

Dear Sirs,

I write to strongly **OBJECT** to the above Application.

My objection is based on the following licensing objectives:

- The prevention of public nuisance;
- Public Safety
- The prevention of crime and disorder.

As to the substance of my Objection, the grounds remain ***the same*** as the previous license application and appeal for these premises. Unfortunately, on that occasion, the Council consented to judgement and did not contest the Appeal. I now attach my Witness Statement for that Appeal which sets out fully the grounds of my objection, which, as noted, remain relevant in this case.

I consider that the Applicant is taking advantage of the weak and credulous position adopted by the Council in response to the previous Application and Appeal and is now trying to further stretch the licensing hours without any prior testing of the impact of those ***previously*** agreed. I consider that the Council's previous decision was weak and manifestly failed to protect the amenity and safety and security of local residents and appears to be based on an illusory, unrealistic and untenable aspiration about the Town's so-called 'night-time economy'.

Please acknowledge receipt of this objection to the Premises Licence at your earliest convenience and confirm that my objection (including the attached Witness Statement), will be reported in full to the Licensing Committee.

Yours faithfully,

Antony Peter Aspbury
1-5 Millgate,
Newark,
NG24 4TR

Witness Statement

(Criminal Procedure Rules, r 16 2: Criminal Justice Act 1967, S9)

Licensing Appeal in respect of the former Corn Exchange, Castle Gate, Newark, Nottinghamshire

Statement of: Antony Peter Aspbury

DoB: XX/XX/XXXX Age XX

Occupation: Spatial Planning Consultant (Director)

My name is **ANTONY PETER ASPBURY** and I live at **Nos. 1-5 Millgate, Newark** – some two hundred metres or thereabouts from the premises in question - where I have resided for 38 years. I am familiar, therefore, with the recent history of the former Corn Exchange as a licensed nightclub in various formats.

In that time the premises have been a constant source of problems for those unfortunate enough to live near them. Throughout its operation, by a succession of different proprietors and in a variety of formats, there have been persistent manifestations of criminal and anti-social behaviour and (sometimes violent) public disorder. Despite repeated denials and assurances by successive operators, the area in the vicinity of the premises has been subject late night/early morning noise and disturbance, rowdiness, fights and altercations, obscene abusive language and other intimidating behaviour mostly occasioned by drunkenness. The perpetrators were both men and women, the latter often being the most threatening. The windows at the front of my property – which is right on the footway in Millage – have been repeatedly smashed over the years, or smeared with food and, from –time-to-time, excrement. One of my doors which is inset was habitually used as a toilet, being regularly soiled by vomit, urine and excrement. These incidents occurred several times a year when the premises were open.

Given their evidently reckless and literally irresponsible disposition and their state of extreme intoxication (evidently with both alcohol and drugs), any attempt to prevent this activity by residents or passers-by, including myself, resulted in violent threats and physical and verbal abuse and intimidation. Some years ago, one of my sons, when a teenager, was chased and assaulted by a gang who had debouched from the premises in question.

These appalling conditions peaked when a second late-night drinking establishment – known as The Atrium – opened on the corner of Castle Gate and Lombard Street. Both establishments seemed to be a honeypot for the Town's worst criminal and anti-social elements – who roamed between the two, with little effort on the part of the proprietors of either establishment, or their staff, including doormen, to mitigate or regulate or their behaviour. Thus, there appeared to be little or no attempt to prevent patrons from becoming severely drunk, and little real concern for their actions once they had left, or been ejected from, the premises.

Over this time existing and prospective licensees have been much given to expressions of regret, to the shedding of crocodile tears and to assurances that things would change for the better under their management, but so long as the premises were open there was never any improvement. (Continued on Page 2)

Signature

Date: 30/11/2021

In my submission the Corn Exchange is simply too large a venue and its size and capacity is an inherent cause of the problems I have described above, especially in the context of a small town like Newark.

Without an attraction like this there is, I believe, a better prospect of dispersing the worst unruly elements amongst the numerous smaller pubs and other licensed establishments around the Town Centre.

The problems this establishment causes are also exacerbated by the late licensing hours, which automatically attract patrons who in all probability have been drinking (there or elsewhere) beforehand and are already intoxicated or are well on the way to being so.

Finally, whilst I make no criticism of individual officers, who do the best they can in very difficult circumstances, the fact is that the **police** establishment in the Town is very low (frankly wholly inadequate) and is severely stretched by competing demands, especially at the weekend and late at night. In my experience, because the few available officers are stationed immediately outside the offending establishment or deployed elsewhere in the Town Centre, they are largely ineffective in preventing the sort of behaviour I have described and in apprehending the perpetrators.

I would therefore urge the Magistrates to dismiss this Appeal.

This Statement (consisting of two pages signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything that I know to be false or do not believe to be true.

Signature

Date: 30/11/2021