



**Leicestershire  
Police**  
Protecting our communities

City Licensing Unit  
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## Leicestershire Police

### Licensing Act 2003 – Representation in respect of New Premises Application

#### Details of person or body making representation

Your Name:	PC Jonathan Webb
Your Address:	Force Licensing Department, Mansfield House, 74 Belgrave Gate, Leicester LE1 3GG

#### Details of premises representation is about

Name of Premises:	Efes Mangal
Address of premises:	26 – 36 Braunstone Gate Leicester LE3 5LG
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 type="checkbox"/>

#### Please summarise your concerns about this application:

I write in my capacity as a licensing officer for the Leicestershire Police on the authority delegated to me by the Chief Constable.

My representation relates to the licensing objectives of Crime and Disorder, Public Safety & Prevention of Public Nuisance

I am satisfied that to allow the premises to be used in accordance with the application in its present form would undermine the above licensing objectives.

This is an application to bring together 2 premises under one licence effectively increasing the hours one side of the premises could provide licensable activities including the sale of alcohol.

Leicester City Council has adopted a Special Policy in relation to applications for **new licences** and material variations in this Cumulative Impact Area. The effect of this policy is set out in the Council's current policy.

Paragraph 4.13 of that policy states:

“The effect of the special policies will be to create a rebuttable presumption that applications for new premises licences or club premises certificates, or material variations, will normally be refused. It will be for the applicant to demonstrate that the premises will not add to the existing cumulative impact. Applicants will need to address this matter in their operating schedules.”

This application is to join premises previously known as the Cork situated at 26 – 30 Braunstone Gate and the applicants current restaurant Efes Mangal at 32 – 36 Braunstone Gate.

Were the application to be granted in its present form it would allow this enlarged premises to operate until 0100hrs every day whereas the present licence for 26 – 30 Braunstone Gate has a terminal time of 2300hrs.

It would allow the premises to become a ‘nightclub’ rather than a restaurant which would have a more significant impact on the cumulative impact area.

The proposed Designated Premises Supervisor has an unspent conviction for a drink drive offence effectively banning him from driving until 20<sup>th</sup> February 2016.

The application shows the cumulative impact policy has been considered however it has failed to show within the operating schedule how they would prevent adding to the existing cumulative impact.

Following the submission of the application PC1790 Webb has met with the applicant who has shown a willingness to work with the Police and Authorities.

The purpose of this representation therefore is to engage the discretion of the licensing authority in considering the Councils own policy in relation to the cumulative impact policy.

Should the Committee decide to grant this licence and whilst not wishing to restrain the committee’s decision the Police request that the following step and conditions be considered to both promote the Licensing objectives and prevent the premises adding to the cumulative area.

The removal of the proposed designated premises supervisor.

1. The licence holder will ensure that CCTV is installed following advice from the Leicestershire Police and maintained in accordance with the Information Commissioners CCTV Code of Practice. Images will be kept for a minimum of 28 days.

2. The licence holder will ensure recordings are maintained at all times the premises are open to the public and that at least one member of staff is available on the premises who is trained in its operation to provide images to the Responsible Authorities and police.

3. The licence holder will ensure substantial food and non-alcoholic beverages shall be available during permitted hours.
4. The licence holder will ensure at least 80% of the floor space of the area where alcohol is consumed shall be covered with tables and chairs.
5. The licence holder will ensure there shall be no customer controlled music or flashing lights.
6. The licence holder will ensure no amusement machines are on the premises.
7. The licence holder will ensure that all staff, paid or unpaid, will receive training relating to Responsible Alcohol Retailing and the Licensing Act 2003 which will include preventing under-age sales, proxy purchasing, serving to drunks and conflict management. This training will be documented, completed annually and signed for on completion by the trainer and trainee.
8. The licence holder will ensure no open bottles or glasses are to be removed from the premises
9. The licence holder will ensure that prominent, permanent, clear and legible notices must be displayed at all exits requesting customers and staff to respect the needs of local residents by keeping noise to a minimum when leaving the premises.

PC1790 Jonathan Webb

15<sup>th</sup> September 2015