

Subject: WAGS Leisure LTD, Madisons and Lounge Bar & Bistro39A Carter Gate
NewarkNG24 1UA - variation of premises licence

Dear Nicola

We request that this licensing variation is rejected by the committee.

Whilst these premises would seemingly be at a safe distance from the Millgate area, there is the potential for cumulative impact on this community of late night premises in the town. Our concerns are based on our lengthy experience of contravention of all four Licensing Objectives:

- (a) the prevention of crime and disorder
- (b) public safety
- (c) the prevention of public nuisance
- (d) the protection of children from harm

Premises patrons often travel home along this route, frequently moving on from late-night food outlets in a less than considerate manner to residents who are trying to sleep. The incidence of overly-loud voices, shouting, swearing, arguments, fights, vomiting, urinating, defecating and sexual acts has a direct correlation to the closing time of town centre establishments. It is unheard of to have to contend with such infringements during waking hours.

Regarding Public Safety, a significant consideration in current times is how a business manages the threat of Covid-19. We request the committee to closely question how the applicant will uphold public safety in this respect.

We rely on this committee to support a night-time economy that works harmoniously with the needs of those living in the town. The committee plays a key strategic role in sustaining the economic health of Newark by being guardians of the legal standards we would all want businesses to aspire to. Please do not put extra pressure on the Nottinghamshire constabulary to police an outbreak of these anti-social occurrences by permitting this variation. We are the ones who suffer when the committee gets it wrong.

Regards
Sue Pickles
For Millgate Conservation Society

From: Mathew Skinner
Sent: 13 August 2020 09:23
To: request <request@newark-sherwooddc.gov.uk>
Subject: Re: Premise variation application - Madisons, 39A Carter Gate, Newark

As a ward member for NSDC and NTC, I would like to object to this application for the following reasons;

- The location of the premises to open until the proposed times isn't appropriate, as we have seen a number of recent cases of anti-social behaviour resulting from customers of the premises and other incidents along Carter Gate including the vandalism to the planters provided by the council.
- The location also doesn't co-ordinate with other licenced premises in the town, how can the Police be effective on both Castle Gate and also on Carter Gate at the same time. I believe their limited resources can't be spread so thin.
- There is a number of people who live above retail units along that road and adjacent roads who would be greatly impacted by this application particular with regards to public nuisance.
- With regards to public nuisance, also located directly opposite will be the new Travel Lodge hotel and the hostel is at the rear of these premises, they can't choose to reside elsewhere.
- In the interests of public safety, nowhere close to this establishment is a taxi rank, therefore young vulnerable people could be put at risk trying to locate a safe way to get home at that time of the morning. Further resulting in crime and disorder.
- The establishment to my knowledge isn't a member of Newark Pub watch, if they were that would ensure that crime and disorder doesn't take place by customers of the premises who are likely to commit offences as they would be refused entry etc;

If this application is approved, I would certainly wish to see investment by the applicant in high quality (HD) CCTV in the area, both covering the public highway but also extensively throughout the premises.

Regards,

Mathew

Sent from [Workspace ONE Boxer](#)

Notification to Licensing Authority of Representation under Licensing Act 2003

1. Name of Responsible Authority making representation:

- a. Your name: **C Ansty**
[Senior Licensing Officer, County Licensing for and on behalf of the Chief Constable]
- b. Your address: **HQ (CJ) Liquor Licensing**
Mansfield Police Station
Great Central Road
Mansfield
Nottinghamshire
NG18 2HQ
- c. Your phone number: **101 extn 3104862**
- d. Your e-mail address: **kate.ansty4862@nottinghamshire.pnn.police.uk**

2. Please identify the application you wish to make a representation about.

- a. Name and address of application premises:
Madisons Bar & Bistro
Carter Gate
Newark
Nottinghamshire
NG24 1UA
- b. Nature of application: **Vary a Premises Licence**

3. Which of the licensing objectives does your representation relate to? Please delete as appropriate ².

- a. **The Prevention of Crime and Disorder.**
- b. **Prevention of Public Nuisance**
- c. **Protection of Children from Harm**

Details of the representation(s)

4. Please give details of your representation(s) including details as to why you feel the application would be unlikely to promote the objective(s) you have ticked above and including as much evidence as possible in support of your representation. Please continue on a separate sheet if necessary.

The application is for a variation of a premise licence for a building known as the Madisons Bar and Bistro. The variation requests licensable activities to be granted which include, films, recorded music, performances of dance, late night refreshment, and the supply of alcohol for sales on the premises.

The Madisons Lounge bar and bistro is located within Newark Town Centre, with a narrow area to the rear right of the building used for a smoking area. Newark has a moderately busy night time economy; this accommodates a number of other licensed premises within a small concentrated area. Premises within the area cater for the consumption of alcohol, dancing and late night refreshment.

Having had regard to the nature, style and location of the premises, the Police have concerns over the increase in alcohol related anti-social behaviour, crime, disorder and nuisance that the grant of this premises licence as submitted, will inevitably cause.

The nature of late night bars and nightclubs creates problems of crime and disorder. This type of venue attracts patrons later in the evening, many of whom have been drinking alcohol in the pubs and bars within the town centre. People have a tendency to become more disorderly and anti-social as the night progresses on account that they become increasingly intoxicated and therefore prone to engage in disruptive behaviour.

Although there is a taxi rank situated on Castlegate which is approximately 0.3 miles (5 minute walk) from the premises, this operates from 2000 hours until 0600 hours, Nottinghamshire Police do not feel that this alone is sufficient to disperse customers when the venue closes at the proposed time of 0430 hours on a Saturday and Sunday morning, when the venue will have been at its busiest. Newark Town centre does not have any night time guardians working until 0300 hours often seen in larger cities where nightclubs are prominent; these would include Police Officers working a dedicated night time economy shift, street pastors, community protection officers and Street Marshals.

With no night time guardians to support those that are vulnerable, intoxicated and need help getting home, Nottinghamshire Police are of the opinion that Newark Town centre has no infrastructure to support licensed premises opening past 0300hrs and therefore to grant this application as it is submitted would lead to vulnerabilities, nuisance, and crime and disorder.

Newark and Sherwood District Council's statement of licensing policy states at 2.1 in exercising their functions under the licensing act 2003, licensing authorities must have regard to the licensing objectives as set out in section 4 of the Act.

Newark and Sherwood District Council's policy also states at 2.6 the promotion of the licensing objectives is paramount consideration for the authority.

A site visit took place on Wednesday 29th July 2020 with the Premise Licence Holder at the request of Nottinghamshire Police in order to better understand the proposals requested by the applicant, Michael Kheng, on behalf of Kurnia Licensing Consultants Ltd. We were informed at the meeting the intentions to extend the hours and amend and remove certain conditions on the premises licence. The intention was to create a new identity for the night club and the Gin bar. The applicant stated that the current busiest part of the evening was

between midnight and 0130hrs, although the premise was only holding half the normal capacity at this time. Concerns were raised with regards to the risk assessment of Door supervisors by the Premise Licence holder in relation to the Gin bar, which has direct access to the night club.

Nottinghamshire Police have concerns with regards to incidents and reports related to this premises of underage accessing alcohol in the premises, violent disorder, assault on staff, numbers of door supervisors and reports of drunk and disorderly, which under minds Crime and disorder objective.

Nottinghamshire Police, are of the opinion that this application in its entirety does not promote the licensing objectives, in particular the prevention of public nuisance and the prevention of crime and disorder, and will add to the cumulative and negative impact already experienced in the Town Centre in respect of the later times requested for licensable activity to take place, mainly the sale of alcohol.

On considering all of the above, the Police are of the opinion that this particular application does not promote the licensing objectives.

In view of this, it is the opinion of the Police that the only way that this premises will not have a negative effect and will not undermine the licensing objectives, is if the conditions listed below and the times for licensable activity to commence and cease, are placed on the premise licence.

The Police reserve the right to:

- bring further evidence of the Licensing Objectives being undermined to any subsequent panel hearing and to provide live oral evidence to this effect.

5. If you are suggesting that conditions should be attached to any licence granted please give the wording of the proposed condition(s) and state why you feel they are necessary and proportionate. Please continue on a separate sheet if necessary.

Prevention of Crime and Disorder & Prevention of Public Nuisance

Two SIA registered door supervisors shall be on duty on Friday and Saturday evenings from 2000 hours, and if the rear area, the area within the blue line marked on the plan for the premises licence, is open a further two SIA registered door supervisors shall be on duty from 2200 until the premises close. This condition may be disapplied/applied or amended by written agreement with the Police at least 2 working days prior to the date and time of the disapplication/application or amendment of such a written agreement retained at the premises.

A minimum of five suitably trained and licensed SIA door supervisors shall be on duty on Bank Holiday Sunday's, Valentine Day, Boxing day and New Year Eve from 2200 until the premise close

A door supervisor to wear and operate a body worn camera with the facility to record footage on Friday and Saturdays from 2000 hours until the premise close unless otherwise agreed in writing with the Police.

It is considered by Nottinghamshire Police that the request for the above number of Door supervisors is required for the venue, due to the size and lay out of the premise, this takes into account, an entrance from the Gin bar direct to the rear night club area, the rear smoking area, balcony and entrance to the night club.

No persons shall be permitted to remove open vessels from the premises, other than to the designated smoking area at the rear of the premises or customers who may be seated at any tables immediately outside the front of a premise that belong to the premises from opening until 2000 hours on any day of the week.

Nottinghamshire Police would also like to propose the following times for the requested licensable activity:

Films

Saturday and Sunday 0200 – 0300

Recorded Music

Saturday and Sunday 0200 – 0300

Performances of Dance

Saturday and Sunday 0200 – 0300

Late night refreshment

Saturday and Sunday 0230 – 0300

Supply of Alcohol

Saturday and Sunday 0200 – 0300

Hours open to the Public

Saturday and Sunday 0230 – 0330

6. Please indicate any parts of the Licensing Authority's Statement of Policy that you feel may be relevant to your representation ³.

Indication of those relevant parts will be given in addition to those above, in a Panel Hearing.

7. Please indicate any parts of the Guidance issued under S 182 of the licensing Act 2003, which you feel may be relevant to your representation ⁴.

Indication of those relevant parts will be given within a Panel Hearing.

8. As you have made a representation the Application may need to be determined at a hearing of the Licensing Committee or one of its Panels. At this stage would you intend to attend such a hearing⁵? Please circle as appropriate.

Yes

No

9. If you intend to attend any hearing that may be held it would be helpful at this stage if you could give an indication as to how long you think you would need to make your representation(s).

Not Known

Signed: C Ansty [Senior Licensing Officer, County Licensing, for and on behalf of the Chief Constable]

Date: