

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**

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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 **26th** day of **September 2012**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 Padiham.

Part of my roll is to monitor incidents which occur within licensed premises, initiate any enforcement action necessary and offer help and advice to licence holders and designated premises supervisors where appropriate.

Since the 1st January 2012 there have been 27 notable incidents at the New Black Bull, Mill Street, Padiham, the vast majority in relation to customers refusing to leave.

Log 1522, 2323hrs, Saturday 7th January – Male on pubwatch refusing to leave.

Log 1588, 2241hrs, Friday 20th January – Male refusing to leave.

Log 0061, 0035hrs, Saturday 18th February – Group outside premises trying to get back in having been asked to leave for causing problems inside.

Log 1750, 2352hrs Saturday 18th February – Reported as a group outside banging on windows, however, 2 females were arrested for assault.

Log 0057, 0027hrs Sunday 11th March – Report of 6 lads in the premises refusing to leave, request for Police assistance in removing them.

Log 1756, 2034hrs Saturday 24th March – Report of 7 males outside premises taking drugs, manager asking for Officers to conduct a walk through of the premises.

Log 2076, 2251hrs Saturday 24th March – Customers refusing to leave, 3 lads getting rowdy after last orders called.

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Log 1604, 2039hrs Sunday 25th March – 2 males who are barred from premises refusing to leave, Police assistance required to assist in removing them.

Log 1678, 2111hrs Sunday 25th March – The same 2 males as log 1604 have climbed the fence into the beer garden and are refusing to leave again, Police patrols report premises very busy and landlady unable to keep control.

Log 1600, 2033hrs Friday 1st June – 6 males outside, 1 of which is barred refusing to leave area, request for them to be moved on

Log 1669, 2103hrs Friday 1st June – Same male back at premises causing further problems and threatening staff and damaging door

Log 1707, 2119hrs Friday 1st June – Third call regarding male threatening staff

Log 1250, refers to incident 2030hrs Sunday 3rd June – Female grabbed around the neck inside premises by partners ex girlfriend, this led to pushing and pulling which was broken up by customers in the pub.

Log 1526, 2038hrs Saturday 23rd June – Barred male being verbally aggressive to customers and refusing to leave.

Log 1640, 2149hrs Saturday 23rd June – Same male back again causing problems

Log 1738, 2013hrs Saturday 30th June – Report of between 6 and 10 males and females fighting

Log 1512, 1950hrs Sunday 15th July – Drunken male in premises refusing to leave, trying to drink other customers drinks

Log 1587, 2034hrs Sunday 15th July – Same male returned intimidating customers

Log 1279, 1806hrs Friday 20th July – Female in premises threatening to throw stools and pool balls at people, female was arrested for public order and possession of offensive weapons.

Log 1875, 2240hrs Friday 27th July – Report of 40-50 people fighting outside and throwing glasses, Officers report premises door closed and those inside refusing to answer either the door or the telephone.

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Log 1637, 2232hrs Sunday 29th July – Drunken customer outside punching the windows, male arrested for criminal damage.

Log 1109, refers to incident 2215hrs Friday 17th August – Male on pubwatch entered premises carrying glass and when asked to leave hit manager's partner in the face with it causing superficial cuts and bruising.

Log 2102, 2343hrs Saturday 18th August – Report of 3 males kicking the door and banging on the windows

Log 1035, 1552hrs Sunday 26th August – Male responsible for assault on 18th August been into premises making threats

Log 1719, 2235hrs Sunday 26th August – Drunken male assaulted outside the premises.

Log 1623, 2317hrs Sunday 16th September – 3 males kicking on door of premises

Log 1594, 2116hrs Sunday 23rd September – Report of 4 males having been fighting for 5 minutes, male stamped and kicked unconscious and taken to hospital in a coma with head, facial and neck injuries, 4 males, 1 of whom was 17 years of age, were subsequently arrested.

I have previously met with the manager, Dawn Kenyon, on the 30th March 2012 and discussed the incidents of people refusing to leave and she agreed to be more forceful in preventing people from entering when drunk or barred and in getting them to leave. I told her we would always assist to remove people from the premises but we were not a security firm and should be called as a last resort and she should consider employing door supervisors to assist.

The problems at the premises have continued and it is apparent that there is still inadequate control over the premises which has resulted in a potentially life threatening incident. The problems at the premises are not particularly late night incidents and indeed, the vast majority are early evening, but the overriding problem is one of control and I believe the employment of door supervisors would have negated the vast majority of these incidents and their early intervention at the latest incident would have prevented its severity.

Signature

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Requests for the management to improve control of the premises and fully promote the licensing objectives have failed and I have no option but to ask for a review of the premises licence and the addition of the following condition to the licence which I believe is necessary and proportionate to obtain that control and ensure that the licensing objectives are fully promoted.

2 door supervisors registered with the SIA will be on duty at the premises from 8pm until the close every Friday, Saturday, Sunday, Bank Holiday Monday, Christmas Eve, Boxing Day, New Year's Eve & New Year's Day.

Signature

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