

**Statutory Form For Applying For A Summary Licence Review Annex B**

To Chorley Borough Council Licensing Dept

**Application for the review of a premises licence under section 53A of the Licensing Act 2003  
(premises associated with serious crime or disorder)**

**1. Premises Details:**

PLA0289  
BRETHERTON ARMS,  
252 EAVES LANE  
CHORLEY  
LANCASHIRE  
PR60ET

**2. Premises licence details**

Name of Premises Licence Holder NICHOLAS YATES  
Number of Premises Licence Holder

**3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:**

I confirm that a certificate has been given by a senior member of the police force for the police area above that in their opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application

**3. Details of association of the above premises with serious crime and serious disorder**

The Bretherton Arms is a public house situated on Eaves Lane, Chorley.

The Premises Licence Holder is Nicholas Yates who has held this licence since July 2019

The Designated Premises Supervisor is Nicola Steele who has been in post since 24<sup>th</sup> September 2020 when she was appointed following a summary review of the premises licence.

It is licenced for the sale of alcohol by retail as follows

Monday to Thursday 1100 – Midnight

Friday and Saturday 1100 - 0030

Sunday Midday to Midnight

It has opening hours as follows

Monday to Thursday 1100 – 0100

Friday to Saturday 1100 – 0200

Sunday Midday to 0100

As a result of a summary review completed on the 13<sup>th</sup> October 2020 the following modified conditions (and others) were placed on the licence following the review.

1. Reduction of hours for sale of alcohol by retail to 0030 from 0100
2. At least 2 SIA door staff on Friday and Saturday from 2200 until the premises were clear of customers or 0100 hrs (whichever is the later)

The 2020 summary review was brought by Lancashire Constabulary in relation to the operation of the open rear yard of the Bretherton Arms and an incident of serious violent crime where an assault victim had lost an eye.

The premises has an open rear yard that is used as a combination car park, smoking area and beer garden with a number of picnic type wooden bench / tables provided for customers. Following the COVID staged reopening on 12th April 2021, this area has been used to provide seated table service to customers.

Since the last review application there were no further incidents notified to police at the Bretherton Arms until Saturday 17<sup>th</sup> April 2021. The venue has largely been closed during this period due to Covid restrictions.

On that date there were two logs received by police

LC-20210417-1205 5.36 pm 17<sup>th</sup> April 2021 - A report from North West Ambulance Service of a male being assaulted at the Bretherton Arms  
and

LC-20210417-1448 7.29 pm 17<sup>th</sup> April 2021 - A report from a member of the public that there were too many people in the outside courtyard area with no social distancing.

At 4.10pm There was also a phone call between PS Richard Horton, the Police Licensing Officer for South Lancashire and Nathan Howson the Licensing Manager for Chorley Borough Council. Mr. Howson had attended the venue and noted that there was a male there who was drunk to the point of incapability and that he had advised the DPS to get him to leave the venue due to his state of intoxication.

Police attended both incidents.

The first log, an assault, which took place by the side of the pub was on the drunk customer identified by Mr. Howson and was committed by another customer. At first the information on the assault victim from hospital was that he was very drunk but not seriously hurt. Later in the day, police learned from hospital that the injuries were serious and included skull fractures and bleeding on the brain. A CID led investigation is in place and a suspect has been identified. It is believed that the injuries were caused by a single punch causing the victim to fall and crack his head on the pavement. The police investigation is not yet complete. The partner of the DPS has provided a statement to police.

When police attended on the second log, they were accompanied by PS 777 Horton, the Police Licensing Officer for South Lancashire. At that point the earlier assault was still believed to be minor in nature and although PS Horton was considering applying for a review of the licence, a summary review did not appear to be justified. PS Horton spoke with the DPS and she agreed to voluntarily close the Bretherton Arms for the rest of the night. In further conversation with the DPS she admitted to PS Horton that door staff had not been present on the previous evening at the Bretherton and she had only just started to try and get SIA door staff for the current evening as none had been booked in advance.

CCTV has been downloaded showing the minutes leading up to the assault. It clearly shows the victim. He is largely stood up as are many others in the area. He is clearly unsteady on his feet and

appears drunk. He is with a table of friends. There is evidence that he had been drinking heavily all day, having shots with every pint.

His assailant is part of a group that was sitting and largely standing at a nearby table. Due to their behaviour they are asked to leave by the DPS and her partner. In the process, her partner is assaulted by one of the group. The victim follows them out of the rear garden and is assaulted on the street immediately next to the venue.

The expedited summary review is sought because the incident involves serious violent crime.

The grounds for review are as follows

**Prevention of Crime and Disorder**

The operation of the rear yard of The Bretherton is a known flashpoint that has been the cause of a recent Summary Review. The CCTV shows that it was not being well managed

The DPS admits that despite there being a condition to use SIA doorstaff on Friday and Saturday nights, no door staff were employed on Friday night and none had been booked for Saturday night.

**Public Safety**

Despite a specific request from the council Licensing Manager that a customer was too drunk to be served, the same customer was still present over an hour later and ended up being the victim of a serious assault. This reflects badly on the management at the venue in terms of protecting those who are vulnerable due to alcohol consumption.

Signature of Applicant

A handwritten signature in black ink, appearing to be 'PS 777', written over a horizontal line.

Date 19/04/2021

Capacity Police Licensing Sgt, South Division, Lancashire Constabulary

Contact details for matters concerning this application :

Address Preston Police Station, Lancaster Rd North, Preston PR12SA

Telephone number 01772 209794

Email 777@lancashire.police.uk



CERTIFICATE UNDER SECTION 53A(1)(B) OF THE LICENSING ACT 2003

I hereby certify that in my opinion the premises described below are associated with serious crime.

Premises

BRETHERTON ARMS,

252 EAVES LANE,

CHORLEY

PR60ET

Premises Licence Number PLA0289

Designated Premises Supervisor Nicola STEELE

I am a Superintendent in the Lancashire Police Force

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act 2003 are inappropriate in this case because the degree of seriousness of the crime and disorder is not suitable for the timescale of a standard review and the premises has a recent history of lack of compliance with interventions by Police Licensing and Chorley Borough Council Licensing and breach of licence conditions imposed by a previous recent summary review.

Signed

 Supt. 3246 KHAN

