

Appendix 3

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Police Sergeant 2700 John Richard Lovick

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Fab Bar and Bistro, 30 - 32 Market Street, Chorley	
Post town Chorley	Post code (if known) PR7 2 SE

Name of premises licence holder or club holding club premises certificate (if known) Fabulous Entertainments Limited.

Number of premises licence or club premises certificate (if known) PLA 0489

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
 - a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr

Mrs

Miss

Ms

Other title

(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Lancashire Constabulary South Licensing Team Leyland Police Station Lancastergate Leyland PR 25 2EX
Telephone number (if any) 07970 508 111
E-mail address (optional) southlicensing@lancashire.police.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

This application for the review of a premises licence is being submitted by Lancashire Constabulary, a responsible authority.

The Constabulary believes that the Premises are undermining the Licensing Objectives of the Prevention of Crime & Disorder and public safety.

Please provide as much information as possible to support the application
(please read guidance note 2)

On 30th June 2023 Karl Chadwick became the Designated Premises Supervisor of Fab Bar and Bistro.

There were no reported issues of concern and the premises traded safely until 23rd December 2023, whereupon, a single male was assaulted in an unprovoked attack in the toilets. He was punched and headbutted by two still unidentified males. The injuries were consistent with a S. 47 Assault - Actual Bodily Harm.

On Friday 19th February 2024, just prior to midnight, two female patrons became involved in a fight with one another inside the premises. A melee occurs involving other patrons and this spills out onto the street. Chorley CCTV reported the disturbance and Police attended. One female is arrested at scene.

At 03:30hrs on Saturday 16 March 2024 a small snap bag of cocaine was booked into Police property stores. This was handed to Police from Fab bar.

On Saturday 16th March 2024 at 23:45hrs Officers on Nightsafe conducted a walkthrough of Fab Bar and noted a high number of people who appeared under the influence of drugs. A group of males were seen to be sniffing white powder off a key in the male toilets. One small bag of white powder was found in the communal toilet area. Several S. 23 Misuse of Drugs Act searches conducted, all proved negative.

29th March 2024 - Doorstaff Incident report "male ejected and removed for being passed out, first aid given". Place of incident given as "bar"

29th March 2024 - 22:00hrs Doorstaff Incident report "male ejected for being rowdy and arguing with customers"

29th March 2024 - 23:30hrs Doorstaff Incident report "male ejected for using illegal substances" Place of incident given as "toilets"

30th March 2024 - 23:20hrs Doorstaff Incident report "male ejected for having an altercation with another male. Place of incident given as "dancefloor"

On 9th April 2024 an Application to vary the opening hours until 04:00hrs was received from Fab Bar. This being only on Friday and Saturday nights.

On 13th April 2024 - 23:00hrs Doorstaff Incident Report "male ejected for being too intoxicated" Place of incident given as "bar"

On 13th April 2024 - 23:20 Doorstaff Incident Report "two males ejected for being too intoxicated" Place of incident given as "seating area"

On 15th April 2024 a meeting was conducted at Fab Bar between the Police, Chorley Borough Council Licensing Enforcement and the DPS. The discussion was regarding the Application to vary the hours until 04:00hrs on a Friday and Saturday. Doorstaff numbers were agreed and a last entry policy at 02:00hrs. A further discussion took place with the DPS regarding the appropriateness of a boxing machine and the importance of ensuring banned individuals on Pubwatch are prohibited entry. The DPS stated that he would remove the boxing machine and agreed to prohibit entry to banned individuals.

On 19th April 2024 at 21:10hrs PS 2700 Lovick conducted a licensing visit at Fab Bar and spoke again about the Boxing Machine. The DPS stated that it will be gone "next

Wednesday" The Licensing Sergeant spoke at length with two SIA doorstaff. Both were informed about the importance of not permitting drunks or potentially disruptive patrons into the venue. Additionally to be extra vigilant of patrons after 02:00hrs. The Licensing Sergeant was informed that they had town centre radio and were working on access to Schemelink to assist in identifying banned individuals and thus refusing them entry.

At 23:32hrs on Saturday 27th April 2024 a female rang 999 in hysterics. Patrols attended Fab Bar to discover a highly intoxicated female being lawfully ejected. The female was taken home by Police.

On 9th July 2024 at 22:25hrs a bag of white substance was booked into Police Property stores. This was handed in from Fab Bar.

On 14th June 2024 - 00:15hrs Doorstaff Incident Report "Group of males started fighting. Bouncers intervened and ejected parties involved" Place of Incident given as "bar"

On 19th June 2024 a letter was emailed and posted to the DPS revoking Fab Bar & Bistro's Pub Watch membership. This decision and subsequent action was taken by the Committee of Chorley Pubwatch with no Police consultation or involvement.

On Thursday 20th June 2024, this being the Denmark v England Euro Match, at 19:30hrs Police Officers attended Fab Bar on a reassurance visit to find approximately 100 patrons inside, no doorstaff and no incidents.

Later that same night at 22:15hrs Police Officers had to deal with approximately 40 persons outside the premises spilling onto the pavements and drinking with glasses and bottles. Staff were not very visible and no doorstaff were present. The Officers reported another 50 patrons inside with the music being very loud which could be heard from distance /several streets away.

Accordingly the DPS took the decision to shut the premises after ejecting patrons "for his safety and that of his staff"

Police dispersed the ejected patrons and one young male, who appeared extremely intoxicated and / or possibly suffering from the affects of illegal substances had to be escorted to the taxi rank and placed in the care of his friends.

Due to this incident on Friday 21st June at 19:15hrs the Licensing Sergeant attended Fab Bar in order to de brief the incident.

The DPS stated that he was "over capacity and lost control, adding that he freely cleared and shut the premises for the safety of himself and the staff" The DPS acknowledges that one named individual was inside the venue whom he knew was subject to a Pubwatch Ban. The CCTV was checked and found to be 7 (seven) hours out.

Ultimately the Licensing Sergeant gave advice to the DPS Karl Chadwick regarding allowing banned individuals into the premises and the ramifications of Police action should a serious incident transpire at the venue. A further meeting date was set for Friday 28th June 2024 which would also be attended by Chorley Borough Council Licensing Enforcement.

That same Friday night at 22:30hrs a Doorstaff Incident report states: " a young kid and another guy started fighting inside. Doorstaff intervened. They left the Venue" The place of incident was given as "inside"

On Saturday 22nd June 2024 Fab Bar was open and trading whereupon at approximately 03:00hrs early Sunday morning, whilst the premises was busy a significant disturbance took place inside the venue. A large public order incident took place with multiple males fighting. A female can clearly be seen picking a glass up and causing injury to another male with it. The fight spilled out upon the street and carried on outside the venue. (Premises CCTV & Council CCTV available) Fab Bar CCTV of the incident was found to be approximately 17 (seventeen) hours out

Police were not called and no reports have been made apart from the Doorstaff Incident report on the night. This stated "Group of males started fighting, door team got involved and fight dispersed out of the venue. Welfare given to people who needed it" The place of incident was given as "bar"

On Friday 28th June 2024 Police and Council Licensing Enforcement had a meeting with the DPS at Fab Bar. A lengthy discussion took place regarding the incident and the running of the Premises. During the conversation the DPS stated that he had borrowed £4000 from an individual in order to keep the Premises running. The vein of that particular conversation was that the individual who had lent him the money was involved in nefarious activities.

On Thursday 4th July 2024 at 22:06hrs Police received a call that two unknown hooded males on push bikes had just cycled past Fab Bar and made Threats to kill the informant. An investigation is ongoing.

On Friday 12th July 2024 at 23:05hrs Police Licensing attended Fab Bar to find the front doors shut and internal lights very low. Upon speaking with the DPS and noting there were two new bar staff in the venue, The DPS stated that his doorstaff were not attending due to an outstanding invoice of 3 k (Three thousand pounds) The DPS also reaffirmed that he had borrowed 4 k (four thousand pounds from individuals involved in criminal activity. A further discussion took place regarding the economic viability of the venue, possible introduction of a General Manager and the DPS's mental and physical welfare.

On Saturday 13th July 2024 Trading Standards conducted a Test Purchase Operation using two volunteers aged 14 and 16. When inside Fab Bar, they were challenged by staff for ID and no sale was made. This was recorded as a Pass.

On Sunday 14th July 2024 the Euro 24 Final took place between England and Spain. No doorstaff were present at Fab Bar with the DPS taking up position on the door.

By 22:40hrs that evening at least 60 patrons were inside who were very vocal and unruly. Even though the game had finished the music was loud and patrons were clearly heavily in drink with some who appeared to be suffering from consuming illegal substances.

Upon enquiring what the plan was to de-escalate the situation, The DPS took the decision to stop serving and clear and close the venue. Further patrols were requested and in total seven uniformed Police Officers were required to support staff in clearing the venue safely. A minor scuffle took place outside between a group of females, but this was quickly dealt with.

On Friday 19th July 2024 the Licensing Sergeant and the Licensing Enforcement Officer from Chorley Borough Council attended Fab Bar and a lengthy debrief took place regarding the Euro Final night. The DPS admitted losing control of the door and closed the premises for the safety of himself and his staff. The DPS added that he took the decision to close. The Licence conditions were gone through with the DPS

acknowledging that he was au fait with them. Several breaches were identified and a S. 19 Closure Notice was issued for Unauthorised Licensable Activity.

In the early hours of Saturday 27th July 2024 a young male was walked away from Fab Bar due to being heavily under the influence of either drink or illicit substances.

At 02:22hrs that same morning Police received a report of 4 males and 2 females fighting. The Police Comms operator states "lots of screaming and shouting can be heard in the background" Uniformed Officers attended the location the majority of Offenders had made off. Upon speaking with Fab Bar Doorstaff, they confirmed that there had been a public order incident. An intoxicated male who was involved was detained and led away by Police.

Shortly after this incident a disturbance took place inside Fab Bar, upon entering, Police asked for "more patrols - Fab In Chorley" A violent and intoxicated male was arrested for Drunk and Disorderly / Resist Arrest.

At 03:15hrs again on Saturday morning two very intoxicated males were arrested at Fab Bar. One to Prevent a Breach of the Peace and the other for Sexual Assault X 2 / Section 4A Public Order.

At 01:24hrs on Sunday morning the 28th July an extremely intoxicated female was spotted by town centre CCTV leaving the front area of Fab Bar. She was refused entry at three other licensed premises whereupon she returned to Fab Bar. It is understood she was refused entry and then proceeded to engage in physical attacks on the patrons outside the venue. This continued for some time involving multiple victims. Eventually a member of the Doorstaff approached this drunken and abusive female, and physically threw her onto the floor. and then walked away leaving her lying close to the open road. She was motionless and no aftercare was given. Other members of the public attended to her. No calls to Police are recorded from Fab Bar regarding this incident.

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature *John Lovick*
.....

Date 31/07/2024
.....

Capacity Licensing Officer
.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5) Lancashire Constabulary South Licensing Team Leyland Police Station Lancastergate	
Post town Leyland	Post Code PR 25 2EX
Telephone number (if any) 07970 508 111	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) southlicensing@lancashire.police.uk	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.