



Leicester  
City Council

### **LICENSING (HEARINGS) SUB-COMMITTEE**

**DATE: MONDAY, 13 JANUARY 2025**

**TIME: 10:00 am**

**PLACE: Meeting Room G.58, Ground Floor, Town Hall, Town Hall Square, Leicester, LE1 9BG**

### **Members of the Sub-Committee**

Councillors Pickering, Adatia and TBA

Members of the Sub-Committee are summoned to attend the above meeting to consider the items of business listed overleaf.

for Monitoring Officer

**Officer contact:**

Katie Jordan, Governance Services Officer / Julian Yeung, Governance Support Assistant,  
email: [committees@leicester.gov.uk](mailto:committees@leicester.gov.uk)

## Information for Members of the Public

### Attending meetings and access to information

You have the right to attend formal meetings such as full Council, committee meetings, City Mayor & Executive Public Briefing and Scrutiny Commissions and see copies of agendas and minutes. On occasion however, meetings may, for reasons set out in law, need to consider some items in private.

Dates of meetings and copies of public agendas and minutes are available on the Council's website at [www.cabinet.leicester.gov.uk](http://www.cabinet.leicester.gov.uk), from the Council's Customer Service Centre or by contacting us using the details below.

### Making meetings accessible to all

Wheelchair access – Public meeting rooms at the City Hall are accessible to wheelchair users. Wheelchair access to City Hall is from the middle entrance door on Charles Street - press the plate on the right hand side of the door to open the door automatically.

Braille/audio tape/translation - If you require this please contact the Governance Support Officer (production times will depend upon equipment/facility availability).

Induction loops - There are induction loop facilities in City Hall meeting rooms. Please speak to the Governance Support Officer using the details below.

Filming and Recording the Meeting - The Council is committed to transparency and supports efforts to record and share reports of proceedings of public meetings through a variety of means, including social media. In accordance with government regulations and the Council's policy, persons and press attending any meeting of the Council open to the public (except Licensing Sub Committees and where the public have been formally excluded) are allowed to record and/or report all or part of that meeting. Details of the Council's policy are available at [www.leicester.gov.uk](http://www.leicester.gov.uk) or from Governance Services.

If you intend to film or make an audio recording of a meeting you are asked to notify the relevant Governance Support Officer in advance of the meeting to ensure that participants can be notified in advance and consideration given to practicalities such as allocating appropriate space in the public gallery etc..

The aim of the Regulations and of the Council's policy is to encourage public interest and engagement so in recording or reporting on proceedings members of the public are asked:

- ✓ to respect the right of others to view and hear debates without interruption;
- ✓ to ensure that the sound on any device is fully muted and intrusive lighting avoided;
- ✓ where filming, to only focus on those people actively participating in the meeting;
- ✓ where filming, to (via the Chair of the meeting) ensure that those present are aware that they may be filmed and respect any requests to not be filmed.

### Further information

If you have any queries about any of the above or the business to be discussed, please contact us on [committees@leicester.gov.uk](mailto:committees@leicester.gov.uk), or call in at City Hall.

For Press Enquiries - please phone the **Communications Unit on 0116 454 4151**.

# LEICESTER CITY COUNCIL LICENSING SUB-COMMITTEE PROCEDURAL GUIDE

## INTRODUCTORY PHASE

**The meeting will be held in public unless stated otherwise in the report.**

Present at the hearing will be Members of the Licensing Sub-Committee (minimum 3 Members), Officers from the Licensing Authority, a Legal Adviser to the Sub-Committee, an Officer from Governance Services.

1. Participants at the meeting will introduce themselves as follows:
  - a. Members and Officers
  - b. Statutory Consultees (if any)
  - c. The Applicant and any representatives
  - d. Persons who have made representations
2. The Chair will check that the Applicant has received a copy of the Officer report.

## INFORMATION GATHERING

**(\*Please Note – for the purposes of a hearing to determine an application in a Cumulative Impact Zone (CIZ), the Applicant will present their case first)**

3. The Licensing Officer presents the report (previously circulated)

Questions (for clarification purposes only):  
Members  
Statutory Consultees (if any)  
Persons who have made representations  
Applicant and Representative(s)
4. Depending on the nature of the report, Statutory Consultees present their comments.

Questions (for clarification purposes only):  
Members  
Officers  
Persons who have made representations  
Applicant and Representative(s)
5. Persons who have made representations

Questions (for clarification purposes only):  
Members  
Officers  
Statutory Consultees (is any)  
Applicant and Representative(s)
6. \*Applicant's Case

Questions (for clarification purposes only):  
Members  
Officers

Statutory Consultees  
Persons who have made representations

7. Summing up in the following order

Officers  
Statutory Consultees  
Persons who have made representations  
\*Applicant and Representative(s)

8. The Legal Adviser to the Sub-Committee to advise the Sub-Committee in the presence of the Applicant, Representatives, Officers, Statutory Consultees, and persons who have made representations on relevant issues the Members need to be aware of when they come to make their decision.

## **DECISION MAKING**

9. Apart from the Sub-Committee Members and the Governance Support Officer everyone will be asked to withdraw from the meeting The Legal Adviser to the Sub-Committee may be called back to the meeting to advise on the wording of the decision the Sub-Committee Members will have made during private deliberation.
10. The Applicant will be advised that the decision made by the Sub-Committee will be made public within 5 working days of the meeting.



## **PUBLIC SESSION**

### **AGENDA**

#### **FIRE / EMERGENCY EVACUATION**

If the emergency alarm sounds, you must evacuate the building immediately by the nearest available fire exit and proceed to the area outside the Ramada Encore Hotel on Charles Street as directed by Governance Services staff. Further instructions will then be given.

- 1. Appointment of Chair**
- 2. Apologies for Absence**
- 3. Declarations of Interest**

Members are asked to declare any interests they may have in the business to be discussed.

- 4. Application for a Variation of an Existing Premises Licence - Shisha Café, 161 Belgrave Gate, Leicester** [Appendix A](#)  
(Pages 1 - 72)

The Director of Neighbourhood and Environmental Services submits a report for an application for a variation of an existing premises licence for Shisha Café, 161 Belgrave Gate, Leicester.

- 5. Any Other Urgent Business**



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# **Application for a variation of an existing premises licence**

Licensing (Hearings) Sub-Committee

Decision to be taken by: Licensing (Hearings)  
Sub-Committee

Decision to be taken on/Date of meeting: 13 January 2025

Lead director/officer: Deborah Bragg

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## Useful information

- Ward(s) affected: Castle
- Report author: Valentina Cenic
- Author contact details: 0116 454 3081
- Report version number: 1

### 1. Summary

- 1.1 This report outlines an application under the Licensing Act 2003 for a variation to an existing premises licence for Shisha Café, 161 Belgrave Gate, Leicester and summarises the representation received. It also highlights the licensing objectives and the relevant parts of both the statutory guidance and the Licensing Authority's Licensing Policy.

### 2. Determination to be made

- 2.1 Having considered the application and representations, Members must consider whether to
- Grant the licence without modification
  - Modify the conditions of the licence
  - Reject the whole application

### 3. Application and promotion of the licensing objectives

- 3.1 An application was received on 27<sup>th</sup> November 2024 for a variation of an existing premises licence for Shisha café, 161 Belgrave Gate. A copy of the application is attached at Appendix A.

- 3.2 The variation application is as follows:

Licensable activity	Current hours	Proposed hours
Opening hours	Monday to Sunday 10:00-02:00	Monday to Sunday 07:00 – 02:30
Late night refreshment	Monday to Sunday 23:00 – 02:00	Remain the same
Sale of alcohol (on/off)	Monday to Sunday 10:00 – 01:00	Monday to Sunday 10:00 – 02:00
Live music (indoors) Recorded music Dance Anything similar to above		Monday to Sunday 17:00 – 23:59

- 3.3 The steps the applicant proposes to take to promote the licensing objectives are set out in the operating schedule (see section 16 of Appendix A).
- 3.4 The existing licence is attached at Appendix B.

3.5 In arriving at its decision on the application, the Licensing Authority's primary consideration must be the promotion of the licensing objectives.

### 3.6 Location Plan



## 4. Representations

4.1 A representation was received on 11 December 2024 from the Noise team. The representation relates to the prevention of public nuisance. The Noise Team have concerns due to the fact that the shisha café must be at least 50% open. Music is always a concern and following previous nuisance from the premise the ability to play music was removed from the licence at review hearing in December 2022 by adding a condition as follows:-

*'no live music or recorded music, whether amplified or not, shall be played at the premises between 10pm and 11pm daily. This condition has been added under Section 177A(4) of the Licensing Act 2003 on review of the licence so that the exemption otherwise detailed in Section 177A (1) and (2) does not apply.'*

A copy of the representation is attached at Appendix C along with a signed agreement regarding a condition to be attached to the licence should members agree to vary the licence.

4.2 A representation was received on 17 December 2024 from the Leicestershire Police. The representation relates to all four licensing objectives. The Police state that the application lacks specific details about how the applicant will promote and uphold the licensing objectives, given that it will be operating in the night-time economy when alcohol related violent crimes rise. The Police are concerned that the applicant

wishes to remove the existing security provision condition, due to the increased risk to both customers and general public.

In December 2024 Police visited the premises and identified five breaches of the licence conditions, as well as the premises licence not being displayed, as a result a warning letter was served upon the responsible persons. The Police believe not enough time has passed in order for the premises licence holder to prove themselves as a responsible operator and for this reason request the application is rejected.

A copy of the representation is attached at Appendix C1.

- 4.3 A representation was received from Licensing Enforcement Team on 18 December 2024. The representation relates to all four licensing objectives. The Licensing Enforcement Team have concerns about the premises and the effect it may have on the local community, both business and residential. This relates to the control of the age range of persons attending the premise and details in the operating schedule.

The Licensing Enforcement Team believe that with the amendments and additions they have proposed in their representation that the premises and applicant could promote the licensing objectives and conduct their business in a safe manner.

A copy of the representation is attached at Appendix C2 along with a signed agreement regarding conditions to be attached to the licence should members agree to vary the licence.

## **5. Conditions**

- 5.1 The conditions that are consistent with the application and the representation(s) are attached at Appendix D.
- 5.2 The Live Music Act 2012 and the Legislative Reform (Entertainment Licensing) Order 2014 amended the Licensing Act 2003 in relation to the provision of regulated entertainment. Certain entertainment does not require a licence subject to audience limits, between 08.00 and 23.00 hours each day. These exemptions may affect the application under consideration because conditions may not be imposed at this stage to control live or recorded music that is unregulated. However, if problems do occur as a result of that entertainment then conditions may be imposed to control such music in the future after a formal review.

## **6. Statutory guidance and statement of licensing policy**

- 6.1 Any decision made by the Licensing Authority must be in accordance with the licensing objectives. In addition, the government has issued guidance under section 182 of the Licensing Act 2003. The parts of the guidance that are particularly relevant in this case are as follows:

<b>Section</b>	<b>Heading</b>
1.2 – 1.5	Licensing objectives and aims
1.15 – 1.16	General Principles

1.17	Each application on its own merits
2.1 – 2.6	Crime & Disorder
2.15 – 2.21	Public nuisance
8.41 – 8.49	Steps to promote the licensing objectives
9.11 – 9.12	Role of responsible authorities
9.31 – 9.41	Hearings
9.42 – 9.44	Determining actions that are appropriate for the promotion of the licensing objectives
10.1 – 10.3	Conditions - general
10.8 – 10.9	Imposed conditions
10.10	Proportionality
10.13 - 10.15	Hours of trading
10.25 – 10.66	Mandatory conditions in relation to the supply of alcohol
13.10 – 13.11	Giving reasons for decisions
14.51 – 14.52	Licensing Hours

- 6.2 The relevant parts of the Licensing Authority's Statement of Licensing Policy are as follows:

Section	Heading
4	Promotion of the Licensing Objectives
5	General Principles
6	Premises Licences and Club Premises Certificates
8	Areas of Specific Interest and Consultation

## 7. Points for clarification

- 7.1 The applicant and the party making the representation have been asked to clarify certain points at the hearing, as follows:

### *By the applicant*

1. Whether the applicant considers that the concerns outlined in the representation are valid, and if not why not.
2. In the light of the representation made, whether the applicant wishes to propose any additional steps for the promotion of the licensing objectives.

### *By the party making the representation*

1. Whether they have any additional information to support the representation they have made.
2. Whether there are any additional steps that could be taken which would be equally effective in the promotion of the licensing objectives.

## 8. Financial, legal, equalities, climate emergency and other implications

### 8.1 Financial implications

There are no significant financial implications arising from the contents of this report.

Signed: Jade Draper

Dated: 23 December 2024

## 8.2 Legal implications

Legal advice specific to the application will be provided at the meeting by Legal Officers.

## 8.3 Equalities implications

Under the Equality Act 2010, public authorities have a Public Sector Equality Duty (PSED) which means that, in carrying out their functions, they have a statutory duty to pay due regard to the need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act, to advance equality of opportunity between people who share a protected characteristic and those who don't and to foster good relations between people who share a protected characteristic and those who don't.

Protected Characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

There are no direct equalities implications arising from the report. However it is important to consider issues of accessibility to the application process and its associated activities (such as lodging an appeal); The criteria used during determination of an application and its associated activities (such as lodging an appeal).

Signed: Surinder Singh, Equalities Officer  
Dated: 23 December 2024

## 8.4 Climate Emergency implications

There are unlikely to be any significant climate emergency implications directly associated with this report and the licensing process.

Signed: Aidan Davis, Sustainability Officer  
Dated: 23 December 2024

## 8.5 Other implications

Crime and Disorder – see paragraph 4.

## **9. Background information and other papers:**

None

## **10. Summary of appendices:**

Appendix A – Application

Appendix B – Existing licence



Appendix C, C1, C2 – Representations

Appendix D – Conditions consistent with the application

**11. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?**

No

**12. Is this a “key decision”? If so, why?**

No



Application ref: leicester-1585618  
Licence: Application to vary a premises licence  
Applicant email: [REDACTED]  
Submitted on: 27/11/2024 14:34  
Total fee: Variable  
Payment status: Paid  
Access PaySuite ref: 875256  
Amount paid: £190.00

**Application**

application form

**Supporting documents (1)**

Premises plan

**Authority Reference**

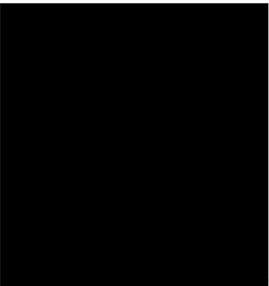
Reference:

**Tacit consent applies**

Process by: 13/01/2025

Status: Not collected

**Recent History**



**Application to vary a premises licence under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Arsad Cafe Ltd

*(Insert name(s) of applicant)*

**being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below**

<b>Premises licence number</b> LEIPRM1772
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**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description  161 Belgrave Gate			
Post town	Leicester	Postcode	LE1 3HS

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£27,000

**Part 2 – Applicant details**

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address			
Post town		Postcode	

**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

☒ Yes

☐  
No

If not, from what date do you want the variation to take effect?

DD		MM		YYYY			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☐ No

**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

Premises to open 7am for breakfast and coffee.  
To extend the hours of the sale of alcohol by 1 hour to 2am  
To permit Regulated Entertainment from 5pm to Midnight.  
Premises to close 30 minutes after the licensable activities cease.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

#### Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

<b>Provision of regulated entertainment (Please see guidance note 3)</b>	<b>Please tick all that apply</b>
a) plays (if ticking yes, fill in box A)	<input type="checkbox"/>
b) films (if ticking yes, fill in box B)	<input type="checkbox"/>
c) indoor sporting events (if ticking yes, fill in box C)	<input type="checkbox"/>
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	<input type="checkbox"/>
e) live music (if ticking yes, fill in box E)	<input checked="" type="checkbox"/>
f) recorded music (if ticking yes, fill in box F)	<input checked="" type="checkbox"/>
g) performances of dance (if ticking yes, fill in box G)	<input checked="" type="checkbox"/>
h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	<input checked="" type="checkbox"/>

**Provision of late night refreshment** (if ticking yes, fill in box I) ☐

**Supply of alcohol** (if ticking yes, fill in box J) ☒

**In all cases complete boxes K, L and M**

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 6)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films (please read guidance note 6)</u>		
Wed			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Thur					
Fri					
Sat					
Sun					



C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	17.00	23.59			
Tue	17.00	23.59			
			State any seasonal variations for the performance of live music (please read guidance note 6)		
Wed	17.00	23.59			
Thur	17.00	23.59			
			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	17.00	23.59			
Sat	17.00	23.59			
Sun	17.00	23.59			

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	17.00	23.59			
Tue	17.00	23.59			
			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Wed	17.00	23.59			
Thur	17.00	23.59			
			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri	17.00	23.59			
Sat	17.00	23.59			
Sun	17.00	23.59			

G

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 5)		
Mon	17.00	23.59			
Tue	17.00	23.59			
			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)		
Wed	17.00	23.59			
Thur	17.00	23.59			
			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Fri	17.00	23.59			
Sat	17.00	23.59			
Sun	17.00	23.59			

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing Ancillary to Music and Dancer		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Mon	17.00	23.59		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	17.00	23.59	<b><u>Please give further details here</u></b> (please read guidance note 5)		
Wed	17.00	23.59			
Thur	17.00	23.59	<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 6)		
Fri	17.00	23.59			
Sat	17.00	23.59	<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sun	17.00	23.59			

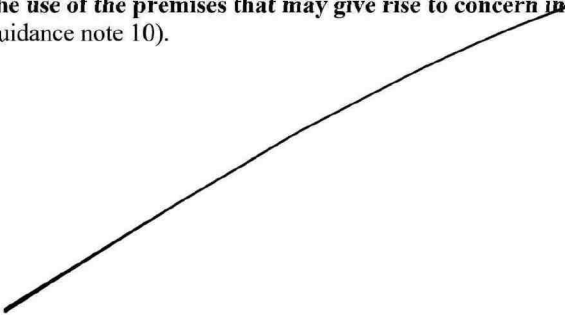
I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 5)	
Tue				
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)	
Thur				
Fri			<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 7)	
Sat				
Sun				

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 6)		
Mon	10.00	02.00			
Tue	10.00	02.00			
Wed	10.00	02.00			
Thur	10.00	02.00			
Fri	10.00	02.00	<b><u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sat	10.00	02.00			
Sun	10.00	02.00			

K

<p><b>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children</b> (please read guidance note 10).</p> 
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L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6)
Day	Start	Finish	
Mon	07.00	02.30	
Tue	07.00	02.30	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 7)
Wed	07.00	02.30	
Thur	07.00	02.30	
Fri	07.00	02.30	
Sat	07.00	02.30	
Sun	07.00	02.30	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

To remove the condition relating to SIA door staff and replace with: SIA door staff will be employed in line with a risk assessment. A log will be kept.

Please tick as appropriate

- I have enclosed the premises licence ☐
- I have enclosed the relevant part of the premises licence ☐

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

To follow

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

Challenge 25 will be adopted

**b) The prevention of crime and disorder**

CCTV will be retained for 28 days

**c) Public safety**

SIA door staff will be employed in line with a risk assessment. A log will be kept.

**d) The prevention of public nuisance**

A noise limiter will be used at the Premises.  
Regular noise checks will be carried out.

**e) The protection of children from harm**

No children will be present after 21.00

Checklist:

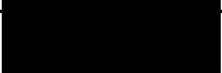
**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or ☒
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	27 <sup>th</sup> November 2024
Capacity	Director

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent** (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

**Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 15)

Victoria Cartmell

<b>Post town</b>		<b>Post code</b>	
<b>Telephone number (if any)</b>	07444 980104		

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

#### Notes for Guidance

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.



Please ask for: Amy Day  
Direct Line: (0116) 454 3054  
Our Ref: LEIPRM1772  
Date: 11 October 2024



Licensing, City Hall, 115 Charles Street  
Leicester LE1 1FZ  
[www.leicester.gov.uk/licensing](http://www.leicester.gov.uk/licensing)  
e-mail:[licensing@leicester.gov.uk](mailto:licensing@leicester.gov.uk)

Arsad Cafe Ltd  
161 Belgrave Gate  
Leicester  
LE1 3HS

Dear Sirs

**Shisha Cafe**  
**161 Belgrave Gate**

Your application to transfer the above licence to you and to change the designated premises supervisor for the above premises licence has been processed. The updated licence is enclosed, together with a summary.

- May I take this opportunity to remind you that Section 57 of the Licensing Act 2003 states;
- “(2) The holder of the premises licence must secure that the licence or a certified copy of it is kept at the premises in the custody or under the control of
- a) the holder of the licence, or
  - b) a person who works at the premises and whom the holder of the licence has nominated in writing...
- (3) The holder of the premises licence must secure that
- a) the summary of the licence or a certified copy of that summary, and
  - b) a notice specifying the position held at the premises by any person nominated for the purposes of subsection (2),  
are displayed prominently at the premises.”

It is an offence to fail to comply with the above requirements.

A questionnaire is enclosed, the results of which will enable us to monitor and improve the service we provide. I would be grateful if you could fill it in and return it to the Licensing Section at the address shown above.

If you have any queries, please contact the Licensing Section on (0116) 454 3040 or email [licensing@leicester.gov.uk](mailto:licensing@leicester.gov.uk).

Yours sincerely,

**Amy Day**  
Licensing Officer  
[amy.day@leicester.gov.uk](mailto:amy.day@leicester.gov.uk)

Licensing Act 2003  
**Premises Licence**

**LEIPRM1772**



**Leicester**  
City Council

Licensing  
Leicester City Council  
City Hall  
115 Charles Street  
Leicester  
LE1 1FZ

(0116) 4543030  
[licensing@leicester.gov.uk](mailto:licensing@leicester.gov.uk)

Part 1 - Premises Details

**POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDINANCE SURVEY MAP REFERENCE OR DESCRIPTION**

**Shisha Cafe**

161 Belgrave Gate, Leicester, LE1 3HS.

**WHERE THE LICENCE IS TIME LIMITED THE DATES**

Not applicable

Expires **no expiry**

**LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE**

- provision of late night refreshment
- the supply of alcohol

**THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES**

Activity (and Area if applicable)	Description	Time From	Time To
I. Late night refreshment (Indoors & Outdoors)	Monday to Sunday	11:00pm	2:00am
J. Supply of alcohol for consumption ON and OFF the premises	Monday to Sunday	10:00am	1:00am

**THE OPENING HOURS OF THE PREMISES**

Description	Time From	Time To
Monday to Sunday	10:00am	2:00am

**WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES**

- J. Supply of alcohol for consumption ON and OFF the premises

Part 2

**NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE**

Arsad Cafe Ltd

161 Belgrave Gate, Leicester, LE1 3HS.

**REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)**

Arsad Cafe Ltd

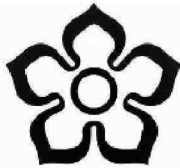
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Licensing Act 2003  
**Premises Licence**

**LEIPRM1772**



**Leicester**  
City Council

Licensing  
Leicester City Council  
City Hall  
115 Charles Street  
Leicester  
LE1 1FZ

(0116) 4543030  
[licensing@leicester.gov.uk](mailto:licensing@leicester.gov.uk)

**NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**

Joana DOCI

**PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL**

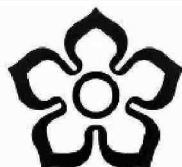
Licence No.

Issued by



# Licensing Act 2003 Premises Licence

# LEIPRM1772



**Leicester  
City Council**

Licensing  
Leicester City Council  
City Hall  
115 Charles Street  
Leicester  
LE1 1FZ

(0116) 4543030  
[licensing@leicester.gov.uk](mailto:licensing@leicester.gov.uk)

## ANNEXES

### Annex 1 - Mandatory conditions

No supply of alcohol may be made under the premises licence -

- a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-

- a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
  - i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
  - ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-

- a) a holographic mark, or
- b) an ultraviolet feature.

The responsible person shall ensure that-

- a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
  - i) beer or cider: ½ pint;
  - ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - iii) still wine in a glass: 125 ml;
- b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

All individual(s) at the premises for the purpose of carrying out a security activity must

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- (b) be entitled to carry out that activity by virtue of section 4 of that Act.

### Annex 2 - Conditions consistent with the operating schedule

Staff will receive training on the Licensing Act and the licensing objectives.



Licensing Act 2003  
**Premises Licence**

**LEIPRM1772**



**Leicester**  
City Council

Licensing  
Leicester City Council  
City Hall  
115 Charles Street  
Leicester  
LE1 1FZ

(0116) 4543030  
[licensing@leicester.gov.uk](mailto:licensing@leicester.gov.uk)

**ANNEXES continued ...**

A personal licence holder fluent in English will be on the premises at all times when alcohol is permitted to be sold.

Food and soft drinks will be available at all times in all areas of the premises where intoxicants are provided.

CCTV will cover internal and external areas of the premises and recordings will be kept for 31 days

No beers, lagers, ciders or spirit mixtures above 5.5% ABV will be sold at the premises apart from premium beers and ciders supplied in glass bottles.

An incident log shall be kept at the premises and available for inspection by the responsible authorities.

Notices will be displayed at all exits asking customers to leave the quietly.

**Annex 3 - Conditions attached after a hearing by the Licensing Authority**

All staff will be trained on use of the CCTV system.

CCTV footage will be provided to the relevant authorities within 24 hours of a request being made.

SIA door staff will be employed after 23:00 when alcohol is being served. There will be one SIA trained door staff for the first 100 customers then an additional one after that. They will remain on site until the venue is closed. A log will be kept on site to record door staff details and the dates they were employed.

Promote 'Ask Angela' campaign (or similar). Ensuring all staff are given sufficient training every six months and a training log is kept and made available for the relevant authorities.

Training will be provided for all members of staff in relation to age verification (Challenge 25), the responsible sale of alcohol and the 4 licensing objectives. This training is to be documented and signed for by each staff and those records made available to the police and responsible authorities on request. This training should be refreshed every six months.

No live music or recorded music, whether amplified or not, shall be played at the premises between 10pm and 11pm daily. This condition has been added under s177A(4) of the Licensing Act 2003 on review of the Licence so that the exemption otherwise detailed in s177A(1) & (2) does not apply.

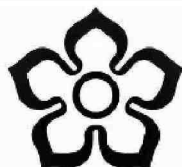




Licensing Act 2003

# Premises Licence Summary

# LEIPRM1772



**Leicester**  
City Council

Licensing  
Leicester City Council  
City Hall  
115 Charles Street  
Leicester  
LE1 1FZ

(0116) 4543030  
[licensing@leicester.gov.uk](mailto:licensing@leicester.gov.uk)

## Premises Details

### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

#### Shisha Cafe

161 Belgrave Gate, Leicester, LE1 3HS.

### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- provision of late night refreshment
- the supply of alcohol

### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
I. Late night refreshment (Indoors & Outdoors)	Monday to Sunday	11:00pm	2:00am
J. Supply of alcohol for consumption ON and OFF the premises	Monday to Sunday	10:00am	1:00am

### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	10:00am	2:00am

### WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON and OFF the premises

### NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Arsad Cafe Ltd

161 Belgrave Gate, Leicester, LE1 3HS.

### REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Arsad Cafe Ltd

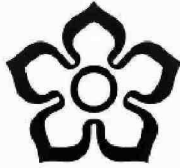
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Licensing Act 2003

# Premises Licence Summary

**LEIPRM1772**



**Leicester**  
City Council

Licensing  
Leicester City Council  
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115 Charles Street  
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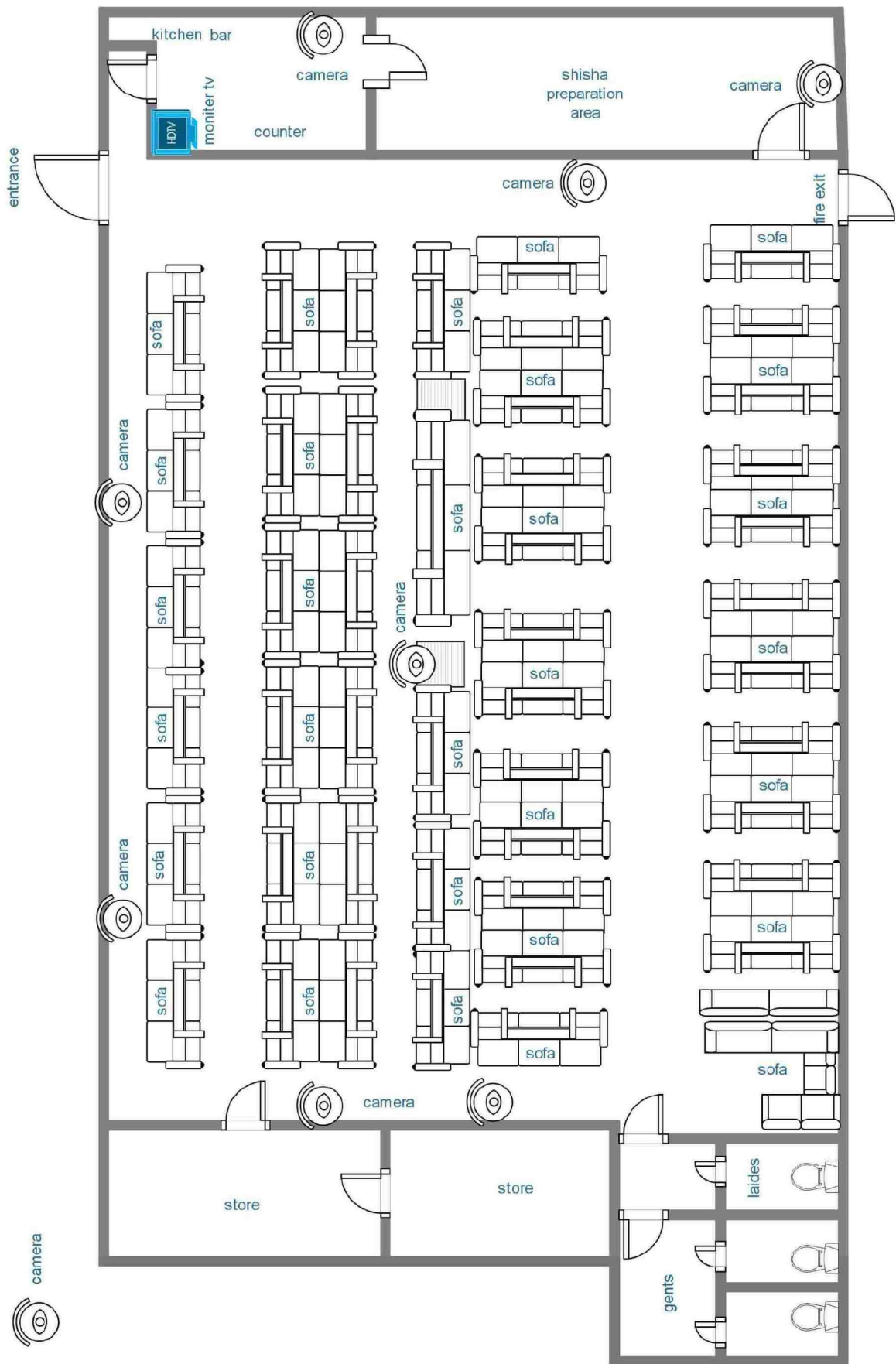
**NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**

Joana DOCI

**STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED**

Not applicable





**\*Applicant Address \***

Valentina Cenic  
Licensing  
Leicester City Council  
City Hall  
115 Charles Street

161 Belgrave gate  
Le1 3hs

**Licensing Act 2003 – Variation.**

**Application Ref: 170030**

**Prevention of Public Nuisance.**

**Arsad Café, 161 Belgrave Gate**

I, Armando Doci as the applicant of the above premises licence, hereby agree to the following licensing conditions in respect to prevention of public nuisance:

- A noise limiting device shall be installed, set, and maintained at a level agreed with the Leicester City Noise & Pollution Control Team, and all amplified music or voice shall be played through this device at all times.

Signed ..... 

Name: .....  
(PRINT)

Dated: ..... 12/12/2024



## Licensing Act 2003 - Representation in respect of an application for a New Premises Licence

Details of person or body making representation	
Your Name:	Chris White
Your Address:	Noise and Pollution Control Team Leicester City Council City Hall Leicester LE1 1FZ

Details of premises representation is about	
Name of Premises:	Arsad Café Ltd
Address of premises:	161 Belgrave Gate Leicester LE1 3HS
Application No. (if known)	170030

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	
Public Safety	
Prevention of public nuisance	yes
Protection of children from harm	

Please summarise your concerns about this application:
<p style="text-align: center;"><b>Licensing Act 2003 – Application for Premises Licence</b>  <b>Application Ref: 170030</b>  <b>Prevention of Public Nuisance.</b>  <b>RE: Arsad Café Ltd</b></p> <p>I wish to make a representation in connection with this application as I consider this proposal will be detrimental to the licensing objective of preventing public nuisance.</p> <p>The applicant has applied to vary the licence to allow live and amplified music until 23.59 hours.</p> <p>Due to the fact that the shisha café must be at least 50% open, music is always a</p>



concern and following previous nuisance from the premises, music was removed from the licence at review hearing in December 2022.

I understand the applicant has stated that they have a noise limiting device that they will use. If this device is set and utilized correctly it would alleviate our concerns, Therefore, I have contacted the applicant about having this a condition on the licence and I have requested that they contact you in writing to confirm their agreement.

- *A noise limiting device shall be installed, set and maintained at a level agreed with the Leicester City Noise & Pollution Control Team, and all amplified music or voice shall be played through this device at all times.*

In the absence of such a formal written request being made, I will recommend refusal for this licence application as it stands.

Kind regards



Chris White  
POLLUTION CONTROL OFFICER  
NOISE CONTROL TEAM

Return your completed form to:

By Post:

Licensing Authority  
Leicester City Council  
City Hall  
Leicester  
LE1 1FZ

By Email:

[licensing@leicester.gov.uk](mailto:licensing@leicester.gov.uk)





## **Leicestershire Police**

### **Licensing Act 2003 – Representation in Respect of a Major Variation Application.**

<b>Details of person or body making representation</b>	
Your Name:	PC Jefferson Pritchard
Your Address:	Force Licensing Department, Mansfield House Police Station, 74 Belgrave Gate, Leicester. LE1 3GG

<b>Details of premises representation is about</b>	
Name of Premises:	Mabel Lounge (Arsad Café Ltd)
Address of premises:	161 Belgrave Gate Leicester LE1 3HS
Application No. (if known)	

<b>Please tick one or more of the licensing objectives that your representation relates to:</b>	
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 checked="" type="checkbox"/>

<b>Please summarise your concerns about this application:</b>
<p>I write in my capacity as Leicester City centre's alcohol licensing officer for Leicestershire Police, with delegated authority from the Chief Constable.</p> <p>My representation to this major variation application is based upon all four licensing objectives, as per the Licensing Act 2003.</p> <p>The application would undermine all four licencing objectives if granted. Those being:</p> <ul style="list-style-type: none"><li>(1) The prevention of crime and disorder.</li><li>(2) Public Safety</li></ul>

(3) The prevention of public nuisance.

(4) The protection of children from harm.

This is a major variation application for an existing licensed premises to increase its operating hours, add additional licensable activities and remove an existing licence condition.

In April 2024, the applicant/Arsad Café Ltd applied for a “shadow licence” for the same premises, which was later rejected by Leicester City Council, after a hearing in June 2024.

The applicant elected not to appeal the local authority’s decision.

In late September 2024, the original premises licence (Leicester City Council Premises Licence number LEIRPM1772) was transferred to the applicant/Arsad Café Ltd.

In October 2022, the same premises licence was subject of a review application brought by Leicester City Council Noise & Pollution Team. Admittedly, this was when the business was under different ownership. This same person is now believed to be the applicants/Arsad Café Ltd’s landlord.

Between 4<sup>th</sup> October and 20<sup>th</sup> November 2024, seven temporary event notices were submitted for various dates, with the last being Saturday 7<sup>th</sup> December 2024, in which regulated entertainment was requested until midnight.

The premises existing and proposed opening hours and licensable activities are:

**Existing Opening Hours to the Public**

Monday to Sunday from 10am until 2am.

**Proposed Opening Hours to the Public**

Monday to Sunday from 7am until 2:30am.

Therefore, an additional 3 hours at the start of the day and additional 30 minutes at the end.

**Existing Supply of alcohol hours (On & Off the premises)**

Monday to Sunday from 10am until 1am.

**Proposed Supply of alcohol (On & Off the premises)**

Monday to Sunday from 10am until 2am.

Therefore, an additional 1 hour at the end of the day.

**Live & Recorded Music = Not currently licensed.**

**Proposed Live & Recorded Music (Indoors only)**

Monday to Sunday from 5pm until midnight.

**Performance of Dance & Anything Similar = Not currently Licensed.**

**Proposed Performance of Dance & Anything Similar (Indoors only)**

Monday to Sunday from 5pm until midnight.

(No seasonal variations for any licensable activities have been proposed).

The applicant wishes to remove an existing licence condition stipulating that a Security Industry Authority (SIA) front line door supervisor will be employed at the premises after 11pm when alcohol is being served. And that there will be one SIA door supervisors for the

first one hundred customers than an additional one after that.

The application itself lacks specific details about how the applicant will promote and uphold the licensing objectives, given that it will be operating later in the night-time economy when alcohol related violent crime rises.

Leicestershire Police are also concerned that the applicant wishes to remove the existing security provision condition, due to the increased risks to both customers and general public.

On Saturday 14<sup>th</sup> December 2024, Leicestershire Police completed a visit during the consultation period and identified five breaches of its existing licence conditions, as well as the premises licence not being displayed as per Section 57 of the Licensing Act 2003. As result of the above, a warning letter was served upon the responsible persons.

Leicestershire Police believes operating a licensed premises in the night-time economy requires strong management. Leicestershire Police has previously raised concerns about the applicants lack experience, as well as other concerns and do not believe sufficient time has passed in order to prove themselves as a responsible operator.

Therefore, Leicestershire Police respectfully requests the application is rejected as it fails to promote all four licencing objectives.

PC2093 Jefferson Pritchard

Leicestershire Police – Alcohol Licensing for Leicester City Centre

Representation dated – Tuesday 17<sup>th</sup> December 2024



## Representation in respect of a Variation Application

Licensing Act 2003

Details of person or body making representation:	
Your Name:	Bobby Smiljanic
Your position/role:	Licensing Enforcement Manager

Details of premises representation is about:	
Name of Premises:	Arsad Café Ltd
Address of premises:	161 Belgrave Gate Leicester LE1 3HS
Application No. (if known)	170030

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 checked="" type="checkbox"/>

Authority Declarations:
<p>I write in my capacity as Licensing Enforcement Manager for Leicester City Council Licensing Authority on the authority delegated to me.</p> <p>Please take notice that I am satisfied that allowing the premises to be used in accordance with the application would undermine the above stated Licensing Objectives and as such submit our representations.</p>

Representations:
<p>We would like to submit our representations for this premises application based upon the above stated licensing objectives.</p>



The application is for a Variation of an existing Premises Licence LEIPRM1772 for the following activities:

Performance of live music (indoors): Mon-Sun 17:00hrs to 23:59hrs

Playing of recorded music (indoors): Mon-Sun 17:00hrs to 23:59hrs

Performances of dance (indoors): Mon-Sun 17:00hrs to 23:59hrs

Anything of a similar description to that falling within (e), (f) or (g) (indoors):

Mon-Sun 17:00hrs to 23:59hrs

Late night refreshment (indoors): Mon-Sun 23:00hrs to 02:00hrs

Supply of alcohol for consumption both ON and OFF the premises:

Mon-Sun 10:00hrs to 02:00hrs

The premises opening hours will be: Mon-Sun 07:00hrs to 02:30hrs

Seasonal variations have not been applied for.

In addition, the applicant has identified those conditions currently imposed on the licence which they believe could be removed as a consequence of the proposed variation under the existing Premises Licence LEIPRM1772.

The premises is located in a row of other buildings on the ground floor at 161 Belgrave Gate in the Castle Ward of Leicester.

The Licensing Authority believes that some of the additional conditions will be inadequate with regards to the prevention of crime and disorder and protecting children from harm, and we have proposed both alternative conditions which we believe will better fulfil the licensing objectives.

The premises has previously applied for a licence in April 2024 but this was rejected following a committee hearing.

The premises has since applied for and been granted Temporary Event Notices for late nights and early mornings.

The Licensing Authority do have concerns about the premises and the effects it may have on the local community, both business and residential. This relates to the control of the age range of the persons attending and also the detail of the operating schedule that has been applied for.

We believe that with the amendments and additions shown below that the premises and applicant could promote the licensing objectives in line with conducting their business in a safe manner.

#### Conditions Details:

We believe the below additions/amendments of conditions in full, which we believe are reasonable, proportionate and enforceable, may assist the Licence Holder in upholding the licensing objectives.

We have detailed, for clarity, those that

- (a) We believe should be replaced from the applied operating schedule with our proposed wording
- (b) Those to be removed from the operating schedule and;



(c) Those that are in addition.

Any wording on the operating schedule that is not detailed below to remain on any licence

#### **(a) Conditions to be replaced from Operating Schedule**

*Wording contained within the applied operating schedule as copied below be replaced with Requested Condition/s:*

Operating Schedule Wording:

- Challenge 25 will be adopted
- CCTV will be retained for 28 days
- No children will be present after 21.00

To be replaced with:

- A Challenge 25 policy will be adopted with the only acceptable proof of age identification consisting of a current passport, photo card driving licence or identification carrying a PASS logo. A training record must be kept on the premises, retained for 12 months from the date of the incident and produced to an officer from a responsible authority upon request.
- The licence holder will ensure a high definition, colour HD CCTV camera system is installed, operational and recording whilst the premises is open to the public. The system must permit the identification of individual(s) in all lighting conditions.
- CCTV cameras must cover all areas that the public have access to, including the entrance, exit and pavement area immediately outside the premises.
- CCTV system images must be securely stored, display an accurate date/time stamp and retained for a minimum of 31 days.
- The licence holder will ensure that there is always a member of staff trained and available to download CCTV images/ footage immediately if requested by the police or the Licensing Authority.
- The licence holder will ensure no persons under the age of 18 are allowed on the premises after 19:00 hrs when licensable activities are being conducted.

#### **(b) Conditions to be removed from Operating Schedule**

*Wording contained within the applied operating schedule as copied below be removed:*

- N/A

#### **(c) Requested Additional Conditions**

*Condition/s wording below to be added in full to any granted licence:*

- N/A

**Appendix:**

No Appendix	Click or tap here to enter text.
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#### Authority Signatures:

Bobby Smiljanic  
Licensing Enforcement Manager  
Leicester City Council  
18/12/2024

Reporting Officer  
Elizabeth Arculus

#### Licensing Authority Details:

Licensing Authority  
Licensing Enforcement  
York House  
91 Granby Street  
LE1 6FB

Tel: 0116 4540049  
Email: [licensingenforcement@leicester.gov.uk](mailto:licensingenforcement@leicester.gov.uk)  
[www.leicester.gov.uk/licensing](http://www.leicester.gov.uk/licensing)

#### Notice Sent to:

Please note that this representation has been sent to:

- (1) Licensing Authority Applications Team, Leicestershire Police Licensing, Noise Pollution Team, Leicestershire Fire & Rescue Service
- (2) Applicant and/or Agent

#### **Agreement Notice Applicant** (if applicable & only valid if signed)

#### **Licensing Enforcement Agreement Confirmation** (if applicable & only valid if signed)

#### **Notification to Local Authority of Agreement regarding Licensing Authority Enforcement Representation**

Dear Licensing Authority,

I write in my capacity as the Licensing Enforcement Manager for Leicester City Council.

Discussions have taken place between the Licensing Enforcement Team and with the applicant about the concerns raised in the representation.

We have current representations submitted with yourselves that the following should be placed upon the new licence:

**I direct you to the above notice of agreement signed by the applicant and/or agent.**

If this is acceptable, I do not consider that a hearing is necessary, however this is not a withdrawal of the representation.

**If a hearing is conducted due to other representations or non-agreement with the committee, we must be invited to the hearing (within normal protocols) in order to answer any questions from members regarding our representation and subsequent agreement.**

Yours faithfully,

Bobby Smiljanic  
Licensing Enforcement Manager  
Leicester City Council  
Date: 23/12/2024

## Representation in respect of a Variation Application

Licensing Act 2003

Details of person or body making representation:	
Your Name:	Bobby Smiljanic
Your position/role:	Licensing Enforcement Manager

Details of premises representation is about:	
Name of Premises:	Arsad Café Ltd
Address of premises:	161 Belgrave Gate Leicester LE1 3HS
Application No. (if known)	170030

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 checked="" type="checkbox"/>

Authority Declarations:
<p>I write in my capacity as Licensing Enforcement Manager for Leicester City Council Licensing Authority on the authority delegated to me.</p> <p>Please take notice that I am satisfied that allowing the premises to be used in accordance with the application would undermine the above stated Licensing Objectives and as such submit our representations.</p>

Representations:
<p>We would like to submit our representations for this premises application based upon the above stated licensing objectives.</p>

The application is for a Variation of an existing Premises Licence LEIPRM1772 for the following activities:

Performance of live music (indoors): Mon-Sun 17:00hrs to 23:59hrs

Playing of recorded music (indoors): Mon-Sun 17:00hrs to 23:59hrs

Performances of dance (indoors): Mon-Sun 17:00hrs to 23:59hrs

Anything of a similar description to that falling within (e), (f) or (g) (indoors):

Mon-Sun 17:00hrs to 23:59hrs

Late night refreshment (indoors): Mon-Sun 23:00hrs to 02:00hrs

Supply of alcohol for consumption both ON and OFF the premises:

Mon-Sun 10:00hrs to 02:00hrs

The premises opening hours will be: Mon-Sun 07:00hrs to 02:30hrs

Seasonal variations have not been applied for.

In addition, the applicant has identified those conditions currently imposed on the licence which they believe could be removed as a consequence of the proposed variation under the existing Premises Licence LEIPRM1772.

The premises is located in a row of other buildings on the ground floor at 161 Belgrave Gate in the Castle Ward of Leicester.

The Licensing Authority believes that some of the additional conditions will be inadequate with regards to the prevention of crime and disorder and protecting children from harm, and we have proposed both alternative conditions which we believe will better fulfil the licensing objectives.

The premises has previously applied for a licence in April 2024 but this was rejected following a committee hearing.

The premises has since applied for and been granted Temporary Event Notices for late nights and early mornings.

The Licensing Authority do have concerns about the premises and the effects it may have on the local community, both business and residential. This relates to the control of the age range of the persons attending and also the detail of the operating schedule that has been applied for.

We believe that with the amendments and additions shown below that the premises and applicant could promote the licensing objectives in line with conducting their business in a safe manner.

#### Conditions Details:

We believe the below additions/amendments of conditions in full, which we believe are reasonable, proportionate and enforceable, may assist the Licence Holder in upholding the licensing objectives.

We have detailed, for clarity, those that

- (a) We believe should be replaced from the applied operating schedule with our proposed wording
- (b) Those to be removed from the operating schedule and;



(c) Those that are in addition.

Any wording on the operating schedule that is not detailed below to remain on any licence

#### **(a) Conditions to be replaced from Operating Schedule**

*Wording contained within the applied operating schedule as copied below be replaced with Requested Condition/s:*

Operating Schedule Wording:

- Challenge 25 will be adopted
- CCTV will be retained for 28 days
- No children will be present after 21.00

To be replaced with:

- A Challenge 25 policy will be adopted with the only acceptable proof of age identification consisting of a current passport, photo card driving licence or identification carrying a PASS logo. A training record must be kept on the premises, retained for 12 months from the date of the incident and produced to an officer from a responsible authority upon request.
- The licence holder will ensure a high definition, colour HD CCTV camera system is installed, operational and recording whilst the premises is open to the public. The system must permit the identification of individual(s) in all lighting conditions.
- CCTV cameras must cover all areas that the public have access to, including the entrance, exit and pavement area immediately outside the premises.
- CCTV system images must be securely stored, display an accurate date/time stamp and retained for a minimum of 31 days.
- The licence holder will ensure that there is always a member of staff trained and available to download CCTV images/ footage immediately if requested by the police or the Licensing Authority.
- The licence holder will ensure no persons under the age of 18 are allowed on the premises after 19:00 hrs when licensable activities are being conducted.

#### **(b) Conditions to be removed from Operating Schedule**

*Wording contained within the applied operating schedule as copied below be removed:*

- N/A

#### **(c) Requested Additional Conditions**

*Condition/s wording below to be added in full to any granted licence:*

- N/A

**Appendix:**

No Appendix

Click or tap here to enter text.

**Authority Signatures:**

Bobby Smiljanic  
Licensing Enforcement Manager  
Leicester City Council  
18/12/2024

Reporting Officer  
Elizabeth Arculus

**Licensing Authority Details:**

Licensing Authority  
Licensing Enforcement  
York House  
91 Granby Street  
LE1 6FB

Tel: 0116 4540049  
Email: [licensingenforcement@leicester.gov.uk](mailto:licensingenforcement@leicester.gov.uk)  
[www.leicester.gov.uk/licensing](http://www.leicester.gov.uk/licensing)

**Notice Sent to:**

Please note that this representation has been sent to:

- (1) Licensing Authority Applications Team, Leicestershire Police Licensing, Noise Pollution Team, Leicestershire Fire & Rescue Service
- (2) Applicant and/or Agent

**Agreement Notice Applicant** (if applicable & only valid if signed)**Notification to Local Authority of Agreement regarding Licensing  
Authority Enforcement Concerns.**

Dear Licensing Authority,

I write in my capacity as the applicant/agent in relation to the above matter & application.

Discussions have taken place with Leicester City Council Licensing Enforcement in relation to their concerns and have been made aware of the above conditions that should be replaced/removed or added to any granted licence.

Please note:

**I as the applicant/agent agree to all these conditions & amendments as detailed and do not, therefore consider that a hearing is necessary.**

Signed 1:



Name in block capitals: ARMANDO DOCI

Application Capacity: Applicant

Date: 18/12/2024

---

Signed 2:

Name in block capitals:

Application Capacity:

Date:

---

**Licensing Enforcement Agreement Confirmation** (if applicable & only valid if signed)



**CONDITIONS**

<b>STEPS CONSISTENT WITH THE OPERATING SCHEDULE</b>
Challenge 25 will be adopted.
CCTV will be retained for 28 days.
SIA door staff will be employed in line with a risk assessment. A log will be kept.
A noise limiter will be used at the premises. Regular noise checks will be carried out.
No children will be present after 21:00hrs.
<b>CONDITIONS CONSISTENT WITH THE REPRESENTATION &amp; AGREEMENT FROM NOISE TEAM</b>
A noise limiting device shall be installed, set and maintained at a level agreed with the Leicester City Noise & Pollution Control Team and all amplified music or voice shall be played through this device at all times.
<b>CONDITIONS CONSISTENT WITH THE REPRESENTATION &amp; AGREEMENT FROM LICENSING ENFORCEMENT</b>
A Challenge 25 policy will be adopted with the only acceptable proof of age identification consisting of a current passport, photo card driving licence or identification carrying a PASS logo. A training record must be kept on the premises, retained for 12 months from the date of the incident and produced to an officer from a responsible authority upon request.
The licence holder will ensure a high definition, colour HD CCTV camera system is installed, operational and recording whilst the premises is open to the public. The system must permit the identification of individual(s) in all lighting conditions.
CCTV cameras must cover all areas that the public have access to, including the entrance, exit and pavement area immediately outside the premises.
CCTV system images must be securely stored, display an accurate date/time stamp and retained for a minimum of 31 days.
The licence holder will ensure that there is always a member of staff trained and available to download CCTV images/ footage immediately if requested by the police or the Licensing Authority.
The licence holder will ensure no persons under the age of 18 are allowed on the premises after 19:00 hrs when licensable activities are being conducted.



# **Code of Practice for Hearings - Licensing Act 2003**

Version 4a

July 2014

## **1. Introduction**

- 1.1. This Code of Practice sets out how hearings to be held by Leicester City Council in its role as Licensing Authority under the Licensing Act 2003 will be conducted.
- 1.2. The Licensing Act – Hearings Regulations 2004 also regulate the conduct of hearings and this Code should be read in conjunction with those regulations. In the event of uncertainty the Regulations would take precedence.
- 1.3. Members of the Licensing Committee who sit on hearing panels are also governed by the “Code Of Practice For Member Involvement in Licensing Matters.”
- 1.4. The types of hearings to which this Code of Practice is applicable are set out in Sections 6.

## **2. Objectives**

- 2.1. Hearings will be conducted in order to achieve the following objectives:
  - The decision making process promotes the licensing objectives of the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm.
  - All parties are given a fair hearing.
  - Hearings are conducted in an efficient manner.

## **3. Roles**

- 3.1. The Licensing Committee has delegated the holding of hearings to Licensing Sub-Committees of three members. Members of the Sub-Committee will:
  - Consider information and evidence presented by the parties;
  - Control the conduct of hearings in accordance with this code;
  - Ask questions of the parties that are relevant to the matter to be determined.
  - Seek advice from the Legal Advisor and Licensing Officer
  - Make a determination at the conclusion of the hearing.
- 3.2. The Legal Advisor will give legal advice to the Sub-Committee on the following matters:
  - The interpretation of legislation;
  - Other legal matters;
  - The admissibility and relevance of evidence and other information presented by the parties;
  - The relevance and appropriateness of questions.The Legal Advisor will remain neutral to the decision making process.
- 3.3. The Committee Secretary will make a record of the hearing and will advise the Sub-Committee on the procedure to be followed. The Committee Secretary will remain neutral to the decision making process.

- 3.4. The Licensing Officer will provide the factual details of the matter to be considered and offer advice to the Sub-Committee on the Licensing Act, the authority's Licensing Policy and the Guidance issued by the Secretary of State, as they relate to the application and representations made. The Licensing Officer will remain neutral to the decision making process.
- 3.5. The Parties to the hearing include the applicant and any responsible authority or interested party who has made a representation or given a notice in respect of the application. They will be able to give further information in support of their application, representation or notice, to clarify any point that the Licensing Authority has raised, to address the Sub-Committee and, if given permission by the authority, question another party.
- 3.6. Ward councillors who appear at licensing hearings as interested parties, because they have made representations or requested reviews, will be given the same opportunities and be subject to the same restrictions as other parties to the hearing.

#### **4. General Matters**

##### **4.1. Setting of Date for Hearings**

- 4.1.1. In view of the requirement to hold hearings within specified times, the Licensing Authority will generally be unable to enter into discussions to identify dates convenient to all parties concerned.
- 4.1.2. The Licensing Authority will give notice of the hearing as set out in Section 6.
- 4.1.3. The notice will specify any points that the Licensing Authority would like to be clarified at the hearing.
- 4.1.4. In exceptional circumstances, the Licensing Authority will consider applications to adjourn hearings to a later date.

##### **4.2. Notice of Attendance**

- 4.2.1. Any party receiving a notice of hearing will give the Licensing Authority, within the time period specified in Section 6, a notice of whether they intend to attend or be represented at the hearing, or whether they consider a hearing to be unnecessary.
- 4.2.2. If a party wishes any other person (other than a person representing them) to appear at the hearing, the notice shall also contain a request for permission for this, with details of the name of the person and a brief description of the points that the person would be able to make.
- 4.2.3. If a party has not notified the Licensing Authority of their intention to attend a hearing, the rights of the party, as outlined in Paragraph 3.5 above, may only be exercised with the agreement of the Sub-committee.

### **4.3. Non- Attendance at Hearings**

- 4.3.1. If a party to a hearing fails to attend, the licensing authority may hold the hearing in that party's absence unless it considers it in the public interest to adjourn the hearing to a later date.
- 4.3.2. Where a hearing is held in the absence of a party, any written representation made by the party will be considered by the Licensing Authority at the hearing.

### **4.4. Visits to Premises**

- 4.4.1. In certain situations a visit to a premises that is the subject of a hearing may prove useful. This will be dependant on the purpose of the hearing and the level of information that is provided at the hearing. However, care needs to be taken to ensure that the visit does not prejudice the hearing, by evidence being presented at the visit, other than about the physical layout of the premises. Members should also be aware that, because of the limited time during which it is possible to arrange a visit, the timing may not always be the most convenient for all involved.
- 4.4.2. Where, after considering the information presented at the hearing, members of the panel believe that a visit would be useful, a visit may be organised subject to the following
  - The permission of the occupier of the premises being granted.
  - A suitable date being found for the visit within the time allowed for determination on the application.
  - Discussion of the application not taking place during the visit
  - An opportunity being provided for the other parties to the hearing to be present during the visit.

### **4.5. Documentary Evidence**

- 4.5.1. Eight copies of any documentary or written information to be presented at hearings should be submitted to the Licensing Authority in accordance with the timescales set out in Section 6.
- 4.5.2. Parties to the hearing should also submit a written summary, of no more than one page of A4, of all information they intend to present at the hearing.
- 4.5.3. The Licensing Authority will forward copies of evidence and information to other parties to the hearing.
- 4.5.4. The Sub-Committee may only consider evidence submitted at the hearing if all parties agree to its late submission.

#### **4.6. Maximum Time Allowances at Hearings**

- 4.6.1. The Licensing Authority is required by regulation to allow the same maximum times for the parties to undertake the functions identified in paragraph 3.5 above. These are set out in Section 6.
- 4.6.2. Applications that all parties should be allowed extra time to undertake their functions, would need to be made in advance of the hearing. In these circumstances it may be possible to rearrange the hearing provided that statutory deadlines can still be met.

#### **4.7. Public Hearings**

- 4.7.1. Hearings will be in public.
- 4.7.2. The Sub-Committee may exclude the public from a hearing if it considers it in the public interest to do so.

#### **4.8. Right of Assistance and Representation**

- 4.8.1. Any party to a hearing may be assisted or represented by any person whether legally qualified or not.

### **5. Procedure at Hearings**

#### **5.1. Format of Hearings**

- 5.1.1. Hearings will take the form of a discussion led by the authority. Cross-examination will not be allowed unless the authority considers it necessary for it to consider the matter being dealt with.

#### **5.2. Introductions**

- 5.2.1. The Chair of the Sub-Committee will arrange for all parties present to introduce themselves.
- 5.2.2. The Chair will explain the procedure to be followed.

#### **5.3. Licensing Officer's Report**

- 5.3.1. The Licensing Officer will present a report that will:
  - confirm the purpose of the hearing
  - set out the factual details of the matter to be considered
  - provide advice about how the Licensing Act, statutory guidance and the authority's policy relates to the application and any representations made
  - in respect of premises licences, a schedule of the conditions that are consistent with the operating schedule submitted with the application
  - a schedule of the points that require clarification that were identified in the notice of hearing.

#### **5.4. Presentation of Information**

- 5.4.1. Each party will clarify any points raised by the authority and give further information in support of their representation, notice or application. Questions about the information may be asked by the Sub-Committee members (see Paragraph 5.5). Cross-examination by another party will not be allowed unless the Sub-Committee consider it would assist them in arriving at a determination.
- 5.4.2. The Licensing Authority will seek to focus the hearing on the promotion of the licensing objective that gave rise to the hearing and avoid the hearing straying into undisputed areas. The information should therefore be relevant and relate to the representation, notice or other determination to be considered and to the promotion of the licensing objectives.
- 5.4.3. Where more than one representation has been made, the party making the representation should avoid duplicating the points made by other parties although they may briefly state their agreement with them.
- 5.4.4. Generally, the parties may not add further representations to those disclosed to the applicant prior to the hearing, but they may amplify their existing representation.
- 5.4.5. Information will be presented first by the party making the representation or notice followed by a response by the applicant. Where there is more than one party giving a representation or notice, the Sub-Committee will decide which order they should take.
- 5.4.6. The maximum time allowed for each presentation is set out in Section 6.

#### **5.5. Questions**

- 5.5.1. Following each presentation, members of the Sub-Committee may ask questions.
- 5.5.2. The questions will be relevant and relate to the representation, notice or other determination to be considered. Duplication will be avoided.
- 5.5.3. Where the Sub-Committee consider it would assist them in arriving at a determination, they may give permission for another party, or one of the officers present to ask a question.
- 5.5.4. The maximum time allowed for questions by another party in relation to each presentation is set out in Section 6.

#### **5.6. Final Addresses to the Sub-Committee**

- 5.6.1. Following the completion of presentations and questions, each party may address the Sub-Committee. This will be done in the order in which presentations were given.
- 5.6.2. The maximum time allowed for addressing the Sub-Committee is set out in Section 6.



## **5.7. Close of Hearing**

- 5.7.1. On completion of all presentations and questions, the Chair of the Sub-Committee will declare the hearing closed.

## **5.8. Determination**

- 5.8.1. The Sub-Committee will make a determination of the matters to be considered within the timescales set out in Section 6.
- 5.8.2. In coming to a determination the Sub-Committee may take advice from its Licensing Officer and Legal Advisor. All such advice will be given in the presence of the parties to the hearing.
- 5.8.3. Where the parties of the hearing are excluded from the hearing whilst the Sub-Committee considers its determination, then except as allowed for in Paragraph 5.8.4 below, all persons present, including council officers, will also be excluded from the hearing. As an exception to the above, the Sub-Committee may decide that the Committee Services Officer may remain to record, but not take part in, the decision making process.
- 5.8.4. After reaching its determination, the Sub-Committee may ask the Legal Advisor present to verify the wording of the determination and the Committee Services Officer to record the decision, prior to it being announced to the parties. This verification and recording may take place in private.

## **5.9. Announcement of Determination and Notification**

- 5.9.1. If the Sub-Committee has made its determination immediately after the hearing, it will announce its decision, and where applicable the reasons for it, to the parties present.
- 5.9.2. Written notification of the determination will be given to the parties within the timescales set out in Section 6. Notifications will include information about the rights of appeal against the determination made.
- 5.9.3. Where there is any discrepancy between the announcement of the decision and the written notification, the written notification will take precedence.

## Details Applicable to Each Type of Hearing

### 5.10. Determination of Application for Personal Licence – Section 120(7)(a) Determination of Application for Renewal of Personal Licence – Section 121(6)(a)

Period in which Hearing to be held	20 working days from the date of end of period for notice by police
Period of Notice of Hearing	10 working days
Parties to be Notified	The Applicant The Chief Officer of Police
Period of Notice of Attendance at Hearing	5 working days before hearing
Period of submission of evidence to be presented at hearing	5 working days before hearing
Maximum time for presentation of evidence and information by each party at hearing	30 minutes
Maximum time for questioning of each party by any other party at hearing	10 minutes
Maximum time for addressing Sub-Committee by each party	5 minutes
Determinations to be made	Whether it is necessary to reject the application to promote the crime prevention objective
Period allowed for Determination by Sub-Committee	5 working days

### 5.11. Determination of Application for Premises Licence – Section 18(3)(a) Determination of Application for Club Premises Certificate – Section 72(3)(a)

Period in which Hearing to be held	20 working days from the date of end of period for representations
Period of Notice of Hearing	10 working days
Parties to be Notified	The Applicant Parties making representations
Period of Notice of Attendance at Hearing	5 working days before hearing
Period of submission of evidence to be presented at hearing	5 working days before hearing
Maximum time for presentation of evidence and information by each party at hearing	40 minutes
Maximum time for questioning of each party by any other parties at hearing	15 minutes
Maximum time for addressing Sub-Committee by each party	10 minutes
Determinations to be made	Whether to: <ul style="list-style-type: none"> <li>• Grant the licence subject to conditions</li> <li>• To exclude from the licence any of the licensable activities</li> <li>• To refuse to accept the proposed</li> </ul>

	premise supervisor • To reject the application
Period allowed for Determination by Sub-Committee	5 working days

#### 5.12. Determination of Application for Provisional Statement – Section 31(3)(a)

Period in which Hearing to be held	20 working days from the date of end of period for representations
Period of Notice of Hearing	10 working days
Parties to be Notified	The Applicant Parties making representations
Period of Notice of Attendance at Hearing	5 working days before hearing
Period of submission of evidence to be presented at hearing	5 working days before hearing
Maximum time for presentation of evidence and information by each party at hearing	40 minutes
Maximum time for questioning of each party by any other parties at hearing	15 minutes
Maximum time for addressing Sub-Committee by each party	10 minutes
Determinations to be made	Whether it would be necessary on the completion of the premises, to: <ul style="list-style-type: none"> <li>Grant the licence subject to conditions</li> <li>To exclude from the licence any of the licensable activities</li> <li>To refuse to accept the proposed premises supervisor</li> <li>To reject the application</li> </ul>
Period allowed for Determination by Sub-Committee	5 working days

#### 5.13. Determination of Application to Vary Premises Licence – Section 35(3)(a) Determination of Application to Vary Club Premises Certificate – Section 85(3)(a)

Period in which Hearing to be held	20 working days from the date of end of period for representations
Period of Notice of Hearing	10 working days
Parties to be Notified	The Applicant Parties making representations
Period of Notice of Attendance at Hearing	5 working days before hearing
Period of submission of evidence to be presented at hearing	5 working days before hearing
Maximum time for presentation of evidence	40 minutes

and information by each party at hearing	
Maximum time for questioning of each party by any other parties at hearing	15 minutes
Maximum time for addressing Sub-Committee by each party	10 minutes
Determinations to be made	Whether to: <ul style="list-style-type: none"> <li>• Modify the conditions of the licence</li> <li>• To reject the whole</li> </ul>
Period allowed for Determination by Sub-Committee	5 working days

#### 5.14. Determination of Application to Change Premises Supervisor – Section 39(3)(a)

Period in which Hearing to be held	20 working days from the date of end of period for notice by police
Period of Notice of Hearing	10 working days
Parties to be Notified	The Applicant The Chief Officer of Police The proposed premises supervisor
Period of Notice of Attendance at Hearing	5 working days before hearing
Period of submission of evidence to be presented at hearing	5 working days before hearing
Maximum time for presentation of evidence and information by each party at hearing	30 minutes
Maximum time for questioning of each party by any other parties at hearing	10 minutes
Maximum time for addressing Sub-Committee by each party	5 minutes
Determinations to be made	Whether it is necessary to reject the application to promote the crime prevention objective
Period allowed for Determination by Sub-Committee	5 working days

#### 5.15. Determination of Application to Transfer Premises Licence – Section 44(5)(a)

Period in which Hearing to be held	20 working days from the date of end of period for notice by police
Period of Notice of Hearing	10 working days
Parties to be Notified	The Applicant The Chief Officer of police The existing licence holder
Period of Notice of Attendance at Hearing	5 working days before hearing

Period of submission of evidence to be presented at hearing	5 working days before hearing
Maximum time for presentation of evidence and information by each party at hearing	30 minutes
Maximum time for questioning of each party by any other parties at hearing	10 minutes
Maximum time for addressing Sub-Committee by each party	5 minutes
Determinations to be made	Whether it is necessary to reject the application for the promotion of the crime prevention objective
Period allowed for Determination by Sub-Committee	5 working days

5.16. Cancellation of Interim Authority Notice – Section 48(3)(a)

Period in which Hearing to be held	5 working days from the date of end of period for notice by police
Period of Notice of Hearing	2 working days
Parties to be Notified	The Applicant The Chief Officer of police
Period of Notice of Attendance at Hearing	1 working days before hearing
Period of submission of evidence to be presented at hearing	1 working days before hearing
Maximum time for presentation of evidence and information by each party at hearing	30 minutes
Maximum time for questioning of each party by any other parties at hearing	10 minutes
Maximum time for addressing Sub-Committee by each party	5 minutes
Determinations to be made	Whether it is necessary to cancel the interim authority notice for the promotion of the crime prevention objective
Period allowed for Determination by Sub-Committee	5 working days

5.17. Review of Premises Licence – Section 52(2)  
Review of Club Premises Certificate – Section 82(2)

Period in which Hearing to be held	20 working days from the date of end of period for representations
Period of Notice of Hearing	10 working days

Parties to be Notified	The licence holder Persons making relevant representations The person who made the application for a review
Period of Notice of Attendance at Hearing	5 working days before hearing
Period of submission of evidence to be presented at hearing	5 working days before hearing
Maximum time for presentation of evidence and information by each party at hearing	40 minutes
Maximum time for questioning of each party by any other parties at hearing	15 minutes
Maximum time for addressing Sub-Committee by each party	10 minutes
Determinations to be made	Whether to: <ul style="list-style-type: none"> <li>• Modify the conditions of the licence</li> <li>• Exclude a licensing activity</li> <li>• Remove the designated premises supervisor</li> <li>• Suspend the licence for up to three months</li> <li>• Revoke the licence</li> </ul>
Period allowed for Determination by Sub-Committee	5 working days

#### 5.18. Review of Premises Licence following Closure Order – Section 167(5)(a)

Period in which Hearing to be held	10 working days from the date notice from magistrates' court
Period of Notice of Hearing	5 working days
Parties to be Notified	The licence holder Persons making relevant representations
Period of Notice of Attendance at Hearing	2 working days before hearing
Period of submission of evidence to be presented at hearing	2 working days before hearing
Maximum time for presentation of evidence and information by each party at hearing	40 minutes
Maximum time for questioning of each party by any other parties at hearing	15 minutes
Maximum time for addressing Sub-Committee by each party	10 minutes

Determinations to be made	Whether to: <ul style="list-style-type: none"> <li>• Modify the conditions of the licence</li> <li>• Exclude a licensing activity</li> <li>• Remove the designated premises supervisor</li> <li>• Suspend the licence for up to three months</li> <li>• Revoke the licence</li> </ul>
Period allowed for Determination by Sub-Committee	At the conclusion of the hearing

5.19. Police objection to Temporary Event Notice – Section 105(2)(a)

Period in which Hearing to be held	7 working days from the date of end of period for notice by police
Period of Notice of Hearing	2 working days
Parties to be Notified	The Applicant The Chief Officer of Police
Period of Notice of Attendance at Hearing	1 working days before hearing
Period of submission of evidence to be presented at hearing	1 working days before hearing
Maximum time for presentation of evidence and information by each party at hearing	40 minutes
Maximum time for questioning of each party by any other parties at hearing	15 minutes
Maximum time for addressing Sub-Committee by each party	10 minutes
Determinations to be made	Whether to give a counter notice
Period allowed for Determination by Sub-Committee	At the conclusion of the hearing

5.20. Consideration of Convictions of Personal Licence Holder – Section 124(4)(a)

Period in which Hearing to be held	20 working days from the date of end of period for notice by police
Period of Notice of Hearing	10 working days
Parties to be Notified	The Applicant The Chief Officer of police
Period of Notice of Attendance at Hearing	5 working days before hearing
Period of submission of evidence to be presented at hearing	5 working days before hearing
Maximum time for presentation of evidence and information by each party at hearing	30 minutes
Maximum time for questioning of each party by any other parties at hearing	10 minutes

Maximum time for addressing Sub-Committee by each party	5 minutes
Determinations to be made	Whether it is necessary to cancel the interim authority notice for the promotion of the crime prevention objective
Period allowed for Determination by Sub-Committee	5 working days

- 5.21. Determination of Application for Conversion to Premises Licence, subject to of Police Notice of Objection – Paragraph 4(3)(a) of Schedule 8  
Determination of Application for Conversion to Club Premises Certificate, subject to of Police Notice of Objection – Paragraph 16(3)(a) of Schedule 8

Period in which Hearing to be held	10 working days from the date of end of period for representations
Period of Notice of Hearing	5 working days
Parties to be Notified	The applicant The Chief Officer of Police
Period of Notice of Attendance at Hearing	2 working days before hearing
Period of submission of evidence to be presented at hearing	2 working days before hearing
Maximum time for presentation of evidence and information by each party at hearing	40 minutes
Maximum time for questioning of each party by any other parties at hearing	15 minutes
Maximum time for addressing Sub-Committee by each party	10 minutes
Determinations to be made	Whether it is necessary to reject the application to promote the crime prevention objective.
Period allowed for Determination by Sub-Committee	At the conclusion of the hearing

- 5.22. Determination of Application for Conversion to Personal Licence, subject to a Police Notice of Objection – Paragraph 26(3)(a) of Schedule 8

Period in which Hearing to be held	10 working days from the date of end of period for notice by police
Period of Notice of Hearing	5 working days
Parties to be Notified	The Applicant The Chief Officer of Police
Period of Notice of Attendance at Hearing	2 working days before hearing
Period of submission of evidence to be presented at hearing	2 working days before hearing
Maximum time for presentation of evidence and information by each party at hearing	30 minutes



Maximum time for questioning of each party by any other party at hearing	10 minutes
Maximum time for addressing Sub-Committee by each party	5 minutes
Determinations to be made	Whether it is necessary to reject the application to promote the crime prevention objective
Period allowed for Determination by Sub-Committee	At the conclusion of the hearing

# Summary of Procedure at Hearing

## 1. Introductions

- 1.1. Introduction from Chair
- 1.2. Introduction from other members, officers and the parties

## 2. Report

- 2.1. Report by the Licensing Officer
- 2.2. Questions by members
- 2.3. Questions by the parties

## 3. Presentations

- 3.1. Presentation by those making representations
  - 3.1.1. Questions by members
  - 3.1.2. Questions by other parties
- 3.2. Presentation by applicant
  - 3.2.1. Questions by members
  - 3.2.2. Questions by other parties

## 4. Final Addresses

- 4.1. By those making representations
- 4.2. By the applicant

## 5. Advice

- 5.1. From the Licensing Officer
- 5.2. From the Legal Advisor

## 6. Decision

- 6.1. Consideration by members in private
- 6.2. Members come to a decision
- 6.3. Legal Advisor is asked to check the decision
- 6.4. Chair announces decision