



Leicester
City Council

SECOND DESPATCH

MEETING OF THE LICENSING (HEARINGS) SUB-COMMITTEE

TUESDAY, 27 APRIL 2021

Further to the agenda for the above meeting which has already been circulated, please find attached the following:

**APPLICATION FOR A VARIATION OF AN EXISTING
PREMISES LICENCE: FRIENDS FOODS RETAIL (T/A
LONDIS), MERLIN HEIGHTS, 105 BATH LANE, LEICESTER,
LE3 5AU**

ADDITIONAL INFORMATION

Additional information has been supplied by the applicant.

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Answer to your concerns about this application (REF:133055):

Please see our answers highlighted in yellow.

The premises, known as Friends Food Retail - Londis is a licensed retail store located in a ground floor unit within a large multi-floor student residential development on Bath Lane Leicester, close to the City Centre. The area is a large inner-city regeneration area and there are a number of other large residential developments within the close proximity of the premises.

The premises are currently licensed for the off-sales of alcohol 06.00 hours to 00.00 hours daily (Monday to Sunday)

The proposal is to seek approval to be able to open the premises to include the sale of alcohol (for consumption off the premises) 00.00 - 24.00 hours daily (Monday to Sunday), thus enabling a 24 hour operation 365 days a year.

Currently there are no other late-night premises in the area and therefore the effect of permitting the sale of alcohol over a period of 24 hours within this area has not been tested. However, the Noise Team are concerned that allowing the premises to operate such long hours will increase the likelihood of noise complaint and disturbance to residents by customers coming to the premises from the locality and from further afield throughout the night and particularly into the early hours of the morning. There is an increased likelihood especially in the earlier part of the working week when background noise levels across the City are generally lower.

Due to the proposed long working hours there is also the likelihood of noise disturbance from the activities of staff and deliveries.

We have never taken goods delivery after 9pm. Therefore we won't have late night delivery noise.

During the planning consultation and approval stages for the construction of the residential development (which forms the majority part of the site complex) the Noise Team were consulted regarding potential noise issues from commercial uses on the site. The developer was aware of these concerns which were published in their Consultation statement and replicated in the requested hours of use for the commercial uses in their application for planning approval (06.30 hours to 23.00 hours) and the conditioned hours of opening of commercial uses 06.30 hours to 23.00 hours.

Please be advised that the accommodation on the left and right are student accommodation only.

The area is predominantly high-rise residential living and there are many hundreds of flats and apartments close by (the application site houses 600 flats alone). There is little commercial or non-residential traffic or footfall late at night to the few commercial mainly office style premises on Bath Lane.

This business has been running for almost three years. We have noticed that students are more active during night. As we see taxis, delivery company (Tesco/Deliveroo/Uber eats) working throughout the night. As the area is currently busy with students ordering take away, traveling during the night time, I do not feel like if we were to operate 24 hours this won't be public nuisance for student resident.

As I was myself a student for three years. I know more students like to get their university work completed during the night. We only submitted this premises licence as our customer/students requested if we could open for them longer. They stated they want to buy snacks, soft drink (energy drink) during night time however as we are closed. The next closes place for them is to travel all the way to Tesco. However the distance from merlin heights to Tesco is time consuming.

The premises is not seeking to provide entertainment or other licensable activities that would encourage customers to remain within the curtilage of the premises. However, there is an increased likelihood that customers would gather or meet outside the premises to drink and chat into the early hours when clubs, bars and other licenced premises outside the area are closed.

Our customers are mostly from the accommodation above. We haven't had any customer gathering outside as we check our CCTV regularly for security reasons. Our customers have their own communal area in their flats therefore our customer won't be gathering outside. We can also promote to our customer as this is a student residential area that after certain time have to minimize noise level and no gather outside the unit.

Noise on the street is very difficult to control and enforce. I am concerned that the premises staff will have little or no power to control people once they have left the premises but may remain in the locality.

For every single student accommodation there is a security who maintain the area 24 hours. For the past three years we haven't had any issue with public nuisance. We know that beyond the premises we do not have authority. However, our neighbourhood seem to be really friendly.

The long hours requested are likely to encourage people from out of the locality to visit the area to obtain alcohol and / or purchase general goods. The premises is also within easy walking distance of the City Centre. Noise from customer activity, noise from vehicles (doors slamming, stereo systems etc.) when parked outside the premises throughout the night would be very difficult if not impossible for the applicant to control; but may significantly affect residents whose windows are directly above the premises

As we currently close at 11pm our customer who live around us have to commute to Tesco or do click and collect. Therefore, we have customer already being active during the night.

We do not have any car park for our store and there is double yellow line in front of our unit.

For the almost three years running we haven't had a complaint of making any public nuisance even though our customer lives directly above us.

During the daytime, road traffic, commercial activity and on-street activity would probably be the dominant noise source in the locality. However, later in the evening, into the early hours of the morning traffic noise and street noise noticeably reduces.

We won't be busy for 24 hours we assume we will be quite during early mornings therefore we don't see any issue.

Additional comment:

Our unit is based under a student accommodation. The accommodation on the left and right side of our unit is also student accommodations. The front of our unit is a commercial office. Behind our unit there is mechanical garages.

We have displayed the notice for 28 days and our customers were happy to know this might change into 24 hours trading and this will be more convenient for them.

