

Representor: Councillor Cyndi Hughes

Comments: Based on the Protection of Children from Harm

"The Designated Premise Supervisor (DPS) and/or the Premise License Holder (PLH) has a duty under the Licensing Act 2003 to protect children from harm. The event held at "The Grange" on the evening of 15th February 2012 exposed children to unacceptable levels of risk of harm both inside and outside the premises as a result of actions taken and/or not taken by the DPS and/or Premise Licence Holder

I base my statement on: (1) The discussions I have had with young people who attended the event; (2) The discussions I have had with the parents of young people who attended the event; (2) An interview I conducted with the organiser, XXXXXXXX; and (3) My own first-hand observations on the evening of the incident.)

On 15th February 2012, an event attended by young people 14+ was held at "The Grange", having been booked with The Grange and promoted by a 16 year old, XXXXXXXX and a 17 year old, XXXXXXXXXXXX. The publicity (via Social Media), the selling of tickets (wristbands) and the provision of entertainment (DJ) was organised and facilitated by two underage persons without an adult guarantor being requested nor required by the DPS nor the PLH. It appears that all sense of responsibility was handed by the DPS and PLH to two teenagers.

I understand that no contract was signed between the parties. it is therefore unclear as to the exact terms of the agreement between the organisers and The Grange. The young organiser indicated, however, that he was told that the premise could accommodate 600 people. Based on this information, he believed he could sell 500 tickets and still be well within the capacity limit. This apparent misunderstanding compounded by the uncontrollable nature of social media meant that a greater than expected number of young people expected to attend the "best party in Darlington" that night.

Although the event was due to begin at 8pm, some young people, primarily those arriving by bus into the town centre, began to present in the vicinity of "The Grange" well before the official start time. By 8pm, a large crowd of young people had amassed down the narrow path toward the entrance of "The Grange". Cars stopped on the double yellow lines along the entrance of Grange Road to enable children to exit vehicles. At the same time, other young people were crossing Grange Road causing obstruction resulting in traffic chaos.

Initially, those without tickets (wristbands) were able to purchase them on the door (giving the money to the door staff). After a short time, however, those young people without tickets (wristbands) and those who had obviously consumed alcohol were turned away at the door without further action by staff, resulting in a growing crowd of potentially vulnerable young people along Grange Road.

Young people who had been in the queue told me that they felt worried about those other young people who had been turned away. It was a cold evening. It was unclear as to where those who had been turned away would end up.

APPENDIX 1D (cont)

The safety and well-being of those youngsters turned away—including those under the influence of alcohol did not seem to be considered by staff. Again, it appears that they believed their duty of care for those young people ended when they were turned away from the premise.

Within the venue, it was reported to me that some young people were pushing and shoving in order to get upstairs (where there was music and dancing). A decision was taken by staff to limit the number of young people who could access the upstairs. This meant that in some cases, young people were separated from those they had arrived with and knew. Reportedly, no announcement was made to explain why access was being denied, nor when the artificial barrier would be removed.

Many young people were loitering in the area of The Grange. One young girl was reportedly treated at A&E at Darlington Memorial Hospital due to her alcohol consumption. At some point, the DPS and/or DPS decided to close the venue and eject all of those present. This decision further exacerbated an already risky and potentially dangerous situation by adding another few hundred young people to the number of young people already milling around Grange Road and the town centre.

Parents whose children attended the “Atmosphere” event at The Grange had every reason to believe that as the event was being held at a reputable licensed premise in Darlington Town Centre that appropriate steps would be taken to ensure that the underage client group would be suitably catered for and cared for. Other well publicised and well organised events for the under 18s have been held in Darlington (Young Blood events at the Forum, for instance), therefore parents would not have suspected that their children could have been put at such risk of harm as they were on the evening of 15th February 2012 at The Grange.

The apparent lack of sufficient duty of care, concern and forward planning for an event of this nature, involving young people was evident. I believe the standard of care that ought to have been applied in the situation fell below the standard that a reasonable person would have expected. The DPS and LPS should have been better prepared for the young people attending the event and presenting at the premises.

I believe that where an event directly aimed at young people takes place on licensed premises, then extra consideration should be given to a number of issues, including:-- the number of adults required to be present; the type of specific training required to see that young people are safe and protected; agreed and advertised actions that will be taken if young people arrive at the premise already having been drinking; agreed means by which door staff can determine whether a young person has been drinking (breath test or other means); how young people can be assisted (phone call to parent for collection, call to police or community support officer) in getting to a place of safety should they be asked to leave a venue or be denied entry into a venue; better control of access to tickets (guest list, no sale of tickets on door), etc. I also believe that in order to hire a licensed venue a written contract containing the terms of any agreement should be set out and agreed between adults. Notwithstanding a contract for hire, the liabilities of the DPS and the PLH would be non-transferable.

The young people of Darlington deserve and desire positive activities where they can have fun and be safe. The sort of event organised at The Grange is obviously very popular with young people. With proper planning and the right conditions being agreed by the DPS/PLH and the Licensing Authority in conjunction with the Police and other responsible authorities, I believe that young people could be protected from the harm to which they were exposed on 15th February 2012.”