

MANHATTANS

60A MARKET STREET

ASHBY DE LA ZOUCH

LICENSING SUB-COMMITTEE

25 FEBRUARY 2019

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EXPLANATORY NOTE

- This is an application for variation of a Premises Licence at Mannhatts, 60a Market Street, Ashby De La Zouch.
- The proposed variation is to extend the sale of alcohol and other licensable activities on Friday, Saturday, Christmas Eve, Boxing Day and Sundays before a Bank Holiday to 03:00am from 02:00am.
- The applicant has tried to liaise, for many months, with Leicestershire Police with regard to this application. Leicestershire Police refused to provide information to the applicant (see document 4) until the application was submitted and then waited until the very last day to make a representation.
- A copy of the application is submitted as document 2. The application sets out in full, the measures that will be taken by the applicant to promote the licensing objectives and to demonstrate that there will be no negative cumulative impact. The Police submission that “the current application does not address this issue” is incorrect and misleading. It does address the issue. It is a matter for the Sub-Committee as to whether it addresses the issue to rebut the presumption in the policy.
- The applicant has set out all proposals within the body of the application.
- Queens Head / VIP rooms (Ciros) were granted an extension of licensable activities for their premises licence on 21 April 2016. Those premises are situated opposite Mannhatts and within the cumulative impact zone. The licensable activities for those premises were extended until 03:30am with closing at 04:00am.

- The Police refer in their representation to staggered closing times. This application is specifically made so as to retain the staggered closing times between Mannhattans and Queens Head / VIP Rooms. The Police representation is again misleading to suggest otherwise. The two premises in Ashby will not close at the same time. Queens Head / VIP Rooms will have a licence to be open until 04:00am and Mannhattans, if this application is granted, will have a licence until 03:30am.
- The police refer to local authority CCTV in the area. There are premises in the area trading later than the termination hour for the CCTV.
- The Committee will be aware that as a matter of law, Police resources is not an issue for this community.
- The Police representation again refers to “no further information to show how these premises will not add to the cumulative impact or how management to these premises will support the four licensing objectives”. This is also misleading. The information is all contained within box M, page 11 - 17 of the application.
- The applicant is an active and respected member of the Ashby community. It has run several charity nights for Save the Children, Positive Bones, Cancer Research and Help for Heroes. It is a member of Pub Watch and is the current vice chairman. It sponsors the local football team and participates in the annual licensee meetings.
- The applicant strives to work with Leicestershire Police at all times and it is disappointing that the Police do not seek to work in partnership with the applicant and also seek to make incorrect statements in their representations.
- The Licensing Committee accepted that the measures put forward by Ciro’s on 21 April 2016, promoted the licensing objectives and enabled them to grant an extension of hours. The Police objected to that application as well. Document 6 refers to the minutes of that hearing.

- The applicant's dispersal policy and an example of an incident report is enclosed. At document 7, the applicant sets out its comments with regards to the various incidents referred to by the Police.
- Also enclosed at document 5, are various photographs and evidence of the applicant's support for Purple Flag within the area.
- The applicant provides employment to local people, entertainment to those who wish to attend Manhattans and is an active member of the community in Ashby.

**Notice of application to vary a Premises Licence under
Section 34 of the Licensing Act 2003**

Notice is hereby given that Disco Bar Ashby Limited in respect of premises known as Manhattans, 60a Market Street, Ashby de la Zouch, LE65 1AN, applied to North West Leicestershire District Council for a Variation of a Premises Licence.

The proposed variation is to extend the sale of alcohol on Friday, Saturday, Christmas Eve, Boxing Day and Sundays before a Bank Holiday from the current hours of 10:00 to 02:00 the following morning to the proposed hours of 10:00 to 03:00 the following morning.

To extend the provision of regulated entertainment (to include live music, performances of dance and anything of a similar description) on Friday, Saturday, Christmas Eve, Boxing Day and Sundays before a Bank Holiday from the current hours of 09:00 to 02:30 the following morning to the proposed hours of 09:00 to 03:30 the following morning.

Opening hours on Friday, Saturday, Christmas Eve, Boxing Day and Sundays before a Bank Holiday will be 09:00 to 03:30 the following morning.

Any representations by an interested party or responsible authority regarding the above-mentioned application must be received in writing by the Licensing Department, North West Leicestershire District Council, Council Offices, Whitwick Road, Coalville, Leicestershire, LE67 3FJ, no later than 31 January 2019 stating the grounds for objection.

The register of North West Leicestershire District Council and the record of the application may be inspected at the address of the council, given above, during normal business hours or on the council's website – www.nwleics.gov.uk

It is an offence knowingly or recklessly to make a false statement in connection with an application. The maximum fine for which a person is liable on summary conviction for the offence is unlimited.

Application to vary a premises licence 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/We Disco Bar Ashby Limited

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number NWL20245

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Manhattans 60a Market Street			
Post town	Ashby de la Zouch	Postcode	LE65 1AN

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£13,750

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	<div></div>		
Post town	<div></div>	Postcode	<div></div>

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

☒ Yes

☐
No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?
(Please see guidance note 1) ☐ Yes ☒ No

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

The proposed variation is to extend the sale of alcohol on Friday, Saturday, Christmas Eve, Boxing Day and Sundays before a Bank Holiday from the current hours of 10:00 to 02:00 the following morning to the proposed hours of 10:00 to 03:00 the following morning.

To extend the provision of regulated entertainment (to include live music, performances of dance and anything of a similar description) on Friday, Saturday, Christmas Eve, Boxing Day and Sundays before a Bank Holiday from the current hours of 09:00 to 02:30 the following morning to the proposed hours of 09:00 to 03:30 the following morning.

Opening hours on Friday, Saturday, Christmas Eve, Boxing Day and Sundays before a Bank Holiday will be 09:00 to 03:30 the following morning.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

N/A

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick all that apply

- | | |
|--|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)

☐

Sale by retail of alcohol (if ticking yes, fill in box J)

☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish			Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)			
Tue						
Wed			State any seasonal variations for performing plays (please read guidance note 4)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish			Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)			
Tue						
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the			

			<u>exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)</u>
Sat			
Sun			

C

<u>Indoor sporting events</u> <u>Standard days and timings</u> <u>(please read guidance note 6)</u>			<u>Please give further details (please read guidance note 3)</u>
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events (please read guidance note 4)</u>
Tue			
Wed			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)</u>
Thur			
Fri			
Sat			
Sun			

D

<u>Boxing or wrestling</u> <u>entertainments</u> <u>Standard days and timings</u> <u>(please read guidance note 6)</u>			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</u>	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here (please read guidance note 3)</u>	Both	<input type="checkbox"/>
Tue					

Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)
Thur			
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat			
Sun			

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri	09:00	03:30	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	09:00	03:30			
Sun					
			The hours of 09:00 to 03:30 the following morning also apply to Christmas Eve, Boxing Day and Sundays before a Bank Holiday.		

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					

Fri	09:00	03:30	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5) The hours of 09:00 to 03:30 the following morning also apply to Christmas Eve, Boxing Day and Sundays before a Bank Holiday.
Sat	09:00	03:30	
Sun			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri	09:00	03:30			
Sat	09:00	03:30	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5) The hours of 09:00 to 03:30 the following morning also apply to Christmas Eve, Boxing Day and Sundays before a Bank Holiday.		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish			Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)			
Tue						
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)		On the premises	<input type="checkbox"/>
					Off the premises	<input type="checkbox"/>
Day	Start	Finish			Both	<input checked="" type="checkbox"/>
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 4)			
Tue						
Wed						
Thur			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)			
Fri			The hours of 10:00 to 03:00 the following morning also apply to Christmas			

	10:00	03:00	Eve, Boxing Day and Sundays before a Bank Holiday.
Sat	10:00	03:00	
Sun			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri	09:00	03:30	
Sat	09:00	03:30	

Sun			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

- I have enclosed the premises licence ☒
- I have enclosed the relevant part of the premises licence ☐

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

This is an application for a variation of a premises licence at Manhattans, 60a Market Street, Ashby de la Zouch. The premises are operated by Disco Bar Ashby Limited. The proposed variation is to extend the sale of alcohol on Friday, Saturday, Christmas Eve, Boxing Day and Sundays before a Bank Holiday from the current hours of 10:00 to 02:00 the following morning to the proposed hours of 10:00 to 03:00 the following morning.

To extend the provision of regulated entertainment (to include live music, performances of dance and anything of a similar description) on Friday, Saturday, Christmas Eve, Boxing Day and Sunday before a

Bank Holiday from the current hours of 09:00 to 02:30 the following morning to the proposed hours of 09:00 to 03:30 the following morning.

Opening hours on Friday, Saturday, Christmas Eve, Boxing Day and Sundays before a bank holiday will be 09:00 to 03:30 the following morning.

It is acknowledged that the premises are situated within a cumulative impact area and that this application is covered by the Cumulative Impact Policy. The proposals and operating schedule set out in this application will demonstrate that there will be no negative cumulative impact on one or more of the licensing objectives, that the application for variation can be granted and that the rebuttable presumption that applications for variations will normally be refused, is rebutted by this application. It is rebutted by the submissions made in this document and the operating schedule.

DOCUMENTS TO BE RELIED ON IN SUPPORT OF THE APPLICATION

1. All correspondence with Leicestershire Police requesting details of any incidents directly connected to or at the premises. All requests being refused.
2. Dispersal policy and incident reports.
3. Licensing Committee Hearing 21 November 2018 page 54 - crime statutory duty.
4. Photographs of the premises / Purple flag meetings.
5. Minutes of the Licensing Sub-Committee meeting - 21 April 2017 - Ciro's and Queens Head.

The applicant has also considered in detail, the profile of the district and in particular Ashby de la Zouch. The applicant is an experienced operator in trading in Ashby de la Zouch and understands the area very well. The applicant is fully supportive of all local strategies, including Safe and North West Partnership, promotion of equality and Ashby's successful Purple Flag campaign. The applicant was supportive of the Purple Flag application and submitted photographs to be used as part of the application which according to the Community Focus Officer of Ashby looks "amazing" and a number of other photographs are submitted showing the support for Purple Flag. The applicant also organises charity events and has two charity events

lined up, including a Christmas Jumper night on 14 December for Save the Children and a charity Ladies Night on January 25 in aid of Positive Bones. Previous charity work included Cancer Research, Help the Heroes and Little Princes Trust.

There are a number of conditions on the premises licence at present and the applicant is also conscious of the decision of the licensing sub-committee on Thursday 21 April 2016 in respect of the Queens Head Hotel and Ciro's, 79 Market Street, Ashby de la Zouch, Leicestershire LE65 1AH.

In the case of Ciro's (the premises are opposite Manhattans) they confirmed that the business had been operated in a responsible and professional manner and had built reputation and relationships within the local authorities and fellow businesses. There had been a meeting with the Town Council and Police to discuss the application and as a result, the application had been reduced to assist with weekday police staffing. A management of noise and dispersal policy was included in the application and there had been no concerns raised or formal complaints by any member of the public to the Council's environment protection team. It is noted that the VIP ROOMS at CIROS no longer trades.

A number of events had been operated with later terminal hours, there was a significant management presence and Temporary Event Notices had also been operated.

In respect of Manhattans, the management team at Manhattans have excellent relationships with the local authorities and fellow businesses in Ashby de la Zouch through hands on management. There has been no concerns expressed or complaints made to the Environment and Protection Team. The applicant had considered applying for a variation for additional operating hours beyond what is applied for in this application and has reduced the application to assist with weekday police staffing. The applicant has been in regular discussion with the police, who have not provided any specific details of incident inside the premises or directly connected to the premises. The premises have operated events with later terminal hours and are fully supportive of the Purple Flag campaign and other local initiatives.

There are no major issues in the town centre and it is submitted that there has been a reduction in overall crime. Dispersal is key and a full dispersal policy would be in place and the following conditions are proposed by the applicant to deal with the rebuttable presumption in the Cumulative Impact Policy and any representations in respect of the application.

DISPERSAL POLICY AND INCIDENT RECORDS

The Premises current Dispersal Policy and a blank Incident record is attached.

PROPOSED ADDITIONAL CONDITIONS

1. No persons except those employed on the premises are allowed to enter or re-enter the venue after 01:00 hours Sunday to Thursday and 02:00 hours Friday, Saturday, Christmas Eve, Boxing Day and Sunday before a Bank Holiday.
2. Patrons will allow re-entry where they have left the premises to make use of any outdoor smoking area.
3. All persons working at the premises in a security capacity will have access to radio communication device which will allow effective communication between all members of security and the duty manager.
4. The premises licence holder shall join the Retail Radio scheme or any similar scheme operating in the area and ensure that:
 - The communication equipment is kept in working order at all times. If the communication requirement breaks then the Police shall be notified and the equipment shall be repaired within a reasonable time period;
 - The communication equipment shall be activated, made available to and monitored by the designated premises supervisor or a responsible member of staff at all times that the premises are open to the public;
 - Any police instructions/directions are complied with whenever given; and
 - All instances of crime and disorder are reported via the communication equipment by the designated premises supervisor or a responsible member of staff to an agreed police contact

point.

5. The licence holder shall ensure that where available, a body worn camera is worn by a suitable member of staff on Friday and Saturday nights from 21:00 until the venue closes on each of those nights.
6. CCTV shall be installed to specification and in locations agreed with the Leicestershire Constabulary Crime Reduction Officer and maintained in accordance with the Information Commissioner's CCTV Code of Practice. The CCTV shall record during all times that the premises are open for any licensable activity. All images are to be held for a minimum of 28 days. All recordings are to be held in a secure holding facility. If a tape system tapes are to be replaced every 6 months with new ones. This is to be recorded in an incident book for the premises. All images held are to be available immediately on request by any of the Responsible Authorities.
7. A staff member from the premises, who is conversant with the operation of the CCTV system, shall be on the premises at all times when the premises are open to the public. This staff member must be able to show the Police or Licensing Office recent data or footage with the absolute minimum of delay when requested to do so.
8. An incident police log should be kept on the premises and made available on request to the police or licensing authority which will record the following:
 - All crimes reported to the premises
 - All ejections of customers
 - Any complaints received
 - Any incidents of disorder
 - All seizures of drugs or offensive weapons
 - Any faults in the CCTV system
 - Any refusal of the sale of alcohol
 - Any visit by a responsible authority or emergency service.
9. Training will be provided for all staff whether paid or unpaid before they are allowed to sell alcohol and will include Challenge 25, proof of age, management conflict, serving intoxicated customers and refusals records. The training will be documented. The Designated Premises Supervisor will

check that the training has been understood. The training will be repeated at least annually. Records of training will be provided to the responsible authorities and the licensing authority on request.

10. The licence holder will keep records of all door supervisors showing the names of the door supervisor, their address, their security industry authority badge number and expiry date and the date/time they were employed. These details will be provided to the responsible authorities and the licensing authority on request.
11. The licence holder shall employ a minimum of three SIA licensed door supervisors to be on duty at the entrance of the premises from 22:00 hours on Friday, Saturday, Sunday before a Bank Holiday, Christmas Eve, Boxing Day and New Year's Eve, until the last admission time for the public and will employ a further SIA licensed member of staff for every 100 customers or part thereof on the premises.
12. Prominent clear notices shall be displayed at all exits requesting customers to respect the needs of local residents and leave the premises and the area quietly.
13. The licence holder shall ensure that no customer shall take glasses or open bottles from the premises.
14. A Challenge 25 policy shall be operated at the premises at all times. All staff shall require identification of all customers who appear to be less than 25 years old and wish to purchase alcohol. Acceptable proof of age will be a PASS approved proof of age card, UK passport or a UK photographic driving licence or an armed forces identity card, bearing the cardholder's date of birth.
15. Challenge 25 material shall be displayed at the premises, including at the point of sale of alcohol, to inform customers of the operation of the scheme.
16. A personal licence holder will be on site at all times licensable activities are being offered.
17. No under 18s shall be on the premises after 22:00 unless employed by the business.
18. At least one body worn camera will be operational after 22:00 hours on any night when licensable activities are being offered.
19. The Designated Premises Supervisor shall within 3 months of being approved as DPS hold the certificate in National Course of Designated Premises Supervisor.

20. No customers carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public.
21. The premises licence holder shall ensure that no customers shall take glasses or open bottles from the premises other than into the outside area shown and edged [red] on the plan forming part of the premises licence.
22. The premises licence holder shall ensure that suitable notices are displayed warning customers of the prevalence of crime which may target them, for example, pick pockets or bag snatchers, the need to guard their property and warning against leaving property attended.
23. The designated premises supervisor shall complete a recognised 'drug awareness' training course.
24. Staff shall be provided with 'drug awareness training' and be briefed on the drugs policy applicable to the premises.

b) The prevention of crime and disorder

Please see a) above.

c) Public safety

Please see a) above.

d) The prevention of public nuisance

Please see a) above.

e) The protection of children from harm

Please see a) above.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☒
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	02 January 2019
Capacity	Woods Whur 2014 Limited - Solicitors for the Applicant

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
-----------	--

Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13) Andrew Woods <div style="background-color: black; width: 200px; height: 40px; margin-top: 5px;"></div>			
Post town	Leeds	Post code	<div style="background-color: black; width: 100px; height: 20px;"></div>
Telephone number (if any)	<div style="background-color: black; width: 150px; height: 20px;"></div>		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) <div style="background-color: black; width: 200px; height: 20px; margin-top: 5px;"></div>			

Manhattans & Buddha Ashby de la Zouch
60a Market Street, Ashby de la Zouch, LE65 1AN

Introduction

The venue recognises the need for a comprehensive and considered dispersal policy to avert potential disorder and disturbance at the end of the night. The following policy outlines the steps necessary to minimise this potential risk and ensure a safe, orderly and quiet egress by customers.

The venue recognises that it has neither authority nor responsibility beyond the immediate vicinity of the licensed premises but also the importance of a managed and orderly end to the night to all in its area, and as such will endeavour to ensure that all customers leave the premises and its immediate vicinity without causing disturbance.

Ensuring that this policy is adhered to is the responsibility of the Duty Manager.

As an operator of multiple UK venues the company strives to achieve the highest standards in everything it does.

Definition

The dispersal policy is not an evacuation procedure, rather a pro active document which will evolve and be revisited on a regular basis to ensure it is fit for purpose. Its aim is to make the maximum contribution to move customers from the venue and it's immediate area in such a way to cause minimum nuisance to neighbours, both residential or business, and to make the minimum impact on the neighbourhood in terms of potential nuisance, antisocial behaviour and crime.

"Good Neighbour" Policy

The venue is keen to maintain close links with neighbours, the town council and those living and operating businesses in the immediate vicinity of the venue. In all our dealings with any of these persons we strive to maintain an open door policy to discuss any matters of concern regarding any issue with the venue. We want to be a positive part of the late night economy in the town.

We shall endeavour that all neighbours or any interested persons are informed of the owners direct contact details and issues will be dealt with swiftly. We will also actively encourage all relevant authority departments to distribute these details to anybody who raises an issue of any sort with the business.

The owner of the business is

Peter Terry trading as DISCO BAR (ASHBY) LIMITED

Personal mobile is [REDACTED]

Email address: [REDACTED]

Postal :

DISCO BAR AND CLUB LIMITED, 11 YAXLEY COURT, WESTBURY PARK
NEWCASTLE UNDER LYME, STAFFORDSHIRE, ST5 4JU

Dispersal Policy**1) Relevance of Licensing Conditions**

The Company will always adhere to the conditions on the premises licence. Currently these ask that both music and alcohol sales cease at 2am. As the operating hours of the premises are not defined we can keep people in the building finishing their drinks, and will not start to encourage them to leave the premises for 15 minutes following the end of licensable activity.

After the end of licensable activities we are gradually increasing light levels to try and avoid a dazzling glare and make the whole process a calmer experience.

2) Signage

Notices shall be displayed in order to remind customers to leave the premises quietly and to consider neighbours near all relevant exits.

3) Last Admission

We have begun operating a last admissions policy at 1am to the general public. (Local bar workers and door staff are still allowed after this time with the relevant identification). This means that the Lamb Passage entrance is closed from this time and therefore noise and nuisance are kept to a minimum.

This also allows the cloakroom to be dealt with separately to the exit of customers to avoid conflict

4) Exit

As agreed with the local police, at 1am when the main entrance closes, customers are asked to leave via the Market Street alleyway.

5) Closedown and Cleaning

As part of the close down procedure the area immediately outside the Market Street and Lamb Passage customer exits will be swept and cleaned and signed off by a member of management

6) Door Supervisors

Door Supervisors work to a template to effect a phased close down and exit from the business. Customers will be encouraged to leave gradually and not herded out when licensable activity ceases. If conflict develops, staff are to contact the authorities using the town centre radio system.

The door supervisors will first close the Buddha room and encourage all customers to move into Manhattans. When this room is clear they will begin checking the toilets and then encourage people to leave Manhattans.

Door supervisors will follow the customers to the gate on Market Street and will remain there for 10-15 minutes following the venue being emptied.

- Door Supervisors will actively encourage customers not to loiter or assemble in groups in Market Street. Any customers found loitering outside the premises will be asked politely to leave quietly.
- Door supervisors will be briefed with any details of public transport and taxi services and will brief people accordingly
- Door supervisors in this dispersal role will wear high visibility clothing

Door supervisors have particular responsibility for ensuring that no alcohol or glassware leaves the premises.

If staff are required to contact the authorities, all incidents will be logged in accordance with the company's policies and the terms of its licence.

Manhattans INCIDENT REPORT

Date		Time	
Location			
Accident Book ?			
List Staff Involved			
Police Involved ? (Collar no)			
CCTV Retrieved ?			
Patrons Involved ? (Details)			
Description			



Our Ref: 004452/18

Your Ref:

Address Correspondence to: Jane Orange, Information Management

Date 17 October 2018

Dear Mr Terry,

Freedom of Information Act 2000

I write further to your request for information received 01/10/2018.

I note you seek access to the following information:

Please can you tell me how many incidents have been logged and associated with the below premises in the year 2018:

*Manhattans Buddha Ashby
60a Market Street
Ashby de la Zouch
Leicestershire
LE65 1AN*

I will need detail of the CAD and CRIS reports relating to these incidents you mention in your letter so we can confirm they are connected to our business, and any other information held by the police in relation to these incidents.

Following receipt of your request, searches were conducted within Leicestershire Police to locate information relevant to your request.

Your request for information has now been considered and the information asked for is as follows: -

Leicestershire Police have recorded 14 incidents related to the above location so far in 2018 (up to 20/09/18).

Leicestershire Police can confirm that of these incidents, 11 were assaults, 2 were thefts and one was threats to cause damage.

Leicestershire Police are unable to provide full information relating to these incidents by virtue of Section 40 (2).

Section 40 (2) – Personal Information

Section 40(2) is a class based absolute exemption and as such legislators have identified that there would be harm in disclosure and there is no requirement to

evidence this or consider the public interest test. However, as Section 40(2) is engaged and in order to make the exemption absolute we need to evidence that a data protection principle would be breached by disclosure. In this case it would not be fair to process confidential information which could lead to the identification of an individual, therefore the first principle of the Data Protection Act would be breached.

Leicestershire Police provides you the right to ask for a re-examination of your request under its review procedure. Letters should be addressed to Information Manager, Corporate Services Department at the above address. If you decide to request such a review and having followed the Force's full process you are still dissatisfied, then you have the right to direct your comments to the Information Commissioner who will give it consideration.

Yours sincerely

Jane Orange

Jane Orange
Freedom of Information Officer
Leicestershire Police

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Our Ref: 004539/18

Your Ref:

Address Correspondence to: Jane Orange, Information Management

Date 21 November 2018

Dear Mr Woods

I write in connection with your request for information under the Freedom of Information Act 2000 (FOIA), received on 23/10/2018 in which you requested the following information: -

I would like to make an amended FOI request which I think deals with any potential concerns and which I am sure you will be able to deal with.

We have been informed that up to 20/9/18 there are 14 incidents related to these premises. In respect of these 14 incidents could you please provide the following information.

1. *Date and Time and nature of related incident.*
2. *Whether the related incident occurred inside the premises and if not how it is related to the location.*
3. *Whether there were any arrests and/or any convictions arising out of the 14 Incidents*

Under Section 1 (1) (a) Leicestershire Police are required to firstly confirm or deny whether the information is held before supplying the information unless an exemption can be applied.

However having reviewed your request Leicestershire Police are refusing your request under Section 14 (1) of the Freedom of Information Act 2000 as your request has been deemed vexatious.

ICO guidance on the subject states:

'Section 14(1) may be used in a variety of circumstances where a request, or its impact on a public authority, cannot be justified. Whilst public authorities should think carefully before refusing a request as vexatious they should not regard section 14(1) as something which is only to be applied in the most extreme of circumstances.

In cases where the issue is not clear-cut, the key question to ask is whether the request is likely to cause a disproportionate or unjustified level of disruption, irritation or distress. This will usually be a matter of objectively judging the evidence of the impact on the authority and weighing this against any evidence about the purpose and value of the request. The public authority may also take into account the context and history of the request, where this is relevant.'

The definitive case law on these issues can now be found within Information Commissioner v Devon County Council and Dransfield [2012] UKUT 440 (AAC). In

this case Judge Wikeley went on to say that the question of whether a request is truly vexatious may be determined by considering four broad issues or themes:

- The burden on the public authority and its staff;
- The motive of the requester;
- The value or serious purpose of the request; and
- Any harassment or distress caused to the staff.

Our evidence and considerations in applying Section 14 against this backdrop is as follows:

- The burden on the public authority and its staff;
- The value or serious purpose of the request;

This request has been answered on two previous occasions within the Freedom of Information legislation. Information withheld from these response has been done based on valid exemptions and if it is believe by yourself this is not a valid application of Section 40 Personal Data as an exemption then the appeals process set out in previous requests should be followed.

This is the third request for the same information despite the previous requests being complied with.

Conclusion

The decision to categorise your requests as being vexatious are not taken lightly but on this occasion it is believed to be a proportionate response to your request. As a result of this, should you submit a further request asking for the same or similar information I must advise you that this will not be responded to in accordance with the legislation.

Yours sincerely

Jane Orange

Jane Orange

Freedom of Information Officer

Leicestershire Police

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Pete Terry

From: FOI [foi@leicestershire.pnn.police.uk]
Sent: 02 August 2018 16:05
To: [REDACTED]
Subject: RE: 3539/18 FOI: INCIDENTS CONNECTED TO LE65 1AN

Dear Mr Terry

I acknowledge receipt of your request for information under the Freedom of Information Act 2000.

This is receiving our attention and a response will be sent to you in due course and within the specified time.

Kind regards

Elaine Smith 8750
Administration Assistant
Information Management
Corporate Services
Leicestershire Police
Tel: 101 ext 5222
Email: data.protection@leicestershire.pnn.police.uk
Fax: +44(0)116 2485207
Website: <http://www.leics.police.uk>

-----Original Message-----

From: leicspolice@rk.co.uk [<mailto:leicspolice@rk.co.uk>]
Sent: 27 July 2018 12:04
To: FOI <foi@leicestershire.pnn.police.uk>
Subject: 3539/18 FOI: incidents connected to LE65 1AN

first name:

Peter

surname:

Terry

address:

[REDACTED]

postcode:

[REDACTED]

email:

[REDACTED]

number:

[REDACTED]

information_to_access:

Hi

I operate the following premises

Manhattans Buddha Ashby
60a Market Street
Ashby de la Zouch

Leicestershire
LE65 1AN

Please can you tell me how many incidents have been logged and associated with these premises in the year 2018.

I have asked Nigel Rixon and Jonathon Sharpe directly and have been advised that I would need to submit an FOI request.

This information could be presented in a licensing hearing.

page_id:
346

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Thank you for your co-operation.

(c) Leicestershire Police



Our Ref: 004452/18

Your Ref:

Address Correspondence to: Jane Orange, Information Management

Date 17 October 2018

Dear Mr Terry,

Freedom of Information Act 2000

I write further to your request for information received 01/10/2018.

I note you seek access to the following information:

Please can you tell me how many incidents have been logged and associated with the below premises in the year 2018:

*Manhattans Buddha Ashby
60a Market Street
Ashby de la Zouch
Leicestershire
LE65 1AN*

I will need detail of the CAD and CRIS reports relating to these incidents you mention in your letter so we can confirm they are connected to our business, and any other information held by the police in relation to these incidents.

Following receipt of your request, searches were conducted within Leicestershire Police to locate information relevant to your request.

Your request for information has now been considered and the information asked for is as follows: -

Leicestershire Police have recorded 14 incidents related to the above location so far in 2018 (up to 20/09/18).

Leicestershire Police can confirm that of these incidents, 11 were assaults, 2 were thefts and one was threats to cause damage.

Leicestershire Police are unable to provide full information relating to these incidents by virtue of Section 40 (2).

Section 40 (2) – Personal Information

Section 40(2) is a class based absolute exemption and as such legislators have identified that there would be harm in disclosure and there is no requirement to

evidence this or consider the public interest test. However, as Section 40(2) is engaged and in order to make the exemption absolute we need to evidence that a data protection principle would be breached by disclosure. In this case it would not be fair to process confidential information which could lead to the identification of an individual, therefore the first principle of the Data Protection Act would be breached.

Leicestershire Police provides you the right to ask for a re-examination of your request under its review procedure. Letters should be addressed to Information Manager, Corporate Services Department at the above address. If you decide to request such a review and having followed the Force's full process you are still dissatisfied, then you have the right to direct your comments to the Information Commissioner who will give it consideration.

Yours sincerely

Jane Orange

Jane Orange
Freedom of Information Officer
Leicestershire Police

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Our Ref: 003539/18

Your Ref:

Address Correspondence to: Jane Orange, Information Management

Date 24 September 2018

Dear Mr Terry,

Freedom of Information Act 2000

I write further to your request for information received 27/07/2018.

I note you seek access to the following information:

Please can you tell me how many incidents have been logged and associated with the below premises in the year 2018:

*Manhattans Buddha Ashby
60a Market Street
Ashby de la Zouch
Leicestershire
LE65 1AN*

Following receipt of your request, searches were conducted within Leicestershire Police to locate information relevant to your request.

Your request for information has now been considered and the information asked for is as follows: -

Leicestershire Police have recorded 13 incidents related to the above location so far in 2018 (up to 20/09/18).

Leicestershire Police provides you the right to ask for a re-examination of your request under its review procedure. Letters should be addressed to Information Manager, Corporate Services Department at the above address. If you decide to request such a review and having followed the Force's full process you are still dissatisfied, then you have the right to direct your comments to the Information Commissioner who will give it consideration.

Yours sincerely

Jane Orange

Jane Orange

Freedom of Information Officer
Leicestershire Police

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Pete Terry

From: Arjoo Mark [Mark.Arjoo@leicestershire.pnn.police.uk]
Sent: 20 March 2018 15:59
To: [REDACTED]
Subject: Re: Hearing

Dear Pete.

I would just like to clarify that all of the incidents reported are by a complainant/alleged victim, and none of them are created by either police officers or CCTV operators.
By this, I mean that we are not creating incidents in order to increase the number and therefore skew the figures, to make out that the problems in the NTE in Ashby/Manhattan's, are actually worse than they are. Also, it was neither my aim or intention to provide the committee with a misleading picture.

The incident on 27th Jan has been recorded on our Crime System as an Assault, so I would say it is fair to include this.

The reports on 1st January. Again, two reports made, complaint and a counter allegation. As per Home Office Recording Standards, these are 2 separate crimes.

Incident on 27th December. I have checked my statement and cannot where I have made reference to this date?

Incident on 20th August. This is currently going to court so I cannot go into detail.
However, when I was reading the crime report, there was sufficient information to confirm that both the victim and offender **had** been in Mannhattans, and then left just prior to the incident occurring.

If you do apply for an extension in the future, can I suggest that your solicitor speaks to Nigel in good time, in order for him to comment on them or raise any concerns.

I would also like to say that my report was not in any way a personal attack on the way that you and Michael run the premises, and I hope that we can continue the good working relationship we have had since you took over from the previous owners.

Yours sincerely,

Mark.

PC 1667 Mark Arjoo
North West Leicestershire Neighbourhood Policing Area
Dedicated Neighbourhood Officer
Beat NN46 - Ashby, Packington, Ravenstone, Normanton-le-Heath.
e-mail: mark.arjoo@leicestershire.pnn.police.uk
Telephone: 101, voice mail identification 1667.

From: Pete Terry [REDACTED]
Sent: 07 March 2018 09:59
To: Arjoo Mark
Subject: FW: Hearing

Hi Mark

I spoke to Nigel Rixon yesterday regarding the clarity and accuracy of some of the incidents you brought up at the hearing

If records are going to be held I request that they be accurate, especially if they are to be relied upon as evidence.

My main concerns were as follows

- 1) Incident 27th Jan – I was at the venue at this time and have reviewed the CCTV of this incident. There has been no approach by police to the venue for CCTV or any information regarding this incident therefore 5 weeks afterwards. If this is being investigated why have we not been approached and is it fair to include it ?
- 2) Incident 1st Jan – 2 incidents were logged which in fact relate to the same incident – this present a false picture of incident numbers on which the committee referred to in their decision
- 3) Incident 27th Dec – occurred in lamb passageway and this door was closed for over 2 hours. The club was closed at this point. I didn't think it followed that these were necesariaily our customers, in fact we went to assist having seen the incident on CCTV
- 4) Incident 20th August – this does not make clear the incident did not occur in the vicinity of the premises rather away from our premises.

I know there are from time to time people who claim doormen assault them, but if the police view CCTV and declare a legal ejection that happened twice on 15th and 28th October I think it only fair this be made clear when submitting evidence as it is misleading to simply tag it as "no further action".

We made a decision not to dissect every incident and I don't believe that this would have changed the committee decision, however I do believe that the record maintained should be accurate and fair.

Could you look again at the records and ensure that they are accurate so if we apply again in the future we are not faced with the committee seeing a misleading picture.

Thanks

Yours Sincerely

Pete Terry



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Thank you for your co-operation.

(c) Leicestershire Police

Pete Terry

From: Sharpe Jonathan [Jonathan.Sharpe@leicestershire.pnn.police.uk]
Sent: 11 July 2018 16:08
To: [REDACTED]
Subject: RE: MANHATTANS ASHBY

Thanks Pete. Yes, you did reply, on the 5th.

See you on the 18th!

Jon

From: Pete Terry [REDACTED]
Sent: 11 July 2018 09:04
To: Sharpe Jonathan
Cc: Rixon Nigel
Subject: RE: MANHATTANS ASHBY

Not sure if I replied to this but YES this is fine for me

Yours Sincerely

Pete Terry
DISCO Bars

[REDACTED]

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From: Sharpe Jonathan [<mailto:Jonathan.Sharpe@leicestershire.pnn.police.uk>]
Sent: 04 July 2018 21:07
To: [REDACTED]
Cc: Rixon Nigel
Subject: FW: MANHATTANS ASHBY

Pete,

Firstly, please accept my apologies for taking so long to reply to you.

I am free on the 18th July. Does 1pm sound ok to you? We can meet at the new Coalville police station, unless this is an issue with you.

I have copied Nigel in with this email too, so he is aware.

Regards.

Jon

Jon Sharpe
Police Sergeant 873
Neighbourhood Policing
North West Leicestershire
Leicestershire Police
Telephone: 101 Extension 3300873
Email: jonathan.sharpe@leicestershire.pnn.police.uk
Website: <http://www.leics.police.uk>
Report Online: <https://leics.police.uk/report-online>

From: Rixon Nigel
Sent: 25 June 2018 08:12
To: Sharpe Jonathan <Jonathan.Sharpe@leicestershire.pnn.police.uk>
Cc: [REDACTED]
Subject: FW: MANHATTANS ASHBY

Jon,

Hope you have had a good break. I am on leave from 27/6-15/7/18.

Can you check your diary and book a meeting with Pete as below?

Nige

From: Pete Terry [REDACTED]
Sent: 22 June 2018 [REDACTED]
To: Rixon Nigel [REDACTED]
Subject: RE: MANHATTANS ASHBY

Weds 18th is good – totally flexible on location

Yours Sincerely

Pete Terry
DISCO Bars
[REDACTED]

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From: Rixon Nigel [<mailto:Nigel.Rixon@leicestershire.pnn.police.uk>]
Sent: 22 June 2018 16:08

To: [REDACTED]
Subject: RE: MANHATTANS ASHBY

Free 18/19/23/24/25 July

From: Pete Terry [REDACTED]
Sent: 22 June 2018 16:00
To: Rixon Nigel; [REDACTED]
Cc: Sharpe Jonathan
Subject: RE: MANHATTANS ASHBY

Happy to meet after 16th July, and also happy to come wherever you like. Please throw some dates at me

Yours Sincerely

Pete Terry
[REDACTED]

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From: Rixon Nigel [<mailto:Nigel.Rixon@leicestershire.pnn.police.uk>]
Sent: 22 June 2018 15:52
To: [REDACTED]
Cc: Sharpe Jonathan
Subject: RE: MANHATTANS ASHBY

Hi Pete,

Thank you for letting me know your intentions.

I am on leave from Tuesday, until 16th July. It might be tight until then and I am unsure of Jon's availability.

Nige

From: Pete Terry [REDACTED]
Sent: 22 June 2018 16:47
To: Rixon Nigel
Cc: 'Michael Mclaughlin'
Subject: Manhattans Ashby

Hi Nigel

We have decided that we are going to prepare for another application to permanently extend licensing hours at this location.

This time the application will be far more thorough.

I very much felt that last time despite having met beforehand that we ended up at odds which was never my intention.

Could we arrange a meeting to discuss please ?

Yours Sincerely

Pete Terry
DISCO Bar



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Pete Terry

From: Rixon Nigel [Nigel.Rixon@leicestershire.pnn.police.uk]
Sent: 24 October 2018 08:11
To: 'Pete Terry'
Subject: RE: 4452/18 - 3539/18 - FREEDOM OF INFORMATION REQUEST

Good morning Pete,

Apologies, you are taking the right approach. All requests have to go through the FOI Dept. This is not unique to your own requests.

Kind Regards

Nige

From: Pete Terry [REDACTED]
Sent: 23 October 2018 22:11
To: Rixon Nigel
Subject: Re: FW: 4452/18 - 3539/18 - FREEDOM OF INFORMATION REQUEST

Nigel

Please see the below

Can you please just provide us with the incidents as requested to prevent me from referring this to Leicesterhsire Police's professional standards department.

I have always been decent with everybody I work with. I am very dissapointed that a simple routine request has come to this

PT

Andy

Thank you for this

If it doesnt work Im inclined to complain to professional standards at Leicestershiire on the basis they are actively obstructing us from running the business in partnership as prescribed by the Licensing Act. Id like to see the defence in a hearing when presented with the mutiple emails and communications we have,

I have never known a licensing authority fail to provide us with the incidents and what has happened and I think there is a strong argument that these guys are not working in partnership.

I will present this argument as far as it needs to go.

PT

----- Forwarded message -----

From: Andrew Woods [REDACTED]
Date: Tue, Oct 23, 2018 at 8:46 PM
Subject: FW: 4452/18 - 3539/18 - FREEDOM OF INFORMATION REQUEST
To: foi@leicestershire.pnn.police.uk <foi@leicestershire.pnn.police.uk>
Cc: [REDACTED]

Jane

I am instructed by Mr Terry in connection with his request under the Freedom of Information Act 2000 and have been forwarded your above letter.

I note your comments relating to s40(2).

I would like to make an amended FOI request which I think deals with any potential concerns and which I am sure you will be able to deal with.

We have been informed that up to 20/9/18 there are 14 incidents related to these premises. In respect of these 14 incidents could you please provide the following information.

1. Date and Time and nature of related incident.
2. Whether the related incident occurred inside the premises and if not how it is related to the location.
3. Whether there were any arrests and/or any convictions arising out of the 14 Incidents

I cannot see that s40(2) would prevent you from answering the above FOI request and I look forward to hearing from you.

Regards
Andrew

Andrew Woods

[REDACTED]

[REDACTED]

----- Forwarded message -----

From: FOI <foi@leicestershire.pnn.police.uk>

Date: Wed, Oct 17, 2018 at 2:41 PM

Subject: RE: 4452/18 - 3539/18 - FREEDOM OF INFORMATION REQUEST

Cc: Rixon Nigel <Nigel.Rixon@leicestershire.pnn.police.uk>

Dear Mr Terry,

Please find attached response to your below query, please accept my apologies in relation to the slight discrepancy in the total figure previously release.

Regards,

Jane Orange

Freedom of Information Officer

Information Management

Leicestershire Police

<http://www.leics.police.uk>

email; foi@leicestershire.pnn.police.uk

Tel: 101 Ext: 3307041

From: Pete Terry

Sent: 01 October 2018 09:33

To: FOI <foi@leicestershire.pnn.police.uk>

Cc: Rixon Nigel <Nigel.Rixon@leicestershire.pnn.police.uk>; 'Andrew Woods'

Subject: 4452/18 - RE: 3539/18 - FREEDOM OF INFORMATION REQUEST

Dear Jane

Further to our telephone conversation, I have taken legal advice regarding this matter

I will need detail of the CAD and CRIS reports relating to these 13 incidents you mention in your letter so we can confirm they are connected to our business, and any other information held by the police in relation to these incidents.

If this cannot be provided can you please reply in writing confirming this so we may consider our position.

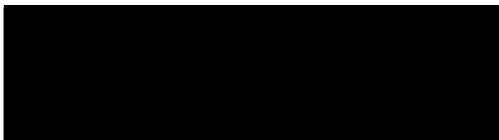
I must emphasise that we are attempting to work in partnership with Leicestershire Police in order to manage crime, this is nearly impossible without any detail to manage incidents. I work with a variety of police forces and have never been refused access to incident details regarding my own venues.

For clarity these communications may be presented in any future hearings.

Yours Sincerely

Pete Terry

DISCO Bars



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From: FOI [<mailto:foi@leicestershire.pnn.police.uk>]

Sent: 24 September 2018 11:22

Subject: 3539/18 - FREEDOM OF INFORMATION REQUEST

Dear Mr Terry,

Please find attached response to your Freedom of Information request, please accept my sincere apologies for the delay.

Regards,

Jane Orange

Freedom of Information Officer

Information Management

Leicestershire Police

<http://www.leics.police.uk>

email: foi@leicestershire.pnn.police.uk

Tel: 101 Ext: 3307041

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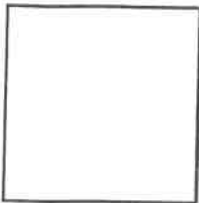
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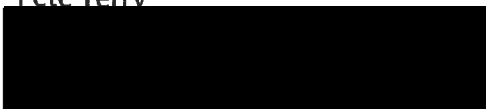
Thank you for your co-operation.

(c) Leicestershire Police

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Yours Sincerely

Pete Terry



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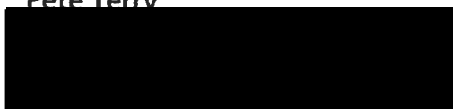
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Pete Terry



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Thank you for your co-operation.

(c) Leicestershire Police

Pete Terry

From: Rixon Nigel [Nigel.Rixon@leicestershire.pnn.police.uk]
Sent: 27 July 2018 11:47
To: Pete Terry; Sharpe Jonathan
Cc: Arjoo Mark
Subject: Re: Incidents Recorded Manhattans Ashby

Pete,

Your request has to be through data protection

Nige

Sent from my BlackBerry 10 smartphone on the EE network.

From: Pete Terry
Sent: Friday, 27 July 2018 11:35
To: Sharpe Jonathan
Reply To: [REDACTED]
Cc: Rixon Nigel; Arjoo Mark
Subject: Incidents Recorded Manhattans Ashby

Hi Jonathon

Thanks for your reply regarding our forthcoming licence application.

Please can you confirm that there have been no incidents reported regarding our premises (Manhattans Buddha Ashby) in 2018 as of this point

If there are any incidents recorded please could you notify us now so that we can be clear. If there are incidents recorded i want to know the details of them before we proceed so we can resolve any issues or at least agree to disagree.

Yours Sincerely

Pete Terry
DISCO Bars
[REDACTED]

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Thank you for your co-operation.

(c) Leicestershire Police

Pete Terry

From: Andrew Woods [REDACTED]
Sent: 23 October 2018 20:46
To: foi@leicestershire.pnn.police.uk
Cc: [REDACTED] Andrew Woods
Subject: FW: 4452/18 - 3539/18 - FREEDOM OF INFORMATION REQUEST
Attachments: 0001_RESPONSE LETTER.DOC

Jane

I am instructed by Mr Terry in connection with his request under the Freedom of Information Act 2000 and have been forwarded your above letter.

I note your comments relating to s40(2).

I would like to make an amended FOI request which I think deals with any potential concerns and which I am sure you will be able to deal with.

We have been informed that up to 20/9/18 there are 14 incidents related to these premises. In respect of these 14 incidents could you please provide the following information.

1. Date and Time and nature of related incident.
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3. Whether there were any arrests and/or any convictions arising out of the 14 Incidents

I cannot see that s40(2) would prevent you from answering the above FOI request and I look forward to hearing from you.

Regards
Andrew

[REDACTED]

----- Forwarded message -----

From: FOI <foi@leicestershire.pnn.police.uk>
Date: Wed, Oct 17, 2018 at 2:41 PM
Subject: RE: 4452/18 - 3539/18 - FREEDOM OF INFORMATION REQUEST

[REDACTED]

Cc: Rixon Nigel <Nigel.Rixon@leicestershire.pnn.police.uk>

Dear Mr Terry,

Please find attached response to your below query, please accept my apologies in relation to the slight discrepancy in the total figure previously release.

Regards,

Jane Orange

Freedom of Information Officer

Information Management

Leicestershire Police

<http://www.leics.police.uk>

email; foi@leicestershire.pnn.police.uk

Tel: 101 Ext: 3307041

From: Pete Terry [REDACTED]
Sent: 01 October 2018 09:33
To: FOI <foi@leicestershire.pnn.police.uk>
Cc: Rixon Nigel <Nigel.Rixon@leicestershire.pnn.police.uk>; 'Andrew Woods'
[REDACTED]
Subject: 4452/18 - RE: 3539/18 - FREEDOM OF INFORMATION REQUEST

Dear Jane

Further to our telephone conversation, I have taken legal advice regarding this matter

I will need detail of the CAD and CRIS reports relating to these 13 incidents you mention in your letter so we can confirm they are connected to our business, and any other information held by the police in relation to these incidents.

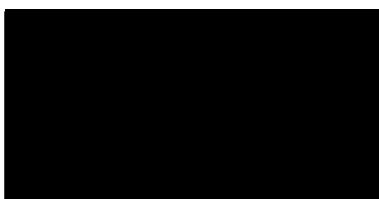
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Yours Sincerely

Pete Terry



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From: FOI [<mailto:foi@leicestershire.pnn.police.uk>]
Sent: 24 September 2018 11:22
To: [REDACTED]
Subject: 3539/18 - FREEDOM OF INFORMATION REQUEST

Dear Mr Terry,

Please find attached response to your Freedom of Information request, please accept my sincere apologies for the delay.

Regards,

Jane Orange

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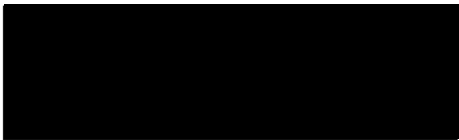
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Sarah Griffiths

From: [REDACTED]
Sent: 17 December 2018 12:44
To: Andrew Woods
Subject: FW: THE POLICE WORKING IN PARTNERSHIP WITH MY PREMISES

FYI

Yours Sincerely

Pete Terry

[REDACTED]

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From: Cole Simon [mailto:Simon.Cole@leicestershire.pnn.police.uk]
Sent: 11 December 2018 07:06
[REDACTED]
CC: Professional Standards; Police Commissioner
Subject: RE: THE POLICE WORKING IN PARTNERSHIP WITH MY PREMISES

Pete,

Thanks for your email.

I guess that some of the context of your concerns relates to the hearings that have occurred?

You will also be aware that Ashby has had its moments over the last year, especially during the World Cup, where we have had significant involvement in the town due to disorder.

Your local Inspector, Rich Jackson, arranged a licensing event last month which entailed most of the Ashby bars and clubs attending, he spoke and presented to all, with no issues raised (the purpose of the event was to support the NTE). In addition he also arranged SIA and licensing visits with NWLDC which seemed to go down very well with the bars around Ashby. We also supported the recent purple flag status for Ashby, which again was well received by the local bars.

That being said Rich will make contact with you to fully understand your concerns. You are right to point out that working together is key.

Simon Cole QPM
Chief Constable

Leicestershire Police
01162 482 005
@CCLeicsPolice
NPCC lead for Local Policing & Partnerships
NPCC lead for Prevent

From: Pete Terry [REDACTED]
Sent: 10 December 2018 18:40
To: Jackson Richard (1792); Cole Simon
Cc: Professional Standards; Police Commissioner
Subject: The Police working in Partnership with my premises

Dear Mr Cole and Mr Jackson

I operate a late night business in Ashby de la Zouch. Manhattans and Buddha.

Since July I have been trying to work in partnership with the Police to manage Crime and Disorder and obtain a list of incidents, especially following a meeting with Jonathon Sharpe who told me that there were no incidents associated with the premises in 2018.

I have been attempting to get a detailed incident list of all incidents attributed to my premises. Please see the various attached documents. My solicitor has also attempted to do this.

I have attached the various correspondence and would conclude that Leicestershire Police are being deliberately evasive in providing me with this information.

The Licensing Act 2003 prescribes that the Police should work in partnership with me as a business owner. I have discussed this matter with licensing sergeants in other forces who cannot believe the approach being taken here.

With sufficient redaction there is no reason to withhold detail of incidents, the response from FOI suggesting our requests are vexatious is nothing short of disgraceful.

Last time we applied for a licensing hours extension, in 2018, the police suddenly produced a very detailed list of incidents (on public record I might add) at the last minute. Subsequent failed court action against a door supervisor has rendered 2 of these incidents null. I will ensure if this happens again after my sustained efforts to get this information I will take this matter to the highest levels and raise maximum publicity to expose this lack of working in partnership. M Arjoo even suggests to us that we should liaise with N Rixon regarding incidents, sadly this has not worked.

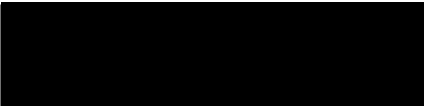
Could you please advise how I am supposed to work in partnership with the Police to manage crime and disorder with this closed door policy and also how the Police justify this approach which seems at odds with clearly written legislation.

Ideally could you please give me the information I require as any other police force would.

By copy of this email I also request this issue is highlighted to the PCC, and also logged as a complaint with Professional Standards and that they respond with their thoughts on the matter.

Yours Sincerely

Pete Terry
DISCO Bars



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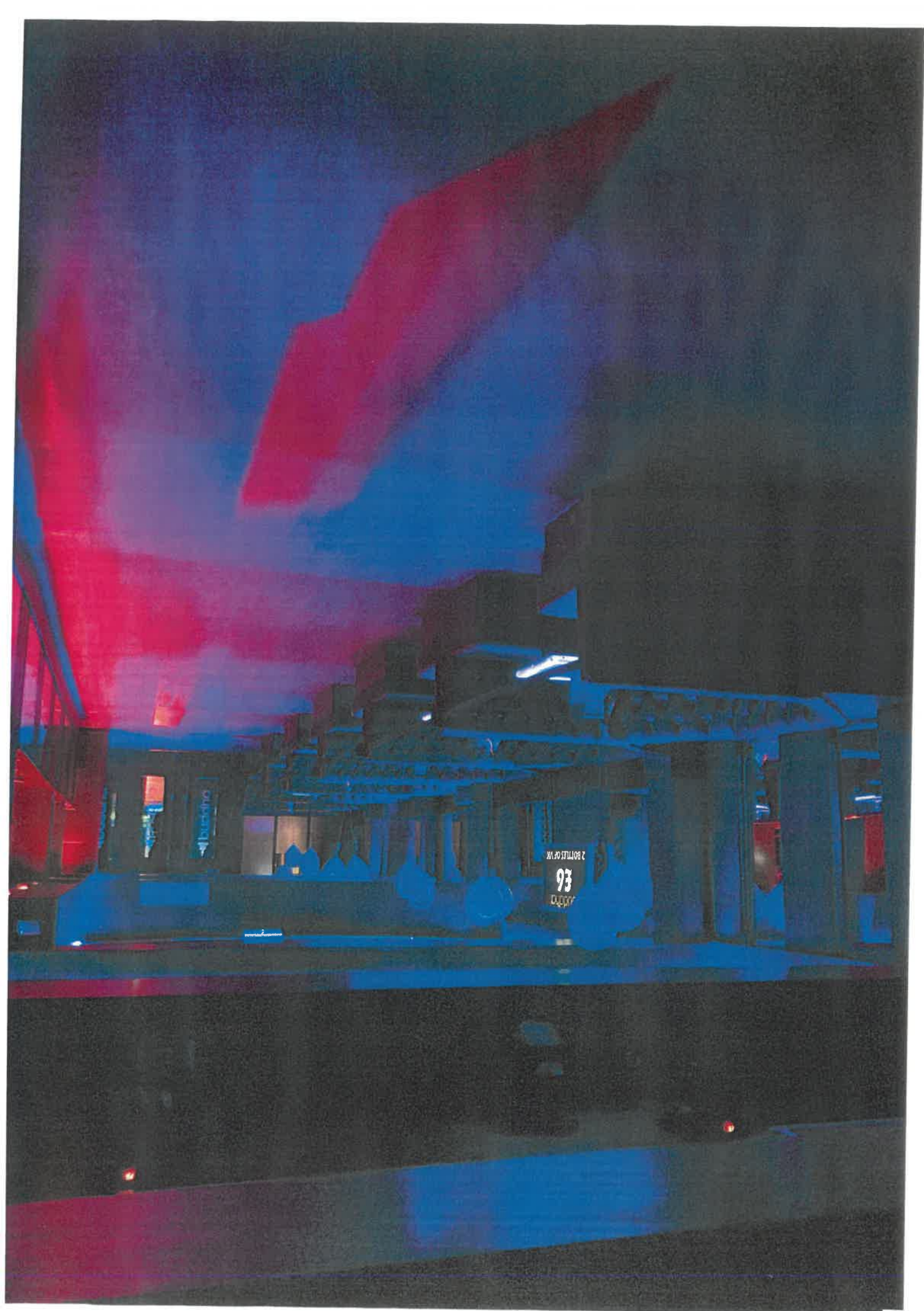
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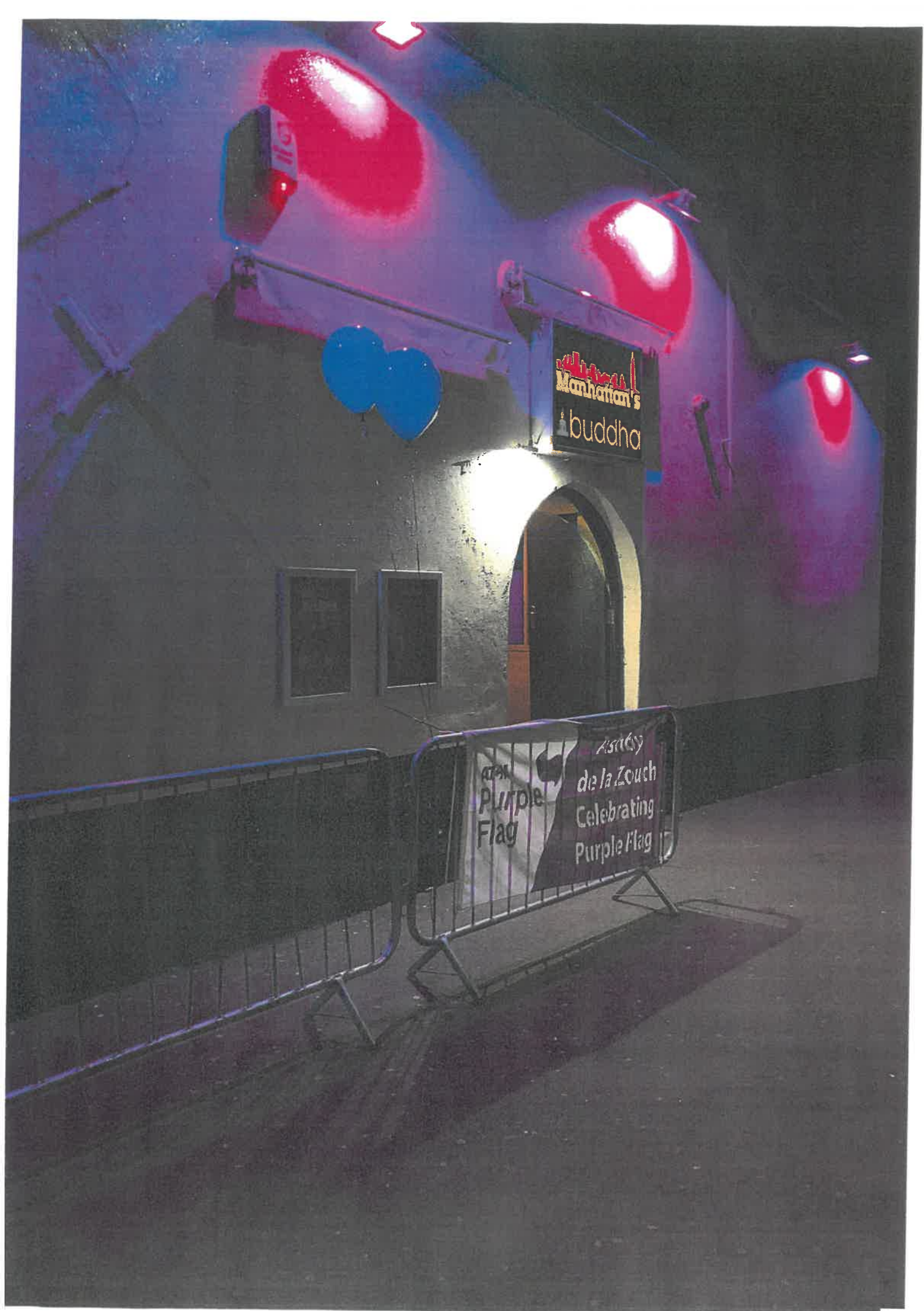
Thank you for your co-operation.

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message were removed.

ROBINSON [DAPHNE.ROBINSON@nwleicestershire.gov.uk]
hattansashby.co.uk

Sent:

flag night

etting us have these photographs. Looks amazing!

Officer (Interim) (Ashby, Measham & Moira area) Stronger & Safer Communities Team

077996 83314 | daphne.robinson@nwleicestershire.gov.uk | www.nwleics.gov.uk Twitter @NWLeics | Facebook This Is NWLeics

essage-----

hattansashby.co.uk <party@manhattansashby.co.uk>

r 2018 10:15

NSON <DAPHNE.ROBINSON@NWLeicestershire.gov.uk>
rple flag night

hotos from the purple flag party Friday night

lin

re to search







MINUTES of a meeting of the LICENSING SUB COMMITTEE held in the Council Chamber, Council Offices, Coalville on THURSDAY, 21 APRIL 2016

Present: Councillors J Cotterill, P Purver and A C Saffell

Officers: Mr A Cooper, Mrs A Lowe and Mrs M Meredith

Interested Parties: Mr M Ball (Ashby Town Council), Sgt A King (Leicestershire Police), Mr M Maughan (Applicant), PC P Porter (Leicestershire Police), Mr A Rayner (Applicant) and PC J Webb (Leicestershire Police)

1 ELECTION OF CHAIRMAN

It was moved by Councillor P Purver, seconded by Councillor A C Saffell and

RESOLVED THAT:

Councillor J Cotterill take the chair for the remainder of the meeting.

2 APOLOGIES FOR ABSENCE

There were no apologies for absence received.

3 DECLARATION OF INTERESTS

No interests were declared.

4 APPLICATION FOR VARIATION OF A PREMISES LICENCE

The Chairman introduced the parties and outlined the procedure to be followed.

The Hearing Regulations 2005 stated that the Authority must allow parties an equal period of time in which to present their evidence. It was agreed that the maximum time limit for each presentation be 10 minutes.

All parties agreed that the two applications be considered simultaneously and that each party make a single representation on both applications.

The Licensing Enforcement Officer presented the report to members, highlighting background information and the representations received.

There were no questions for the Licensing Enforcement Officer.

Mr A Rayner, applicant, addressed the Sub Committee. He outlined his experience in managing similar businesses of a significant size. He stated that since purchasing the two businesses, he had operated them in a responsible and professional manner and had built reputation and relationships with the local authorities and fellow businesses in Ashby de la Zouch through hands on management. He explained that he had met with the Town Council and Leicestershire Police to discuss their objections to the proposed changes to the operating licence, and had agreed amendments to the variation application that were acceptable to all parties. As a result the application for extra operating hours had been reduced by over 80% to assist with weekday police staffing. He stated that he had been in regular communication with the Council's Environmental Protection Team to discuss how best to manage the public nuisance licensing objectives and added that he had created a management of noise and dispersal policy which was included in the application. He added that since he had taken over the operation of the business, no concerns had been raised and no formal complaints had been made by any member of

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the public to the Council's Environmental Protection Team. He highlighted that the premises had operated events with later terminal hours on seven separate occasions since he had taken over the operation; all of these had similar terminal hours to the amendment which had been agreed with Leicestershire Police. He highlighted the lack of firm data of any incidents relating to the premises during normal operating hours and the seven occasions on which the premises had operated until 4.00am, and the low number of calls for police assistance. He added that when compared to the other nightclubs in the town, this highlighted how well the business was managed. In addition, he and Mr Maughan had undertaken SIA door supervisor training so that they were able to better understand the role of the door supervisor and to make better decisions about how to manage public nuisance and any incidents. He highlighted his presence and that of the senior managers at the business during peak operating hours. He advised the Sub Committee that, despite the lack of obligation to do so, all temporary event notices had been operated under the full conditions of the normal licence. In respect of the application to extend late night refreshment, he highlighted that PC Webb was in full support of this proposal. He added that the reason for this extension was to enable dispersal of the public to be better managed, reducing the impact. He made reference to the additional information which had been circulated, setting out examples of how the individual licensing objective were met and managed.

There were no questions for the applicant.

PC J Webb addressed the Sub Committee and presented the case on behalf of Leicestershire Police. He made reference to the Council's Statement of Licensing Policy, and as the premises sat within the identified area, the rebuttable presumption that applications for variation would normally be refused following relevant representations unless the applicant could demonstrate that there would be no negative cumulative impact upon the licensing objectives. He pointed out that the applicant had failed to indicate on their application whether they had consulted the local licensing policy in respect of the cumulative impact area and it could therefore be assumed that the policy had not been consulted. He stated that the application in its submitted form sought to substantially increase the licensed hours throughout the week, and Leicestershire Police considered that this would have had a negative impact upon the licensing objective of crime and disorder and public nuisance. He also highlighted the potential of increased footfall in the town centre. He stated that Leicestershire Police felt that the application should be refused, however they had consulted with the applicant to come to a point of agreement should the Sub Committee be minded to permit the application. He added however that it should be recognised that this agreement should not be seen as an endorsement of the application. He made reference to the change in management at the premises and acknowledged that they had not come to the attention of the Police whilst operating under temporary event notices, and therefore there were no incidents or crime statistics to present to the Sub Committee. He added that the application may impact upon the town centre, as the CCTV operation ceased at 7pm on Monday to Thursday, and at 3am on Friday to Saturday, and therefore there would be no CCTV coverage after this time to assist with maintaining the safety of the public or identifying perpetrators. He stated that it should be noted that operation anthem, Leicestershire Police's coverage of the nighttime economy, was only operational on Fridays, Saturdays and bank holidays and would normally cease around 4am, and therefore there would be no dedicated nighttime economy resources after 4am. He added that the street pastors finished at 3am. He highlighted the strong working relationship that existed between Leicestershire Police and the applicant and referred to the document which had been drawn up setting out the changes to the hours and the conditions to be imposed which had been agreed by both parties.

Councillor A C Saffell commented that the main concern seemed to be around dispersal, particularly after the CCTV had ceased to operate and the street pastors were no longer present. He outlined his own experiences at Donington Park, and advised that a lot of the

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problems had been resolved by extending the hours until 5am, as people were naturally dispersing more gradually. He acknowledged however that the situation was different in Ashby de la Zouch town centre and he asked if it had been noticed that people were likely to commit crimes after 3am.

PC P Porter advised that there were no major issues in the town centre and no increase in disorder after 3.30am.

Mr A Rayner sought to expand upon this point. The Chairman advised Mr Rayner to confine his contribution to questions to the Police at this point.

Mr A Rayner asked if crime had increased or decreased from previous years.

Sgt A King advised that there had been a substantial reduction in overall crime, which was partly due to changes in the method of policing. She added that since January, there had been one report of an assault at Ciro's nightclub and the amount of recorded crime had reduced.

Mr M Ball addressed the Sub Committee and presented the case on behalf of Ashby Town Council. He stated that the primary concern of the Town Council was public nuisance, and added that it was a fact that residents in and around Market Street were already adversely affected by noise emanating from the venue, and by noise and disturbance created by customers leaving the premises. He commented that alcohol also caused people to be noisier. He stated that whatever dispersal plan would be put in place, Market Street would be busy until well after 4am, and the Town Council considered this to be totally unacceptable for residents. He made reference to the emerging neighbourhood plan and the increasing number of people living in Ashby de la Zouch town centre. He stated that Ashby Town Council recognised the importance of the nighttime economy to the town and the professional approach taken by the management, however the Town Council firmly believed that the current licensing hours struck a reasonable balance between the rights of people to enjoy themselves and the rights of residents to some peace and quiet. He added that such all night entertainment was readily available in the district's main town of Coalville, and it was not unreasonable to expect people to travel there. He strongly urged the Sub Committee to consider the needs of the growing town centre population when reaching their decision and to maintain parity of weekend licensing arrangements between the two nightclubs.

Councillor A C Saffell sought clarification on the noise nuisance referred to by Mr Ball and whether this was caused by music emanating from the premises.

Mr A Cooper stated that any issues in respect of noise nuisance would have been addressed in the representation of the Environmental Protection Officer. He added that there were no recent complaints in relation to any noise nuisance.

Mr A Rayner asked if Ashby Town Council had received any complaints from residents relating to noise on Market Street or from the venue.

Mr M Ball stated that residents had approached him with concerns in respect of noise levels, particularly relating to people leaving the premises later on. He added that a lot of the people who live on Market Street had put up with years of disturbance and people got fed up of complaining. He commented that residents also would not be aware that the club was under new management.

Mr A Rayner asked if the parties who had made representations to Mr M Ball had passed those on to the premises so that the concerns could be addressed. He also asked if any representations had been made to the Environmental Protection Team.

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Mr M Ball responded that he had not made the premises aware of the complaints. He added however that there was a general unease amongst residents about the prospect of extended hours.

The Legal Advisor reminded all parties to confine their submissions to questions at this point, and that any statements should be made during their closing speeches.

Mr A Rayner asked if Mr M Ball agreed that gradual dispersal would reduce the likely noise impact.

Mr M Ball stated that he felt that this would have no impact upon the noise level.

Mr A Rayner sought clarification on the survey undertaken by Ashby Town Council.

Mr M Ball advised that out of 49 people, 3 people wanted the nightclubs to close later, and 11 wanted them to close earlier.

Mr A Rayner, PC J Webb and Mr M Ball made brief closing statements reiterating points made earlier in the hearing.

At 7.04pm the Sub Committee adjourned to consider its decision. The Sub Committee reconvened at 8.03pm.

RESOLVED THAT:

The application be permitted in part with amended conditions as below:

All conditions that were requested to be removed based upon the fact that they are out of date or unenforceable are to be removed.

The premises operating hours shall be amended so that the terminal hours are as follows:-

Hours open to the public:

Sunday to Thursday	2.30am
Friday to Saturday	4.00am
Christmas Eve, Boxing Day, Sunday before Bank Holiday	4.00am
New Year's Eve from the end of permitted hours to the start of permitted house on New Year's Day.	

Supply of Alcohol

Sunday to Thursday	2am
Friday to Saturday	3.30am
Christmas Eve, Boxing Day, Sunday before Bank Holiday	3.30am
New Year's Eve from the end of permitted hours to the start of permitted hours on New Year's Day.	

Live Music, recorded music, performance of dance and anything of a similar description

Sunday to Thursday	2.30am
Friday to Saturday	4.00am
Christmas Eve, Boxing Day, Sunday before Bank Holiday	4.00am
New Year's Eve from the end of permitted hours to the start of permitted hours on New Year's Day.	

Conditions

As well as the conditions already attached to the licence, the Sub Committee felt it appropriate to add the following conditions:-

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1. No persons except those employed on the premises are allowed to enter or re-enter the venue after 0100hrs Sunday to Thursday and 0200hrs Friday to Saturday, Christmas Eve, Boxing Day and Sunday before a Bank Holiday.
2. Patrons will be allowed re-entry where they have left the premises to make use of the premises' outdoor smoking area.
3. All persons working at the premises in a security capacity will have access to radio communication device which will allow effective communication between all members of security and the Duty Manager.
4. The licence holder shall join the Retail Radio Scheme or any similar scheme operating in the area and ensure that:-
 - a. The communication equipment is kept in working order at all times. If the communication equipment breaks then the Police shall be notified and the equipment shall be repaired within a reasonable period of time.
 - b. The communication equipment shall be activated, made available to and monitored by the designated premises supervisor or a responsible member of staff at all times that the premises are open to the public.
 - c. Any police instructions/directions are complied with whenever given.
 - d. All instances of crime and disorder are reported via the communication equipment by the designated premises supervisor or a responsible member of staff to an agreed police contact point.
5. The licence holder shall ensure that, where available, a body-worn camera is worn by a suitable member of staff on Friday and Saturday nights from 2100hrs until the venue closes on each of those nights.
6. CCTV shall be installed to specifications and in locations agreed with Leicestershire Police and maintained in accordance with the Information Commissioner's CCTV Code of Practice. The CCTV shall record during all times that the premises are open for any licensable activity. All images are to be held for a minimum of 31 days. All recordings are to be held in a secure holding facility. If a tape system is used, tapes are to be replaced by new tapes every 6 months. The 6 monthly replacement of tapes is to be recorded in an incident book held on the premises. All images held are to be made available immediately on request by any of the Responsible Authorities.
7. A staff member who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member must be able to show the Police or Licensing Authority recent data or footage with the absolute minimum of delay when requested to do so.
8. An incident log shall be kept on the premises and made available on request to the Police or Licensing Authority which will record the following:-
 - all crimes reported to the premises
 - all ejections of customers
 - any complaints received
 - any incidents of disorder
 - all seizures of drugs or offensive weapons
 - any faults in the CCTV system

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- any refusal of the sale of alcohol
 - any visit by a responsible authority or emergency service.
9. Training will be provided for all staff, whether paid or unpaid, before they are allowed to sell alcohol and will include Challenge 25, proof of age, management conflict, serving intoxicated customers and refusals records. The training will be documented. The Designated Premises Supervisor will check that the training has been understood. The training will be repeated at least annually. Records of training will be provided to Responsible Authorities and the Licensing Authority on request.
 10. The licence holder will keep records of all door supervisors showing the names of the door supervisor, their address, their Security Industry Authority badge number and expiry date and the date/time they were employed. These details will be provided to Responsible Authorities and the Licensing Authority on request.
 11. The licence holder shall employ a minimum of 3 SIA licensed door supervisors to be on duty at the entrance of the premises from 2200hrs on a Friday, Saturday, Sunday before a Bank Holiday, Christmas Eve, Boxing Day and New Year's Eve until the last admission times for the public and will employ a further SIA licensed member of staff for every 100 customers or part thereof on the premises.
 12. Prominent clear notices shall be displayed at all exits requesting customers to respect the needs of local residents and leave the premises and the area quietly.
 13. The licence holder shall ensure that no customers shall take glasses or open bottles from the premises.
 14. A Challenge 25 policy shall be operated at the premises at all times. All staff shall require identification of all customers who appear to be less than 25 years old and wish to purchase alcohol. Acceptable proof of age will be a PASS approved proof of age card, UK passport or a UK photographic driving licence or an Armed Forces identity card bearing the card holder's date of birth.
 15. Challenge 25 materials shall be displayed at the premises including at the point of sale of alcohol to inform customers of the operation of the scheme.

5 APPLICATION FOR VARIATION OF A PREMISES LICENCE

RESOLVED THAT:

The application be permitted in part with amended conditions as below:

The premises operating hours shall be amended so that the terminal hours are as follows:-

Hours open to the public:

Sunday to Thursday	2.30am
Friday to Saturday	4.00am
Christmas Eve, Boxing Day, Sunday before Bank Holiday	4.00am
New Year's Eve from the end of permitted hours to the start of permitted house on New Year's Day.	

Supply of Alcohol

Sunday to Thursday	2am
Friday to Saturday	3.30am
Christmas Eve, Boxing Day, Sunday before Bank Holiday	3.30am

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New Year's Eve from the end of permitted hours to the start of permitted hours on New Year's Day.

Live Music, recorded music, performance of dance and anything of a similar description

Sunday to Thursday	2.30am
Friday to Saturday	4.00am
Christmas Eve, Boxing Day, Sunday before Bank Holiday	4.00am
New Year's Eve from the end of permitted hours to the start of permitted hours on New Year's Day.	

Conditions

As well as the conditions already attached to the licence, the Sub Committee felt it appropriate to add the following conditions:-

1. No persons except those employed on the premises are allowed to enter or re-enter the venue after 0100hrs Sunday to Thursday and 0200hrs Friday to Saturday, Christmas Eve, Boxing Day and Sunday before a Bank Holiday.
2. Patrons will be allowed re-entry where they have left the premises to make use of the premises' outdoor smoking area.
3. All persons working at the premises in a security capacity will have access to radio communication device which will allow effective communication between all members of security and the Duty Manager.
4. The licence holder shall join the Retail Radio Scheme or any similar scheme operating in the area and ensure that:-
 - a. The communication equipment is kept in working order at all times. If the communication equipment breaks then the Police shall be notified and the equipment shall be repaired within a reasonable period of time.
 - b. The communication equipment shall be activated, made available to and monitored by the designated premises supervisor or a responsible member of staff at all times that the premises are open to the public.
 - c. Any police instructions/directions are complied with whenever given.
 - d. All instances of crime and disorder are reported via the communication equipment by the designated premises supervisor or a responsible member of staff to an agreed police contact point.
5. The licence holder shall ensure that, where available, a body-worn camera is worn by a suitable member of staff on Friday and Saturday nights from 2100hrs until the venue closes on each of those nights.
6. CCTV shall be installed to specifications and in locations agreed with Leicestershire Police and maintained in accordance with the Information Commissioner's CCTV Code of Practice. The CCTV shall record during all times that the premises are open for any licensable activity. All images are to be held for a minimum of 31 days. All recordings are to be held in a secure holding facility. If a tape system is used, tapes are to be replaced by new tapes every 6 months. The 6 monthly replacement of tapes is to be recorded in an incident book held on the premises. All images held are to be made available immediately on request by any of the Responsible Authorities.
7. A staff member who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff

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member must be able to show the Police or Licensing Authority recent data or footage with the absolute minimum of delay when requested to do so.

8. An incident log shall be kept on the premises and made available on request to the Police or Licensing Authority which will record the following:-
 - all crimes reported to the premises
 - all ejections of customers
 - any complaints received
 - any incidents of disorder
 - all seizures of drugs or offensive weapons
 - any faults in the CCTV system
 - any refusal of the sale of alcohol
 - any visit by a responsible authority or emergency service.
9. Training will be provided for all staff, whether paid or unpaid, before they are allowed to sell alcohol and will include Challenge 25, proof of age, management conflict, serving intoxicated customers and refusals records. The training will be documented. The Designated Premises Supervisor will check that the training has been understood. The training will be repeated at least annually. Records of training will be provided to Responsible Authorities and the Licensing Authority on request.
10. The licence holder will keep records of all door supervisors showing the names of the door supervisor, their address, their Security Industry Authority badge number and expiry date and the date/time they were employed. These details will be provided to Responsible Authorities and the Licensing Authority on request.
11. The licence holder shall employ a minimum of 3 SIA licensed door supervisors to be on duty at the entrance of the premises from 2200hrs on a Friday, Saturday, Sunday before a Bank Holiday, Christmas Eve, Boxing Day and New Year's Eve until the last admission times for the public and will employ a further SIA licensed member of staff for every 100 customers or part thereof on the premises.
12. Prominent clear notices shall be displayed at all exits requesting customers to respect the needs of local residents and leave the premises and the area quietly.
13. The licence holder shall ensure that no customers shall take glasses or open bottles from the premises.
14. A Challenge 25 policy shall be operated at the premises at all times. All staff shall require identification of all customers who appear to be less than 25 years old and wish to purchase alcohol. Acceptable proof of age will be a PASS approved proof of age card, UK passport or a UK photographic driving licence or an Armed Forces identity card bearing the card holder's date of birth.
15. Challenge 25 materials shall be displayed at the premises including at the point of sale of alcohol to inform customers of the operation of the scheme.

The meeting commenced at 6.38 pm

The Chairman closed the meeting at 8.07 pm

Chairman's signature

MANHATTANS ASHBY - POLICE RECORDED INCIDENTS

27 January 2018 - 01:09

- Door staff correctly ejected customers from the premises. No contact with the premises made by the Police and no CCTV requested.

11 February 2018 - 01:30

- Two females arguing. Door supervisors intervened. CCTV handed to the Police.

17 March 2018

- Door staff quite correctly doing their job, and asking a female to leave due to her behaviour. No further action taken by the Police. The female was not assaulted.

2 April 2018 - 02:54

- Door staff again asking a member of the public to leave due to behaviour. Police came and viewed CCTV and concluded that there was no fault from any door supervisor. Door supervisor behaving correctly.

13 March 2018 23:08

- Alleged incident.
- Complainant did not make a statement. No further action.

19 August 2018 - 01:00

- Two males fighting in Buddha. Door supervisors correctly removed them. Suspect did not take matter further. Door staff behaved correctly.

6 October 2018 - 23:24

- Group of males at the entrance to the premises. Door staff doing their job and not letting the males in because they were too drunk. Door staff correctly called the Police. By the time the Police arrived, the males who were not allowed admission to the Club had gone.

7 October 2018 - 03:53

- Male punched in face in Manhattans. First aid given. CCTV handed over to the Police. Suspect ejected from the Club.

28 October 2018 - 02:00

- Group of girls ejected from the Club due to behaviour. CCTV handed to the Police.

25 November 2018 - 02:00

- Males started a fight in the Club and were ejected. No victim or suspect identified.

8 December 2018

- Two girls argue and have a fight. The incident was reported by the manager. CCTV handed over. It was a member of bar staff involved, not door staff.

23 December 2018 -01:30

- Allegation of assault. Suspect ejected and first aid given. CCTV handed over to the Police.

27 December 2018 - 01:00

- CCTV handed to the Police following the ejection of the suspect in this matter and that first aid was given.