



**Lancashire
Constabulary**

police and communities together

Licensing Unit, Preston Ops Centre,
Lancaster Rd North, Preston, PR1 2SA
Telephone (01772) 209785
centrallicensing@lancashire.police.pnn.uk

5th February 2019

Dear Sir/Madam,

APPLEJAX – Back Mount Street, Chorley

We are in receipt of a TEN applications for this as follows:

16/02/19 – 17/02/19 2200-0600

23/02/19 – 24/04/19 2200-0600

02/03/19 – 30/02/19 2200-0600

I wish to make the following representation on behalf of the Chief Officer of Police.

The premises license for Applejax provided for the sale of alcohol 8pm – 3:30am
Thursday to Saturday with a closing hour of 4am

There have been three recent granted TEN applications for AppleJax as follows

10pm 15/12/2018 – 6am 16/12/2018

10pm 21/12/2018 – 6am 27/12/2018

10pm 29/12/2018 – 6am 01/01/2019

It is recognised by police that many venues do seek extensions around Christmas and New Year. Our Town Centres will inevitably be busy. These TENs provided for a later than usual start and finish time and followed consultation between the venue and Lancashire Police. They were in the Christmas / New Year period when police resources had already been diverted to work extended hours to police the night time economy throughout Lancashire. They represented an opportunity for the venue to make some revenue after an extended period of closure.

It was understood that Applejax would then close for a thorough refurbishment during which there would be steps to find a DPS and a takeover of the premises licence. This does not seem to have happened and we are back to the situation of the venue seeking TENS to take them through another few months and they are seeking to open until

6am during the rest of the year. The established hours for Applejax is a finish time of 4am.

In relation to the extended opening hours TENS over Christmas and the New Year, they did not pass without incident. There were three incidents as follows :

23/12/2018 Early hours Male member of staff Charlie WINYARD assaulted by customer requiring butterfly stitches to eye at hospital.

25/12/2018 04:03 hrs MALE ARRESTED OUTSIDE DRUNK AND DISORDERLY HAVING BEEN EJECTED BY STAFF.

30/12/2018 04:03 hrs Call from AppleJax to police "2 MALES FIGHTING WE HAVE SPLIT THEM UP BUT THEY ARE VERY AGGRESSIVE . NO ONE INJURED . NO WEAPONS . ONE MALE 18 YRS OLD ONE MALE 30 YRS . THEY ARE BOTH REFUSING TO MOVE ON . WE NEED THE POLICE HERE TO ASSIST"

All three are of concern but I note that the call to Police on 30th December 2018 indicated that things had escalated at the premises to the point where they needed police assistance.

There is no additional police presence planned in Chorley beyond the normal NightSafe patrols during February or March 2019. There is no capacity to lay on additional patrols to accommodate these TENS running to 6am which will inevitably result in hundreds of highly drunken customers and the nuisance, disorder and crime that inevitably comes with that

Given what happened with the Christmas / New Year TENS I must register an objection to the proposed TENS on the following grounds

Prevention of Crime and Disorder based on the incidents detailed above where the venue had a member of staff hospitalised and had to call in police assistance. Also a male ejected onto the streets so drunk and disorderly that police had to arrest him.

Securing Public Safety – The TENS do not contain any information as to security and safety arrangements where a crowd of 450 are expected to be drinking in the premises until 6am. There is already evidence above that during the Christmas / New Year TEN, the premises was unable to cope on one occasion and had to call in police.

Should you have any queries in relation to any of the matters outlined above then please do not hesitate to contact the Licensing Unit.

Yours Sincerely,

PS 777 Richard Horton
Licensing Sergeant

Horton, Richard <Richard.Horton@lancashire.pnn.police.uk>
to SIRASIM@GMAIL.COM, Beverley ▾

9:57 AM (7 hours ago)



Hello Asim,

After our brief conversation this morning and to confirm details - You have submitted 3 x TEN applications as follows

16/02/19 – 17/02/19 2200-0600

23/02/19 – 24/04/19 2200-0600

02/03/19 – 30/02/19 2200-0600

Capacity set at 450 which will be monitored by doorstaff.

My understanding is that my closing date for objections is today. I am hopeful that some agreement is possible between us during the day.

The finishing time under the licence that operated until very recently was last alcohol sales 0330 and close at 0400 which seems to me to be reasonable.

I am aware that we did not object to similar TENS over the Christmas and New Year period after discussion with Ben regarding the likelihood of the White Hart also being open 0600 during that period but Christmas / New Year is now behind us. I would have no objection to a TEN seeking to open until 04:00 with some assurances as to the number of door staff at the venue but I believe that with the increased hours and consequent increased footfall on these dates additional crime and disorder will inevitably occur and 0600 closing will impact heavily on police resources available for other work due to having to police up to 450 drunk people leaving the premises at 0600 which will lead to the public being less safe.

All best

Richard

christophercarney <christophercarney@ntlworld.com>

7/2/2019 21:06

Re: TENS Objection - APPLEJAX

To Richard Horton <richard.horton@lancashire.pnn.police.uk>

Good evening Richard,

For your information.

My client has today withdrawn the three temporary event notices for Applejax night club. I am holiday now until the 22nd of February but will still be picking up my emails.

Kind Regards
Chris Carney MioL
07725 856680

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Horton, Richard
Date: 05/02/2019 16:03 (GMT+00:00)
To: Andrew.Ascroft@lancashire.gov.uk
Cc: SIRASIM@GMAIL.COM, 'christophercarney@ntlworld.com'
Subject: TENS Objection - APPLEJAX

Please find attached an objection letter in relation to the recent TENS application for AppleJax, Back Mount Street, Chorley.

All best

Richard

PS 777 Richard Horton
Licensing Dept – South Division
01772 209794

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Carney Christopher <christophercarney@ntlworld.com>

14/2/2019 12:23

Re: Variation - Appljx NightClub

To Richard Horton <richard.horton@lancashire.pnn.police.uk> • nathan.howson@chorley.gov.uk • linda.robson@lancashire.pnn.police.uk

Good morning Richard,

I think the way forward with this is to arrange a meeting so we can discuss your concerns with my client(s) along with other interested parties such at the local authority.

If you are agreeable to this can you give me your availability over the next few weeks to enable me to arrange such a meeting.

Kind Regards

Chris Carney MioL

Licensing Consultancy

07725 856680

On 13 February 2019 at 16:04 Horton, Richard wrote:

Hello Chris,

I have received the Applejax variation today and on first reading your clients seek to

- 1) Dispense with some obsolete conditions and replace them where necessary with something more up to date.
- 2) Move the licensing hours from what might be referred to as "Traditional Nightclub" to 5pm -6am opening 7 days a week.

I have no issues with bringing the conditions up to something more modern. It will not surprise you to learn that regarding the move to licensing Applejax for 5pm-6am opening every day I will have objections as set out in my objection to the most recent TENs and supplemented by further evidence on the impact of extended hours on crime, disorder and nuisance related to the Chorley NTE.

It would be useful for me to understand why your clients have applied for these very extended opening hours 365 days a year and if they have any plans or thoughts of going forward to offer Applejax out for third party events during the week.

Also , looking at the varied licence I don't see anything about door staff numbers in relation to the new opening hours. I would appreciate your clients thoughts on door staff.

I'm sure there will be more as a read through the application again but the matters above are my immediate concerns.

All best,

Richard

PS 777 Richard Horton

Licensing Dept – South Division

01772 209794

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Carney Christopher <christophercarney@ntlworld.com>

25/2/2019 11:10

Applejax

To Richard Horton <richard.horton@lancashire.pnn.police.uk> • nathan.howson@chorley.gov.uk • linda.robson@lancashire.pnn.police.uk

Good morning Richard,

further to my previous email sent on the 14th of February in relation to the premises licence variation application for Applejax which you are yet to respond to, I would like to offer my availability for your information.

Thursday 28th February 08:00 - 12:00 and 15:30 - 18:00

Friday 1st March 08:00 - 11:00

Monday 4th March 08:00 - 18:00

Tuesday 5th March 08:00 - 18:00

Wednesday 6th March 08:00 - 18:00

Thursday 7th March 11:00 - 18:00

I look forward to hearing from you,

Kind Regards

Chris Carney MioL

07725 856680

Carney Christopher <christophercarney@ntlworld.com>

4/3/2019 16:30

RE: Applejax variation application

To Richard Horton <richard.horton@lancashire.pnn.police.uk> • nathan.howson@chorley.gov.uk • linda.robson@lancashire.pnn.police.uk

Good afternoon Richard,

thank you for meeting on Friday.

May I ask that you confirm the content of the meeting as follows;

You said you are happy for the licence to be updated and old irrelevant conditions to be taken off as requested on the variation provided the following conditions are added in addition to those already offered on the application -

1 From 22:00 hrs a minimum of two SIA registered door supervisors will be on duty or from when the premises opens if after this time. The staffing of door supervisors above this number is at the managements discretion dependant on dynamic risk assessment and demand.

2 No under 18's allowed on the premises after 22:30 hrs.

3 A drugs/search and dispersal policy will be in place and reviewed annually and will be available for inspection by authorised officers.

4 The premises will have a drugs safe for the security of seized drugs.

5 A no entry/re-entry policy will be effective at the venue for the last 30 minutes of opening.

6 A qualified first aider will be on site during hours open to the public.

7 Clicker devices or other electronic counting device will be used at the point of entry to count customers in and out.

I have obviously written these from memory and my notes at the meeting, can you please confirm or amend as you see fit to allow me time to check with my client that they acceptable.

The times of opening to the public where discussed and you said that you where not happy with a 6am closing time due to police staffing levels. My client offered a reduction in the requested hours of operation on Sunday, Monday, Tuesday and Wednesday offering an earlier closing time of 4am on these days.

You countered that offer with your own offer of allowing seasonal variations/non standard timings for key dates such as pay day weekends and bank holiday weekends amounting to 24 weekends of the year where you are happy for the venue to operate until 6am but said you do not want the operating schedule to have a 6am closure of the premises.

Again, can I ask that you confirm the dates/details you mentioned more precisely to enable me to discuss with my client prior to any potential formal agreements.

I look forward to hearing from you.

christophercarney <christophercarney@ntlworld.com>

6/3/2019 15:24

RE: Applejax variation application

To Richard Horton <richard.horton@lancashire.pnn.police.uk> •
Nathan Howson <nathan.howson@chorley.gov.uk> •
Linda Robson Police <linda.robson@lancashire.pnn.police.uk>

Good afternoon Richard,

Thank you for replying to my email.

I will give a response once I have discussed the content of your email with my client.
I appreciate this is time sensitive so I aim to reply no later than tomorrow morning.

Kind Regards
Chris Carney MioL
Licensing Consultancy
07725856680

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Horton, Richard

Date: 06/03/2019 09:43 (GMT+00:00)

To: Carney Christopher

Cc: Robson, Linda, 'Nathan Howson' (Nathan.Howson@chorley.gov.uk)

Subject: RE: Applejax variation application

Hello Chris,

I hope that you, Ben and Asim found the meeting on Friday useful. I can confirm the following were discussed and using your numbering system the following would be my suggested wordings for your clients to consider.

On each occasion that the premises opens there shall be two SIA registered door supervisors on duty from 22:00 hrs. Provision of SIA registered door supervisors in addition to this shall be at the discretion of the DPS or manager on the night based on a dynamic risk assessment on numbers expected and numbers in attendance. (1a Door supervisors shall be required to wear an identifiable arm band whilst on duty)

No person aged under 18 yrs shall be permitted in the premises after 22:30 hrs [*This condition to allow for AppleJax to participate as a venue in Chorley Live*]

A written drugs policy shall be in place covering

- a. searches, seizure, recording and secure storage of suspected drugs
- b. procedures in respect of informing police of any seizures considered of significant size
- c. procedures in relation to any seizures requiring collection and disposal by police.

A written dispersal policy shall be in place setting out plans for an orderly dispersal of customers.

There shall be no entry to the venue for the last hour of opening [*I am not keen on last 30 minutes. Potentially 3.30am and 5.30am. People entering for 30 minutes during the operation of the dispersal policy doesn't work.*]

There shall be a qualified first aider on site during all times when the premises are open to the public

There shall be a method in place to accurately monitor and record the number of customers in the premises when it is open to the public

Your clients already provide suitable bins in the smoking area.

Your client offered to only seek a licence to 6am for Thursday, Friday and Saturday and to close at 4am on other days. It was my understanding that your client has no real desire to open on those other midweek days so they are offering something that doesn't really matter to them.

My concerns about AppleJax going to effectively 6am every working night is the impact that this will have on the licensing objectives as demonstrated by the incidents over Christmas and New Year. These caused me to object to the most recent TEN applications. The available evidence shows that the impact of Thursday, Friday and Saturday 6am closing on crime, disorder, public safety and nuisance would be unacceptable. My offer around non-standard timings was made in the knowledge that on certain days there is an enhanced planned police presence to deal with the impact of extended opening hours in town centres and in the knowledge that as responsible operators, your clients will pre-plan sufficient door staff for nights when they expect to be busy and running near capacity. I have also tried to have regard to the principles underlying the Chorley Council Policy in this area, particularly

5.1.4 The Licensing authority wishes to encourage applications for restaurants and other predominantly seated venues which do not adversely impact upon the licensing objectives in contrast to those that predominantly offer vertical drinking. If applications are made they must demonstrate how the licensing objectives are to be promoted.

5.1.5 The current staggered closing times of licensed premises that has developed since 2005 in the Town Centre initially helped to reduce the problems associated with large numbers of people leaving premises at the same time but a significant number of premises within this area have now similar closing times which has increased the risk of increased levels of crime, disorder and nuisance.

As for the non-standard timings, this seems to me to be a fair offer.

It gives your client 4am closing which may prove sufficient to most days when they want to open.

It also allows your clients to open longer on those specific days when they can expect big numbers.

These are days when I can expect some enhanced police capability to keep order and for your clients to carry out a risk assessment suggesting that door staff numbers will be increased well beyond two.

If I look at public holidays and other festivals of note for 2019 I get the following

New Years Day

Good Friday

Saturday before Easter Monday

Saturday before MayDay

Saturday before Spring Bank Holiday

Saturday before August Bank Holiday

Christmas Day

Boxing Day

New Years Eve

9 Days

First pay day Saturdays for January – December

12 Days

St Patricks Saturday

Halloween Saturday

Valentines Saturday

3 Days

Total 24 days (may be less if there is overlap between pay day Saturdays and bank holidays)

I hope that these non-standard timings will prove acceptable to your clients.

I look forward to hearing from you.

All best,

Richard

PS 777 Richard Horton

Licensing Dept – South Division

01772 209794

From: Carney Christopher [mailto:christophercarney@ntlworld.com]

Sent: 04 March 2019 16:30

To: Horton, Richard; nathan.howson@chorley.gov.uk; Robson, Linda

Subject: RE: Applejax variation application

Good afternoon Richard,

thank you for meeting on Friday.

May I ask that you confirm the content of the meeting as follows;

Richard Horton <richard.horton@lancashire.pnn.police.uk>

18/3/2019 17:27

RE: APPLEJAX

To Carney Christopher <christophercarney@ntlworld.com>

Hello Chris,

Noted with thanks.

Operating hours Sunday to Thursday 17:00 - 04:00 and Friday Saturday 17:00 - 06:00 along with the seasonal/non standard timings requested and agreement to the additional conditions you have put forward.

I will await your submissions.

All best

Richard

PS 777 Richard Horton
Licensing Dept – South Division
01772 209794

From: Carney Christopher [mailto:christophercarney@ntlworld.com]
Sent: 18 March 2019 17:04
To: Horton, Richard; Robson, Linda; nathan.howson@chorley.gov.uk
Subject: Re: APPLEJAX

Good afternoon Richard,

I put your latest offer to my client yesterday and he has now responded.

My client is prepared to let the licensing committee make a decision on the 27th of March rather than accept the non standard timings you have offered.

I know from our latest meeting that you have no issues with the earlier operating hours or the 4am close Sunday to Thursday, and that you are more than happy with the management and the running of the venue.

It seems strange that although submitting representations you are willing to offer 50 days a year with a 6am closing time rather than accept what in essence on our last offer is an extra 4 hours a week.

The hours you have suggested which you want as non standard timing are confusing and could cause issues when having enforcement visits. If Valentines day, St Patricks day or Halloween fall on a Wednesday which weekend would my client be able to open ?

It is much easier to have clear timings of operation on the Premises Licence Schedule, this is about having the choice to operate during the hours requested, not as in the days of the magistrates licenses where licensees had to open during their opening hours.

My submissions for the hearing will be sent in tomorrow, however my clients offer still stands should you have a change of heart in which case Chorley Borough Council will be able to dispense with the hearing.

Operating hours Sunday to Thursday 17:00 - 04:00 and Friday Saturday 17:00 - 06:00 along with the seasonal/non standard timings requested and agreement to the additional conditions you have put forward.

I look forward to hearing from you,

Kind Regards

Chris Carney MioL

Licensing Consultancy

07725 856680

On 16 March 2019 at 16:30 "Horton, Richard" <Richard.Horton@lancashire.pnn.police.uk> wrote:

Hello Chris,

What would your client's view be on this proposal around hours?

Normal hours still to 0400 hrs.

Extended hours

New Years Day

Good Friday

Saturday and Sunday before Easter Monday

Friday, Saturday and Sunday before May Day

Friday, Saturday and Sunday before Spring Bank Holiday

Friday, Saturday and Sunday before August Bank Holiday

Christmas Eve

Christmas Day

Boxing Day

New Years Eve

New Years Day

18 Days

First pay day Saturdays and Fridays for January – December

Last Friday and Saturday before Christmas

26 Days

St Patricks Friday and Saturday

Halloween Friday and Saturday

Valentines Friday and Saturday

6 Days

Total – 50 days

All best

Richard

PS 777 Richard Horton
Licensing Dept – South Division
01772 209794

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