

WITNESS STATEMENT

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

Statement of: **NICOLA SEYMOUR**Age if under 18: **Over 18** (if over 18 insert 'over18')Occupation: **Inspector 7020**

This statement (consisting of 5 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: 7020Date: 12/10/20

I am Inspector 7020 Nicola Seymour, currently employed as a Neighbourhood Inspector for the North Shields and Whitley Bay policing areas. I am based at North Shields Police Station, Upper Pearson Street, North Shields.

I have served as a police officer for **16** years and have been a Neighbourhood Inspector for the last 11 months. My responsibilities include the management of crime and disorder in the area, safeguarding vulnerable persons and working with partnership agencies to effectively manage and problem solve local issues. My role also includes the management and review of all premises in the area which hold alcohol licenses.

How Do You Do public house is a large premises situated in a residential street. The premise has several neighbouring residential properties some of which are occupied by elderly persons. The current Premises License holder is DD Investments Limited and the Designated Premises Supervisor is KENAN OZKAN. Mr OZKAN has been the DPS since 25th July 2019. K He holds a personal license issued by Sunderland Council, license number OOCMPER02276 I have met both Mr OZKAN and the owners due to concerns raised about the location which I will detail below. The premises has a licence for both on and off sales of alcohol, meaning that you can drink on the premises or buy alcohol from the premises to take away and drink elsewhere.

Over the last 5 months Northumbria Police have seen a significant amount of incidents being reported in relation to How Do You Do public house and its customers. The incidents amount to a large rise in crime and disorder occurring at the property and nearby areas.

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I will list in detail the recent history of anti-social behaviour, disorder and crime linked to the premises. This history is compiled from police records and databases. Some of the content therefore relies on hearsay evidence as it would not be practical to call every original contributor to those databases.

RECORDED INCIDENTS

Incident 737 8th May 2020 1610 hours.

An anonymous report was received that alcohol was being handed out to people arriving at the location with containers. This report did not identify any breaches of COVID regulations but due to the information a joint visit was made to the location by Neighbourhood officers and the Local Authority. No concerns around the sale of alcohol but advice given regarding ensuring alcohol purchased must be taken away to drink and to discourage any gathering of people at the front of the premises.

Incident 584 24th June 2020 1314 hours.

A local resident reported a breach of COVID regulations. They reported that the premises was open, 30 persons were present and spilling onto the street, being served draught lager and music playing. They reported speaking to the licensee Kenan OZKAN who had stated they would "sort it". Police attended at 1337 hours and found a few adults in the area but not the numbers as reported. Advice was given to these adults and to Mr OZKAN about ensuring and encouraging people not to congregate with drinks outside the premises, that he was entitled to sell alcohol for off sales but people must be discouraged from drinking them outside the bar.

Incident 1053 24th June 2020 1758 hours.

Another local resident reported the premises being open for business with several persons drinking inside. They voiced further concerns about the car park being full and people coming in and out of location. At 1952 hours an officer attended and found people gathered outside but no one in the premises.

Incident 1101 26th June 2020 1824 hours.

A local resident reported a large amount of persons outside the location consuming alcohol which had been purchased from the door of the location. An officer attended and found persons socially distanced outside and drinking responsibly.

Incident 214 4th July 2020 1551 hours.

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A police generated incident to record engagement activity with licensed premises on the weekend of opening after lockdown. At 1551 hours, officers reported a large group of 25+ males outside the location under the influence. They had concerns about the potential this group may cause later trouble.

Incident 1076 4th July 2020 2048 hours.

A local Neighbourhood officer reported being contacted by Kenan OZKAN who had reported that there was trouble outside the premises, too many people drinking and he wanted them to leave. Police attended, there were upwards of 50 people drinking outside the bar, some very under the influence of alcohol and being abusive to local residents and the bar was cleared and due to concerns about the clientele further service was stopped at the agreement and co-operation of the licensee.

Incident 539 7th July 2020 1339 hours.

A local resident contacted the police to discuss their concerns about anti-social behaviour after the large numbers and the disorder they had witnessed on Saturday night and the conduct of the licensee who had become embroiled in an argument with the residents via the business Facebook page. The resident was spoken to via telephone and advice was provided. His concerns were reported to the Neighbourhood team.

Incident 873 18th July 2020 1744 hours.

A local resident contacted police to report that the location was busy inside and that 20 persons were now drinking on the street as the outside area was full. The resident stated that she was intimidated by the behaviour, which included swearing, shouting, standing directly outside the residents addresses while drinking. Unfortunately there were no available police resources to attend. The Local Authority CCTV control were asked to monitor the location.

Incident 0870 15 August 2020 1751 hours.

Staff at location requested a police "walk through" as two customers had been arguing inside the location. Further call received from a local resident reporting persons drinking outside in large groups. She further reported an aggressive male and lots of shouting. No resource was available to attend. The resident was re-contacted and reported that the male had left.

Incident 1127 15th August 2020 2111 hours.

Staff contacted police to report a large fight outside the location. Numerous further calls were received from residents reporting between 25-40 males fighting in the street. One male was seen

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to be unconscious on the floor. Police attended by which point the majority of males were dispersing from the area. At 2138 hours the licensee Kenan OZKAN made the decision to shut the bar. Officers entering the location reported excess customers. Approximately 50 – 60 in the street that had clearly come from the bar and no social distancing in place. The officers described the bar as packed with nearly every room full with persons standing shoulder to shoulder. As a result of the incident a crime of affray was recorded.

OTHER MATTERS OF INTEREST.

5th July 2020 – The location was visited by Sergeant 1531 Banks (Neighbourhood Sgt) to discuss issues of anti-social behaviour and overcrowding and the negative issues this caused for residents. OZKAN was reminded of police powers to close premises. He was provided with advice and support on how to prevent issues and encouraged to employ door staff.

8th July 2020 – I held a meeting with the licensing officers, owners and DPS OZKAN to discuss the issues which had occurred on 4th July 2020 (opening night). It was acknowledged that the premises had been cleared at the request of the DPS however this request was too little too late. It was agreed at the meeting that the DPS would ensure a member of staff outside to control the outside area. Advice was given around limiting the number of drinkers outside, a queuing entry system and a suggestion of door staff or a designated person on the door to prevent the large crowds gathering outside. During this meeting we discussed the concerns from local residents around the impact the ASB outside the premises was having on them. Mr Ozkan assured us that he was doing everything he could to try and repair this relationship and that he would be amenable to some sort of mediation meeting with the residents if the police could assist in facilitation. The meeting seemed positive, all parties agreeing that having a supervisor, whether that be their staff or door staff outside, was the right thing to do and that they had to limit the amount of people outside. Based on the size of the area and the amount of seating Mr Ozkan had a realistic idea of how many should be there and the need to be robust in managing that. The meeting ended with the agreement that at that moment in time we would not be seeking further action as all parties had seemingly taken on board the suggestions. I made Mr Ozkan aware that we would be monitoring and visiting the premises to ensure compliance over the coming months.

12th July 2020 – public meeting arranged and led by councillor Lewis Bartolli who had received significant letters of complaint from the residents opposite and surrounding the bar raising concerns around safety, ASB, damage and the perceived lack of action or responsibility from the

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owners and the DPS. Numerous residents attended the street to voice their concerns and the councillor wrote to myself and the local authority. The councillor continues to contact local neighbourhood officers and the local authority raising concerns as does MP Alan Campbell.

28th July 2020 – The licensing officer held a multi-agency meeting to discuss the Anti-social behaviour issues linked to the location. The DPS reported that they had doorstaff on duty during Friday and Saturday nights with a Challenge 25 policy. OZKAN was shown CCTV and photographs taken by local residents which showed large numbers of young persons in the street , urinating , drinking , shouting swearing.

CONSULTATION.

The ongoing problems surrounding the location have been discussed with the owner and premises supervisor. Despite this engagement and advice it appears that the DPS does not have the necessary skills to effectively manage the location.

When the premises reopened after lockdown restrictions were lifted there was a marked increase in crimes and disorder , in the main public order offences. Numerous complaints and letters have been received from both the community and those with vested interests such as the local MP and councillors.

CONCLUSION

The crime and disorder and associated anti-social behaviour caused by the patrons and linked to the premises is significant, as is documented in this statement and supporting statements.

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