

IN A MATTER UNDER THE S51 LICENSING ACT 2003
BEFORE NORTH EAST LINCOLNSHIRE COUNCIL'S LICENSING SUB-
COMMITTEE

CHIEF CONSTABLE OF HUMBERSIDE POLICE

APPLICANT

V

MARINER'S REST

RESPONDENT

WRITTEN SUBMISSIONS ON BEHALF OF THE APPLICANT

1. These submissions are filed and served in accordance with paragraph 6.2 of North East Lincolnshire Council's ("NELC") Standing Order for Remote Meetings. They are not intended to contain the entirety of the Applicant's submissions but do summarise the points that will be made and outline any outstanding issues.
2. These submissions should be read alongside the application and supporting documentation including the witness statement of Licensing Officer Alison SAXBY's statement and the annexes to that statement.

Summary of the Applicant's Position

3. Humberside Police seek a review of the Premise Licence due to repeated breaches of Coronavirus Regulations and guidance since the DPS has been in charge of these premises, which was August 2020.
4. By breaching the restrictions which have been put in place by the Government, it is likely that the public may be at risk in respect of the ongoing pandemic. These breaches committed on these premises are undermining the Crime and Disorder Licensing Objective. As a result, the Police are of the view that revocation of the licence is appropriate.

Incident Triggering Current Review

5. Full details of the incident can be found at paragraphs 32-39 of Licensing Officer Alison SAXBY's statement.
6. In brief, on 13 February 2021 Humberside Police received reports that the premises were open. Visits were made to the premises that evening by officers, who have reported witnessing people in the premises. Some of those officers have also given evidence confirming that they witnessed people drinking in the premises. Officers found alcohol on the premises.
7. A member of staff at the premises was spoken to on the evening in question. That member of staff confirmed to officers that he had been asked to come into work by the Landlord and named the Landlord as Lee COLLINS, the DPS. The member of staff told officers that Mr COLLINS had provided him with keys to open up.
8. Since these review proceedings have been instigated, a statement by this same member of staff has been served on the Police. The Police have also been served with a statement by Lee COLLINS. Both of these statements do not appear to dispute that the premises were open. However, the evidence being advanced on behalf of the Respondent appears to suggest that Mr COLLINS knew nothing of the premises opening that evening.
9. The Police have served Body Worn Footage showing what they found on 13 February 2021 and what the member of staff in question told them on that evening. Those who represent the Respondent have also had sight of this footage.

Submissions

10. The Sub-Committee will of course have reference to the Licensing Objectives and the options available to them as per s52.
11. The Sub-Committee will note from the papers that the Police say there have been other breaches of the Covid Regulations prior to the incident on 13 February 2021.
12. The sub-committee have before them copies of warnings and evidence which the Police say show that they have sought to work with the premises in a proportionate way.
13. However, despite being given these previous warnings the premises opened which the police say was a blatant breach of the coronavirus regulations.
14. Engaging in such behaviour despite the warnings which have previously been given raises obvious concerns about compliance and furtherance of the licensing objectives.

**ANDREW PETHERBRIDGE
OPERATIONAL LAWYER
HUMBERSIDE POLICE**