

Appendix 14

EXTERNAL: Fw: The Chequered Flag, 32 Borough Street, Castle Donington, Derby DE74 2LA

e-mailed to Licensing on 2 February 2020

To whom it may concern,

I last contacted you on 28 July 2019 (See included email) regarding the hours The Chequered Flag are open to the public (Operating schedule) rather than the licensable activities and the times when those activities take place (the supply of alcohol) Paul Dennis (Licensing Enforcement Officer) confirmed receipt of my email the following day and Louise Arnold then contacted me requesting further details and a record for the next two weeks.

I did start the record but was unfortunately involved in a serious car crash on 6 August 2019 and everything in my life was put on hold whilst I recovered. I apologise for not following up with yourselves at the time.

Nothing has changed in respect to the operating hours at the pub since we last communicated up to now. I did not pursue the matter any further as my mental health worsened during my recovery, mainly due to the lack of progress with the problems at the pub and the late night activities. Not being able to relax and rest in the evenings until after 23:00 all week, every week, lead to little sleep and added stress. I lost faith and gave up.

I was made aware of the License Review, called for by the Fire Brigade in August last year, after my partner spotted the notice in the pub window. Dean Flower sent me an email after the License Review meeting to advise that Planning attended and that the crowds of drinkers congregating in the street every night would no longer have some chairs to sit on. He also advised that some conditions had been added to the license but did not elaborate. That was the only update we received, which was disappointing. The tables and chairs went, the crowd of drinkers remained, using our doorstep for seating, our front door as a back rest and our window sill as a bar/glass collection point. Nothing else changed and the after hours activities continued exactly as before. We completely lost faith at this point, we would have imagined that a License Review would have been a perfect opportunity to add a condition to his license that no alcohol should be taken off the premises, based on all the trouble we have had and the fact that he has no planning permission or a café license to operate his business on the highway, but instead the focus was just on tables and chairs, so he still gets to operate his business on the highway using the off sales element of his license, with no need for planning permission or a café license, just as long the tables and chairs aren't used?

Things at the pub have gradually got worse since we last communicated, with late night opening almost every night of the week, Monday to Sunday, there have been a handful of Monday/Tuesday nights were it closed on time, the odd Sunday, and that's it. I decided to pick this back up with yourselves and started a log this weekend, but whilst checking some information online I stumbled across the minutes and outcome of the Premise License Review on 14 August 2019. I was stunned to find the licensable activity hours had been amended, with the end time being 22:30 Mon to Sat, and 21:00 on Sunday, and that CCTV should have been installed by 1 November 2019 to cover entry/exit points, areas where alcohol/money is served/taken, all areas where public have access and the immediate vicinity outside the premises.

The reason I am stunned is that absolutely nothing has changed from our perspective since 14 August 2019. Me and my partner are acutely aware of exactly when he closes every single night of the week, it intrudes into our life so much, we cannot relax and go to sleep until we hear the rowdy drinkers leave the pub, until we hear him click all his light switches off, turn on his alarm and slam his front door shut and lock up. Every night we comment on the time he closes, usually cursing him for not closing until well after the operating hours ended. I was going to contact you to complain about him staying open well after the old hours, now I find out it should have been 30 minutes earlier on Friday and Saturday and 21:00 on Sundays? There is no mention of Bank Holidays in the License Review outcome regarding hours, as per previous license documents I've seen, can you confirm that Bank Holiday hours mirror those stated for Sunday?

Why has he ignored the change to the hours if evidence of this would be captured on the CCTV he should have had installed? I don't know if he even installed the CCTV as there is no camera outside covering the immediate vicinity. Were the conditions laid out in the License Review actually followed up on by the Council or was it just left in the hope and trust that Mr Sandham would implement them of his own accord. His track record is terrible in this respect. You had to take him to a Magistrates Court before he finally cleared his refuse from the rear of the premises. So there would be little motivation for him to abide by the new conditions on his license, as

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proven by the fact that he closes whenever he feels like with no fear of reprisal. This weekend, I noted that people entered the premises at 23:50 and 00:20 on Friday and the early hours of Saturday, with the premises eventually closing Friday trade at 01:00 Saturday morning, on Saturday I observed a customer entering the premises at 22:50 and the premises ceased operation and closed at 23:40. Today being Sunday, we will see if he closes anywhere close to 21:00.

If he has this CCTV installed as specified, then there is no need for me to provide a log, as he should be able to provide you at least 31 days of footage, which would show this after hours activity. Prior to being made aware of the early closing times today, we had noted over the last few months, some odd activity regarding closing the pub down and locking up, sometimes on time, and us being left thinking it was shut, only to be awoken a short while later to hear that people were still inside or other times the pub re-opens later, after hours. There have been numerous occasions where we hear, what sounds like, him turning all the lights off, after he has cleared his barriers and posts of the street, locked the door and pulled down the black out blinds on the door and window, but no one leaves the premises until later. If he does have CCTV, is he faking shutting the pub for sake of the recording and then turning the CCTV off, only to carry on operating. I have no idea what is going on, as there have been plenty of other occasions where he stays open really late and makes no effort to hide the fact. Possible because he was drunk and forgot, who knows?

Are you able to investigate if he did get the CCTV installed and if so, is he recording activity in the pub after hours when he has a lock in or is he turning it off to hide the fact. If he is recording and storing the footage for at least 31 days, then, as details in the License Review, he should be able to give you a copy straight away for you to review. If he is recording all the time he is open, including the access point through the front door and immediate vicinity, then surely you will have proof. If he hasn't adhered to the conditions regarding the CCTV then would this be a breach of his license?