

## FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

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

Darlington Borough Council, Licensing Services

Town Hall,

Darlington. DL1 5QT

**Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)**

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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 the 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.**

I Sgt 2722 Charlotte Martin [on behalf of] the chief officer of police for the Durham Constabulary police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

**1. Premises details:**

Postal address of premises, or if none or not known, ordnance survey map reference or description:

**The Majestic  
Bondgate**

Post town: Darlington

Post code (if known): **DL3 7JT**

**2. Premises licence details:**

Name of premises licence holder (if known): LYALL EVENTS AND ENTERTAINMENT LIMITED

Number of premises licence holder (if known): DL16/00704

**3. Certificate under section 53A(1)(b) of the Licensing Act 2003** [Please read guidance note 1]:

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

*(Please tick the box to confirm)*

**4. Details of association of the above premises with serious crime, serious disorder or both:**

[Please read guidance note 2]

**On the evening of Saturday 21<sup>st</sup> October 2023, a large scale disturbance took place at the Majestic licensed premises, Bondgate, Darlington. Police Control Room were contacted by a medic named Kelly Storey. She stated that a male at the Majestic had had his ear bitten off whilst at a boxing event at the premises.**

**The assault took place in the cocktail bar area of the premises. There were both males and females in attendance along with some children.**

**On Police attendance, both witnesses and the victim were spoken to. The suspect was identified and efforts were made to arrest the male.**

**CCTV was reviewed at the premises and copies were provided to Police which covered the incident and shows the following. At 10:18pm, there were approximately 30 persons within the cocktail bar area of the premises. Male 1 enters the the room from the main bar. Male 2 appears to make a comment directed at Male 1 and then punches Male 1 in the face. Male 1 reacts to this and is then held back from getting to Male 2. Male 3 then enters the room from the bar and proceeds directly to Male 2. He immediately assaults Male 2 by punching him to the head and body causing Male 2 to fall to the floor; a female is also punched to the face and falls to the ground. Male 3 is pulled away in to the centre of the room where he continues to fight and throw punches. Male 4 then approaches the group in an apparent effort to break up the fight. Male 4 is dragged into the disturbance and within reach of Male 3. Male 4 is then seen to be underneath Male 3's head and when eventually pulled away by others, it is discovered that Male 4 has had 3/4 of his right ear bitten off. One door staff member eventually escorts Male 3 out of the premises.**

**During the incident, there are approximately 15 persons directly involved in the disturbance, throwing punches and trying to pull people back from the fighting. Two female adults can be seen being punched and fall to the ground during the incident. In addition, a female child, who appears to be aged 8-9 years old, can be seen in the cocktail bar just 16 seconds before the incident begins. She is with an adult and they walk through the group who begin to fight and into the main bar area.**

**The incident shows a clear Section 20 Assault which is Greivous Bodily Harm, in addition to other public order and violence offences. Male 4 has been left with life changing injuries - a deformity of his right ear.**

**The Premises Licence for the Majestic shows that the premises does not have a Licence to show any boxing or wrestling events. Further scrutiny of our records show that no Temporary Event Notice had been submitted prior to the event. Due to this event going ahead, neither Durham Constabulary or**

**Darlington Borough Council were aware of the event or what measures were put in place to prevent incidents of crime and disorder occurring.**

**The footage of the disturbance is indeed shocking and it is fortunate that no one else was seriously hurt.**

**Durham Constabulary have significant concerns relating to the organising and running of this event by the Designated Premises Supervisor and as such seek the removal of the Designated Premises Supervisor and suspension of the Premises Licence.**

**Durham Constabulary feel that the Crime and Disorder Licensing Objective has been significantly undermined and request a Summary Review of the Premises Licence.**

Signature of applicant: Charlotte Martin

Date: 23/10/2023

Capacity: Licensing Sgt

**Contact details for matters concerning this application:**

**Address: Durham County Council, Licensing Services  
St Johns Road North, Meadowfield,  
DH7 8RS**

Telephone number(s): 0191 3752351

Email: charlotte.martin@durham.police.uk

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be

expected to be sentenced to imprisonment for a term of three years or more; or  
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.