

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 Lancashire Constabulary, Colne Police Station, Craddock Road, Colne, Lancashire, BB8 0JU
Telephone number (if any) 01282 472582
E-mail address (optional) Mark.Driver@lancashire.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

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

Since 1st January 2009 there have been 44 incidents of crime and disorder and references of underage drinking directly attributable to the premises. All of these incidents have occurred on Friday night - Saturday morning, or Saturday night - Sunday morning, 40 of which have occurred after midnight. There have been 11 recorded crimes during this period including grievous bodily harm, 3 actual bodily harms, minor assault, public order offences, criminal damage and thefts. Large numbers of customers regularly gather in the car park of the premises, drinking, throwing bottles, intimidating passers by and causing disturbance to local residents. There is no control of these groups by door supervisors or management and there have been reports of up to 100 people being involved in disorder in the car park outside the premises. Children as young as 15 years of age have been involved in drunken disorder at the premises.

It is the belief of the Police that the poor management of the premises, lack of control by the door supervisors and availability of alcohol until 0300 hours at the weekend is leading to serious violence and disorder and is seriously undermining the licensing objectives.

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

Statements and Police "sleuth" and crime reports of incidents relating to the Queens Arms Hotel attached.

Comparative "sleuth" reports relating to the Rhythm Station over the same period attached.

Home Office DCMS "Problem Premises on Probation" document

Bodycam footage of the incident 01/11/09

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

--	--	--	--	--	--	--	--	--	--

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

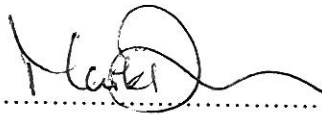
Please tick yes

- 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 02/12/2009

Capacity Police Constable 1140

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.

Witness Statement

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

Statement of **Mark Driver**

URN


--	--	--	--

Age if under 18 **over 18** (if over 18 insert "over 18"). Occupation **Police Constable**

This statement (consisting of **4** 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.

Dated the **30th** day of **November 2009**

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

Signature 

I am Mark Driver, Police Constable 1140 of the Lancashire Constabulary, and am a Pennine Division Licensing Officer currently stationed at Colne.

Part of my role is to monitor licensed premises and identify and address those which are failing to promote the four licensing objectives, in particular, the prevention of crime and disorder licensing objective.

Over a number of years the Queens Arms Hotel, Bank Street, Rawtenstall has been monitored regularly due to the number of reported incidents of disorder at the premises. Regular meetings to address these issues have been held with the DPS, including the current DPS David Welford, and have had a positive impact in reducing the disorder in the short term as additional measures are agreed and introduced. However, these reductions do tend to be for a short period of time before there is an increase in reported incidents again.

The latest meeting with David Welford was held at 1145 on Tuesday 10th November 2009 at Waterfoot Police Station when the latest issues were discussed and it was agreed that the premises would adopt a more staggered closure with a wind down period from 2.45am instead of 3am, door supervisors would prevent customers from taking drinks outside after 2am, a second exit door would be opened from upstairs at the premises (the Qube) to assist with dispersal at the end of the night and the car park lights would be illuminated until the last customers and staff had left. Mr Welford was also asked to report any incidents of disorder to the Police and asked for a greater Police presence where possible. As a result there was only 1

Signature 

Signature witnessed by

reported incident the following weekend, this was a call made by Mr Welford in relation to 2 groups he believed may cause trouble at closing time (log ref LC-20091115-0323), there was a Police presence and no disorder ensued. However, the following week my colleague PC1683 Walker visited the premises along with PS Andrew Uttley and local Officers and witnessed several incidents of disorder, large numbers of drunken persons allowed entry into the premises despite their intoxicated state, large numbers congregating in the car park in possession of glasses and bottles with no supervision by door staff or management.

As a result I reviewed the number of reported incidents at the premises this year and found that there were 44, all of which occurred on Friday night/Saturday morning or Saturday night/Sunday morning and 40 of which occurred after midnight (32 after 0100). The incidents range from large scale disturbances (log ref LC-20091101-0474 & LC-20090711-0351); bodycam footage of 0474 is available and produced as exhibit MD1140/01; assaults (LC-20090927-0141 & LC-20090322-0532), underage drinking (LC-20090503-0071 & LC-20090417-2048), criminal damage (LC-20090417-2128), drugs (LC-20090314-0177) and public disorder (LC-20091122-0094). It is also worth noting that only 2 of these incidents were reported by Mr Welford and the latest log (LC-20091128-0196) makes reference to him asking that he be credited with reporting the incident.

The above listed incidents are only a cross section of the reported disorder and copies of the remainder of the 44 reported incidents have been attached to the review application as supporting evidence.

I have also checked the number of reported incidents at the Rhythm Station, a late night venue with a 3am alcohol licence at the weekend and a similar capacity of 300 persons about ½ mile away from the Queens and have found that during the same period there have been only 17 reported incidents, 11 being reported by staff members and relating mainly to people causing problems having been refused entry or being detained in possession of drugs. These type of

Signature



Signature witnessed by

incidents are unavoidable at a late night venue but show a responsible attitude to the promotion of the licensing objectives by those concerned with the running of the premises by keeping trouble makers out.

I fully believe that there is a distinct lack of control over the customers at the Queens Arms, particularly in the car park, there are insufficient door supervisors employed to adequately control 2 floors inside the premises and the car park and intoxicated customers are freely admitted to the premises resulting in the excessive amount of crime and disorder and drunkenness directly attributable to the premises which in turn is totally undermining the licensing objectives.

There are already significant conditions attached to the premises licence aimed at promoting the licensing objectives, these are clearly insufficient and I believe that the following measures are necessary and proportionate in order to ensure the correct promotion of the licensing objectives:

1. The hours for licensable activity be reduced to 0000(midnight) on Friday's, Saturday's, Christmas Eve, Boxing Day and New Years Eve with the premises closing 30 minutes thereafter.
2. A minimum of 3 door supervisors for the first 100 customers and an additional 2 door supervisor's for each additional 100 customers thereafter be employed at the premises from 2200 every Friday, Saturday, Christmas Eve, Boxing Day and New Year's Eve.
3. Door supervisors shall be equipped with an appropriate method of keeping an accurate record of the capacity levels.
4. Door Supervisors shall be positioned at the exit leading to the beer garden/car park to ensure that no customer leaves with any bottles or glasses after 2200.
5. The DPS shall ensure that all glass and bottles are cleared from external areas by 2230.

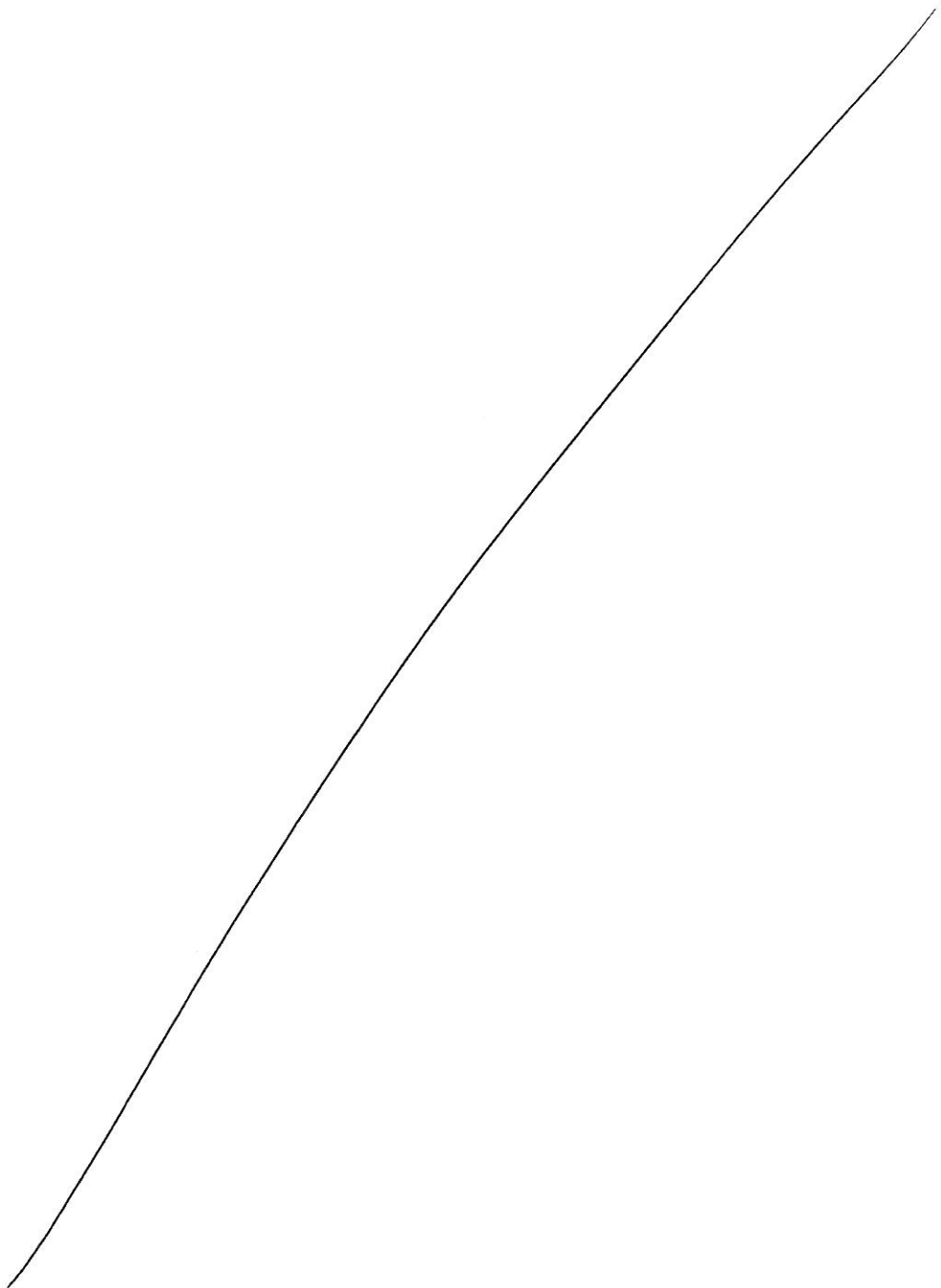
Signature



Signature witnessed by

6. Door Supervisors will wear visible jackets at all times when on duty, both inside and outside the premises.

Mark



Signature *Mark*

Signature witnessed by

Witness Statement

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

Statement of **Mark Geoffrey WALKER**

URN

--	--	--	--

Age if under 18 over 18 (if over 18 insert "over 18"). Occupation **Police Officer**

This statement (consisting of 5 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.

Dated the **2nd** day of **December** 2009

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

Signature  1683

I am Police Constable 1683 of the Lancashire Constabulary presently stationed at Colne Police Station.

My current role is Licensing Officer for Pennine Division. My role involves visiting and enforcing licensable activity at both on and off licensed premises within Pennine Division.

At 0100 hours on Sunday 22nd November 2009, I was on uniformed patrol when I attended the Queens Arms Hotel situated on Bank Street, Rawtenstall. The premises for some time have been highlighted as a cause for concern to the Divisional Licensing Department due to the large volume of incidents, the amount of public disorder and the number of assaults that are generated in, at or around the premises.

Despite a number of meetings with the Designated Premises Supervisor (DPS) David WELFORD, the issues and concerns highlighted above have been discussed. Despite repeated recommendations, no improvements have been made and as such the premises remain to be ill managed, incorrectly run and not operated correctly.

During the course of my visit to the premises, the first observation that I made was that five Police Officers were in attendance on Bacup Road adjacent to the main car park / entrance to

Signature  1683

Signature witnessed by

the premises. PS3301 UTTLEY who was the supervising officer present during that evening informed me that the Police staff resources that were deployed were required to be present whilst the premises were open. The visible Police presence was required in order to maintain public safety and minimise the incidents of public disorder.

There were approximately twenty five persons within the curtledge area of the car park all of whom appeared to be drinking. There were four vehicles parked in the car park area with a taxi also present. The group in the beer garden were quite loud but at this time were not creating any issues for concern. WELFORD by now was aware of my presence at the premises; the taxi pulled away several minutes later and as such no other taxis attended. The concerns in relation to public safety around taxis pulling into and manoeuvring around the car park / beer garden during the premises operating hours had previously been discussed with WELFORD. WELFORD had informed us that the taxis had now stopped however; PS UTTLEY informed me that this was not the case with Friday night having again seen a large volume of taxis entering and exiting the car park / beer garden during the premises operating hours. WELFORD due to my presence had obviously contacted the taxi company informing them of my attendance and as such no further taxis entered the car park / beer garden during the course of my visit.

There were three door supervisors working at the premises all of who were SIA registered. None of the door supervisors were wearing or displaying their SIA Licences. On speaking with the door supervisors it transpired that all three door supervisors were in possession of their licences however, one door supervisor had to return back to their vehicle in order to collect it. Without their licence being displayed, it was impossible to identify who was who, who was

Signature

 1687


Signature witnessed by

there in what capacity, who was their in a supervisory role and who was undertaking what role and in what capacity.

WELFORD and the door supervisors were unable to inform me of the number of persons who were inside the premises. Neither WELFORD nor any of the door supervisors were in possession of a counting aid indicating the number of persons who were inside the premises despite the premises having a maximum permitted capacity.

Despite the presence of a door supervisor, persons were being allowed to enter the premises completely unchallenged. I observed people entering the premises unchallenged who were clearly drunk together with persons who again were clearly under eighteen years of age. The large number of under age persons became immediately evident as I entered the premises. Although unable to view all the occupants of the premises at this time, in my opinion twenty five percent of the clientele who were present were clearly under eighteen years of age.

I returned back outside where during the course of my stay five separate fights took place within the car park / beer garden two of which had spilled out from within the premises. The parked vehicles in the car park obscured one of the incidents and made it extremely difficult for the Police to respond to or deal with.

One of the fights that escalated from inside the premises on to the car park involved a fifteen year old male by the name of  was drunk and in my opinion had been consuming alcohol inside the premises prior to being ejected.

Signature

 1683

Signature witnessed by

The door supervisors and WELFORD failed to maintain control of the car park / beer garden and were completely unaware of two of the incidents.

There was a large amount of glass and bottles within the car park / beer garden area that had not been removed or collected during the course of the evening and as such posed a serious danger to the patrons who were present. The empty bottles and glasses were easy to reach and readily available to be used as weapons. During the disorder that had taken place, glasses had been dropped or knocked from the tables and as such remained broken on the floor throughout the remaining duration of my visit. The injury potential to patrons who may have fallen, been involved in disorder or for use as a weapon was serious. WELFORD remained completely oblivious to this fact together with the huge injury potential.

At 0240 hours a male and female staggered along Bacup Road, both were clearly drunk supporting each other in order to remain standing with both quite clearly having consumed alcohol at another establishment. The male was in possession of a bottle of beer that he was continuing to consume. The male and female made their way into the car park / beer garden where despite a door supervisor being present at the door, both the male and female were permitted and allowed to enter the premises completely unchallenged.

In my opinion the premises are very poorly run and operated with WELFORD having no real control over the establishment. WELFORD is completely irresponsible in upholding any of the four licensing objectives and therefore incidents of violence, disorder, public nuisance and under age drinking will only continue to take place at the premises.

Signature

 1683

Signature witnessed by

It is not the responsibility of the tax payers or the residents of Rossendale to offer a regular security provision by providing five or if not more Police Officers at the premises during its late operating hours in order to manage or deal with elements of alcohol fuelled drunkenness, violence or disorder.

Mark Walker 1683

Signature

Mark Walker 1683

Signature witnessed by

Witness Statement

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

Statement of Antony Norman

URN

Four empty rectangular boxes for the URN number.

Age if under 18 Over18 (if over 18 insert "over 18"). Occupation Police Constable

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.

Dated the 26 day of 11 2009

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

Signature *[Handwritten Signature]* 3092

I am Police Constable 3092 Norman of the Lancashire Constabulary currently stationed at Waterfoot Police Station.

At 02:16hrs on Sunday 22nd November 2009 I was on uniformed foot patrol on Bacup Road, Rawtenstall in company with PC 3235 Calcroft outside the side entrance of the Queens Public House when my attention was drawn to the open rear door through which customers can enter. I saw that two youths had been ejected from the public house by door supervisors. Once in the rear yard the two youths engaged in a heated verbal argument within the sight and hearing of other customers. I made my way over to the youths and took a hold of one of the males who I now know to be called *[Redacted Name]*

I escorted *[Redacted Name]* across Bacup Road and seated him inside of our marked Mercedes Carrier on Longholme Road. I was aware that the other youth was being spoken to by PC Calcroft, who made me aware that the youth he was talking to was 19 years of age. I engaged *[Redacted Name]* in conversation with regards to the incident. *[Redacted Name]* smelt strongly of intoxicants and was slurring his speech. *[Redacted Name]* was drunk. *[Redacted Name]* went on to state that he had had an argument with his friend inside the Queens Public House and as a result of the incident had been thrown out by door staff. *[Redacted Name]* told me that the argument had begun after a male inside the public house had bumped into him and made threats towards him. *[Redacted Name]* continued that his friend would not

Signature *[Handwritten Signature]* 3092

Signature witnessed by

allow him to challenge the male. [redacted] was very agitated and stated that his friend should have stayed out of it and that if somebody started on him then he would not back down and would fight them. [redacted] admitted to me that he had a short temper and anger problems. After a short while speaking to [redacted] a mature female came to the side door of the vehicle and identified herself as the mother of his friend. The female stated that she would take him home. This female was not drunk. I allowed [redacted] to leave with the female and subsequently saw them leave the area along Bacup Road towards Waterfoot.

I crossed the road and spoke with the other youth who stated that [redacted] who was only 15 years of age had been inside the Queens Public House with him drinking for the majority of the evening and had become aggressive towards an older male inside. The youth stated that he feared for [redacted] safety and tried to pull him out of harms away but [redacted] would not back down and it was at this stage that they were escorted out of the premises by door supervisors.

It was clear from [redacted] appearance that he was only 15 years of age. [redacted] was approximately 5'5" in height, very slender, with a fresh complexion. This should have been obvious to door supervisors.

Signature 

Signature witnessed by