



Lancashire Constabulary South Division Review File

Name: Fab Bar and Bistro

Address: 30 – 32 Market Street, Chorley

Licensing Authority: CBC

Licence Number: PLA 0489

1. Summary

Fab Bar and Bistro is situated on Market Street, Chorley. It was formerly the Vaults bar. The venue is licensed over two floors and on a Sunday to Wednesday, the sale by retail of alcohol is until midnight, on a Thursday it's until 02:00hrs and 04:00hrs on a Friday and a Saturday night.

2. History

On 30th June 2023 Karl Chadwick became the Designated Premises Supervisor of Fab Bar and Bistro. Karl Chadwick is also the Premises Licence Holder under the name Fabulous Entertainments Limited.

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 become 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 were 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 were received from Fab Bar. This being only on Friday and Saturday nights.

On 13th April 2024 - 23:00hrs The Doorstaff Incident Report "male ejected for being too intoxicated" Place of incident given a "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 intervned 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 effects 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 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 to keep the Premises running. The vein of that 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. They were challenged by staff 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. It was later confirmed, by Fab Bar CCTV, that this male had been in the venue and was escorted out.

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 and most of the Offenders had already 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 of 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. It was later confirmed by Fab bar CCTV that the intoxicated female had been in

the premises and had been told to leave by Doorstaff due to being confrontational. She was escorted out.

On 31st July 2024 The Licensing Sergeant and the Senior Licensing Enforcement Officer for Chorley Borough Council attended Fab Bar to speak with Karl Chadwick. Again, several premises licence breaches were identified. At the conclusion of the meeting Karl Chadwick was served a S.51 Application for a Review of the Premises Licence.

3. Reason for review

The Premises Licence Holder / Designated Premises Supervisor, Karl Chadwick has clearly lost control of the venue. Inadvertently, what started with “best intentions” has evolved into a safe haven for Organized Criminals.

Crime and disorder has been prevalent at the venue. additionally, the licensing objective in relation to the promotion of Public Safety has not been fulfilled. There has been a dereliction of duty by the Management.

In the given circumstances, despite interventions from the Police and Council Officer’s the venue has become complicit in organised crime and Revocation of the Premises Licence is the only appropriate and proportionate sanction.

4. Legislation, Statutory Guidance & Policy

The following, legislation, Section 182 Statutory Guidance and extracts from the Chorley Borough Council Statement of Licensing Policy supports Lancashire Constabulary in this review:

Unauthorised Licensable Activity, contrary to **Section 136 of the Licensing Act 2003** –

Section 19 of the Criminal Justice and Police Act 2001 outlines powers of closure for Police and Local Authorities for unlicensed premises, this power also includes premises which are licensed but not complying with the conditions. Whilst it allows a closure notice to be issued, the premises itself does not have to close, it is in essence a formal warning and continued unauthorised alcohol sales they may seek a **Closure Order under Section 20 of the Criminal Justice and Police Act 2001**.



Chapter 11 of the Section 182 statutory guidance outlines powers of a Licensing Authority on the determination of a review. Paragraph **11.18** outlines the Responsible Authorities stepped approach in addressing concerns with a Licensed Premises. Below is an example of the stepped approach as published in a Home Office factsheet compiled with the Institute of Licensing titled *A Stepped Approach to Achieving Compliance*

In this case, the Premises have completely failed to self-regulate. The Premises have disregarded dialogue and warnings from Responsible Authorities leading to continued criminal activity. There have been significant incidents of crime and disorder and continual breaches of the Premises Licence.

The Stepped Approach has completely failed on this occasion due to poor management and lack of responsibility; it clearly shows that a review of the Licence is not only necessary but proportionate in addressing the concerns at the premises.

Chorley Borough Council, Statement of Licensing Policy

Management of Licensed Premises 6.14

“The authority undertakes proactive risk-based inspections of all licensed premises to ensure that they are managed properly. Premises that consistently fail inspections may be subject to a licence review or other enforcement action”.

5. Outcome Sought

11.19 of the Section 182 Statutory Guidance outlines the actions which the Licensing Authority can take following a review, these are:

- Do nothing – Lancashire Constabulary does not believe that this is appropriate given the various issues that have been identified at the premises.
- Remove the DPS – Karl Chadwick is the Designated Premise Supervisor and the Premises Licence Holder. It is believed that removal would not have any effect as overall control of the Premises would still be retained.
- Modify – We do not believe that this will be effective. The fundamental problem is the inability of the premises to comply with any licensing conditions and trade safely.
- Suspension for up to 3 months. – We do not believe that this will have any impact as the premises has shown continual problems over a sustained period of time.
- Revocation – Lancashire Constabulary believe that this is the only option to prevent any further negative impact on the Licensing Objectives.

Police Sergeant 2700 John Richard Lovick

Licensing Sergeant

Under the Delegated Authority of the Chief Constable of Lancashire Constabulary