



APPENDIX 4

Leicestershire Police

Licensing Act 2003 – Representation in respect of a Variation of a Premises Licence Application

Details of person or body making representation	
Your Name:	Nigel Rixon
Your Address:	Force Licensing Department, Mansfield House, 74 Belgrave Gate, Leicester LE1 3GG

Details of premises representation is about	
Name of Premises:	Manhattans
Address of premises:	60A Market Street Ashby de la Zouch
Application No. (if known)	

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input checked="" type="checkbox"/>
Public Safety	<input checked="" type="checkbox"/>
Prevention of public nuisance	<input checked="" type="checkbox"/>
Protection of children from harm	<input checked="" type="checkbox"/>

Please summarise your concerns about this application:
<p>I write in my capacity as a licensing officer for the Leicestershire Police on the authority delegated to me by the Chief Constable.</p> <p>North West Leicestershire District Council has adopted a Special Policy in relation to applications for new licences and material variations in the Cumulative Impact Area. The effect of this policy is set out in the Council's current policy.</p>

Section 10 of that policy states:

“The effect of the Ashby de la Zouch special policies will be to create a rebuttable presumption that applications for new premises licences or club premises certificates, or variations, will normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives. The special policy applies to applications from all types of premises operating between 20:00 and 06:00

The venue is situated in the heart of the Cumulative Impact Zone. The venue is a nightclub with a capacity of 390 people. Its current operating hours are effectively until 02:30 and the proposal is to vary this to 03:30.

In the application, it makes reference to two other nightclubs, Queens Head and VIP rooms that are close by. The Queens Head has licensable activities until 03:30 and closes to the public at 04:00.

The applicant makes reference to the VIP Rooms; that this premises has surrendered its licence. This licence is current, which mirror the Queens Head in its licensing hours. The premises has not utilised that licence for the past 12 months, but it is still available to be used.

The applicant has made reference in their application of the Cumulative Impact Zone and that there will be no impact on the licensing objectives, if the variation is approved.

The policy requires the applicant to satisfy the Licensing Authority that the grant of the new licence will not add to the existing cumulative impact of licensed premises within the area. The current application does not address this issue.

Staggered closing currently exists in terms of the two main premises, just as suggested in Guidance issued under section 182 of the Licensing Act; this is a mechanism to control cumulative impact. If this application is permitted, then two premises, in close proximity would close to the public, at the same time and potentially exasperate the problem of crime and disorder in the area.

Local Authority CCTV in the area terminates at 03.00 hours and will have an impact on the recording of incidents in the vicinity of Market Street.

The Cumulative Impact Area suffers on a weekly basis with incidents of anti-social behaviour and crimes which are alcohol related.

The Leicestershire Police Licensing System (Inn Webb) shows there are 8 crimes associated with the premises since July 2017, one of these is currently under investigation. Full details will be provided, with crime figures for the area.

Leicestershire Police increase resources on a Friday and Saturday night from 2300hrs until 0600hrs as this is the peak time for alcohol related problems through Op Anthem. These resources are limited and an increase in footfall for this area will impact on those resources.

Greater footfall increases the potential for confrontation between intoxicated members of the public at fast food outlets and taxi ranks and can increase the burden on the emergency services.

The applicant has provided no further information to show how these premises will not add to the cumulative impact or how management of these premises will support the four licensing objectives.

It is our opinion that granting this licence in its present form would be contrary to the intentions and objectives of the saturation policy that exists for this area.

We therefore wish to engage the discretion of the licensing authority in both considering the Council's own policy in relation to this application and whether the application promotes the four licensing objectives

Nigel Rixon
Licensing Manager