
Application for a new premises licence

Licensing (Hearings) Sub-Committee

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

Decision to be taken on/Date of meeting: 14 August 2024

Lead director/officer: Deborah Bragg

Useful information

- Ward(s) affected: Westcotes
- 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 new premises licence for Liya Supermarket, 62 Hinckley Road, Leicester and summarises the representations 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 representation, Members must consider whether to
- Grant the licence without modification
 - Grant the licence subject to conditions
 - Refuse to accept the proposed premises supervisor
 - Reject the application

3. Application and promotion of the licensing objectives

- 3.1 An application was received on 27 June 2024 from Mrs Mastora Mhamad for a new premises licence for Liya Supermarket, 62 Hinckley Road, Leicester. A copy of the application is attached at Appendix A.

- 3.2 The application is as follows:

Licensable activity	Proposed hours
Sale of alcohol (Off)	Monday to Sunday 08:00 – 00:00
Opening hours	Monday to Sunday 08:00 – 00:00

- 3.3 The steps the applicant proposes to take to promote the licensing objectives are set out in the operating schedule (see section 18 of Appendix A).
- 3.4 In arriving at its decision on the application, the Licensing Authority's primary consideration must be the promotion of the licensing objectives.

3.5 Location Plan



4. Representations

- 4.1 A representation was received on 28 June 2024 from a member of the public. The representation relates to the prevention of crime and disorder, prevention of public nuisance, public safety and the protection of children from harm. The representee is concerned that late opening will cause environmental pollution with drunks leaving alcohol bottles everywhere, as well as detrimental effect on mental health of young children. There are already shops nearby selling alcohol, and the representee sees no reason for another shop. A copy of the representation is attached at Appendix B1.
- 4.2 A representation was received on 11 July 2024 from Leicestershire Police. The representation relates to prevention of crime and disorder, prevention of public nuisance and protection of children from harm. Leicestershire Police do have some concerns about the application, given the number of licensed premises in the area, the proposed operating hours and alcohol related anti-social behaviour. Therefore, Leicestershire Police sought additional security measures in order to reduce the likelihood of alcohol related anti-social behaviour crime and disorder in the area.

- 4.3 Leicestershire Police have reached an Agreement with the applicant. A copy of the Agreement is attached at Appendix B2.
- 4.4 A representation was received on 23 July 2024 from a member of public. The representation relates to prevention of crime and disorder, prevention of public nuisance and public safety. The representee states there are already a lot of off-sales liquor shops in the area, so there is no need for another one, especially as there are groups of people gathering at the side of the shop in the late hours and the residents are not feeling safe passing next to the shop. The representee also states the shop is selling illegal non UK duty paid cigarettes in the area. A copy of the representation is attached at Appendix B3.

5. Conditions

- 5.1 The conditions that are consistent with the application are attached at Appendix C.

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:

Section	Heading
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
2.22 – 2.31	Protection of children from harm
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
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

7. Points for clarification

7.1 The applicant and the party / parties 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 representations are valid, and if not why not.
2. In the light of the representations 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

None.

8.2 Legal implications

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

8.3 Equalities implications

None.

8.4 Climate Emergency implications

There are unlikely to be any significant climate emergency implications directly associated with this report and the licensing process. Aidan Davis, Sustainability Officer, Ext 28 3384.

8.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

9. Background information and other papers:

None

10. Summary of appendices:

Appendix A – Application

Appendix B – Representations

Appendix C – 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