

Date 01<sup>st</sup> September 2021

Licensing Manager  
Slough Borough Council

Department: Resilience and Enforcement Team  
Contact Name: Stephen Crundwell  
Our Ref: SCR/236661

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The Three Tuns, 124 Bath Road, Slough, SL1 3XL

I have detailed my investigation into the noise nuisance complaint with regards the car park at the Three Tuns Public House

19<sup>th</sup> August 2020 - Noise Diaries sent to Mr Rajpoot

07<sup>th</sup> September 2020 – Email received from Mr Rajpoot with a copy of the completed noise diary. This indicated that loud base music was being played in the car parking area. Also mentioned in the diary is that sometimes people were heard to be shouting and screaming in the car parking area

There is also a reference to people fighting with a crime ref 102 – 06/09/20

15<sup>th</sup> September 2020- I emailed Rachael Rumney from Licensing and Debie Pearmain from Thames Valley Police informing them of the complaint and that I am in receipt of a completed noise diary indicating that there is a possible issue of Anti-social behaviour within the car parking area of the Three Tuns Public House. I also asked if there had been any recent reports with regards the car park and also requested a copy of the license

15<sup>th</sup> September 2020 – Email received from Debie Pearmain no reports of any incidents in car park. Debie mentioned arranging meeting with the Premises Licence Holder and DPS

23<sup>rd</sup> September 2020 – Email received from Rachel Rumney with License attached.

24<sup>th</sup> September 2020 – Visit made to Car parking area

25<sup>th</sup> September 2020 - Pre-arranged meeting with Gurpreet Bhambra, DPS, Sandy Bhambra, Drew Milne, BDM, Greene King, Rachael Rumney, Senior Licensing Officer, SBC, Linda Corcoran, Resilience & Enforcement Officer, SBC, Stephen Crundwell, Housing & Enforcement Officer, SBC and Debie Pearmain, Police Licensing Officer. The meeting was held at Slough Police Station.

Debie Pearmain opened the meeting, introductions were made and the reason for the meeting.

Once Debie Pearmain had discussed several issues she was investigating. Debie then handed over to Linda and myself, we informed the DPS that we had received an ASB complaint about the car-park area. Noise diaries had been received from a local resident. The complaints had highlighted loud base music between 1am and 2am , 12.30pm – 02.00am.

It was highlighted that the car-park is insecure. The barrier was discussed as it looked to be damaged, we were informed that although it was damaged it can still be used to lock the car

park. Lighting was also discussed as well as CCTV monitoring. It was agreed that the carpark would be looked at with a view of improvements being carried out. We were informed by Mr Milne that they wanted to work with the neighbours and that he would contact Debie Pearmain by email to update and that Debie could forward the information on to us.

28<sup>th</sup> September 2020 – I updated Mr Rajpoot via email with regards the meeting

6<sup>th</sup> October 2020 – Email received from Mr Rajpoot thanking me for looking into the issues he has been experiencing. However, as the Prime Minister has imposed a 10pm closure on all pubs/restaurants he feels this has temporarily helped restore his sleep.

23<sup>RD</sup> April 2021 – Email trail received Mr Rajpoot had contacted Finbar McSweeney with regards Marquee concrete obstruction over the boundary wall of the pub on the public footpath and the ongoing noise nuisance

23<sup>RD</sup> April 2021 – Emailed Debie Pearmain informing her that Slough borough Council have started receiving noise complaints again and was there ever any response back from the Mr Bhambra and Mr Milne with regards The Three Tuns

23<sup>RD</sup> April 2021 – Email from Debie Pearmain not had any contact from Drew Milne following our meeting on the 25th September 2020.

23<sup>RD</sup> April 2021 – Telephone call made to Mr George Bhambra explained Slough Borough Council had received complaints with regards noise from the car park. Mr Bhambra said he will monitor and lock the gates when the business closes to stop people accessing the car park

23<sup>RD</sup> April 2021 - Telephone call made to Mr Rajpoot explained that I have spoken to the landlord and that the landlord will monitor and lock the car park. I also informed Mr Rajpoot that he could send evidence to my work phone via WhatsApp

26<sup>th</sup> April 2021 – ongoing - Received videos and photographs via WhatsApp from the comp most of the recordings are from the ring doorbell which points out to the front of Mr Rajpoot' s property but does not cover the car park of the Three Tuns. Shouting and screaming can be heard along with traffic noise.

26<sup>th</sup> April 2021 – Spoke to Mr Rajpoot advised I would like to install Slough Borough Council's Trojan noise recording equipment in his property. Mr Rajpoot said the installation could go ahead.

29<sup>th</sup> April 2021 – Trojan installed in First Floor bedroom on window ledge that overlooks car parking area of the Three Tuns Public house.

6<sup>th</sup> May 2021 – Collected Trojan from Mr Rajpoot' s Property.

10<sup>th</sup> May 2021 - Listened to the recordings made on the Trojan recorder no statutory nuisance proven but could hear some shouting on a couple of recordings.

17<sup>th</sup> May 2021 - Updated Debie Pearmain and Rachel Rumney although a statutory nuisance was not proven Mr Rajpoot still sends video recordings and logs via WhatsApp. Another meeting to be arranged with the Premises Licence Holder and DPS

1<sup>st</sup> June 2021 – Telephone call made to Mr Rajpoot informed him of the meeting taking place today at Windsor Police Station. Mr Rajpoot wants me to mention the tree that has been cut down and has been placed by his fence.

1<sup>st</sup> June 2021 – Pre-arranged meeting with Gurpreet Bhambra, DPS, Sandy Bhambra, Drew Milnes, BDM Greene King, Tola Idowu, Licensing Officer, SBC, Linda Corcoran, Resilience & Enforcement Team Leader, Stephen Crundwell, Housing & Enforcement Manager and Debie Pearmain, Police Licensing Officer. Meeting held at Windsor Police Station.

Debie Pearmain opened the meeting and introduced the participants. Further to the meeting held on the 25<sup>th</sup> September 2020, the DPS was informed that the Enforcement Team, had received further noise complaints, reports of loud music with a lot of these occurring quite late and some complaints, coming from the car-park.

Debie Pearmain then handed the meeting over to Linda and myself. I went through some of the complaints received from a resident, which were related to the car-park. I played a video of loud music and noise at 02.46am on the morning of the 23<sup>rd</sup> May 2021. The DPS denied that this was his premises and stated that they were closed by that time. We mentioned that nothing seemed to have been done with regard to the car-park, since the meeting in September 2021. Mr Milne stated that the gate had been fixed by the DPS. It was said that there had not been any noise complaints during Lock Down and as soon as Lock Down had been lifted, the complaints started again. Mr Milne stated that the noise the complainant is hearing is not from their car park but the Metro Bank car-park.

The car park was discussed again and asked why nothing had been put in place since the last meeting we were told that it was difficult to action during the covid lockdown. I mentioned stopping vehicle accessing the end of the car park by means of a chain or barrier on quieter days but was told by Mr Milne that this would give the impression of the pub being empty and would not be good for business and they would look at other ways to deal with this issue. CCTV, signage and lighting was again mentioned.

Mr Milne stated that they want to be good neighbours. They asked if the complainant would be willing to meet with them and sit down and discuss the issues. It was also said that if the complainant could contact George Bhambra on [redacted] and that he would try to deal with issues that way.

Linda stated that due to the lack of action since the last meeting in September, it was appropriate to serve a Community Protection Notice on the DPS and the Premises Licence Holders. This gives the DPS and PLH, 2 weeks to make improvements. The Notices, were then served at the meeting.

02<sup>nd</sup> June 2021 - Telephone call made to Mr Rajpoot, discussed the meeting that took place yesterday explained that a community Protection Notice Warning had been issued. I also stated that the owner has given me their contact number and is willing to discuss the matter and resolve any issues, Mr Rajpoot said “resolve the matter for how long”? Mr Rajpoot

wasn't happy and said the issue is the license and the times the pub is allowed to be open, he said that its affecting his sleep and his work making him sleep later which is making him wake up later, He said that the council should of acted sooner to resolve his issue. Mr Rajpoot said he would not call the owner as they would then know he is the complainant which could cause reprisals and would the landlord answer the phone in the early hours.

09<sup>th</sup> September 2021 - Email received from Mr George Bhambra with a list of actions that he has undertaken

1. Fencing has started to be erected along the boundary of the car park – preventing access to vehicular traffic. This will be completed on Sunday. Picture attached.
2. Security patrols of the car park and logs during opening hours. Picture of logs attached
3. We are in dialogue with Premier Park <http://www.premierpark.co.uk> with a view to setting up a contract to have permanent parking enforcement via CCTV/lighting.
4. Removal of excess foliage to rear of car park. Picture attached
5. Closure and locking of car park gate at end of business each night (circa 1.30am on weekends). Picture attached
6. Display of prominent notices requesting customers respect the neighbour at exit points and in the car park. Pictures attached.
7. More 'Private Car Park- No Unauthorised Parking' 'CCTV in Operation' signs have been ordered. These will run along the railing facing the car park. Pictures attached.

16<sup>th</sup> June 2021 – Telephone call made to Mr Rajpoot. Mr Rajpoot said that people are still making noise in the car park, although Saturday was quiet but this might of been because of the hot weather. Mr Rajpoot said he has been suffering for 2 and 1/2 years. I again asked if he is willing to liaise with the landlord he said no. Noise is still the problem and a little bit of fencing is not stopping people gaining access to the car park. I asked if noise from the pub was an issue he said this was adhoc and the noise from people in the car park making the noise is the problem. Mr Rajpoot said licensing should be taking action, he said that if people are shouting and screaming in the car park then they should be told not to make noise. I explained that because the landlord has taken some action with regards what was discussed at the meeting then a full Community Protection Notice cannot be issued at the moment and that the pub will need to be monitored. Mr Rajpoot stated that he will speak to councillor.

23<sup>rd</sup> June 2021 – Email below sent to Mr George Bhambra.

Dear Mr Bhambra,

Thank you for your email and the list of actions that you've already put into place and further ones to be looked into.

Unfortunately we are still receiving reports of ASB from our complainant on a regular basis which I have listed below.

Monday 7th June

10:35pm - people shouting and car playing loud music with base

Thursday 10th - Friday 11th June

11:30pm - 2:30am - people talking loud and shouting in car park

Friday 11th - Saturday 12th June

10:45pm - people talking loud / shouting

11:30pm - car loud music and base

11:40pm - people shouting in car park

12:48am - people talking loud in car park, Continues until 1:26am - people shouting in car park

Wednesday 16th June

10:50pm - people shouting

Friday 18th June

10:40pm - pub playing loud music - can feel base and treble

11:50pm - people shouting and talking loud in the car park, This continued until 12:44am

Video footage has also been provided to me as evidence, that shows four people having a loud conversation in the early hours (1:44am) of the morning of Saturday 19<sup>th</sup> June. This takes place at the far end of the car park, I would assume they are patrons as they are talking about drinking in your establishment and that they are able to order 5 drinks in one go, not like other pubs.

Could you please provide me with the monitoring logs for the Friday to Sunday of the last two weekends.

We acknowledge that some measures have been put into place to prevent these issues, but your car park is still causing ASB with patrons causing a nuisance to the local resident.

Can you please advise me on what further preventative action/measure's you will be put into place to prevent this happening and if this does not stop the ASB nuisance then I will be left, with no option but to issue a full Community Protection Notice.

Kind Regards,

Stephen Crundwell

24<sup>th</sup> June 2021 Email below received from Mr Milne

Hi Stephen,  
Thank you for your email.

Please can you provide copies of the evidence video's for the alleged incidents listed below. We will be meeting later today to discuss the actions we have taken so far to ensure we are doing what is viable and economically feasible to arrest the ASB issues. Following the review today we will be able to provide you with the security logs and our response to the allegations.

We would also request your further advice/recommendation on what action/measures are required to satisfy your complainant, please can you also advise on the visits that Slough Council and the Police have undertaken since our last meeting and any issues that have been noted on these visits or drive-bys.

We note that there has also been no direct contact from the complainant to George to highlight the issues directly.

Thank you for your help on this and as discussed at our meeting we are keen to work with you and the neighbourhood, however, this needs to be done in an effective and proportionate manner for all.

Best Regards

Drew Milne | Business Development Manager

24<sup>th</sup> June 2021 Email sent to Mr Rajpoot

Dear Mr Rajpoot,

Thank you for the videos sent via WhatsApp to my work phone.

I Have informed the brewery and the DPS that I have been passed video evidence that clearly shows people congregating at the top end of the car park and having a loud conversation at 1:44am on Saturday the 19<sup>th</sup> June 2021. As the CPN Warning is still in place, I informed them that although they have taken some actions and that further actions are to be looked into. The car park is still a problem and that a full CPN could be issued.

I had a quick response back from the brewery and they have asked to see the video that you sent that shows the people talking loudly and saying that they can buy five drinks in one go. With your permission I would like to forward this video on to them.

On receipt of this email could you please confirm that you authorise me to send this video on to them.

The brewery have also advised me that there has been no direct contact from you to the DPS with regards to your complaint, they are still looking at working with you to try and resolve the matter.

Kind Regards,

25<sup>th</sup> June 2021 – Email received from Mr Rajpoot stating that he is not authorising any video evidence to be shown as the video clearly shows his property and would identify himself as the complainant. The video evidence is only to show and prove his case for the council to action. Mr Rajpoot also stated that he is not willing to lodge his complaints at 1am to the management of the pub to resolve and that these issues have been ongoing since 2019 and the management have taken no action since and if he needs to raise these problems to the management at these times then evidently these problems are not resolved. He also stated that he complaint to the council as a resident and expect the resolution to be found through

the council intervention.

.5<sup>th</sup> July 2021 – Email sent to Mr Rajpoot by Linda Corcoran and Russel Denney-Clarke

Date 5<sup>th</sup> July 2021

**Department:** Place | Regulatory  
**Contact Name:** Linda Corcoran / Russell Denney-Clarke  
**Contact No:** 01753 475111

**Email:**

**Our Ref:** 313277

Mr Rajpoot

By email:

Dear Mr Rajpoot,

Thank you for your emailed communication in relation to the noise from the Three Tuns Public House.

I am sorry you were not satisfied with the previous replies given and I note the emailed feedback given to the council by Councillor Waqas Sabah on 22<sup>nd</sup> June.

I have therefore investigated the content and am responding under Stage 2 of the council's complaint procedure.

### **Response from Resilience and Enforcement**

Investigations have been carried out by our investigating officer Stephen Crundwell, under the Environmental Protection Act 1990 section 79 on Noise Nuisance, with noise recording equipment being deployed into your property, for you to record the noise nuisance that was affecting you at that time. On downloading the recordings there was insufficient evidence to state that there was a statutory noise nuisance.

Stephen Crundwell has continued to investigate all of the issues that you have been reporting to him, coming from the Three Tuns public house car park and that you have provided him with videos and recordings through WhatsApp. With this he had arranged a second meeting with the designated premises supervisor, a representative from the brewery, Slough Borough Council licensing officer, Thames Valley Police Licensing officer and myself on the 2<sup>nd</sup> June 2021. Within this meeting again we voiced the issues that were affecting our complainant and I then served them with a warning community protection notice under the Anti-social Behaviour, Crime and Policing Act 2014. This warning CPN has not been removed and after the serving of this notice the DPS and brewery have taken measures on trying to prevent the ASB.

Stephen has been in regular contact with yourself and Mr George Bhambra, one of the DPS of the Three Tuns Pub, regarding the issues you are reporting to him.

On the 24<sup>th</sup> June 2021 Stephen sent an email to you requesting for your permission to show Mr Bhambra the video that you had sent him on the 19<sup>th</sup> June 2021, after discussing this issue with Mr Bhambra, Mr Bhambra asked to see this video. In your reply email to Stephen, you told him that you did not authorise any video evidence to be shown and that the video evidence is only to show and prove your case for the council to action and that the videos clearly show your property and would identify you as the complainant and if this issue was to go court then your stance on this would change.

Unfortunately the council cannot take formal action in this way, as with these type of complaints we investigate, we have to put a case together for our legal team, with all the evidence provided by the witnesses and investigating officer. The evidence produced will need to be exhibited by each individual person who had witnessed the incidents and to produce it as their own exhibits and will also need to be willing to be a witness in their case, to attend court if the decision by our legal team was taken to go to court, where there has been substantial evidence for an offence that has happened and continues to happen.

### **Response from Licensing**

We have done all we legally can to ensure the premises licence is being adhered to and the licensing objectives are being met.

My team has been liaising with Thames Valley Police and the following has been agreed:

We will continue to monitor and engage with the premises making them aware of the continued complaints. We will advise them to utilise their door staff in the monitoring of the rear garden, car park and on customers as they leave the premises. Additionally the requested improvements to the security of the car park have been made by the premises.

Under the Licensing Act 2003, the you can cause a licence to be reviewed (the relevant forms and guidance are attached); Please note the points on page 2, which we (along with housing enforcement) have already done.

This sets out a formal legal process for making a review application. A review is the only way to make amendments to an existing premises licence, such as a reduction in licensable hours or to alter the premises licence conditions. In this instance it would be up to the you to make that review application, however it must be based on actual evidence that the premises is causing a statutory nuisance.

You are free to seek your own legal advice from a Licensing specialist who could assist you with making the review application.

Please be assured your complaint has been fully considered and investigated.

On this occasion a different answer would be unable to be given if your complaint was escalated to stage 3.

Therefore if you remain dissatisfied with my stage 2 response, your next step would be contacting the Local Government & Social Care Ombudsman.

Their contact details are; Local Government & Social Care Ombudsman, PO Box 4771, Coventry, CV4 0EH

Telephone: 0300 061 0614 Website: [www.lgo.org.uk](http://www.lgo.org.uk)

Yours sincerely

Linda Corcoran  
Resilience and Enforcement Lead

Russell Denney-Clarke  
Trading Standards & Licensing Manager

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4<sup>th</sup> July 2021 onwards – No more correspondence received from Mr Rajpoot

Mr Stephen Crundwell  
Resilience and Enforcement,  
Slough Borough Council