

Helen Farman-McKenna

From: Nicola Bills <Nicola.Bills@staffordshire.pnn.police.uk>
Sent: 31 July 2018 15:43
To: Helen Farman-McKenna
Cc: Licensing
Subject: The New Inn
Attachments: New Inn Reps PDF.pdf; attachments for New Inn.pdf

Helen,

Please find attached Staffordshire Police' representations in respect of the above premises.

Regards

Nicky Bills
Licensing Officer
Staffordshire Police
Official

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STAFFORDSHIRE
POLICE

Staffordshire Police
Southern Licensing Unit
Burton Police Station
Horninglow Street
Burton
Staffordshire
DE14 1PA

31st July 2018

Licensing Department
East Staffordshire Borough Council
Burton Town Hall
King Edward Place
Burton on Trent
Staffordshire
DE14 2EB

Dear Sir/Madam,

**Review of a Premises Licence in respect of The New Inn, Ludgate Street, Tutbury, Burton
on Trent, Staffordshire, DE13 9NG**

I am in receipt of an application from local residents for the review of a premises licence, under Section 51 of the Licensing Act 2003 for The New Inn, Ludgate Street, Tutbury, Burton on Trent, Staffordshire, DE13 9NG.

Staffordshire Police wish to make representations in support of this application on the grounds of Prevention of Crime and Disorder and Public Nuisance.

Please find our evidence outlined below and attached are the various email exchanges between Licensing Officer Bills and the premises' Solicitor together with the local Police Community Support Officers supporting evidence - (attachment 1).

On Saturday 7th April 2017, a report was received from a local resident that the venue were playing music after hours, the report came in at 0139hrs, the licence stipulates recorded music until 0100hrs.

On 14th April 2018, at 23:36hrs, a report was received to Police stating that music was being played loud, further call from another party at **23:52hrs** in relation to loud music and all doors are being left open whilst entertainment was being played, comments likened to being as loud as a nightclub. Officers attend some hours later and the pub is locked up.

From the date of the original offence of late trading on 7th April 2018 until 25th April 2018, Insp Cooke had contacted the premises licence holder to request CCTV footage, however, this was never received despite numerous attempts to obtain it.

On the 27th April 2018 a visit was made by Licensing Officer Bills together with the local PCSO Wells to obtain CCTV and were told that the previous manager, "Vicky" had had a party and the music was played until after their hours. When asked for contact details for Jack Brown, who was the Designated Premises Licence Holder at the time, no one in the pub had them, nor had ever even seen him. Following that visit a phone call was made to the tenant, Mr *****, and a request was made to change the designated premises licence holder, for someone that would have hands on control, this was done on the **3rd May 2018**.

On the 8th May 2018, Licensing Officer Bills, had a meeting at Burton Police Station with the tenant, Mr *****, discussed were the issues surrounding the pub, namely the after-hours music and anti-social behaviour surrounding the premises, all of which Mr ***** had agreed were unacceptable. The outcome of the meeting was an agreement that Mr ***** would speak to the premises licence holder and solicitor and ask for a minor variation to be submitted to add some conditions which would help to eliminate some of these issues. Mr ***** had a hard copy of the conditions handed to him at the time of the meeting.

On 2nd June 2018 at 00:25hrs, a call has been made to Police in relation to ongoing noise complaints.

On 3rd June 2018, intelligence is received by the Police in relation to drug dealing inside the public house.

On the 15th June 2018, a meeting was held at the venue between, Staffordshire Police Licensing Department, East Staffordshire borough Council, licensing Dept., Environmental Health, Mr ***** and the current manager of the premises. Issues were discussed and the consensus was that drinks would not be allowed outside after 2200hrs and the pub, for the short term would employ a member of door staff to manage this. Mr ***** also confirmed that they were in the process of having a new CCTV system installed following allegations of drug dealing going on inside the premises and that the blind spot between the beer garden and toilets would now be covered.

On the 15th June 2018, once it was established that an appointed solicitor, would be representing the premises, Licensing Officer Bills, sent an email to chase whether the minor variation had been submitted, it was replied to the same day with some amendments to the

conditions (see attached copy of the email/conditions with amendments highlighted). Although the majority of the conditions had been accepted by the Solicitor the key condition relating to the outside rear garden area had been changed. Licensing Officer Bills emailed the solicitor back on the same date to confirm that one of the amendments was unacceptable and the Police would like to see it remain. – (Attachment 2, Pages 1-5)

On the **18th June 2018**, a further email was received from the premises solicitor stating he was going to visit the pub himself later in the week and come back to us. It also stated he wasn't sure why his suggested alternative condition would not work. – (Attachment 3)

On the **24th June 2018 at 01:11hrs**, report made to Police that persons from the New Inn were causing anti-social behaviour.

On **30th June 2018 at 01:15hrs**, report made to Police that there is unacceptable level of noise coming from the rear yard area, loud music and shouting. Resident has had to move out for the weekend and go and stay with relatives to enable them to get some sleep.

On the **2nd July 2018**, a further email was sent to the solicitor with a set of conditions that had had a slight amendment, this was due to a further complaint that had been made. On the **same date** the solicitor confirmed he would seek instructions on the revised proposal. (Attachment 4, Pages 1-4)

On the **3rd July 2018**, an email was received from the solicitor stating that there was an issue over the smoking area, his client was not happy that persons would have to leave their drink inside. (Attachment 5).

On the **5th July 2018**, an email from Licensing Officer Bills to the solicitor to confirm there had been a review application submitted by another party and as the conditions could not be agreed then Staffordshire Police would be including the conditions in with their representations. (Attachment 6)

On the **5th July 2018**, Licensing Officer Bills spoke to ***** at Stone Property Limited who confirmed that *****, the premises licence holder and the appointed solicitor had been in discussion regarding the New Inn, Tutbury.

On the **14th July 2018, at 01:14hrs**, a report was received to the Police reporting that excessive noise was coming from the beer garden.

On the **21st July 2018 at 00:59hrs**, a report was made to the Police stating that two males and two females had come out of the New Inn, had some sort of argument and were smashing glasses then went back inside the public house.

Staffordshire Police support the review application submitted to East Staffordshire Borough Council on the Monday 2nd July 2018 by local residents.

Staffordshire Police believe that in light of the issues raised, the current Designated Premises Supervisor, tenant and premises licence holder are failing to take their responsibilities seriously to uphold the objectives of the Act. Namely the Prevention of Crime and Disorder and Public Nuisance. We respectfully request the Licensing sub-committee give consideration to impose the conditions set out below;

Prevention of Crime and Disorder

CCTV must be installed and operating correctly to manufacturer's instructions internally and externally and must cover all public entrances/exits and public areas where licensable activity takes place whilst the premises is open to the public. This must include all areas that smokers are allowed to congregate.

The time and date must be set to the correct time relating to BST/GMT

A competent trained person in the use of and operation of the CCTV must be in attendance at the premises at all times that licensable activities take place and be able to fully operate the CCTV system to be able to download at the time of the visit/upon request onto a CD/DVD/USB stick any information requested by any Responsible Authority.

All CCTV images must be retained for a period of not less than 31 days.

Clear signage must be displayed at all entrance and exits indicating that CCTV is in operation.

An incident register of all occurrences and ejections from the premises must be maintained at the premises and any details of any incidents of crime or disorder or misuse of drugs offences must be recorded. The register must be produced and made available at the time of the visit/upon request to any responsible authority.

Prior to selling alcohol, all persons involved in the sale of alcohol & age restricted products who are not the holder of a Personal Licence must receive initial and regular 12 monthly refresher training by the Designated Premises Supervisor or external training provider with regards to the law in relation to the sale of alcohol & age restricted products. Such training must be recorded and up to date training records of all such persons must be maintained at the premises and produced and made available at the time of the visit/upon request to any Responsible authority. There must be eighteen months records retained.

Public Safety

There must be no opened vessels containing any alcoholic/non-alcoholic drinks taken from the boundaries of the premises.

Prevention of Public Nuisance

After 2200hrs on any day no more than 10 persons shall be permitted to congregate in the beer garden for the purpose of smoking and no open vessels to be allowed to be taken out into the beer garden after such time.

No persons to be allowed to congregate at the front of the premises for the purposes of drinking/smoking at any time.

Protection of Children from Harm

A Challenge 25 policy must be adopted and enforced at the premises where all persons who appear to be under the age of 25 must be challenged for acceptable identification to prove they are over the age of 18 prior to the purchase of alcohol.

The only acceptable forms of identification are a valid photo driving licence, valid passport or a valid PASS approved proof of age card.

Challenge 25 posters must be displayed at all entrances to the premises, all areas where alcohol is displayed and at the cash till payment area.

Posters must be displayed prominently and in sight of customers & staff.

A refusals register with details of all refusals must be maintained at the premises. The register may be contained on the till but must contain details of the staff member refusing the sale and must be checked on a weekly basis by the Designated Premises Supervisor and signed and dated by the Designated Premises Supervisor.

The refusals register or when on the till a print out of refusals must be produced and made available for inspection at the time of the visit/upon request by any Responsible Authority.

If you do have any queries in relation to the enclosed then please do not hesitate to contact me.

Yours faithfully



Sgt J Finn
Licensing Dept.
Staffordshire Police
Enc.

The New Inn, Ludgate Street, Tutbury

I have been the local PSCO for Tutbury since March 2013. From what I remember there has always been complaints about noise emanating from the pub and its customers. Occasionally at first but then over the past three years it has escalated. It also used to be more seasonal, but now it is at any time of the year.

I do remember [redacted] and [redacted] from Webb Corbett House, (the retirement home building opposite the pub) calling Staffordshire Police about the noise. One incident involve [redacted] shouting down to the men outside the pub asking them to be quieter, but they shouted abuse back and just laughed at her. I remember one of the males was in a wheelchair and I did speak to him a day or so later about it and he admitted to what had happened. These ladies told me they had stopped calling Staffordshire Police to report issues because they felt nothing was being done. I remember speaking to another resident from Webb Corbett who sounded very upset on the phone saying she had retired in Tutbury for some peace but had to keep staying with relatives to get away from the noise coming from the pub.

I spoke to [redacted] today and she told me that other residents from Webb Corbett were also upset about the noise from the pub and its customers, but were too ill for me to speak to.

Speaking to local residents yesterday, 24th July 2018, they said that the noise was definitely coming from the pub and that there was no complaint about anyone else in the area causing a noise nuisance. I visited the off licence on Duke Street, [redacted] to ask about the flat above, but they confirmed no complaints about the occupants there.

Two of the residents I spoke to yesterday both reported similar issues, i.e. noise from the live bands and karaoke nights, which go on until the early hours. Patrons walking around in the street with their drinks, speaking loudly and shouting. Vehicles pulling up and the occupants also causing a noise issue. Waking up to mess outside in the street and broken glass and beer glasses smashed on the ground. One resident reported seeing a beer glass thrown at his front gate. He also said that males had urinated against the front of his property.

Residents have also told me about blatant drug dealing going on in the toilets and a known dealer going in. The dealer is well known to Staffordshire Police. Apparently the staff are aware but do nothing about it. People have stopped going into the pub because of how it has changed over recent years.

PCSO Julia Wells 16814

From: Nicola Bills [mailto:Nicola.Bills@staffordshire.pnn.police.uk]
Sent: 15 June 2018 14:13
To: /
Subject: New Inn, Tutbury

Hi

I believe you are dealing with Graham from the New Inn, Tutbury..

Can you confirm that you have a copy of the conditions that we are looking for the premises to add to their licence please and at what stage you are at in relation to the minor.

I'm back in the office on Monday morning if you wish to discuss it.

Thanks

Nicky Bills
Licensing Officer
Staffordshire Police
Tel: 01785 234789

Official

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Nicola Bills

From:

Sent: 15 June 2018 14:24

To: Nicola Bills

Subject: RE: New Inn, Tutbury

Attachments: Minor Variation Application.doc; New Inn, Tutbury - Proposed conditions.DOCX

Dear Nicola

Thank you for your email.

Please find attached draft minor variation together with conditions agreed with a couple of tweaks (these are highlighted).

Best wishes



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standing and quame...

Please note that monitors e-mails sent or received. Further communication will signify your consent to this.

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fordshire.pnn.police.uk

New Inn, Ludgate Street, Tutbury Burton on Trent Staffs DE13 9NG

Proposed conditions

Prevention of Crime and Disorder

CCTV must be installed and operating correctly to manufacturer's instructions internally and externally and must cover all public entrances/exits and public areas where licensable activity takes place whilst the premises is open to the public. This must include all areas that smokers are allowed to congregate.

The time and date must be set to the correct time relating to BST/GMT

A competent trained person in the use of and operation of the CCTV must be in attendance at the premises at all times that licensable activities take place and be able to fully operate the CCTV system to be able to down load at the time of the visit onto a CD/DVD/USB stick any information requested by any Responsible Authority.

All CCTV images must be retained for a period of not less than 31 days.

Clear signage must be displayed at all entrance and exits indicating that CCTV is in operation.

An incident register of all occurrences and ejections from the premises must be maintained at the premises and any details of any incidents of crime or disorder or misuse of drugs offences must be recorded. The register must be produced and made available at the time of the visit to any responsible authority.

Prior to selling alcohol, all persons involved in the sale of alcohol and age restricted products who are not the holder of a Personal Licence must receive initial and regular 12 monthly refresher training by the Designated Premises Supervisor or external training provider with regards to the law in relation to the sale of alcohol and age restricted products. Such training must be recorded and up to date training records of all such persons must be maintained at the premises and produced and made available at the time of the visit to any Responsible authority. There must be eighteen months records retained.

Public Safety

There must be no opened vessels containing any alcoholic/non-alcoholic drinks taken from the boundaries of the premises (which includes the external rear garden).

Prevention of Public Nuisance

Noise or nuisance shall not emanate from the premises so as to cause a nuisance to nearby properties.

Protection of Children from Harm

A Challenge 25 policy must be adopted and enforced at the premises where all persons who appear to be under the age of 25 must be challenged for acceptable identification to prove they are over the age of 18 prior to the purchase of alcohol.

The only acceptable forms of identification are a valid photo driving licence, valid passport or a valid PASS approved proof of age card.

Challenge 25 posters must be displayed at all entrances to the premises, all areas where alcohol is displayed and at the cash till payment area.

Posters must be displayed prominently and in sight of customers and staff.

A refusals register with details of all refusals must be maintained at the premises. The register may be contained on the till but must contain details of the staff member refusing the sale and must be checked on a weekly basis by the Designated Premises Supervisor and signed and dated by the Designated Premises Supervisor.

The refusals register or when on the till a print out of refusals must be produced and made available for inspection at the time of the visit by any Responsible Authority.

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3

On 15 Jun 2018, at 14:55, Nicola Bills <Nicola.Bills@staffordshire.pnn.police.uk> wrote:

1

Thanks for that, however, the condition that we have proposed that has been changed is the one that we would want to see remain (see below), the fact that persons are remaining in the beer garden drinking after 2200hrs is causing a constant stream of complaints which we, as are the council, are keen to minimise.

No open vessels containing alcohol/non-alcoholic drinks to be taken outside after 2200hrs.

Best Regards

Nicky Bills
Licensing Officer
Staffordshire Police
Official

From:

Sent: 15 June 2018 14:24

To: Nicola Bills <Nicola.Bills@staffordshire.pnn.police.uk>

Subject: RE: New Inn, Tutbury

Dear Nicola

Thank you for your email.

Please find attached draft minor variation together with conditions agreed with a couple of tweaks

Nicola Bills

From:
Sent: 18 June 2018 07:18
To: Nicola Bills
Subject: Re: New Inn, Tutbury

Nicky,

I hope you are well.

I am out of the office until Wednesday.

I am not sure why my suggested alternative will not work.

I am going to visit the Pub myself during the week and will come back you when I have done so.

Best wishes

Attachment 4 (1)
(pages 1-4)

From: Nicola Bills [mailto:Nicola.Bills@staffordshire.pnn.police.uk]
Sent: 02 July 2018 10:09
To:
Cc: 'a (@eaststaffsbc.gov.uk); @eaststaffsbc.gov.uk'
Subject: The New Inn, Tutbury

As per my previous email in relation to the minor variation, following further complaints, the conditions that we would now like to see are attached.

1

You will notice that the beer garden and the front of the premises now have different conditions and there have been a few changes to some of the others.

Could you please now submit this as a matter of urgency to enable me to close the file.

Should you wish to discuss this please do not hesitate to contact me, I will be back in the office tomorrow at 1500hrs, but I am contactable via email.

Regards

Nicky Bills
Licensing Officer
Staffordshire Police
Tel: 01785 234789

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New Inn
Ludgate Street
Tutbury
Burton on Trent
Staffs
DE13 9NG

Prevention of Crime and Disorder

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Prior to selling alcohol, all persons involved in the sale of alcohol & age restricted products who are not the holder of a Personal Licence must receive initial and regular 12 monthly refresher training by the Designated Premises Supervisor or external training provider with regards to the law in relation to the sale of alcohol & age restricted products. Such training must be recorded and up to date training records of all such persons must be maintained at the premises and produced and made available at the time of the visit/upon request to any Responsible authority. There must be eighteen months records retained.

Public Safety

There must be no opened vessels containing any alcoholic/non-alcoholic drinks taken from the boundaries of the premises.

Prevention of Public Nuisance

After 2200hrs on any day no more than 10 persons shall be permitted to congregate in the beer garden for the purpose of smoking and no open vessels to be allowed to be taken out into the beer garden after such time.

No persons to be allowed to congregate at the front of the premises for the purposes of drinking/smoking at any time.

Protection of Children from Harm

A Challenge 25 policy must be adopted and enforced at the premises where all persons who appear to be under the age of 25 must be challenged for acceptable identification to prove they are over the age of 18 prior to the purchase of alcohol.

The only acceptable forms of identification are a valid photo driving licence, valid passport or a valid PASS approved proof of age card.

Challenge 25 posters must be displayed at all entrances to the premises, all areas where alcohol is displayed and at the cash till payment area.

Posters must be displayed prominently and in sight of customers & staff.

A refusals register with details of all refusals must be maintained at the premises. The register may be contained on the till but must contain details of the staff member refusing the sale and must be checked on a weekly basis by the Designated Premises Supervisor and signed and dated by the Designated Premises Supervisor.

The refusals register or when on the till a print out of refusals must be produced and made available for inspection at the time of the visit/upon request by any Responsible Authority.

Nicola Bills

From: [Redacted]
Sent: 02 July 2018 11:44
To: Nicola Bills
Cc: '@eaststaffsbc.gov.uk'; '@eaststaffsbc.gov.uk'
Subject: RE: The New Inn, Tutbury

Thanks Nicola,

I am seeking instructions on your revised proposal.

Best wishes

Andrew

F
@
@
C

(Attachment 5)

Nicola Bills

From:
Sent: 03 July 2018 14:11
To: Nicola Bills
Subject: (C002319) - New Inn, Tutbury

Dear Nicky

I have spoken to my client.

There is definitely an issue over the use of the rear garden area. He is not that happy about the idea of allowing people to come outside to smoke after 22:00 without a drink because that means they have to leave their drink inside which people are unhappy about unless you have any suggestions about ways in which that can be controlled?

He would however be prepared to limit the number of people who are allowed to be outside and drink to eight at any one time. Other than that all the conditions are agreed.

If you are happy with the proposal I do need to just run it by the Premises Licence Holder as well but I doubt that this will be an issue.

I look forward to hearing from you.

Best wishes

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on them,
not

(Attachment b.)

Nicola Bills

From: Nicola Bills
Sent: 05 July 2018 13:22
To:
Subject: The New Inn, Tutbury

Thank you for your email dated 3rd July 2018, however, there has now been a review application submitted by another party, therefore, as we cannot currently agree with the conditions that I have requested, as this will subsequently proceed to a hearing, I will include my conditions on our representation.

Can you please confirm, prior to my making representations that you have been liaising with the premises licence holder and they are aware of the conditions I am requesting.

Many thanks

Nicky Bills
Licensing Officer
Staffordshire Police