

EXTERNAL: The Flag Micropub, 32 Borough Street, Castle Donington DE74 2LA

e-mailed to Licensing on 14 June 2021

To whom it may concern, I write in respect to the ongoing and long running issue of outside drinkers, and the placing of tables and chairs on the pavement outside of our property to facilitate this nuisance, at the above premises of the The Flag Micropub, 32 Borough Street, Castle Donington.

Since the most recent lockdown, this issue has been ongoing since Saturday 15th May 2021. The matter was reported to yourselves on Monday 17th May 2021. It's now been four weeks, on this occasion, which we feel is a more than reasonable period of time for this matter to be resolved. Prior to this, the issue resurfaced on Saturday 4th July 2020, even though, during a License Review hearing in 2019 Mr Sandham and his representative, Ms L Richardson-Lewty "assured members that the furniture outside the premises had been removed and the correct café licence would be applied for in the near future" and "The Planning Enforcement Officer reminded the premises licence holder that he would not only need a café licence to allow seating outside the front of the premises, but also planning permission. Ms L Richardson-Lewty confirmed that they were aware" Prior to this the complaint sat with yourselves and the Highways Department and Leicestershire County Council for over a year, only to be temporarily resolved by the License Review until Mr Sandham sought advice from a Licensing Barrister during the first lockdown and decided to renege on the promises and assurances given in the License Review.

During a telephone conversation with yourselves, on Tuesday 1st June 2021, I was advised that an incomplete Pavement License application had been received by yourselves from Mr Sandham, and that he had been advised it was not accepted due to it being incomplete. I have heard nothing since, the tables and chairs remain, along with all the loud noise and nuisance, including customers of The Flag Micropub being permitted to wander around the street with drinks in their hand and stand around drinking, blocking the highway and causing anti-social behavior (I have the video footage from Saturday 5th June but due to the size of the file I cannot attach it to this email. Instead I have included stills from the video showing drinkers, who I assume were served at the bar, walking out on the street with drinks in hand, standing around, etc. If required I can send you a hard copy in the post or upload it to YouTube, not for public viewing obviously, and send you the private link. Anyway, as I always say, you don't have to take my word for it, his CCTV should cover all this) I thought Covid rules and regulations meant that customers had to be seated and served at the table? (In addition to having a pavement license)

Looking online at the catalogue of historic instances of similar or lesser issues, with the nuisance and noise caused by drinkers outside pubs in other areas of the county, and the swift and serious manner in which the Police and other councils come down on license holders, by stripping them of the off sales element of their license or adding restrictive conditions to their license, still leaves me and my partner absolutely baffled as to why we are still having to complain about the same thing as absolutely nothing has changed?

Could you please answer these questions for us;

Is anything happening right now in respect to action being taken against Mr Sandham for renegeing on what was agreed in the License Review in 2019 and having the tables and chairs set up outside with no license?

He has been overheard on several occasions boasting that he has found a loophole, whereby, he deliberately submits an incomplete application but keeps his furniture outside during the process, whilst perpetuating a made up falsehood that Leicester County Council told him he could keep his tables and chairs set up outside during the application process. He then leaves the tables and chairs set up and does not bother to re-submit a complete application, when challenged at any point in the future, he will just state that he is in the process of applying and that LCC told him that he was allowed to keep the furniture out whilst applying, but he obviously has no plan to actually submit an application. Is this loophole true?

What time scale are we working to (If any action is being taken?) What is the next step and when are you planning to take it?

In addition to this, we also have the never ending issue of Mr Sandham operating to whatever hours suit his, and his friends drinking session, on any given evening. Again, the hours were reduced as a result of the License Review in 2019 (Laughably, for Mr Sandham to carry out administrative duties, which he must doing in between getting drunk and serving his customers during his perpetual lock ins) The hours of activity never changed after the License Review, nor have the hours advertised on his new website. Friday, Saturday and on Sunday and Bank Holidays, as well as advertising he is open until 22:30 (This was amended to 21:00 in the License Review) he also boasts 'or later' for his closing time, on his website. So he's not even concerned about advertising his intention to flaunt the hours of his license

I cannot over-stress how detrimental this whole issue has been to our mental health.