

Witness Statement

(CJ Act 1967. S.9, MC Act 1980, s. 5a (3a) and 5B MC Rules 1981, r 70)

Statement of: Paul Douglas

This statement (consisting of 5 pages 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.

Dated 8th February 2019

Signature Paul Douglas

- 1.0 I am Paul Douglas and I am a self-employed licensing consultant, investigator and trainer based in Wigan, Greater Manchester. I am an accredited British Institute of Inn Keeping trainer and train students to obtain the Award for Personal Licence Holders to enable them to apply for personal licences and train such licence holders to obtain the Award for Designated Premises Supervisors I also train the licensed trade in Drug Awareness and awareness of premises licence conditions. These training sessions are organised by CPL Training Ltd, the largest provider of such training in the UK.
- 1.1 I served as a police officer with Merseyside Police for thirty three years and retired in 2010. From 1995 I specialised in alcohol licensing enforcement and, as the sergeant in charge of the licensing unit I conducted numerous overt visits and covert operations in bars and night-clubs throughout Merseyside.

- 1.2 Between 2005 and 2010 on behalf of Merseyside Police I presented evidence at seventy review hearings of which twenty five were Summary Reviews. I represented the Force at ten hearings in the Magistrates Court following the issue of Closure Orders under section 161 of the Licensing Act 9 (now repealed) and made application to the Magistrates for five Closure Orders under section 160 of the Act. I conducted dozens of test purchase operations and during licensing enforcement visits to problematic premises my officers and I issued eighty Closure Notices under S19 of Criminal Justice and Police Act 2001.

- 1.3 My experience of licensing enforcement including evidence gathering and presentation of this evidence at review hearings was acknowledged as Best Practice by the Home Office and through the Institute of Licensing of which I am the North West Regional Training Officer, I commenced a programme of fifty five regional training sessions nationwide to members of the legal profession, local authority licensing officers, the police and to the trade. These training sessions were followed up by intensive support visits to areas with specific problems. I retired from the police in February 2010.

- 1.4 Since retiring I set up my own consultancy business. I have often provided advice to police forces and local authorities on licensing matters. I have been retained as an evidence gatherer and professional witness in many matters subject to legal proceedings. I have on many occasions been requested to review the evidence introduced by Responsible Authorities (including the police) and Other Persons at licensing hearings and appeal hearings.

- 1.5 On November 8th 2016 I was invited to the House of Lords to give evidence to the Select Committee on the Licensing Act 2003.

- 2.0 In January 2019 Kuits Solicitors who are acting on behalf of the Premises Licence Holder asked me to assist in this matter. I was given a copy of a licensing review application. The review was sought as a result of the premises failing to comply with the conditions on the licence which had been issued only months earlier. The subject of the review was an event which had taken place on Boxing Day 2018. It was apparent that the management of the premises had not fully updated themselves with the conditions imposed on the premises licence. Whilst this is not acceptable it is extremely common and in fact the majority of the training I provide to the trade is understanding exactly what these conditions are.

- 2.1 On Wednesday 6th February 2019 I attended the premises and met with Mr Jonathan Butterworth the Group Operations Director and Mr Joji Easo the Designated Premises Supervisor for the venue to discuss the issues raised in the review application with a view to me advising the premises and providing training to staff in all of the relevant matters.

- 2.2 I advised the meeting that even though this was a very new premises licence and the Boxing Day event was the first big event there was no excuse for failing to comply with the conditions especially failing to notify the police that the event was to take place. Both gentlemen present were very apologetic and regretted the fact that this had not been done. We then considered the other alleged breaches of conditions attached to the premises licence. We went through them one by one and I explained the reasoning behind the conditions and how they related to the licensing objectives.

- 2.3 The CCTV system was not up to scratch but is to be updated to ensure full compliance with the licence condition prior to the venue hosting any more licensable activities. I have provided Mr Butterworth with templates of policies which will be adapted for the venue to cover the issues raised by the police. The venue now has a drugs policy which incorporates the condition relating to seized or surrendered drugs and contains proper recording instructions. A door supervisor policy has been provided which enables the management to ensure that all supervisors are properly registered. A documented dispersal policy is now in place. Finally a detailed search policy has also been provided. These policies will be fine-tuned for Park Hall Plaza.
- 2.4 I have also advised Mr Easo about keeping effective incident and refusals registers and how to compile them and how to produce effective risk assessments. I explained how staff training records should be compiled, what they should contain including enforcement of the Challenge 25 requirement. Mr Butterworth has requested that I conduct training sessions for all management and staff who are employed within the Company.
- 3.0 Undoubtedly mistakes have been made but I am confident that all of the matters have been addressed or will be addressed before any more licensable activities take place at the venue. Despite the breaches of the conditions the actual event on Boxing Day took place without incident and no licensing objectives were undermined which is actually a good reflection on the management. I feel that a condition requiring staff refresher training once a year will ensure that there will be no repetition.

Paul Douglas

