

**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** Insp Nigel Rixon

*(Insert name of applicant)*

**apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 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**

The Three Crowns Hotel, 25 Market place, Whitwick, LE675DT.

**Post town** Whitwick, Coalville

**Post code (if known)** LE67 5DT

**Name of premises licence holder or club holding club premises certificate (if known)**

MR NICHOLAS WILLIAM GARBETT

**Number of premises licence or club premises certificate (if known)**

NWL 10961

**Part 2 - Applicant details**

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

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 ✓ yes

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 Insp Nigel Rixon, Force Licensing Department Leicestershire Police, Mansfield House, 74 Belgrave Gate, Leicester LE1 3GG
Telephone number (if any) 101 Ext 4430
E-mail address (optional) licensing@leicestershire.pnn.police.uk

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

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

**Please state the ground(s) for review (please read guidance note 2)**

These premises are in a densely populated residential area, on the edge of the town centre. With residential properties in very close proximity.

On the 4<sup>th</sup> December 2013 Mr Nicholas Garbett became the DPS for the premises and the following day he also became the Premises Licence Holder.

Licensing visits from April 2013 have identified that Mr Garbett was linked to the premises as a manager at this time, although he had no personal licence.

The Police Inn Webb computer system is a data base recording all visits and interactions between the police and the premises. Briefly :-

2010 – No visits reports

2011- 2 Visits (test purchase failure and report of noise)

2012- 4 visits ( report of drugs, noise)

2013- 19 visits/interactions

2014-12 visits/interactions

1. 29<sup>th</sup> March 2014

22.10 hours, failure of test purchase. Member of staff sells bottle of Budweiser to 14 year old. (currently under consideration of prosecution)

2. 14-15<sup>th</sup> March 2014

Noise complaints to NWLDC. DPS agrees to turn down juke box after 21.00 hours.

3. 23<sup>rd</sup> February 2014

Crime ref LN/88314-5, DPS arrested for affray, whilst drunk in Ashby. Cautioned.

4. 23<sup>rd</sup> February 2014

LN/880/14-6 refers. 01.50 hours, 12 males fighting in the street having just left the Three Crowns. Initial accounts state the incident started in the premises and spilled out into the street.

CCTV was requested at the time but DPS not present (see above), 3 further requests made for the CCTV which were unsuccessful. CCTV finally produced on 2<sup>nd</sup> March; however this does not appear to work.

5. 7<sup>th</sup> December 2013

Test purchase carried out, no sale made.

6. 30<sup>th</sup> November 2013

Formal interview with DPS and action plan created, following incidents of 24<sup>th</sup> and 16<sup>th</sup> November. Action plan attached

7. 30<sup>th</sup> November 2013

Crime LN/6343/13-9 refers, offender arrested for assault and criminal damage at girlfriends home, having just left the Three Crowns. Witness states that the suspect was so drunk in the pub he could hardly stand or talk. He was walking around the premises with drink and spilling it as he was walking, he was so drunk. Offender charged with damage and assault.

8. Sentinel (Police ASB database) 29<sup>th</sup> November 2013

Report of noise from the premises. Community consultation reports fighting in the street at 01.00 hours, shouting, urinating up walls, taxi's coming and going with doors slamming. Noise and music from the beer garden.

Residents complain of noise on Thursday to Sunday evenings. Noise to as late as 02.30 hours. The residents complain of premises still open at 02.30am with music emanating from premises.

9. Sunday 24<sup>th</sup> November 2013

2 am, Pc 819 Harrison and Pc 2925 Broomfield will provide statements that they observed that the premises was still playing music and people were leaving at 2.30 am in breach of Premises Licence.

10. Friday 22<sup>nd</sup> November 2013

Licensing visit by Sgt Watson. Request was made to Mr Garbett for CCTV of the incident on 16<sup>th</sup> November 2013; he was unable to burn a copy on request. Mr Garbett stated he was the DPS (records show a Mr. Wallace as DPS). No premises licence displayed.

11. Saturday 16<sup>th</sup> November 2013

LN/6116/13-2 and LN/6533/13-9 refer to two serious assaults on customers of the Three Crowns as they leave the premises at 3.10 hours, requiring referral to the LRI. All persons involved were drunk and had come from the premises. One of the persons involved admitted to receiving free drinks.

Mr Garbett admitted to officers that he had given away free drinks during the evening.

CCTV was requested and Mr Garbett was reluctant to assist officers, requiring the intervention of a senior police officer to allow officers to view the footage. Only three cameras were working and Mr Garbett did not know how to burn the images to disc.

Since the premises has been associated with the current Premises Licence holder there has been a number of complaints received by the police with regard to anti social behaviour, drinking outside licensing hours, drug use, excessive noise and assaults. These have been brought to the attention of the PLH/DPS yet these incidents continue to be reported. Statements from local residents are attached.

The action plan agreed by Mr Garbett and Sgt Watson on 30<sup>th</sup> November 2013 for a period of 6 months has only been implemented over the Christmas period.

Leicestershire Police therefore have no confidence in the present management regime at the Three Crowns.

It is the police view that all four licensing objectives are being undermined by the PLH/DPS Mr Garbett.

It is the police view that given all the circumstances, that the promotion of the licensing objectives is best served with revocation of the premises licence.

Whilst I do not wish to restrict the decision of the committee, they may wish to consider the following as a measure to address the concerns raised by the police and the community:

- a. Amend the licence to terminate all licensable activity by 23.00 (Mon – Thurs), 23.30 (Fri-Sun) with the premises to close by midnight.
- b. Remove public entertainment as a licensable activity
- c. The removal of the current DPS
- d. The warning of the premises licence holder that any further undermining of the licensing objectives will, in all probability, result in revocation of the licence.

**Please provide as much information as possible to support the application (please read guidance note 3)**

Please tick ✓ yes

Have you made an application for review relating to the 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 the premises please state what they were and when you made them**

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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 4)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....Insp. 915 Rixon

Date 11<sup>th</sup> April 2014

Capacity Leicester Police Licensing Manager

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 6)	
<b>Post town</b>	<b>Post Code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b>	

**Notes for Guidance**

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