

Leicester
City Council

LICENSING (HEARINGS) SUB-COMMITTEE

DATE: FRIDAY, 29 AUGUST 2014

TIME: 10:00 am

**PLACE: THE COUNCIL CHAMBER - FIRST FLOOR, TOWN HALL,
TOWN HALL SQUARE, LEICESTER**

Members of the Sub-Committee

Councillors Dr. Barton, Shelton and Westley

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: Angie Smith
Democratic Support, Leicester City Council
City Hall, 115 Charles Street, Leicester, LE1 1FZ
Tel: 0116 454 6354
email: angie.smith@leicester.gov.uk

Information for members of the public

Attending meetings and access to information

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Please feel free to use social media during this meeting.

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Key Principles. In recording or reporting on proceedings you 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;
- ✓ 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 Angie Smith, **Democratic Support on (0116) 454 6354 or email Angie.Smith@leicester.gov.uk** or call in at the Town Hall.

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

PUBLIC SESSION

AGENDA

- 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.

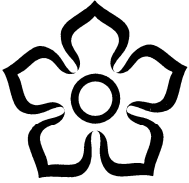
- 4. APPLICATION FOR A VARIATION OF AN EXISTING PREMISES LICENCE: AFRICAN KITCHEN AND BAR, 4-6 JUBILEE ROAD, LEICESTER** **Appendix A**

The Director of Environmental Services submits a report on an application for a variation of an existing premises licence for African Kitchen and Bar, 4-6 Jubilee Road, Leicester.

Report attached. A copy of the associated documentation is attached for Members only. Further copies are available on the Council's website at www.cabinet.leicester.gov.uk or by phoning Democratic Support on 454 6354.

Please note that the supporting information to the report contains exempt information and is attached for Members only. These papers are marked "NOT FOR PUBLICATION". The information in these papers will be exempt as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended and it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. The information therefore must not be disclosed or discussed at the meeting. Should Members wish to refer to any of these details it is recommended that the meeting move to exclude the Press and Public during its consideration.

- 5. ANY OTHER URGENT BUSINESS**



Leicester
City Council

WARDS AFFECTED
Castle

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

29 August 2014

**Application for a variation of an existing premises licence
African Kitchen & Bar, 4-6 Jubilee Road, Leicester**

Report of the Director of Environmental Services

1. Purpose of Report

- 1.1. This report provides information for Members about an application made under the Licensing Act 2003, to assist them in determining the outcome of that application.

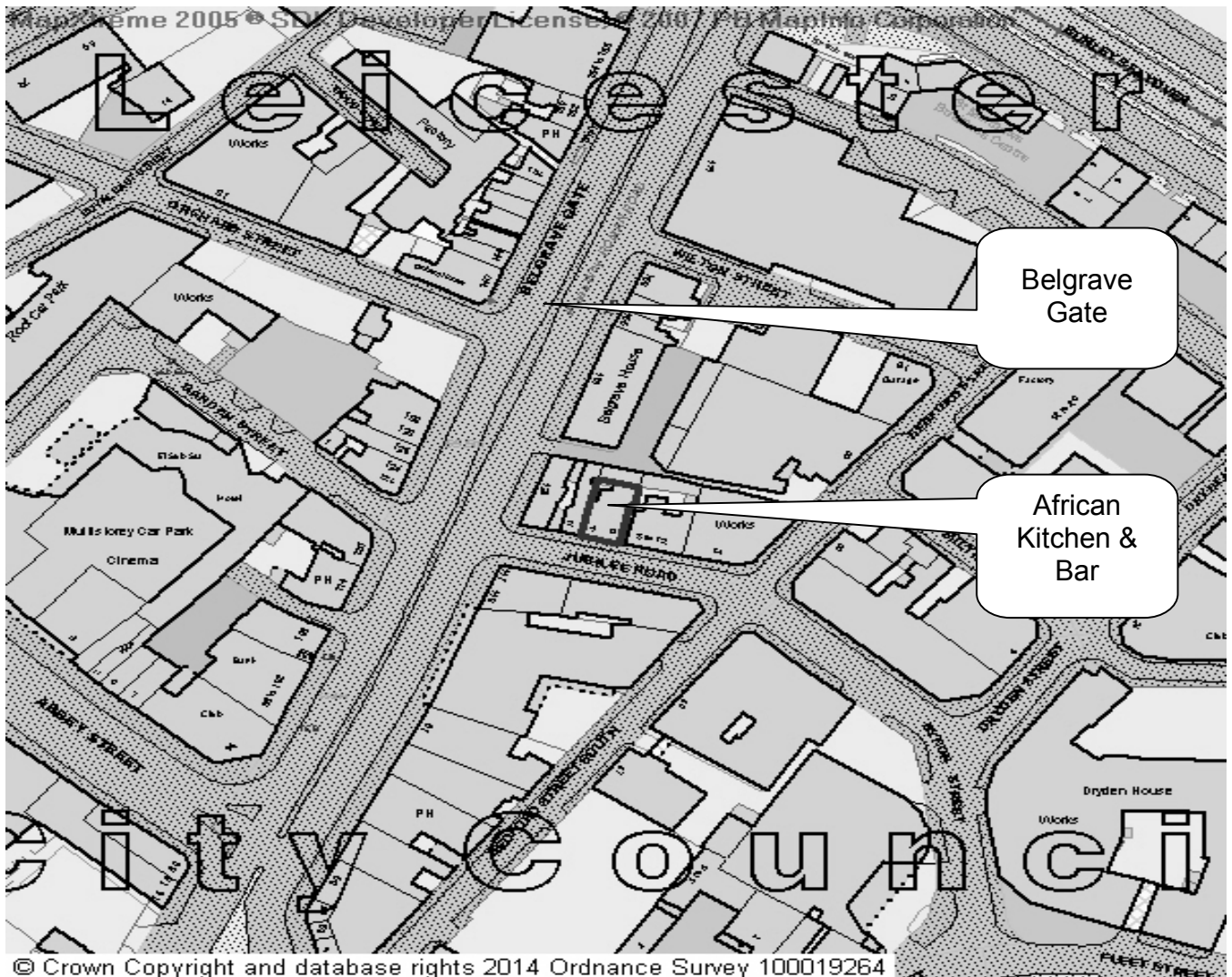
2. Determination to be made

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

3. Summary

- 3.1 This report outlines an application for a variation to an existing premises licence for African Kitchen & Bar and summarises the representations received. 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. Existing Licence

5.1. The existing licence is attached at Appendix A.

6. Application

6.1 An application was received on 13th June 2014 from Mr Philip Nleme and Ms Marian Ikhide for a variation to an existing premises licence for African Kitchen & Bar. A copy of the application is attached at Appendix B.

6.2 The variation sought by the application is as follows:

Licensable activity	Current Hours	Proposed Hours
Live Music	Sun – Weds 12.00 – 00.00	Sun – Weds 12.00 – 00.00
	Thurs – Sat 12.00 – 02.00	Thurs – Sat 12.00 – 05.00
Recorded Music	Sun – Weds 12.00 – 00.00	Sun – Weds 12.00 – 00.00
	Thurs – Sat 12.00 – 02.00	Thurs – Sat 12.00 – 05.00

Performances of Dance	Sun – Weds 12.00 – 00.00 Thurs – Sat 12.00 – 02.00	Sun – Weds 12.00 – 00.00 Thurs – Sat 12.00 – 05.00
Anything similar to live/recorded music or dance	N/a	Sun – Weds 12.00 – 00.00 Thurs – Sat 12.00 – 05.00
Late night refreshment	Sun – Weds 23.00 – 00.00 Thurs – Sat 23.00 – 02.00	Sun – Weds 23.00 – 00.00 Thurs – Sat 23.00 – 05.00
Supply of Alcohol	Sun – Weds 12.00 – 00.00 Thurs – Sat 12.00 – 02.00	Sun – Weds 12.00 – 00.00 Thurs – Sat 12.00 – 05.00
Opening hours	Sun – Weds 12.00 – 00.30 Thurs – Sat 12.00 – 02.30	Sun – Weds 12.00 – 00.30 Thurs – Sat 12.00 – 05.00

7. Steps to Promote the Licensing Objectives

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

8. Live Music

- 8.1 The Live Music Act 2012 has amended the Licensing Act 2003 in relation to the provision of live music. Unamplified live music does not require a licence between 08.00 and 23.00 hours each day. Amplified music may be provided between 08.00 and 23.00 hour each day if:
- it is provided in a premises licensed and open for the sale of alcohol, to an audience of not more than 200 people; or
 - it is provided in a premises that is not licensed under the Licensing Act 2003 (other than solely for late night refreshment) but that is a workplace, to an audience of not more than 200 people.
- 8.2 The above exemptions do not affect the application under consideration because the extended hours requested are outside the ours covered by the exemption.

9. Representation

- 9.1 A representation was received on 14th July 2014 from a local resident. The representation relates to the prevention of public nuisance. The local resident is concerned that allowing the the premises to extend their hours will increase the noise problems already associated with this premises. A copy of the representation is attached at Appendix C.

10. Conditions

- 10.1 The conditions that are consistent with the operating schedule and the representation are attached at Appendix D.

11. Statutory Guidance

- 11.1 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 – 1.17	General Principles – each application on its own merits
2.18 – 2.24	Public nuisance
3.11 – 3.18	Late night refreshment
8.34 – 8.42	Steps to promote the licensing objectives
9.13 – 9.19	Licensing Authorities acting as responsible authorities
9.27 – 9.37	Hearings
9.38 – 9.40	Determining actions that are appropriate for the promotion of the licensing objectives
10.1 – 10.5	Conditions - general
10.8 – 10.13	Imposed conditions
10.24 – 10.59	Mandatory conditions in relation to the supply of alcohol
13.42 – 13.43	Licensing Hours
15.10 – 15.22	Live music

12. Statement of Licensing Policy

12.1. The relevant parts of the Licensing Authority's Statement of Licensing Policy are as follows:

Section	Heading
2	Fundamental Principles
5	Licensing Hours
9	Prevention of Public Nuisance
11.4 – 11.5	Planning
12	Duplication
13	Standardised conditions
17	Live Music, Dancing, Theatre, Circuses and Street Arts

13. Points for Clarification

13.1 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, does the applicant wish 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?

14. Other Implications

OTHER IMPLICATIONS	YES/ NO	Paragraph/References Within Supporting information
Equal Opportunities	No	
Policy	No	
Sustainable and Environmental	No	
Crime and Disorder	No	
Human Rights Act	No	
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

15. Background Papers – Local Government Act 1972

- a. None.

16. Consultations

- a. The Licensing Authority is not obliged to consult any parties with regard to applications made under the Licensing Act 2003. However, the applicant is required to consult with the responsible authorities as set out in the 2003 Act.

17. Report Author

Amy Day
Licensing Officer
0116 454 3054
Amy.day@leicester.gov.uk

APPENDIX	CONTENT
A	Existing licence
B	Application
C	Representation
D	Conditions consistent with application

Licensing Act 2003

Premises Licence**LEIPRM0905**

Licensing Authority Office
Leicester City Council
New Walk Centre
Welford Place
LEICESTER
LE1 6ZG

Part 1 - Premises Details

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

African Kitchen and Bar

4-6 Jubilee Road, Leicester, LE1 3LY

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

Expires **no expiry**

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- a performance of dance
- 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
E. Performance of live music (Indoors)	Sun-Weds	Noon	Midnight
	Thurs-Sat	Noon	2:00am
F. Playing of recorded music (Indoors)	Sun-Weds	Noon	Midnight
	Thurs-Sat	Noon	2:00am
G. Performance of dance (Indoors)	Sun-Weds	Noon	Midnight
	Thurs-Sat	Noon	2:00am
I. Late night refreshment (Indoors)	Sun-Weds	11:00pm	Midnight
	Thurs-Sat	11:00pm	2:00am
J. Supply of alcohol for consumption ON and OFF the premises	Sun-Weds	Noon	Midnight
	Thurs-Sat	Noon	2:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Sun-Weds	Noon	12:30am
Thurs-Sat	Noon	2:30am



Licensing Act 2003

Premises Licence

LEIPRM0905



Leicester
City Council

Licensing Authority Office
Leicester City Council
New Walk Centre
Welford Place
LEICESTER
LE1 6ZG

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

Philip Ndubuisi Nleme

Marian Ikhide

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

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

Philip Ndubuisi NLEME

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. LEIPRS2551

Issued by Leicester





Licensing Authority Office
Leicester City Council
New Walk Centre
Welford Place
LEICESTER
LE1 6ZG

ANNEXES

Annex 1 - Mandatory conditions

Supply of alcohol - on the premises

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.

All individual(s) at the premises for the purpose of carrying out a security activity must be licensed by the Security Industry Authority.

The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children-

- 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 supplied 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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal as defined in section 159 of the Act);
- 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;
- d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on-
 - i) the outcome of a race, competition or other event or process, or
 - ii) the likelihood of anything occurring or not occurring;
- e) 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.

The responsible person shall ensure that no alcohol is dispensed 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 shall ensure that free tap water is provided on request to customers where it is reasonably available.

The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. 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 a holographic mark.

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; and

customers are made aware of the availability of these measures.

Supply of alcohol - off the premises

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.





Licensing Authority Office
Leicester City Council
New Walk Centre
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LE1 6ZG

ANNEXES continued ...

The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. 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 a holographic mark.

Annex 2 - Conditions consistent with the operating schedule

The Licence holder will employ sufficient registered door staff to deal with any likely contingency.

The licence holder will ensure that CCTV is installed following advice from the Leicestershire Constabulary Crime Reduction Officer and maintained in accordance with the Information Commissioner's CCTV Code of Practice.

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

All external doors and windows must be kept closed, other than for access and egress, in all rooms when events involving amplified music or speech are taking place. (Note to applicant: Ventilation or air conditioning may be required in warm weather).

The licence holder will ensure that live music shall only take place in the basement.

The licence holder will ensure that the front entrance door (onto Jubilee Road) shall not be used as an exit after 01.00am on Sunday to Thursday nights and 02.00am on Friday and Saturday nights.

The licence holder will ensure that customers are encouraged to request that staff call taxis, from a company designated by the applicant.

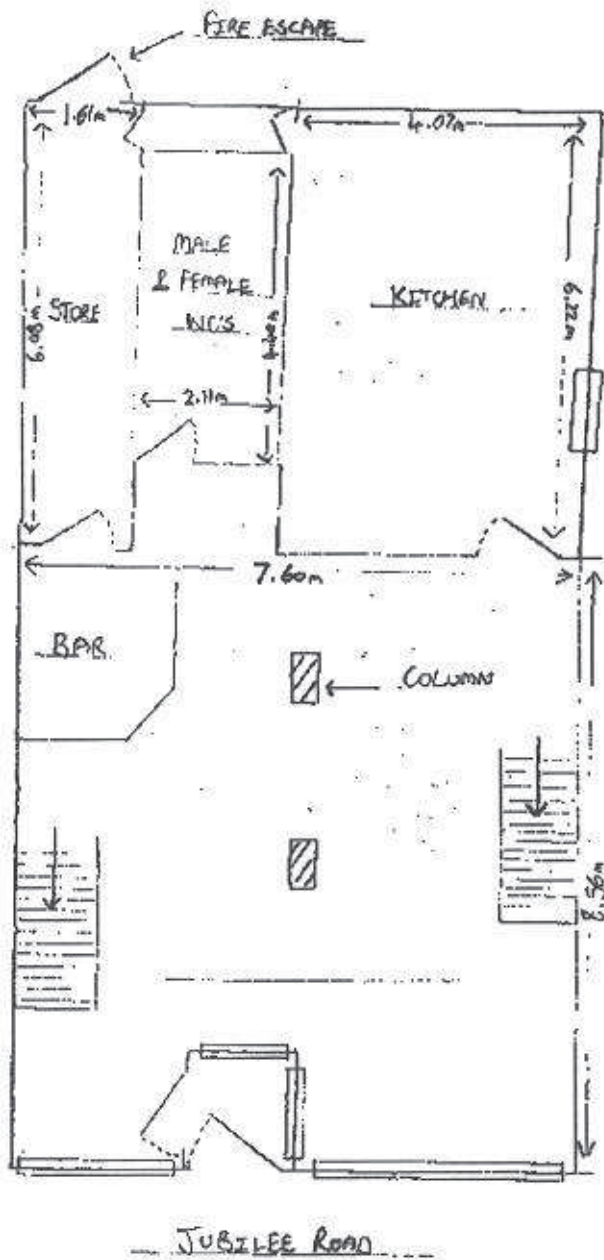
A noise limiter shall be installed and set at a level agreed with the Leicester City Noise Team, and all amplified music or voice shall be played through the noise limiting device. The noise limiter shall be installed within 4 weeks of the decision coming into effect. The decision came into effect on 27 April 2010.

The licence holder will ensure that noise coming from the property does not cause a problem for neighbouring residents.



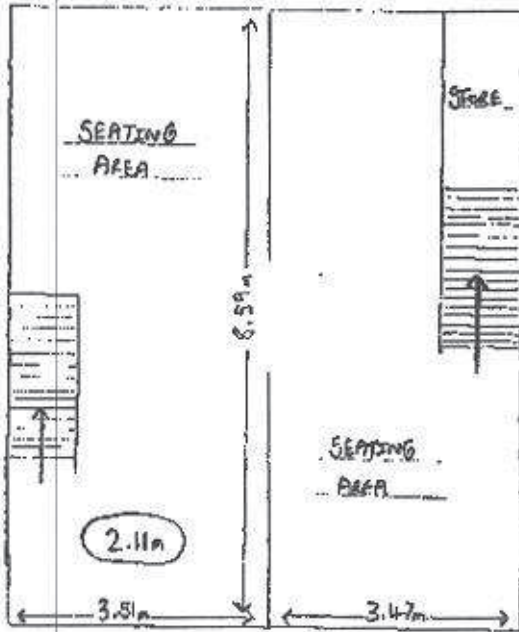
Annex 4 - Plan 1 of 2

4-6 Jubilee Road, Leicester
Ground Floor - Scale 1:100



Annex 4 - Plan 2 of 2

4-6 Jubilee Road, Leicester
Basement - Scale 1:100



Premises Licence Summary

Leicester
City Council

Licensing Authority Office
Leicester City Council
New Walk Centre
Welford Place
LEICESTER
LE1 6ZG

Premises Details

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

African Kitchen and Bar

4-6 Jubilee Road, Leicester, LE1 3LY

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- a performance of dance
- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Sun-Weds	Noon	Midnight
	Thurs-Sat	Noon	2:00am
F. Playing of recorded music (Indoors)	Sun-Weds	Noon	Midnight
	Thurs-Sat	Noon	2:00am
G. Performance of dance (Indoors)	Sun-Weds	Noon	Midnight
	Thurs-Sat	Noon	2:00am
I. Late night refreshment (Indoors)	Sun-Weds	11:00pm	Midnight
	Thurs-Sat	11:00pm	2:00am
J. Supply of alcohol for consumption ON and OFF the premises	Sun-Weds	Noon	Midnight
	Thurs-Sat	Noon	2:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Sun-Weds	Noon	12:30am
Thurs-Sat	Noon	2:30am



Licensing Act 2003

LEIPRM0905

Premises Licence Summary



Leicester
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LE1 6ZG

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

Philip Ndubuisi Nleme
Marian Ikhide

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

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Philip Ndubuisi NLEME

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

Restricted



Leicester
City Council

Application to vary a premises licence under the Licensing Act 2003

062336
14/07/14

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 Philip Nkeme / Marian Khibe
(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

Premises licence number LEIPRM0905

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

African Kitchen and Bar
4-6 Jubilee Road,

Post town	<u>Leicester</u>	Postcode	<u>LE13LY</u>
Telephone number at premises (if any)	<u>0116 319 2323</u>		
Non-domestic rateable value of premises	<u>£0</u>		

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

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)

We kindly request a full variation to the current license from Thursday, Friday and Saturday to 5:00am. Our customers are complaining that when they come for late night entertainment they have to leave at 2:00am which creates immense frustration. Having successfully managed 2 previous temporary events in the last 2 months (April, May) we recognise the importance of preventing noise nuisance.

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.

Provision of regulated entertainment

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors <input type="checkbox"/>		
				Outdoors <input type="checkbox"/>		
				Both <input type="checkbox"/>		
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon						
Tue						
Wed					State any seasonal variations for performing plays (please read guidance note 5)	
Thur						
Fri					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 6)	
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Wed					
Thur			<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</u> (please read guidance note 6)		
Fri					
Sat					
Sun					


D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<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 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	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 4)		
Mon	12:00	24:00	no live bands, Karaoke only.		
Tue	12:00	24:00			
Wed	12:00	24:00	State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	12:00	03:00 am	_____		
Fri	12:00	03:00 am			
Sat	12:00	03:00 am	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 6)		
Sun	12:00	24:00	_____		

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	12:00	24:00	Please give further details here (please read guidance note 4) Noise limiter installed and also calibrated to Local Authority specification.	Both	<input type="checkbox"/>
Tue	12:00	24:00			
Wed	12:00	24:00	State any seasonal variations for the playing of recorded music (please read guidance note 5) The re-towah has a basement area for music.		
Thur	12:00	05:00 a.m.			
Fri	12:00	05:00 a.m.	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 (please read guidance note 6) 		
Sat	12:00	05:00 a.m.			
Sun	12:00	24:00			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	12:00	24:00	Please give further details here (please read guidance note 4) Restaurant basement only.	Both	<input type="checkbox"/>
Tue	12:00	24:00			
Wed	12:00	24:00	State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur	12:00	05:00 am			
Fri	12:00	05:00 am	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 (please read guidance note 6)		
Sat	12:00	05:00 am			
Sun	12:00	24:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
			Poetry performances		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon	12:00	24:00		Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	
Tue	12:00	24:00	Please give further details here (please read guidance note 4)		
Wed	12:00	24:00			
Thur	12:00	05:00 am			
	12:00	05:00 am	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri	12:00	05:00 am			
Sat	12:00	05:00 am	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 (please read guidance note 6)		
Sun	12:00	24:00			

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	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 4)		
Mon	11:00 Pm	24:00	Late night refreshment are mainly to accompany the bar food.		
Tue	11:00 Pm	24:00			
Wed	11:00 Pm	24:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	11:00 Pm	05:00 a.m.	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 (please read guidance note 6)		
Fri	11:00 Pm	05:00 a.m.			
Sat	11:00 Pm	05:00 a.m.			
Sun	11:00 Pm	24:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8) <i>After 2:00am all exits are not through the main door but through the back door which includes the supply of alcohol.</i>		On the premises	<input type="checkbox"/>
					Off the premises	<input type="checkbox"/>
Day	Start	Finish	Both <input checked="" type="checkbox"/>			
Mon	12:00	24:00	State any seasonal variations for the supply of alcohol (please read guidance note 5)			
Tue	12:00	24:00				
Wed	12:00	24:00				
Thur	12:00	05:00 am	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 (please read guidance note 6)			
Fri	12:00	05:00 am				
Sat	12:00	05:00 am				
Sun	12:00	24:00				

K

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 (please read guidance note 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	12.00	00.30	
Tue	12.00	00.30	
Wed	12.00	00.30	
Thur	12.00	05.00	
Fri	12.00	05.00	
Sat	12.00	05.00	
Sun	2.00	00.30	
			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 (please read guidance note 6)

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.

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.

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 10)

Please see attached.

b) The prevention of crime and disorder

Please see attached.

c) Public safety

Please see attached.

d) The prevention of public nuisance

Please see attached.

e) The protection of children from harm

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, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING
LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003,
TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

Part 5 – Signatures (please read guidance note 11)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	[REDACTED]
Date	13/6/14
Capacity	Manager

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 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	[REDACTED]
Date	13/6/14
Capacity	clerk

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)

Post town		Post code	
Telephone number (if any)			
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 to 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 for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

a) General

African Kitchen and Bar will be operating a members scheme for late night entertainment. We anticipate this arrangement will make it easier to manage a maximum 50 persons at anytime. We plan to operate a strict membership policy which is subject to our terms and conditions.

b) The prevention of crime and disorder

All of our staff understands the social issues and potential problems associated with the sale of alcohol, and also have a good understanding of the business itself. Our staffs have also provided their signatures to ensure that crime and disorder is given 'zero' tolerance. We have increased the 4 CCTV's from the previous premises owners to a total of 6 CCTV's. We also log information in our Crime and Disorder Incident Book. We have checked the closing times with local clubs and found they all close at 6:00am that is why we have opted for a 5:00am closing time. We aim to make it easier for mini cab services.

c) Public safety

We are fully aware that fire is considered the biggest danger in most nightclubs, and we have fire safety certificates as well as paperwork relating to the electrics and the ceilings. The Regulatory Reform (Fire Safety) Order 2005 insists that fire risk assessments must be carried out regularly, and we have meticulously done so. We have excellent signage around the business as public safety guides, and the manager has recently carried out a HSE 5 step risk assessment. There is a door-counting procedure in place for a maximum of persons at anytime and "click counters" are in use by security. We are also going to employ an additional member of security for the late night entertainment.

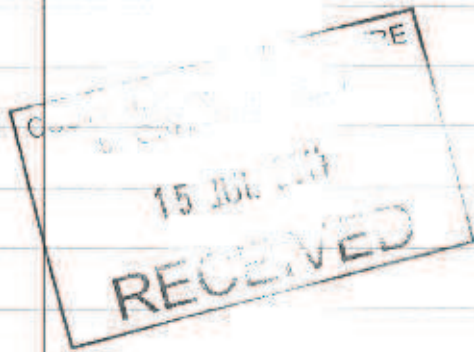
d) The prevention of public nuisance

After 2:00am all exits are through the backdoor. Noise nuisance, light pollution, noxious smells and litter are matters that we are fully aware of and the impact on the local community. We have installed a sound limiter according to local authority specifications. Staffs have been instructed to not empty bottles, bins and rubbish between 11pm and 5am. We will arrange to regularly meet with residents and businesses in the vicinity of the premises and also invite the ward councillors to these meetings.

e) The protection of children from harm

We aim to create a family-friendly environment for this business, so our reputation and integrity is based upon family values. Strong language, sexual expletives, adult entertainment, drug-taking, gambling, and violence have no place at our business. Our staffs are trained in checking customers' ages by only accepting the following identification: passport; and driving licence. Refusals to the premises are kept in our refusal book where staff can record details of everyone who has been refused alcohol.

Document is Restricted



July 13th 2014

Re: Licencing change, Africah kitchen and bar, 4-6 Jubilee Road

Dear Sir/Madam,

I am writing to object to the above licence change. I am a neighbour to the club and over the last 3 years that I have lived here I have had persistent problems with the noise level from the club and their attitude towards it. Originally, they operated without a sound limiter. This was only rectified when we brought the matter to the attention of the Council. Now, the noise level is generally more acceptable with one notable exception. Whenever the premises is granted longer opening hours (for example for a bank holiday), they show a complete disregard for noise level and play in excess of any level that a noise limiter should allow. Despite there being other flats closer, we experience vibrating walls/floor/doors and the only way we could hope to get any sleep was by retiring to the kitchen with bedding, placing clothing under all doors, using earplugs, having a source of white noise in the kitchen and sleeping on the floor. Even if we did not both work, this would be unacceptable. We have attempted to contact the noise control team, but they have been either closed or unable to attend that night. There will be multiple instances on record where we have called the noise control team with regard to the premises in question. I hope ^{we} will not reside in our current home for much longer if you should grant them the further opportunity to abuse their position and licence.

Yours sincerely,



CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE
The licence holder will ensure any incidents of crime and disorder are logged in an incident book.
The licence holder will ensure click counters are used by security to monitor the amount of people entering and leaving the premises.
The licence holder will employ an additional member of security to cover the extended hours on Thursday, Friday and Saturdays.
The licence holder will ensure the only exit used after 2.00am is through the back door of the premises.
The licence holder will ensure empty bottles, bins and rubbish will not be emptied between 23.00 – 05.00.
The licence holder will ensure the Challenge 25 policy is adopted at the premises. Anyone appearing under the age of 25 will be asked to provide valid age identification in the forms of a passport or photocard driving licence.
The licence holder will ensure all refusals are documented in the refusals book.

