



Appendix B

Leicestershire Police

Licensing Act 2003 – Representation in respect of New Premises 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:	Tigre Eyes Restaurant
Address of premises:	7 Abbey Street Leicester LE1 3TE
Application No. (if known)	112987

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 type="checkbox"/>

Please summarise your concerns about this application:
<p>Tigre Eyes Restaurant is located at 7 Abbey Street, Leicester. LE1 3TE.</p> <p>The restaurant is currently operating as a small, family run restaurant offering a selection of traditional Romanian dishes as well as western style fast food. The restaurant offers both a sit down in-house and takeaway food service.</p> <p>The restaurant is currently closed on a Monday but opens Tuesday to Sunday between 10am to 8pm.</p> <p>The restaurant's capacity is approximately 30 customers with tables and approximately 40 customers without. The premises are currently open to the public but are also available for private hire.</p>

Tigre Eyes is located next door to Venom nightclub which is a medium sized nightclub and has licensing hours of between 11am to 3:30am (Sunday to Thursday) and 11am to 5am (Friday and Saturday). The premises is open occasionally throughout the week depending on the time of year, but is open most Friday and Saturday night's.

The Fan Club nightclub is located a short distance away, across the street from Tigre Eyes. The Fan Club is again a medium sized nightclub and has daily licensing hours between 9am to 6am. However, the premises only opens Friday and Saturday nights, and closes between 3am to 5am.

Platinum Lace gentlemen's club at 1 Abbey Street has a 7 day a week, 24 hour licence, however predominately opens between 8pm to 6am.

Leicester City Centre's two largest capacity and busiest nightclubs known as Club Republic and Blueprint / Arkade are located a short distance away.

Other nightclubs and late night drinking establishments also exist within proximity to Tigre Eyes.

Tigre Eyes is located within the Church Gate cumulative impact zone or commonly known as the CIZ or Saturation Zone, as set out in the Leicester City Council's own statement of Licensing Policy November 2015.

The Church Gate area CIZ covers the area that is within and borders, Belgrave Gate, Church Gate, Burleys Way and Abbey Street. The area covers the streets within the above square area, but also covers the other side of the street.

Hence, Tigre Eyes Restaurant is located on the far edge of the CIZ. Venom nightclub located next door is actually located on the Abbey Street / Belgrave Gate CIZ corner.

Leicestershire Police's incident and crime recording systems shows that violent crime linked to alcohol consumption rises significantly late at night and in the early hours of the morning. This trend is magnified at weekends.

The last reported crime at the Tigre Eyes Restaurant was in September 2016 and was a result of two customers exiting The Fan Club nightclub and damaging the door.

The existing owners and thus the applicant state that they purchased the business in the summer of 2018.

In the last six months, thus since 04/08/2018, there have been twelve reported crimes on Abbey Street.

On Sunday 9th September 2018 at 00:44 hours, a male was arrested for shouting and swearing on Abbey Street in view of other members of the public. The male was arrested and charged with a public order offence. See crime number 18000430241.

On Sunday 16th September 2018 at 03:34 hours, a victim was assaulted (common assault injuries) at a bus stop on Abbey Street, however the victim refused to co-operate and due to no other evidence the crime was filed no further action. See crime number 18000447179.

On Saturday 22nd September 2018 at 22:30 hours, a male assaulted (common

assault injuries) a police officer on Abbey Street. The male was arrested and later charged with being drunk and disorderly in a public place and assaulting a police constable. See crime number 18000454837.

On Sunday 23rd September 2018 at 04:10 hours, a male exits a nightclub on Abbey Street shouting and swearing. The male continued to shout and swear despite being warned by officers and was arrested. The male was issued with a community resolution. See crime number 18000455101.

On Sunday 23rd September 2018 at 03:33 hours, a victim was assaulted (ABH injuries) on Abbey Street by an unknown suspect. However, the victim refused to make a formal complaint the crime was filed no further action. See crime number 18000455182.

On Sunday 14th October 2018 at 02:00 hours, a victim was involved in a verbal altercation with another inside an Abbey Street nightclub and resulted in him being assaulted (ABH injuries) / struck by a bottle causing a laceration. Crime filed no further action due to a lack of evidence. See crime number 18000493414.

On Sunday 16th December 2018 at 03:32 hours, a victim is assaulted (common assault injuries) inside an Abbey Street nightclub following a verbal altercation. The crime was filed no further action due to a lack of CCTV. See crime number 1800608673.

On Sunday 23rd December 2018 at 04:45 hours, a police officer witnessed a male push over a female on Abbey Street resulting in common assault injuries. The male was arrested and charged. See crime number 1800621205.

On Saturday 5th January 2019 at 02:22 hours, Leicester City Council CCTV operator observes a fight outside an Abbey Street nightclub. Police attend and arrest a male who is later charged with a public order offence. See crime number 1900005282.

On Saturday 26th January 2019 at 05:34 hours, a male alleges that his girlfriend was assaulted (common assault injuries) outside an Abbey Street nightclub. However, the victim and witness provided false details and no investigation was conducted. See crime number 19000043188.

On Saturday 2nd January 2019 at 01:15 hours, following an altercation inside an Abbey Street nightclub a glass is thrown by an unknown person into the crowd resulting in ABH injuries. However, as there was no CCTV of the incident the crime was filed no further action. See crime number 19000055363.

On Saturday 2nd January 2019 at 05:17 hours, a victim was assaulted (common assault injuries) outside an Abbey Street nightclub. The crime is currently under investigation. See crime number 19000055084.

The fact that the new application wishes to remain open until 11pm between Sunday to Thursday and midnight on Friday and Saturday, will result in a short cross over period with the night time economy trade which starts from 7pm. The other licensed premises on Abbey Street tend to open and attract customers from 10pm/11pm.

The proximity of Tigre Eyes to other licensed premises within the immediate area will mean that customers will mix with other night time economy customers, which in turn will increase the likelihood of crime and disorder, public safety and public nuisance.

On Wednesday 19th December 2018, a licensing committee hearing was held at City Hall for the same premises. The applicant's application was refused by the committee.

This new application is therefore an amended application submitted by the same applicant in 2018 in regards to the same premises. The new application differs from the previous due to the reduced opening hours, the sale of alcohol for the consumption on the premises only, improved CCTV operating schedule and the premises refusal to allow customers to bring their own alcohol for consumption on the premises.

The new proposed opening times between Sunday to Thursday is 10am to 11pm and 10am to midnight on Friday and Saturday.

The original application was seeking to remain open until 3am at the weekend.

The new application is for the sale of alcohol for the consumption on the premises only. Hence, the original application applied to offer alcohol as part of its takeaway service.

The new application includes a detailed CCTV operating schedule, which includes both internal and external CCTV camera's, additional camera's to cover the whole ground floor area of the premises, 28 day retention policy, coloured CCTV imagery and footage that can be viewable and accessible through the applicant.

The applicant Alina Axinte and Anil Bhawsar from Greenhill Licences were invited in and attended Mansfield House police station on Wednesday 30th January 2019, to discuss the new application. The exact details of the application were discussed. The applicant and agent confirmed both in person and later in an email that customers will not be permitted to bring alcohol not supplied by the premises onto the premises for consumption.

The new application has requested that the ground floor to be licensed. (Please see the sketch plan on the application). The applicant has stated that the first floor / upper floor is and will be used as a store room but could be used later dependant on the success of the business. Leicestershire Police have concerns that the size of the venue could increase significantly and as the sales of alcohol only refers to the ground floor area, then the upstairs could be used to consume alcohol. In order to limit this Leicestershire Police would seek to cap this by adding an additional proposed agreement condition, preventing alcohol being sold or consumed on any floors other the ground floor of the premises.

The other proposed draft licence agreement conditions are to enforce the licensing objectives and reduce the likelihood of potential crime and disorder, public safety and public nuisance.

The new application addresses the concerns raised in the original application and addresses the issues that arose from the committee hearing in 2018.

However, the fact remains that Tigre Eyes Restaurant at 7 Abbey Street, Leicester - is still located within the cumulative impact zone.

Any new licenced premises will have a footprint and will result in an increase in crime

and disorder, whether it is one incident or more over a period of time.

Leicestershire Police object to the application based upon the fundamental principles of the licensing objectives inference to the prevention of crime and disorder, public safety and the prevention of public nuisance.

If the committee decides to grant the application the Police respectfully request that the following conditions be considered for inclusion on the premises licence.

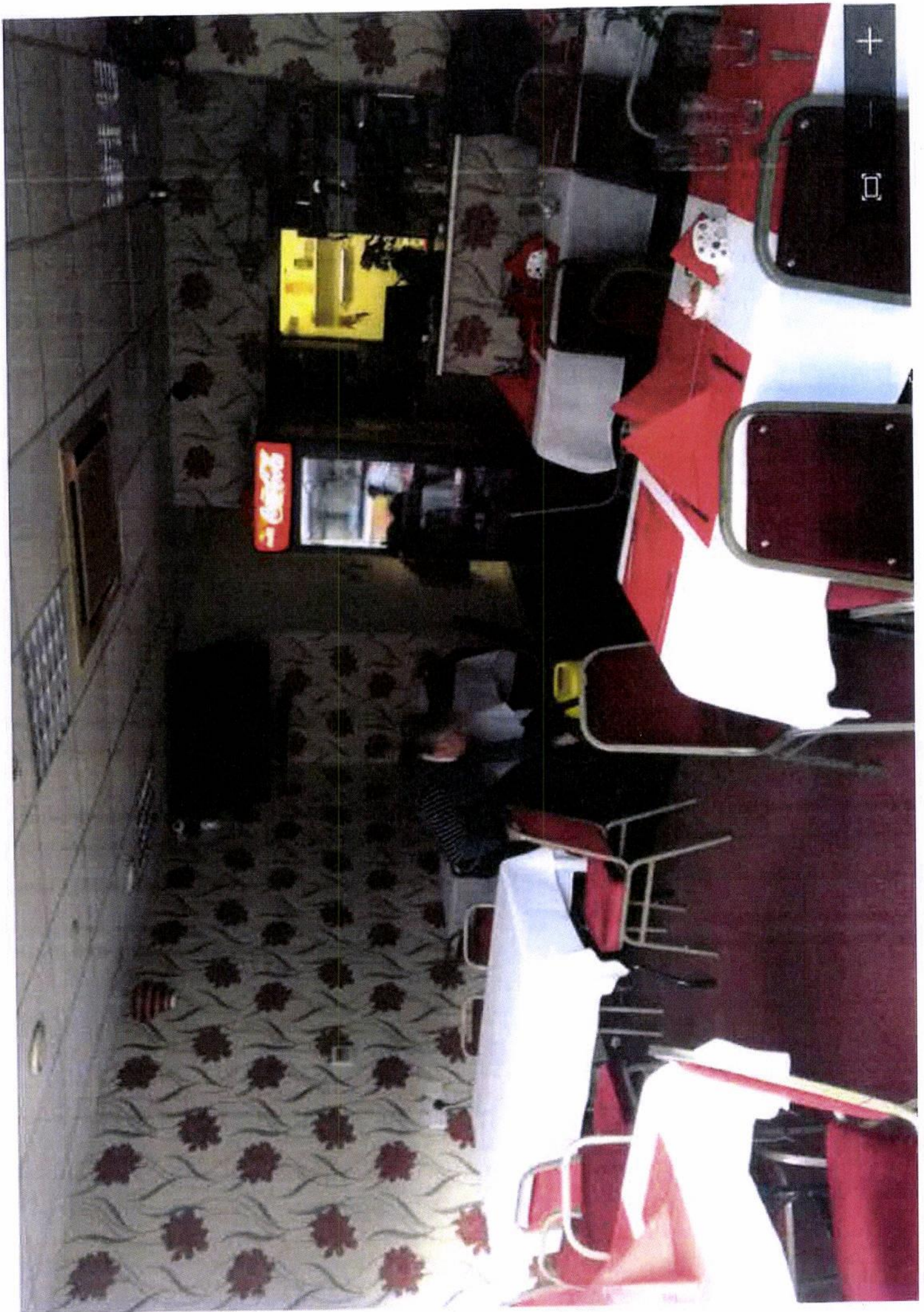
Conditions

1. CCTV to be installed as indicated in the application sketch plan and recording whilst the premises are open to the public.
2. CCTV must be retained for a minimum of 28 days.
3. CCTV to be accessible in a viewable and recordable format to the Police and Local Authority within 72 hours of being requested.
4. An onsite member of staff must be present who can operate the CCTV recording system whilst the premises is open to the public.
5. A 'Challenge 25 Policy' to be adopted and enforced in line with the British Beer & Pub Association (BBPA).
6. Alcohol to be consumed on the premises only.
7. Customers are not permitted to consume/supply their own alcohol whilst on the premises.
8. Smoking to the front of the premises onto Abbey Street will not be permitted.
9. No more than five persons allowed to smoke outside / to the rear of the premises at any one time.
10. No customers to remain on the premises after the hours that the premises are permitted to remain open to the public.
11. All external doors to be closed with the exception of entry/exit, whilst live music and recorded music is being played at the premises.
12. Alcohol only to be sold and consumed on the ground floor part of the premises only, as indicated on the applicant's application for the premises licence sketch plan.

Nigel Rixon
Licensing Manager

7th February 2019





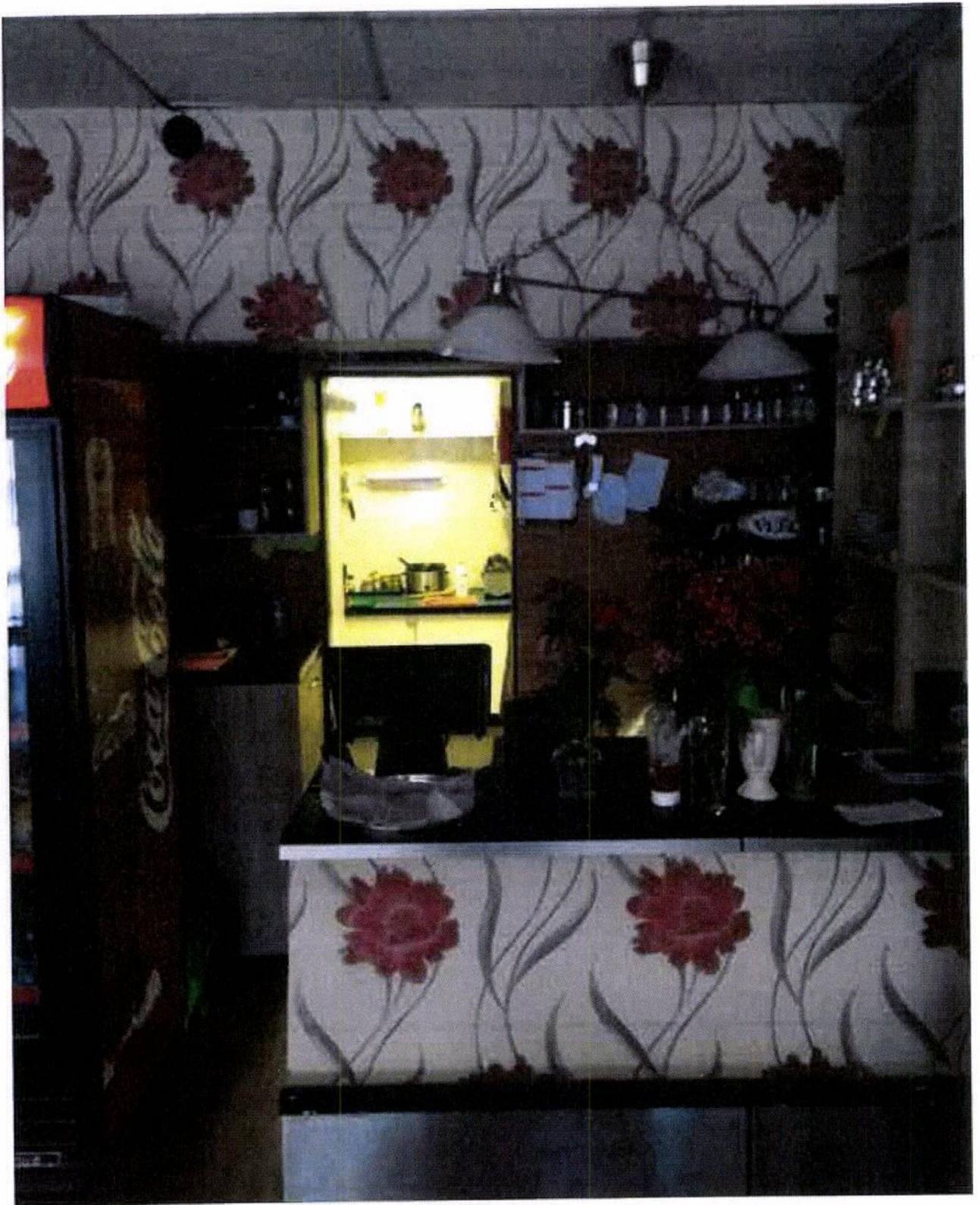


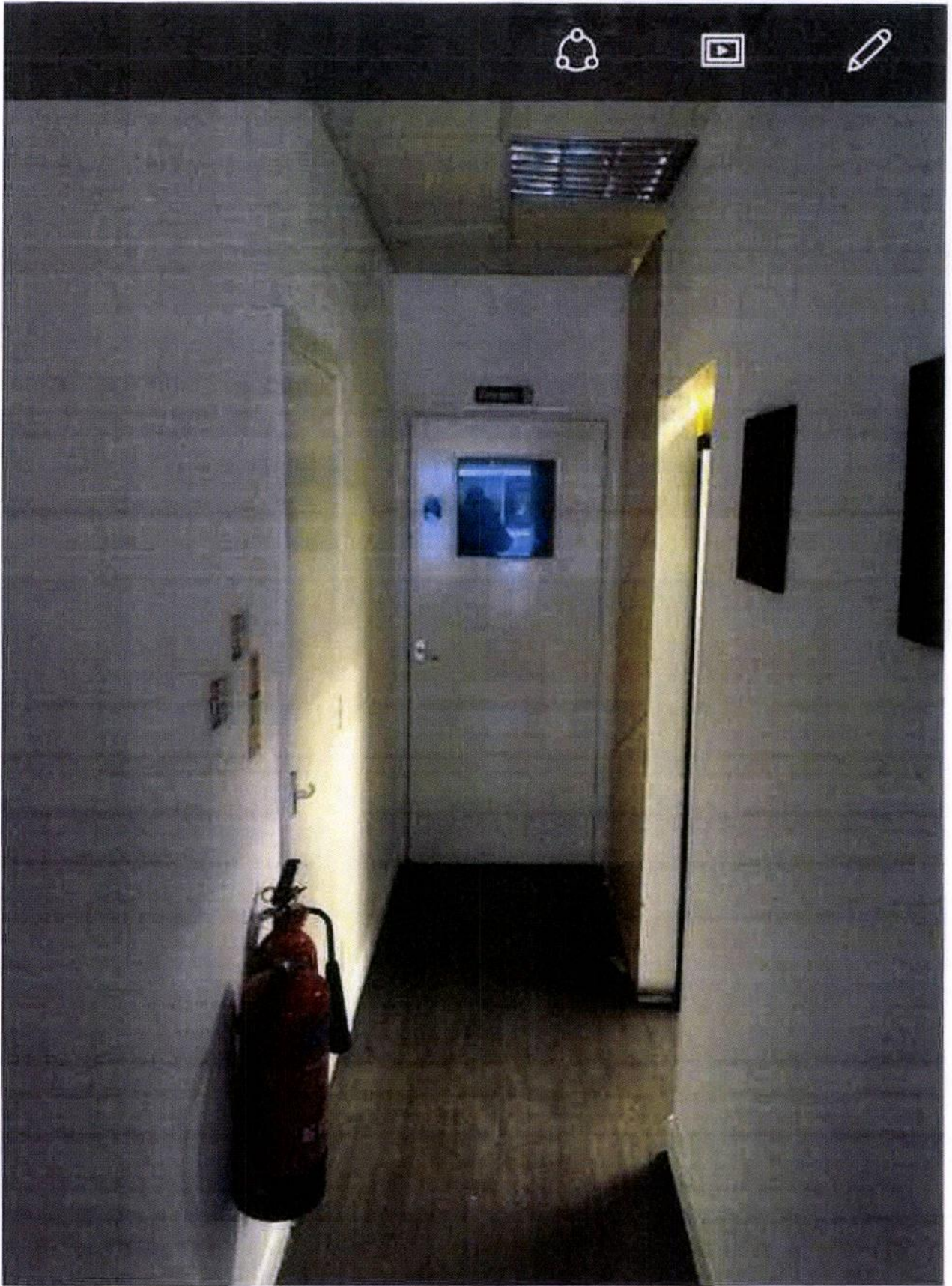
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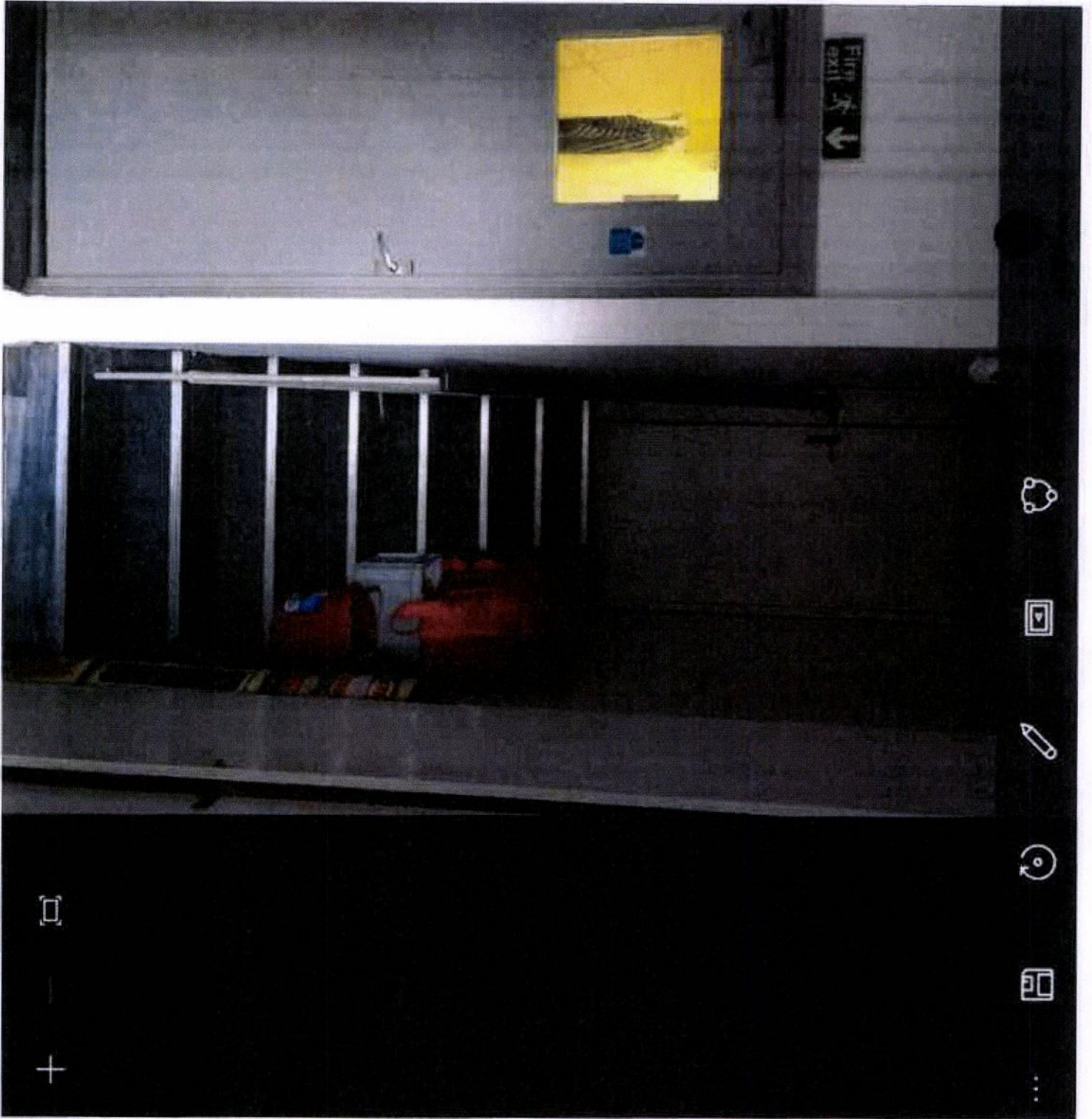
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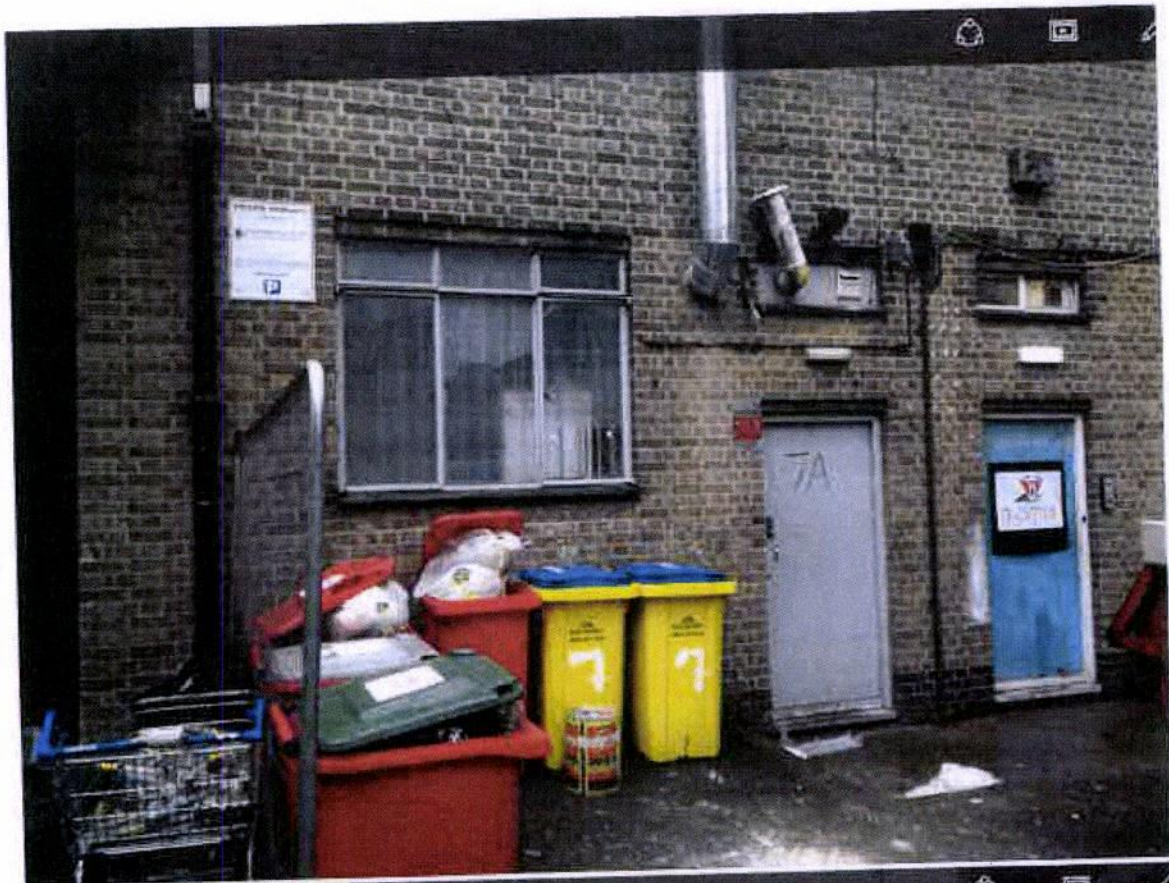
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