

## Appendix 5

I am Nathan Howson, Principal Licensing Officer- Team Leader, an authorised officer of Chorley Council under the Licensing Act 2003. I make these representations on behalf of the Licensing Authority, acting in the capacity of a responsible authority, following an application for the review of a premises licence made by PS 2700 Lovick on behalf of the Chief Officer of Police of Lancashire Constabulary.

This representation relates to the premises known as Fab Bar and Bistro, 30- 32 Market Street, Chorley, PR7 2SE and is concerned with the following licensing objective being undermined at the premises:

- The Prevention of Crime and Disorder

The premises became the responsibility of Fabulous Entertainments Ltd on 10/05/23. Fabulous Entertainments Ltd has a sole director, Karl Chadwick. The premises did not open to the public, undergoing some renovation work until an application to vary the designated premises supervisor was made on 16/06/23, which specified Karl Chadwick as the DPS. During this period, I provided substantial assistance to Mr Chadwick, assisting with the completion of applications, explaining the terms of the licence and providing resources to assist him with complying with the conditions of the licence.

Shortly after the opening of the premises, I received reports that persons who were associated with the supply of drugs were employed at the premises. These reports were not substantiated.

In September 2023, I attended the premises and identified a number of gaming machines were being made available for use. I informed Mr Chadwick it was an offence to do so without an authorisation. On 02/10/23, a notification of intention to make gaming machines available was received.

I am aware that, on 14/11/23, Chorley Council served a notice on the premises licence holder to furnish written descriptions and/or waste transfer notes relating to the apparent lack of commercial waste provisions at the premises. The premises licence holder failed to respond to this notice and so was issued with a fixed penalty notice for a failure to produce waste documents on 29/11/23. Payment of the fixed penalty notice was not made, and the Council is currently considering further action against the licence holder in relation to this offence.

Following this, the premises did not come to the attention of the Licensing Authority for some time. At some point between February and March 2024, I became aware that the business was struggling financially and that Mr Chadwick was residing at the premises. He told me that he had sold items of his property, including jewellery and his car.

### **Visit 04/04/24- Application to Vary Premises Licence, concerns regarding Pubwatch failures**

On 04/04/24, an application to vary the premises licence was received. This variation sought to extend the permitted hours for the Provision of Recorded Music, the Supply of Late Night Refreshment and the Sale of Alcohol on Friday and Saturday until 0400hrs.

On 15/04/24, PS Lovick and I attended a pre-arranged meeting with Mr Chadwick to discuss the application. During this meeting, PS Lovick asked Mr Chadwick to consider removing the

punch machine he had installed. A long discussion was had regarding the requirement for Mr Chadwick to adhere to the Pubwatch Banning decisions, as he was a member of Chorley Pubwatch. Mr Chadwick confirmed he understood the requirements and stated that "Pubwatch will have my full compliance". Additionally, it was agreed that Mr Chadwick would increase the CCTV provision within the premises to comprehensively cover the interior. Finally, I proposed a number of additional conditions to be imposed on the licence which, in effect, would require:

- Additional door supervisors to be utilised
- No entry to the premises after 0200hrs
- Windows and doors to be maintained closed after 23:00hrs
- No recorded and/or live music in external areas of the premises after 23:00hrs.

Mr Chadwick accepted these conditions.

### **Complaint and Pubwatch Membership Revocation in June 2024**

On 10/06/24, I received a copy of a warning letter sent to Mr Chadwick from the Committee of Chorley Pubwatch. This warning letter set out that the premises was permitting access to persons on the banned list and that Pubwatch membership would be revoked if this continued. A copy of this letter is attached to my representation as Appendix 1.

On 16/06/24, a complaint was received from a resident stating:

*Is anyone at this council going to address the blatant drug use and dealing that is going on in FAB bar?*

*It's right next to the council offices!*

*I'm absolutely disappointed and disgusted that this bar is still trading. It's a blot on Chorleys reputation. Full of drug dealers and users.*

*Shocked life time resident*

The complainant did not respond to a request for further information and so the complaint was closed.

On 19/06/24, I received a copy of further correspondence from the Committee of Chorley Pubwatch which revoked the membership of the premises, following further instances of banned persons being permitted access to the premises. A copy of this correspondence is attached to my representation as Appendix 2 and 3. The persons identified in this correspondence as having been permitted access to Fab Bar were subject to a Pubwatch Ban for:

- inappropriate, violent and sexually harassing behaviour towards women,
- having been observed accepting drugs to take into a premises,
- being abusive and threatening to put the windows of a premises through,
- being caught dealing drugs in a premises toilet, and
- being caught dealing drugs in a premises, respectively.

### **Visit following incident on 23/06/24- CCTV non-compliance, significant disorder, borrowed money from person of concern**

On 28/06/24, I attended the premises with PS Lovick following an incident in the early hours of 23/06/24 in which a male was glassed to the face and associated disorder which subsequently spilled out to the front of the premises. CCTV of this incident shall be made available to the Sub Committee. It was clear that Mr Chadwick had not undertaken a full assessment of this incident and what might be done to prevent a similar incident from occurring in the future. This incident was also not reported to the police.

Whilst reviewing the CCTV from this incident, it became clear that the time/ date settings were significantly incorrect, a breach of Condition 3 of the licence. Mr Chadwick stated this had occurred some time ago but did not offer an explanation as to why he had failed to have it rectified.

During this visit, the incident logbook was reviewed and an entry relating to an incident which occurred on 20/06/24 (the night of the England vs Denmark match) was missing, breaching Condition 6 of the premises licence.

We had a long discussion with Mr Chadwick regarding the concerns we had, including regular reports of drug dealing/ use, failing to adhere to Pubwatch banning and his subsequent removal from the Scheme and the number and nature of incidents which occur at the premises.

Mr Chadwick told us that he had borrowed £4000 from a person called "Scouse Jack" and that he had been repaying this money. He stated he had already repaid the full amount but that he was still being required to pay more. Mr Chadwick was clearly fearful of these people and stated he had been assaulted and had broken ribs. He did not state who had carried out this assault but it was clear from the context that it was associated with this arrangement. We told Mr Chadwick that we were concerned for his safety whilst he continued to operate the premises.

### **Visit on 11/07/24- CCTV non-compliance and sanctioned door staff assaults**

On 11/07/24, I attended the premises again to recover further CCTV. On attempting to recover the footage, I found recordings were only being stored for 2 weeks, rather than the 31 days required by Condition 3. Mr Chadwick told me he was unaware of this and that he would call an engineer. I noted the time was still incorrect, despite this having been raised at our previous meeting.

Mr Chadwick told me that he had been trying to clean up the venue since our last visit. He told me he knew there were "real gangsters" in the premises. He told me he had employed a new door supervisor who was "huge" and that they were now "putting someone's head through the wall" when they found someone with drugs in the toilets. He told me "not to tell John [PS Lovick] this". I advised against this practice. He told me they had seized a large quantity of drugs off a person and that they'd been handed in to the Police.

Mr Chadwick told me there was a targeted hate campaign against him and that he'd received a death threat and been called a "nonce". I responded that I was aware of some social media posts which had been made about the premises which seemed to refer more to the business practices rather than a hate campaign but I advised him that he must report incidents of this nature to the Police where they would be taken seriously. I told Mr Chadwick I continued to be concerned for his welfare, both regarding the people he associated with and his own personal health.

At some point in early July, I was told by a third party that a person who cleaned at Fab Bar had been paid in “bags of coke and bottles of wine”. This allegation was not substantiated.

### **Visit on 19/07/24- Substantial non-compliance and service of Section 19 Closure Notice**

On 19/07/24, PS Lovick and I conducted another pre-arranged visit to the premises. This was following a further incident on 14/07/24, the night of the Euro final. Mr Chadwick stated that he had lost control of the premises and closed early, following Police advice. He had not sought the services of door supervisors. During this visit, the following Conditions of the licence were found to be being breached:

*Condition 1- Karl was unable to produce any training records. He stated that his staff had been trained using the Check 25 elearning and that he would email the certificates to me. He stated there was currently himself, [REDACTED] [Staff Member 1], [REDACTED] [Staff Member 2] and [REDACTED] [Staff Member 3] working at the premises and he was in the process of recruiting another. It was noted that Staff Member 2 is a person who is subject to a 2-year Pubwatch Ban for inappropriate, violent and sexually harassing behaviour towards women.*

*Condition 2- Karl was no longer a member of Pubwatch as a result of failing to abide by the banned persons list. He had failed to access the database for a long period before this.*

*Condition 3- CCTV was still only recording for a period of 2 weeks and the time was still incorrect, despite having been warned about this on two occasions prior.*

*Condition 6- The most recent incident log was 07/07/24, despite having closed the venue early because he had lost control. Previously informed Karl of his failure to maintain logs when door staff were not on duty (as they were the ones filling in the records) but he had again failed to make a record.*

*Condition 9- Karl was unable to produce a written drugs policy. There were some posters around and he stated he did checks of the toilets but no documentation was available as to what measures his staff should be taking to deter and detect drug use.*

*Condition 11- No written records of any noise assessments conducted or available.*

*Condition 12- No written dispersal policy was available nor did Karl state one existed.*

*Condition 18- No written policy was available. Karl stated there were posters which stated Check 25 but no policy document was available.*

*Condition 19- No staff training records were available. Again, Karl stated he would email certificates to me.*

To date, no information has been sent by email by Mr Chadwick.

During this visit and due to the lack of compliance with the conditions of the premises licence, PS Lovick served a Section 19 Closure Notice under the Criminal Justice and Police Act 2001. Mr Chadwick was informed that, in the opinion of both Police and Licensing, any further incidents at the premises would likely result in an application for the review of the premises licence being made.

## **Further Incidents in July 2024**

I became aware of an incident which occurred in the early hours of 27/07/24. As a result, I recovered CCTV which shows just prior to 0200hrs, a male leaves the premises, supported by a number of other males. The initial male is clearly in an extremely impaired condition, being unable to walk unassisted. After a short time, he is seen to be assisted down High Street and subsequently into a taxi. Following this, and at 0240hrs, Police attend the premises and a different male is walked away from the premises, apparently having been involved in an incident. Immediately after this, another male is seen to exit the premises at speed before being taken to the floor by Police and arrested. This CCTV will be made available to the Sub Committee.

I became aware of an incident which occurred in the early hours of 28/07/24, where a female had been drinking heavily at the premises. She is seen exiting the premises and becoming involved in an altercation where she kicks another female to the head. She then attends three other venues within the Town Centre where she is refused entry, after being truculent with door staff. She returns to Fab Bar and becomes involved in numerous altercations with multiple different victims. Door staff fail to intervene in any meaningful way throughout these incidents, instead preferring to leave patrons to the premises to become involved. When a member of door staff does become involved, he throws the female heavily to floor close to the centre of the road and leaves her there, without any concern for her safety being shown at all. Cars are seen to drive past this female as she remains with her head in the road. This CCTV will be made available to the Sub Committee.

## **Visit on 31/07/24- continued non-compliance and Service of Review Application**

On 31/07/24, PS Lovick and I again attended a pre-arranged visit with Mr Chadwick and the following breaches of the conditions of the licence were identified:

*Condition 1- Training records provided for [Staff Member 1] and another member of staff who no longer worked at the premises. These records related to when the premises first opened. No refresher training for [Staff Member 1] at either 6 or 12 months as required by the condition. No training records for [Staff Member 2] or [3] at all.*

*Condition 2- Still no real progress towards becoming involved with Pubwatch.*

*Condition 3- Time/ date now rectified on CCTV system. Still only records for approx. 2 weeks rather than 31 days as required.*

*Condition 8- Unable to provide any risk assessments for door supervisors. Specifically, Euro final- "didn't think I'd be busy, I've learned my lesson on that". No real response to how conducting a risk assessment would have made clear he would require door supervisors, or to how Police essentially had to act as his door supervisors on that night.*

*Condition 9- showed some information on a website. Intention is to train staff on those documents in the future but no progress on training since previous visit.*

*Condition 11- No written records of any noise assessments conducted or available, despite having been written to by Environmental Health regarding noise complaints.*

*Condition 12- No written dispersal policy available or written.*

*Condition 19- Staff training not up to date.*

Following this, Mr Chadwick was served with an application for the review of a premises licence.

## Summary and Recommendation

Mr Chadwick has, on multiple occasions, admitted to having lost control of the premises and, at best, has been naïve in considering when to make use of door supervisors. Despite having received multiple visits, support and ultimately, warnings, there continues to be substantial non-compliance with the conditions of the premises licence which can be seen to have an effect on how the premises runs. Poor standards, drug use and violence are endemic at the premises and the DPS is associated with a person who appears to be involved in organised crime, having himself stated that he knows there are “real gangsters” using the premises.

The Sub Committee must take such steps as are appropriate for the promotion of the licensing objectives. As there is substantial non-compliance with the conditions of the existing licence, it is unclear how modifying the conditions of the licence would promote the objectives. Likewise, it is unclear how excluding an activity might promote the objectives.

The designated premises supervisor is also the sole director of the company which holds the premises licence. Simply removing the DPS would not, in my view, bring about any improvement at the premises for this reason.

The Sub Committee may suspend the licence for a period of up to 3 months. This may give the premises licence holder time to carry out certain works or bring about improvements. Due to the serial non-compliance at the premises, I have no confidence that a suspension would bring about any improvement.

Section 11.27 and 11.28 of the Section 182 Guidance states:

*There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:*

- *for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;*
- *for the sale and distribution of illegal firearms;*
- *for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;*
- *for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;*
- *for prostitution or the sale of unlawful pornography;*
- *by organised groups of paedophiles to groom children;*
- *as the base for the organisation of criminal activity, particularly by gangs;*
- *for the organisation of racist activity or the promotion of racist attacks;*
- *for employing a person who is disqualified from that work by reason of their immigration status in the UK;*
- *for unlawful gambling; and*
- *for the sale or storage of smuggled tobacco and alcohol.*

*It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.*

I would therefore invite the Sub Committee to revoke the licence.

Fab Bar & Bistro  
30-32 Market Street  
Chorley  
PR7 2RX



For the attention of the Designated Premises Supervisor,

It has come to the committee's attention that over the past few weeks/months, offenders that are listed on the Pub Watch banned persons database are repeatedly being allowed to access your premises.

As an active participant of the Pub Watch scheme and a schemelink account holder, you are no doubt aware of the banned individuals and have access to the banned persons database to identify these individuals. As DPS, in your absence, a nominated person should have a staff account to access schemelink to allow them to ensure banned individuals are kept out of your venue.

It is imperative that all Pub Watch participating venues uphold the constitution and ensure offenders aren't allowed to access town centre venues. As a group this is one of the methods we use to uphold the four licensing objectives and keep our venues, and Chorley, safe.

Pub Watch membership is contingent on venues following the rules and upholding the constitution. If offenders from the banned persons database are continuously found to be accessing your venue going forward, then as a committee we will have no other option but to review and potentially revoke your Pub Watch membership and inform police and council licensing authorities of the committee's decision. This includes revoked access to schemelink, the Pub Watch WhatsApp chats and monthly meetings.

If there is anything we can do as a committee to help you in regards to schemelink, good practice or operating standards then please get in contact with one of the committee.

Many thanks,

Pub Watch Committee

**Chorley**  
Council



**Nathan Howson**

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**From:** Pubwatch Chorley <contact@pubwatch-chorley.co.uk>  
**Sent:** 19 June 2024 22:53  
**To:** Nathan Howson  
**Subject:** Re: Pub Watch  
**Attachments:** FAB REVOCATION.pdf; FAB WARNING.pdf

Good Evening Nathan,

Please find attached a copy of the letter emailed and posted to Karl Chadwick tonight (19/06/2024), revoking Fab Bar & Bistro's Pub Watch membership.

The committee has come to this difficult decision following weeks of the Pub Watch constitution being undermined from the DPS Karl Chadwick.

The committee made contact with Karl on 10th June, as you were previously made aware of, detailing our concerns and also the potential repercussions if the identified problems continued to occur. Help was offered by the committee should he have needed it to work towards a more positive outcome but no contact was made by Karl to any of the committee members.

No representative from Fab attended the last two meetings on 1st May & 5th June and the last login by any member of the Fab staff is 16th May 2024, meaning no one at the venue is up to date or aware of any of the newly banned offenders.

Over the weekend of the 14th/15th June, four days after receiving the initial letter, and tonight 19th June the following offenders were identified visiting and drinking in his premises.

- [REDACTED]  
- [REDACTED]  
- [REDACTED]  
- [REDACTED]  
- [REDACTED]

As a committee we pass on our concerns to yourself. Whilst these dangerous and difficult customers are allowed to frequent his venue the likelihood of The Prevention of Crime and Disorder licensing objective being undermined is very high and it's only a matter of time until an incident occurs.

Fab Bar is a busy late night venue with a recently granted 4am licence. For this venue not to be an active member of Pub Watch, follow the constitution and keep these dangerous and banned individuals out of their venue only puts customers, staff and other venues at risk of becoming a victim of crime & disorder.

Pub Watch only works when everyone works together in the same direction to keep Chorley a safe place.

Thank you for your continued support.

Kind Regards,

The Committee  
Chorley Pub Watch



Fab Bar & Bistro  
30-32 Market Street  
Chorley  
PR7 2RX



For the attention of the Designated Premises Supervisor,

Following our letter (please see attached) from the committee issued by email on 10<sup>th</sup> June 2024 we have decided to revoke your Pub Watch membership.

As of 19<sup>th</sup> June 2024, your schemelink account has been suspended, you have been removed from the Pub Watch WhatsApp group chat and are no longer welcome to attend monthly Pub Watch meetings.

After we detailed our concerns in the letter previously issued that you were knowingly allowing banned offenders to visit and drink in your premises, this has continued over the weekend of 14<sup>th</sup>/15<sup>th</sup> June and tonight on the 19<sup>th</sup> June, repeatedly undermining the Pub Watch constitution and working against the purpose of both ours and all Pub Watch schemes.

As you were an active participant of the Pub Watch scheme and a schemelink account holder, you were no doubt aware of the banned individuals and had access to the banned persons database to identify these individuals. Despite this, banned individuals have still be identified visiting your premises.

It is imperative that all Pub Watch participating venues uphold the constitution and ensure offenders aren't allowed to access town centre venues. As a group this is one of the methods, we use to uphold the four licensing objectives and keep our venues, and Chorley, safe.

Pub Watch membership is contingent on venues following the rules and upholding the constitution. Offenders from the banned persons database have been continuously found to be accessing your venue following the warning previously issued, therefore as a committee we have no other option but to revoke your Pub Watch membership and inform police and council licensing authorities of the committee's decision. This includes revoked access to schemelink, the Pub Watch WhatsApp chats and monthly meetings.

Many thanks,

Pub Watch Committee

**Chorley**  
Council

