

**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 Licensing, North West Leicestershire District Council**

*(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**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> 32 Borough Street Castle Donington Derby DE74 2LA	
<b>Post town</b> Castle Donington	<b>Post code (if known)</b> DE74 2LA

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Chequered Flag
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<b>Number of premises licence or club premises certificate (if known)</b> NWL20457
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**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) **yes**
- 3) a member of the club to which this application relates

Appendix 4

(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  Licensing North West Leicestershire District Council Whitwick Business Centre Stenson Road Coalville LE67 4NA.
Telephone number (if any) <b>01530 454866</b>
E-mail address (optional) licensing@nwleicestershire.gov.uk

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

- |   |                                 |
|---|---------------------------------|
|   | Please tick one or more boxes ✓ |
| 1) the prevention of crime and disorder | <b>yes</b>                      |
| 2) public safety                        | <b>yes</b>                      |
| 3) the prevention of public nuisance    | <b>yes</b>                      |
| 4) the protection of children from harm | <b>yes</b>                      |

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

Licensing have received numerous complaints concerning alleged licensed activities outside of licensed hours and numerous public nuisance/noise complaints. As a result, Licensing have requested cctv footage for their investigations on 5 different occasions and the premises licence holder/designated premises supervisor (PLH/DPS) has failed to provide the footage. The PLH/DPS continually ignores advice from the Responsible Authorities (RA's) and also continually fails to comply with the premise licence conditions.

Licensing have concerns that if there was a major incident at the premises concerning any one of the 4 licensing act objectives, the premises would once again fail to comply with their strict cctv conditions, thus vastly diminishing any attempts by the RA's to investigate any such incidents.

The premises have strict cctv conditions following a review in 2019 which state:-

***CCTV shall be installed (by no later than 1 November 2019) and maintained at the premises:-***

- a. The CCTV shall cover the entry and exit points of the premises and all areas where alcohol/money is served/taken and all areas where the public have access and the immediate vicinity outside the premises.***
- b. The images/recordings are to be downloadable in a suitable format and provided to any member of a responsible authority upon request and without undue delay.***
- c. Images and recordings must be of evidential quality and must indicate the correct time and date, and be kept for at least 31 days.***
- d. All staff are to be trained in the use of the CCTV system and at least one member of staff must be on duty who is trained to download the systems images should any member of a responsible authority make a request for the footage.***

In an attempt to investigate the 5 complaints, the above cctv conditions have been breached numerous times as follows:-

**8 June 2023** – Officers entered the premises following allegations of out of hours licensing activities. Customers were clearly drinking alcoholic beverages outside the premises licensing activity hours. In order to investigate the matter, the cctv footage was requested. The PLH/DPS failed to comply with conditions b - provide the footage without undue delay. c - keep the recordings for 31 days and d - the staff were not trained to download the images. **There were 3 breaches of conditions on this occasion.**

**31 August 2021** - A complaint was received concerning alleged out of hours licensing activities on Saturday 28 August 2021. On receiving the complaint, the premises licence holder was asked to provide cctv footage on numerous occasions via letter, e-mail and telephone. The premises licence holder said it was a private party for football supporters on Saturday morning before the 12:30pm football match between Derby County and Nottingham Forest. There were alleged breaches of out

of hours licensing activities and breaches of conditions b, c and d. The premises licence holder also admitted his cctv system only retains footage for 24 days. **There were 3 breaches of conditions on this occasion.**

**5 July 2021** – A complaint was received concerning alleged public nuisance and out of hour licensed activities. Licensing requested the cctv footage for this incident on numerous occasions. The PLH/DPS again failed to provide the cctv footage. **A further breach on condition b.**

**26 October 2020** – A complaint concerning public nuisance/noise and alleged licensing activities after the permitted hours over 23/24/25 October. Licensing requested cctv footage for Friday 23 October 2020. The PLH/DPS again failed to provide the cctv footage. **A further breach on condition b.**

**2 February 2020** – A complaint was received concerning numerous instances of licensing activities taking place after hours. Licensing visited the premises on 4 February to request the cctv. The premises licence holder advised that he did not have a current working cctv system, despite having the condition on his premises licence to have cctv installed by 1 November 2019. The cctv footage was not provided. **Conditions b and c were breached on this occasion.**

As a result of the premises licence holder continually breaching his licensing conditions and having no regard for advice provided by responsible authorities, Licensing have no option but to review this premises licence. Licensing no longer have confidence in the PLH/DPS ability to act in a professional manner and public safety concerns are paramount.

It is also noted that, over a number of years, the PLH/DPS has continued to use outside furniture without the required pavement licence (up until the most recent incident above) against the instructions of the RA's. He has been continually told to acquire a pavement licence, but has continued to ignore advice from the licensing authority and Highways, even after a court hearing concerning this matter.

In a review hearing in 2019, both the Leicestershire Fire and Rescue Service and Environmental Protection stated that the PLH/DPS failed to communicate and ignored their advice. Mr R Sandham stated at the hearing that he had failed in regard to communication with all parties concerned and he now understood the importance of carrying out all parts of the administration required for the business. The licence holder's representative at the hearing, admitted that Mr R Sandham 'had his head stuck in the sand', was not very computer literate and was letting everything get on top of him. Nothing appears to have changed.

Appendix 4

**Please tick ✓ yes**

Have you made an application for review relating to the premises before

N/A

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

**If you have made representations before relating to the premises please state what they were and when you made them**

Not Applicable

**Please tick ✓ yes**

Appendix 4

- 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 **yes**
- I understand that if I do not comply with the above requirements my application will be rejected **yes**

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**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

.....  .....

Date 14 September 2023

.....

Capacity **Licensing Enforcement Officer**

.....

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 6)

**Post town**

**Post Code**

**Telephone number (if any)**

**If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)**

**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.