

Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)

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 the 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.**

I Malcolm McKessar on behalf of the Chief Officer of police for Suffolk Constabulary apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details:

Postal address of premises, or if none or not known, ordnance survey map reference or description:

The Swan Inn, Low Street, Hoxne, Suffolk

Post code (if known): **IP21 5AS**

2. Premises licence details:

Name of premises licence holder (if known) **Lisa SMITH**

Number of premises licence (if known): **MPL0236**

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm

☒ Y

4. Details of association of the above premises with serious crime, serious disorder or both:

[Please read guidance note 2]

On Wednesday 7th April 2025, Police Officers from Suffolk Constabulary conducted a search warrant, issued under the Misuse of Drugs Act, at The Swan Inn, Low Road, Hoxne.

During the search, officers found a cannabis cultivation operation in an outbuilding close to the rear of the pub and situated within the pub grounds. The outbuilding had been extensively modified for the sole purpose of facilitating a large-scale cannabis growing operation. The walls had been insulated with layers of foam and plastic sheeting to maintain the warm temperature required for growing. Ventilation hoses and fans had also been installed.

Officers found evidence of approximately 500 cannabis plants; the bulk of the crop had been recently harvested, however 120 live plants remained.

An electricity meter located within the pub living quarters had been illegally tampered with. Wires had been re-routed in order to facilitate the high amount of electricity required to power the cultivation operation. This is an offence of Abstracting Electricity. Network Energy were required to attend and cut off power to the pub.

The Premises Licence Holder is Lisa Smith, and she is also the Designated Premises Supervisor.

As a result of this search warrant, Lisa Smith is now subject of an investigation into the Production and Supply of a Class B Controlled Drug, namely Cannabis.

Lisa Smith lives in the pub living quarters on the first floor with her family.

It is very likely that Lisa Smith had knowledge of and/or involvement in the commission of this crime.

This is due to the fact that the cannabis growing operation took place in a pub outbuilding, which is located very close to the rear of the pub. Also, that the meter subject of the Abstracting Electricity offence is situated within the pub living quarters, where she resides.

Section 4 of The Misuse of Drugs Act 1971 details offences relating to the production and supply of controlled drugs. The penalty is up to a maximum of 14 years on indictment, for the Production or Supply of a Class B drug.

Therefore, this offence is classed as a 'serious crime' as set out in the Regulation of Investigatory Powers Act 2000 and as required under Section 53A of The Licensing Act 2003.

Additionally, the production of Class B drugs in the quantities found at The Swan Inn are likely to result in substantial financial gain to those involved, which again meets the definition of serious crime.

On Sunday 18th May 20205, Lisa Smith was arrested and interviewed for being involved in The Production and Supply of a Class B Controlled Drug and is currently released under investigation.

Due to the serious nature of the offences involved, a standard review is not considered appropriate in this case. The pub is continuing to trade. Lisa Smith is under investigation for her involvement in serious crime and has failed to uphold the Prevention of Crime Licensing Objective.

Following the execution of the warrant, social media posts indicated that the local community were aware that drugs had been seized and that the pub was advertising as open for business as usual.

Suffolk Police Licensing respectfully request that the Licensing Sub-Committee consider imposing a licence suspension as Interim Steps, pending a full review hearing.

Signature of applicant:

Date: 19/05/2025

Capacity: Suffolk Constabulary Licensing Officer

Contact details for matters concerning this application:

Address: Suffolk Constabulary Licensing Unit, Sudbury Police Station, Acton Lane,
Sudbury, CO10 1QN

Telephone number(s):

Email:

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both. Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000.

In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder or both.