

# Premises Licence Review

## The Travellers Rest

2 New Street, Church Gresley,  
Swadlincote,  
DE11 9PS

South Derbyshire District Council

28 / 08 / 2013



**The Travellers Rest  
2 New Street,  
Church Gresley, Swadlincote, DE11 9PS**

**Contents**

<b>1, Licensing Officer delegation authorisation notification</b>	<b>Page 1</b>
<b>2, Notification of Objection to Premises Licence application</b>	<b>Page 2 - 8</b>
<b>3, Premises Licence (SDDC / 023312)</b>	<b>Page 9 - 14</b>
<b>4, Statement of Evidence - Police Constable 2766 MORLEY</b>	<b>Page 15 - 23</b>
<b>5, Statement – Section Inspector CANNON</b>	<b>Page 24 - 25</b>
<b>6, Statement – PCSO MILLER</b>	<b>Page 26</b>
<b>7, Community Impact Statement Robert ALAN (<i>resident</i>)</b>	<b>Page 27 - 34</b>
<b>8, Community Impact Statement Anthony McDONALD (<i>resident</i>)</b>	<b>Page 35 - 37</b>
<b>9, Community Impact Statement Susan ELTON (<i>resident</i>)</b>	<b>Page 38 - 44</b>
<b>10, Community Impact Statement Joanne McSHERRY (<i>resident</i>)</b>	<b>Page 45 - 50</b>
<b>11, Notice for meeting delivered to residents</b>	<b>Page 51</b>
<b>12, Police letter (<i>infringement notice</i>) dated 27/06/2013</b>	<b>Page 52 - 54</b>
<b>13, Police letter (<i>infringement notice</i>) dated 06/03/2013</b>	<b>Page 55 - 56</b>
<b>14, Letter to Premises Licence Holders (<i>Inn deed Nominee 1 Ltd</i>)</b>	<b>Page 57 - 58</b>
<b>15, Letter to DPS re; incident 860-23/11/2012</b>	<b>Page 59 - 61</b>
<b>16, Email thread between Police and Environmental Health Team</b>	<b>Page 62 - 68</b>
<b>17, Email thread between Police, Premises Licence Holder &amp; Solicitor</b>	<b>Page 69 - 73</b>
<b>18, Agreed Conditions for minor variation (11/04/2013)</b>	<b>Page 74</b>
<b>19, Innkeeper visits log (October 2012 – June 2013)</b>	<b>Page 75 - 79</b>
<b>20, Crime and Incident Analysis (July 2006 – June 2013)</b>	<b>Page 80 - 89</b>
<b>21, Historical Incidents 27/02/04 – 29/04/13 (Appendix 'A')</b>	<b>Page 90 - 202</b>
<b>22, Incident prints – CHILVERS - 05/10/12 – 014/03/13 (Appendix 'B')</b>	<b>Page 203 - 242</b>
<b>23, Incident prints – KINCH – 27/03/13 – date (Appendix 'C')</b>	<b>Page 243 – 326</b>
<b>24, Incident prints – since service of review notice</b>	<b>Page 327 – 353</b>
<b>25, Incident prints – since meeting between Area Manager, Solicitor &amp; DPS 17/07/2013</b>	<b>Page 354 – 381</b>



**Derbyshire  
Constabulary**

I, Michael Francis Creedon, Chief Constable of Derbyshire Constabulary, hereby confirm that the powers given to me by the Licensing Act 2003 are delegated to the following officers and police staff to carry out for and on behalf of the Derbyshire Constabulary in respect of 'D' Division.

Sergeant 2864 Mark LOMAS  
Constable 2766 Richard MORLEY  
Constable 2013 Mark DUNN  
Constable 2465 Philip DAY  
Constable 14023 Priya DHILLON  
Mr Ian COLEMAN (6902)

*M. Creedon*

CHIEF CONSTABLE OF DERBYSHIRE

*12/3/13*

DATE

**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 Superintendent Gary PARKIN

*(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> Travellers Rest, 2 New Street, Church Gresley,	
<b>Post town</b> Swadlincote	<b>Post code (if known)</b> DE11 9PS
<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Inndeed Nominee 1 Limited	
<b>Number of premises licence or club premises certificate (if known)</b> SDDC / 023312	

**Part 2 - Applicant details**

I am

**Please tick yes**

- |  |                                     |
|--|-------------------------------------|
| 1) an interested party (please complete (A) or (B) below)                              |                                     |
| a) a person living in the vicinity of the premises                                     | <input type="checkbox"/>            |
| b) a body representing persons living in the vicinity of the premises                  | <input type="checkbox"/>            |
| c) a person involved in business in the vicinity of the premises                       | <input type="checkbox"/>            |
| d) a body representing persons involved in business in the vicinity of the<br>premises | <input type="checkbox"/>            |
| 2) a responsible authority (please complete (C) below)                                 | <input checked="" type="checkbox"/> |

- 3) a member of the club to which this application relates (please complete (A) ☐ below)

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

Please tick

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  Chief Officer of Police.  Derbyshire Constabulary, 'D' Division Headquarters, Prime Park Way, Chester Green, Derby, DE1 3AB
Telephone number (if any) 0300 122 5409
E-mail address (optional) derby.licensing@derbyshire.pnn.police.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
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>

**Please state the ground(s) for review** (please read guidance note 1)

Derbyshire Constabulary has carried out an in depth audit and appraisal of the level and types of incidents that are both attributable and directly relate to the premises since the change of Premises Licence Holder in 2012. Since the installation of the new Premises Licence Holders Derbyshire Constabulary can confirm that along with other 'Responsible Authorities' have attempted to work in partnership with both the Premises Licence Holders and Designated Premises Supervisors with a view of promoting and supporting the Licensing Objectives.

As part of this audit Derbyshire Constabulary has also reviewed all previous incidents that are linked to the premises since February 2004 in an effort to remain balanced and proportionate in its actions and intervention.

It is apparent from information and evidence gathered by Police Staff and also openly volunteered by members of the public who live within the immediate vicinity of the premises that the regulated entertainment, accompanied with the sale of alcohol authorised by the Premises Licence is a contributing factor and is definitely feeding the incidents relating to drink fuelled violence and anti-social behaviour suffered in the area and immediately surrounding the premises.

As stated above, since 2012 officers from Police Licensing and representatives from other Responsible Authorities have visited the premises and strived to assist a succession of managers regarding supporting the Licensing Objectives.

The Police have now lost all confidence in the current Designated Premises Supervisor and the Premises Licence Holders. The Police are exceptionally concerned with regard to the frequency of reported incidents that have continued to take place in and around the premises.

Derbyshire Constabulary have serious cause for concern surrounding incidents that have been reported that relate to the level of intoxication of customers leaving the premises and local the area. Several of these incidents have degenerated into drunken fights on the street leading to further calls for service from concerned members of the public, some of whom have been residents in excess of fifteen years. One particular incident occurred at a birthday party where several calls for service were received and a total of three police vehicles were in attendance. This was also on a night where the Premises was scheduled to be visited by 'test purchase operatives' when working with Derbyshire County Trading Standards. The level of the incident was such that it was risk assessed by council colleagues and the attempt to purchase was cancelled. (statements will be within the bundle)

In relation to other incidents that directly impact on the residents of New Street, two individual incidents of the same nature were reported whereby sex toys were used to prop open a window of the premises leading to a seven year old to ask her parents what the objects were. These incidents occurred on Wednesday 27<sup>th</sup> March 2013 and Sunday 19<sup>th</sup> May 2013. (statements will be within the bundle)

Derbyshire Constabulary take an extremely dim view of those premises and Licence Holder who fail to manage their premises in support of the Licensing Objectives and with regard for the local community.

The Police and other Responsible Authorities have repeatedly attempted to work with the Premises Licence Holders and Designated Premises Supervisors of The Travellers Rest over the last nine months. At one meeting it was agreed between the Premises Licence Holders, Designated Premises Supervisor and Police Licensing Officer that a minor variation should be submitted in an attempt to support the Licensing Objectives. This was due to repeated calls from local residents that related to excessive noise from Regulated Entertainment. The variation which included several proportionate conditions that were approved by South Derbyshire District Council Environmental Health Pollution Team was applied to the Premises Licence in March 2013.

It is with the disbelief of the Police that issues surrounding loud music still occur on a regular basis.

The patience of the Police is now at its limit and although we have attempted to work with all parties concerned with the premises in a proportionate and balanced manner, we have no other option other than to call for a review of the Premises Licence under Section 51 of the Licensing Act 2003.

The Police have made the decision to request to revoke the Premises Licence completely as it is believed that no additional conditions, change in management or removal of the Designated Premises Supervisor could give the Police confidence that the Licensing Objectives would be promoted.

Given all of the above points raised, a request to review the premises licence is based around all of the Licensing Objectives; Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Protection of Children from Harm.

Evidence to support this application will be located within a bundle of evidence to be submitted shortly after this application is made and shall contain statements from Police Officers, Local Residents, Incident Logs and other information relating to the Licenced premises.

**Please provide as much information as possible to support the application**  
(please read guidance note 2)

To follow within the evidential bundle.

However, the bulk of the representation shall be focussed around the transfer of the Premises Licence to Indeed Nominee 1 Limited and the installation of the last two Designated Premises Supervisors.



**Please tick yes**

Have you made an application for review relating to this premises before ☐

If yes please state the date of that application

Day Month Year

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

None.

Please tick yes

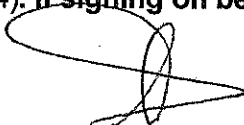
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – Signatures** (please read guidance note 3)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date

02.07.13

Capacity Superintendent

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 5)

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. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

# Licensing Act 2003

## Premise Licence

Premise Licence Number **SDDC/ 023312**

### Part 1 – Premise Details

Postal Address of premises, or if none Ordnance Survey map reference or description

**The Travellers Rest  
2 New Street  
Church Gresley  
Swadlincote, Derbyshire  
DE11 9PS**

Telephone Number **01283 216813**

Where the Licence is time limited the dates

**Not applicable**

Licensable Activities authorised by the licence

**Live music – Indoors**

**Performance of dance - Indoors**

**Dancing – Indoors**

**Anything of a similar description to making  
music or dancing – Indoors**

**Recorded music - Indoors**

**Anything of a similar description to live music,  
recorded music or performance of dance – Indoors**

**Sale by Retail of Alcohol**

**The provision of facilities for  
making music – Indoors**

The times the licence authorises the carrying out of licensable activities

**Monday – Thursday**

**11.00hrs – 23.00hrs**

**Friday & Saturday**

**11.00hrs – 00.00hrs**

**Sunday & Good Friday**

**12.00hrs – 22.30hrs**

**New Year's Day, Bank Holiday Mondays, St George's Day, St Patrick's Day, Independence Day,  
Bonfire night, Halloween, Christmas Eve, Mothers Day, Fathers Day & Valentine's Day from normal  
opening hour until 00.00hrs**

The opening hours of the premises

**Monday – Thursday**

**11.00hrs – 23.30hrs**

**Friday & Saturday**

**11.00hrs – 00.30hrs**

**Sunday**

**12.00hrs – 23.00hrs**

**New Year's Day, Bank Holiday Mondays, St George's Day, St Patrick's Day, Independence Day,  
Bonfire night, Halloween, Christmas Eve, Mothers Day, Fathers Day & Valentine's Day from normal  
opening hour until 00.00hrs**

Where the licence authorises supplies of alcohol whether there are on and or off supplies

**Sale by Retail of Alcohol for consumption on and off the premises**

Date Issued: 02.03.2006

Date Last Amended: 11/04/2013

## **Part 2**

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premise licence

**InnDeed Nominee 1 Limited  
31 Haverscroft Industrial Estate  
New Road  
Attleborough  
NR17 1YE**

Registered number of holder, for example company number, charity number (where applicable)

**05969421**

Name address and telephone number of designated premise supervisor where the premises licence authorises the supply of alcohol

**Andrew Kinch  
14 Westacre Drive  
Church Gresley  
Swadlincote  
Derbyshire  
DE11 9RW**

Personal licence number and Issuing Authority of personal licence held by designated premise supervisor where the premise authorises for the supply of alcohol

Reference: **SDDC/023167**

Issued by: **South Derbyshire District Council**

## **Annex 1 - Mandatory Conditions**

### **Sale of Alcohol**

1. No supply of alcohol may be made under the premises licence:

- (a) at a time when there is no designated premises supervisor in respect of the premises licence or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

3. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible drink promotions in relation to the premises.

(2) In this paragraph, an irresponsible drink promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime & disorder, prejudice to public safety, public nuisance, or harm to children.

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –

- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise)

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act.

(c) Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less.

(d) Provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on –

- (i) the outcome of a race, competition or other event or process, or
- (ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can be reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

4. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reasonable disability)

5. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

6. a. The premise licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premise in relation to the sale or supply of alcohol.

b. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

7. The responsible person shall ensure that –

a. where any of the following alcoholic drinks sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –

- (1) beer or cider: ½ pint;
- (2) gin, rum, vodka or whisky: 25ml or 35 ml; and
- (3) still wine in a glass: 125 ml; and

b. customers are made aware of the availability of these measures

## **Annex 2 - Conditions consistent with Operating Schedule**

Embedded by virtue of schedule 8 of the Licensing Act 2003

The premises may remain open and the Sale by Retail of Alcohol is permitted from the start of normal permitted hours on New Year's Eve through until the start of normal permitted hours the following day.

### Prevention of Public Nuisance

- 1. All doors and windows will remain closed save for entrance and egress from 21:00hrs during provision of regulated entertainment to prevent noise outbreak.
- 2. The rear of the premises has the benefit of sound proofing which will be maintained.

3. The Designated Premise Supervisor / Appointed Manager will regularly supervise the external areas to ensure that no nuisance occurs
4. Notices will be placed and maintained on the premises requesting customers to leave quietly and respect local residents

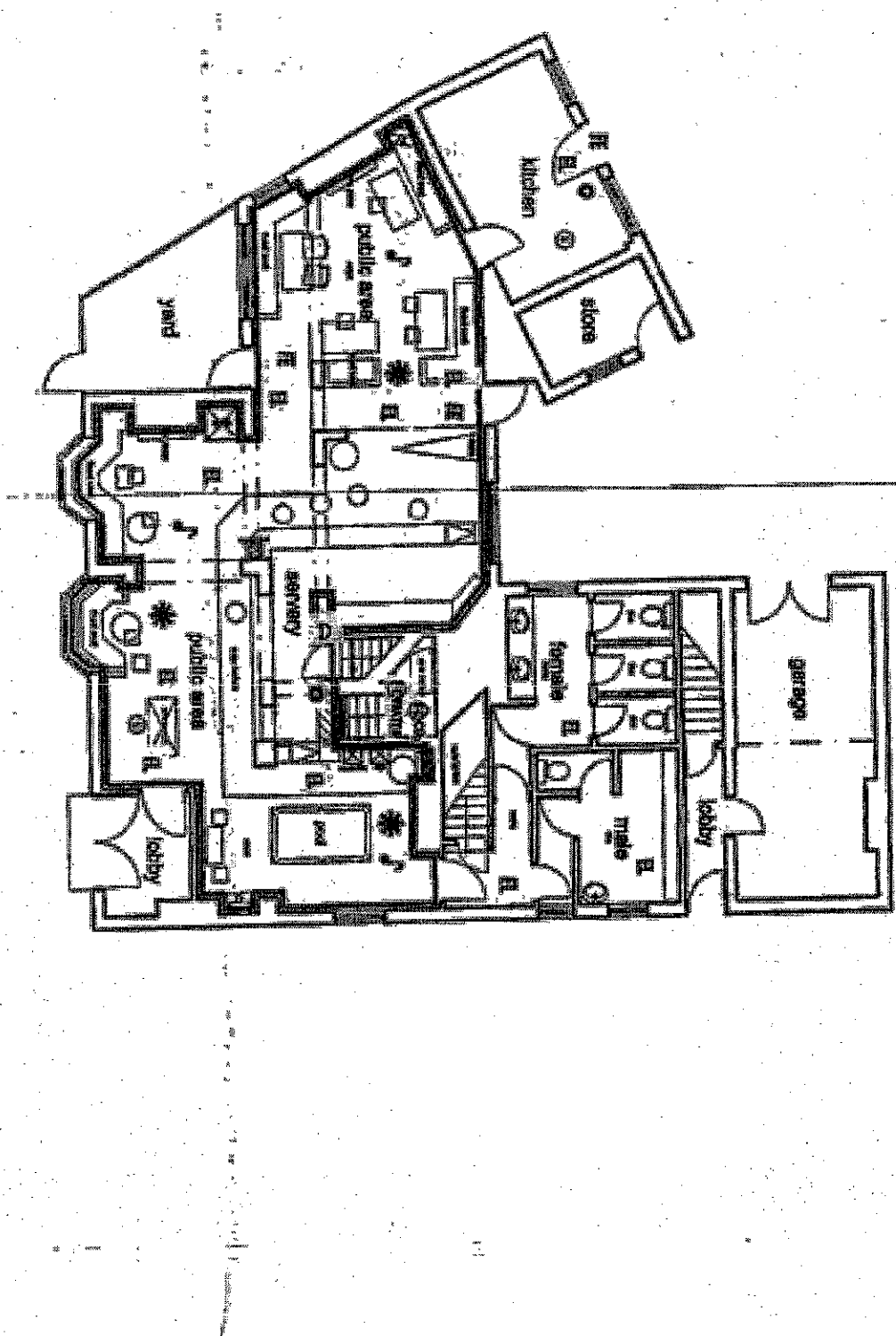
**Conditions added by minor variation on 11.04.2013 as agreed with Derbyshire Constabulary**

1. The Designated Premises Supervisor will ensure that prominent, clear and legible notices are displayed at all exits to external areas requesting customers to respect the needs of local resident by keeping noise to a minimum. This is to include external drinking and smoking areas.
2. This message is to be emphasised by the Designated Premises Supervisor or nominated member of staff at closing time by requesting members of the public to leave the premises and area quietly.
3. When regulated entertainment involving amplified live/recorded music or speech is taking place at the premises all doors and windows will remain closed except for access and egress.
4. The Designated Premises Supervisor will ensure that after 2100hrs hourly checks are made around the boundary of the premises to check that noise levels from the premises are not at a level that could cause disturbance to neighbouring properties. *(for the avoidance of doubt, if the music is able to be heard at each/any noise sensitive point it must be turned down to a point where it may not be heard.)*
5. These hourly checks are to be recorded within a logbook specifically designated for this purpose and any action or findings shall be recorded at the point of the check.
6. The Designated Premises Supervisor will shall receive and respond to complaints when activities involving amplified music or speech are taking place and during the time that customers are leaving the premises.
7. The Designated Premises Supervisor will must take action to investigate the complaint and take reasonable steps to address the nature of the complaint.
8. A record of these complaints and of any action taken as a result shall be maintained in a logbook kept specifically for that purpose. The logbook shall be made available for investigation by a Police Officer or an authorised officer as defines within section 13 of the Licensing Act 2003.
9. No customer shall be allowed to remove any alcoholic or other drink from the premises in an open container (glasses and open bottles) other than to an external area designated for consumption.
10. External areas will not be used after 2300 hrs except for parking, access and egress.

**Annex 3 - Conditions attached after a hearing by the licensing authority**

None

## Annex 4 – Plans





### Witness Statement

**Criminal Procedure Rules, R27.2; Criminal Justice Act 1967, S.9; Magistrates' Courts Act 1980, S.5B**

URN

30

**Statement of:** Richard Ian MORLEY .....

**Age if under 18:** Over 18 ..... (if over 18 insert 'over 18')

**Occupation:** Police Constable 2766 .....

This statement (consisting of 9 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

**Signature:** .....

**Date:** 22/07/2013 .....

**Cross if witness evidence is visually recorded** ☐ (supply witness details on rear)

I am a Licensing Enforcement Officer for Derbyshire Constabulary and I am stationed at 'D' Divisional Head Quarters, St Marys Wharf Police Station, Derby and have been in post for a period of four years. I work within a licensing team consisting of four Licensing officers and a Licensing Sergeant that cover an area known as 'D' Division, this area is split into a further six geographic boroughs.

These boroughs are highlighted as Derby North, Derby East, Derby South, Peartree, Ilkeston and Long Eaton. I currently operate within the Derby South division with a view to assisting, advising and supporting licensees in both the on and off licensed trade regarding best practice whilst assisting them in supporting and upholding the four licensing objectives, Prevention of Crime and Disorder, Public Safety, The Prevention of Public Nuisance and Protection of Children from Harm.

My role also requires me to proactively patrol the City Centre over the weekend period. The rationale behind this is to act as a direct point of contact should an officer require support with a licensing issue and to advise licensees that require further assistance and support on an evening.

Prior to joining the Police Service I was a manager for eight years with a national brewery. I hold several qualifications within the licensing sector such as *BIIAB level 2 National Certificate for personal licence holders* and *BIIAB level 2 national Certificate for Licensing practitioners*. I have over twelve years experience within the Police service and have served within several areas such as general reactive duties, Beat officer within Derby City centre and now Licensing.

Since 2010 I have attended regular pub watch meetings held at South Derbyshire licensed premises, the idea behind such meetings is to provide a point of contact to the local licensees with a view to discussing as a group or individually issues or concerns with the local area or their premises. These open forums are held on a rolling six week period. It was at one of the meetings that I first spoke to the old Designated Premises Supervisor (DPS) of the Travellers Rest, 2 New Street, Church Gresley; Sandra BLOCKLEY.

Sandra stated that she had run the pub for several years and had always attempted to engage with partner agencies during her time at the premises. She had openly stated that she had spoken to members of the local community regarding issues of noise and had therefore not offered regulated entertainment to customers on a regular basis. Whilst it was conceded that this was within her power as DPS and also defined within her licensable activities, she did elect to have from time to time events involving regulated entertainment. These events did give rise to calls for service to both the Police and Council Pollution Team, where advice and support was provided. (Appendix 'A')

**Signature** .....

**Signature witnessed by** .....

Continuation of Statement of: Richard Ian MORLEY .....

Derbyshire Constabulary records all calls for service on a computerised system called NSPIS, this is our command and control system. All recordable crimes are held on 'GUARDIAN' another computerised system, further to this we use a database called 'INNKEEPER' (pages 75-79) on which all details of any licensed premises are stored and updated. All of these systems are searchable and I have researched these systems in relation to reported incidents, recordable crimes and records that are retained within innkeeper from 2004. This is with a view to providing an overview of the history of the premises to enable comparisons to be drawn relating to the level, frequency and severity of incidents during the periods of different managers and Premises Licence Holders. (Appendix A, B and C)

Even though it could be argued that the premises have not come to the attention of the Police or other Responsible Authorities, it would be fool hardy of me not to draw your attention to, or refer you to the list of historical incidents that are held on our Police systems. These are dated from 2004 to April 2012 and consist of a total of twenty one (21) incidents ranging from information on drink drivers, low level anti-social behaviour (ASB) to Assaults and drink fuelled violence. (Appendix 'A'). Whilst assistance, advice and support had been offered to the DPS it is conceded that the level of complaints between the above highlighted dates only equates to an average of 2.6 reported incidents per year.

As you will see from viewing the analysis from within a 1000m radius that includes a total of 18 licensed premises and covers the period between 2006 to 19<sup>th</sup> June 2013 a distinct peak in reported crimes and incidents of anti – social behaviour occurs during the summer months. This peak is further split into days of the week which highlights a common theme of a noticeable peak at the weekend. It is worth noting that within this radial search a total of 18 licensed premises are highlighted, the breakdown of the establishments are as follows;

- 8 - public houses
- 7 - restaurants and private clubs
- 3 - licensed establishments that have closed

I have again noted that the frequency of incidents relating to anti – social behaviour are at their highest point on Friday and then gradually reduce throughout the weekend. It is worth noting that the terminal count of incidents on Sunday is *still higher* than other days of the week. I must draw your attention to the overall figures that are generated from the analysis of both the premises and the geographic area with regards to the volume of incidents. I have reviewed the figure and have found the following;

2006 – 29/04/2012

321 reported incidents to the police, some of these are attributable to the premises by customers leaving the locality, however I have noted that 21 incidents reported relate directly to the premises. *This equates to a 6.5% contribution to incidents within the 1000m radius over a six year period.*

05/10/2012 – 01/03/2013

31 reported incidents to the police, some of these are attributable to the premises by customers leaving the locality, however I have noted that 7 incidents reported relate directly to the premises. *This equates to a 22.5% contribution to incidents within the 1000m radius over a five month period.*

27/03/2013 – Date

12 reported incidents to the police; I have noted that all incidents reported relate directly to the premises. *This equates to a 100% contribution to incidents within the 1000m radius over a three month period.*

Signature .....

Signature witnessed by .....

Continuation of Statement of: Richard Ian MORLEY .....

A radial search area of 1000m showing the locations of other licensed premises with a more refined search area of 150m showing recordable crimes and incidents of ASB with the Travellers Rest being at the centre have been compiled using NSPIS, the force command and control system, *(intelligence research compiled by Derbyshire Constabulary intelligence researcher Katie GRAY attached at pages 80 - 89 of the police bundle).*

Whilst the Police take every report seriously and aim to assist the members of the community with the issues they report to us, it is the belief of the Licensing Team that the frequency of these 'historical' incidents did not warrant any further action or intervention, than that of offering guidance and advice to the management and staff of the premises, at the time as well as the members of the local community.

The DPS had clearly recognised the fact that these incidents may have been generated by the provision of Regulated Entertainment, which could have been why these activities were no longer, offered on a regular basis during the ownership.

The Travellers Rest is a small converted dwelling with an internal floor space of 94 sq m with associated external rear courtyard and a grassed beer garden to the front. The premises are located towards the end of a residential street that has neighbours directly opposite and adjacent to it, but only on one side. These residential properties have been in situ for many years with a vast majority of the residents living on the street for nearly twenty years.

On 27<sup>th</sup> April 2012 the licensing department received a request under Section 42 of the licensing act 2003 to transfer the premises licence from Sandra BLOCKLEY to a 'holding company' Indeed Nominee1 Ltd. This company were acting on behalf of the receivers for the owners of the property Allied Irish Bank. I spoke with the area manager that was responsible for the premises along with others within the estate and it transpired that the premises were to remain closed until a suitable applicant showed interest in the premises. It is worth noting at this point that during the five months the premises remained closed the quality of life enjoyed by the residents in the locality was increased tenfold.

On 24<sup>th</sup> September 2012 I received a request to vary the Designated Premises Supervisor (DPS) from Sandra BLOCKLEY to Stephen CHILVERS under Section 37 Licensing Act 2003. On 2<sup>nd</sup> October 2012, I attended the premises to introduce myself to the person named on the application, Stephen CHILVERS and discussed a proposed opening date with him. Stephen stated that he was planning on opening on Friday 5<sup>th</sup> October.

At this point I handed him a refusal log, challenge 25 posters and a compliance file that outlined sections within the licensing act with a view to assisting him I also requested him to read the conditions on the premises licence. This visit is recorded on the innkeeper system. (page 75)

During this meeting Stephen commented that even though he had another pub within South Derbyshire, The Drum and Monkey he was more than willing to make a go of the Travellers Rest and further stated that he was installing a couple to manage the premises one of which had just completed a licensing qualification, National Certificate for Personal Licence Holders (NCPLH) a qualification nationally recognised by the British Institute of Innkeepers and Brewers (BIAB).

I advised him that even though he was employing a couple to run the premises he was still in day to day control and was responsible for the operation of the premises.

Signature .....

Signature witnessed by .....

Continuation of Statement of: Richard Ian MORLEY .....

During the opening weekend it should be noted that two incidents were reported to the Police that relates to parking issues on the narrow street and in the early hours of the morning relating to drunken disorder. (*Appendix 'B', pages 203 - 242*)

Derby licensing team conduct 'Test Purchase' operations within the division on a regular basis, these operations are conducted in partnership with Derbyshire County Trading Standards whereby two chaperoned test purchase volunteers, aged between thirteen years and six months to seventeen year and six months enter a licensed premises with a view to purchasing alcohol without offering identification. The rationale behind this is to ensure that children under the age of eighteen and who appear to be under twenty five (challenge 25) are requested for identification.

On Friday 23<sup>rd</sup> November 2012 at 2300hrs the Travellers Rest were due to be tested. On attending the locality I noted that the police were in attendance in numbers, the operation was risk assessed and cancelled. On this I entered the premises in the company of another licensing enforcement officer, PC 2013 DUNN to investigate the cause of the police being in attendance. I was able to identify a male who stated he was in charge, this was not Stephen CHILVERS and he openly stated that a birthday party had gotten out of hand. Whilst within the premises it was noted that children that appeared to be under thirteen were within the premises and were clearly shaken by the incident. One child in particular was seeking comfort in the arms of her mother. (*Appendix 'B' pages 205 - 211*)

It was agreed that the premises would close to ensure further disorder didn't occur and I requested the male in charge, Adam LAMBERTON, to contact to DPS to arrange a meeting with me to discuss the issues since the premises had been open. Prior to leaving I assisted the manager to remove the remaining drunken customers.

On Wednesday 28<sup>th</sup> November 2012 a meeting was attended by Stephen CHILVERS (DPS) Jodie CHILVERS and Adam LAMBERTON (manager) with a view to seeking clarity of the incident the prior weekend and also to provide an update regarding the frequency of incidents since taking over as DPS and to express my concerns about an increase in incidents over the weekend trading. The meeting started with Adam stating that he wished he had never taken the booking stating that drinkers from within were drawn to the events outside. I expressed my initial concerns of the management structure at the premises and supported this statement by reinforcing with Stephen that it was his personal licence that was at stake and not his managers.

I informed both of the police' stance regarding drink fuelled violence and ASB and commented that the incidents of drunken behaviour both inside and within the vicinity of the premises should cease. I stated that the premises had received some Police attention since it had been re-opened and that the level of intervention, whilst being stepped would be appropriate to the incident / call for service logged. Adam stated that he holds a monthly meeting with the immediate neighbours. He has held this prior to opening and welcomed the offer of myself, a local SNT officer or both attending the next meeting to see if we could constructively resolve any issues or tensions that may be present. (*pages 59 - 61*)

On Monday 24<sup>th</sup> December 2012 whilst working Christmas Eve, I attended the premises at 2130hrs to get an overview of the premises whilst it was open and trading and to see if the points raised in the earlier meeting were being put into action. Even though the pub was busy, and the customers appeared to be in good spirits I was able to locate the DPS. I spoke with Stephen who stated that he was implementing what had been discussed regarding incident logs and operating the challenge 25 policy

Signature .....

Signature witnessed by .....

Continuation of Statement of: Richard Ian MORLEY .....

I thanked him for the support and mentioned that he should consider reducing the volume of the music from the DJ as when customers were opening the door to gain access to the external smoking area the volume experienced a noted increase. (page 76) Adam who was also working stated that he was conducting regular external noise checks to assist with the upholding of the licensing objectives. With this I reminded him of the historical issues with neighbour complaints and left.

Given the fact that the previous test purchase operation had to be cancelled at the premises due to disorder at the birthday party, the premises were tested on Friday 1<sup>st</sup> March 2013. Two females aged 15yrs and 16 yrs entered the premises and were able to purchase two bottles of 'WKD' a vodka based alco-pop. Officers that were within the premises at the time of the sale were able to confirm that no request for identification was made by the member of staff that served the two girls and offered a description of the male member of staff. Two police licensing enforcement officers attended and spoke with the male who gave his name as Andrew KINCH.

Mr. KINCH stated that he was a member of staff and was subsequently issued with an £80 fixed penalty notice for the sale of alcohol to a person under 18. Section 146 of the Licensing Act 2003. Following the issue of the ticket the officers conducted an inspection of the premises where several infringements were noted. (letter from PC DAY, pages 55 - 58) These ranged from failure to display the premises licence summary to failings under the regulatory reform (fire safety) order 2005. An infringement notice was issued to Andrew highlighting the points that required attention. During the visit Stephen CHILVERS, the DPS was contacted by telephone where a request was made for him to attend the premises, this offer was refused and CHILVERS became verbally abusive over the phone. The call was terminated.

After this incident, I was astonished to receive an application to vary the DPS from Stephen CHILVERS to Andrew KINCH under Section 37 of the licensing act 2003 on the 12<sup>th</sup> March 2013. I could not believe that a person that had sold alcohol to children during a test purchase operation a matter of just over a week before was now proposed to be the DPS.

Following the failed test purchase operation I attended a pre-arranged meeting at the premises on Thursday 14<sup>th</sup> March 2013 to discuss the issues at the premises and also to meet with the proposed DPS. In attendance were Andrew KINCH (proposed DPS), Sharon KINCH, Steven CHILVERS (old DPS) and David MORSE, business development manager (BDM). I explained to David the need to discuss the running of the premises with a view to fully understanding the business set up between the premises licence holder, Indeed nominee and the owner Allied Irish Bank.

At the start of the meeting I provided a brief overview of the historical issues surrounding the pub regarding noise from customers and the provision of regulated entertainment. I spoke with the proposed new DPS (Andrew KINCH) in an effort to better understand his skill set, being a fairly new holder of a personal licence and given that he had never run a pub before coupled with the occasion when he failed the test purchase operation. I stated that at this point in time I had little confidence in him remaining as DPS unless he could provide me with some sort of reassurance that he would be able to enforce the conditions on the premises licence and uphold the licensing objectives whilst being in post at the premises.

David MORSE stated that he understood my concerns and accepted that the running of the premises required improvement. I initially requested that David should volunteer to reduce the hours of regulated entertainment; however this was refused with him offering further conditions that related to noise and public nuisance. I outlined my position whereby should the premises receive further complaints of noise, drink related anti-social behaviour, have issues with crime and disorder or fail another Test Purchase operation, then my position would be to consider reviewing the premises licence.

Signature ..... 

Signature witnessed by .....

Continuation of Statement of: Richard Ian MORLEY .....

David stated that he was aware that a young female was living in the flat and this may give rise to complaints regarding noise, he stated that he would instruct her to move out due to the issues. I further stated that I would consider and draft a set of appropriate conditions that were relevant and proportionate to the issues being experienced by local residents with a view to seeing them applied to the premises licence by way of a minor variation to support the DPS in gaining a better understanding of how important these issues were to resolve. I also pointed out that should any issues be experienced then I would most certainly be requesting removal of the DPS as a minimum at the review hearing.

It was agreed that I would email a set of drafted conditions (page 74) to David for him as a representative of the premises licence holder to submit. (pages 69 - 73) Following this meeting I updated the local residents regarding the outcomes and provided them with advice on what to do should they have issue over the next few weekends. Prior to sending the proposed drafted conditions to the premises licence holders I sought advice from South Derbyshire Environmental Pollution Team, a responsible authority as defined within the licensing act 2003 requesting what they would like to see attached to the premises licence in the form of conditions with a view to preventing a public and statutory nuisance while supporting the licensing objectives.

On the 25<sup>th</sup> March 2013 I received an application to vary the premises licence under section 41a of the licensing act 2003 for the addition of conditions to be applied to the premises licence. This was the variation that was discussed at the meeting 14<sup>th</sup> March 2013. It was my belief that the addition of these conditions, complemented with a new DPS and with the appropriate support would result in a more attractive offering to the customers and provide a better quality of life to the local residents.

Following countless stepped intervention, meetings and discussions with what appeared to be a quick succession of a poorly structured management chain, I remained hopeful that the issues would have been addressed with the installation of the new DPS and further conditions. Given the fact that at the last meeting I stated that the increased number of calls from members of the public residing in the immediate vicinity of the premises was not painting the premises in a good light, I was amazed and disappointed that a further two calls were received relating to offensive items being displayed in windows in the accommodation above the pub (incident 586-27/03/13) and abusive customers leaving the premises (incident 16-28/04/13).

In a final attempt to gain full compliance of the management and the premises licence holders I contacted the representative of the premises licence holders, David MORSE on Wednesday 15<sup>th</sup> May 2013 to discuss what actions had been taken relating to the complaints of ASB, drink fuelled disorder and noise. David stated that he held a meeting with John MILLS a couple of weeks ago relating to the noise issues and they agreed to hold Karaoke events twice monthly and also to re-insulate the rear door area that leads onto the external rear yard.

I stated that I had been provided with a list of residents that had contacted the pollution team regarding noise and that as stated in the last meeting involving all parties; I would have to take appropriate action should the issues of intoxicated revellers leaving give rise to public nuisance and / or the noise issue was continuing.

It would appear that this was the case and I wanted to discuss what was being done and explained that a review was being considered as it was my belief that all other avenues of intervention had been tried, but still the issues were being suffered.

Signature .....

Signature witnessed by .....

Continuation of Statement of: Richard Ian MORLEY .....

I provided details of John MILLS to assist David in making contact with a view to him jointly visiting the site to speak with the DPS. I also stated that the list of residents provided to me by John would be visited with a view to taking impact statements in preparation for a review hearing should no improvement be experienced. David stated that a rubber seal had been fitted to the rear door that opens onto the rear court yard, and that should have reduced the noise. This appeared to be a move in the right direction, but seemed to be too little too late as incidents were still being reported. It was agreed that David would discuss the issues with John and the DPS to find a way forward; however I maintained my standpoint that I was continuing to gather evidence for a review of the premises licence.

Prior to terminating the call I pointed out to David that the bulk of the incidents were happening at the weekend, late afternoon through to the early hours of the morning. Again the hours of the premises were repeated with the understanding that concessions should have been provided relating to regulated entertainment at the initial meeting.

After several meetings, calls, visits and letters indicating the level and nature of incidents linked to the premises with all of the persons being responsible being either present or informed, the continued amount of recorded incidents in the close proximity of the Travellers Rest is evidence in itself that the management have not heeded any advice offered to them by the Responsible Authorities, including the Police. Since my last telephone conversation with David MORSE in May 2013 there have been a further seven reported incidents of anti - social behaviour at the premises compounded by further calls regarding the volume from regulated entertainment.

In a final effort to fully understand the reasons why these incidents are being reported I attended the premises on Wednesday 26<sup>th</sup> June 2013 to speak with the DPS and again provide an up to date précis of the continued information being received about the premises. I spoke with Sharon KINCH, the wife of Andrew KINCH (DPS) as he was at work in an effort to further assist her with an overview of the next steps available to me as a licensing officer as it would have appeared that all other means of intervention and guidance had failed. She informed me that sometimes too much tolerance had been given to customers with them being allowed out into the external areas to drink and have a cigarette after 2300hrs (condition on the licence) and openly stated that the staff couldn't be everywhere.

Whilst I understood her complaint I qualified this by intimating that perhaps the customers had been allowed to push the goodwill too far to the extent of it not being able to be returned to the norm. I made it clear that a 'line in the sand' needed to be drawn that outlined what was acceptable behaviour from customers as they were guests. I further stated that if they required a customer to leave due to level of intoxication, behaviour or non compliance with a request then they should contact the police to assist. To provide a baseline as to the level of compliance with both legislation and conditions I conducted a licensing inspection of the premises and found the following;

- 1, Unable to provide evidence of staff training
- 2, Fire extinguishers showed a date of last test of 05/2012
- 3, External area's were still being used after 2300hrs (this was admitted by Sharon)
- 4, Unable to produce an age verification policy

Following the inspection and the subsequent issuing of an infringement notice I provided Sharon with a compliance file, Age verification posters (ch25), a UV light and a further refusal log book, all of these items were requested by Sharon during a telephone call with her on Monday. (letter 52 - 54)

Signature ..... 

Signature witnessed by .....

Continuation of Statement of: Richard Ian MORLEY .....

I was happy to see that the further conditions that had been applied to the premises licence via a minor variation in March appeared to be complied with, however with this understanding I couldn't understand why incidents concerning external drinking, loud music and issues of drunken abusive people leaving were still being reported. It was noted within the content of the 'external noise check log' that dates of regulated entertainment corresponded to occasions when members of the public complained to the police regarding drunken customers and noise from the premises

My thoughts were relayed to Sharon and she too stated that she hated working at the pub at weekends if it was sunny as she knew that she would be complained about. Further advice was given regarding being 'extra vigilant' during sunny periods of trading along with monitoring the external areas after the terminal hour of 2300hrs. I was made aware of the fact that a new area manager was taking over so handed her my card for her to pass on with instruction for him to contact me regarding the pending application to review the premises licence.

The Police have been supportive to the extreme when the Travellers Rest is compared to other licensed premises on a pro-rata visit basis. The patience of the Licensing Department is at its lowest ebb and although we have taken a proportionate, transparent and balanced approach into consideration and taking into account the repeated calls from members of the public relating to the behaviour of the premises and its customers that do not portray the area in a good light that we have no other options available, and feel that it is appropriate to bring the premises licence for review and for the licensing sub-committee to determine a way forward.

In a final attempt to gain full compliance of the premises and management a meeting was held at the Travellers Rest on Wednesday 17<sup>th</sup> July 2013 between the new area manager; Spencer WORSEY, Andy GRIMSEY (solicitor), Andrew KINCH (DPS) and his wife. This was a request made by Spencer to assist him with understanding how the premise was impacting on the neighbourhood. I provided a brief overview of all of the interaction and level of efforts that had been made by the Police Licensing Department since the premises was being run by Inndeed Nominee 1 Ltd and made efforts to provide reflective overviews of other pubs within the area.

During the meeting I remained optimistic that a solution may be found as I was aware that options may be available after the issues were viewed by an independent person that had not been directly involved with the previous dealings and intervention, namely Andy GRIMSEY and Spencer WORSEY. I stated that I was more than willing to consider and listen to any proposals provided but I remained of the stand point that I would still seek Revocation of the Premises Licence at the hearing and that it was up to the Solicitor to justify and prove to the committee why the pub which has given rise to many complaints should remain open.

As the meeting continued I could see that considerable thought was being given to the vast array of issues presented to them, it was clear from the body language of both Spencer and Andy that a clear and simple solution was not presenting itself to them, however the meeting drew to its natural end with both the solicitor and Area Manager thanking me for attending and allowing them to understand my views of the pub.

At the close of the meeting it was agreed that a further private meeting between Andrew KINCH, Spencer WORSEY and Andy GRIMSEY was needed in a bid to arrive at some options other than the closure of the premises that would support the Licensing Objectives, the DPS and the community.

Signature .....

Signature witnessed by .....



Continuation of Statement of: Richard Ian MORLEY .....

It is my aim and that of the licensing office to endeavour to visit each licensed premises at least once a year with a goal of two visits per year. To date in a nine month period the Travellers Rest has experienced assistance and intervention from the licensing department a total of nine times. With this level of intervention I find it hard to understand why the premises are still generating concern for residents and call for service of the local police officers.

Since the date of the last meeting in July I am aware of further incidents that have been reported to the Police, these incidents all relate to fights, drink fuelled anti – social behaviour and abusive language both on the street and within the external beer garden. From the content of at least two of these incidents it would appear that the customers are now directly targeting the abuse towards the residents. (incident 891-19/07/2013). This behaviour is totally unacceptable.

I respectfully remind the members of the sub-committee that the Guidance under Sec. 182 of the Licensing Act 2003 at 2.1 states; *"Licensing Authorities should look to Police as the main source of advice on Crime and Disorder"*.

The Guidance also states; "where responsible authorities like the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns. Licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate"

The guidance also states that each objective is of equal importance. There are no other statutory licensing objectives, so the promotion of the four licensing objectives should be a *paramount* consideration at all times. The guidance further explains *"that the legislation also supports a number of key aims and purposes. These are vitally important and should be principle aims for everyone involved in licensing work"*.

They include;

- ***Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises.***
- ***Encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may impact upon them.***

I am of the opinion that should the premises be allowed or continue to remain open in its current state and with the hours and activities allowed, then the area of New Street and its residents shall experience and witness further incidents of drink fuelled violence and anti-social behaviour.

To clarify, the position of the police is that of requesting revocation of the premises licence for the Travellers Rest, 2 New Street, Church Gresley as granted by South Derbyshire District Council. The decision is not taken lightly and should not be seen as a threat but more of last resorts having witnessed all other efforts fail.

The police have considered the guidance under Section 182 of the Licensing Act 2003 and the Human Rights Act 1998, we have also taken into account the concerns and fears of the local residents and wider community when making this decision.

Signature .....

Signature witnessed by .....

RESTRICTED (when complete)

MG11T

## Witness Statement

Criminal Procedures Rules, R27.2; Criminal Justice Act 1967, S.9; Magistrates' Courts Act 1980, S.5B

URN 

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Statement of PAUL ANTONY CANNON

Age if under 18    Over 18    (if over 18 insert 'over 18')

Occupation POLICE INSPECTOR

This statement (consisting of 3 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature: 

Date: 20-6-13.

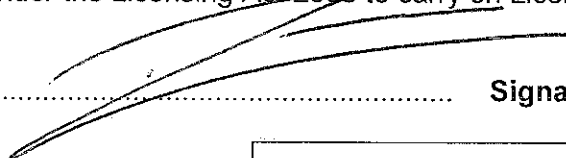
Cross if witness evidence is visually recorded ☐ (supply witness details on rear)

I section Inspector Paul CANNON and I am in charge of South Derbyshire area an inner Police section of 'D' Division within Derbyshire Constabulary.

On Monday 17<sup>th</sup> June I was made aware by PC 2766 MORLEY that he was considering requesting a review hearing to take place at South Derbyshire Council Offices in relation to a Licensed Premises currently authorised for Licensable Activities by virtue of the Premises Licence granted by South Derbyshire Council. This premises is The Travellers Rest, 2 New Street, Church Gresley.

I have been made aware that the review of the premises licence is going to be made on the basis that the premises is associated with the supply of alcohol and regulated entertainment. This has given rise to increased Anti Social Behaviour both within the premises and in the immediate vicinity. PC MORLEY has informed me that he has been collating statements from members of the public regarding the prolonged issues of drink fuelled violence and public order offences and I am satisfied that the premises and apparent lack of strong management has proven to be a catalyst for the behaviour that negatively affects the community in the surrounding area.

I have also been made aware that officers within the Licensing Department and our other partner agencies have strived to assist and support both the Premises Licence Holders and the Designated Premises Supervisor with these issues on several occasions. The intervention between all parties has been instigated due to information that has been received by both Police and Council pollution team, the majority of which has been unsolicited from members of the local community. This clearly illustrates that the conduct of the premises and management has fallen below that of which is expected from a person authorised under the Licensing Act 2003 to carry on Licensable Activities.

Signature 

Signature witnessed by .....

RESTRICTED (when complete)

Continuation of Statement of

Paul Antony Cann

PC MORLEY has informed me that from 2004 to 2012 a total of twenty one incidents have been recorded that directly relate to the premises and the behaviour of its patrons. In April 2012 the premises licence was transferred to Indeed Nominee, who have seen fit to allow the installation of two Designated Premises Supervisors, one being from October 2012 to March 2013 and the other from March 2013 to date.

Within this nine month period a total of thirteen incidents have been recorded with the Police that have been directly attributable to the premises, customers and management of the Travellers Rest. This is a significant increase on the twenty one incidents that were recorded during the preceding eight year period.

The Licensing Department have engaged with the two managers of the premises and the representative of the premises licence holders that he brought about a minor variation that required the designated premises supervisor to be robust when regulated entertainment was being carried out at the premises. This variation took the form of extra conditions being applied to the premises licence with a view to supporting the members of the public, Designated Premises Supervisor and upholding the Licensing Objectives. These issues are still happening.

It is of great concern to me that both the premises licence holders and the designated premises supervisor appear not to be conforming to the requirements set out within the premises licence. It will of course, be a matter for the Licensing Sub-Committee to determine on the evidence presented, whether steps other than revocation shall be appropriate.

However prior to reaching any decision, I should respectfully request that the work conducted by the Licensing Department and my Safer Neighbourhood Team is considered. It remains my view that positive action should be taken and should the premises be allowed to continue unchecked, we risk continued and prolonged damage to our communities within the local area.

Signature

Signature witnessed by

2010/11

RESTRICTED (when complete)

**Witness Statement**

(CJ Act 1967, S.9; MC Act 1980, SS.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1)

URN

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Statement of: Adrian Miller

Age if under 18: Over 18..... (if over 18 insert 'over 18') Occupation: Police Community Support Officer .....

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:

Date: 14/06/2013.....

Cross if witness evidence is visually recorded ☐ (supply witness details on rear)

I am a Police Community Support Officer employed by Derbyshire Constabulary. I have worked on the beat of Church Gresley area for the last 4 years. The Travellers Rest pub is situated on New Street, Church Gresley. It has an open beer garden area. This area is opposite four semi detached properties being numbers 1,3,5, and 7 New Street.

During this time I have spoken to Joanne Mcsherry of 3 New Street on numerous occasions around concerns she has raised in relation to the pub. I do not have precise dates as many of these conversations have been of an informal nature. I would say we have had around three conversations of this nature during the last 6 months. The conversations have been around concerns she raised in relation to noise nuisance, coming from the pub and beer garden, particularly in summer months when the nights are lighter. She has indicated she believes the level of noise from the pub is excessive, and customers are often heard to be using loud and abusive language, with an apparent disregard of its effect to local residents. Mcsherry has also expressed her concern to me on two separate occasions, firstly around 27<sup>th</sup> March 2013 and then around 19<sup>th</sup> May 2013 in relation to a bright orange vibrator object being placed in the window above the main entrance to the pub. I gave advice to the tenant for this to be removed. Mcsherry has indicated to me 'she feels like a prisoner in her own home' and that she found the vibrator object particularly offensive and that her seven year old daughter had been asking what it was. Mcsherry has indicated to me she has been reporting her concerns directly to the licensing team.

The residents of 5 New Street have also raised a complaint to me on one occasion that I recall within the last fortnight. This was also around noise and shouting, swearing of customers in the beer garden.

As one of the Safer Neighbourhood team for the area, whilst not having direct involvement, I have also been made aware of at least two incidents towards the end of November 2012 where there were reports of groups fighting outside the Travellers rest pub. Joanne Mcsherry has also made mention of these incidents to me, and how she feels this is wholly unacceptable in a residential area.

Signature:

Signature witnessed by:

## Witness Statement

Criminal Procedures Rules, R27.2; Criminal Justice Act 1967, S.9; Magistrates' Courts Act 1980, S.5B

Statement of:

Robert ALAN

URN

30

Age if under 18:

Over 18

(if over 18 insert 'over 18')

Occupation:

Retired

This statement (consisting of 8 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:

R. Mills

Date: 07/06/2013

Cross if witness evidence is visually recorded ☐ (supply witness details on rear)

I am the above named person and I live at the address overleaf. I have resided at this property for the last thirty six years.

We both lived here since we were married and have brought up two children whilst living at the address. During this time the public house across the road has always been open. This public house is called The Travellers Rest.

I am an actual electrician and I have used the pub for social drinking with my wife. I have even booked the pub for family functions, however this was over four years ago. This was when we knew the licensee, she was called Sandra BLOCKLEY and ran the pub well.

I noticed that the pub had closed and Sandra had moved out on 29<sup>th</sup> April. I recall this date as we attended a leaving party for her.

On 4<sup>th</sup> October I noted that the pub was experiencing more visitors, this was due to it re-opening.

Throughout the six months the pub

Signature

R. Mills

Signature witnessed by

Continuation of Statement of:

Robert Alan

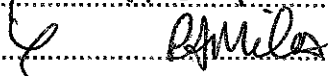
was closed life was brilliant. Myself and my wife never had any issues with parking on car, road traffic was at a minimum with a marked reduction in people walking down the street. I feel at this point a fine that I need to mention that New Street is a one way street with traffic coming from Alexandra Hill towards York Road, there has several traffic calming measures in place to reduce road speed as it is a residential area.

We experienced a fantastic dinner both with the weather and the fact that the pub was closed. Both myself and my wife were able to sit outside and enjoy our garden late into the evening with no roady locals shouting. The only thing we could hear was the occasional car passing and birdsong.

On Friday 5th October I noticed that the pub was open again. This was due to having seen opening soon signs displayed on the windows of the premises and being aware of an increase in traffic on New Street.

Around 8pm on Friday 5th of October 2012 the street was full of cars that were parked on both sides. The side of the pub, cars were parked on the road, on the opposite side several cars were parked half on the road and half on the pavement, this made it hard for pedestrians to pass.

Signature



Signature witnessed by

Continuation of Statement of:

Robert Acan

Some of the times, vehicles have parked so far onto the pavement that people with pushchairs have been forced to walk on the road.

We had just enjoyed six months of peace and quiet, only to be shattered by noise coming from the external part of the pub and people shouting and swearing whilst drinking outside both the beer garden and the slatted area directly adjacent to the front door of the pub.

After experiencing the noisy night I was dreading any other weekend, however I had a raised tolerance as it was the noisy night. I would expect this to be a lively affair with trading quietly down as the popularity wore off. However on the second night of noisy Saturday 6<sup>th</sup> at midnight I was woken by raised voices, I looked out of my bedroom window which is at the front of my house and on the first floor and saw a group of people fighting outside the pub. A couple of police cars attended and dealt with the event, I am not sure if anyone was arrested.

This incident coupled with the noisy night filled me with dread of what was to come if this was to be the norm.

During October 2012 we went away for a weekend break and hoped to witness an improvement upon our return. However a note was seen within the pub window and I also had one posted through my

Signature

R Miles

Signature witnessed by

Continuation of Statement of:

Edith ACAN

letter box meeting resident of New Street to attend a meeting at the Travelers Rest on Monday 19th November 2012 at 2pm. This meeting was attended by at least twelve residents who by their attendance appeared to be experiencing similar issues to us. The meeting date was quite appropriate as on Thursday 15th November a large fight involving Ten customers spilled out onto the street, several police cars attended and the pub closed shortly after half past ten due to this.

At the meeting with the manager who was called Adam, several residents mentioned the following issues;

1. Parking on the street, mainly weekends
  2. Cars driving the wrong way down New St
  3. Noise and bad language from customers
- Other residents mentioned the level of noise volume, however this is not too bad for us.

During the meeting Adam offered to inform customers of a free public car park five minutes walk away and also openly showed a willingness to address and resolve the other issues, initially stating that customers were on the footpath as the lights in the rear parking area did not work.

I mentioned that children were playing football on the footpath area which presented a danger and real possibility of one of them being hit by a car.

Signature

Edith ACAN

Signature witnessed by



Continuation of Statement of: .....

Robert ALAN

due to the ball bouncing across the road onto nearby gardens. Adam stated that children were not allowed at the pub after 9pm.

To my horror and disbelief on Friday 23rd November 2012 a fight broke out at the pub, this involved a group of roughly 6 males all who appeared drunk, however moments later the fight ended as quickly as it began and they all returned back inside the pub. This incident was called into police by me as the males were squaring up to each other and at this point in time I had had enough.

Again the police attended in numbers and the pub was closed at about 1130pm.

Early in 2013 I was speaking to another local resident who said that the manager, Adam was leaving. With this information I was happy for the pub to remain closed to return my life back to how it was in a couple of summers ago, however I soon realised that another manager was in post and this did not improve the running of the establishment.

1 March 2013 my wife told me that one of the flat windows was being washed open by a scrapper and that another residents child was asking about the star was. I informed the local PCSO who attended and the star was removed.

Signature .....

P. Miles

Signature witnessed by .....

Continuation of Statement of:

Robert ALAN

Again we were away for some time in April however, neighbours told us we had gone away at the right time because it was really bad.

On Sunday 19<sup>th</sup> May at about 10am I again noticed that the windows were left open with sea tops, one Green and one Orange. The PCSO further attended and got again these offensive items were removed from public display.

To my disbelief tea time on the same day a group of 15-20 youths were all drinking on the grassed area and appeared to be dog fighting. I said to my wife that this could get serious given how drunk they all were.

The group remained for about 2 hours without incident, however the language was intolerable. The group then walked off into Smeeths carrying half full pint glasses. This is totally unacceptable.

At this point in time I now approach the weekends with fear anticipating what may happen. To my disbelief on 25<sup>th</sup> May 2013 bank holiday weekend the premises excellent itself in the lack of control of its patrons and blatant disregard to the other residents on New Street.

Friday night was cold with minimal issues, however ~~Saturday~~ Saturday was warm and sunny, this is when the issues started again.

About 230pm on Saturday 25<sup>th</sup> May 2013 we had our two grandchildren

Signature

b. R Miles

Signature witnessed by

Continuation of Statement of:

Robert Allen

over to visit, they are aged five and seven years old.

With the weather being nice we decided to have a family relax on our garden. This lasted for about one hour as the visitors at the pub were clearly getting drunk and were in varying states of intoxication as the language able to be heard was foul, abusive and not something I wished for my grandchildren to hear.

So on a warm summer day I was now a prisoner in my own home.

This level of loutish behaviour continued into the evening until 10pm when I saw a male get into a red van and drive off, he had been in the pub for at least 6 hours.


Fortunately the main issues occurred in the daytime allowing us to have a night of uninterrupted sleep.

On Sunday 26<sup>th</sup> May I saw a car drive all the way down the street on the pavement and park outside the pub.

Bank Holiday Monday was much the same seeing several drunken males attending the pub then leaving with pint glasses and then returning with the glasses and fish and chips. The group sat on the grassed area of the pub and continued to be verbally abusive to each other. Again on a rare, warm bank holiday we were unable to enjoy our family, property and garden.

I have contacted the Council and

Signature


 Robert Allen

Signature witnessed by

Continuation of Statement of: Robert Alan

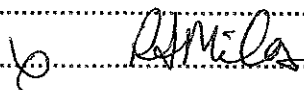
Police constantly regarding issues with this pub. I admit that sometimes I haven't called the police due to being utterly fed up with it and in a belief that someone else will do it. I am making this statement in an effort to regain my property with a view to getting some sort of resolution to my issues.

At first the ideal of living close to a pub sounds appealing and to some extent this was true. Over the last eighteen months to two years, drink fuelled violence, foul language, bad parking and unsupervised children have become commonplace only to be exacerbated by complete lack of management and high turnover of week management.

It had got to the stage that I dined every weekend for fear of further drink fuelled incidents. At the time of providing this statement I am again contemplating sitting within my home of some thirty plus years rather than sitting within my garden with family.

Please, this needs to stop. In my opinion this pub needs closing down as it is no longer a community pub, just a place to get drunk and fight.

Signature



Signature witnessed by

### Witness Statement

Criminal Procedures Rules, R27.2; Criminal Justice Act 1967, S.9; Magistrates' Courts Act 1980, S.5B

Statement of: Anthony John McDonald URN 30

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Retired

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature: [Signature] Date: 07/06/2013

Cross if witness evidence is visually recorded ☐ (supply witness details on rear)

I am the above named person and I live at the address overleaf. I have lived at my address with my wife for many years.

When we moved into our home the area was well presented and was serviced by a local public house called The Travellers Rest, New Street, Castle Gresley.

I am a retired engineer and I have even visited the pub in the past. I can remember enjoying local company with my friends under the supervision of the old land lords, however it has been about twenty years since I have entered as a customer.

I was aware in 2012 that the old land lady had left the pub, although I had never been into the pub. I had no issue with Sandra or the establishment at that time. When Sandra left the pub remained closed for six months.

During this period the area was quiet, we had no issues in park, and most importantly we were able to freely sit out and enjoy the garden.

Signature: [Signature] Signature witnessed by [Signature]

Continuation of Statement of:

Anthony John McQuinn

I first became aware of the pub being re-opened, not by customers visiting but by the incidents involving drunken revellers. These issues started in about September 2012 and are still occurring to date. From when the property opened under new management I noted that parking had gotten worse on New Street with vehicles parking on both sides of the one way street. I have even seen vehicles facing the wrong way.

One incident that sticks in my mind is when a group of 10 plus people were fighting, this would have been in November 2012 about 10pm. I recall this incident as women were involved within this fight, many of the males were drunk with some of them stripped to the waist.

I have witnessed several other incidents involving drunken males that appeared to be intoxicated, however I have not recorded them within a diary as I refuse to let the pub run or ruin my life style.

We have, however made a point of contacting the local police as an incident has looked particularly nasty.

On the last bank holiday in May I was particularly concerned on seeing a group of children playing football at the front of the pub. I watched for a while to see if an adult was going to look out for them, but this did not happen. I witnessed several occasions where the ball

Signature *[Signature]*

Signature witnessed by

Continuation of Statement of:

Anthony John McDONALD

had bounced into the middle of the road and then into a neighbour's garden. Clearly this was dangerous for both motorist and the child.

I can remember that the manager of the pub offered to hold a community meeting with residents to discuss our concerns. Many others had attended the meeting and all appeared to echo each other. These needs appeared to revolve around drunkenness, violence, lack of parental responsibility and bad parking. We were all promised further action with a meeting date arranged to review the actions taken by the manager.

To my disappointment this meeting never materialised.

I appreciate that a pub should be an attraction to local residents and communities, however I have to draw the line at customers throwing empty glasses in my hedge, people urinating on the footpath and having to listen to foul and offensive language from customers when outside.

I feel that the only thing that would best suit the pub area and residents is to close it down.

I find myself being drawn to going out more, not for enjoyment but to get away from the area.

for Anthony

Signature

for Anthony

Signature witnessed by

### Witness Statement

Criminal Procedures Rules, R27.2; Criminal Justice Act 1967, S.9; Magistrates' Courts Act 1980, S.5B

Statement of: Susan Joy ELTON URN 

30			
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Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Retired

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature: S. Elton Date: 13/06/2013

Cross if witness evidence is visually recorded ☐ (supply witness details on rear)

I am the above named person and I live at the address overleaf. I have lived at this address for the last sixteen years, this would be since about 1998.

We moved to the street as I cared for my mother who lived locally. We both came to look at the house and I was initially put off as the house was in close proximity to a pub called the traveller's Rest.

The owner of the house stated that this would not be an issue as they had heard that the pub was going to be knocked down and the site would be used to build bungalows on.

With this in mind but still with some apprehension we moved in with our son who was about 10 years of age.

During the initial three to four years the pub was sold to a couple of mates and at that point the premises was in a state of disrepair. The premises was renovated and to our horror re-opened as a public house.

We were able to speak with the

Signature S. Elton Signature witnessed by \_\_\_\_\_



Continuation of Statement of:

Susan Jay Elton

landlord regarding the level of noise coming from the pub, however as we regularly had to complain due to the frequency of the noisy nights the hospitality soon stopped and we then received a campaign from customers that were upset with us speaking the activities of these local.

This campaign ranged from sustaining broken fence panels to broken windows in the conservatory with nuisance calls in the middle of the night.

In roughly 2004 a female came to run the pub, she is known to me as Sandra Blockley. My husband and I welcomed the change with eager anticipation, hoping that with a new licensee would come new behaviours of patrons.

Throughout her management of the pub lasting nearly Ten years I am pleased to say that I only had to complain directly to her about the volume of music and noisy customers leaving the premises a handful of times.

When Sandra left I felt as though a weight had been lifted from my shoulders, I was so happy that the pub had closed.

In the six months the pub had been shut I was out in my garden almost every day, especially at weekends, we were able to invite friends round for outdoor family gatherings and barbecues with the safe knowledge that in the evening we would not be upset or interrupted with the bang, bang, bang of horrible music.

Signature Y S. Elton

Signature witnessed by

Continuation of Statement of:

Susan Jay Elton

from the pub. In the six months that the pub was closed I would say that I looked forward to sunny weekends and the peaceful enjoyment of my garden. In September gossip on the street started with a rumour that the pub was to open again. I was now dreading the following months, especially with Christmas just around the corner. The only consolation I had was that I had a fantastic summer in the garden.

In late September the rumour became true as I noticed people coming and going and decorators within.

On Friday 5<sup>th</sup> October 2012 the premises opened, I know this as I have recorded in my diary "Pub opens called Police and Council".

The street was also filled with cars that we had not seen before, they were double parked on the kerb causing us issues when trying to get off of our drive.

At roughly midnight I heard raised voices on the street. I was already awake having had to listen to the DJ all night. A group of males were fighting, they stopped as quickly as it started and the lads continued to walk off down the street towards Swadlucote, still holding their pint pots.

I was now stressed and upset with the pub and customers and began to mentally

Signature S. Elton

Signature witnessed by

Continuation of Statement of:

Susan Jay Elton

prepare myself for what was to come.

My husband went to speak with the landlord of the premises the following day he identified himself as Adam, the manager.

My husband had a good chat with Adam for about half an hour explaining the history and experiences we had suffered. Adam thanked my husband for the information and promised to deal with the complaint.

I have noted in my diary that I had to call Adam on the landline to the pub on Saturday 20<sup>th</sup> October 2012 to inform him that the music was too loud, this was about 9pm. Adam apologised and even visited my property and having listened to the music, agreed it was too loud and returned to the pub to turn down the music.

I felt I could inform him of the level of noise as the week before we received an AS note through the door stating that a community meeting was to be held at the pub for local residents to discuss issues.

At the meeting several residents attended and all had a common theme, there were customers leaving that were shouting and swearing and the volume of music emanating from the premises.

This meeting appeared to work for a while as the only issued I really had was vehicles parking over my driveway. All of this changed around Christmas.

On Saturday 22<sup>nd</sup> December I had to call Adam at the pub again regarding

Signature Y. S. Elton

Signature witnessed by

Continuation of Statement of:

Susan Jay Elton

The disco that was at the pub. We were sat in our conservatory that is fully double glazed and couldn't hear ourselves think.

Alan again came round and turned down the music. I was surprised at this as the female I spoke to on the phone commented that it wouldn't be turned down as it was Christmas. I was now dreading every weekend.

After suffering regular weekends of sleep deprivation and not being able to sit in our conservatory I contacted John Mues from the Council to complain as the weekend prior was particularly bad. This was on Wednesday 13th March 2013. He returned my call and on Friday 22nd March I took receipt of a recording device. This was set and positioned in the conservatory and was collected on the following Monday.

I was informed by John that he had requested the premises to further sound insulate the rear door that leads onto the external courtyard. This has made no difference at all.

In total we have had the council's recording device installed at our property five times with varying results. I have also been instructed to complete noise logs issued by the council, these were also collected. Further to this I can recall the latest horrific incident on 5th May 2013. This involved a group of about 20 males all singing and swearing on the beer garden.

Signature of S. Elton

Signature witnessed by

Continuation of Statement of:

Simon Jay Elton

to the pub, this is located at the side of the road and hold about four park benches. This was the last straw. The following week we had the recording device re-installed in an effort to clarify our deep concerns and issues.

When the device was installed I had a particularly bad weekend with the Saturday night being a night of note as I was able to hear what song was on and I could even hear all of the lyrics.

On Saturday 18<sup>th</sup> May 2013 I called Andy, the new manager on his mobile this would have been about 10pm, I left a message. I called again at 1040pm as the music appeared to be getting louder he was rude to me over the phone stating he had been to the force and he couldn't hear anything. I invited him to come into my home and listen, to which he declined.

With that blunt reply the call was terminated. As a last resort and in sheer desperation I called the police at 0018 to inform them that customers were leaving with glasses containing drink.

The police attended and dispersed the late night revellers, I am unsure if any further action has been taken.

I would say that over the last two years the pub has gone down hill with the lack of consistent and structured management. The last three months have perhaps been the worst on record with me contacting everyone I can think of

Signature of S. Elton

Signature witnessed by

Continuation of Statement of:

Susan Joy Elton

to try and resolve the issues.  
Since living at this address our  
lives have been a complete nightmare and  
I wish I had never purchased the house.  
We have never had a peaceful weekend  
where we could sit outside and relax, except  
from when the pub was closed.  
I feel like moving when it gets done  
to a weekend and I watch the news  
and weather reports on TV praying for rain  
so I can relax as I know people will  
not be outside. This experience has left  
me feeling insulted by all staff that  
have run the pub. In my opinion the  
best thing that could happen to the pub  
is what was commented on in 1994 -  
It will be turned into flats. The  
property does not need to be a pub. I  
am sick of listening to foul mouthed customers  
and music by S. Elton

Signature *S. Elton*

Signature witnessed by

### Witness Statement

Criminal Procedures Rules, R27.2; Criminal Justice Act 1967, S.9; Magistrates' Courts Act 1980, S.5B

URN 30

Statement of:

Jaane Marie McSHERRY

Age if under 18:

Dec 18

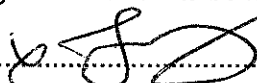
(if over 18 insert 'over 18')

Occupation:

Teacher

This statement (consisting of 6 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:



Date:

13/06/2013

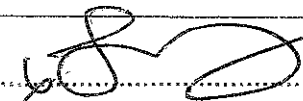
Cross if witness evidence is visually recorded ☐ (supply witness details on rear)

We have been an occupant of this property since August 1996. We were initially concerned about living so close to a public house, namely the Travellers Rest, however when we came to view the house we spoke with the neighbours who stated that the pub catered for a predominantly senior crowd where the majority of customers would walk from local houses.

Being armed with the knowledge that the pub didn't really feature regarding complaints of noise and anti social behaviour we decided to purchase the property as it was close to schools, shops and was in a really good area. This was with a view to bringing up a family at the address.

When we moved into the property we were very happy and were pleased to note that the pub was not an issue. A family called the 'GOFFS' had the pub for about a year, this was when things seemed to take a downward turn. I was pleased to note that they only had the pub for about a year.

Signature



Signature witnessed by

Continuation of Statement of:

Jeanne Marie McSHERRY

In 2004 a middle aged female took over the premises, her name was Sandra Blockley.

I must say that I was nervous in having a new licensee taking over, but I think that overall she ran the premises ok. We did have the need to speak with her on a couple of occasions regarding the volume of the music, however I would gladly have Sandra running the pub than this crowd. I would prefer to see the pub closed as this had gone on for far too long.

Around Easter time Sandra had moved out and the pub remained closed from April to September. I must point out that this couldn't have come at a better time. Summer was just around the corner and we were looking at upgrading the front garden. My daughter was having her birthday party so were looking forward to having the run of our own rear garden.

Through out the summer we were really enjoying the weather and had several barbecues with family and friends. I even had a barbecue for my birthday.

The summer in 2012 was fantastic. Word soon spread after summer between neighbours of the close community that the pub was to re-open this would be around September 2012.

As soon as I heard this news I thought that it would all happen

Signature



Signature witnessed by



Continuation of Statement of:

Loane Marie McSHERRY

again. Both my husband and I went to the local estate agents to look for a new house as we were seriously considering moving so as not to experience the drunken customers being at all times of the day. We consciously decided to give the new owners the benefit of the doubt and remained at our home address. About one week before the pub re-opened, possibly end of September, I saw a young male with an elderly couple, casually went over and introduced myself to him, asking if he was the new people that was going to run the pub. He stated that he was and assured me that there wouldn't be any trouble as he already ran another pub locally.

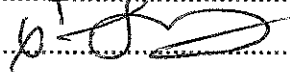
I was concerned about noise and again the male stated that his pub held karaoke events and due to the close proximity of residential properties to the pub karaoke would not be taking place here.

I took comfort with this comment and was happy to welcome them into the area.

However the premises was open for the first time on Friday 5<sup>th</sup> October 2012, this was after experiencing parking difficulties on Thursday due to visitors to the pub and the beer delivery. I was a little apprehensive with the opening night but willing to give them a chance.

At about 8pm the street was filling with cars, they were parked on both sides of the street, half on the pavement

Signature



Signature witnessed by

Continuation of Statement of:

Joanne Marie McSHERRY

end half on the road, this looked dangerous and whilst I understand that customers would be drawn to a new pub opening, the parking was not at its best.

My worst fears came to fruition as all I could hear from 8pm onwards was the constant thumping of bass from the DJ. This continued as I went to bed at roughly 11pm and ended after midnight.

We kept any form of complaint as we are reasonable people and didn't wish to over react. Unfortunately the following weekend it happened all over again, it was like I was caught in a repetitive nightmare. By Sunday Morning I had had enough at 6:45am I got a phone number from the let sign that was fixed to the property. I contacted a man named David MORRIS to complain about the noise over the weekend.

The response was not what I expected as he stated he was on holiday. I commented that I should have been asleep but couldn't be to his pub.

On 15<sup>th</sup> October I contacted the Council, raising my concerns regarding the party on New Street, this was due to my keenness to resolve this issue. This email contained times of residents including people drinking outside the premises a 12:00am as well as unwanted noise. On speaking with other residents it became clear that they had also called the emergency

Signature



Signature witnessed by

Continuation of Statement of: James Marc McSHERR

Services

Christmas was unfortunately the same with customers leaving the premises after midnight in a drunken state and continuing to be very loud along the street. We like to think that we are reasonable people but the general running of the premises left a lot to be desired.

In March I again heard that another new manager was running the pub. As all the other times I was filling with dread.

Once again my fears became reality, as the 27<sup>th</sup> March 2013 my daughter aged seven years noted, what I can only describe as a penis shaped object, orange in colour, propping open one of the windows on the first floor. I called the police to get it removed as my daughter wanted to know what it was. This was highly embarrassing for me, but I don't believe that my daughter should be exposed to this.

On 28<sup>th</sup> April 2013 at 0022am I was woken by customers leaving the pub again in a drunken state, I heard the males and female leaving, repeatedly using foul language to communicate with each other. I sleep in the front bedroom now as I have moved my daughter into the rear bedroom so as not to expose her to this offensive language. I hasten to add that on 19<sup>th</sup> of May my daughter was again exposed

Signature 

Signature witnessed by

Continuation of Statement of:

Janine Marie McSherry

to having to see a penis shaped object within a window however there were one at either, one in orange and one in lime green. Again as per the last similar incident I reported it to the police.

In general, this pub is making my family's quality of life unbearable and I am fast losing patience with the owners.

I have stopped having family gatherings at the weekend, as I know that either drunken yobs will be swearing outside or that we will have to come in from our rear garden due to our young daughter being exposed to foul and offensive language at any time of the day. The weekends at our house are for visitors only, we don't even contemplate going and sitting in our garden anymore.

It is my feeling and view that the pub needs to be closed for the sake of the local residents and my child.

*[Signature]*

Signature

*[Signature]*

Signature witnessed by

# **The Travellers Rest**

Would like to invite you for the afternoon to enjoy some free hot drinks. Also we would like to offer you the opportunity to voice any concerns or suggestions that you may have regarding The Travellers Rest.

Monday 22nd October - 2pm - 4pm

Our aim is to provide a welcoming and respected service within the heart of the community.

Many Thanks.

Adam + Tara

Tel: 101  
Text Relay: 18001 101  
www.derbyshire.police.uk

Contact: PC 2766  
MORLEY  
Direct Tel: 0300 122 5409  
Ext: 75 02766  
Fax: 0300 122 8862  
Our ref: PID / 2318  
Your ref: Travellers Rest

**Mr. A. KINCH.**  
Travellers Rest,  
2 New Street,  
Church Gresley,  
Swadlincote,  
Derbyshire,  
DE11 9PS

Thursday, 27 June 2013

Dear Andrew,

**RE: Premises Licence for;**

**Travellers Rest, 2 New Street, Church Gresley, Swadlincote,**

**Infringement NOTICE.**

On Wednesday 26<sup>th</sup> June 2013 I entered your premises in my capacity as a Police Licensing Enforcement Officer. The purposes of the visit were to ensure that you are compliant with the Conditions within your Premises Licence following the application to have further conditions attached to the licence and to discuss with you the further calls for service that have been generated over the weekend. I also wished to refresh your memory on The Licensing Act 2003 (uphold and support the four licensing objectives) and are also following other primary legislation with regards to licensed premises.

I performed a routine licensing inspection in the presence of your wife, Sharon KINCH to assist you in identifying any areas that required attention. As you are the Designated Premises Supervisor (DPS), you are responsible for the day to day running and control of the Premise. I also gave Sharon advice on your responsibilities as a DPS.

As a result of this inspection with yourself I wish to draw your attention to the following;

I was concerned on inspection of the property that there were no staff training records. When I spoke with your wife she stated that they had been given staff training, however had not signed any documentation confirming this fact. I must point out that this is not a requirement in law to hold such documentation, but would go a long way in showing your due diligence when it comes to under age sales and proxy sales. This is best practice ensuring that your members of staff have been suitably trained or refreshed on their responsibilities when supplying intoxicating liquor.



'D' Divisional Headquarters Prime Parkway Chester Green DERBY DE1 3AB

I would also have expected to see the name of a member of staff that was nominated as a 'deputy' as outlined in the conditions within the premises licence.

Only two fire extinguishers were seen on site however, when checking the dates of service they had been serviced in MAY 2012, but other mechanisms had not been checked or completed. This is covered under the **Regulatory Reform (Fire Safety) Order 2005**. *The legislation of specific relevance to electrical maintenance is the Health & Safety at Work Act 1974, the Management of Health & Safety at Work Regulations 1999, the Electricity at Work Regulations 1989, the Workplace (Health, Safety and Welfare) Regulations 1992 and the Provision and Use of Work Equipment Regulations 1998.*

I noted that you had documentation within your Fire Risk assessment folder that related to weekly and monthly checks. These should be maintained.

On speaking to Sharon regarding the issues that had been reported to the Police I enquired as to whether she had noted any patrons not following the requests of the DPS and or staff regarding the use of the external areas after 2300 hours. Sharon openly stated that this had been allowed to go 'un-checked' as she was aware that customers were still using the external areas after this curfew. With this in mind I would draw your attention to the newly attached conditions to the premises licence;

**10) External areas will not be used after 2300 hrs except for parking, access and egress.**

There was also no evidence of an age verification policy "**Challenge 25**" scheme being operated at the premise on a regular basis.

It is a mandatory condition within the Licensing Act 2003 to have an age verification policy in place. This Mandatory condition was included in October 2010. The policy should document the training and procedure for recording a refusal or challenge similar to;

*'If the challenge is made and found to be good then the details of the person requested to produce identification should be placed in the refusals log. The details or description of ANY individual should also be written within the refusals book if they are under the age of 18, have not provided identification or have been refused alcohol for any other reason'.*

This may be a condition of the licence to have a refusal log in operation.

After the inspection I provided Sharon with some posters, refusal log and a 'Compliance File' for you to read and complete as you deemed necessary, as you did have some items in date and available. I must point out that whilst this file has been provided by me, this provides you with a point of reference and should be used to complement other policies and operating procedures within your venue.

I would ask that you take the appropriate corrective action within the next fourteen days, in all of the matters highlighted above. This is to satisfy the legal requirements set out within the Licensing Act 2003, Mandatory Conditions and the conditions consistent with the operating schedule of the premises licence.

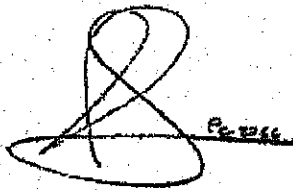
*A failure to comply with the Mandatory Conditions on the Premises Licence could lead to a review of the premises licence under Section 51 of the Licensing Act 2003 and to the prosecution of any offences disclosed.*

Conducting 'Unauthorised Licensable Activities' carries a maximum penalty of 6 months imprisonment and / or a £20,000 fine.

A copy of this letter will be forwarded to South Derbyshire Fire Rescue Service and South Derbyshire Council Licensing for their information.

Should you have any further queries regarding any of the above, please do not hesitate to contact me on the number provided. Both we and our 'partner agencies' (*Responsible Authorities*) are committed to helping you resolve ANY of the issues relating to this notice in an effort to assist you to gain FULL compliance with the four Licensing objectives and conditions attached to your Premises Licence and that are also held within the operating schedule.

Yours Sincerely,

A handwritten signature in black ink, appearing to be 'PC 2766', written over a horizontal line.

PC 2766 Morley  
'D' Division Licensing Department  
St. Mary's Wharf Police Station  
DERBY  
0300 122 5409 (75 02766)  
richard.morley.2766@derbyshire.pnni.police.uk



Tel: 101  
Text Relay: 18001 101  
www.derbyshire.police.uk

Contact: PC-2465  
Direct Tel: 01332 613018  
Ext: 760 33018  
Fax: 760 3087  
Our ref: PID 2318

The Travellers Rest  
New Street,  
Church Gresley,  
Swadlincote,  
Derbyshire  
DE11 9PS

Wednesday, 06 March  
2013

Dear Mr Chilvers

**PREMISE LICENCE NUMBER SDDC/002377 – LICENSING ACT 2003  
INFRINGEMENT NOTICE–The Travellers Rest New Street Church Gresley Swadlincote,  
Derbyshire DE11 9PS**

On Friday 1<sup>st</sup> March 2013 a test purchase operation was conducted in South Derbyshire between the Police Licensing team based at St Mary's Wharf Derby and Derbyshire County Council Trading Standards. The aim of the operation was to test age verification policies and procedures at licensed premises in the Swadlincote area.

At approximately 10:30 pm on the above date 2 female test purchase operatives aged 15 and 16 years respectively, entered the Travellers rest and purchased 2 bottles of WKD blue vodka. The alcohol was sold by Mr ANDREW KINCH a member of staff working at the premises at that time, who failed to challenge the pair about their age, as required by Mandatory Condition 6 at ANNEX 1 of the premises licence. I would remind you of the 4 licensing objectives which are:

1. Prevention of crime and disorder
2. Prevention of public nuisance
3. Public safety
4. Protection of children from harm.

The sale of alcohol to persons under 18 years of age by Mr Kinch clearly shows that licensing objective number 4 "Protection of children from harm" is not being promoted at your premises. As a result of the sale Mr KINCH committed an offence under **sec. 146 of the Licensing Act 2003 (sell alcohol to person under 18)** and was subsequently issued with a fixed penalty notice for £80.

From speaking with Mr KINCH at length it was apparent that he has little or no understanding of the Licensing Act or the Licensing Objectives. He was unable to produce Part A of the premises licence (full premises licence) and was unsure of the attached conditions. Failing to produce the premises licence upon request of an authorised officer is an offence under **sec 57 of the Licensing Act 2003** which could result in a £500 fine.



'D' Divisional Headquarters Prime Parkway Chester Green DERBY DE1 3AB

Tel: 101  
Text Relay: 18001 101  
[www.derbyshire.police.uk](http://www.derbyshire.police.uk)

Further to the above, other infringements were found and a copy of these were handed to Mr KINCH at the time of the visit, for your attention and action. I would remind you that you are the designated premises supervisor and person responsible for the day to day control of the premises, and as such you are the person responsible for ensuring that your staff are competent and adequately trained in the sale of alcohol and other age related products.

I would remind you that failure to comply with the conditions on the licence could lead to a review under Section 51 of the Licensing Act 2003 and to the prosecution of any offences disclosed.

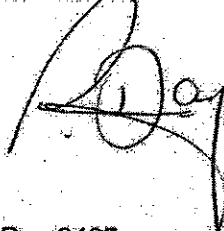
Unauthorised Licensable activities can carry a maximum penalty of 6 months imprisonment and/or a £20,000 fine.

As explained at the time of the visit The Derbyshire Police Licensing Team are committed to helping you resolve any issues relating to this letter in an effort to gain full compliance with the Licensing Objectives and conditions attached to the operating schedule.

A copy of this letter will be forwarded to South Derbyshire District Council Licensing department and the premises licence holder for their information.

Should you have any further queries regarding this matter please do not hesitate to contact this office on the telephone numbers listed below.

Yours sincerely



PC Day 2465  
Licensing Enforcement Officer  
'D' Division Licensing Department  
St. Mary's Wharf Police Station  
DERBY  
01332 613018 (760 3018)  
Mobile 07711 03 69 35  
[Philip.day.2465@derbyshire.pnn.police.uk](mailto:Philip.day.2465@derbyshire.pnn.police.uk)



'D' Divisional Headquarters Prime Parkway Chester Green DERBY DE1 3AB

Tel: 101  
Text Relay: 18001 101  
www.derbyshire.police.uk

Contact: PC Day 2465  
Direct Tel: 01332 613036  
Ext: 760 3036  
Fax: 01332 613087  
Our ref: PID 2318  
Your ref: Travellers Rest

Indeed Nominee 1 LTD,  
31 Haverscroft Industrial Estate,  
New Road,  
Attleborough,  
NR17 1YE

Wednesday, 06 March  
2013

Dear Sir or Madam,

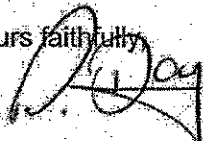
**RE: Travellers Rest, New Street, Church Gresley, Swadlincote, Derbyshire, DE11 9PS**

Please find attached for your information, a copy of a letter which was sent to Stephen Chilvers, Designated Premises Supervisor, for the above premise.

I would remind you that it is normally the responsibility of the Premises Licence Holder, having been the applicant who proposed the Designated Premises Supervisor for the above premises, to ensure that the staff appointed to the premises are competent, appropriately trained, offered support and assistance in an effort to promote the Licensing Objectives.

If you wish to discuss this matter further please do not hesitate to contact this office on the above telephone number.

Yours faithfully,



PC Philip Day 2465  
D' Division Licensing Department  
D' Divisional Headquarters  
Prime Parkway  
Chester Green  
Derby  
DE1 3AB



D' Divisional Headquarters Prime Parkway Chester Green DERBY DE1 3AB



## Licensing Infringement Notice



Premises:

THAMES REST  
SHAD LANE

Details of Infringement(s):

- 1/ RAG A Premises Licence Not  
Held (Premises (Full Licence  
Not Produced))
- 2/ NO RULES AVAILABLE ON DISPLAY
- 3/ REFUSAL NOT UP TO DATE  
LAST ENTRY 11/1/13
- 4/ NO CCTV @ THE PREMISES
- 5/ UNABLE TO CHECK LICENCE  
CONDITIONS IN FULL. FURTHER  
OFFENCES POSSIBLY BEING COMMITTED
- 6/ NO FIRE RISK ASSESS. PRODUCED

I confirm that I have explained the details of the above infringements to the License Holder/Designated Premises Supervisor/Person in Charge. A copy of the Notice will be sent to the License Holder/Designated Premises Supervisor if he/she was not present at the time of the visit.

Signed:

*[Signature]*

Date:

13/1/13

Tel:

01332 61355

Position Held:

Licensing Officer

Received By:

A. J. K. [Signature]

Signed:

A. J. K. [Signature]

Note: Following the issue of this Notice you will subsequently be advised by letter of the further action, if any, that will be taken in this matter.

Tel: 101  
Text Relay: 18001 101  
www.derbyshire.police.uk

Contact: PC 2766  
MORLEY  
Direct Tel: 01332 613036  
Ext: 760 3036  
Fax: 760 3087  
Our ref: PID / 2318  
Your ref: Travellers Rest

**Mr. S. CHILVERS**  
Travellers Rest,  
2 New Street,  
Church Gresley,  
Swadlincote,  
DE11 9PS

Wednesday, 05  
December 2012

Dear Stephen,

**RE: Premises Licence for;**

Travellers Rest, 2 New Street, Church Gresley, Swadlincote, DE11 9PS

**Incident; 860 – 23/11/2012 @ 2230hrs**

On Friday 23<sup>rd</sup> November 2012 I entered your premises in my capacity as a Police Licensing Enforcement Officer in the presence of PC 2013 Mark DUNN who is also a Licensing Enforcement Officer. This was due to witnessing a group of customers and Police officers on the foot path directly outside your premises, spilling onto the road.

Part of my role is to ensure that the licensed premises are operating both within the Licensing Act 2003 and are also upholding the four Licensing objectives, the main person responsible for the following of the act is the DPS, according to my records the DPS for the above premises is you.

I performed a brief walk through of the premises following a conversation with the local sergeant and managed to speak with Adam LAMBERTON, Adam identified himself to me as the person in charge (manager). As you are the Designated Premises Supervisor (DPS), you are responsible for the day to day running and control of the Premise. I also gave him advice on your responsibilities as a DPS.

Having spoken with Adam he stated that he had taken a booking for a 26<sup>th</sup> birthday party and this had gotten a little out of hand. I could see that a male was being calmed down at the opposite side of the pub near the pool table area and having walked round to the main bar area I saw a child that appeared to be around nine years old that was clearly shaken having witnessed the incident and was being comforted by family members.



'D' Divisional Headquarters Prime Parkway Chester Green DERBY DE1 3AB

At the time PC DUNN and I assisted you to clear the premises of customers as we believed that should we leave whilst allowing members of the party to remain, this could provide the potential for further incidents and cause the re-attendance of the police.

Prior to leaving I requested Adam to contact you so I could arrange a meeting with all parties concerned to discuss the events on the night and to offer assistance and advice on providing further policies that could ensure the correct management of the premises and customers ensuring further incidents did not occur.

On Wednesday 28<sup>th</sup> November at 1215hrs I attended the Drum and Monkey public house to discuss the incident with you, the DPS, Jodie CHILVERS (your partner) and Adam LAMBERTON (manager on the night). During the meeting Adam was able to provide me with further clarification of the incident and we used this to form the basis of the discussion in an effort to highlight the necessity of ensuring all policies were employed and actively used within the premises whilst making you all aware of the premises licence conditions.

During the time the premises have been open for business under your control, I have been made aware of several incidents relating to nuisance behaviour of your customers both in and out of the premises. These incidents that were discussed at length during the meeting and range from low level public nuisance (parking issues) to incidents involving violence and intoxication.

As I pointed out to you at the meeting you have a responsibility as a Designated Premises Supervisor to uphold the four licensing objectives;

- ***Prevention of Crime and Disorder.***
- ***Public Safety.***
- ***Prevention of Public Nuisance.***
- ***Protection of Children from Harm.***

Given the fact that during the events on the night I noted four Police officers in attendance at the premises, a child that was clearly in a state of shock having witnessed this brawl and the fact that two incidents were reported to us by members of the public relating to ten to fifteen people fighting outside, I would argue that you are not fully supporting the above.

I repeatedly explained why and how we, in the licensing department aim to assist, advise and support licensees in an attempt to attaining full compliance within the act and offered further advice.

Adam mentioned that prior to opening he invited local residents to the pub for an open day and he stated that he has requested the members of the public to contact him should they feel the need or have issue with noise. I have noted that this was done on the opening night and also last week. This I feel has been the start of a good relationship with the members of the community. I do believe, however that they were clearly too scared to call you on the night in question, given the level of violence they were witnessing, hence the multiple calls to the Police.

You now have in place strict protocols for dealing with and recording any incidents, these range from refusals at the bar for persons being under age, having no identification and being drunk (in itself and offence), incident logs and due diligence folders.

Whilst this is not a requirement within your premises licence conditions, it most certainly would show an element of due diligence and responsible retailing should you need to provide documentation at a review hearing.

I would ask that you take the appropriate corrective action within the next fourteen days, in all of the matters highlighted above. This is to satisfy the legal requirements set out within the Licensing Act 2003, Mandatory Conditions and the conditions consistent with the operating schedule of the premises licence.

**PLEASE ENSURE THAT BOTH YOU AND YOUR BAR MANAGER ARE FULLY AWARE OF THE PREMISES LICENCE CONDITIONS AND TIMINGS THAT ARE APPLIED TO THE PREMISES LICENCE.**

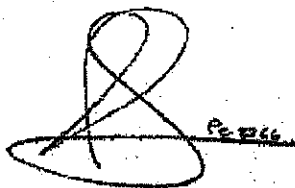
*A failure to comply with the Mandatory Conditions on the licence could lead to a review of the premises licence under Section 51 of the Licensing Act 2003 and to the prosecution of any offences disclosed.*

Unauthorised Licensable Activities carry a maximum penalty of 6 months imprisonment and/or a £20,000 fine.

A copy of this letter will be forwarded to South Derbyshire Council Licensing for their information.

Should you have any further queries regarding this matter please do not hesitate to contact me on the number provided. We are committed to helping you resolve ANY issues relating to this notice in an effort to gain FULL compliance with the four Licensing objectives and conditions attached to your operating schedule.

Yours Sincerely,

A handwritten signature in black ink, appearing to be 'PC 2766', written over a horizontal line.

PC 2766 Morley  
'D' Division Licensing Department  
St. Mary's Wharf Police Station  
DERBY  
01332 613036 (760 3036)  
richard.morley.2766@derbyshire.pnn.police.uk

From: Mills John [john.mills@south-derbys.gov.uk]  
Sent: 11 April 2013 16:14  
To: Morley, Richard, 2766  
Subject: Travellers rest

Rich,

For your records I have spoke to the landlord of the above premises and explained that music is continuing to be played at an unreasonable level. I have suggested that they either need to do works to the premises or consider reducing the frequency and times of the karaoke (suggested twice a month 8-10:30pm which the complainant had agreed to in principle). Landlord said he was keen to work with us, and to demonstrate this he said he would cancel plans for a dcos this weekend.

A meeting is arranged for 11.30am Tuesday with Andrew Kinch at the area manager Dave Morse if you can make it. From the phonecall with the area manager I doubt they'll be forthcoming with any cash for works.

John

John Mills  
Environmental Health Officer  
Environmental Health Department  
South Derbyshire District Council  
Tel: 01283 595903  
Fax: 01283 595855  
[www.south-derbys.gov.uk](http://www.south-derbys.gov.uk)

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From: Mills John [john.mills@south-derbys.gov.uk]  
Sent: 22 April 2013 13:44  
To: Boam Ruth  
Cc: Morley, Richard, 2766  
Subject: The travellers rest

Had another complaint from a neighbour re the above.

Apparently they suffer regular disturbance from music and foul language. I've had monitoring equipment out over the weekend re the music (not had chance to listen to it yet), but can you confirm whether foul language and general behaviour is something we can cover (I was after your comments Rich re public nuisance?)

Also it is alleged that at the weekend the doors and windows were left open whilst entertainment took place. Can you look into this for me Ruth to see if keep them closed is conditioned?

One of us will be monitoring in person this weekend, could either of you guys put the place on your list for when you're doing the rounds?

Thanks both,  
John Mills  
Environmental Health Officer  
Environmental Health Department  
South Derbyshire District Council  
Tel: 01283 595903  
Fax: 01283 595855  
[www.south-derbys.gov.uk](http://www.south-derbys.gov.uk)

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**From:** Mills John [john.mills@south-derbys.gov.uk]

**Sent:** 30 April 2013 15:29

**To:** Morley, Richard, 2766

**Subject:** RE: The Travellers Rest, Church Gresley

Cheers Richard. We had another complaint about this (ours didn't contact you). Basically if we get recordings or visit and witness it they'll have a notice and we'll probably go for a review,

Thanks,

John Mills

Environmental Health Officer

Environmental Health Department

South Derbyshire District Council

Tel: 01283 595903

Fax: 01283 595855

[www.south-derbys.gov.uk](http://www.south-derbys.gov.uk)

---

**From:** Morley, Richard, 2766 [mailto:Richard.Morley.2766@Derbyshire.PNN.Police.UK]

**Sent:** 30 April 2013 15:17

**To:** Mills John

**Subject:** RE: The Travellers Rest, Church Gresley

John,

Please find this incident overview that appeared on the daily incident monitoring list that is produced and shared each day. I believe that Ruth should have received this on Monday. Please note, non Police attendance. What will be the next step?

Date: 28/04/2013 Time: 0023hrs Inc No: 16 Beat ID: DS04 Section: DS

Premises & Address: TRAVELLERS REST, 2, NEW STREET, CHURCH GRESLEY, SWADLINCOTE

*Brief Details*

Local resident contacts Police stating that customers are leaving the premises and are very noisy.

Non attendance, email sent to Licensing who are aware of the issues. South Derbyshire Pollution

Team is also aware as a DAT recorder has been deposited within a local residence. Enquiries ongoing with Pollution team.

Crime No (if recorded or applicable):

Banning Order Issued

Regards,

**Rich Morley**

Police Constable 2766

Licensing Enforcement Officer

Derbyshire Constabulary

'D' Division Licensing Team

Prime Parkway

Chester Green

DERBY

DE1 3AB

Tel: 0300 122 5409 (Internal 75 02766)

E-mail: [richard.morley.2766@derbyshire.pnn.police.uk](mailto:richard.morley.2766@derbyshire.pnn.police.uk)

Ext. E-mail: [derby.licensing@derbyshire.pnn.police.uk](mailto:derby.licensing@derbyshire.pnn.police.uk)

Int. Group E-mail: D.Licensing

Web: <http://www.derbyshire.police.uk>

Integrity Respect Performance Responsibility Innovation

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**From:** Mills John [mailto:john.mills@south-derbys.gov.uk]

**Sent:** 30 April 2013 15:12

**To:** Morley, Richard, 2766

**Subject:** The Travellers Rest, Church Gresley

Rich,

I believe from a resident that things got a bit noisy outside the above premises on Saturday night, Ruth Boam seems to think that the Police may have attended an incident there - can you confirm?

Cheers,

John

John Mills

Environmental Health Officer

Environmental Health Department

South Derbyshire District Council

Tel: 01283 595903

Fax: 01283 595855

[www.south-derbys.gov.uk](http://www.south-derbys.gov.uk)

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From: Mills John [john.mills@south-derbys.gov.uk]  
 Sent: 07 May 2013 16:06  
 To: Morley, Richard, 2766  
 Cc: Boam Ruth  
 Subject: Travellers Rest Church Gresley

Rich,

We've had three complaints of drunken disorderly behaviour from the above premises on Sunday around 5.30-6.30pm. A group of around 20 people shouting, swearing and throwing bottles. Glass bottles landed in their gardens. Apparently 2 families felt they could not use their gardens as a result.

Can they ring the police and request a visit if they feel threatened and harassed in such circumstances? I think we could do with putting a bit more resources into this one. I'm trying to coordinate some weekend visits, mainly for noise nuisance from music still. Can you guys include it on your rounds?

Thanks,  
 John Mills  
 Environmental Health Officer  
 Environmental Health Department  
 South Derbyshire District Council  
 Tel: 01283 595903  
 Fax: 01283 595855  
[www.south-derbys.gov.uk](http://www.south-derbys.gov.uk)

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Fax: 01283 595855  
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**From:** Mills John [john.mills@south-derbys.gov.uk]  
**Sent:** 08 May 2013 11:03  
**To:** Morley, Richard, 2766  
**Cc:** Stewart Broome GCSX; Boam Ruth  
**Subject:** RE: Travellers Rest Church Gresley  
 Richard,

Thanks for the response - the complainant's will be happy to speak to you - their details are below.

With regards to me supporting any action against the DPS, we haven't gathered any of our own evidence in the last few weeks, although we are currently actively monitoring the situation. I agree with your comments re. the DPS having had enough assistance. Should we gather any evidence to suggest public nuisance from entertainment is continuing I would support a review and/or be putting one in of my own.

John

John Mills  
 Environmental Health Officer  
 Environmental Health Department  
 South Derbyshire District Council  
 Tel: 01283 595903  
 Fax: 01283 595855  
[www.south-derbys.gov.uk](http://www.south-derbys.gov.uk)

---

**From:** Morley, Richard, 2766 [mailto:Richard.Morley.2766@Derbyshire.PNN.Police.UK]  
**Sent:** 08 May 2013 08:42  
**To:** Mills John  
**Cc:** Stewart Broome GCSX; Boam Ruth  
**Subject:** RE: Travellers Rest Church Gresley  
**Importance:** High

John,

Being brutally honest, I believe that the premises has received more than enough support relating to the assistance and support of the DPS and staff relating to the Licensing Objectives. Please can you provide me with details of the members of the public that have contacted you and I will attend and take statements from them. Just check and see if they are happy for you to provide me with the details. I shall start taking the statements to assist when putting a review package together. I trust you shall be supporting this application from a public nuisance point of view?

At the last meeting with the DPS and area manager I stated that should they cause further issue regarding any points of discussion at the meeting I would consider the necessity for the review and at the least be requesting the removal of the DPS. I shall discuss the issue with the Area Manager first and see what happens, however the statements shall be taken to assist any further action.

Ruth / Stewart, for your information.

Regards,

*Rich Morley*

Police Constable 2766  
 Licensing Enforcement Officer  
 Derbyshire Constabulary  
 'D' Division Licensing Team  
 Prime Parkway  
 Chester Green  
 DERBY  
 DE1 3AB  
 Tel: 0300 122 5409 (Internal 75 02766)  
 E-mail: [richard.morley.2766@derbyshire.pnn.police.uk](mailto:richard.morley.2766@derbyshire.pnn.police.uk)  
 Ext. E-mail: [derby.licensing@derbyshire.pnn.police.uk](mailto:derby.licensing@derbyshire.pnn.police.uk)  
 Int. Group E-mail: [D.Licensing](mailto:D.Licensing)  
 Web: <http://www.derbyshire.police.uk>

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**From:** Mills John [mailto:john.mills@south-derbys.gov.uk]  
**Sent:** 07 May 2013 16:06  
**To:** Morley, Richard, 2766  
**Cc:** Boam Ruth  
**Subject:** Travellers Rest Church Gresley

Rich,

We've had three complaints of drunken disorderly behaviour from the above premises on Sunday around 5.30-6.30pm. A group of around 20 people shouting, swearing and throwing bottles. Glass bottles landed in their gardens. Apparently 2 families felt they could not use their gardens as a result.

Can they ring the police and request a visit if they feel threatened and harassed in such circumstances? I think we could do with putting a bit more resources into this one. I'm trying to coordinate some weekend visits, mainly for noise nuisance from music still. Can you guys include it on your rounds?

Thanks,  
 John Mills  
 Environmental Health Officer  
 Environmental Health Department

**From:** David Morse [dmorse50@gmail.com]  
**Sent:** 21 March 2013 13:15  
**To:** Morley, Richard, 2766  
**Subject:** RE: Travellers Rest, Swadlincote  
Rich.

I have sent instruction today to company solicitors to make the variation to the premises license.

*Kind Regards David Morse.*

---

**From:** Morley, Richard, 2766 [mailto:Richard.Morley.2766@Derbyshire.PNN.Police.UK]  
**Sent:** 19 March 2013 13:10  
**To:** 'dmorse50@gmail.com'  
**Subject:** Travellers Rest, Swadlincote

David,

Thank you for attending the meeting on Thursday the 14th March regarding my concerns. As discussed I have drafted some conditions that relate to the regulated entertainment at the premises and would advise your DPS to act on these both prior to and after they have been applied to the premises licence. Please note that this is the attempt by Police Licensing to work with you as a representative of the Premises Licence holders and the DPS to ensure both the Licensing Objectives and Licensing Act 2003 are being supported and complied with. I have liaised with Pollution Team at South Derbyshire Council and they are happy for the conditions to be placed onto the premises licence by way of a minor variation.

Thank you for your understanding in the matter. To echo my remarks at the meeting, should we have rise for any substantiated complaints regarding noise, disorder or protection of children I shall have no other option to call for a review of the premises licence. Should you agree to the conditions being placed on the licence please ensure the application is submitted at your earliest opportunity.

Regards,

*Rich Morley*

**Police Constable 2766**  
**Licensing Enforcement Officer**  
Derbyshire Constabulary  
'D' Division Licensing Team  
Prime Parkway  
Chester Green  
DERBY  
DE1 3AB  
Tel: 01332 613036 (Internal 760 3036)  
E-mail: [richard.morley.2766@derbyshire.pnn.police.uk](mailto:richard.morley.2766@derbyshire.pnn.police.uk)  
Ext. E-mail: [derby.licensing@derbyshire.pnn.police.uk](mailto:derby.licensing@derbyshire.pnn.police.uk)  
Int. Group E-mail: [D.Licensing](mailto:D.Licensing)  
Web: <http://www.derbyshire.police.uk>

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**From:** Angie Gardner [A.Gardner@popall.co.uk]  
**Sent:** 22 March 2013 11:55  
**To:** Morley, Richard, 2766  
**Subject:** FW: Travellers Rest, Swadlincote

**Attachments:** Noise conditions 19-03-2013.doc  
Hi Richard

Just to confirm I have issued the Minor Variation application today for the above.

Many thanks  
**Angie Gardner**  
Para-Legal - Poppleston Allen  
T : 0115 934 9157 M : 07967 642424 W : [www.popall.co.uk](http://www.popall.co.uk)

---

**From:** David Morse [mailto:dmorse50@gmail.com]  
**Sent:** 21 March 2013 13:01  
**To:** 'mailto:A.Gardner@popall.co.uk'  
**Cc:** 'mailto:Richard.Morley.2766@Derbyshire.PNN.Police.UK'  
**Subject:** FW: Travellers Rest, Swadlincote

Angie.

Please see attached email and list of conditions to be included on the premises licence by way of a variation.

This Inn Deed site is;

The Travellers Rest  
2 New Street  
Church Gresley  
Swadlincote  
DE11 9PS

Before submitting the variation please give an estimated cost.

Kind Regards David Morse.

---

**From:** Morley, Richard, 2766 [mailto:Richard.Morley.2766@Derbyshire.PNN.Police.UK]  
**Sent:** 19 March 2013 13:10  
**To:** 'dmorse50@gmail.com'  
**Subject:** Travellers Rest, Swadlincote

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Regards,

*Rich Morley*

**Police Constable 2766  
Licensing Enforcement Officer**

Derbyshire Constabulary  
'D' Division Licensing Team  
Prime Parkway  
Chester Green  
DERBY  
DE1 3AB

Tel: 01332 613036 (Internal 760 3036)

E-mail: [richard.morley.2766@derbyshire.pnn.police.uk](mailto:richard.morley.2766@derbyshire.pnn.police.uk)

Ext. E-mail: [derby.licensing@derbyshire.pnn.police.uk](mailto:derby.licensing@derbyshire.pnn.police.uk)

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- 1) The Designated Premises Supervisor will ensure that prominent, clear and legible notices are displayed at all exits to external areas requesting customers to respect the needs of local residents by keeping noise to a minimum. This is to include external drinking and smoking areas.
- 2) This message is to be emphasised by the Designated Premises Supervisor or nominated member of staff at closing time by requesting members of the public to leave the premises and area quietly.
- 3) When regulated entertainment involving amplified live / recorded music or speech is taking place at the premises all doors and windows will remain closed except for access and egress.
- 4) The Designated Premises Supervisor will ensure that after 2100hrs hourly checks are made around the boundary of the premises to check that noise levels from the premises are not at a level that could cause disturbance to neighbouring properties. *(For the avoidance of doubt, if the music is able to be heard at each / any noise sensitive point it must be turned down to a point where it may not be heard).*
- 5) These hourly checks are to be recorded within a log book specifically designated for this purpose and any action or findings shall be recorded at the point of the check.
- 6) The Designate Premises Supervisor shall receive and respond to complaints when activities involving amplified music or speech are taking place and during the time that customers are leaving the premises.
- 7) The Designated Premises Supervisor must take action to investigate the complaint and take reasonable steps to address the nature of the complaint.
- 8) A record of these complaints and of any action taken as a result shall be maintained in a log book kept specifically for that purpose. The logbook shall be made available for inspection by a Police Officer or an authorised officer as defined within section 13 of the Licensing Act 2003.
- 9) No customer shall be allowed to remove any alcoholic or other drink from the premises in an open container (glasses and open bottles) other than to an external area designated for consumption.
- 10) External areas will not be used after 2300 hrs except for parking, access and egress.

**Visit Report**

Start Date: 02/10/2012

End Date: 05/07/2013

Force Area: 30TT

**October 2012**

1

Date: 02/10/2012

Time: 14:10

Visit Reference: DPS WELCOME

Premises: TRAVELLERS REST (PID 2,318, URN 30TT14)

**Officers:**

2766

MORLEY

**Description:**

Attended the premises to introduce myself to the new DPS Stephen CHILVERS (Drum & Monkey) and to discuss any developments regarding the site.

On attendance I was greeted by a male from Manchester that stated he had been asked to look after the venue whilst it was being renovated. The Area Manager is David MORSE, 07827 / 888 192.

The caretaker contacted Stephen and he soon arrived. I asked him what the plans were for the premises as they appeared to be in a state of disrepair. Stephen stated that he was hoping to be open by this Friday (5th October) as he was having his beer delivery tomorrow. The premises had no glasses, furniture or any further soft furnishings, when I asked who was to supply these items Stephen stated that he had been given the first month free and then at a reduced incremental rate.

At the time of the visit I handed him a refusal log, compliance folder and several posters regarding ch 25.

Stephen stated that he was appointing a manager that had just completed her NCPLH course, both her and her partner will be running the venue whilst he is the DPS.

Tara McTEAR and Adam LAMBERTON.

Advice was given to Stephen relating to his responsibilities as DPS and the fact that he should remain in control of the premises.

**November 2012**

3

Date: 23/11/2012

Time: 23:00

Visit Reference: MORLEY/DUNN

Premises: TRAVELLERS REST (PID 2,318, URN 30TT14)

**Officers:**

2013

DUNN

2766

MORLEY

**Description:**

During a Test Purchase Operation the premises were identified to go on the list by virtue of having a newly installed DPS. On attending the premises it was noted that officers were in attendance regarding a disturbance at the premises. PC DUNN and I entered and spoke with a male that identified himself to us as being in charge. He was spoken to outside regarding the incident and he stated that it was a 26th Birthday Party that had got out of hand. When inside a couple of children were still present and were clearly in a state of shock (shaking, cuddling mum).

The manager was advised about the issues that had been caused and the belief that should he remain open the customers may flare up again.

The manager decided to close the premises at 2330hrs, we assisted him with the removal of customers.

I requested that he contact the DPS and call me on Monday to arrange a meeting to discuss a suitable way forward and also to manage how these incidents could be prevented from happening again.

Date: 28/11/2012

Time: 13:00

Visit Reference: MORLEY

Premises: TRAVELLERS REST (PID 2,318, URN 30TT14)

**Officers:**

2766

MORLEY

**Description:**

Following an incident on Friday 23rd November I attended the Drum and Monkey for a pre arranged meeting with Stephen CHILVERS (DPS) Jodie CHILVERS (wife) and Adam LAMBERTON (manager) TEL: 07598 / 345043 this was to discuss the incident and to try and find a suitable way forward relating to the managing of the site.

Adam openly stated that he wished he had never booked the party as it had gotten out of hand but went on to mention that some of the people that were arguing outside had not been into the premises. It would appear that some customers had gone out to see what had happened and were drawn into the dispute (in an intoxicated state) as they 'may' have known some of the people involved.

I expressed my concerns of the management structure and commented to Stephen that although he had a manager in place it was his personal licence that was at risk.

I advised both regarding the installation of incident logs, refusal logs etc and to mark a clear line in the sand as to the tolerated behaviour of the customers.

Adam stated that his partner Tara McTEAR was a personal licence holder and could / may be taking over. I highlighted the importance of keeping a firm grasp on the customers and that a change of DPS may or may not do the trick.

I stated that the premises had received some Police attention since it had been re opened and that the level of intervention, whilst being stepped would be appropriate to the incident / call for service logged

It was also mentioned that the manager does hold a monthly meeting with the immediate neighbours. He has held this prior to opening and welcomed the offer of either myself, a local SNT officer or both attending the next meeting to see if we can constructively resolve any issues or tensions that may be present.

During the meeting I provided Adam with festive campaign literature "where will your Night End" ? This is a Police led campaign being supported by Community Safety partners across the County and City. It has been developed by a multi-agency project group.

The campaign is targeted at 18-24's and will focus predominantly on the night time economies (NTE's). It will run from 23rd Nov - New Year's Day.

I handed 2 copies of each poster to him with 4 badges for them to wear during peak trading hours. I requested him to display the posters in the run up to Christmas.

## December 2012

2

Date: 24/12/2012

Time: 21:30

Visit Reference: MORLEY DAY

Premises: TRAVELLERS REST (PID 2,318, URN 30TT14)

### Officers:

2465

DAY

2766

MORLEY

### Description:

As part of the night time visits for christmas eve I attended the premises and spoke with the DPS. The premises were fairly full with a DJ playing. I advised Stephen to keep a check on the volume as this could be heard to increase when customers went outside to use the smoking area. Stephen stated that he had been performing noise checks.

Advised regarding neighbours and to do everything within his power to ensure the licensing objectives were being upheld.

## March 2013

5

Date: 01/03/2013

Time: 22:40

Visit Reference: OP FRANKLY DUNN/DAY

Premises: TRAVELLERS REST (PID 2,318, URN 30TT14)

### Officers:

2013

DUNN

2465

DAY

CCTS

DERBYSHIRE COUNTY COUNCIL TRADING STANDARDS

MULTI

Multi Agency Visit

### Description:

At the above date and time the premises were visited as part of a joint test purchase operation being carried out with DCC Trading standards. 2 female tp operatives aged 15 and 16 years were served 2x bottles of WKD blue vodka by ANDREW KINCH a member of staff working at the premises at the time of the tp. FPND no. 30/A 0025735 4 was issued to Mr Kinch following the sale. The part B summary of the licence was produced for inspection, however Mr Kinch could not produce the full licence part A. As the operating schedule could not be produced and checked an infringement notice was issued for the following.

1. Part A full licence not held at premises / not produced.
2. No HMRC certificate on display
3. Refusal log not up to date. Last entry 01/01/13
4. No CCTV at the premises.
5. Unable to check licence conditions in full. Further offences possibly being committed.
6. No fire risk assessment produced.

From speaking with Mr Kinch it was clear that he had little understanding of the licensing act or the licensing objectives and his responsibilities. He further stated that he had worked at the premises on a number of weekends since the new year but admitted that he had not challenged anyone or made any entries in the refusal log he produced.

GR intel ref. 20132/13 refers. Letters (hard copy) to DPS and PLH in house files and saved to s/drive.

The DPS Stephen CHILVERS was contacted by way of telephone by PC DUNN. CHILVERS got abusive when asked to attend the premises and produce the licence. PC DUNN refused to continue speaking to him stating that CHILVERS sounded drunk.

**Date:** 14/03/2013

**Time:** 13:00

**Visit Reference:** MORLEY

**Premises:** TRAVELLERS REST (PID 2,318, URN 30TT14)

**Officers:**

2766

MORLEY

**Description:**

Following a failed Test Purchase operation on Friday 1st March 2013 at 2240hrs where Andrew KINCH (now DPS) sold two bottles of WKD to a 16 and 17 year old, I attended the premises for a pre arranged meeting with Andrew KINCH, Sharon KINCH, Steven CHILVERS (old DPS) and David MORSE (BDM) to discuss the running of the premises and to fully understand the business set up between the PrLH (indeed nominee) the owner (allied Irish bank) and the DPS.

At the start of the meeting I provided a brief overview of the historical issues surrounding the pub regarding noise from customers and music that had resulted in further conditions being placed on the licence and also the installation of a DAT recording device by Pollution Team (SDDC) in previous years.

Having spoke with the DPS at length regarding his understanding of the Licensing Act and how vigilant he was required to be I stated that at this point in time I had little confidence in him remaining as DPS unless he could provide me with some sort of agreement that he would be able to enforce both the conditions on the licence and the licensing objectives within the premises.

David MORSE (BDM) stated that he understood my concerns and accepted that the running of the premises required improvement. During the meeting I was given the following explanation of the complicated set up regarding all concerned with the premises.

Allied Irish Bank own the premises but are in receivership and are being audited by KPMG a loss adjuster. They have agreed to repay the debts for the business over a 40yr period and are completing this by running licensed premises through PWC who in turn employ Indeed Nominee.

I initially requested that the PrLH volunteer to reduce the hours of regulated entertainment, however this was refused with the BDM offering further conditions that related to noise and public nuisance, I outlined my position whereby should the premises receive further noise complaints, have issues with crime and disorder or fail another Test Purchase then my position would be to review the premises licence. David stated that he was aware that a young female was living in the flat and this may give rise to complaints regarding noise, he stated that he would instruct her to move out due to the issues.

I further stated that I would consider and draft a set of appropriate conditions that related to the issues being experienced by local residents with a view to seeing them placed onto the premises licence to support the DPS in gaining a better understanding of how important the issues were to resolve. I also pointed out that should any issues be experienced then I would most certainly be requesting removal of the DPS as a minimum at the review hearing.

It was agreed that I would email a set of drafted conditions to David MORSE for him as PrLH to submit by way of a minor variation.

Following this meeting I updated a local resident regarding the outcomes and provided them with advice on what to do should they have issue over the next few weekends.

Letter to be sent to the DPS and PrLH regarding the content of the meeting and also the proposed variation.

## May 2013

**Date:** 15/05/2013

**Time:** 11:50

**Visit Reference:** MORLEY TELECON BDM

**Premises:** TRAVELLERS REST (PID 2,318, URN 30TT14)

**Officers:**

2766

MORLEY

**Description:**

Following recent correspondence from John MILLS (SDDC Pollution team) I contacted the Area Manager, David MOORSE, tel; 07827 / 888192 to discuss what actions he had taken to resolve the complaints of noise.

David stated that he held a meeting with John MILLS a couple of weeks ago relating to the noise issues and they agreed to hold Karaoke events twice monthly and also to re-insulate the rear door area that leads onto the external rear yard.

I stated that I had been provided with a list of 4 residents that had contacted the pollution team regarding noise and that as stated in the last meeting between me the DPS and the Area Manager that I would have to take appropriate action should the issues of intoxicated revellers leaving give rise to public nuisance and / or the noise issue was continuing.

It would appear that this was the case and I wanted to discuss what was being done and explained that a review was being considered.

I provided details of John MILLS to assist David in making contact with a view to him visiting the site next Tuesday / Wednesday to speak with the DPS. I also stated that the list of 4 residents provided to me by John would be visited with a view to taking statements in preparation for a review hearing.

David stated that a 'rubber' seal had been fitted to the rear door and that should have reduced the noise.

It was agreed that David could discuss the issues with John and the DPS to find a way forward, however I maintained my standpoint that I was continuing to gather evidence for a review of the premises licence.

June 2013

1

Date: 26/06/2013

Time: 10:00

Visit Reference: MORLEY INSPECTION

Premises: TRAVELLERS REST (PID 2,318, URN 30TT14)

Officers:

2766

MORLEY

**Description:**

Following further complaints of abusive drunken customers leaving the premises after midnight and further information held within these incidents the fact that customers were sat in the external areas after 2300hrs (breach of licensing conditions) I attended a pre-arranged appointment at the premises with a view to speaking to the DPS (Andrew KINCH) regarding the lack of robustness at the premises. On attending I spoke with Sharon KINCH due to Andrew being at work. He works 6am-6pm weekdays with occasional Saturday mornings.

I explained why I was attending and within this explanation was a description of what my intentions were regarding calling for a review of the premises licence. I explained that I had issues 'historically' with the premises and these same issues were increasing concerns within the licensing department and with local residents. I further explained that despite the installation of further conditions on to the premises licence complaints were still being received.

I went through the rationale behind calling for a review and stated that it was now going to be in the hands of the licensing sub committee to decide what to do with the premises as we had exhausted all other avenues in an effort to resolve the complaints.

I conducted a full licensing inspection of the premises and issued an infringement for the following;

- 1, Unable to provide staff training
- 2, Fire extinguishers showed a date of last test of 05/2012
- 3, External area's were still being used after 2300hrs (this was admitted by Sharon)
- 4, Unable to produce an age verification policy

Following the issuing of the infringement notice I further provided a compliance file, Age verification posters, a UV light and a further refusal log book. These items were requested by Sharon during a phone call on Monday.

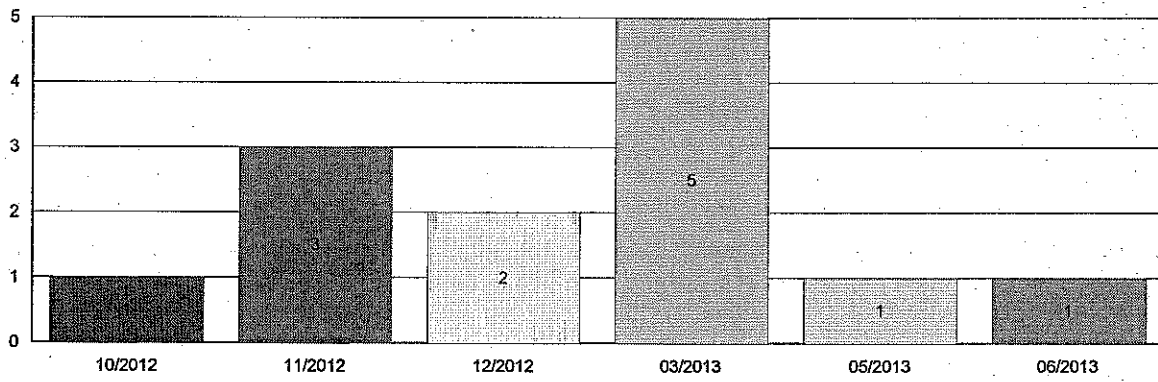
I was happy to see that the further conditions appeared to be complied with however with this understanding I couldn't understand why incident concerning external drinking and issues of drunken people leaving were still being reported. These feelings were explained to Sharon and she too stated that she hated working at the pub at weekends if it was sunny as she knew that she would be complained about.

Further advice was given regarding being EXTRA vigilant during sunny periods of trading along with monitoring the external areas after the terminal hour of 2300hrs.

I was made aware of the fact that a new area manager was taking over so handed her my card for her to pass on with instruction for him to contact me regarding the pending application to review the premises licence.



## Graphical Overview



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**RESTRICTED**



**Derbyshire  
Constabulary**

**Analysis: Crimes and Incidents around the Travellers  
Rest, DE11 9PS**

**Period Covered: July 2006 – 19 June 2013**

Authorising Officer: PC Morley, 2766

Author: Katie Gray, 4874 Intelligence Analyst

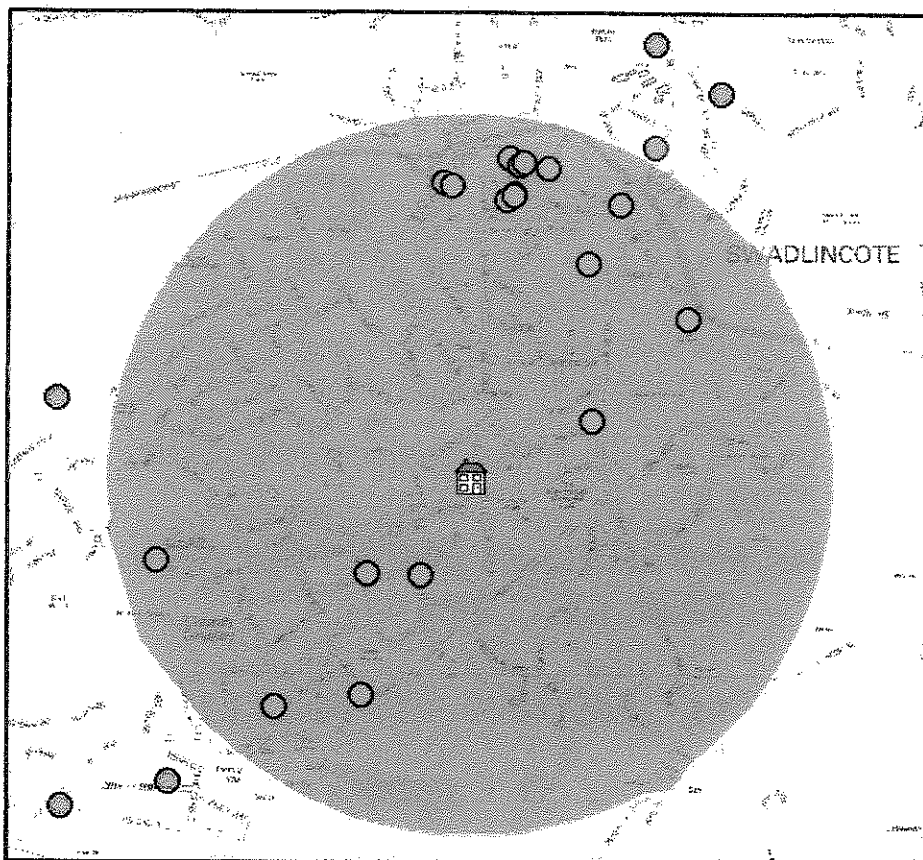
Date Completed: 02 July 2013

# RESTRICTED

## 1. Introduction

The aim of the report is to analyse the amount of crimes and ASB which has been reported within a selected radius of the Travellers Rest in Swadlincote. The report will focus on peak days, times, weekend and seasonal breakdowns. Crimes and ASB will be focused on separately in the report.

The map below shows a 1000m radius around the Travellers Rest with other public houses shown by a green dot:



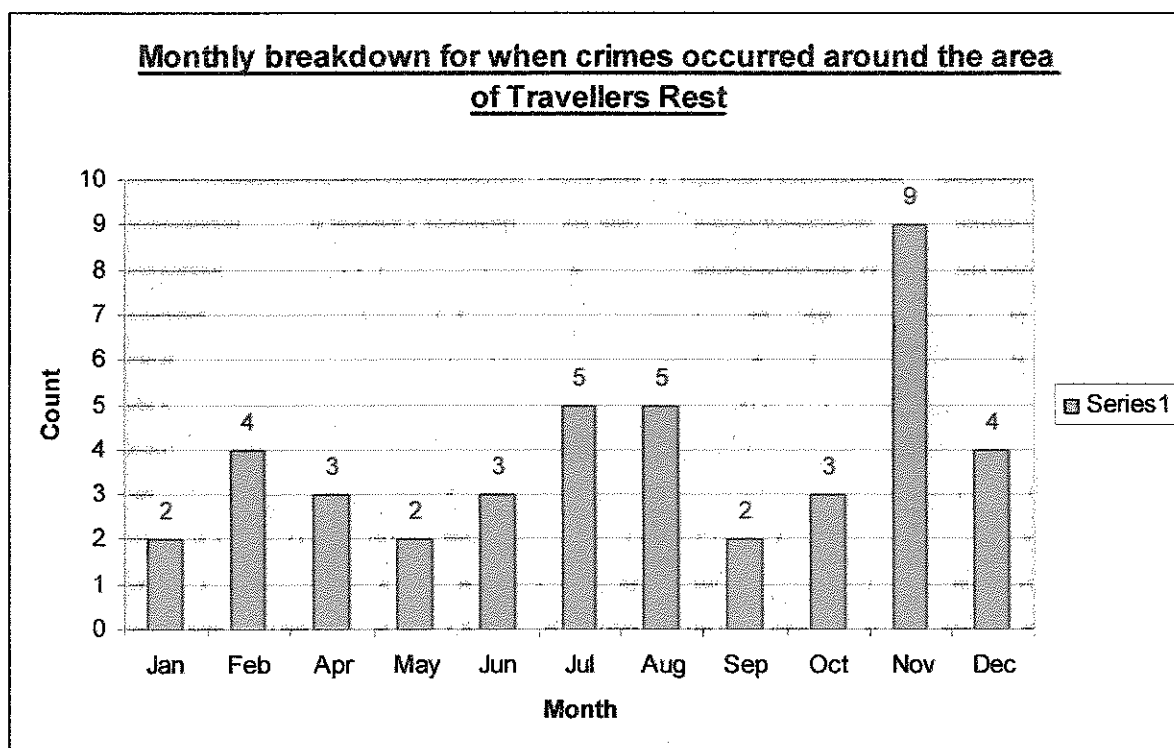
The table below shows a list of the public houses highlighted within the circled area:

Public House	Approx Distance from Traveller's Rest (miles)
Rising Sun, 77 Church Street, Church Gresley	0.6
Royal Oak, 87 Regent Street, Church Gresley	0.5
The Cachet, Civic Way	0.8
Sir Nigel Gresley, Market Street	2.7
Barley Mow, Park Road, Church Gresley	0.4
Bear Inn, 17 West Street	0.9
Cottage Inn, 46 Regent Street, Church Gresley	0.3
Foresters Arms, 67 High Street	0.9
Green Bank Leisure Centre, Civic Way	0.8
Miners Arms, George Street, Church Gresley	0.7
South Derbyshire Snooker Centre, Hill Street	0.7
Moza HQ Indian Restaurant, 5 Belmont Street	1.2
Sharpes Pottery Heritage Centre, West Street	0.9
Paramount, 17-21 West Street	0.9
Montanaro's, 5 Midland Street	0.9

# RESTRICTED

## 2.1 Temporal Analysis

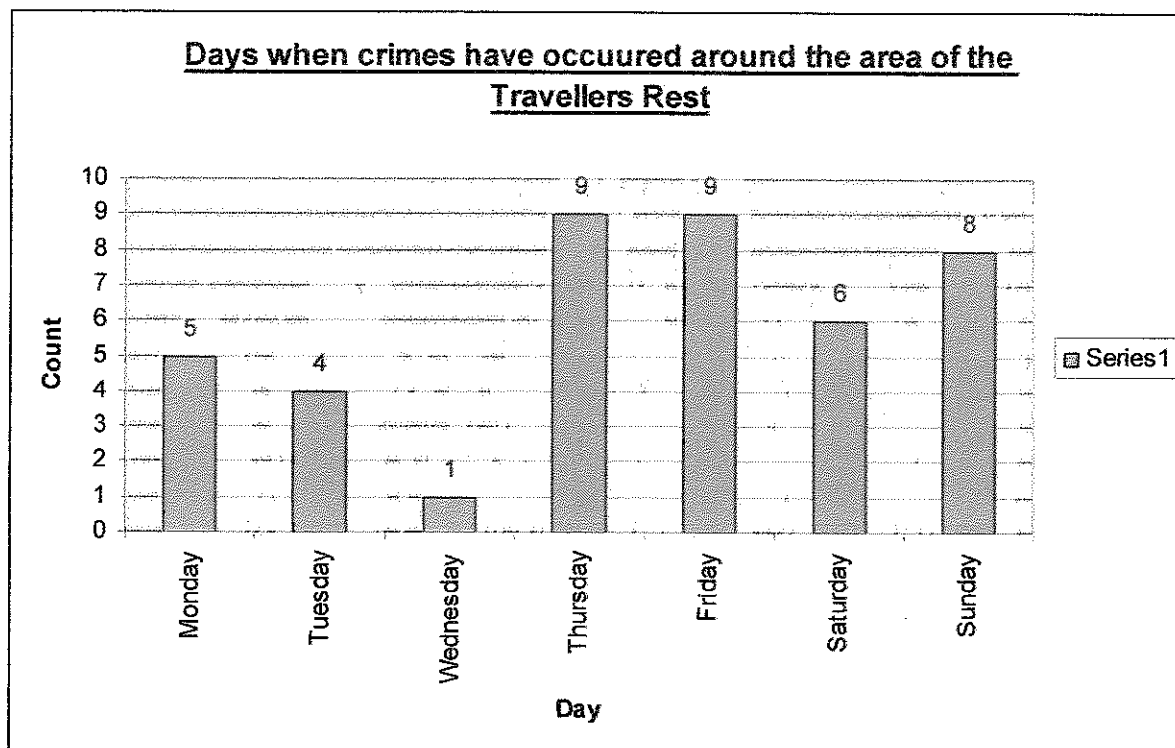
The graph below shows a seasonal breakdown of when the offences have occurred:



As can be seen from graph above it shows that there is a peak during November, this peak is likely to be due to Bonfire Night celebrations. It also shows that there has been a smaller peak occurs between July – August, this could be due to the summer weather, football competitions, Olympics etc

The graph below shows a breakdown of which days the offences have occurred:

## RESTRICTED



As can be seen from the graph above it highlights that Thursday and Friday were the peak days for when offences have occurred. There were also smaller peaks which occurred on Saturday and Sunday.

**Inference:** The daily pattern of crimes indicates that the weekend night time economy is responsible for the majority of offences which occur

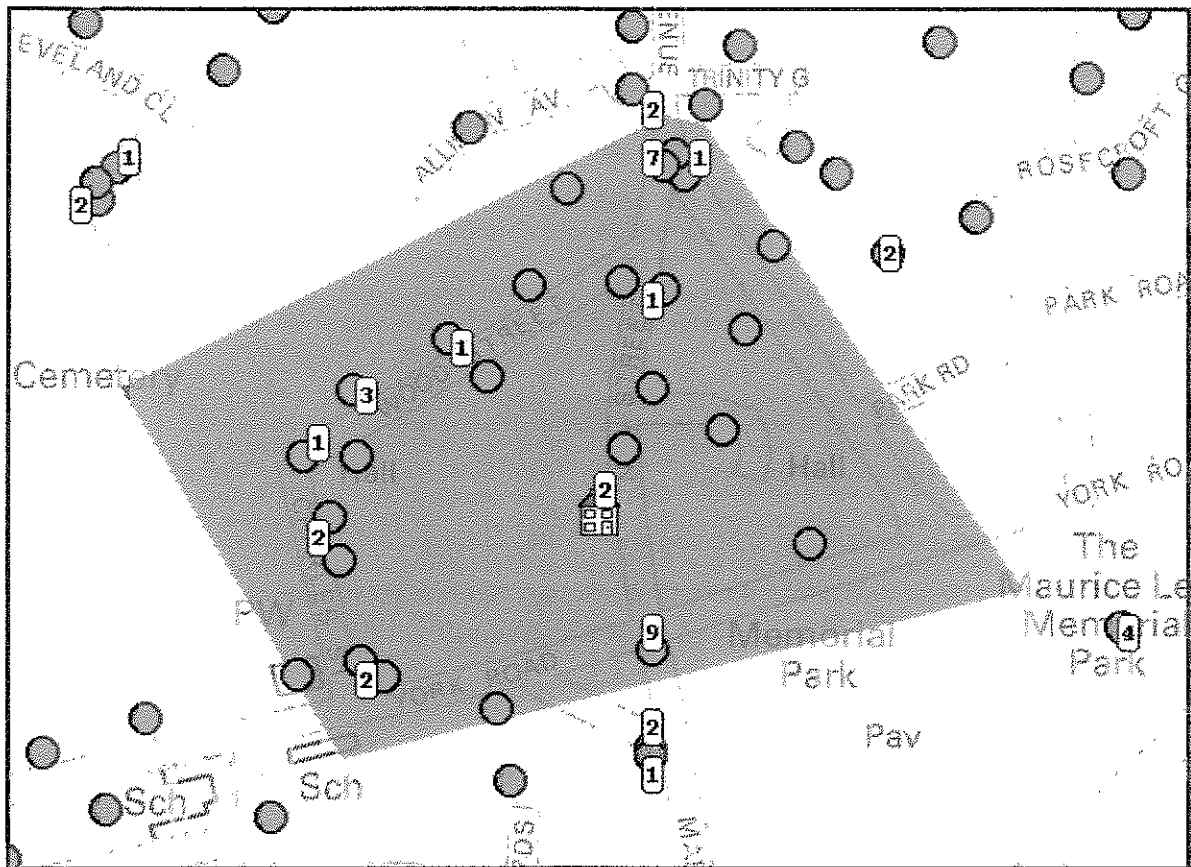
**Recommendation:** Increase police visibility during peak days

From peak time analysis it highlights that the peak time was between 23:00hrs to 08:59hrs

# RESTRICTED

## 2.2 Location

The map below highlights the area around the Travellers Rest which has been analysed with the crimes committed:



As can be seen from the map above it shows that most of the offences occurred at the top the street. This might have occurred from people walking back from the premise.

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## 3. ASB

The table below shows a breakdown of ASB reported under each owner of the Travellers Rest since July 2006 within a selected radius of the premise:

Owner Breakdown	Historical Incidents	S. Chilvers DPS	A. Kinch DPS
01/07/06 – 29/04/12	321		
05/10/12 – 01/03/13		31	
27/03/13 – to date			12

As can be seen from the table above there has been a decrease in ASB incidents being reported. However the historical incidents covers a 4 year period therefore the numbers are going to be larger.

The table below shows a breakdown of the types of ASB which have been reported within the area covered. (In April 2011 the ASB codes changed to being ASN, ASP and ASE, prior this date the codes began with B)

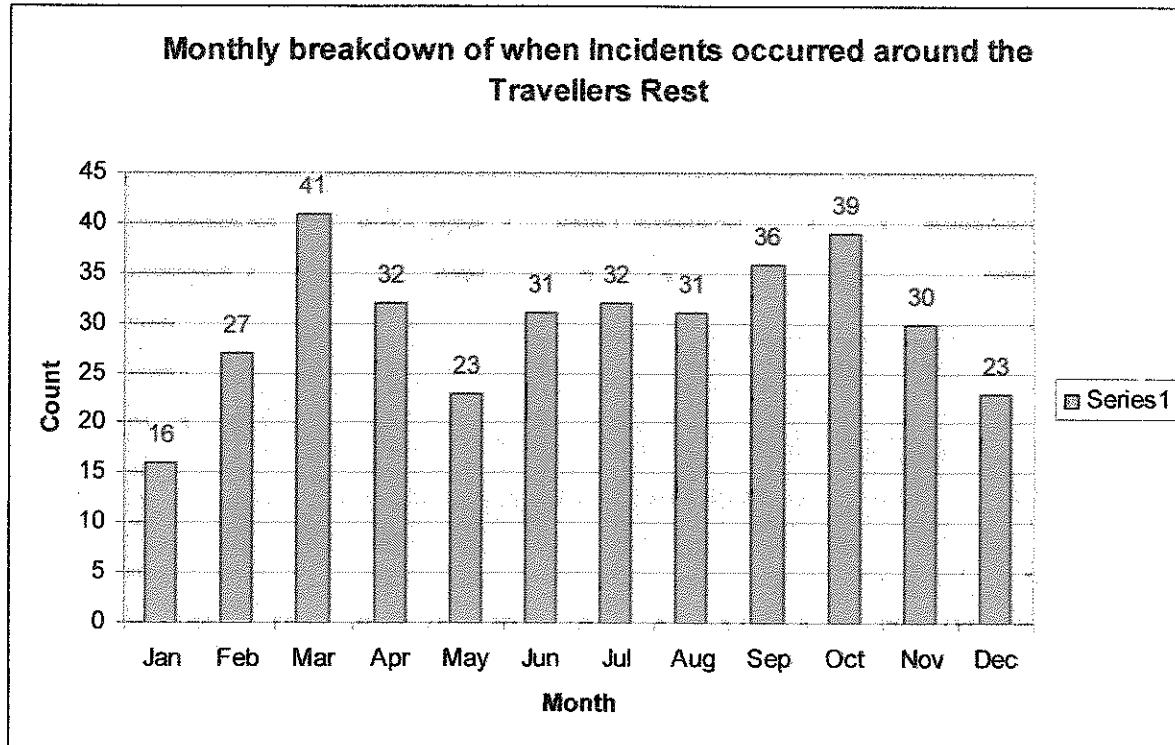
Type of ASB	Count
BG6 – Rowdy / Nuisance Behaviour	179
BG5 – Rowdy / Nuisance Behaviour Neighbours	54
ASN – Nuisance	46
BE2 – Vehicle Related Nuisance / Inappropriate Vehicle	29
ASP – Personal	24
BE1 – Vehicles Abandoned (Not Stolen)	10
BL – Animal Related	3
BF – Noise Nuisance Inc Vehicle Noise	3
BK – Malicious Communications	3
ASE – Environmental	3
BQ – Inappropriate Use / Sale / Possession of fireworks	2
BJ – Hoax Calls to Emergency Services	2
BT – Trespass	1
BG1 – Environmental damage / littering	1
BB – Street Drinking	1



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## 3.1 Temporal Analysis

The graph below shows a seasonal breakdown of when the incidents have occurred:



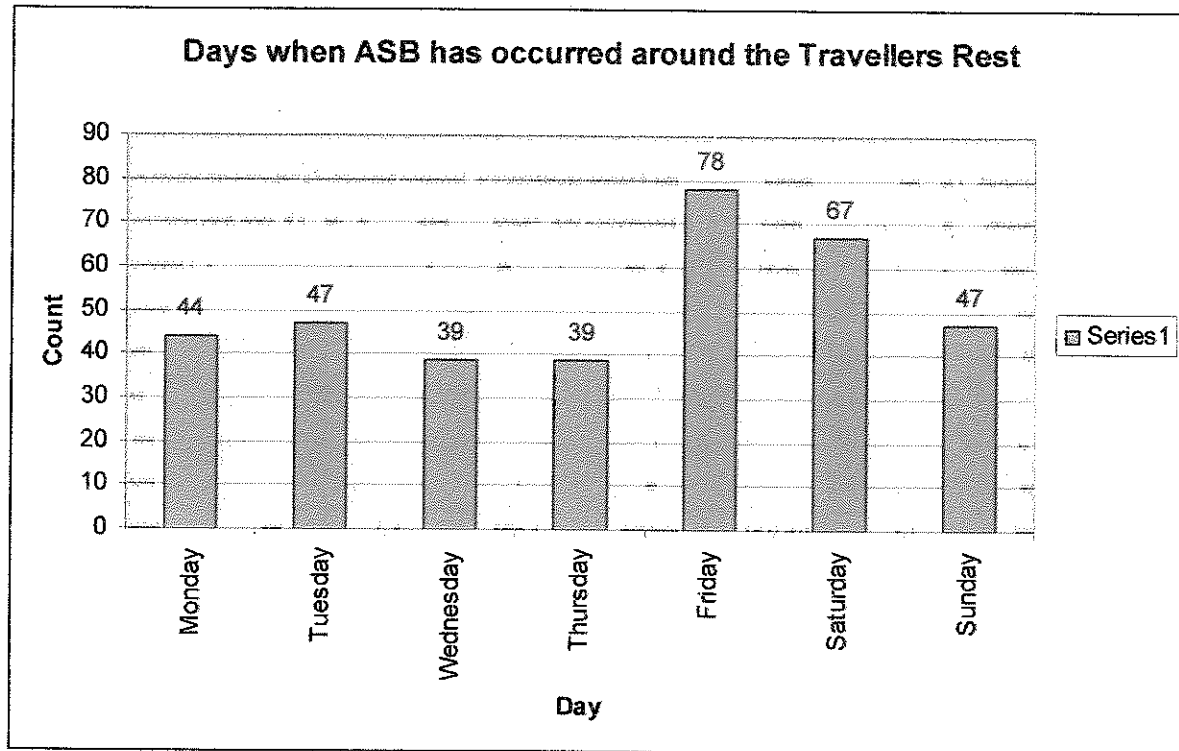
As can be seen from the graph above it shows that there is continual reports of ASB incidents throughout the year with a notable dip in January and the incidents peaking in March and October.

**Inference:** ASB peaks are dependent on annual seasonal events such as halloween

**Recommendation:** Increase police visibility during seasonal events

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The graph below shows a breakdown of the days when ASB has been occurring:



From the graph above it highlights that Friday is the peak day for when ASB has been occurring around the Travellers Rest. Also from the graph above it shows that a further peak occur during Saturday

**Inference:** The peak in ASB is due to the night time economy

**Recommendation:** Increase police visibility during peak periods

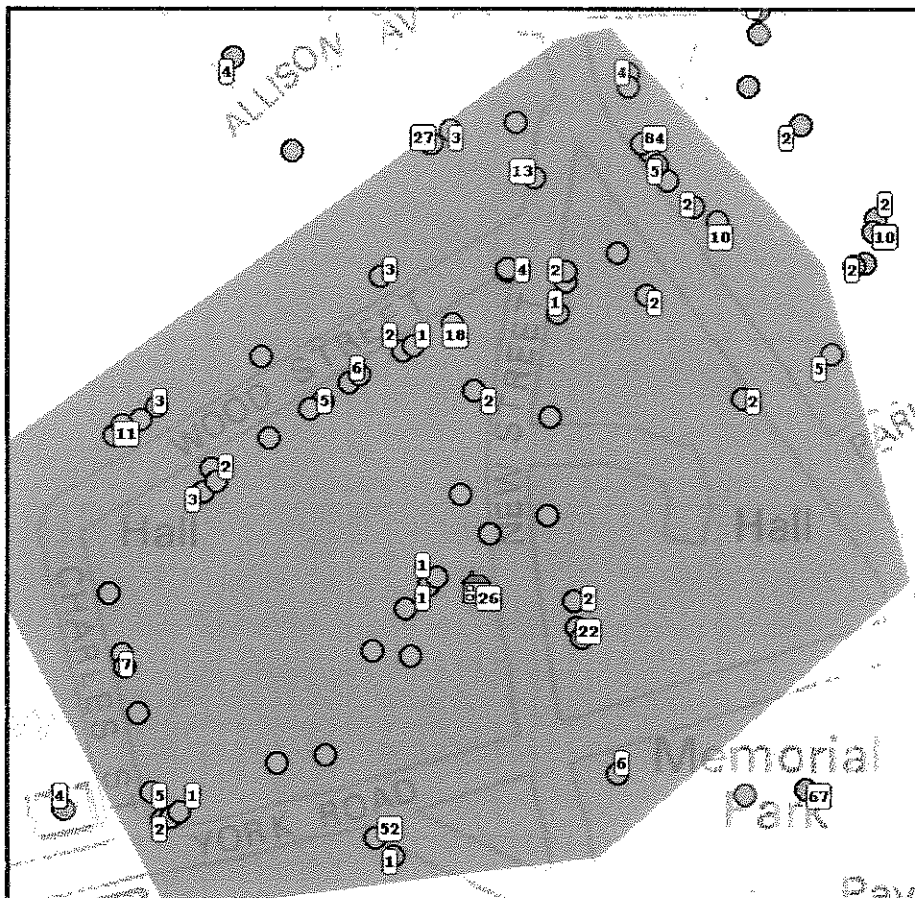
From peak time analysis it shows that the peak time occurred between 16:00hrs to 00:59hrs.

**Recommendation:** Increase police visibility during peak times

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## 3.2 Location

The map below highlights the area around the Travellers Rest which has been analysed with the number of ASB reported:



As can be seen from the map above that the ASB occurs all around the Travellers Rest, with Wilmot Road having multiple incidents reported. One address on Wilmot Road reporting over 80 incidents during the period covered.

**Inference:** It could be inferred that the ASB which is being committed within the area highlighted is occurring due to people being under the influence of alcohol.

**Recommendation:** Suggest that the Travellers Rest joins Pub Watch so that if it has any issues with ASB it can be rang straight in to the police and the issues discussed further at forums re the people committing the incidents  
Increase patrols around Wilmot Street during peak times and days

1. Introduction

2. Background

3. Methodology

4. Results

5. Discussion

6. Conclusion

7. References

8. Appendix

9. Index

10. Table of Contents

11. Figure 1

12. Figure 2

13. Figure 3

14. Figure 4

15. Figure 5

16. Figure 6

17. Figure 7

18. Figure 8

19. Figure 9

20. Figure 10