by their being only one security guard working, when there should have been two and their town link radio not working.
- Later that night at 01:50 a further visit was carried out by officers who reported that there had been multiple incidents within the premise throughout the night, with known individuals linked to crime groups within the venue. Officers reported an altercation in the gents toilets, which resulted in police having to intervene. It was observed that security guards were too few in numbers and not robust enough to refuse entry or to eject nominals of note, which was compounded by the lack of town link radio. **Please see T/PS Phillips statement for more details.**
181. On the 30th October 2022, licensing conducted as part of street safe, no issues identified.
182. On the 2nd November 2022, email exchange with Ms Harper to arrange a visit to Sugar Club on the 8th November 2022 after the scheduled pubwatch meeting.
183. On the 2nd November 2022, telephone call with T/Inspector Kieran Frain who advised that he had been working as part of street safe on the 29.10.2022 and had observed a known nominal on pubwatch frequenting Sugar Club throughout the night. **Please see T/Inspector Kieran Frain's statement.**

184. On the 4th November 2022, licensing conducted as part of street safe, no issues identified.
185. On the 6th November 2022 at 01:30, licensing conducted as part of street safe, no issues identified.
186. On the 7th November 2022, I received a telephone call from Steve Butler who provides the radios for the day and night-time economy in the town centre. He advised that he was trying to get hold of Mr Stockton as he had failed to pay for the radio rental at the property, therefore would need to seize the radio.
187. On the 8th November 2022, Ms Harper attended a Town Centre pubwatch meeting and brought to the attention of members present the female who was involved in the assault of a security guard at Sugar Club on the 22.10.2022. The pubwatch chair informed Ms Harper that the female in question was already on a pubwatch ban and had been since March.
188. On the 8th November 2022, licensing visit carried out at Sugar Club, also present was PS Alun Oliver, BMBC Licensing Officer Martin Cooper, Ms Harper and Mr Stockton. Also present at the start of the meeting was Steve Maddock who is a representative from the radio company that provides the systems for the night time economy.
- Steve was attending following Ms Harper approaching him at the pubwatch meeting to inspect the radio at Sugar Club to ensure that it was working. Mr Maddock advised that he had just spoken with his head office who confirmed that Sugar Club were not registered as having a radio system and that the radio system was in fact registered to Truth32. This would therefore be a breach of the conditions on the licence, as they stipulate that they should have a radio at the venue. In addition, Mr Maddock confirmed that Mr Stockton had failed to pay the rental on the radio system, with the potential that the radio system would now be confiscated from them.
- Whilst there I asked if they could demonstrate how the ID scanner worked. Ms Harper initially tried to explain this verbally until I asked her if she could show me.

At this point Ms Harper produced a number of IDs to me, which she admitted to having in her possession for some time. I stressed that the process for handling IDs was that all confiscated and lost IDs would be given to the pubwatch chair at the end of the night, then the next working day I would be contacted for collection and to deal with them accordingly. I stressed that they should not be keeping the IDs for any length of time that was not necessary, as this was against home office guidance. Ms Harper then got out the ID scanner that was linked to a laptop. I asked her to demonstrate how it worked and we used the IDs that she had just given to me. We first used a driving licence that was fake and after scanning the ID the image on the licence came up on the computer screen. I asked if the ID scanner should flag that this was fake, to which Ms Harper stated that she did not know. We then tried to scan a real driving licence and exactly the same happened as before, with the image of the licence appearing on the computer screen. I therefore questioned how they were using the ID scanner given that they were unclear as to how it worked. Ms Harper asked Mr Stockton if he knew how to use it and he also stated that he did not know. Martin Cooper stressed that it was their responsibility as the premise licence holder and DPS of the venue to know how the ID scanner worked, to which Mr Stockton replied, 'it's always my responsibility though isn't it Martin'. At this we confirmed that as the premise licence holder yes it ultimately was. I asked to view the data that I was advised that the scanner collected, only to be told that the laptop that we were viewing the scanner through was new therefore did not hold any of this information. I asked to see the old laptop which held the information, only to be advised that a drink had been spilt on it at the weekend, therefore it was not working. Mr Stockton stated that when he had initially purchased the ID scanner this was the only one that he could find. I advised that there were a number of venues in Sheffield that used such scanners, so therefore they were not such a rarity, as he was implying. Martin Cooper then did a search on his phone, typing in 'ID scanners' and advised that a number of companies came up on the search engine. Mr Stockton asked him to send

him the details of the companies that he had found.

We then frequented a room upstairs where the CCTV was kept. This room was a small room just off the main area, with seating and neon lights on the wall saying '*owners enclosure*'. We reviewed CCTV from an incident that occurred when a member of security staff was assaulted on the 22.10.2022. PS Oliver explained that when he had reviewed the footage from outside the quality had been exceptionally poor. We were advised that the camera system had as recently as 2 weeks ago been replaced with better quality cameras. Therefore, it was established that the picture quality that was initially sent through was correct, which would again would have been a breach of their conditions given such poor quality footage. We reviewed the newly installed cameras to find that they were much better quality and had better definition.

I asked Ms Harper and Mr Stockton to update me about the ID scanner after Mr Stockton stated that he was going to contact the company.

189. On the 12th November at 00:45, licensing visit conducted as part of street safe, no issues identified.
190. On the 12th November at 23:15, licensing visit conducted as part of street safe, no issues identified.
191. On the 15th November 2022, email received from Ms Harper, advising that following contact with the radio operators the previous week, she had been unable to find the form to complete to apply for a radio at Sugar Club. After forwarding Ms Harper's email onto Steve Butler, I then received a further email from Ms Harper stating that in fact Mr Stockton had the email with the details that needed completing, so it was sorted.
192. On the 20th November at 01:30, licensing visit carried out as part of Street Safe. It was noted from officers that under 10 persons were present in the venue, with none appearing to be underage. Officers identified signs of drug use in the venue with 3 small empty clear resealable plastic bags located in the males toilets

beside the toilet basin. A further empty sealable bag was located on the floor near to the doorway leading out to the smoking area and another sealable bag containing a small quantity of white powder was located on the ground within the smoking area.

Please see A/PS Craven's statement for more details.

Summary

Since January 2022 when the initial complaint of underage came into SYP, we have tirelessly tried to work with Mr Stockton and the various DPS' that he has employed at the venue. From the initial complaint received of underage in January 2022 to the operation that was conducted on the 9th April 2022 myself and John Kirkham had three meetings/visits with Mr Stockton, we had one telephone call with him and five further failed attempts to contact him. In addition to this, we also had a telephone call with the premise licence holder at the time. There were five emails sent addressing concerns, along with seven visits as part of street safe. This is all in addition to an action plan was completed with Mr Stockton on the 27th January 2022, to highlight areas of improvement and expectations. I think that this clearly demonstrates that SYP have tried various levels of intervention and interactions with Mr Stockton and have conformed with Section 182 of the Licensing Act.

In April following the application to review the premise licence, SYP tried to mediate and still work with Mr Stockton, with 18 new conditions implemented onto the premise licence via a variation. However, despite this being implemented in May, there have been 13 breaches of their premise licence conditions. Therefore, I think that this clearly demonstrates poor management at the venue and their inability to adhere to the agreed conditions on the licence.

Since January 2022 and the concerns being brought to our attention about the premise, there have been thirty one telephone conversations connected with the venue, with a further failed seven attempts to contact them. There have been thirty two emails sent to individuals connected to the venue, sixty one visits conducted as

part of street safe and fifteen visits completed by Licensing Officers. SYP have tried to support the venue and Mr Stockton, but despite out best efforts SYP feels that the Sugar Club and Mr Stockton have failed to alleviate our concerns in connection with prevention of crime and disorder and protection of children from harm. Therefore, SYP feel that we are left with no alternative but to seek revocation of this licence.

Statement of Truth

I believe that the facts in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in the truth.

Signed:.....K. Green.....

Name:.....Kirsty Green.....

Date:.....30.11.2022.....

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WITNESS STATEMENT

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

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Statement of PC 2329 SABATO

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

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

Signature M.Sabato (witness) Date:28/04/2022 ...

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

I am a police constable currently serving South Yorkshire Police, Based at Barnsley Police Station.

On Saturday the 8th of January 2022 I was on duty in full police uniform, carrying out public order duties in the Barnsley Town Centre.

During this time I carried out a licence check at the Sugar Club, Pitt Street, Barnsley. During this check I had my force issued body worn camera recording and can identify the footage as:
MTS/1 - 746060 - Sugar Club license check

Following the check we continued to patrol the town centre. While driving around we were made aware of a number of females that had left the Sugar Club and appeared under age. We located the females on Fenton Street, Barnsley. On speaking with the female it was clear that they were under 18. I took the details which are as follows:



Signature: M.Sabato..... Signature Witnessed by:

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JOHN KIRKHAM

From: KIRSTY GREEN
Sent: 12 January 2022 08:03
To: 'Ashley Stockton'
Cc: JOHN KIRKHAM
Subject: RE: Sugar Club

Good morning,

Just keep myself and John updated with regards to your results and when your isolation ends please so that we can arrange a meeting with you.

Thank you

Regards,

Kirsty Green
Licensing Enforcement Officer
South Yorkshire Police Licensing Department
c/o Barnsley Police Headquarters
Churchfields
Barnsley
S70 2DL

Email: kirsty.green@southyorks.pnn.police.uk
T: 01226 736046
M: 07917212736

Website address - southyorks.police.uk



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.

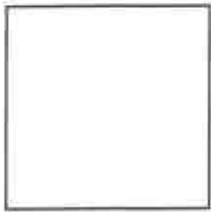
For more information visit www.southyorkshire.police.uk/spotthesigns

Please be advised that the content of emails may be submitted as evidence to a Licensing hearing should issues arising not be resolved. The Local Council may post them as part of the process on their Website which has public access.

From: Ashley Stockton [mailto:ashleystockton81@icloud.com]
Sent: 11 January 2022 17:55
To: KIRSTY GREEN <Kirsty.Green@southyorks.pnn.police.uk>
Subject: Re: Sugar Club

Hi Kirsty still waiting, I'm guessing mid next week should be fine?

Ashley Stockton
Director Truth32/fire lounge/the barn/the sugar club



On 10 Jan 2022, at 13:47, KIRSTY GREEN <Kirsty.Green@southyorks.pnn.police.uk> wrote:

Good afternoon,

We received some information on the 08.01.2022 of underage frequenting Sugar Club. Officers attending and have also voiced concerns regarding a number of individuals that appeared to be underage and were unable to produce any ID when approached.

I would like to arrange a visit with you to discuss further and ensure that you have the necessary in place in connection with age verification.

In addition I would also like to review all your training that you have in place in staff and ensure that you are compliant with conditions on your licence. I understand after speaking with Hartwood Estates that you are awaiting a PCR test after feeling unwell. If you could please let me know the outcome of this and when you are available that would be much appreciated.

Thank you

Regards,

Kirsty Green
Licensing Enforcement Officer
South Yorkshire Police Licensing Department
c/o Barnsley Police Headquarters
Churchfields
Barnsley
S70 2DL

Email: kirsty.green@southyorks.pnn.police.uk

T: 01226 736046

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www.sypalerts.co.uk #SignMeUp

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January 2022

1. Date
2. Premises **Sugar Club, Pitt Street, Town Centre,
Barnsley**
3. Designated Premises Supervisor **Ashley Stockton**
4. South Yorkshire Police Representative **John Kirkham 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 Sugar Club, Pitt 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 8th January 2022 information was received that underage were frequenting the venue. Officers attended that same night and were also concerned that a number of individuals that were approached, appeared underage and were unable to produce any ID, with a number of individuals admitting to being underage.

Methodology

South Yorkshire Police will facilitate the improved compliance by regular meetings with the DPS to 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
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.		
Challenge 25 will be enforced at the venue, with signage displayed throughout.		
All policies and procedures will be reviewed, updated and will reflect the practices conducted at the Sugar Club as discussed at our meeting on the 20 th January 2022. Documentation will be held in a folder at the premises and will be available for inspection by responsible authorities on request.		
Provide/Refresh training for staff, detailing information/processes/procedures surrounding customer behaviour/dealing with conflict, drugs, intoxication and injury, age verification, vulnerable people and spiking. 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.		

	<p>Training shall be given to security staff in relation to illness and injury, drugs, age verification, refusal and ejection, spiking, vulnerable people, prevention and reduction of crime and incident recording. This is to be completed by all security staff and refreshed every 6 months. A training log should be kept which can be produced upon request by an authorised person.</p>		
	<p>All security staff to be briefed at the start of every shift, which is then to be logged and signed by all staff in attendance.</p>		
	<p>A documented de-brief to be completed with the head doorman and DPS/manager at the end of every shift.</p>		
	<p>A CCTV system will be fitted, maintained and in use at all times whilst the premises are open. The CCTV images will be stored for 30 days and police and authorised officers of the council will be given access to images for purposes in connection with the prevention and detection of crime and disorder.</p>		
	<p>Members of the management team will be trained in all aspects of the cctv system including the ability to configure, monitor, record and download.</p>		
	<p>All areas of the venue will be covered by CCTV, there will be no blind spots.</p>		
	<p>A review of all cameras to ensure a quality image is captured by CCTV and that there is quality face recognition on the camera that captures customers as they enter the venue.</p>		
	<p>Risk assessments to be completed at the premises to ensure the ratio and duty times of security staff and staff working is sufficient for the occupancy/event.</p>		

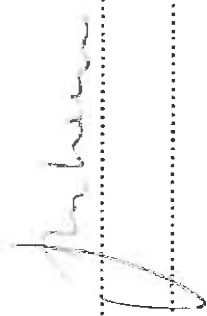
The signatories below agreed this action plan and all its components



Signed on behalf of premises
Print Name Ashley Stockton
Date 27th January 2022
Position PLH/DPS.....



Signed on behalf of South Yorkshire Police
Print Name Clive Collings
Date 27th January 2022
Position Inspector.....



Signed on behalf of South Yorkshire Police
Print Name John Kirkham
Date 27th January 2022
Position Licensing Enforcement Officer.....

JOHN KIRKHAM

From: Ashley Stockton <ashleystockton81@icloud.com>
Sent: 22 February 2022 17:38
To: KIRSTY GREEN
Subject: Re: Sugar Club

Hi Kirsty,
This is fine I know everything is getting done correctly there

Thanks

Ashley Stockton
Director Truth32/fire lounge/the barn/the sugar club
07425935994/01226244433



On 21 Feb 2022, at 11:36, KIRSTY GREEN <Kirsty.Green@southyorks.pnn.police.uk> wrote:

Good morning,

I have today tried to call but there was no answer. It is in relation to some information that I have received that underage were again frequenting Sugar Club this weekend.

I would like to stress once again that it is essential that challenge 25 is adopted in the venue both by staff and security and that anyone appearing to be under this age is challenged for ID both on the door and at the bar before purchasing drinks.

It is important that all refusal logs are completed on the door and on the bar to demonstrate due-diligence. It is also essential that all training is kept up to date with staff and signatures are obtained to demonstrate that they have completed the required training.

A follow up meeting will be arranged with you to check this paperwork to ensure that it is being completed correctly and we will be in contact in due course.

Should you have any queries, please do not hesitate to contact myself or John Kirkham.

Regards,

Kirsty Green
Licensing Enforcement Officer
South Yorkshire Police Licensing Department
c/o Barnsley Police Headquarters
Churchfields
Barnsley
S70 2DL

Email: kirsty.green@southyorks.pnn.police.uk
T: 01226 736046
M: 07917212736

Website address - southyorks.police.uk



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WITNESS STATEMENT

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

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Statement of PC 3698 POLLARD.....

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

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 A. Pollard 3698 (witness) Date: 15/04/22

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

I am Police Constable working for South Yorkshire Police currently stationed at Barnsley.

On Friday 4th March 2022, I was on duty in full Police uniform on public order duties within in Barnsley Town centre town conducting what is known as "Street Safe". At 22:55hrs myself, PC 126 FRANEY and PS 506 HARPER was inside of the marked Police van on route to "THE SUGAR CLUB" on PITT STREET, BARNSELY in order to conduct checks within the premises as there was intelligence to suggest they were allowing underage people into the club. As the van turned left from WELLINGTON STREET to PITT STREET. I witnessed the bouncer enter the club as the Police van approached. A few moments later a group of roughly four or five young looking females and one male exited the club and very quickly left whilst we were walking across.

By the time we got to the entrance of the club the females had already left into the crowd at the bottom of WELLINGTON STREET therefore details were unable to be obtained. At the entrance of the club the bouncer that had initially gone inside had come back out and we began to engage in conversation he gave his details as [REDACTED] After this we entered the club, whilst inside there were not very many people approximately thirty. No persons present appeared to be underage therefore we exited and went to get back in Police van.

As soon as we got back in the van a male who had initially left the club on our initial approach was witnessed to attempt to re-enter the club. PC FRANEY and I immediately exited the van and went to see how old he was. When challenged by us the male said his name was [REDACTED] but did not have any I.D on him, he stated that he had left his hat in the club and that is why he wanted to go back in. As we were watching, [REDACTED] refused him entry as he did not have his I.D despite him being in previously. The male then left towards upper PITT STREET

Signature: A. Pollard 3698 Signature Witnessed by:

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WITNESS STATEMENT

(Criminal Procedure Rules, r 16. 2; Criminal Justice Act 1967, s. 9)

Statement of: Sarah Botham

URN

Age (if under 18): N/A


Occupation: Police Officer

I am a Police Officer with South Yorkshire Police currently stationed at Barnsley Police Station.

On Saturday 19th March 2022 I was on duty as Acting Sergeant covering Op Sentinel, an operation directed to identify and safeguard any vulnerable persons throughout the night time economy whilst carrying out proactive and disruptive patrols, engaging and advising the vulnerable persons and preventing any predatory offences through interventions.

Between 2100 hours and 0300 hours we carried out patrols throughout the town centre both in the Police van and on foot engaging and interacting with the public. Whilst speaking to members of the public I became aware of the large groups of apparent young persons who appeared to be dressed to be out in the night time economy and clearly under the influence of alcohol. Due to this particular attention were paid to groups of younger groups who were asked to provide identification. On speaking with a group of males all between the ages of 16-18 years they intimated they were walking around town with no intentions of entering any of the pubs or clubs but were waiting for friends who were out. The males were advised to leave town centre due to their vulnerabilities and risks to those. Of the group one arranged for a family member to collect them and some of the group whilst we returned one male home.

On returning back to town at around 23:00 hours a group of four females were seen to leave the Sugar Club, Pitt Street. All four females looked underage and when challenged could not provide any identification. On speaking with them and throughout the conversation they were on the phone to their friends who they had already stated were still in the Club and of the same age as them advising them that Police were going to be entering. The females provided the details as follows


Arrangements were made for them to return home to Doncaster after establishing they were not missing from homes. We removed them from the immediate vicinity of the town centre pubs and clubs and awaited transport home. Whilst speaking with them I could tell they were clearly under the influence of alcohol, the girls were loud, giddy in nature, smelt of alcohol and slurring their words but could still understand and converse. They stated they had come to Barnsley from Doncaster specifically to the "Sugar Club", as a large group with their friends who were still in there. They continued to say that they entered the Club without being asked for any ID but on buying alcohol they were asked for ID and when they could not provide any they were told to pay £50 each and they could stay and was served their drinks. All 4 females claimed this two of them separately with the third being present and confirming this was true and the fourth agreeing but would not give any additional information.

Due to this and the fact there were further underage persons in the club I spoke to PS 1074 Johal who was on the Public Order van in the town centre. I was aware they were carrying out a Licencing check at the premises and a number of officers entered the bar with the relevant persons being spoken to and a number of apparent underage persons had managed to leave without details been obtained .

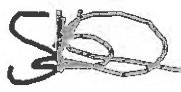
After a short while the females sought transport home and left the area after suitable advise was given.

Later that evening at approximately 00:30 hours whilst on patrols we saw a vehicle stop across from Sugar Club outside the Post Officer on Pitt Street and 3 females exited the car. Two of the females looked very young to which we intercepted them as they were about to cross the road into the Club. On doing so we asked for identification of which they could no provide advising they were only 16 years of age and 17. The girls provided the details of [REDACTED]

[REDACTED] They were spoken with and stated they were going to Sugar Club. They continued to say that they had been before and were allowed entry as they pay some money to be allowed to enter and be served without ID. They said that it ranged from £10 on one occasion to £50. Both girls were taken out of the immediate vicinity and awaited transport home.

Throughout the night we continued to patrol the areas and identify any other potential vulnerable persons but had no further involvement with the Sugar Club.

This statement 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 of Witness: 

Date: 11-05-2022

JOHN KIRKHAM

From: Ashley Stockton <ashleystockton81@icloud.com>
Sent: 06 April 2022 13:10
To: KIRSTY GREEN
Subject: Re: Sugar Club

Hi Kirsty,

Sorry you feel like that but I've been away and wanted a break from all work issues (that's why I have Craig/vlad ect there)

In regards to the underage, I would of thought a pat on the back from SYP all weekend and previous weekends for the good job we're doing would of satisfied rather than Chinese whispers coming from Wellington street, the constant rumours and rubbish of such is now gettin to me and causing me issues mentally, hence the breaks away from it all.

Can I ask we meet Friday 20th.. 2pm. As that's my earliest convenience

Thanks again

Ashley Stockton
Director Truth32/fire lounge/the barn/the sugar club
07425935994/01226244433



On 6 Apr 2022, at 12:35, KIRSTY GREEN <Kirsty.Green@southyorks.pnn.police.uk> wrote:

Good afternoon,

I would like to raise concerns with you given that on several occasions over recent weeks I have tried to contact you via telephone to speak with you about issues brought to my attention, however I have been unable to have any contact with you.

Again I tried to call you on Tuesday 5th April, to no avail. This raises great concerns with me, given that you are the premise licence holder for three venues in town and I am unable to speak with you to address concerns and issues. As a result I am unable to investigate allegations brought to me to help to try and either prove or disprove them.

It has been brought to my attention again that individuals on pubwatch have been frequenting Sugar Club, these being ██████████ on Saturday 1st April and ██████████ on Sunday 2nd April. I would like to remind you that both individuals are on pubwatch bans therefore should remain out of all licensed premises in the town centre that are members of the pubwatch scheme. I would like to remind you that it was at another of your venues where ██████████ continued to cause problems and proceeded to issue threats to security staff. Therefore, it is imperative that pubwatch bans are adhered to discourage such problematic individuals from visiting the area.

I would also like to bring to your attention that I am continuing to receive complaints about underage in your venue. Therefore, I need to arrange a meeting with you for the week commencing

18th April to review your paperwork and ensure that all procedures are in place in relation to age related matters. If you could please let me know your availability for that week.

Just to advise John Kirkham is off for this week and next and I am returning to work on the 12th April.

Thank you

Regards,

Kirsty Green
Licensing Enforcement Officer
South Yorkshire Police Licensing Department
c/o Barnsley Police Headquarters
Churchfields
Barnsley
S70 2DL

Email: kirsty.green@southyorks.pnn.police.uk

T: 01226 736046

M: 07917212736

Website address - southyorks.police.uk



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

Please be advised that the content of emails may be submitted as evidence to a Licensing hearing should issues arising not be resolved. The Local Council may post them as part of the process on their Website which has public access.

We are recruiting! If you want to make a difference to the communities of South Yorkshire, you can apply now to Be The Future of South Yorkshire Police.

We are recruiting through our Police Constable Degree Apprenticeship (PCDA) route which is open to people who don't currently have a degree, and enjoy combining on the job experience with academic learning. [Find out more](#)

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We are recruiting through our Police Constable Degree Apprenticeship (PCDA) route which is open to people who don't currently have a degree, and enjoy combining on the job experience with academic learning. [Find out more](#)

WITNESS STATEMENT

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN

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Statement of Peter Spratt

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

This statement (consisting of 4 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: 17/11/2022

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

I am Neighbourhood Inspector for the Barnsley Central, North and North East wards, which includes the town centre, taking an active role in matters relating to the night time economy and seeking to ensure our policing approach is proactively targeted to reduce crime and anti-social behaviour, making the town centre a safe and enjoyable environment for all. This includes engaging with Pubwatch and other forums, to work in partnership with them around matters such as Purple Flag accreditation, Best Bar None and recently running a CPD event for staff involved in the night time economy, investing in continually improving our collective approach.

I am part of the Evening and Nighttime Economy Group (ENTEG) and have worked within that group to address issues that have arisen or emerging issues are proactively addressed. An example of this includes the response to concerns around potential 'spiking' of customers in venues that recently arose, where the ENTEG group were able to swiftly agree and deliver a plan in response that included everything from the response of police to a targeted communications campaign around prevention and harm reduction. Within the communication campaign, I was able to work alongside colleagues from our communications department to ensure that venues were equipped with messages that they could use on their own social media platforms and channels.

Signature: Signature Witnessed by:

Continuation of Statement of: Peter Spratt.....

As part of my work within the partnership, it is also key that any emerging issues or trends identified through licensing checks or similar are fed back in and considered in relation to our response. In the weeks and months leading up to April 2022, underage drinking had been something that was a cause for concern. As such, there was a consistent message to those within venues and pubwatch around ID checks and venues maintaining consistent and acceptable standards on the checks that are made on admission to venues or in relation to the sale of alcohol. This however, did not appear to be having an impact with feedback from officers conducting licensing checks about large numbers of underage drinkers. This seemed to be particularly concentrated around the Sugar Club on Pitt Street, where I had seen previous body worn footage of customers who appeared to be very young and door staff reporting that the venue had allowed these young people in before they had come on duty.

This was a growing concern for me and when coupled with information provided that this venue particularly was allowing young people in and serving alcohol to them. I noted an increased number of young people had been located that were not from the Barnsley area. A review of the venue and its social media adverts indicated that the venue may be deliberately appealing to a younger audience. I had by this time formed sufficient concerns about the associated child protection concerns of underage drinking being so prevalent that I planned an operation to explore this concern. This operation was in effect a large-scale licensing check, in conjunction with Senior Licensing Officer Debbie Bailey and approximately 18 police officers across three public order vans, which was executed on the evening of Saturday 9th April 2022 into the early hours of Sunday 10th April 2022.

At midnight on Saturday 9th April 2022, I led all officers into the Sugar Club and conducted a check of licensable activity and to investigate if any offences under the Licensing Act were being committed. On entry to the premises there were approximately 200 customers in the venue and I gave instruction to my officers to enter and gain control of the premises, turning off music to maximise safety of officers and

Signature:  Signature Witnessed by:

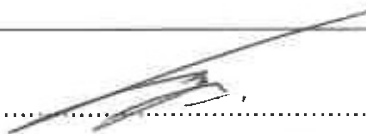
Continuation of Statement of: Peter Spratt.....

those present and allow us to communicate with those present to conduct the relevant checks. Officers were tasked to put a filter on the exits to the premises, in order for us to confirm the identification of those that were believed to be under 18. On entering the premises, I was immediately satisfied that there were a significant number of underage drinkers present. Therefore, it was necessary to identify all that we could to put in place a plan to safeguard those children who were under 18 and evidence/address this with the premises and door staff.

I allocated officers to hold those who were under 18 in a specific area of the club, within the courtyard, while we asked others to leave and therefore minimise the chance of any potential disorder while persons present were intoxicated the venue could not continue to serve alcohol while our checks were ongoing.

On entering the property, I made my way to the rear of the club, behind a bar to the rear which gave access to a kitchen and through the kitchen there was a subsequent set of stairs that then gave access to the upper floor. This upper floor has a small series of rooms that appeared to be used for storage and a toilet, but some young females were present and coming down those stairs as we arrived. Within the kitchen of the premise, Ashley Stockton was present, with two other males and a group of young females within an off-shot room in the kitchen. I explained to Stockton that I was in charge of the operation and the nature of the checks, identifying the concerns that we had quickly discovered a large number of underage drinkers in the venue. Stockton was in drink and continued to drink alcohol while he spoke with me and other officers.

Due to finding Stockton and other adult males with females who we believed may be under 18, I requested colleagues from CID attend and speak with those females present, to account for why they were in company with these males in an area of the premise which was not covered within the license.

Signature:  Signature Witnessed by:

Continuation of Statement of: Peter Spratt.....

This was to explore and confirm that no offences were identified that may need to be dealt with.

Detectives reported back that there were no concerns of this nature.

Once my officers had completed the filter on the exits to the premises, we had identified approximately 20 young people who were confirmed as being under 18 and it was evident from their slurred speech, demeanour, behaviour and the smell of intoxicants that they were drunk or had been drinking. I tasked officers to make contact with family members of those that had been found to facilitate them being collected and once these enquiries had been exhausted, we then returned those that remained home to their addresses to confirm their safety and welfare. At around 0030 hrs, I identified a female who had got out through the filter, still with a drink in her hand and she looked about 14 years old. I returned her inside for a secondary check and it was identified that she was under 18 and had in fact only recently turned 16. I tasked TPS 3736 Crossland to check this females details and this interaction will be recorded on his body worn video.

While I was managing this operation and the deployment of the officers who were tasked, my colleague Debbie Bailey from BMBC Licensing was conducting a series of further checks in relation to how the premises were being run.

On conclusion of the operation, our concerns were communicated to the designated premises supervisor. This included the number of underage drinkers in the venue and that the venue had been accepting photographs of ID on people's phones. Licensing colleagues had identified other concerns and on leaving the venue was empty and agreed that they would not reopen that night.

During this licensing check, I wore and activated my body worn video device, capturing fully the operation. This can be produced if required.

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

WITNESS STATEMENT

(Criminal Procedure Rules, r 16. 2; Criminal Justice Act 1967, s. 9)

Statement of: Gemma Fallis

URN

Age (if under 18): N/A

Occupation: Police Officer

I am a police officer working for South Yorkshire Police and based at Barnsley Police station. On Saturday 16th April 2022 I was in full uniform and working alongside PC 3156 ROWSON, PC 3230 KUBICA-MARCELA and A/PS 10 ROBBS DE LA HOYDE. We were on the public order van based in the Town Centre and checking licencing at different pubs/clubs in Barnsley Town Centre. Our call sign was Papa one.

We entered the Sugar club, 7 PITT STREET, BARNSELEY. I looked around and saw a group of females. I went over to them and asked them for their ID. Two of the females showed me their driving licence and another female, showed me her driving licence on her mobile phone. She was asked if she had her original and she said that she didn't have it. I now know this female to be ██████████ looked around 17/18 years old. She was around 5ft 2 and was slim with long dark hair. She was wearing a black dress with cut outs material on the stomach area. I asked ██████████ for her details and noted them in my pocket notebook.

██████████

This statement 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 of Witness:



Date: 24-04-2022

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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)
apply for the review of a Premises licence under section 51 / apply for the review
of a club premises certificate under section 87 of the licensing Act 2003 for the
premises described in Part 1 below (delete as applicable)**

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description. Sugar Club, 7 Pitt Street, Town Centre	
Post town Barnsley	Post code (if known) S70 1AL
Name of premises licence holder or club holding club premises certificate (if known) Sugar Events Ltd	
Number of premises licence or club premises certificate (if known) 069586	

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)

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

Surname First names

Please tick yes

I am 18 years old or over

Current address

Post Town

Post Code

Daytime contact telephone number

Email address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
E-mail (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address South Yorkshire Police Barnsley Police Headquarters Churchfield Barnsley S70 2DL
Telephone number (if any) 01226 736046
E-mail (optional) John.Kirkham@southyorks.pnn.police.uk / kirsty.green@southyorks.pnn.police.uk

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

Please tick one or more boxes Y

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

<p>Please state the ground(s) for the review (please read guidance note 1)</p> <p>The grounds for this review are based on the following aspects of the 2003 Licensing Act objectives:-</p> <p style="text-align: center;">Prevention of crime and disorder Protection of Children from Harm</p>

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

Evidence to support this application centres around the protection of children from harm and the prevention of crime and disorder. Recent history will show that:

On the **8th January 2022 at 23:24**, South Yorkshire Police received a complaint alleging that there was a number of underage people in the venue. (SYP Incident 0968 08.01.2022).

Police officers visited Sugar Club following the complaint and conducted a licensing check. Upon entering a number of patrons left. Four patrons were confronted who all admitted to being 15 and 16, stating that they had visited Sugar Club as they knew no one was challenging for ID. Officers spoke with several other people inside Sugar Club who appeared to be under 18 and were unable to produce any ID. Footage from body worn cameras will be disclosed at a later date.

On the **27th January 2022**, Mr Stockton was served with an action plan following the incident on the 8th January where underage persons were found drinking in the venue and a subsequent review of the policies and procedures at the venue on the 20th January 2022.

On **Friday 4th March 2022**, as part of 'Street Safe' which is the operation name given to policing of the night-time economy, patrols officers attended the Sugar Club at 23:00. PC Pollard was amongst officers who approached the venue on foot and witnessed the security guard on the door go into the premise briefly and a number of individuals exit that appeared to be possibly under age. Unfortunately, officers were unable to obtain details of these individuals.

On entry into the club, PC Pollard noted that there was approximately 30 people inside with no one appearing obviously underage. After leaving the premise officers returned to their van and observed a male that had left on officers initial approach attempt to re-enter the club stating he had left his hat. When challenged by officers he did not have any ID on him and security refused entry this time.

On the **19th March 2022**, temporary Police Sargent Botham whilst conducting duties as part of 'Street Safe' spoke with a female on Pitt Street. The female was underage, and although she was not seen going in or coming out of premise, stated that she had been in the Sugar Club.

On the **25th March 2022**, police officers attended and conducted a licensing visit and observed underage youths drinking within the premises who confirmed that they have been sold alcohol.

Sugar Club opened in December 2021 and between the 31.01.2022 and the 05.04.2022 several intelligence reports were received by South Yorkshire Police detailing how underage people had been frequenting the venue.

On **9th April 2022**, South Yorkshire Police carried out a targeted operation on Sugar Club. Safeguarding issues were highlighted as part of the operation with the club allowing entry and serving alcohol to underage children. Several underage children admitted to drinking alcohol, one identified as being vulnerable and at risk of child exploitation.

On the **13th April 2022**, South Yorkshire Police received a late report of a serious assault that occurred at the venue on the 4th March 2022, 14/71225/22. This incident involved a male who was punched in his eye causing trauma and requiring medical treatment at Barnsley Hospital and Royal Hallamshire hospital in Sheffield. At this time this is still an on-going investigation.

On the **14th April 2022**, South Yorkshire Police received a homophobic complaint that occurred in the venue, 14/71073/22.

On the **20th April 2022**, Licensing visit carried out with BMBC & South Yorkshire Police Licensing Officers at the venue. Visit highlighted that CCTV only recorded until 04:00 when the venue is open until 05:30. No refusal logs had been recorded since the 02.04.2022, incident logs were missing and ones that were present were completely incorrectly with very little detail and the Premise licence was not displayed.

Further information, statements and body worn footage will be submitted at a later date.

Please tick Y yes

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

If yes please state the date of the application

Day Month Year

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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If you have made representations before relating to these premises please state, what they were and when you made them

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities
In addition, the premises licence holder or club holding the club premises certificate,
as
Appropriate
- I understand that if it do not comply with the above requirements my application x
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 (please read guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature

Kirsty Green

Date

20.04.2022.....

Capacity

Licensing Enforcement

Officer.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5) John Kirkham / Kirsty Green Licensing Enforcement Officers Barnsley Police Headquarters	
Post town Barnsley	Postcode S70 2DL
Telephone number (if any) 01226 736046	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) John.kirkham@southyorks.pnn.police.uk/Kirsty.green@southyorks.pnn.police.uk	

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 the application.

WITNESS STATEMENT

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN

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Statement of J Thornton PC 3164

Age if under 18 Over 18.... (If over 18 insert "over 18") Occupation: Police Constable 3164

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 J Thornton PC 3164..... (witness) Date: 25/04/22

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

I am a Police Constable with South Yorkshire Police. I am currently based at Barnsley.

Around 2230 hours, on Saturday 23rd April 2022, I was on duty as the driver of a public order van tasked with patrolling the night-time economy in Barnsley town centre, referred to as operation street safe. As part of our patrols, we were tasked with conducting licencing checks on several licenced premises. This is in order to check for several things within the licence including ,but not exhaustive to underage drinking, CCTV is on the premises and works, numbers of people and behaviour of the crowd inside as well as if there is a DPS onsite. I have been a serving Police officer for over 5 years and have conducted many of these checks before and in my experience I have very few objections from staff in the licenced premises I have checked in the past. Due to the likely hood of coming into contact with drunk members of the public I have always gone into these premises with a number of other officers for safety reasons. One of the licenced premises that the licencing officer had requested to be checked that evening was the Sugar Club, Pitt Street, Barnsley.

At 2313 hours, the same date, I parked the Police vehicle on Pitt Street and got out along with several colleagues who were ahead of me and heading towards the main entrance of the Sugar Club. I was stood behind 2 other officers as we got to the door. Officers allowed 2 males who I could clearly see were over 18

Signature: J Thornton PC 3164 Signature Witnessed by:

Continuation of Statement of: J Thornton PC 3164

to leave. These males were followed by another male who stayed in the doorway and appeared to be refusing entry to officers, although I couldn't hear what he was saying due to the loud music coming from inside. He appeared to be arguing with PC 1134 Aspinall. I have been involved in checks on this premises before and I have never seen staff object. This raised concerns as to why this male was being obstructive. At the time I didn't know who he was, but his how he was behaving suggested he worked there rather than being a member of the public who was out drinking. Believing that he was obstructing us in our lawful duty I went past PC 1332 Cole and PC 1134 Aspinall who were in front of me and stated to the male to move out of our way so we could conduct the licensing check. As I said this I then went towards the male and pushed past him using minimal force. He didn't offer any physical resistance against this. He was shouting and appeared annoyed as I entered, he said something about DPS check. I now know this male to be VLAD SEVCIUC. I conducted a check throughout the bottom floor of the premises. There may have been 6 people maximum downstairs all of which appeared to me to be over the age of 18 years old. I remained inside whilst other officers checked the upstairs and then left. I spent around 5 minutes within the premises.

During in the incident, I wore body worn video which was activated and recording throughout. I can identify this as exhibit:

JT/1 – PC 3164 Thornton body cam licencing check of sugar club

This has been downloaded onto police systems.

Signature: J Thornton PC 3164 Signature Witnessed by:

WITNESS STATEMENT

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN

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Statement of Jodie KEAN

Age if under 18 Over 18.... (If over 18 insert "over 18") Occupation: Police Sergeant 2030.....

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 J Kean (witness).....Date: 26/4/2022.....

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

I am a Police Sergeant in South Yorkshire Police currently stationed at Barnsley police station, Churchfields, Barnsley. On Saturday 23th April 2022 I was on duty working on a public order van under the call sign BP1.

At 02:07 hours on Sunday 24th April 2022 we received information that there may be four underage males drinking in The Sugar Club on Pitt Street, Barnsley. At 02:19 hours I approached the door of The Sugar club in company with PC 1584 WRIGHT, PC 1639 GRANGE, PC 755 CRESSEY and PC 194 BINNS. As we walked into the venue, I was met by the Designated Premises Supervisor, Vlad SERCIUC. I had met SERCIUC the previous evening when we completed a premise check on the venue.

SERCIUC was angry that a second check was being completed on the premises. He was gesticulating and shouting something I could not hear due to the loud music inside the venue. As officers continued to complete a search of The Sugar Club for the underage males who had been reported to be inside, I spoke to SERCIUC and explained that we had received a call reporting that there were underage people drinking inside the venue. SERCIUC was clearly disgruntled and was shouting over the top of me, telling me that we were ruining the business and that we were scaring away all the customers.

Signature: Signature Witnessed by:

Continuation of Statement of: Jodie KEAN

Page 2

SERCIUC then appeared to calm down as I explained that we had received the report and had a duty to investigate. No underage males were located in The Sugar Club so I directed the officers to leave. As we were at the door leaving the premises SERCIUC was shouting that he wanted all collar numbers and names of Officers who had been inside. I provided the information to him. He was again, clearly unhappy that Police were in attendance and stated that he would make a complaint. He said he wanted no more than four officers in total when completing licensing checks. He claimed that police were affecting the business as we were 'SCARING AWAY CUSTOMERS'. He was questioning why there were so many officers and why we had returned for a second time.

Throughout this incident I would describe SERCIUC as being angry and difficult. He did not prevent us entering the venue, but he was visibly disgruntled. His actions could clearly be seen by members of the public and staff in and outside of The Sugar Club.

Signature: J Kean Signature Witnessed by:

JOHN KIRKHAM

From: KIRSTY GREEN
Sent: 27 April 2022 12:28
To: 'CRAIG WILDSMITH'
Cc: 'Ashley Stockton'; JOHN KIRKHAM
Subject: RE: Sugar club

Good afternoon,

I have reviewed the training that has been sent through in relation to Sugar.

I can see that a lot of the paperwork is examples that have been provided to you, however my main concern is that these policies/procedures have been copied and pasted and are not specific to Sugar. There are also duplicate policies listed.

I also feel that there needs to be more emphasis and focus on how underage will be tackled within the venue.

Upon review I have noted the following things;

Policy titled 'Staff Manual'

Is this supposed to be the age verification policy?

Again it is not specific in detail, it states that if a young person is unable to produce ID, security will call DPS. DPS will try and speak with young person. The policy needs to detail what actions the DPS will then take and how they will manage the young person and what actions they will take.

Anti-Theft policy

It needs to be detailed what staff do with any lost/found items, is there a log to complete?

Counter Terrorism Policy

'Project Argus' training, who has completed this and is there a certificate to state that this has been completed?

Disorder Strategies

There is no mention of completing incident/ejections log.

Drugs policy

It states that there is a search policy in place, however there is no details regarding what this actually is. Does Sugar actually employ toilet attendants in both male and female toilets?

Drunkenness Policy

The policy needs to specifically detail the action that is going to be taken by staff.

Duty of Care

There is reference that the licensee will get an at risk patron home safely. How will the licensee do this, what action are they going to undertake to ensure that the patron is home safely?

First Aid Policy

All members of staff who are first aid trained need to be listed and it noted within the policy where the first aid box is kept.

Managing conflict

Within the policy it makes reference to 'during your course you will be taught'. What course? You also need to detail how Sugar specifically is going to deal with incidents, who/when do management get involved, are security notified, where are people ejected etc. There is again no mention of incident logs being completed.

Duty of care for vulnerable people

In the policy it makes reference to 'All staff in venue are trained', how are they trained and in what?

Illness/Injury

This is not completed as first aiders are not listed.

Regards,

Kirsty Green
Licensing Enforcement Officer
South Yorkshire Police Licensing Department
c/o Barnsley Police Headquarters
Churchfields
Barnsley
S70 2DL

Email: kirsty.green@southyorks.pnn.police.uk

T: 01226 736046

M: 07917212736

Website address - southyorks.police.uk



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

Please be advised that the content of emails may be submitted as evidence to a Licensing hearing should issues arising not be resolved. The Local Council may post them as part of the process on their Website which has public access.

From: CRAIG WILDSMITH [mailto:stereo30@live.co.uk]

Sent: 26 April 2022 15:21

To: KIRSTY GREEN <Kirsty.Green@southyorks.pnn.police.uk>

Subject: Sugar club

Hi Kirsty the re arranged policies for sugar

Get [Outlook for iOS](#)

Cheers

Craig

We are recruiting! If you want to make a difference to the communities of South Yorkshire, you can apply now to Be The Future of South Yorkshire Police.

We are recruiting through our Police Constable Degree Apprenticeship (PCDA) route which is open to people who don't currently have a degree, and enjoy combining on the job experience with academic learning. [Find out more](#)

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WITNESS STATEMENT

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN

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Statement of Christopher PHILLIPS

Age if under 18 Over 18.... (If over 18 insert "over 18") Occupation: Police Sergeant 576.....

This statement (consisting of 4 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 C.PHILLIPS (witness) Date:29/09/2022.

Statement commenced at 09:22hrs, 29/09/2022.

I am a Police Sergeant in The South Yorkshire Police currently based at Barnsley Police Station, South Yorkshire. My current role is as a Duty Sergeant attached to Rota B, within a Response policing function.

At 00:45hrs on the morning of Saturday 11th June 2022, I was on duty in full Police uniform engaged on mobile public order patrol in Barnsley town centre on Wellington Street, Barnsley. Part of my duties on that evening included foot patrol and visiting licenced premises in the town centre to ensure compliance with licence conditions.

In order to manage night time economy, specifically licenced premises in Barnsley. A rolling police operation takes place each weekend, known locally as Operation Street Safe. Part of the operations function involves checking licenced premises licensing conditions contained within a briefing document, which is briefed out to Police officers engaged on patrol in the evenings over the weekend.

The premises checked are varied and change on a weekly basis and can change due to specific sporting or bank holiday events.

Signature: C.PHILLIPS Signature Witnessed by:

The briefing document used as part of operation Street Safe usually lists the licensing condition for each premises where a visit is required. Once the licensing check is complete, any breaches are documented within the operation document, which is monitored by Police Licensing Officers and uploaded to relevant licensing software, known as 'Inn Keeper'.

At the time and date specified above, I had cause to visit The Sugar Club, 7 Pitt Street, Barnsley, S70 1AL for one such licensing check.

Upon arrival at the premises, I saw and spoke initially to the door supervisor working at the club, who identified himself to me as [REDACTED]

[REDACTED] initially stated that the DPS was not available due to dealing with a matter within the club. However, after just a few minutes a second male emerged from the club who identified himself to me as DPS Thomas Lee WHITE and produced BMBC badge number 095433.

I checked inside the premises and only a few customers within the premises, three in total. External seating area to the left of the front door contained approximately four others. All customers appeared of age.

I went through the list of licensing conditions with the DPS and noted two breaches. The first relating to them not displaying the violent incident protocol. The DPS stating that they had discussed this with the Licensing Officer Kirsty GREEN and that she was aware.

The second being the lack of an ID scanner. The DPS stated that the laptop required to run the software was broken and was due to be replaced the following day.

Signature: C.PHILLIPS Signature Witnessed by:

These breaches were recorded on the Operation Street Safe document and uploaded upon my return to the station.

At 00:02hrs on Sunday the 12th June 2022, I was again on duty in full Police uniform engaged on mobile public order patrol in Barnsley town centre on Wellington Street, Barnsley house. Part of my duties on that evening included foot patrol and visiting licenced premises in the town centre to ensure compliance with licence conditions.

At the time and date specified above, I had cause to visit The Sugar Club, 7 Pitt Street, Barnsley, S70 1AL for one such licensing check.

Upon arrival at the premises, I saw and spoke initially to the door supervisor working at the club, who identified himself to me as [REDACTED]. Also present was the DPS Thomas Lee WHITE who produced BMBC badge number 095433.

Again, I went through the list of licensing conditions with the DPS and noted two breaches. The first relating to them not displaying the violent incident protocol as discussed the previous evening.

The second being the lack of an ID scanner. Again, the DPS stated that the laptop required to run the software was still broken and that they intended to discuss this with the Licensing Officer Kirsty Green on Monday morning as they had a meeting scheduled with her.

These breaches were recorded on the Operation Street Safe document and uploaded upon my return to the station.

Signature: C.PHILLIPS Signature Witnessed by:

At 00:20hrs on Saturday the 2nd July 2022, I was again on duty in full Police uniform engaged on mobile public order patrol in Barnsley town centre on Wellington Street, Barnsley house. Part of my duties on that evening included foot patrol and visiting licenced premises in the town centre to ensure compliance with licence conditions.

At the time and date specified above, I had cause to visit The Sugar Club, 7 Pitt Street, Barnsley, S70 1AL for one such licensing check.

Upon arrival at the premises, I saw and spoke initially to the door supervisor working at the club, who identified himself to me as [REDACTED] stated that the DPS was unavailable to speak with me due to being busy with tasks inside the club.

I went through the list of licensing conditions with the [REDACTED] and noted a breach relating to the lack of an ID scanner.

These breaches were recorded on the Operation Street Safe document and uploaded upon my return to the station.

Statement concluded at 10:06hrs 29/09/2022.

Signature: C.PHILLIPS..... Signature Witnessed by:

WITNESS STATEMENT

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN [] [] [] []

Statement of Benjamin JOHNSTON

Age if under 18 Over 18 (If over 18 insert "over 18") Occupation: Police Officer PC 2683

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 .. B. Johnston 2683 (witness) Date: 29/11/2022

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

I am a Police Constable in South Yorkshire Police. I was stationed at Barnsley Police Station on D Group Response from August 2020 to September 2022.

On 9th JULY 2022 I was on duty in full uniform in a marked police vehicle. I was tasked with conducting patrols within Barnsley Town Centre to manage the night-time economy.

As part of these patrols, we regularly conduct licensing checks by speaking to door staff, bar staff, and license holders of pubs and clubs.

On 9th JULY at approximately 00:34 hours I attended THE SUGAR CLUB on PITT STREET, BARNLSLEY. There was one member of security staff working on the door. This man identified himself as [REDACTED] and provided me with the Security Industry Authority number # [REDACTED] with an expiry date of 04.03.2023.

There were no other security staff present. This man had an ID scanner at the front entrance. This was functional.

I asked to see the manager and/or license holder and after a few minutes a man arrived from another premises. He identified himself as Tommy WHITE. WHITE presented premises license number 068586. He did not have his personal license with him, but instead showed me a photograph of his personal license number 095433. He took me to an office behind the bar and showed me the CCTV system. I can confirm that this was in full-colour. Mr WHITE then demonstrated that this system was capable of playback and stated that all footage was saved for 38 days.

I now cannot remember if I had my Body Worn Video camera turned on or not. However there is no footage saved on SYP DEMS. This footage may have been deleted after 3 months, in line with force policy.

I logged all of this information onto our "Street Safe" Document, and played no further part in the matter.

Signature: BJohnston Signature Witnessed by:

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WITNESS STATEMENT

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN

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Statement of Catherine Simpson

Age if under 18 Over 18 (If over 18 insert "over 18") Occupation: Detective Constable 2389

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  (witness) Date: 21/09/2022..

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

I am a Detective Constable in the South Yorkshire Police Service currently stationed at Barnsley.



On Friday 29th July 2022, I was on duty when I phoned Ashley STOCKTON on a mobile number ending 5994. I have asked Ashley if I can view and download some CCTV footage from The Sugar Club, 7 Pitt Street, Barnsley, S70 1AL following an incident I was investigating that took place on Sunday 24th July 2022. I had searched the police systems to establish the owner and contact details for the premises, this showed to be Ashley STOCKTON.

The conversation was brief, but I arranged to attend The Sugar Club on Wednesday 3rd August 2022. I understood I would be meeting a male called 'Tommy' to be able to view and download the CCTV footage.

At 9pm on Wednesday 3rd August 2022, I was on duty when I attended to The Sugar Club. There I met a male who introduced himself as 'Tommy' and the Designated Premises Supervisor (DPS) for the premises. I assumed this to be Thomas WHITE who I knew to be the DPS at the time of attending.

When I attended the premises, the CCTV system was situated behind the bar area in a side room/cupboard. Tommy showed me a live screen that was playing the CCTV on. Tommy was only able to playback the incident I was requesting to view and download. Tommy stated that he had no knowledge of how to download the footage, and previously when officers attended they had done this themselves.

Tommy stated it was a newly installed system and this was the reason he did not know how to download it. I subsequently made further arrangements to re attend on Sunday 7th August 2022.

At 2000hrs on Sunday 7th August 2022, I re-attended to The Sugar Club in company with CCTV officers  and  from the Imaging Unit. On arrival to the premises, it was closed from the outside, due to open at 2100hrs. There were no door staff present, and the entrance door was closed. I was greeted by two members of staff (names not known) and shown to the CCTV unit. The staff were not aware I had made arrangements with Tommy to re-attend. Staff advised that Tommy was no longer the

Signature  Signature Witnessed by:

Continuation of Statement of: Catherine Simpson.....

Page 2

DPS and a new person was due to take over the role, though they were unable to provide the details of who this was.

Inside, was a DJ playing music loudly, and at least 4 other adult males and females sat near the DJ at a table, drinking what I assumed to be alcohol, though no alcohol was being served from the bar. This group then left within half an hour of my arrival, and the premises opened shortly after 2200hrs.

Signature:  Signature Witnessed by:

JOHN KIRKHAM

From: KIRSTY GREEN
Sent: 17 November 2022 13:43
To: JOHN KIRKHAM
Subject: FW: Licensing information for Sugar this evening

Email from 13.08.2022

From: Anna Harper [mailto:annajb1@hotmail.com]
Sent: 13 August 2022 13:13
To: KIRSTY GREEN <Kirsty.Green@southyorks.pnn.police.uk>; Bailey , Debbie (SENIOR OFFICER (LICENSING)) <DebbieBailey@barnsley.gov.uk>
Cc: Ashleystockton81@icloud.com
Subject: Licensing information for Sugar this evening

Hello Kirsty and Debbie

I'm just giving you the heads up with regards to the DPS for this evening at Sugar. Unfortunately I won't be there this evening as I have other arrangements that were booked before I got this job. Craig Wildsmith, who is the DPS for Truth, will be floating between the 2 venues and ensuring everything is running as it should. There will also be other licence holders working at Sugar. I have already briefed staff with regards to my expectations for tonight.

Last night ran perfectly. It was really busy but there was not one bit of trouble; in fact the atmosphere was great. No underage, nobody in after 4am, bar closed promptly at 5am and everyone was out by 5:30am in good spirits. We did have an image shared on Pubwatch, albeit not very clear, and we managed to identify who we thought may be the suspect (apparently got a knife out on Wellington street and made threats towards other males). After the night time economy police conducted their walk through, I approached them and showed them the image and said there is a high chance of it being the male stood outside the venue (he had just moved from the garden). I requested him to be searched and 2 male police officers carried this out. They were satisfied that he did not have a weapon contained on him and allowed him to carry on his evening. We allowed him back in based on this informed but I did inform him I would be watching him carefully, and to be honest he was on his best behaviour all night. I am very keen to be working with the officers and cooperating together on these matters.

Please do let me know if any concerns arise from tonight's checks and I will address these tomorrow evening when I am back in work.

We are receiving lots of positive feedback from customers about how well they think the place is currently being run and they say they feel safe and are impressed with the improvements that have been put in place. I am looking forwards to reporting back to you both in due course.

Many thanks
Anna

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WITNESS STATEMENT

(Criminal Procedure Rules, r 16. 2; Criminal Justice Act 1967, s. 9)

Statement of: Dom Moffitt

URN

Age (if under 18): N/A

Occupation: Police Officer

My name is PC MOFFITT (0952), a response officer attached to Churchfields Station.

On Saturday, August 20, 2022, I was policing the Barnsley town centre on foot patrol attached to the P1 van. At 0010 hours I attended the Sugar nightclub on Pitt Lane in order to undertake a licencing check in accordance with the Street Safe protocol.

Upon arrival at the scene, I met two door staff, a male and a female. I informed them that I was carrying out a licensing check and that I wanted to speak to a manager or licensee. I then took the names and details of both security staff.

The female told me she was [REDACTED] with the security company Phoenix, she showed me her security badge number which I recorded [REDACTED]

[REDACTED] The male gave his name as [REDACTED] with the security company Phoenix, he showed me his security badge number which I recorded [REDACTED]

[REDACTED]. The licensee then came out of the club and spoke to me, she gave her name as Anna HARPER (licensee number BMBC 094163). I then went through the licensee checks with her and the door staff and found that the venue was not adhering to two of its conditions. Firstly, neither security staff were wearing body worn video. When I challenged this, [REDACTED] produced a small camera from his pocket and told me that the battery on the body worn was dead and that it hadn't been charged. [REDACTED] had no body worn video equipment on her person. The licensee confirmed that neither door staff had fully charged body

worn video available to them. I then asked to see the venue's refusal log, HARPER showed me the log and I noticed that the last entry was September 8, 2022, ten days before. I asked her to confirm this which she did. During the incident I witnessed the door staff refuse entry to a group of young females. They appeared to be fairly young and could have been teenagers. I witnessed the door staff making no efforts to log, or record, this refusal, in any way, while I was at the scene.

I left Sugar at around 0015 hours and made a note of my findings on a licensee check record sheet and then on the Street Safe PowerPoint presentation for August 20, 2022.

This statement 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 of Witness:



Date: 19-09-2022

WITNESS STATEMENT

(Criminal Procedure Rules, r 16. 2; Criminal Justice Act 1967, s. 9)

Statement of: Benjamin Child

URN

Age (if under 18): N/A

Occupation: Police Officer

I am a Police Officer with South Yorkshire Police currently stationed at Barnsley police station.

On the 20th August 2022 I was on full duty under the call sign PAPA1 working 17:00 x 03:00

At 00:10 I was tasked by my supervision to conduct licensing checks at SUGAR CLUB, PITTS STREET, BARNSELEY along with PC 952 MOFFIT.

On arrival at the premises, I spoke to two door staff that were on duty. I now know these door staff to be [REDACTED] and [REDACTED] both confirmed they worked for PHOENIX as door security. Both were able to provide identification badges.


While I spoke to the door staff my colleague PC 952 MOFFIT spoke to the designated premises supervisor Anna HARPER.

PC 952 MOFFIT went through the licensing conditions with HARPER and requested to see if the door staff on duty had body worn video cameras on them. It was at this point that [REDACTED] pulled a body worn video camera from his pocket and stated he wasn't wearing it and that it had no battery charge. [REDACTED] simply shook her head and stated she didn't have one.

PC 952 MOFFIT then asked HARPER to provide evidence of a refusal log which she got from behind a counter in the club. Looking at this log it was not filled out with anyone getting refused entry from club since the 08/08/2022.

HARPER was informed that the licensing conditions at the club were breached and that a report would be made to licensing.

This statement 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 of Witness: 

Date: 08/09/2022

JOHN KIRKHAM

From: KIRSTY GREEN
Sent: 18 November 2022 08:17
To: JOHN KIRKHAM
Subject: FW: Street safe visit 20.08.2022

Email from 24.08.2022

x

From: Anna Harper [mailto:annajb1@hotmail.com]
Sent: 24 August 2022 11:57
To: KIRSTY GREEN <Kirsty.Green@southyorks.pnn.police.uk>
Cc: [REDACTED]
Subject: Re: Street safe visit 20.08.2022

Hi Kirsty

The security staff were briefed at the beginning of their shift and were supplied with the fully charged body cam. When the Street Safe team visited the premises they questioned the whereabouts of the body cam. The security staff had put the body cam in his pocket. I asked him why it was there (he said it wasn't charged - this is not true), I immediately told him to put it on and he did.

As a result of this breach, the security staff in question has been verbally reprimanded by myself and we are no longer going to be using him going forward.

Ashley and I are really disappointed in this as we have worked so hard over the last few weeks to ensure we are adhering to all of the conditions all of the time. We want to make the venue work and keep all of our customers safe so that they enjoy their night and welcome feedback like this so that we can continue to make further improvements.

I will personally take it upon myself to check that the body cam is being worn on the hour, every hour going forwards and not just at the beginning of my shift. Ashley has always ensured that it is fully charged when he is in during the day.

Many thanks
Anna

From: KIRSTY GREEN <Kirsty.Green@southyorks.pnn.police.uk>
Sent: 24 August 2022 10:10
To: Anna Harper <annajb1@hotmail.com>
Cc: Ashley Stockton <ashleystockton81@icloud.com>
[REDACTED]
Subject: Street safe visit 20.08.2022

Good morning,

Just to bring to your attention a breach of the licence that was highlighted on a visit that was carried out by officers on the 20.08.2022 at 00:10.

It was noted that security staff were not wearing body worn cameras as is required as part of the conditions. When officers spoke with security staff one guard was carrying a camera in his pocket, however this was not charged.

If you could please ensure that all conditions are being adhered to whilst the venue is open, any non-compliance would be considered a breach of your premise licence and may result in further action being taken.

Regards,

Kirsty Green
Licensing Enforcement Officer
South Yorkshire Police Licensing Department
c/o Barnsley Police Headquarters
Churchfields
Barnsley
S70 2DL

Email: kirsty.green@southyorks.pnn.police.uk

T: 01226 736046

M: 07917212736

Website address - southyorks.police.uk



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.

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WITNESS STATEMENT

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN

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Statement of T/PS 2948 GARETH LEE

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

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  (witness) Date: 04/11/22

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

I am a Temporary Police Sergeant in the South Yorkshire Police, currently based at Churchfields Police Station, Barnsley.

On Friday 2nd September 2022, I was on duty in full police uniform, working a 1700x0300 shift. As part of this duty, I was on mobile patrol as part of a public order van. The main duties for the van were to police the night-time economy and conduct licensing checks with pubs and clubs in the town centre.

One of the locations to visit to carry out checks was Sugar Club, Pitt Street, Barnsley, which is subject to a number of licence conditions.

Some of the licence conditions are –

- Recognised ID scanner linked up to a central working data base. An ID scanner will be used at all times when security staff are employed. Images to be kept for 31 days and shall be downloaded and made available to South Yorkshire Police and authorised officers of the council upon request.
- To be part of the town centre radio scheme and acquire a suitable number of radios sets for the premise
- Security staff to be employed from 19:00, with an additional guard from 22:00 on both Friday and Saturday nights, in addition to an overriding risk assessment. Should the venue open prior to 19:00 a full assessment will be completed for the use of security staff.

Signature:  Signature Witnessed by:

Continuation of Statement of:

At 2340 hours on the above date, I attended Sugar Club and noted there were two members of door staff on duty. They were [redacted] and [redacted]. They both displayed SIA licence badges. Upon speaking with the security staff, they could not provide details as to the number of patrons inside and when I queried the use of the ID scanner and the Town Centre CCTV radio system, they could not furnish me with much information other than neither of them were working.

I then spoke to the Designated Premises Supervisor who confirmed that both the scanner and radio were not working and hadn't been for the whole evening. The DPS handed me the radio and this was switched off and had a flat battery. The DPS assured me that both systems would be fully operational upon a return visit later that evening.

I then liaised with the Town Centre CCTV operator who confirmed that Sugar Club was not a club that was listed as having radio communications with them.

I documented this information on the Op Street Safe document at the time of attendance.

Signature:  Signature Witnessed by:

JOHN KIRKHAM

From: KIRSTY GREEN
Sent: 17 November 2022 13:44
To: JOHN KIRKHAM
Subject: FW: Police check



From: Anna Harper [mailto:annajb1@hotmail.com]
Sent: 05 September 2022 07:25
To: KIRSTY GREEN <Kirsty.Green@southyorks.pnn.police.uk>
Cc: Ashley Stockton <ashleystockton81@icloud.com>
Subject: Police check

Hi Kirsty

On Friday night we had a police check at Sugar Club and there were a couple of issues that might be fed back to you so I wanted to explain what these were. First of all there was a software error with the ID scanning machine. Despite restarting the laptop, the software would not open. I contacted Craig Wildsmith from Truth 32 and he came round immediately in person and sorted it out by opening the software a different way. He was there whilst the police were there. I had only just started my shift so dealt with that issue as soon as I arrived.

The second issue was the police radio. This was not charged up. Ashley gave the radio to one of our security staff when we opened up and asked him to charge it (I do not know why it wasn't charged as I left it charging up in my last shift). Unfortunately the security staff did not know where or how to charge it and rather than ask someone, simply left it until I got in. After the police check, where it was brought to my attention, I made sure it was on charge and switched on. The police said that they would conduct another check an hour later to make sure these issues had been dealt with. On the second visit the police were happy that everything had been sorted.

On Saturday night, one of my bar staff informed me that she had seen a Facebook conversation between the 'Travellers' and the 'Geordies' organising a fight at 1am in Sugar Club. I immediately asked one of our door security to use the police radio to inform them of this potential planned fight and assistance arrived promptly. At this point we had a large number of travellers already in the club - around 10. I told the door staff not to let any more in under any circumstances and not to let any of the 'Geordie Boys' in. I switched the punching machine off and ensured absolutely no glass was in the garden or inside, even removing the bin from the outside area. I alerted the bar staff and instructed them to decant all bottled drinks into plastic cups. I also requested an additional security person so that we had 3. They were also informed of the planned fight. The police were informed and they assured us that they would continue to circle the area and keep checking. Also to request CCTV pointing at us. We agreed that if anything were to happen, I should call 999 straight away from my mobile phone. I am confident that our vigilant approach to this matter resulted in absolutely no trouble at all during the night. I believe there may have been fighting or trouble elsewhere but I am happy that none of it occurred on our premises. I wanted to assure you that we are working with the police to keep our club safe and that we are adhering to the licensing conditions. I am going to sleep shortly after working a long weekend but if you did want to call me about any of these matters, I will be available from late afternoon.

Many thanks
Anna

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WITNESS STATEMENT

(Criminal Procedure Rules, r 16. 2; Criminal Justice Act 1967, s. 9)

Statement of: Euan Reilly

URN

Age (if under 18): N/A

Occupation: Police Officer

I am a PC 1548 Euan Reilly employed by South Yorkshire Police attached to churchfields police station in Barnsley.

On 23/09/2022 at 23:30 I was on duty on the night time economy van, when I attended sugar club in Barnsley for licensing checks. When i attended i informed the two males who were acting as door supervisors i was there to check the licenses and they both produced valid SIA badges and were wearing body worn video.

On the table by the entrance they had a laptop and they informed me that this was the scanner they used to check whether IDs passed to them were real. At this point several of my colleagues entered the nightclub to check the other safety measures such as CCTV.

After repeated attempts at scanning my valid driving license the door supervisor informed me that the system may need to be reset and as such proceeded to reset the laptop. At this point my colleague PC2043 THOMPSON approached the front door from inside the club. As my driving license is somewhat worn i have asked to use PC THOMPSONS driving licence to check the scanner and once again it has failed to scan his driving license.

This whole incident lasted only a few minutes however it was caught on body worn video and i can exhibit the footage as ER/1.

This statement 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 of Witness:



Date: 04-11-2022

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WITNESS STATEMENT

(Criminal Procedure Rules, r 16. 2; Criminal Justice Act 1967, s. 9)

Statement of: Esme Wright

URN

Age (if under 18): N/A

Occupation: Police Officer

I am a Police Constable currently stationed at Barnsley Churchfields in the South Yorkshire Police.

On Saturday the 1st of October 2022 I was in full uniformed duty working a 1700X0300hrs shift.

On Sunday the 2nd of October 2022 at around 0129hrs I commenced a licencing check at Sugar Club on Pitt Street, Barnsley.

I attended in company with other colleagues under the call sign BP1. During this check I have entered Sugar Club and inside everyone appeared over the age of 25. My colleague PC 1237 SHELLARD has checked CCTV whilst I have checked the ID scanner outside.

Initially, the ID scanner was not working. Door staff has made numerous attempts to make this scanner work by unplugging the scanner and re-plugging back in. After numerous attempts I could see that the ID scanner was working as the door staff used her bank card to show me this.

This was captured on my Body Worn Video and can be viewed on DEMS under warrant number 748990.

This statement 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 of Witness:



Date: 04-10-2022

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WITNESS STATEMENT

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN

Statement of Bea MCGAINS PC244

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

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 [Signature] (witness) Date: 24/11/22

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

I am a Police Constable for South Yorkshire Police currently stationed on Barnsley Central Neighbourhood Team.

At 2230hours on Saturday 8th October, I was on foot patrol in full police uniform in company with PS 330 OLIVER and PC 3736 CROSSLAND performing licensing checks within Barnsley Town Centre.

It was at this time that I attended Sugar Club, Pitt Street. Upon attending this location, I engaged with the door staff. This male identified himself as [redacted], SIA badge number [redacted]. CUNNINGHAM stated that he was the only member of door staff at this time, but he was awaiting another.

It was requested that we speak to the designated premises supervisor who was inside Sugar Club. This female identified herself as Anna Justine HARPER, badge number 094163. HARPER stated that she was aware that there was only one member of door staff, but that they were awaiting another security staff member imminently.

Shortly after speaking to [redacted] and HARPER we left the premises. I did not reattend Sugar Club that evening.

Signature: [Signature] Signature Witnessed by:

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WITNESS STATEMENT

(Criminal Procedure Rules, r 16. 2; Criminal Justice Act 1967, s. 9)

Statement of: Matthew Smith

URN

Age (if under 18): N/A

Occupation: Police Officer

This statement refers to an Incident where a large fight broke out at the THE SUGAR HUT on PITT STREET, BARNSELEY, where around twenty to thirty people were involved.

On SATURDAY 15th OCTOBER 2022 I attended the THE SUGAR HUT on PITT STREET as we were flagged down by a member of the public. Upon arrival I could see that there were no door staff present, if so there were not wearing any visible uniforms or badges to identify themselves. When I entered there were around twenty to thirty males and females fighting, again no security staff visible and no person intervening or helping. As I cleared people out of the bar one male stated he was the manager but was again, not in uniform or doing anything to stop the fighting. It was alleged the fighting had broken out in the females toilets then spilt out into the main bar area. As I had escorted people out of the bar there was nothing in place to stop these people returning and multiple people came back in causing trouble with the remaining people in the bar. From what I could see staff at the venue itself did not attempted to stop or even assist with the incident. When outside of the venue again at least twenty people were present still arguing and being aggressive to one another this ended up in one person being arrested but no staff or door staff were present to assist throughout the whole incident. It was alleged that the female who had been arrested had been sacked at the venue earlier on that week. As far as I could see the venue had nothing in place to stop any issues or to stop any issues from escalating which led to a free for all inside and outside the venue. No assistance at all was offered to officers who were at scene from the venue management or staff.

This statement 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 of Witness:



Date: 27-11-2022

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From: BarnsleyLicensing
Sent: 19 October 2022 14:10
To: Licensing: Ashley Stockton
Cc: [REDACTED]
Subject: Objection to the LATE Temporary Event Notice for 29th October - 4th November 2022 for Sugar Club, 7 Pitt Street

Barnsley Council
PO Box 634
Barnsley
South Yorkshire
S70 9GG

Date: 17th October 2022

Licensing Act 2003

Objection to late Temporary Event Notice

29th October – 4th November 2022 for Sugar Club, 7 Pitt Street, Barnsley

On behalf of the Chief Constable of South Yorkshire, an objection is being made in relation to the above application.

Please accept formal objection to this late Ten on the grounds of the prevention of **crime and disorder & public safety**.

A number of issues have arisen over the last few months, where breaches of the existing premise licence have been identified. Namely not adhering to conditions set out in their current premise licence, which include opening when the premise had CCTV problems, ID scanners not working correctly, & body cams not being worn by door staff.

We have met a number of times with the applicant, along with other authorities, and have provided extensive advice.

We therefore, have no confidence that the applicant will operate appropriately and in accordance with their existing licence under the temporary event notice.

Regrettably, I have no alternative other than to lodge an objection.

Yours faithfully,

For and on behalf of

Chief Constable, South Yorkshire Police

Cc

Yours faithfully,

For and on behalf of

Chief Constable, South Yorkshire Police

Regards
South Yorkshire Police
Liquor Licensing Department

South Yorkshire Police Licensing Dept
Moss Way Police Station
Moss Way
Sheffield
S20 7XX

E-mail: Barnsleylicensing@southyorks.pnn.police.uk

Website address - southyorks.police.uk



Please be advised that the content of emails may be submitted as evidence to a Licensing hearing should issues arising not be resolved. The Local Council may post them as part of the process on their Website which has public access.

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(please complete (A) below)

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

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

Surname First names

Please tick yes

I am 18 years old or over

Current address

Post Town

Post Code

Daytime contact telephone number

Email address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
E-mail (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address South Yorkshire Police Barnsley Police Headquarters Churchfield Barnsley S70 2DL
Telephone number (if any) 01226 736046
E-mail (optional) John.Kirkham@southyorks.pnn.police.uk / kirsty.green@southyorks.pnn.police.uk

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

Please tick one or more boxes Y

- 1) the prevention of crime and disorder Y
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm Y

<p>Please state the ground(s) for the review (please read guidance note 1)</p> <p>The grounds for this review are based on the following aspects of the 2003 Licensing Act objectives:-</p> <p style="text-align: center;">Prevention of crime and disorder Protection of Children from Harm</p>

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

Evidence to support this application centres around the protection of children from harm and the prevention of crime and disorder. Recent history will show that:

On the 20th April 2022, South Yorkshire Police submitted to Barnsley Metropolitan Borough Council an application to review the premise licence at Sugar Club.

On the 18th May 2022, Mr Stockton submitted a minor variation application to Barnsley Council Licensing to include the agreed licensing conditions on the premises licence.

On the 11th June 2022 at 00:45, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that the ID scanner was not working and the violent incident protocol was not displayed whilst the venue was open to the public.

On the 12th June 2022 at 00:02, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that the ID scanner not working whilst the venue was open to the public.

On the 2nd July 2022 at 00:20, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions noting that the ID scanner was not working whilst the venue was open to the public.

On the 9th July 2022 at 00:34, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that there was only one security guard employed when at that time there should have been two.

On the 15th July 2022 at 23:45, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that security staff working at the venue were not equipped or wearing Body Worn Video (BWV) whilst the premise was open to the public.

On the 17th July 2022 at 01:30, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that security staff working at the venue were not equipped or wearing Body Worn Video (BWV) whilst the premise was open to the public.

On the 29th and 30th July 2022, breaches of the conditions on the premise licence were recorded when the venue opened without employing an accredited security company.

On the 3rd August 2022, a breach of the conditions on the premise licence was recorded when officers visited to obtain CCTV and the DPS at the time was unable to supply the required footage claiming that he did not know how to download it.

On the 20th August at 00:10, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that security staff working at the venue were not wearing Body Worn Video (BWV) whilst the premise was open to the public.

On the 2nd September at 23:40, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that the ID scanner not working whilst the premise venue was open to the public. In addition the town link radio that is used to communicate between venues and is linked to the CCTV control room was switched off and not charged.

On the 2nd October at 00:01, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that the ID scanner not initially working whilst the venue was open to the public. In addition neither of the security staff working were wearing BWV.

On the 8th October 2022 at 22:30, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that there was only one security guard working at the time of the visit, when from 22:00 there should have been two.

The conditions that were added to the licence following the review application in May 2022 were agreed by all parties in order to try and promote the licensing objectives; protection of children from harm and prevention of crime and disorder. Given that there have been several breaches already of these conditions, which are listed above, it demonstrates that the management and owner of the venue is not promoting the licensing objectives, therefore failing to elevate any of our concerns.

Further information, statements and body worn footage will be submitted at a later date.

Please tick Y yes

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

If yes please state the date of the application Day Month Year

20th April 2022

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

On the 20th April 2022, South Yorkshire Police applied to Barnsley Metropolitan Borough Council to review the premise licence of the Sugar Club. This was due to concerns in relation to the venue failing to promote the licensing objectives; protection of children from harm and prevention of crime and disorder.

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities
In addition, the premises licence holder or club holding the club premises certificate,
as
Appropriate
- I understand that if it 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 (please read guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

John Kirkham

Date

24.10.2022.....

Capacity

Licensing Enforcement Officer.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5) John Kirkham / Kirsty Green Licensing Enforcement Officers Barnsley Police Headquarters	
Post town Barnsley	Postcode S70 2DL
Telephone number (if any) 01226 736046	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) John.kirkham@southyorks.pnn.police.uk / Kirsty.green@southyorks.pnn.police.uk	

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 the application.

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JOHN KIRKHAM

From: BarnsleyLicensing
Sent: 25 October 2022 10:06
To: 'Licensing'; 'Ashley Stockton'
Cc: [REDACTED]
Subject: Objection to the Variation of the premise licence for Sugar Club, 7 Pitt Street

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

Date: 25th October

2022

Licensing Act 2003

Objection to the Variation of the premise licence for Sugar Club, 7 Pitt Street

On behalf of the Chief Constable of South Yorkshire, an objection is being made in relation to the above application.

Please accept formal objection to the variation of the premise licence on the grounds of the prevention of **crime and disorder & public safety**.

A number of issues have arisen over the last few months, where breaches of the existing premise licence have been identified. Namely not adhering to conditions set out in their current premise licence, which include opening when the premise had CCTV issues, ID scanners not working correctly, & body cams not being worn by door staff.

We have met a number of times with the applicant, along with other authorities, and have provided extensive advice to try to resolve the issues at the premise, unfortunately incidents continued, as a result of these issues, South Yorkshire Police have now submitted a review of the current premise licence.

We therefore, have no confidence that the applicant will operate appropriately and in accordance with the licensing conditions listed on the premise licence within the new area proposed.

Regrettably, I have no alternative other than to lodge an objection.

Yours faithfully,

For and on behalf of

Chief Constable, South Yorkshire Police

Cc

Yours faithfully,

For and on behalf of

Chief Constable, South Yorkshire Police

Regards
South Yorkshire Police
Liquor Licensing Department

South Yorkshire Police Licensing Dept
Moss Way Police Station
Moss Way
Sheffield
S20 7XX

E-mail: Barnsleylicensing@southyorks.pnn.police.uk

Website address - southyorks.police.uk



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WITNESS STATEMENT

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN

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Statement of Christopher PHILLIPS

Age if under 18 Over 18.... (If over 18 insert "over 18") Occupation: Police Sergeant 576.....

This statement (consisting of 4 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 C.PHILLIPS (witness) Date:31/10/2022.

Statement commenced at 21:40hrs, 31/10/2022.

I am a Police Sergeant in The South Yorkshire Police currently based at Barnsley Police Station, South Yorkshire. My current role is as a Duty Sergeant attached to Rota B, within a Response policing function.

At 00:38hrs on the morning of Saturday 29th October 2022, I was on duty in full Police uniform engaged on mobile public order patrol in Barnsley town centre on Wellington Street, Barnsley. Part of my duties on that evening included foot patrol and visiting licenced premises in the town centre to ensure compliance with licence conditions.

In order to manage night time economy, specifically licenced premises in Barnsley. A rolling police operation takes place each weekend, known locally as Operation Street Safe. Part of the operations function involves checking licenced premises licensing conditions contained within a briefing document, which is briefed out to Police officers engaged on patrol in the evenings over the weekend.

The premises checked are varied and change on a weekly basis and can change due to specific sporting or bank holiday events.

Signature: C.PHILLIPS Signature Witnessed by:

The briefing document used as part of operation Street Safe usually lists the licensing condition for each premises where a visit is required. Once the licensing check is complete, any breaches are documented within the operation document, which is monitored by Police Licensing Officers and uploaded to relevant licensing software, known as 'Inn Keeper'.

At the time and date specified above, I had cause to visit The Sugar Club, 7 Pitt Street, Barnsley, S70 1AL for one such licensing check.

Upon arrival at the premises, I saw and spoke initially to the door security staff working at the club, who identified themselves to me as;

[Redacted]
[Redacted]
[Redacted]

[Redacted] informed me that both members of door staff were employed by Shadow Security, whom I have since learned are not an accredited SIA security company.

Also present was the Designated Premise Supervisor, Anna Justine HARPER, BMBC badge number 094163.

I checked inside the premises and only a few customers were present within, approximately ten in total. External seating area to the left of the front door contained approximately four others. All customers appeared of age.

I went through the list of licensing conditions with the DPS and noted a breach relating to them not having access to the town centre CCTV radio scheme radio. The DPS outlined issues with the radio and claimed that during previous attempts to contact CCTV on the device, it had not functioned. As a result I requested the DPS produce the radio to me so that I could check the device with a view to conducting a test call on it

Signature: C.PHILLIPS..... Signature Witnessed by:

Continuation of Statement of: Christopher PHILLIPS

Page 3

in the hope of resolving the issue. The DPA provided the device to me which clearly had a flat battery, had not been charged and as such would not turn on.

The DPS claimed that they had discussed this with the Licensing Officer Kirsty GREEN and that she was aware.

This breach was recorded on the Operation Street Safe document and uploaded upon my return to the station.

At 01:50hrs same date, I had cause to return to The Sugar Club due to ongoing problems with groups of males inside the club. Upon arrival I noted a number of nominals within the club who I know to be linked to Organised Crime Groups mapped in Barnsley and South Yorkshire. Each of these groups contained approximately six to eight persons and it was clear that each group was attempting to provoke a reaction from the other, gesturing across the club and persons within each group being held back by friends preventing them from approaching the other groups.

I then became aware of an altercation taking place within the gents toilets inside the club as security staff had gone inside then returned outside to ask for Police support.

As a result, I located a number of males inside the gents toilets involved in a standoff. These were removed from the premises by police to prevent further incidents.

It was clear to me that the door staff present were too few in numbers and not robust enough to refuse entry or to eject nominals of note. This being compounded by the lack of town centre radio link. Resulting in any calls for police support having to be made via 999.

Signature: C.PHILLIPS Signature Witnessed by:

Continuation of Statement of: Christopher PHILLIPS

Page 4

Door staff appeared too familiar with nomials and as such reluctant to challenge and refuse entry.

Statement concluded at 10:06hrs 29/09/2022.

Signature: C.PHILLIPS Signature Witnessed by:

RESTRICTED (when complete)

WITNESS STATEMENT

(CJ Act 1967, s.9 MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

URN

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Statement of **Kieran FRAIN**

Age if under 18 **Over 18** (If over 18 insert "over 18")

Occupation: **Police Inspector**

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: **17th November 2022**

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

I am a Police Inspector in the South Yorkshire Police, currently stationed at Churchfields Police Station, Barnsley.

At 0150 hours on Sunday 30th October 2022 I was on duty in full uniform in company with PS 576 PHILLIPS. At the time I was responsible for the management and deployment of police resources in to the night-time economy, within Barnsley town centre, and was undertaking both vehicle and foot based patrols of the town centre.

At that time, PS PHILLIPS and I had cause to attend at The Sugar Club, 7 Pitt Street, Barnsley when I spoke with the Designated Premise Supervisor, Anna HARPER. Ms HARPER informed me that a male who she and her door supervisors knew to be subject of a local pubwatch ban was inside the premise. It was made clear that the DPS was specifically concerned about the male, but had not communicated with him to leave.

Signature:  Signature Witnessed by:

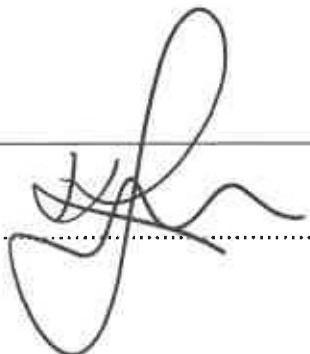
RESTRICTED (when complete)

Continuation of Statement of: Kieran FRAIN

Page 2

Looking in to the club from the open door I saw that the male (subject of pubwatch) was in company with between 5 or 6 others, and that together they were gesturing and attempting to provoke a reaction from a second group of a similar size who were responding in the same manner. Both groups had others within each group that was holding back seemingly attempting to prevent an escalation.

It was clear to me that the security staff and the DPS, who were both stood outside on the street, were unaware of the situation inside, and I had to inform them that they may need to make an intervention. After security entered the club, it then became apparent that there was an altercation inside, and I directed police officers to enter the club. Those entering included PS PHILLIPS.



Signature: Signature Witnessed by:

2004/05(1)

WITNESS STATEMENT

(Criminal Procedure Rules, r 16. 2; Criminal Justice Act 1967, s. 9)

Statement of: Adam Craven

URN

Age (if under 18): N/A

Occupation: Police Officer

I am a Police Constable within South Yorkshire Police currently stationed at Barnsley Police Station.

On Sunday 20th November at 01:23hrs, I was on duty in full Police uniform on mobile patrol in a marked Police van conducting patrols of the night time economy within Barnsley Town Centre. At this time, myself and my colleagues PC 669 SANDHU, PC 3698 POLLARD and PC 1584 WRIGHT attended at The Sugar Club bar, Pitt Street Barnsley Town Centre to conduct a licensing check.

One member of security staff was present directly outside of the front entrance to the club, that a male who provided his details to PC POLLARD as a [REDACTED] confirmed that another member of security staff was present within the club, that a [REDACTED] PC POLLARD remained outside of the clubs entrance recording [REDACTED] and the licensee Anna HARPERS details whilst PC SANDHU and I entered the venue.

There were no more than 10 persons present inside the venue, some of those seated and others stood near to a bar beside the venues entrance. None of the customers present within the venue were underage.

As PC SANDHU and I made our way through the venue, we entered the male toilets in which were no persons were present. Within the single toilet cubicle on the floor beside the toilet basin, I observed 3 small clear re-sealable empty plastic bags which are typically used to store controlled drugs.

PC SANDHU and I then made our way out of the males toilets and out of the rear door of the club, that leading into the venues smoking area. On the ground within the smoking area near to the venues rear door PC SANDHU located another small clear re-sealable plastic bag which contained a small quantity of white powder. PC SANDHU seized the plastic bag which he later booked onto the property system at Barnsley Police Station.

As PC SANDHU and I made our way back inside the venue via the rear door, I observed another small clear re-sealable plastic bag which was empty on the floor beside the boxing machine.

Prior to leaving the venue, PC POLLARD reviewed the clubs CCTV system with HARPER and confirmed that it was operating correctly as per the licence requirements. PC POLLARD further confirmed that the venues ID scanner was in operation and working.

As I left the venue at the conclusion of the licensing check I spoke with PC POLLARD who informed me that [REDACTED] was wearing a body worn video camera as per the licensing requirements but that [REDACTED] was not wearing a camera. PC POLLARD

informed me that HARPER had stated that when more than one member of door security is working at the venue only one of them is required to wear a body worn video camera.

This statement 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 of Witness:



Date: 30-11-2022

The Sugar Club, 7 Pitt Street, Barnsley

License Review Submission of on behalf of BMBC Regulatory Services Health and Safety (Statutory Consultee)

Statement of Stephen Butler, Environmental Health Officer

On 20 April 2022 I received an email from BMBC Licensing Officer, Martin Cooper expressing concerns about Food Hygiene and Health and Safety conditions at a new night club called The Sugar Club. Martin's email also informed me that South Yorkshire Police had called a License Review and advised that two people should always attend this business. I discussed the concerns with my colleague Anna Hillerby and she agreed to visit the site with Martin to assess the concerns raised.

Following her visit on the following day Anna Hillerby reported to me that she had identified concerns that affected public safety, namely an unsecured cellar hatch in a corner of the public area, unsecured carbon dioxide cylinders and electrical cables that appeared potentially unsafe. In her report which was signed by Ashley Stockton on 21 April 2022, she lists these concerns and advised that a suitably qualified electrician should be used (SRB1).

I visited The Sugar Club with my colleague James Gardham on 4 May 2022 by appointment with Ashley Stockton who is the sole director and controlling mind of the operating company Sugar Events Limited. I found that the electrical system was clearly dangerous, having exposed electrical conductors at the distribution board (PHOTOGRAPH DSC00039), unsecured cables at various locations (PHOTOGRAPH DSC00036) and an electronic boxing punch ball machine plugged into a 230 Volt plug socket in an outdoor public area which could cause a fatal shock or a fire (PHOTOGRAPH DSC00032). Mr Stockton insisted that the punch ball machine was safe to use outside but agreed verbally to unplug it.

The carbon dioxide cylinders in the bar area were not secured (PHOTOGRAPH DSC00047) despite Anna's written report, this created a risk of the cylinders falling causing damage to a person and to the cylinder and could potentially result in a leak of asphyxiant gas into the public area.

The cellar hatch in the public area of the club had nothing to prevent entry to the cellar and potentially falls into the opening if it were to be opened by anyone (PHOTOGRAPH DSC00043). I served a prohibition notice on Sugar Events Limited to prohibit use of the hatch during opening hours and I told Ashley Stockton that the hatch must be secured closed to prevent misuse by customers.

The rear yard which is a customer area was also uneven with poor drainage, creating tripping and slipping hazards for customers using the area and the external beer drop in this area was also not locked and could easily be accessed by anyone.

I wrote all of these concerns in my report which was delivered by email to Ashley Stockton on 5 May 2022 (SRB2)

I also referred concerns that I identified about potentially unsafe means of escape in case of fire to South Yorkshire Fire and Rescue Service (SYFRS).

Following numerous emails, texts and telephone conversations from Ashley Stockton and the a new DPS called Tommy White, I met both men on site on 11 May 2022 to review progress. Enough works had been done to the two cellar access trap doors to remove the immediate risk but more work was needed. I accepted verbal assurances that all works would be completed.

I asked for the manufacturer's instructions for the punch ball machine but I never received these. Ashley Stockton repeatedly told me that the punch ball machine was safe to use outside and sent screen shots that I could not verify and web links that did not work.

On 16 September 2022, some four months after my initial visit and report, I was passing The Sugar Club when I saw that the gates were open and I spoke with a workman who was working there. I took a photograph of the external cellar hatch showing tripping hazards remained (PHOTOGRAPH DSC01130), the metal framed yard gates swinging across the pavement outside (PHOTOGRAPH DSC01131), electric cables still not secured and vulnerable to damage (PHOTOGRAPH DSC1132) and the punch ball machine plugged into the 230V socket which was also not weather protected (PHOTOGRAPH DSC01133). I asked the man to inform Ashley Stockton of my visit and concerns and I subsequently I received a telephone call from Anna Harper and emails.

On 20 September 2022, by prior appointment I visited The Sugar Club with a colleague and met Anna Harper who was the new DPS. I looked at what remaining risks there were to members of the public and I found that almost all of my original concerns noted in my report dated 4 May 2022 remained unresolved. I also discussed additional risks of injury that were not identified by the company because the management had carried out no effective risk assessments.

I could see that if it rained customers could receive a potentially fatal electric shock from the punch ball machine which was still plugged in. Anna Harper unplugged the machine at my request and I served a second prohibition notice (PN) on the company to prevent continued use of the punch ball machine outside where it could cause a serious or fatal electric shock (SRB3).

On 22 September I received an email from company that had supplied the punch ball machine questioning prohibited use of the punch ball machine at The Sugar Club. When I spoke with the supplier it became clear that he had not been told by representatives of Sugar Events Limited that an essential protective waterproof sleeve was not fitted to the machine at The Sugar Club, therefore he agreed that the machine was not suitable nor safe to use outside. I was not provided with the manufacturers' instructions and the PN remained in force to stop unsafe use of the punch ball machine outside.

On 20 October 2022 I received from Ashley Stockton that stated: 'Hi Stephen, I believe all jobs are now done, just wanting to confirm the painter has been booked for the end of November to ensure the decking is painted with grit, Look forward to seeing you tomorrow Thanks ash' (SRB4)

Also on 20 October 2022 I visited the Sugar Club with Anna Hillerby EHO by prior appointment. Ashley Stockton, Anna Harper, a joiner and two electricians present. Some electrical alterations had been carried out but no electrical report was provided to demonstrate that the electrical system and appliances were safe. In all 6 of the items required in my original report dated May 2022 that relate to Public Safety had still not been completed (items 1, 2, 5, 6, 8, 9). In addition the external decking had become slippery, the gates to the yard were not secured to prevent them swinging across the pavement and there had been no suitable risk assessments carried out in relation to risks to the public. A specific concern is that there risks the public caused by use of the punch ball machine which was now located in a narrow part of the premises in front of the bar and adjacent to a large mirror. There were no systems for the management of risks to users or to those in the vicinity.

Consequently, my confidence in the systems of management and the practises of the managers of this venue have been dented as I have found them to be resistant to regulation, to be reactive rather than proactive about matters affecting Public Safety and generally dismissive of the role of all regulators. As a result there has been a pattern of promises not kept, partial solutions to concerns raised, of assurances that works have been completed when they have clearly not been and the

contesting of the necessity of control measures without precautionary action to protect the public, as has been described in examples earlier in this statement.

Stephen Butler

28 November 2022

Schedule of exhibits

Exhibit no.	Description	Date
SRB1	Report of Anna Hillerby to Sugar Events Limited	21 April 2022
SRB2	Email to Sugar Events Limited with 5 attachments	5 May 2022
Attachments SRB2 a	Inspection report page 1	
Attachments SRB2 b	Inspection report page 2	
Attachments SRB2 c	Prohibition Notice to prohibit access to the cellar	
Attachments SRB2 d	Notes to Prohibition Notice	
Attachments SRB2 e	What to Expect... leaflet	
SRB3	Prohibition notice to prohibit use of the punchball machine outside	20 September 2022
SRB4	Email from Ashley Stockton stating that all works completed	20 October 2022

Photographs



DSC00039	Photograph showing dangerous electrical conductors at the main distribution board	4 May 2022
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DSC00036	Photograph showing unsecured cable in a public area	4 May 2022
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DSC00032	Photograph showing electronic punch ball machine located outside, plugged into the 230V electrical socket	4 May 2022
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DSC00047	Photograph showing CO ₂ gas cylinders not secured	4 May 2022
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DSC00043	Photograph showing unsecured cellar opening in public area	4 May 2022
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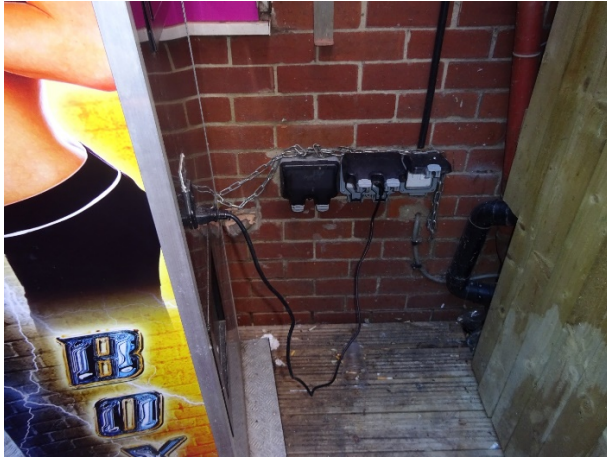
DSC01130	Photograph showing tripping hazard around external cellar hatch	16 September 2022
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DSC01131	Photograph showing yard gates swinging across the pavement	16 September 2022
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DSC01132	Photograph showing electric cables still unsecured	16 September 2022
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DSC01133

Photograph showing the punch ball machine still plugged into the 230V socket

16 September 2022

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INSPECTING OFFICER	
Name	ANNA HILLERBY
Position	ETD
Tel	01226-773743 / 0798655570
Email	annahillerby@barnsley.gov.uk
PURPOSE OF VISIT	
Food Hygiene Inspection	FHR Re-inspection
Advice	Service Request <input checked="" type="checkbox"/>
Revisit	Sampling
Other	

VISIT DETAILS	
Date and Time	21/4/22
Person Seen	Ashley Stockton
Type of Business	Bar (No Catering)
Static premises <input checked="" type="checkbox"/>	Mobile <input type="checkbox"/> Stall <input type="checkbox"/>
Areas Inspected	Records Inspected
Bars, Kitchen, Toilets, Cellar	None

BUSINESS DETAILS	
Business Name:	The Sugar Club
Address:	7 Pitt Street, Barnsley, S70 1AH
Food Business Operator(s): [The person or entity legally responsible for ensuring compliance]	Sugar Events Limited

FOOD HYGIENE RATING	
Structure	S
Hygiene	H
Confidence in Management	C
Food Hygiene Rating	N/A

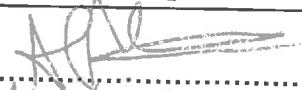
SUMMARY OF ACTION	
Report left on site	Report/letter to follow
Revisit Required	Report to go to head office
Samples taken	Items removed as evidence
Hygiene Improvement Notice	Seizure / Detention
Voluntary Closure	Hygiene Emergency Prohibition Notice
Consider for prosecution	Other action(s)

This report identifies, in the opinion of the inspecting officer, the food hygiene legislation you have failed to meet. This is listed as a code under the heading **LEGAL**. The codes are all listed on the back of the report. There may be some legal contraventions which did not come to light during the inspection. These will not be included in this report. Each **LEGAL** code also has a Food Hygiene Rating (**FHR**) code to help you understand how your overall Food Hygiene Rating has been determined.

You should aim to complete the actions listed in this report, or actions which achieve the same effect, by the date stated in the **"Date to complete"** column of the report. Further enforcement action could follow if you do not.

Recommendations of good food hygiene practice may also be listed in the **"R"** column.

Contact the inspecting officer if you need to discuss this report further. If you need to speak to a senior officer please contact the Food and Health & Safety - Service Manager on 01226 773743.

Recipient's Signature		Date	21/4/22
Officer's Signature	A. Hillerby	Date	21/4/22

NOTES FOR THE FOOD BUSINESS OPERATOR ABOUT THE FOOD HYGIENE RATING

How your Food Hygiene Rating is worked out						
Total - S + H + C	0-15	20	25-30	35-40	45-50	> 50
Additional scoring factor	No individual score greater than 5	No individual score greater than 10	No individual score greater than 10	No individual score greater than 15	No individual score greater than 20	-
Food Hygiene Rating	5	4	3	2	1	0
Description	Very Good	Good	Generally Satisfactory	Improvement Necessary	Major Improvement Necessary	Urgent Improvement Necessary

Food Hygiene Rating Display

Your food hygiene rating will be published at www.food.gov.uk/ratings. Ratings of 5 will usually be published within 14 days of receipt of your report. Other ratings will be published after 35 days from your inspection. You can request your rating to be published sooner - www.food.gov.uk/business-guidance/food-hygiene-ratings-for-business.

After your inspection you will be given a food hygiene rating window sticker. Display of this sticker at your premises is voluntary at the moment. **It is an offence to display an incorrect food hygiene rating and mislead your customers.**

If you are unhappy with your food hygiene rating you have certain rights:-

Right to Reply

You can add a comment to the food hygiene rating website. Email your comments to Regulatory Services or alternatively download a form - <https://www.food.gov.uk/business-guidance/food-hygiene-ratings-for-businesses>

You can explain to your customers the reasons why you achieved the rating you did and the actions you have taken since your inspection. Your comments may be edited, as you cannot complain or criticize the food hygiene rating scheme or the inspecting officer.

Right to Appeal

If you think your rating is wrong or unfair you have **21 days** from the date of receipt of the rating to appeal against it. If you do not appeal within 21 days your food hygiene rating will be published as normal.

Before appealing you should discuss your rating with the inspecting officer. Appeals must be in writing. Contact Regulatory Services or alternatively download a form - <https://www.food.gov.uk/business-guidance/food-hygiene-ratings-for-businesses>
Complete and return the form to the address below.

If you appeal 'awaiting publication' will be displayed on the food hygiene rating website. Your appeal will be reviewed within **7 days** of receipt and you will be told of the outcome. If you disagree with the local authority's decision you can only challenge it by a judicial review.

Right to request a Re-inspection - There is a charge payable for re-inspections. Please contact us for the current cost. You can request a re-inspection at any time, however, only make a request if you have taken enough action to address the non-compliances identified in your inspection report. Contact Regulatory Services or download a form - <https://www.food.gov.uk/business-guidance/food-hygiene-ratings-for-businesses>.

Complete the form and return it to the address below. Provide details of all improvements made and include supporting evidence and a contact telephone number. You will be contacted and advised how to pay. Payments are usually taken over the phone. An unannounced re-inspection will take place within 3 months from payment. Your 'new' food hygiene rating will be based on the level of compliance found at the time of this re-inspection and not just the requirements from your initial inspection, therefore your "new" food hygiene rating could **go up, down or remain the same**.

Contact details for advice and right to reply / appeals and re-inspections:

Service Manager – Food Safety Team
Barnsley Metropolitan Borough Council
Regulatory Services
PO BOX 634
Barnsley
S70 9GG

Telephone: 01226-773743
E-mail: Regulatoryservices@barnsley.gov.uk
Web: www.barnsley.gov.uk



BUSINESS NAME: *The Sugar Club*

FOOD SAFETY CONTRAVENTIONS AND RECOMMENDATIONS

Listed below are the findings of the inspection and the actions you need to take to comply with the law.

Number	<ul style="list-style-type: none"> LEGAL = Legal Contraventions. These <u>must</u> be completed by the 'Date to complete' R = Recommendations of good food hygiene practice FHR Code C = Confidence in Management S = Structure H = Hygiene 	LEGAL	FHR CODE	Date to complete	R
	I visited at the request of the licensing office to offer advice. The following comments are made.				
1)	The floor throughout the bar/kitchen areas is very dirty, with long standing dirt. You must clean on a regular basis. The kitchen whilst not used for catering is still part of your business + must be kept clean. When it reopens I am happy to offer further advice.	A3	A13		
2)	Fasten CO2 cylinders to wall or lay down	H+S			
3)	Restrict access to the cellar via the hatch	H+S			
4)	Fasten any loose wiring in the cellar, check any obsolete cables - A suitably qualified electrician should be used.	H+S			
5)	Tidy the cellar area, remove empty barrels + junk.				
	Please note I did not complete a full hygiene or Health + Safety inspection.				

Recipient's Signature..... *[Signature]*

Date *21/4/22*

Officer's Signature..... *[Signature]*

Date *21/4/22*

Page No: *2* of *2*

NOTES

The inspecting officer is authorised under the Food Safety Act 1990 and The Food Safety and Hygiene (England) Regulations 2013 (as amended) to enter the premises to ascertain if there are or have been contraventions of food legislation on those premises.

Legislation Codes

A. Regulation (EC) No. 852/2004 (as amended)

- A1 C Hazard Analysis Critical Control Points (HACCP) Chapter II Article 5
- A2 C Training /Instruction/Supervision Annex II Chapter XII
- A3 S Premises Cleanliness, Maintenance and Repair Annex II Chapter I paragraph 1
- A4 S Layout, Design, Construction, Size Annex II Chapter I paragraph 2
- A5 S Lavatories and Lobbies Annex II Chapter I paragraph 3
- A6 S Wash Hand Facilities Annex II, Chapter I paragraph 4
- A7 S Ventilation Annex II Chapter I paragraph 5
- A8 S Ventilation to Sanitary Accommodation Annex II chapter I paragraph 6
- A9 S Lighting Annex II Chapter I paragraph 7
- A10 S Drainage Annex II Chapter I paragraph 8
- A11 S Changing Facilities Annex II Chapter I paragraph 9
- A12 H Storage of Cleaning Agents Annex II Chapter I paragraph 10
- A13 S Floors, Walls, Ceilings, Windows, Doors, Surfaces Annex II Chapter II paragraph 1
- A14 S Facilities for Cleaning Equipment Annex II Chapter II paragraph 2
- A15 S Facilities for Washing Food Annex II Chapter II paragraph 3
- A16 S Mobile Premises, Stalls, Private Houses Annex II Chapter III
- A17 S Transport, Containers, Conveyances Annex II Chapter IV
- A18 S Equipment Requirements Annex II Chapter V
- A19 H Food Waste Requirements Annex II Chapter VI
- A20 H Water Supply and Ice Annex II Chapter VI
- A21 H Personal Hygiene Annex II Chapter VIII paragraph 1
- A22 H Fitness to Work Annex II Chapter VIII paragraph 2
- A23 H Contamination of Food Annex II Chapter IX
- A24 H Pest Control Procedures Annex II Chapter IX paragraph 4
- A25 H Temperature Control Annex II Chapter IX paragraph 5
- A26 H Cooling Foodstuffs Annex II Chapter IX paragraph 6
- A27 H Thawing of Foodstuffs Annex II Chapter IX paragraph 7
- A28 H Storage of Hazardous/Inedible Substances Annex II Chapter IX paragraph 8
- A29 H Wrapping and Packing Annex II Chapter X
- A30 H Heat Treatment in Hermetically Sealed Containers Annex II Chapter XI
- A31 C Registration of a Food Business Article 6(2)

B. The Food Safety And Hygiene (England) Regulations 2013 (as amended)

- B1 H Cold Food Held Above 8°C Regulation 32 Schedule 4 paragraph 2
- B2 H Hot Holding Below 63°C Regulation 32 Schedule 4 paragraph 6
- B3 H Food Not Produce, Processed, Distributed in accordance with the Hygiene Regulations- Regulation 29

C. The Food Safety Act 1990

- C1 H Food Not of the Nature, Substance or Quality Section 14

D. Regulation (EU) 1169/2011 Food Information To Consumers (as amended)

- D1 H Food Beyond Use By Date – legally deemed to be 'unsafe food'- Article 24(1)

E. Regulation (EC) 178/2002 (as amended)

- E1 H Food Safety Requirements (Unsafe/Unfit Food) Section 4 Article 14
- E2 C Traceability Section 4 Article 18
- E3 C Responsibilities for Food: Food Business Operators Section 4 Article 19

F. The Animal By-Products Regulations 2005

G. Environmental Protection Act 1990

- G1 C Commercial contract for waste Section 34
- G2 H Provision of a suitable refuse bin Section 47

H. Health And Safety At Work Etc. Act 1974

I. Consumer Protection From Unfair Trading Regulations 2008

J The Food Information Regulations 2014

- J1 Signage / labelling / Notice to be used when allergen information is to be given orally Reg. 5(3)

Food Hygiene Rating Codes

C = Confidence in Management

S= Structure

H= Hygiene

Mirfin , Peter (GOVERNANCE MANAGER)

From: Butler , Stephen (ENVIRONMENTAL HEALTH OFFICER)
Sent: 05 May 2022 18:35
To: ashleystockton81@icloud.com
Subject: Health and safety inspection of The Sugar Club, 7 Pitt Street, Barnsley
Attachments: Insp Rep Sugar p1 4May.pdf; Insp Rep Sugar p2 4 May.pdf; PN SugarClub 4May.pdf; HS Leaflets What to Expect public version 2019.pdf; NOTES TO PROHIBITION NOTICE H06 H07 REV 10 08 16.pdf

To Sugar Events Limited

Dear sir,

Health and safety inspection of The Sugar Club, 7 Pitt Street, Barnsley

Find attached my inspection report following my visit to your premises on 4 May 2022. My colleague James Gardham and I met with Ashley Stockton, sole director of Sugar Events Limited and discussed these issues at the time. Please note the differing dates by which it is the final expected date by which each item will be completed by you.

Please read the notes attached to the report and the leaflet, What to expect when a health and safety inspector calls.

It will be helpful if you are able to forward by email, documentary and photographic evidence of how each of the 16 items have been completed.

I also found it necessary to serve Prohibition Notice ref. SRB/SUGARCLUB/22/1 which was served by handing to Ashley Stockton at the time of my visit and I have attached this for your information. Please read the Notes to Prohibition Notice document attached.

You must obtain written approval that you have done sufficient work to prevent immediate danger before accessing the cellar.

If there is any item in this email about which you are unclear please contact me as soon as possible.

Yours sincerely,

Stephen Butler

Environmental Health Officer
Regulatory Services
Public Health Directorate
Barnsley Metropolitan Borough Council
PO Box 634
Barnsley
S70 9GG (Use S70 2DR for Sat Nav)
Tel: 01226 773863
Mob: (07786) 525848
email: stephenbutler@barnsley.gov.uk
Web: www.barnsley.gov.uk



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Health & Safety Inspection Report

P.O.BOX 634, Barnsley, S70 9GG.



Inspecting Officer	
Name	Stephen Butler
Position	Environmental Health Officer
Telephone	01226 773863 or 07786 525848
E-mail	stephenbutler@barnsley.gov.uk

Inspection Details	
Date & Time	4 May 2022 11am
Person Seen	Ashley Stockton
Title / Role	Sole Director
Safety Rep	Seen Y / N

Premises Details		No. Employees on site 6	No. in organisation 6
Employer's Name/Sole trader name		Sole Trader <input type="checkbox"/> Partnership <input type="checkbox"/> Limited company <input checked="" type="checkbox"/>	
Sugar Events Limited (This is who is responsible for ensuring that all necessary action is completed)			
Trading as	The Sugar Club		
Address	7 Pitt Street		
	Barnsley	Postcode	S70 1AL
Telephone	07425 935994	Email	ashleystockton81@icloud.com

Areas inspected:	Public bar areas, external drinking area, cellar access, kitchen, first floor office. Cellar not accessed.
Matters considered:	Public safety, employee safety, electrical safety, slips/trips/falls
Good practice observed:	None

Requirements & Recommendations to improve health & safety

Listed below are the findings of the officer and a timescale for completion of these actions.
Legal requirements must be carried out to comply with health and safety law.
Recommendations for good practice, marked **R**, are not specifically required by law.

No.	Action List	Legal Standard (see over)	Complete by (date)
	If you wish to carry out alternative remedial action, please discuss this with the inspector.		
1	Have the electrical installation inspected by a competent electrical engineer (experience/ training for licensed premises)	16	30/5/22
2	Make all parts of the electrical installation safe and to prevent danger (4 distribution boards seen)	16	30/5/22
3	Secure all fixed electrical cables to the structure and protect them from damage	16	30/5/22
4	Ensure that all parts of the electrical system and electrical equipment is suitable for the environment in which it is used	16	30/5/22
5	Carry out suitable and sufficient risk assessments and create an action plan with times and target completion dates	2	30/5/22

Leaflet 'What to expect when a health and safety inspector calls' issued

Yes

FURTHER ACTION BY INSPECTOR	Improvement Notice	Prohibition Notice	X	Report to follow	Further Visit	X	Copy to Head Office

Please sign to acknowledge receipt of these reports and the guidance leaflets indicated.

A copy of this report may also be given to your employees or their representative.

Officer's Signature	Stephen Butler
Recipient's Signature	By email to ashleystockton81@icloud.com
	Page 1 of 2

NOTES FOR THOSE RECEIVING A HEALTH AND SAFETY INSPECTION REPORT

The **Health and Safety Inspection Report** overleaf refers to findings of the health and safety officer during the inspection of the workplace detailed in the section headed '**Business Details**'.

Listed under the section headed **Action List** are things that you must do and some that you might find helpful.

Legal Requirements

These are actions that you must take to comply with the health and safety legislation indicated. If you fail to carry out these actions by the dates as indicated you may be subject to further legal action.

Recommendations

These are actions which are not *specifically* required by health and safety legislation but which you are advised to take to reduce risks and avoid potential problems in the future. Carrying out these actions represents **good practice**. You will not be subject to further action if you do not follow these recommendations.

- Please note that it remains your duty to identify, assess and control all risks to yourself, your employees and others who may be affected by your work.
- Failure of the inspecting officer to refer to any specific legal requirement does not imply that the officer is of the opinion that you are complying with that legislation.
- **If you wish to carry out alternative remedial measures or are in any way unclear about the requirements please contact the officer using the contact details listed overleaf before taking action.**
- If you are unhappy about any aspect of the inspection, you should follow the procedures set out in the leaflet 'What to expect when a health and safety inspector calls'.

For general advice on any aspect of health and safety visit www.hse.gov.uk

For specific advice about a workplace in the Barnsley MBC area please contact us:

Tel: **01226 773743**, e-mail regulatoryservices@barnsley.gov.uk or visit www.barnsley.gov.uk

For gas work your engineer **must** be registered with **Gas Safe Register**. To find a competent gas engineer ring **0800 408 5500** or visit www.gassaferegister.co.uk

Codes For Legislation Referred To In The Action List Overleaf	
1	Health and Safety at Work (etc.) Act 1974
2	Management of Health and Safety at Work Regulations 1999
3	Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995
4	Manual Handling Operations Regulations 1992
5	Provision and Use of Work Equipment Regulations 1998
6	Pressure Systems Safety Regulations 2000
7	Health and Safety (Information for Employees) Regulations 1989
8	Health and Safety (First Aid) Regulations 1981
9	Workplace (Health Safety and Welfare) Regulations 1992
10	Lifting Operations and Lifting Equipment Regulations 1998
11	Control of Noise at Work Regulations 2005
12	Control of Substances Hazardous to Health Regulations 2002
13	Health and Safety (Display Screen) Equipment Regulations 1992
14	Personal Protective Equipment at Work Regulations 1992
15	Gas Safety (Installation and Use) Regulations 1998
16	Electricity at Work Regulations 1989
17	Employers Liability (Compulsory Insurance) Act 1969
18	Work at Height Regulations 2005
19	Control of Asbestos Regulations 2012
20	Control of Noise at Work Regulations 2005
21	Smokefree Regulations 2006 and 2007
22	Byelaws made under the Local Government (Miscellaneous Provisions) Act 1982
23	Sunbeds (Regulation) Act 2010
R	Recommended good practice (not a legal requirement)

Legislation is constantly being amended and you should ensure that you are reading the latest (as amended) version.

Business Name

REQUIREMENTS & RECOMMENDATIONS TO IMPROVE HEALTH & SAFETY

Listed below are the findings of the inspecting officer and a timescale for completion of these actions. **Legal requirements** must be carried out to comply with health and safety law. Actions marked **R** are not specifically required by law but are **advice on good practice** to reduce risk.

Number	<p style="text-align: center;"><u>ACTION LIST</u></p> <p style="text-align: center;">If you wish to carry out alternative remedial action please discuss this with the officer</p>	Legal Standard Required (see Codes)	Guidance Issued	To be completed by (Date)
6	Repair the hard surface to the yard area to remove tripping hazards and to ensure effective drainage	12	www.hse.gov.uk	30/5/22
7	Secure the rainwater pipe to the wall (above smoking shelter)	1		30/5/55
8	Make good all holes in the external structure of the building such that no brick or masonry can fall or cause injury	12		30/5/22
9	Permanently highlight all changes in level in public areas throughout the premises	1		30/5/22
10	Permanently repair all damaged internal floor surfaces and floor coverings to prevent persons tripping	1		30/5/22
11	Secure all beer gas cylinders upright (full, empty and in use)	5		5/5/22
12	Do not allow smoking under the covered archway	21		5/5/22
13	Devise a system for safe access to the cellar area and obtain approval in writing from BMBC Regulatory Services before implementing (Prohibition Notice SRB/SUGARCLUB/22/1 pending)	1		Before access to cellar
14	Securely fence the opening created by the open cellar hatch inside the premises by means of a stud partition wall with a numbered keypad protected doorway 1metre before the start of the staircase.	12		30/6/22
15	Provide and fix a handrail to the cellar staircase and clear all floors and walkways of materials and obstructions.	12		30/5/22
16	Repair the external beer drop hatch and then maintain it in good repair and efficient working order	5	30/5/22	

Please sign to acknowledge receipt of these reports and the guidance leaflets indicated.

Officer's Signature

Stephen Butler

Recipient's Signature

By email to ashleystockton81@icloud.com

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Health and Safety at Work etc. Act 1974 Sections 22, 23 And 24

PROHIBITION NOTICE

Serial Number PN SRB/SUGAR CLUB/22/01
PN Officer Initials / Unique Identifier / Year / Index No.

To (Name) Sugar Events Ltd
Address: 7 Pitt Street
Barnsley S70 1AL
Trading As The Sugar Club
Stephen Butler

I Stephen Butler being a duly Authorised Officer of Barnsley Metropolitan Borough Council, Regulatory Services, PO Box 634 Barnsley S70 2GG and appointed by an instrument in writing, made pursuant to Section 19 of the said Act and entitled to issue this Notice, hereby give you notice that I am of the opinion that the following activities namely:

Access to the beer cellar
Which are being / are likely to be carried on by you or under your control at:
The Sugar Club, 7 Pitt Street, Barnsley

involve / will involve a risk of serious personal injury. The matters which (will) give rise to the said risks are:
risk of falls down the cellar stairs while moving the hatch (internal and external)

I am of the opinion that the said matters involve / will involve contraventions of the following relevant statutory provisions:
Health and Safety at Work etc Act 1974, Section 2(1) & 3(1)

Because employees and members of the public could fall down the cellar stairs while removing the hatch or while it is open

I hereby direct that the said activities shall not be carried on by you or under your control unless the specified matters and contraventions and have been remedied.

The DIRECTION GIVEN IN THIS NOTICE SHALL TAKE EFFECT IMMEDIATELY / AFTER

I further direct that the measures specified in the Schedule which forms part of this notice shall be taken to remedy the said contraventions or matters. (Delete if not applicable)

Signature: Stephen Butler Date: 4 May 2022

A Prohibition Notice is also being served on _____ of _____ related to the matters contained in this notice. (Delete if not applicable)

This is / is not a relevant notice for the purposes of the Environment and Safety Information Act 1988. This page only will form the register entry. (Delete if not applicable)

Signature: Stephen Butler Date: 4 May 2022

REVISION NUMBER: 001 DATE: 01/01/2000

REVISION HISTORY

Revision Number: 001

Revision Description: Initial Issue

This document is a revision of the Environmental Impact Assessment Report for the proposed development. It contains the following information:

1. Introduction

2. Description of the Project

3. Environmental Baseline

4. Impact Assessment

5. Mitigation Measures

6. Conclusion

7. References

8. Appendix

9. Glossary

10. Index

NOTES

- 1. Failure to comply with this Prohibition Notice is an offence** as provided by section 33(1)(g) of the Health and Safety at Work etc. Act 1974 and section 33(2) and Schedule 3A of this Act renders the offender liable on summary conviction to imprisonment for a term not exceeding 6 months in England and Wales or to a fine, or both, or, on conviction on indictment, to imprisonment for a term not exceeding 2 years, or a fine, or both.
2. Except for an immediate Prohibition Notice, an Inspector has power to withdraw a notice or extend the period specified in the notice, before the end of the period specified in it. If you wish this to be considered you should apply to the Inspector who issued the notice, but you must do so before the end of the period given in it. Such an application is not an appeal against this notice.
3. The issue of this notice does not relieve you of any legal liability for failing to comply with any statutory provisions referred to in the notice or to perform any other statutory or common law duty resting on you.
4. **You can appeal against this notice to an Employment Tribunal.** Details of the method of making an appeal can be found on the GOV.UK website at <https://www.gov.uk/employment-tribunals/make-a-claim>. An appeal can either be submitted online at the above website address, or by downloading form ET1 and posting it to either the Employment Tribunal Central Office (England and Wales), PO Box 10218, Leicester, LE1 8EG.

If you do not have access to the Internet, contact the person who issued the Notice and ask to be supplied with a hard copy of form ET1 and guidance T420: Making a claim to an Employment Tribunal.

Time Limit for Appeal

A notice of appeal must be presented to the Employment Tribunal within 21 days from the date of service on the appellant of the notice, or notices, appealed against, or within such further period as the tribunal considers reasonable in a case where it is satisfied that it was not reasonably practicable for the notice of appeal to be presented within the period of 21 days.

The entering of an appeal does not have the effect of suspending this notice. Application can be made for the suspension of this notice to the Employment Tribunal, but the notice continues in force until a tribunal otherwise directs.

An application for suspension of the notice must be in writing and must set out:-

- a) the case number of the appeal, if known, or particulars sufficient to identify it.
- b) the grounds on which the application is made. (It may accompany the appeal).

The rules for the hearing of an appeal are given in The Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 (SI 2013 No 1237), as amended.

Public availability of information on all enforcement notices

1. Barnsley Metropolitan Borough Council (BMBC) for its own purposes, records and monitors trends in the enforcement action it takes, and in the convictions and penalties imposed by the Courts. It is BMBC policy that this information should be brought to the public's attention. BMBC also has a statutory obligation under the Environment and Safety Information Act 1988 to maintain a public register of certain notices. Therefore, details from relevant notices will be stored electronically and will be available on request.
2. Information on a notice will not be entered onto the database until after the right of appeal against the notice has expired. Where a notice is withdrawn or cancelled on appeal no entry will be made. Entries relating to notices served on individuals will be kept on the register for a period of at least 5 years from the date of issue. Notices served on individuals under the age of 18 will be removed sooner.
3. Information will be withheld where, in BMBC's belief, its disclosure would:
 - cause harm or prejudice; or
 - be in breach of the law.
4. Personal information is dealt with in accordance with the Data Protection Act 1998. Where disclosure of personal information would be incompatible with the Act it will not be included on the database.
5. If you are not satisfied with the information contained in the entry you have a further right to appeal to BMBC in the first instance.

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What to expect when a health and safety inspector calls

A brief guide for businesses, employees and their representatives

About this leaflet

This leaflet is intended for those in business who have duties under health and safety law ('duty holders'), for example employers and those in control of workplaces. It explains what you can expect when a health and safety inspector calls at your workplace. It also tells employees and their representatives what information they may expect from an inspector during a visit.

Who enforces health and safety law?

Health and safety law is enforced by inspectors from the Health and Safety Executive (HSE) or by inspectors from your local authority, Barnsley Metropolitan Borough Council.

Inspectors have the right to enter any workplace without giving notice, though notice may be given where the inspector thinks it is appropriate. On a normal inspection visit an inspector would expect to look at the workplace, the work activities, your management of health and safety, and to check that you are complying with health and safety law. The inspector may offer guidance or advice to help you. He/she may also talk to employees and their representatives, take photographs and samples, serve improvement notices and take action if there is a risk to health and safety which needs to be dealt with immediately.

Enforcing health and safety law

On finding a breach of health and safety law, the inspector will decide what action to take. The action will depend on the nature of the breach, and will be based on the principles set out in the *BMBC Regulatory Services Enforcement Policy Statement*. The inspector should provide employees or their representatives with information about any action taken, or which is necessary for the purpose of keeping them informed about matters affecting their health, safety and welfare.

Inspectors may take enforcement action in several ways to deal with a breach of the law. In most cases these are:

Informal

Where the breach of the law is relatively minor, the inspector may tell the duty holder, for example the employer or contractor, what to do to comply with the law, and explain why. The inspector will, if asked, write to confirm any advice, and to distinguish legal requirements from best practice advice.

Improvement notice

Where the breach of the law is more serious, the inspector may issue an improvement notice to tell the duty holder to do something to comply with the law.

The inspector will discuss the improvement notice and, if possible, resolve points of difference before serving it. The notice will say what needs to be done, why, and by when. The time period within which to take the remedial action will be at least 21 days, to allow the dutyholder time to appeal to an Employment Tribunal if they so wish (see 'Appeals' below). The inspector can take further legal action if the notice is not complied with within the specified time period.

Prohibition notice

Where an activity involves, or will involve, a risk of serious personal injury, the inspector may serve a prohibition notice prohibiting the activity immediately or after a specified time period, and not allowing it to be resumed until remedial action has been taken. The notice will explain why the action is necessary. The dutyholder will be told in writing about the right of appeal to an Employment Tribunal (see 'Appeals' below).

Prosecution

In some cases the inspector may consider that it is also necessary to initiate a prosecution. Decisions on whether to prosecute are informed by the principles in *BMBC Regulatory Services Enforcement Policy Statement*. Health and safety law gives the courts considerable scope for punishing offenders and deterring others. For example, a failure to comply with an improvement or prohibition notice, or a court remedy order, carries a fine, or six months' imprisonment, or both.

Unlimited fines and in some cases imprisonment may be imposed by higher courts.

Appeals

A dutyholder will be told in writing about the right of appeal to an Employment Tribunal when an improvement or prohibition notice is served. The appeal mechanism is also explained on the reverse of the notice. The dutyholder will be told:

- how to appeal;
- where and within what period an appeal may be brought; and
- that the remedial action required by an improvement notice is suspended while an appeal is pending.

Information to employees or their representatives

During a normal inspection visit an inspector will expect to check that those in charge, eg employers, have arrangements in place for consulting and informing employees or their representatives, eg safety representatives, about health and safety matters. Such arrangements are required by law.

An inspector will meet or speak to employees or their representatives during a visit, wherever possible, unless this is clearly inappropriate because of the purpose of the visit. When they meet, employees or their representatives should always be given the opportunity to speak privately to the inspector, if they so wish. The inspector will provide employees or their representatives with certain information where necessary for the purpose of keeping them informed about matters affecting their health, safety and welfare. This information relates to the workplace or activity taking place there, and action which the inspector has taken or proposes to take. The type of information that an inspector will provide includes:

- matters which an inspector considers to be of serious concern;
- details of any enforcement action taken by the inspector; and
- an intention to prosecute the business (but not before the dutyholder is informed).

Depending on the circumstances, the inspector may provide this information orally or in writing.

Complaints

This leaflet sets out what you can expect when a health and safety inspector calls at your workplace. If you have a complaint that these procedures have not been followed then you can contact the inspector's manager to discuss the matter.

The inspector who has given you this leaflet is from **Barnsley Metropolitan Borough Council (BMBC)**. You can contact the inspector's manager and ask for your complaint to be investigated. If you are still not satisfied you can use the BMBC formal complaints procedure. In cases of maladministration you can also make a complaint to the Local Government Ombudsman.

If you are still not satisfied you can contact the Independent Regulatory Challenge Panel who will look into complaints regarding advice given by HSE or LA inspectors about health and safety which you think is incorrect or goes beyond what is required to control the risk adequately. Before you raise an issue with the panel you should have first tried to resolve the matter with the relevant HSE or LA inspector and their manager.

Further information can be found at: <http://www.hse.gov.uk/contact/challenge-panel.htm>

How to find out more about health and safety law and how it is enforced

More information, including what businesses must do by law, can be found at: <http://www.hse.gov.uk/abc>

Further information

HSE priced and free publications are available by mail order from HSE Books, PO Box 1999, Sudbury, Suffolk CO10 2WA Tel: 01787 881165 Fax: 01787 313995 Website: www.hsebooks.co.uk (HSE priced publications and free leaflets can be downloaded from HSE's website: www.hse.gov.uk .)

For information about health and safety visit <https://www.barnsley.gov.uk/services/business-information/health-and-safety-at-work/business-health-and-safety-regulations/> or www.hse.gov.uk.

This document contains notes on good practice which are not compulsory but which you may find helpful in considering what you need to do.

Your enforcing authority is:

Barnsley Metropolitan Borough Council, Regulatory Services, PO Box 634, BARNSELY S70 9GG
Tel: 01226 773743 email: regulatoryservices@barnsley.gov.uk

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Mirfin , Peter (GOVERNANCE MANAGER)

From: Ashley Stockton <ashleystockton81@icloud.com>
Sent: 19 October 2022 22:26
To: Butler , Stephen (ENVIRONMENTAL HEALTH OFFICER)
Subject: Sugar

Follow Up Flag: FollowUp
Flag Status: Flagged

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Stephen,

I believe all jobs are now done, just wanting to confirm the painter has been booked for the end of November to ensure the decking is painted with grit,
Look forward to seeing you tomorrow

Thanks ash

Ashley Stockton
Director Truth32/fire lounge/the barn/the sugar club
07425935994/01226244433



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Health and Safety at Work etc. Act 1974 Sections 22, 23 And 24

PROHIBITION NOTICE

Serial Number PN SB/047507/2022/2
PN Officer Initials / Unique Identifier / Year / Index No.

To (Name) Sugar Events Limited
Address: 7 Pitt Street
Barnsley S70 1AL

Trading As The Sugar Club

I Stephen Richard Butler being a duly Authorised Officer of Barnsley Metropolitan Borough Council, Regulatory Services, PO Box 634 Barnsley S70 2GG and appointed by an instrument in writing, made pursuant to Section 19 of the said Act and entitled to issue this Notice, hereby give you notice that I am of the opinion that the following activities namely:

Energising the electronic punch bag machine outside
Which are being / are likely to be carried on by you or under your control at:

The Sugar Club, 7 Pitt St., Barnsley S70 1AL
involve / will involve a risk of serious personal injury. The matters which (will) give rise to the said risks are:

Danger of death by electrocution

I am of the opinion that the said matters involve / will involve contraventions of the following relevant statutory provisions:
Health and Safety at Work etc Act 1974, Sections 2(1) and 3(1)

Because rainwater, condensation or humidity may
conduct electricity causing a potentially fatal
electric shock to anyone who may touch the live parts.

I hereby direct that the said activities shall not be carried on by you or under your control unless the specified matters and contraventions and have been remedied.

The DIRECTION GIVEN IN THIS NOTICE SHALL TAKE EFFECT ~~IMMEDIATELY~~ / AFTER

~~I further direct that the measures specified in the Schedule which forms part of this notice shall be taken to remedy the said contraventions or matters. (Delete if not applicable)~~

Signature: [Signature] Date: 20 September 2022

~~A Prohibition Notice is also being served on~~
~~of~~
~~related to the matters contained in this notice. (Delete if not applicable)~~

This ~~is~~ / ~~is not~~ a relevant notice for the purposes of the Environment and Safety Information Act 1988.
This page only will form the register entry. (Delete if not applicable)

Signature: [Signature] Date: 20 September 2022

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