

CLARE STORER

From: Simon Parrott [Simon.Parrott@sharmanlaw.co.uk]
Sent: 11 November 2013 16:57
To: CLARE STORER
Subject: The Engine public house, 61 Belvoir Road Coalville
Attachments: Review of Premises Licence - 11.11.13.doc
Importance: High

Dear Ms Storer

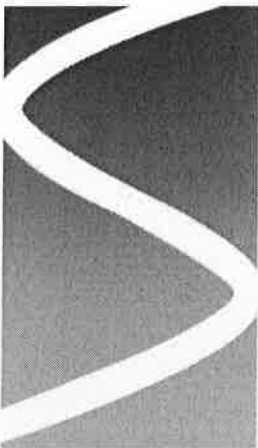
I write following our telephone conversation this afternoon and confirm that I act for the Premises Licence holders of this property, Mr & Mrs Garcha

I attach Mr Garcha's statement which we would like to be taken into account by the Licensing Committee when considering the Review application made by the Police

I should be grateful if you could acknowledge safe receipt please

Regards
Simon Parrott

For and on behalf of Sharman Law LLP



**Sharman Law
SOLICITORS**
Incorporating Sharman & Trethewey

Sharman
Law LLP
1 Harpur
Street,
Bedford,
Bedfordshire
MK40 1PF.



Telephone:
01234 30 30
30.
Fax: 01234
40 90 40.

Click here <http://www.Sharmanlaw.co.uk> to visit the Sharman Law LLP Web site, where further information about Sharman Law LLP and details of the locations of Sharman Law's offices can be found.

***** e-mail confidentiality notice *****

The information in this e-mail and any attachments to it is confidential and may be legally privileged or prohibited from disclosure and unauthorised use. It is intended solely for the addressee, or the employee or agent responsible for delivering such materials to the addressee, and access to this e-mail by anyone else is unauthorised. If you are not the intended recipient, any form of reproduction, dissemination, copying, disclosure, modification, distribution and/or publication or any action taken or omitted to be taken in reliance upon this message or its attachments is prohibited and may be unlawful. Also, if you have received this e-mail in error, please notify us immediately by telephone or by e-mail to Info@sharmanlaw.co.uk and delete this e-mail from your system. Thank you.

At present the integrity of e-mail across the Internet cannot be guaranteed and messages sent via this medium are potentially at risk. Therefore Sharman law LLP will not accept liability for and claims arising as a result of the use of this medium. Service cannot be effected on Sharman Law LLP by email

Sharman Law LLP, trading as Sharman Law, is a Limited Liability Partnership authorised and regulated by the Solicitors Regulation Authority.
Registered Office: 1 Harpur Street, Bedford, Bedfordshire MK40 1PF
Registered in England and Wales No OC334743
A list of partners may be inspected at either of the LLP's offices.

**REVIEW OF PREMISES LICENCE FOR
THE ENGINE PUBLIC HOUSE
61 BELVOIR ROAD
COALVILLE
LEICESTER
LE67 3PD**

STATEMENT OF MR RANJODH GARCHA

Background

The Engine Public House was purchased by father and mother and myself and my wife, Manjinder Garcha, in March 2011. We run a property investment partnership known as Garchas Nest. Garchas Nest has a small property portfolio which we have built up over the last 5 years or so. Our background has been based in the retail business. My father and mother ran a successful shoe shop until late 2012. My wife and I have run a number of successful small supermarkets. We currently run a successful fish and chip shop in Kempston, Bedfordshire, and I also manage refurbishment of properties.

We own one other property in Coalville, 10-12 High Street, which we purchased from the Quicksilver Gaming Group. We converted that property into two shop units and flats above.

When The Engine Public House came onto the market in January 2011, I could see a possibility of developing it into shops and flat accommodation. My discussions with the selling agent suggested that the pub company that owned it, Enterprise Inns, had let the premises run down and it had not traded successfully. It had been closed for some month by them. We made a successful bid to purchase the property and it was my intention to apply for planning permission to convert it into shops with flats above. I had some initial plans drawn up.

However, in 2011 I was approached by Catherine Ridgeway from the North West Leicester District Council's licensing department who tried to persuade me to keep the property as a pub. I think she felt that it would be better for Coalville town centre. I was not keen on the idea because we wanted to develop it and turn it into a property which was like the rest of our portfolio. We didn't own any other pubs in our portfolio and whilst my wife and I had previously had an off licence premises, we certainly did not want to run a pub ourselves. I was concerned that because The Engine had not been financially successful it would be difficult to justify letting it out to a tenant. However, I was happy to listen to the council's Licensing Officer and try to support the council in its plans for Coalville if possible. I suggested that she should recommend potential publicans to me and I would consider the position.

I saw a number of potential tenants. These included the publican of a nearby pub, The Red House. I was not impressed with any of those potential tenants, but then in about September 2011 the Licensing Officer suggested that I should speak to Sarah Booth. She

explained that Sarah was an existing landlady of another pub in Coalville, the Halfway House and was highly recommended by the Licensing Officer as someone who took a responsible attitude to running her pub and taking part in the local community.

I met Sarah and was impressed by her attitude and approach. I felt that she would be a responsible person and had a very plausible reason for wanting to take on the lease of The Engine. I was concerned that she might spread herself too thinly by taking on The Engine whilst at the same time as running her other pub just up the road. However, in discussions with her, I was impressed that she intended to run The Engine in a different way to that other pub and aim it at a different market. I felt that she and her partner, Gary Owen would make a good team. I was impressed with the recommendation that came from the Licensing Officer of the council. I was impressed with her willingness to take part in the local Pub Watch organisation and other business groups within the town. She offered to commit sizeable amounts of her own money to the refurbishment of the building which I felt showed a good commitment to the business. Therefore, after some discussions, we reached agreement for us to lease the property to Sarah and Gary. Their lease was signed in late November 2011. It is a 15 year lease. Our commitment was to refurbish the living accommodation on the first floor in return for Sarah's commitment to refurbish the ground floor and develop the outside area. It was on this basis that I saw our relationship with Sarah and Gary as a supportive relationship, although this always has to be borne in mind against the background of a landlord and tenant relationship.

The Premises Licence

The Premises Licence was transferred to my wife and I when we purchased the property. Whilst we did not intend to run the pub ourselves, our solicitor advised us that it would keep our options open if we took a transfer of the Premises Licence at that stage. I also recall that it was one of the conditions of the sale contract that was imposed by the pub company.

We kept the Premises Licence in our own names when Sarah and Gary's lease was completed. This was on advice from our solicitor. The principle which we considered was that by retaining the Premises Licence in our names, we could protect our interest in the property and avoid potential difficulties of transferring the Premises Licence in the event that there was a problem with the tenant.

We were happy for Sarah to apply for the licence as Designated Premises Supervisor and obviously supported her in that application.

Whilst we are one step removed from the day to day running of the pub, we do take our responsibilities as Premises Licence Holders seriously and do not regard ourselves as "absentee" landlords or absentee licence holders. I visit Coalville regularly to deal with the management of our property interests, both at The Engine and at our other premises in the High Street. We do not employ a managing agent to manage our commercial properties and I am in regular contact with Sarah and Gary on issues which relate to the management of our lease.

Of necessity, my wife and I cannot be involved in day to day management of the pub business and we therefore have to place our trust in Sarah and Gary to manage that

business successfully. We are very encouraged that Sarah takes a very active part in the local Pub Watch community and the way that she has taken it on herself to coordinate the Pub Watch committee. I understand that this has involved her effectively re-writing the Pub Watch procedures and policies, all of which has been done in her own time and, as I understand it, without financial recompense. We are also very encouraged by the time that she spends in the local business community and, in particular, with town centre businesses in Coalville.

This commitment to the Pub Watch scheme and the business community is not indicative of a cavalier or irresponsible attitude toward the issues that go hand in hand with being a publican. We appreciate that being the Designated Premises Supervisor involves dealing with difficult situations which arise as a result of people enjoying themselves at The Engine. We are supportive of Sarah and Gary and trust their judgement, both in terms of running the business and dealing with matters which might involve the Premises Licence.

At the same time, we appreciate that the Police also sometimes have a difficult job to do and would wish to support the Police in their policing task.

We were made aware of Sarah's application to extend the terminal hour to 3.00am on the 1st January 2013 and the objection made to that application by the Police and also the threat that was made by the Police at that time to apply for a review of the licence. As soon as that information came to our attention I had discussions with Sarah and Gary and instructed our solicitors to write to their solicitors in order to ascertain what had been going on. We were satisfied with Sarah's explanation. The Police did not take the issue further at that time, but I felt it was important for me to continue my close discussions with Sarah on the management of the lease.

The Detail of this Review

I cannot comment on the particular incidents which are referred to by the Police. We are content for Sarah to make her representations to the council and support her in those representations. It is, of course, very relevant for her to make those representations since as the Designated premises Supervisor, she has first hand knowledge of the matters concerned.

We oppose the recommendations made by the Police. It is inappropriate for the committee to consider revocation of the Premises Licence and think that The Engine's current opening hours and arrangements offer a valuable benefit to the Coalville community. However, we will of course support any decision that is made by the committee.

.....
Ranjodh Garcha

.....
Date