



Leicester
City Council

SECOND DESPATCH
Addendum

LICENSING (HEARINGS) SUB-COMMITTEE

DATE: MONDAY, 9 OCTOBER 2017

TIME: 9:30 am

PLACE: Meeting Room G.01, Ground Floor, City Hall, 115 Charles Street, Leicester, LE1 1FZ

PUBLIC SESSION

AGENDA

5. ANY OTHER URGENT BUSINESS

Further to the agenda for the above meeting which has already been circulated, Members of the Sub-Committee have agreed to accept the following as an item of 'Any Other Urgent Business' as the application has to be heard within 7 days of the end of the representation period.

'Objection notice given for a Temporary Event Notice: Candle Rooms, 25 Gravel Street, Leicester, LE1 3AG'



Leicester
City Council

WARDS AFFECTED
Castle

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:
Hearing under the Licensing Act 2003

9th October 2017

Objection notice given for a Temporary Event Notice
Candle Rooms, 25 Gravel Street, Leicester, LE1 3AG

Report of the Director of Neighbourhood and Environmental Services

1. Purpose of Report

- 1.1. This report provides information for Members about an objection notice received in relation to a temporary event notice (TEN) given under the Licensing Act 2003, to assist them in determining the outcome.

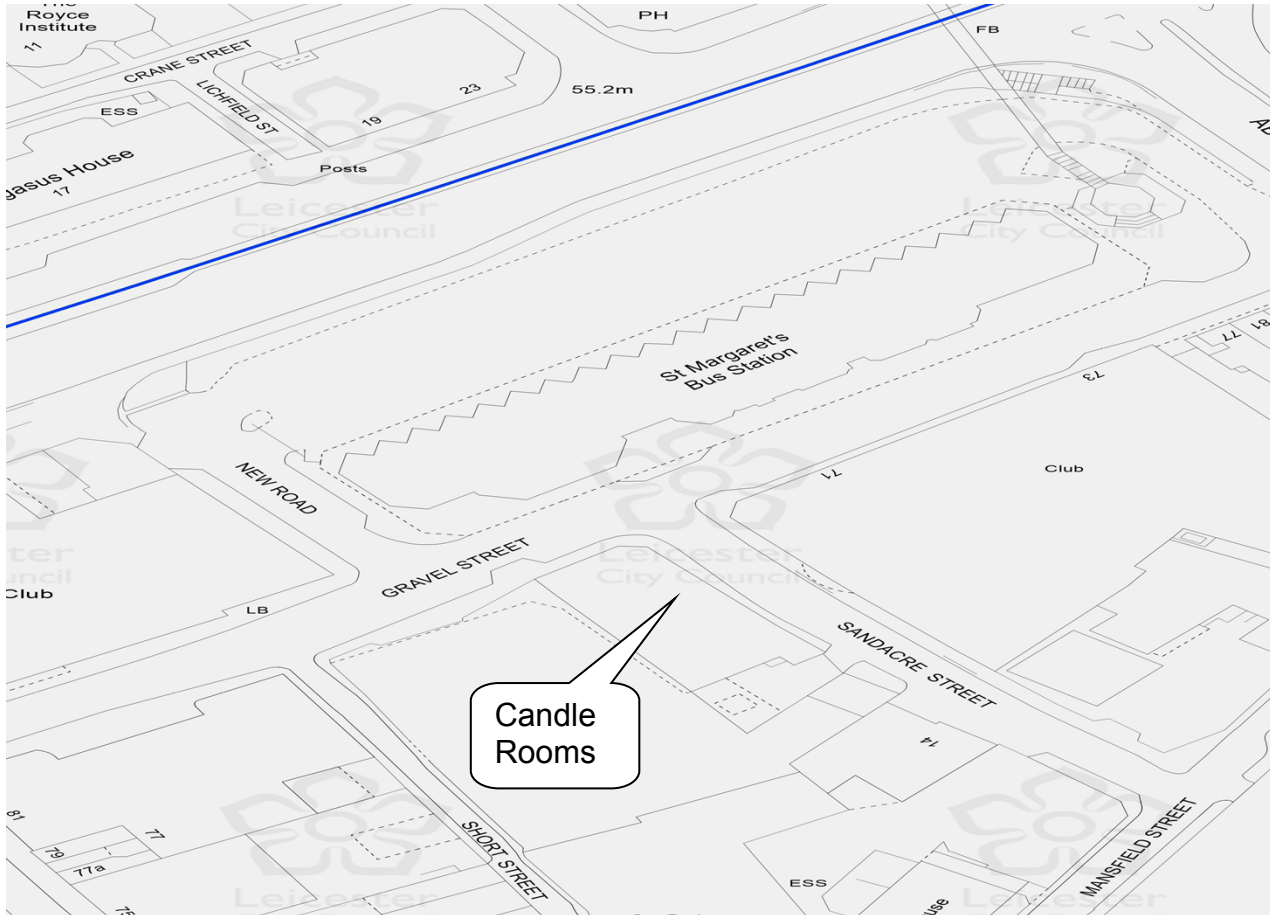
2. Determination to be made

- 2.1. Having considered the temporary event notice and the objection notice, Members must consider whether to
- Give the premises user a counter notice under Section 105 (2) of the Licensing Act 2003 if it is considered appropriate for the promotion of a licensing objective to do so; or
 - Disregard the objection notice

3. Summary

- 3.1 This report outlines an objection notice given by the Police in response to a temporary event notice given by Mr. Ashlik Madlani for Candle Rooms. It also highlights the licensing objectives, the relevant parts of the guidance and regulations, and the pertinent sections of the Licensing Authority's Licensing Policy.

4. Location Plan



5. Temporary event notice

5.1. A temporary event notice was given on 27th September 2017 by Mr. Ashik Madlani for an event at Candle Rooms, 25 Gravel Street, Leicester. The temporary event notice is for an event on 28-29th October and is attached at Appendix A.

5.2. The temporary event notice is for the following licensable activities:

5.3.

Licensable activities	Proposed hours
The sale by retail of alcohol (for consumption on the premises)	19:00-01:00
Provision of regulated entertainment	19:00-01:00
Provision of late night refreshment	19:00-01:00

6. Objection notice

6.1 An objection notice was received on 29th September 2017 from Leicestershire Police on the grounds of the prevention of crime and disorder and public safety. A copy of the objection notice is attached at Appendix B.

7. Existing premises licence

- 7.1 There is no premises licence that affects any part of the premises identified in the temporary event notice. This means that no conditions may be applied to the temporary event notice.

8. Statutory Guidance

- 8.1 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 relevant parts of the guidance in this case are as follows:

Section	Heading
7.2 – 7.7	TEN – General
7.25 – 7.31	Role of the Licensing Authority
7.32 – 7.35	Police and Environmental Health intervention
7.37 – 7.38	Applying conditions to a TEN

9. Statement of Licensing Policy

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

Section	Heading
2	Fundamental Principles
15	Temporary Event Notices

10. Other Implications

OTHER IMPLICATIONS	YES/ NO	Paragraph/References Within Supporting information
Equal Opportunities	No	
Policy	No	
Sustainable and Environmental	No	
Crime and Disorder	Yes	The objection is made on the grounds of the prevention of crime and disorder
Human Rights Act	No	
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

11. Background Papers – Local Government Act 1972

- a. None

12. Consultations

- a. The Licensing Authority is not obliged to consult any parties with regard to temporary event notices. The applicant is required to serve a copy of their temporary event notice on the Police and the Noise Team.

13. Report Author

Vicky Marshall
Licensing Officer
0116 454 3048
victoria.marshall@leicester.gov.uk

APPENDIX	CONTENT
A	Temporary event notice
B	Objection notice

Appendix A

Application ref: leicester-524749
Licence: Temporary Event Notice
Applicant name: Ashik Madlani
Applicant email: [REDACTED]
Submitted on: 27/09/2017 09:41
Total fee: £21.00
Payment status: Paid
Capita ref: 045363
Amount paid: £21.00
Fee outstanding: £0.00

Application

Ashik Madlani application form

Supporting documents (0)

Authority Reference

Reference:

Tacit consent applies

Process by: 11/10/2017

Status: Not collected

Recent History

Notification to licensing-notifications+production@digital.cabinet.gov.uk:
Sent on 27/09/2017 09:44

Notification to [REDACTED]
Sent on 27/09/2017 09:44

Notification to licensing-notifications+production@digital.cabinet.gov.uk:
Sent on 27/09/2017 09:44

Notification to licensing@leicester.gov.uk:
Sent on 27/09/2017 09:44

Payment Successful :
at 27/09/2017 09:43



* required information

Section 1 of 9

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?
 Yes No Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

First name

Family name

E-mail address

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:
 Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

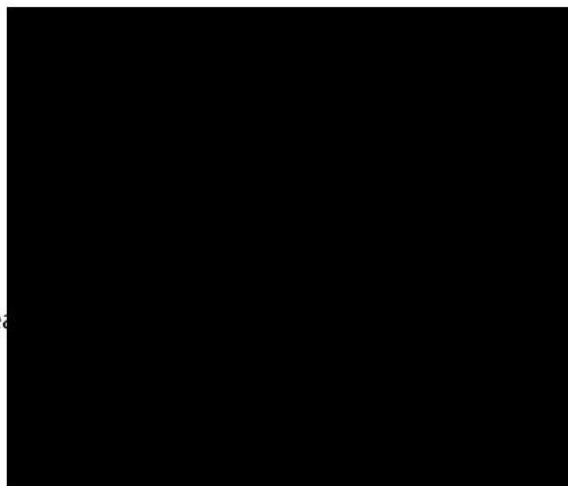
District

City or town

County or administrative area

Postcode

Country



Section 2 of 9

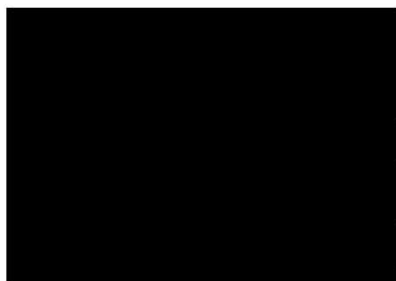
APPLICATION DETAILS (See also guidance on completing the form, general notes and note 1)

Have you had any previous or maiden names?

Yes

No

Your date of birth



Applicant must be 18 years of age or older

National Insurance number



This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth



Correspondence Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes

No

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes No

E-mail

Telephone number

Other telephone number

Section 3 of 9

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). (See also guidance on completing the form, note 2)

Does the premises have an address?

- Yes No

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

- Neither Premises licence Club premises certificate

Location Details

Give an Ordnance Survey (OS) map reference (if a full address has not been given)

Give an Ordnance Survey (National Grid) reference e.g. TL683365

Provide further details about the location of the event

In the city centre opposite St Margaret's Bus Station, on the corner of Gravel and Sandacre Street.

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below (see also guidance on completing the form, note 3)

n/a

Describe the nature of the premises below (see also guidance on completing the form, note 4)

A venue for private events.

Describe the nature of the event below (see also guidance on completing the form, note 5)

A private charity event with a pay bar.

Continued from previous page...

Section 4 of 9

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises
(see also guidance on completing the form, note 6):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

(See also guidance on completing the form, note 7).

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

(see also guidance on completing the form, note 8)

Event start date / /
dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date / /
dd mm yyyy

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

(see also guidance on completing the form, note 9)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

Note that the maximum number of people cannot exceed 499.

(see also guidance on completing the form, note 10)

Continued from previous page...

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both (see also guidance on completing the form, note 11):

- On the premises only
- Off the premises only
- Both

Section 5 of 9

RELEVANT ENTERTAINMENT (See also guidance on completing the form, note 12)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

n/a

Section 6 of 9

PERSONAL LICENCE HOLDERS (See also guidance on completing the form, note 13)

Do you currently hold a valid personal licence? Yes No

Provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue / /
dd mm yyyy

Any further relevant details

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES (See also guidance on completing the form, note 14)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? Yes No

Continued from previous page...

Have you already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or Yes No
- b) Begins 24 hours or less after the event period proposed in this notice?

Section 8 of 9

ASSOCIATES AND BUSINESS COLLEAGUES (See also guidance on completing the form, note 15)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or Yes No
- b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or Yes No
- b) Begins 24 hours or less after the event period proposed in this notice?

Continued from previous page...

Section 9 of 9

CONDITION (See also guidance on completing the form, note 17)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £21

DECLARATION (See also guidance on completing the form, note 18)

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Full name

Capacity

Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/leicester/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed



**Leicestershire
Police**
Protecting our communities

Force Licensing Department
Mansfield House
74 Belgrave Gate
Leicester LE1 3GG

Tel: 101

www.leics.police.uk

Leicestershire Police

Licensing Act 2003 – Representation in respect of a Temporary Event notice

Details of person or body making representation:	
Your Name:	PC1790 Jonathan Webb
Your Address:	Force Licensing Department, Mansfield House, 74 Belgrave Gate, Leicester LE1 3GG

Details of premises representation is about:	
Name of Premises:	Candle Rooms
Address of premises:	25 Gravel Street Leicester LE1 3AG
Name of TENS Applicant	Ashik MADLANI
Date of Event	28th October 2019 until 29 th October 2017
Date Application Received by Police	28 th September 2017

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 type="checkbox"/>
Protection of children from harm	<input type="checkbox"/>

Please summarise your concerns about this application:
I write in my capacity as a licensing officer for the Leicestershire Police on the authority delegated to me by the Chief Constable.
I am making a representation with regards to the notice by the applicant to hold a temporary event between 19:00hrs Saturday 28 th October 2017 until 01:00 Sunday 29 th October 2017 as I believe this would undermine the licensing objective of Crime and Disorder and Public Safety due to its location & the time of the event.

These premises are situated within an area of Leicester City that is subject to Leicester City Councils Policy on Cumulative impact. It is located between 2 of the largest nightclubs within the City with further nightclubs in close proximity.

There are also a number of fast food takeaways that attract late night revellers and queues where friction occurs.

Between the hours of 2300hrs and 0200hrs the area sees an increase in footfall as people move down to the clubs from other areas of the City.

These premises have previously applied for a premises licence in April 2016 which was refused by the Licensing Sub Committee and subsequently following appeal to the Magistrates Court the decision was upheld by the Magistrates.

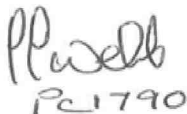
This area experiences incidents of crime and disorder on a weekly basis connected with the night time economy. Many of these incidents are translated into recorded crimes due to alcohol consumed by either the perpetrator, victim or both.

Those members of the public attending this event would be vulnerable to the actions of intoxicated people and they would increase the amount of vehicular traffic in a confined area at a critical time when public safety may be compromised.

This is also Halloween weekend which will attract an even greater footfall to the clubs as they actively promote special events connected to the festival.

There is no current premises licence and therefore no conditions available to the committee to be placed on the notice to promote the licensing objectives.

Leicestershire Police request that this notice is rejected as it undermines the Licensing Objectives.



PC1790

PC1790 Jonathan Webb
Leicestershire Police
29th September 2017