

To Whom this may concern,

I understand some concerns have been raised in regards to;

New premise licence - 23/00834/PREM

In this document I have addressed all concerns raised individually to the fullest of detail.

I hope this information finds you and any other persons concerned, helpful in regards to having a more thorough understanding of agreements with local business and residents, Premise position, Layout and its effects on the local neighbours, The business's legitimacy in regards to providing a fun, **safe** place for all to enjoy themselves.

I would like to start by addressing the obvious & that is before anything, we are a food establishment irregardless of our decor and theme.

In which I have applied for a premise licence for the sale of alcohol and late night refreshment it is not to attempt to solely become a Bar or nightclub but rather be able to offer an alcoholic beverage to customers when dining with us.

Please read the following below to have your concerns addressed.

Company Name: XXX BUNS LTD

APPLICATION REF: 23/00834/PREM

PREMISE LICENCE APPLICATION CONCERNS ADDRESS DOC.1

PERSON(S) LISTED WITH CONCERNS:

ASHBY TOWN COUNCIL MEMBER(S)

CONCERNS RAISED

- CRIME & DISORDER
- PUBLIC HARM
- HARM TO CHILDREN (SPECIFICALLY DUE THE A NEIGHBOURING GYM)
- NOISE & NUISANCE TO NEAR BY RESIDENCE

NOTE \* All objectives listed below are in addition to the objectives already given in the premise licence application.

**CONCERN #1 TO PREVENT CRIME & DISORDER**

Representation made -

As evening access to the premises, which are attached to the back of the Town Hall building, is along a small, isolated alley that connects South Street to Market Street, there is concern that this area will not have sufficient security and the presence of licensed premises, with outside drinking permitted on a terrace area, is likely to increase crime in the area. The applicant states that door security staff will only be provided, "when i deem necessary" . This is wholly inadequate as security will rely upon the subjective judgement of the licensee.

We would draw attention the fact that the application premises lie at the centre of the Ashby Cumulative Impact Zone (CIZ), where "*the number of premises licences and club premises certificates are such that it is likely that granting further licences or variations to existing premises licences and/or club premises certificates would be inconsistent with our duty to promote the licensing objectives*". The CIZ was reviewed and renewed very recently (February 2022) with full police backing.

## **ADRESS #1 PREVENTION OF CRIME & DISORDER**

**'I would like to being addressing the quote from my application where it was quoted to have supposedly mentioned "where i deem necessary" in regards to door supervision.**

**This is incorrect and gives a false impression of how I the licensee intend to implement and uphold safe licensing objectives.**

**The true representation of what was mentioned on the licence application stated;**

**"I will use or employ door supervisors at all times when a licensable activity is carried out and i consider them necessary to:**

**1.Prevent the admission and ensure the departure from the premises of drunk and disorderly persons, without causing further disorder.**

**2.Keep out excluded individuals (subject to court or pub watch bans).**

**3.Search and exclude persons suspected of carrying illegal drugs or offensive weapons."**

**Further more, suggesting an increase of Crime and disorder in the area due to an exterior terrace in which only 15 person(s) can consume food and drink at one time, I find rather inadequate and rather choosy given our neighbour Lounges uk limited, has been granted approval for consumption of alcohol & late night refreshment, inside their premise and externally on the high street / rear garden everyday, between the hours of 10:00am - 12:30am.**

**Therefore I struggle to find reasoning as to why CIZ has been mentioned (please find map of CIZ attached), When other recent applicants within the CIZ area have had no concern with regards to their application.'**



- DOOR SUPERVISORS WILL BE IN ATTENDANCE ON THE PREMISE DURING OPENING HOURS ACCORDING TO THE CONFIRMED OPERATING SCHEDULE.
  - DOOR SUPERVISORS WILL HAVE ALL TRAINING AND LICENCE'S NEEDED FOR THE ROLE AND COPIES OF CERTIFICATION WILL BE KEPT ON THE PREMISE .
3. **PUB WATCH**
- LICENSEE SHALL ATTEND AND REPORT ACCORDINGLY TO THE LOCAL PUB WATCH SCHEME TO REMAIN UP TO DATE.
4. **VERTICAL DRINKING**
- ALL CUSTOMERS TO REMAIN SEATED WITH ALCOHOL.
5. **SAFE DRINKING**
- ALL ALCOHOL SERVINGS TO BE MEASURED ACCORDING TO GOVERNMENT RECOMMENDATIONS
  - ALL/ANY DRINKS PROMOTIONS WILL BE ACCOMPANIED WITH FOOD ITEMS.
6. **SAFE TAXI SCHEME**
- WE & ABBEY TAXI'S HAVE PARTNERED IN THE EVENT A CUSTOMER IS VISIBLY CONCERNED ABOUT HOW TO GET HOME SAFE, WE ENSURE TAXI SERVICES ARE AVAILABLE AND IN THE EVENT THE PERSONS CONCERNED CANNOT AFFORD THEIR FARE WE SHALL PROVIDE UP TO £10.00 TOWARDS THEIR JOURNEY COST AND ANY OTHER AMOUNT CAN BE PAID BACK AT A LATER DATE TO THE TAXI RANK PROVIDED WITH THE PERSONS INFORMATION.
7. **STAFF TRAINING**
- ALL STAFF TO RECEIVE FULL THOROUGH TRAINING IN THE FOLLOWING;

- WORKPLACE SAFETY
- SAFE HANDLING OF ALCOHOL
- CHALLENGE 25 SCHEME
- LOGGING OF ALCOHOL REFUSAL
- DEALING WITH DRUNKENNESS
- REPORTING ISSUES AS THEY HAPPEN
- RISK ASSESSING / RISK MANAGEMENT

ALL STAFF TRAINING SHALL BE RECORDED AND KEPT LOGGED ON SITE

## **CONCERN #2 PUBLIC SAFETY**

Representations made -

The courtyard access to the premises is shared by a taxi firm with poorly defined discrimination between pedestrians and vehicles. Currently taxi vehicles have to reverse in or out of their parking spaces which is likely to lead to collisions with pedestrians accessing and leaving the licensed premises.

## ADDRESS CONCERN #2

'Please refer to the map diagram below which shows the courtyard in question, XXX BUNS LTD premises location in comparison to ABBEY TAXI'S, inclusive of a key to further help identify vehicle / pedestrian walkways or roads.



7 BAKERY COURT LE65 1AN SITE PLAN



Map area bounded by: 435845.316491 435935.316781. Produced on 01 March 2022 from the OS National Geographic Database. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown copyright 2022. Supplied by UKPlanningMaps.com a licensed OS partner (100054135). Unique plan reference: b90c/uk/760461/1028718

Note\* Unit 5 corresponds to Abbey Taxi's.

**I would also like to add that we care about and work closely with our neighbours Abbey Taxi's, La Spezia Pizzeria, Motiv 8 Gym, The Market Stall Holders & Meraki to ensure no hinderance to either parties in regards to operating our business's and all agree on decisions in regards to safe use of the courtyard.**

**\*I have attached signed Letters of approval from all the listed parties above.**

**Customers can also enter the premise via the town hall market but is limited to between the hours of 10:00am - 16:00pm at which point the Town Hall Market will close and access will have to be gained via Bakery Court."**

Additional Objectives to prevent public harm.

1. DOOR SUPERVISORS WILL ACTIVELY HINDER ANY LOITERERS AND ANTI SOCIAL BEHAVIOUR FROM TAKING PLACE AROUND THE IMMEDIATE VICINITY OF THE PREMISES.

2. ABBEY CARS, XXX BUNS LTD AND LA SPEZIA PIZZERIA ALL AGREE ON A PLAN FOR SAFE USE OF THE COURTYARD DURING OPENING / OPERATING TIMES.
3. CLEARLY DEFINED LINES TO REPRESENT TAXI SPACES

### **CONCERN #3 NOISE & NUISANCE TO NEAR BY RESIDENTS**

Representations made -

There is currently just one takeaway establishment on Bakery Court, meaning customers arrive and depart relatively quickly. This application is a restaurant and is proposing both indoor and outdoor seating meaning a significant increase in noise in the area from customers dining in and outside the establishment. The noise is likely to be heard by inhabitants of town centre dwellings, particularly premises that back on to, and are situated, on South Street (South Street consisting of predominantly residential dwellings).

### **ADDRESS #3 NOISE AND NUISANCE TO NEAR BY RESIDENTS**

**“Regarding Noise and nuisance, The business has currently been operating for around 6 weeks, and yet to receive any formal complaint with regards to noise levels or disturbances to near by residence or other.**

**During this 6 weeks period we have had customers both inside and on the exterior terrace with amplified music played from the hours of 17:00pm - 22:30pm (Current Business Operating Schedule). 0 complaints.**

**We are also surrounded by multiple Nightclubs and Pubs (please refer to detailed map below) that ONLY offer Alcohol & live / pre recorded music at levels which can be heard from the majority of residence in the town.**

**That being said I find it somewhat hard to believe that it has been suggested that our small Food Establishment will cause disturbance to the local residence, in comparison to the already heard & soon to be heard licensed business's existing in the town's centre.**

**I have also gone out and personally spoke to residents along south street in regards to your concerns and not one resident can confirm of any disturbance from our premise in comparison to those already operating. In particular The Lamb Inn, Ciro's, Manhattan's nightclub**



Please see attached a map location of the premise and its surrounding neighbours highlighting residential properties as well as other clubs, pubs and bars that play music either pre recorded, live or other.

RED AREAS = OTHER BARS, PUBS, CLUBS THAT PLAY MUSIC WETHER LIVE OR RECORDED THAT EFFECT THE IMMEDIATE SURROUNDING RESIDENTS.

1. MANHATTENS NIGHTCLUB
2. THE LAMB INN
3. TAP NO.76
4. THE WHITE HART
5. THE QUEENS HEAD / CIROS NIGHTCLUB
6. THE BULLS HEAD
7. LOUNGES UK LIMITED

xxx = WE THE COMPANY, XXX BUNS LTD, APPLICANT PREMISES

BLUE AREAS = RESIDENTIAL PROPERTY'S

Objectives to prevent noise and nuisance in regards to local residents / neighbours.

1. **GLASS WASTE**
  - ANY / ALL GLASS WASTE WILL BE EMPTIED BEFORE THE HOURS OF 23:30 TO REDUCE THE TRAVELLING OF NOISE AT NIGHT TIME.
2. **MUSIC AMPLIFIED / UAMPLIFIED**

- ANY MUSIC THAT IS PLAYED ON THE PREMISE WILL BE PLAYED WITHIN THE RESPECTS OF LOCAL RESIDENTS AND NEIGHBOURS, ENSURING NOTHING CAN BE HEARD FROM THE PREMISE.
- MUSIC WILL PLAYED OUTSIDE (ON THE BALCONY AREA) WILL NEVER EXCEED 60 DECIBELS. (Standard conversation levels).
- BEING A RESTAURANT, MUSIC WILL BE PLAYED AT AN AMBIENT LEVEL AND WILL NOT DISTURB ANY SURROUNDING RESIDENCE.

### 3. **VOICE LEVELS**

- ANY PERSONS SHOUTING, SCREAMING OR BEING LOUD IN GENERAL WILL BE REMINDED BY DOOR SUPERVISORS OR OTHER TRAINED STAFF TO LOWER THE VOLUME. IF THE PERSONS PERSIST THEY WILL BE REMOVED AND REPORTED VIA PUB WATCH SCHEME OR TO LOCAL AUTHORITIES.
- VISIBLE SIGNAGE REQUESTING RESPECT FOR OUR NEIGHBOURS IN REGARDS TO NOISE LEVELS / DISTURBANCE.

### 4. **NUISANCE SMELLS**

- ALL WASTE WILL BE BAGGED AND TIED WITH REFUSE SACKS AND DISPOSED OF IMMEDIATELY FROM THE PREMISE TO AVOID BUILD UP OF ANY NUISANCE SMELLS.
- WASTE PLACED INTO OUTSIDE BINS WILL ALWAYS BE DOUBLE CHECKED TO BE SHUT.

### 5. **NUISANCE LIGHTING**

- ANY LIGHTS ON THE EXTERIOR OF THE PREMISE WETHER SIGNAGE, BALCONY LIGHTS OR OTHER SHALL NOT BE SO BRIGHT TO VISIBLY CAUSE STRESS OR NUISANCE TO ANY RESIDENTIAL PROPERTIES IN THE IMMEDIATE AREA.

\*A VIDEO REPRESENTATION OF SOUND LEVELS CAN BE PROVIDED.

## **CONCERN #4 PREVENTION OF HARM AGAINST CHILDREN**

Representations made -

There is a gym/boxing club situated on Bakery Court directly next door to these premises that provides exercise and training for children of all ages, many of whom gather outside the gym, beside the application premises outside balcony, before and after their training sessions. The Committee is concerned that children using gym will be subject to inappropriate comments & language from intoxicated customers of XXX Buns Ltd with the possibility of more severe harm.

## **ADDRESS #4 PREVENTION OF HARM AGAINST CHILDREN**

**“Although it is the licensee’s duties to ensure the safety of public and protection for children against harm it is not the licensee’s responsibility to supervise another business’s attendee’s and therefore down to the gym owner to provide a safe space(s) for children to be picked up / dropped off from by parents in regards to the children classes mentioned.**



**Whether before or after their training sessions it is also down to the gym owner to ensure that no child / attendee loiters outside or uses another business terrace as a 'climbing frame' or 'chill spot' out of respect for their neighbours and ensure they are collected by a parent/guardian accordingly.**

**That being said, it has been agreed upon by the gym owner himself and I, that he has no concern or objections regarding our application for a new premise licence.**

**This is simply down to, we plan to operate at times when the children's classes do not. (Please see current operating times below in red).**

**The idea that children will be exposed to any/more illicit material whether verbal or physical and more severe harm is groundless and can be applied or said to every and all pubs/restaurants that provision the sale of alcohol."**

### **MOTIV 8 KID'S CLASSES**

MONDAY, TUESDAY, THURSDAY, SATURDAY'S.

45 MINUTE SESSIONS

4:00PM, 4:45PM, 5:30PM.

SATURDAYS 11AM.

### **XXX BUNS LTD CURRENT OPERATING SCHEDULE**

TUESDAY - FRIDAY 5:00PM - 23:00PM

SATURDAY 2:00PM - 23:00PM

SUNDAY 4:00PM - 23:00PM

### **XXX BUNS SERVICE HOURS**

TUESDAY - FRIDAY 5:30 - 22:30PM

SATURDAY 2:00 - 22:30PM

SUNDAY 4:00 - 22:30PM

The above is reference to see we (XXX BUNS LTD) do not operate during the hours of the children's classes as agreed upon by the gym owner himself. Further more please refer to the objectives to receive clarification in regards to safety of children.

Objectives for the prevention of children against harm.

#### **1. CCTV**

- CLOSED NETWORK CCTV WILL OPERATE 24/7 COVERING ALL ANGLES OF THE INTERIOR AND EXTERIOR OF THE PREMISE.

- CCTV WILL RECORD DAILY FOR THE PURPOSE OF BEING ABLE TO GO BACK TO A SPECIFIC EVENT IF NEEDED AND BE HELD ON THE PREMISE FOR UP TO 30 DAYS.
- IF NEEDED, AT ANY POINT THE LOCAL AUTHORITIES CAN AND WILL BE GIVEN ACCESS TO THE CCTV FOOTAGE.
- CCTV WILL OPERATE IN CLEAR LIGHT, COLOUR & SOUND.
- CCTV CAMERA'S WILL BE ANGLED TO EASILY CAPTURE A PERSONS PROFILE AND FACE.

## 2. **DOOR SUPERVISORS**

- ACCREDITED & CERTIFIED DOOR SUPERVISORS WILL HIRED FOR THE DUTIES OF ENSURING SAFE CONDUCT WITHIN / OFF THE SURROUNDING PREMISE.
- DOOR SUPERVISORS WILL ENSURE ANY/ALL GLASSES ARE KEPT ON THE PREMISE.
- DOOR SUPERVISORS WILL ENSURE ALL ATTENDEES ARE CHALLENGED USING THE THE CHALLENGE 25 SCHEME
- DOOR SUPERVISORS WILL ENSURE THE REFUSAL OF ANY DRUNKEN PERSONS.
- DOOR SUPERVISORS TO BE TRAINED IN THE SAFE DEESCALATION OF SITUATIONS.
- DOOR SUPERVISORS WILL ENSURE EVERY PERSON IS FREE FROM ILLICIT DRUGS / WEAPONS. PERSONS CAUGHT WITH ANY ILLICIT DRUGS / WEAPONS WILL HAVE THEM IMMEDIATELY CONFISCATED AND PLACED INTO A LOCK SAFE & THE PERSONS WILL BE REPORTED TO AUTHORITIES. UNTIL THE AUTHORITIES ARRIVE TO SAFELY DISPOSE AND DEAL WITH SITUATION.
- DOOR SUPERVISORS WILL BE IN ATTENDANCE ON THE PREMISE DURING OPENING HOURS ACCORDING TO THE CONFIRMED OPERATING SCHEDULE.

## 3. **OPERATING TIMES**

- THE LICENSEE SHALL AGREE UPON WITH THE OWNER (LIAM PARKER) OF THE NEIGHBOURING GYM (MOTIV8), A CONFIRMED OPERATING SCHEDULE THAT BOTH PARTIES ARE HAPPY WITH IN REGARDS TO CHILDREN'S CLASSES.

## 4. **ACCESS TO THE PREMISE**

- ACCESS TO THE PREMISE WILL NOT BE GRANTED TO ANY PERSONS UNDER THE AGE OF 18. ALL PERSONS WILL BE REQUIRED TO PROVIDE PHOTOGRAPHIC GOVERNMENT ISSUED ID'S AS PART OF THE CHALLENGE 25 SCHEME.

## 5. **VERTICAL DRINKING**

- SIT DOWN CONSUMPTION OF ALCOHOL ONLY.

## 6. **NOTICES**

- NOTICES WILL BE VISIBLE ON BOTH INTERIOR AND EXTERIOR WALLS REQUIRING CUSTOMERS TO ALWAYS REMAIN IN AND LEAVE THE PREMISES IN RESPECTS OF OUR NEIGHBOURS.
- CUSTOMERS ATTENDING ON THE OUTSIDE TERRACE WILL BE VERBALLY REMINDED OF MAINTAINING NOISE LEVELS AND TO REMAIN RESPECTFUL OF OUR NEIGHBOURS.

## 7. **STAFF TRAINING**

- ALL STAFF TO RECEIVE FULL THOROUGH TRAINING IN THE FOLLOWING;

- WORKPLACE SAFETY
- SAFE HANDLING OF ALCOHOL
- CHALLENGE 25 SCHEME
- LOGGING OF ALCOHOL REFUSAL
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CONCERN #5 SUGGESTIONS TO LICENCE

<b>Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account.</b>	Limit alcohol licence to daytime only.
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“As an evening business, (other than a saturday) not only would it make no sense to only allow for a day time licence but rather contradictory to the concerns mentioned previously as this will cause us the company to have to operate at times when the children’s classes run in the gym located next door. If any ammendments are to be considered I would argue that we be granted a licence from 17:00pm until Midnight as there is no presence of children of any ages within those hours.”

\*PLEASE ALSO DO NOT HESITATE TO CONTACT ME FURTHER WITH ANY CONCERNS WITH REGARDS TO THE APPLICATION AND I WILL BE MORE THAN HAPPY TO PROVIDE ALL INFORMATION / DOCUMENTATION YOU MAY NEED TO ASSIST IN THE DECISION MAKING FOR THE APPLICATION.

Many Thanks,

Anthony Haslam

Director

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