

6 November 2008

Dear Councillor

LICENSING ACT 2003 SUB-COMMITTEE - WEDNESDAY, 12TH NOVEMBER 2008

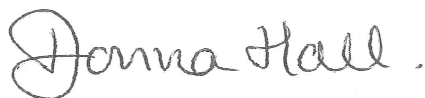
The agenda papers for the 12 November meeting of the Licensing Act 2003 Sub-Committee convened to review the premises licence in respect of the Swan with Two Necks, Chorley were issued last week.

I have subsequently been requested to forward the following additional documents as supplementary evidence to be considered at the meeting:

- A statement from an interested party which relates to one of the several letters received in support of the Swan with Two Necks. The letter of support containing the signature of the interested party that is included in the agenda pack should, therefore, be considered in the light of the attached additional statement. The Council's Licensing Officer will undertake an investigation of the implications of the statement under the provisions of Section 158 of the Licensing Act 2003 (Pages 237 – 238);
- Reports of incidents associated with the licensed premises up to 3 November 2008 as provided by the Lancashire Constabulary Licensing Section (Pages 239 – 250).

May I also please request you to disregard the final page attached to the original agenda pack. The papers should have ended at page 236, but unfortunately an additional page was printed in error.

Yours sincerely



Donna Hall
Chief Executive

Tony Uren
Democratic Services Officer
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Distribution

1. All Members of the Licensing Act 2003 Sub-Committee (Councillor Iris Smith (Chair) and Councillors Pat Haughton and John Walker) for attendance.
2. Councillor David Dickinson (Reserve Member) for attendance at start of meeting.

3. Chris Moister (Head of Legal Services), Alex Jackson (Senior Solicitor), Gordon Bankes (Democratic Services Officer), Stephen Culleton (Licensing Manager), Bob Beeston (Licensing Enforcement Officer) and Janet Brereton (Legal Assistant (Licensing and Registration) for attendance.

This information can be made available to you in larger print or on audio tape, or translated into your own language. Please telephone 01257 515118 to access this service.

આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

ان معلومات کا ترجمہ آپکی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون

01257 515823 کیجئے:

STATEMENT OF WITNESS

(CJ Act 1967, s9; MC Act 1980, ss 5A (3) (a) & 5B: MC Rules 1981, r70)

STATEMENT OF Brenda Higson

Age of Witness (if over 18, enter "over 18") OVER 18

Occupation of Witness Post Woman

The following statement, consisting of 2 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 willfully stated in it anything which I know to be false or do not believe to be true.

Dated the 30th day October 2008 (signed)

I live at the address shown overleaf, I have lived in Chorley since 1970. I know where the Swan With Two Necks public house is situated in Chorley. I have never been in the Swan With Two Necks public house. My husband Frank Higson has been in the pub once, about 20 years ago. I do not know anyone named Nick Hogan, Denise Hogan or Christian Tattersall. I was not aware that there was a review of the premises licence being undertaken. I have not been approached by anyone to sign any letter or petition in respect of the Swan With Two Necks. If anyone had approached me I would not have signed a letter or petition in respect of the Swan With Two Necks.

At 15.50 hours on 30/10/2008 Robert Beeston showed me a letter dated 15th October 2008 with the name B Higson 66 Cedar Ave Euxton written on the bottom of the letter. I have never seen a copy of this letter until Robert Beeston showed it to me and the signature on the letter is not mine, it is a forgery.

Robert Beeston also showed me a letter which was the same letter but with an illegible signature and 66 Cedar Avenue written on the bottom of the letter. I can confirm that I did not sign that letter. On 29th October 2008 I received a letter from Chorley Council which was dated 24th October 2008 the letter was informing me of a review of the premises licence for the Swan With Two Necks, ad I had not made any representations or written any letters regarding the premises I contacted Chorley Council I handed the Letter to Robert Beeston on 30/10/2008.

(Signed) _____ (Witnessed by) _____

(Name in Capitals) _____

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Witness Statement

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

Statement of **Anthony John Bushell**

Age if under 18 **0'18** (if over 18 insert "over 18"). Occupation **Police Sergeant 1506**

This statement (consisting of 2 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 in it anything which I know to be false or do not believe to be true.

Dated the **4th** day of **November 2008**

Tick if witness evidence is visually recorded
(supply witness details on rear)

Signature



1. I am Police Sergeant 1506 of the Lancashire Constabulary currently stationed on the Licensing Unit based at Chorley Police Station.
2. Further to my previous statement dated 23rd September 2008 I would like to add the following;
3. As a result of further concerns raised by local police officers I have made a further check of incidents and crimes related to the Swan with Two Necks and discovered there were a further 9 incidents resulting in 3 crimes reported between 21st September 2008 and 3rd November 2008.
4. I have made a log of the incidents and crimes which I produce as Exhibit Ref AJB 17.
5. In relation to these incidents I have also compiled a graph showing days of the week and times of the day that these additional incidents occurred. I produce this graph as Exhibit Ref AJB 18.

Signature



Signature witnessed by

6. I have also looked at the total number of incidents and crimes in relation to the Swan from the 1st January 2008 to 3rd November 2008 and compared these with other Chorley Town centre venues over the same period.

7. I produce these comparison charts as Exhibit Ref AJB 19.



Signature

Signature witnessed by

EXHIBIT LIST

Exhibit Ref	Article
AJB 1	Copy of premises licence – Swan with Two Necks
AJB 2	G43 Police Report – PC Sergeant
AJB 3	Local Authority letter requesting copy of sound report
AJB 4	Log of Incidents and Crimes 01/01/08 to 06/06/08
AJB 5	Police letter requesting meeting with Swan management
AJB 6	Notes on condition breaches noted at meeting 10/06/08
AJB 7	Copy of minutes of meeting 10/06/08
AJB 8	Letter covering minutes and documentation handed to Swan
AJB 9	Letter confirming receipt of documentation and minutes
AJB 10	E Mail report re review of CCTV by Crime Prevention Officer
AJB 11	CCTV footage of banned person leaving the Swan
AJB 12	Log of Incidents and Crimes 10/06/08 to 15/08/08
AJB 13	Copy of minutes of meeting 29/08/08
AJB 14	Statement and logged incident from CCTV operator
AJB 15	Log of Incidents and Crimes 15/08/08 to 21/09/08
AJB 16	Comparison Graphs of incidents at the Swan
AJB 17	Log of Incidents and Crimes 21/09/08 to 03/11/08
AJB 18	Comparison Graphs of incs at the Swan 21/09/08 to 03/11/08
AJB 19	Chorley Town Centre comparison Chart Incidents and Crimes

AJB 17

Incidents at The Swan with Two Necks
From to 21/09/08 to 03/11/08

	DATE	TIME	LOG No	INCIDENT	RESULT	CRIME	COMMENTS
1	05/10/08	01.43	0202	Reporting handbag stolen whilst dancing at the premises	Details obtained	YES Crime Log 4.1	
2	05/10/08	11.44	0689	Informant reporting handbag stolen whilst on the dance floor	Details obtained	YES Crime Log 4.2	
3	12/10/08	01.50	0320	Report from member of staff that doorstaff have requested police as some customers getting nasty	All quiet doorstaff had control of situation 1 male ejected		
4	18/10/08	23.25	2291	Report from CCTV that doorstaff at Swan have had a glass thrown at them by group of 4 males	Spoken to males who are decent people and not drunk		Police officers view after speaking to the males was that doorstaff appear to have been heavy handed
5	19/10/08	01.34	0193	Fight with bouncers male possibly involved with doorstaff, will pass to PS Bushell re licensee and door staff, inclined to believe the version of events from punters	Disagreement between doorstaff and ex doorstaff. Landlady felt threatened and closed the premises		Information passed to licensing re landlord who was "Drunk out of his mind"
6	19/10/08	01.38	0200	Male saying get the police we are holding the door shut	Connected with above incident		
7	19/10/08	01.39	0205	Caller from Swan told to ring the police	Connected with above incident		

	DATE	TIME	LOG No	INCIDENT	RESULT	CRIME	COMMENTS
8	21/10/08	13.48	0680	Informant (Nick Hogan) ringing to say he was assaulted on Saturday night by Darren Threlfall who is on Pubwatch	Police enquiries reveal that Hogan was not in fact assaulted but that it was a member of doorstaff that was assaulted.	YES Crime Log 4.3	Concern raised by police officer in attendance in respect of inaccurate report from Hogan and the fact that arrangements that were alleged to have been made by Hogan have not in fact materialised.
9	23/10/08	00.03	0002	Staff reporting having Toxic Terry in pub he has been given cup of coffee by the landlord but is now refusing to leave and becoming violent	Male moved on no problems		

Crimes at The Swan with Two Necks
From 21/09/08 to 03/11/08

NO	DATE	TIME	Crime No	CLASS	M.O	DET	COMMENTS
1	05/10/08	00.30	CA0803005	Other Theft	Offender approached unattended handbag and made off with same	NO	
2	05/10/08	01.00	CA0802998	Other Theft	Offender approached unattended handbag and made off with same	NO	
3	21/10/08	N/K	CA0803187	Assault ABH	Aggrieved suffered injuries to his face after being assaulted by a number of people	NO	

AJB 18

**Incidents at Swan With Two Necks (Days of the Week)
21/09/08 – 03/11/08**

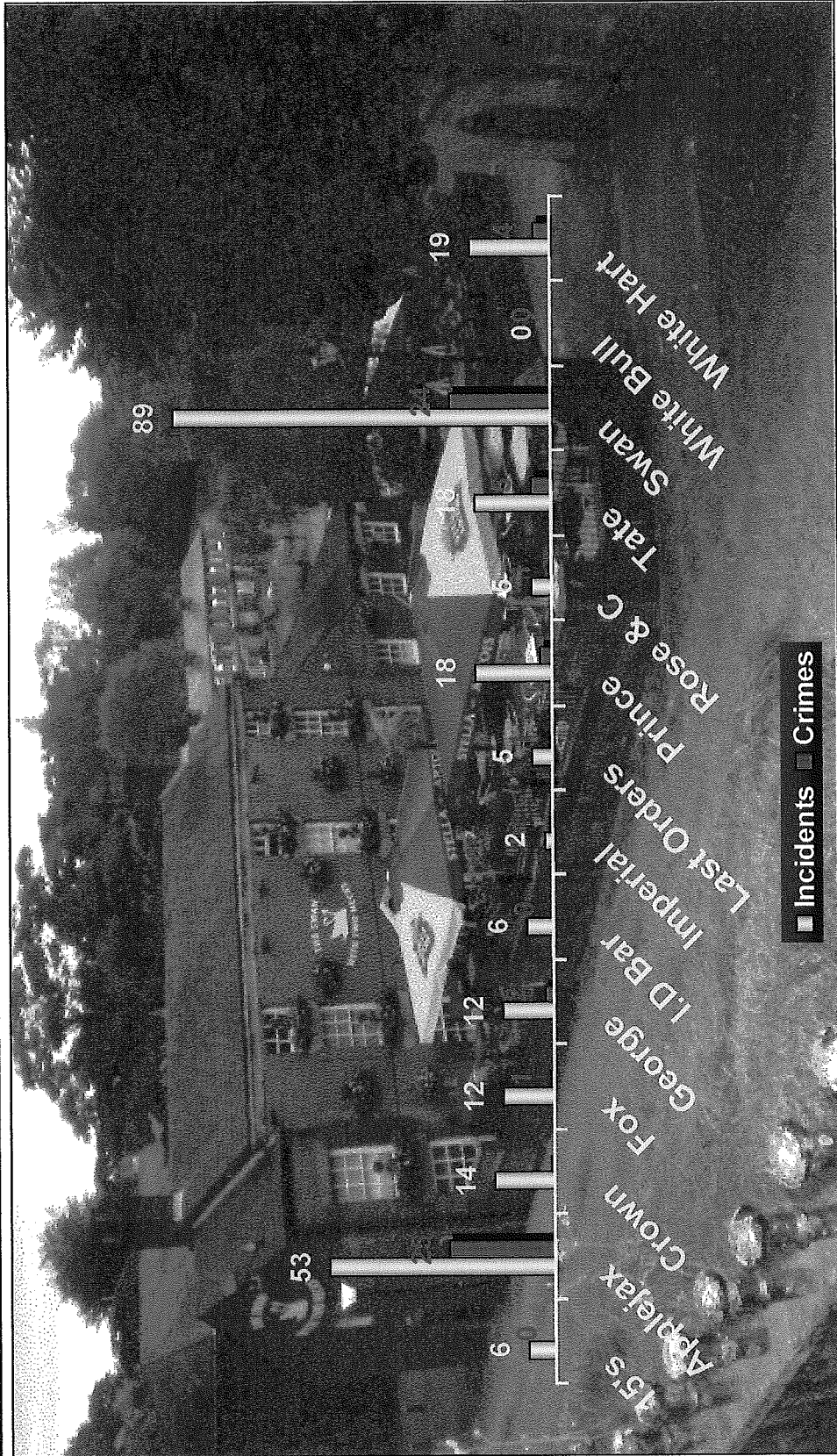


**Incidents at Swan With Two Necks (Days of the Week)
21/09/08 – 03/11/08**



AJB 19

**Comparison of Recorded Incidents and Crimes at Chorley Town Centre Licensed Premises
(01/01/08 to 03/11/08)**



BREAKDOWN OF CRIME CATEGORIES FOR CHORLEY TOWN CENTRE PREMISES (01/01/08 to 03/11/08)

CRIMES	15's	APPLEJAX	CROWN	FOX AND GRAPES	GEORGE	I.D BAR	IMPERIAL	LAST ORDERS	PRINCE OF WALES	ROSE AND CROWN	SIR HENRY TATE	SWAN WITH TWO NECKS	WHITE BULL	WHITE HART
TOTAL	0	25	1	1	2	0	1	1	3	1	5	24	0	4
DRUGS	0	15	0	0	0	0	0	0	0	0	0	0	0	0
ASSAULT	0	4	0	0	1	0	1	0	1	1	3	14	0	0
THEFT	0	2	0	0	1	0	0	0	0	0	1	3	0	0
PUBLIC ORDER	0	4	0	1	0	0	0	1	1	0	1	4	0	0
OTHER	0	0	0	0	0	0	0	0	1	0	0	3	0	0