

Licensing ACT 2003 SUB-COMMITTEE

Wednesday, 2nd November 2022, 2.00 pm
Council Chamber, Town Hall and YouTube

I am now able to enclose, for consideration at the above meeting of the Licensing Act 2003 Sub-Committee, the following reports that were unavailable when the agenda was published.

Agenda No	Item	
3	Determination of Application for the review of a Premises Licence, The Imperial 59 Union Street, Chorley,	(Pages 3 - 10)
	Appendices attached.	

Gary Hall
Chief Executive

Electronic agendas sent to Members of the Licensing Act 2003 Sub-Committee

If you need this information in a different format, such as larger print or translation, please get in touch on 515151 or chorley.gov.uk

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SC08/8

PREMISES DETAIL SHEET

IMPERIAL

Printed: 14/09/2022

Premises Type:	PUBLIC HOUSE	Licence Type:	Premise Licence
Registering Authority:	Chorley	Premises Status:	Live
Owner:		Sales	ON
PremLH:	TRUST INNS LTD	Main Phone:	
Address:	59 UNION STREET	Alt Phone:	
	CHORLEY	Email:	
	LANCASHIRE	Fax:	
	PR7 1AB		

Person Links:

ID: 22320
 Name: BRYN HAYES
 Premises Person Type: Area Manager

Regulated Entertainment:

Performance of Dance, Disco, Films, Karaoke, Live Music, Misc, Recorded Music, Sporting Event

	Alcohol			Non-Alcohol		
Monday	10:00	-	02:00	10:00	-	02:30
Tuesday	10:00	-	02:00	10:00	-	02:30
Wednesday	10:00	-	02:00	10:00	-	02:30
Thursday	10:00	-	02:00	10:00	-	02:30
Friday	10:00	-	02:00	10:00	-	02:30
Saturday	10:00	-	02:00	10:00	-	02:30
Sunday	10:00	-	02:00	10:00	-	02:30

Conditions:**Prevention of Crime and Disorder:**

- Any person exercising a security activity as defined in the Private Security Industry Act 2001 will be employed at the premises at the discretion of the designated premises supervisor/holder of the Premises Licence.
- Any person exercising a security activity as defined above will clearly display his name badge at all times whilst on duty.
- No customers apparently carrying open bottles upon entry shall be admitted to the premises at any times the premises are open to the public.
- CCTV will be fitted at the premises, with facilities to record images and store them for 31 days.
- Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose. The maximum occupancy of the building (including staff and performers) will be restricted to 120 persons.

Public Safety

- To comply with the reasonable requirements of the fire officer from time to time.
- To comply with the reasonable requirements of the building control officer.

Prevention of Public Nuisance

- Where appropriate, prominent, clear, and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
- Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.

Protection of Children From Harm

1. The restrictions set out in the Licensing Act 2003 will apply. Children under the age of 18 shall not be permitted to enter the premises after 21.00

ANNEX 3 – CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

1. All windows and internal lobby door to be kept closed during entertainment except in the event of an emergency.
2. Any amplified sound must be connected to a noise limiter or cut out device of a type and with settings approved by Environment Services and to be used at all times during public entertainment. Officers from the Environmental Services Unit reserve the right to check the settings on the noise limiter at any reasonable time.
3. The licensee shall ensure that the noise limiting or cut out device is not tampered with, by-passed, or adjusted in any manner without the consent of the Environmental Services Unit.
4. The licensee shall ensure that the noise limiter or cut out device is working at all times and will not hold public entertainment in the event that the noise limiter or cut out device ceases to work. Environmental Services should be notified of any fault as soon as is reasonably practicable.
5. Environmental Services should be notified within 24 hours of any amendment or adaptation to the entertainment equipment (i.e. amplifiers and speakers) or noise limiter/cut out device in place at the time the licence is granted.
6. In the event that the licensee surrenders the tenancy, the licensee shall notify the Council in writing within 24 hours of doing so.
7. All recorded music to be at a background level only from 23.00 onwards

I am PC 6884 Stephen Connolly of Lancashire Constabulary, currently attached to the South Lancashire Licensing Team based at Preston Police Station.

I make this statement in relation to an application submitted to Chorley Borough Council to review the Premises Licence PLA0253 which relates to THE IMPERIAL, 59 UNION STREET, CHORLEY.

I submitted this application on behalf of Lancashire Constabulary due to concerns over the premises upholding the Licensing Objectives of Crime & Disorder and Public Safety.

The persons relevant to this application are Christopher TICKLE, who is the tenant of the Premises Licence holder TRUST INNS LTD. Darren TICKLE was proposed as the Designated Premises Supervisor on 30th March 2022. Since then Brendan FREGUSON, Lee HOLDEN, and Phillip MARROW. Prior to the application to review the Premises Licence Christopher TICKLE proposed himself as the DPS. Laura WORTHINGTON will also be referenced as her role as 'bar manager'

On 30th March 2022, we received an application proposing Darren TICKLE as the DPS for the premises. This was objected to by PS 4159 BYRNE on the 8th April 2022 based upon the Crime & Disorder and Public Safety Licensing Objectives as TICKLE was at the time subject to bail conditions following an arrest for drink driving on 19th February 2022 and that the arrest was made as he left an unrelated licensed premises and drove his vehicle whilst under the influence of alcohol.

The premises remained closed until 13th May 2022 when an application for FREGUSON to become DPS was made, this was not objected to. That same night PS 4065 HARRISON made us aware of intelligence that a number of problematic persons including someone banned by the Chorley Pubwatch for violence had been attending the premises. Less than a week later FREGUSON removed himself as DPS with immediate effect.

On 27th May 2022 we received an application proposing Lee HOLDEN as the DPS. I attended the premises on 1st June 2022 at approximately 11:55hrs to conduct a 'DPS interview' at the premises with HOLDEN who was not aware of my visit. Upon my arrival I noted that the premises were open however there were no customers present however there were very loud music being played. There was one female member of staff at the time of me visiting, when I spoke with her about Lee HOLDEN she appeared visibly confused and did not know who he was and only knew RACHEL as her boss. I left the premises and spoke with HOLDEN on the telephone where he admitted to me that he had only agreed to be the DPS as "A FAVOUR FOR A MATE" and already worked full time at an unrelated licensed premises and wasn't in control of the Imperial. Given this admission I raised an objection to the application based on the Crime & Disorder and Public Safety Licensing Objectives as I believed HOLDEN was not capable to uphold these objectives.

On 10th June 2022 we received another application to vary the DPS, this time to Philip MARROW. I attended the premises once again on 16th June 2022 at approximately 15:30hrs to carry out a 'DPS interview' upon my arrival I spoke with Christopher TICKLE who advised me that MARROW had not long left, and he was only temporary as TICKLE was just waiting for his vetting to come back before getting his personal licence. MARROW was spoken with on the telephone and claimed to be investing into the premises and the application was not objected to.

On Friday 24th June 2022 at approximately 23:40hrs PC 5046 HOLDER attended the premises and undertook a 'walkthrough' as part of Operation Nightsafe, a policing operation dedicated to minimising alcohol related disorder within Chorley Town Centre

during the Night Time Economy. PC HOLDER had his body worn camera activated for this visit, upon entry there were very loud music being played which drowned out the conversation officers had with female member of staff who presented as bar manager. PC HOLDER noted that there were no door staff present, the DPS was not present and approximately 20-30 persons present. Upon exiting the premises PC HOLDER makes comment along the lines of "IT'S SO LOUD IN THERE".

On Saturday 2nd July 2022 at approximately 00:10hrs, PC 8926 STANWORTH attended the premises and undertook a 'walkthrough' as part of Operation Nightsafe, a policing operation dedicated to minimising alcohol related disorder within Chorley Town Centre. PC STANWORTH had their body worn camera activated during this visit. Whilst stood outside the premises on the foot path loud music could be heard coming from within. PC STANWORTH spoke with Phillip MARROW, who was the DPS at the time of the visit, both had to leave the premises and stand in the foyer to speak with one another due to the loud music. MARROW stated to officers that he was supposed to have door staff on duty, but they didn't turn up. PC STANWORTH noted on her visit that there were approximately 20 persons inside and that there were no obvious issues.

On Saturday 10th July 2022 at approximately 00:03hrs, Lancashire Constabulary received a non-emergency call from staff at the Imperial reporting a problematic customer that had been barred but kept returning to the premises causing problems. The staff member confirmed to the call handler that the premises had no door supervisors. Later that evening at approximately 00:45hrs, PC BOZDOGAN attended the premises and undertook a 'walkthrough' as part of Operation Nightsafe, a policing operation dedicated to minimising alcohol related disorder within Chorley Town Centre during the Night Time Economy with his body worn camera activated. Upon entry PC BOZDOGAN stated to his colleague "WHERE'S DOOR STAFF". Once again there was loud music coming from within the premises. Officers spoke with female member of staff Laura WORTHINGTON who identified herself as the bar manager. Officers had to step outside to speak with WORTHINGTON. WORTHINGTON advised that the DPS was not present but was only 20 mins away, she confirmed to officers that there were no door staff and claimed to be getting some when it gets busy, she went on to state that there are two members of staff on duty including herself and there was no dedicated glass collector. WORTHINGTON advised officers that she had recently found a bag left inside the premises and walked to the police station with it as it had a "MASSIVE BOX OF WEED" and "TESTPSTERONE" inside it. PC BOZDOGAN advised that there were approximately 50 customers inside the premises.

On Saturday 16th July 2022 at approximately 00:45hrs, PC 2456 LILLEY attended the premises and undertook a 'walkthrough' as part of Operation Nightsafe, a policing operation dedicated to minimising alcohol related disorder within Chorley Town Centre. PC LILLEY had her body word camera activated during this visit. The recording made by PC LILLEY starts with her stood with a colleague on FELLERY STREET and very loud music could be heard coming from the Imperial, the recording captures a ground floor window of the premises open. Upon entering the premises PC LILLEY speak with WORTHINGTON and they exit the premises into the foyer area to speak. PC LILLEY said to WORTHINGTON "IT'S A BIT NOISY IN THERE" to which she replied, "I KNOW YOU CAN'T HEAR A FUCKING THING". During this conversation there is a male customer drinking from a pint glass outside the premises who is challenged by WORTHINGTON. WORTHINGTON later confirms that the DPS isn't present and that there weren't any door staff, but they were looking to get them. Upon conducting an inspection of the toilets PC LILLEY is approached by male customer who argues with her about having a warrant. PC LILLEY left the premises after a full inspection and advised that there were approximately 40 persons inside.

On Wednesday 3rd August 2022, Lancashire Constabulary received an online report regarding an assault which occurred at The Imperial on Sunday 31st July 2022 between 1700-1830hrs. The complainant advised that they had been inside the premises when an argument broke out and a fight ensued outside where the complainant had beer thrown over them, punched 3 times and had clothing ripped. This was recorded under the incident reference LC-20220803-0594

On Saturday 6th August 2022 at approximately 00:25hrs, Lancashire Constabulary received a 999-call reporting an incident of assault within the premises. The complainant goes on to name and individual who has been banned by Chorley Pubwatch & goes on to say that this individual was the temporary "Bouncer" at the premises but didn't hold an SIA badge. The complainant stated that this they had entered the premises and was ordered out by the individual and that they were then assaulted by them resulting in false nails being pulled off. The complainant was spoken with at a later time where they refused to co-operate with police any further and advised that it was more trouble than it was worth. This was recorded under the incident reference LC-20220806-0033

On Friday 19th August 2022 at approximately 00:28hrs, Lancashire Constabulary received a 999-call reporting a group of approximately 15 people fighting outside the Imperial, the complainant advised the call handler that it had all started inside the premises before spilling out on to the street. No report was received by the premises, CCTV operators employed by Chorley Borough Council initially that there was nothing on-going outside the premises and the report was closed. Operators received footage and later updated the report that a scuffle had taken place. This was recorded under the incident reference LC-20220819-0035

On Thursday 1st September 2022 at approximately 23:07hrs, Lancashire Constabulary received a report from CCTV operators employed by Chorley Borough Council of a fight on-going outside the premises. PC 6650 ASHDOWN & PC 2418 HIGHAM arrived outside, and a female approached them stated that "SOME LAD STOLE SOME MONEY OFF TWO GIRLS AND KICKED THE SHIT OUT OF THEM OUT HERE & THAT SHE'S NOW GOING HELL FOR LEATHER AT HIM BACK INSIDE AND WERE TOLD THAT THE POLICE WERE HERE AND THEY'VE STOPPED ARGUING". A male then leaves the premises with a glass in hand and approaches PC

ASHDOWN and says twice "YOU NEED TO GO IN THERE, IT'S ALL KICKING OFF IN THERE". As she arrived in the premises there was a blonde female with a bleeding injury to her lip and was shouting at several of the customers. Officers asked the female to come outside to speak with them which she refuses and makes comments along the lines of "WELL YOU BETTER ARREST ME THEN" before becoming violent with officers causing them to restrain her on the floor. During this PC ASHDOWN and HIGHAM are assaulted by the female before she is placed in handcuffs. Whilst restrained on the floor the female remains non-compliant with officers requiring a 3rd officer to attend. Following information from CCTV operators' officers re-enter the Imperial and arrest a male, prior to the arrest staff appear to be directing officers away from the premises by claiming that those responsible had already left. The CCTV footage of this incident shows several people leaving the Imperial before remonstrating in the street. One of the males from the premises then runs up to another male and begins punching him before pushing a female to the floor and punching her when she gets up. A 2nd fight then erupts between two female and a male at the side of the premises, which see approximately 10 persons involved. After a moment of calm a 3rd fight then breaks about between one of the males and females resulting in the female knocked to the floor for a 2nd time. The group then return to the front of the Imperial where several persons are stood drinking from open glass containers, at this point a 4th fight breaks out resulting in a male and female entering the premises whilst fighting, further people are then seen to leave the premises and stand outside with open glass containers. One male then runs out of the Imperial and chases a male across the FLAT IRON car park towards CLEVELAND STREET. Shortly after this, most of those involved re-enter the Imperial just as police arrive. This incident saw two police officers assaulting whilst carrying out their duty, a further investigation for Actual Bodily Harm & Affray have also been recorded under incident log LC-20220901-1504

On Sunday 4th September 2022 at approximately 02:26hrs, Lancashire Constabulary received a 999 call with some reporting their daughter had been assaulted at the Imperial. CCTV footage from Chorley Borough Council owned cameras showed two females staggering out of the Imperial with a male and appears to show one of the females remonstrating with a group of people outside before being taken across the road to a vehicle parked on the FLAT IRON car park. Shortly after this a 3rd female leaves the Imperial and approaches the other two females before a fight begins on the car park resulting in one female being dragged to the floor by their hair. Separately to this two males leave the imperial with one struggling to walk unassisted whilst the females continue to argue with one another on the car park. One of the females is then forcibly taken to the floor and restrained on the ground in the car park. This was recorded under incident reference LC-20220904-0190

On 8th September 2022, Lancashire Constabulary received a report from one of the staff members at the Imperial which occurred the night before. The complainant advised that they had been in the premises as a customer when they were approached by 2 females that had previously been banned who then grabbed their hair and pulled them to the floor before leaving. This was recorded under incident reference LC-20220908-0691

Since applying for the review on 9th September 2022 I have had telephone conversations with Christopher TICKLE and his bar manager regarding recent incidents, both took quite a dismissive approach to the situation and expressed an attitude that it hasn't happened in the bar as such it wasn't their problem.

The Imperial has seen questionable management since re-opening, it has had ample time to take positive steps to tackle issues such as employing SIA registered door supervisors and has failed to prevent any detrimental affect to the Licensing Objectives.

On behalf of Lancashire Constabulary, I respectfully request the Licensing Sub-Committee take what they feel is the most appropriate action against the premises licence.



PC 6884 Stephen Connolly

SC08/8

PREMISES DETAIL SHEET

IMPERIAL

Printed: 14/09/2022

Premises Type:	PUBLIC HOUSE	Licence Type:	Premise Licence
Registering Authority:	Chorley	Premises Status:	Live
Owner:		Sales	ON
PremLH:	TRUST INNS LTD		
Address:	59 UNION STREET	Main Phone:	
	CHORLEY	Alt Phone:	
	LANCASHIRE	Email:	
	PR7 1AB	Fax:	

Person Links:

ID: 22320
 Name: BRYN HAYES
 Premises Person Type: Area Manager

Regulated Entertainment:

Performance of Dance, Disco, Films, Karaoke, Live Music, Misc, Recorded Music, Sporting Event

	Alcohol			Non-Alcohol		
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Conditions:

Prevention of Crime and Disorder:

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On Thursday 1st September 2022 at approximately 23:07hrs, Lancashire Constabulary received a report from CCTV operators employed by Chorley Borough Council of a fight on-going outside the premises. PC 6650 ASHDOWN & PC 2418 HIGHAM arrived outside, and a female approached them stated that "SOME LAD STOLE SOME MONEY OFF TWO GIRLS AND KICKED THE SHIT OUT OF THEM OUT HERE & THAT SHE'S NOW GOING HELL FOR LEATHER AT HIM BACK INSIDE AND WERE TOLD THAT THE POLICE WERE HERE AND THEY'VE STOPPED ARGUING". A male then leaves the premises with a glass in hand and approaches PC

ASHDOWN and says twice "YOU NEED TO GO IN THERE, IT'S ALL KICKING OFF IN THERE". As she arrived in the premises there was a blonde female with a bleeding injury to her lip and was shouting at several of the customers. Officers asked the female to come outside to speak with them which she refuses and makes comments along the lines of "WELL YOU BETTER ARREST ME THEN" before becoming violent with officers causing them to restrain her on the floor. During this PC ASHDOWN and HIGHAM are assaulted by the female before she is placed in handcuffs. Whilst restrained on the floor the female remains non-compliant with officers requiring a 3rd officer to attend. Following information from CCTV operators' officers re-enter the Imperial and arrest a male, prior to the arrest staff appear to be directing officers away from the premises by claiming that those responsible had already left. The CCTV footage of this incident shows several people leaving the Imperial before remonstrating in the street. One of the males from the premises then runs up to another male and begins punching him before pushing a female to the floor and punching her when she gets up. A 2nd fight then erupts between two female and a male at the side of the premises, which see approximately 10 persons involved. After a moment of calm a 3rd fight then breaks about between one of the males and females resulting in the female knocked to the floor for a 2nd time. The group then return to the front of the Imperial where several persons are stood drinking from open glass containers, at this point a 4th fight breaks out resulting in a male and female entering the premises whilst fighting, further people are then seen to leave the premises and stand outside with open glass containers. One male then runs out of the Imperial and chases a male across the FLAT IRON car park towards CLEVELAND STREET. Shortly after this, most of those involved re-enter the Imperial just as police arrive. This incident saw two police officers assaulting whilst carrying out their duty, a further investigation for Actual Bodily Harm & Affray have also been recorded under incident log LC-20220901-1504

On Sunday 4th September 2022 at approximately 02:26hrs, Lancashire Constabulary received a 999 call with some reporting their daughter had been assaulted at the Imperial. CCTV footage from Chorley Borough Council owned cameras showed two females staggering out of the Imperial with a male and appears to show one of the females remonstrating with a group of people outside before being taken across the road to a vehicle parked on the FLAT IRON car park. Shortly after this a 3rd female leaves the Imperial and approaches the other two females before a fight begins on the car park resulting in one female being dragged to the floor by their hair. Separately to this two males leave the imperial with one struggling to walk unassisted whilst the females continue to argue with one another on the car park. One of the females is then forcibly taken to the floor and restrained on the ground in the car park. This was recorded under incident reference LC-20220904-0190

On 8th September 2022, Lancashire Constabulary received a report from one of the staff members at the Imperial which occurred the night before. The complainant advised that they had been in the premises as a customer when they were approached by 2 females that had previously been banned who then grabbed their hair and pulled them to the floor before leaving. This was recorded under incident reference LC-20220908-0691

Since applying for the review on 9th September 2022 I have had telephone conversations with Christopher TICKLE and his bar manager regarding recent incidents, both took quite a dismissive approach to the situation and expressed an attitude that it hasn't happened in the bar as such it wasn't their problem.

The Imperial has seen questionable management since re-opening, it has had ample time to take positive steps to tackle issues such as employing SIA registered door supervisors and has failed to prevent any detrimental affect to the Licensing Objectives.

On behalf of Lancashire Constabulary, I respectfully request the Licensing Sub-Committee take what they feel is the most appropriate action against the premises licence.



PC 6884 Stephen Connolly