



Leicester
City Council

LICENSING (HEARINGS) SUB-COMMITTEE

DATE: TUESDAY, 17 MAY 2016

TIME: 9:30 am

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

Members of the Sub-Committee

Councillors Thomas, Cank and Hunter

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: Anita James
Democratic Support
Leicester City Council
City Hall, 115 Charles Street, Leicester, LE1 1FZ
Tel: 0116 454 6358
email: anita.james2@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 & 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, from the Council's Customer Service Centre or by contacting us using the details below.

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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 Anita James, **Democratic Support on (0116) 454 6358 or email anita.james2@leicester.gov.uk** or call in at City Hall, 115 Charles Street.

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

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 area outside the Ramada Encore Hotel on Charles Street as Directed by Democratic 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. MINUTES OF PREVIOUS MEETINGS

The minutes of the previous meetings of the Licensing (Hearings) sub-committee held on 18th March 2016, 1st April 2016, 21st April 2016 and 29th April 2016 have been circulated and Members will be asked to confirm them as a correct record.

5. APPLICATION FOR A NEW PREMISES LICENCE: ST ANDREWS SPORTS CLUB, CANAL STREET, LEICESTER LE2 8LX [Appendix A](#)

The Director of Neighbourhood and Environmental Services submits report on an application for a new premises licence: St Andrews Sports Club, Canal Street, Leicester LE2 8LX.

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 telephoning Democratic Support on 0116 4546358.

(Wards affected: Aylestone)

6. APPLICATION FOR A VARIATION OF AN EXISTING PREMISES LICENCE WITHIN A CUMULATIVE IMPACT ZONE: HARVEYS, 43 BELVOIR STREET, LEICESTER LE1 6SL [Appendix B](#)

The Director of Neighbourhood and Environmental Services submits report on an application for a variation of an existing premises licence within a cumulative impact zone: Harveys, 43 Belvoir Street, Leicester LE1 6SL

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 telephoning Democratic Support on 0116 4546358.

(Wards affected: Castle)

7. ANY OTHER URGENT BUSINESS



Leicester
City Council

WARDS AFFECTED
Aylestone

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

17 May 2016

**Application for a new premises licence
St Andrews Sports Club, Canal Street, Leicester, LE2 8LX**

Report of the Director of Neighbourhood and 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

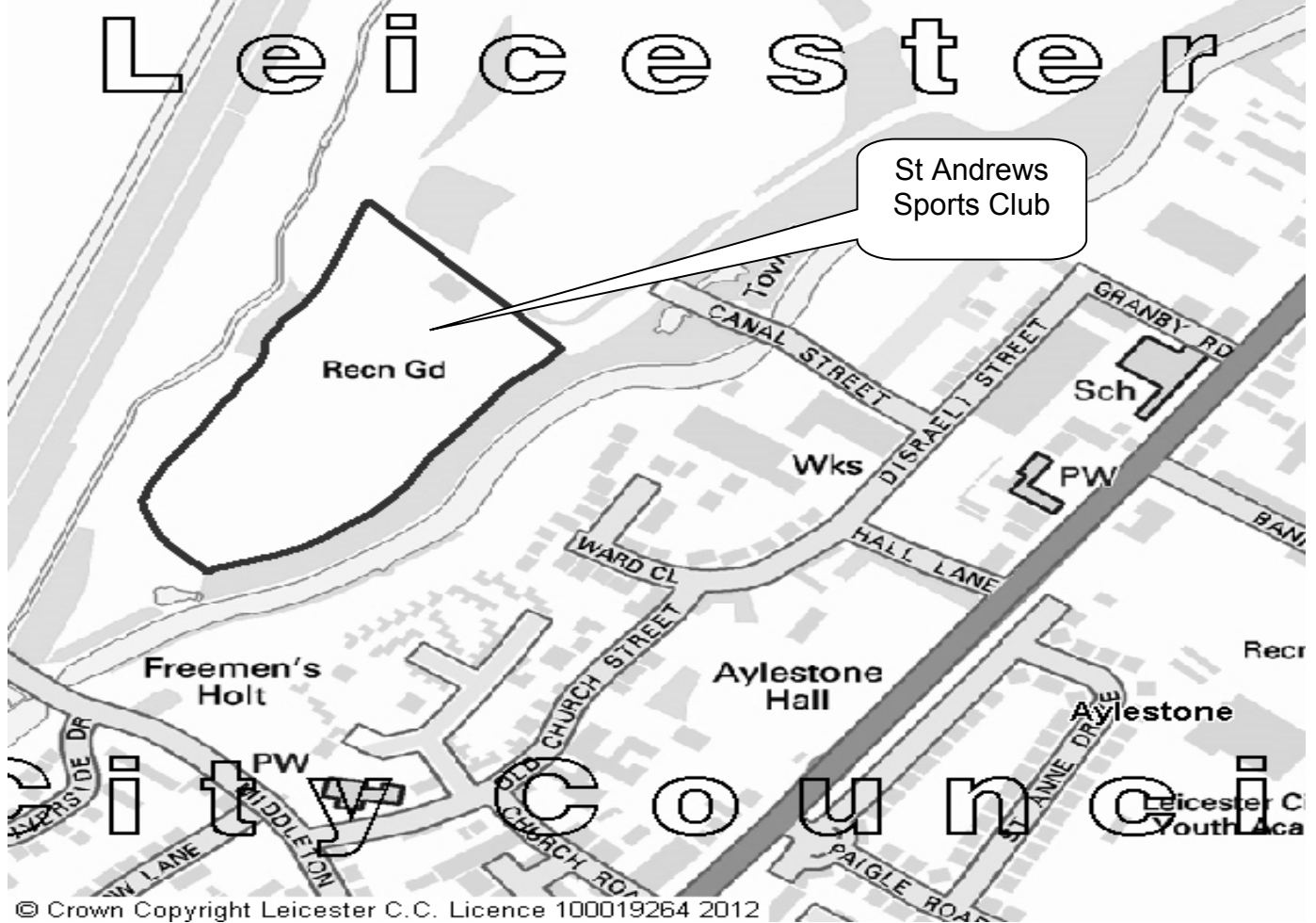
- 2.1. Having considered the application and representations, Members must consider whether to
- Grant the licence without modification
 - Grant the licence subject to conditions
 - Exclude from the licence any of the licensable activities
 - Refuse to accept the proposed premises supervisor
 - Reject the application

3. Summary

3.1 This report outlines an application for a new premises licence for St Andrews Sports Club 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

MapXtreme 2005 © SDK Developer License, © 2007 PB MapInfo Corporation.



5. Application

5.1 An application was received on 31st March 2016 from Mr Brett Wells for a new premises licence for St Andrews Sports Club for a one day event on 4th June 2016. A copy of the application is attached at Appendix A.

5.2 The application is as follows:

Licensable activity	Proposed Hours
Live Music, Anything similar to live/recorded music or dance, Opening hours	Saturday 13.00 – 23.00

6. Steps to Promote the Licensing Objectives

6.1 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).

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

7. Regulated entertainment

7.1 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.

7.2 The above 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. Entertainment at this event may be regulated and/or unregulated depending on the number of people present.

8. Representation

8.1 Six representations have been received from a Noise Pollution Officer, a Ward Councillor and four residents. The representations relate to the prevention of public nuisance. They are all concerned that the loud music from this event will cause a nuisance to nearby residents and premises users. There is also concern about the overall impact of the event on the area, although not all of these relate to matters that can be controlled by licensing. Copies of the representations are attached at Appendix B1-B6.

9. Conditions

9.1 The conditions that are consistent with the operating schedule are attached at Appendix C.

10. Statutory Guidance

10.1.1 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	General Principles
1.16	Each application on its own merits
2.14 – 2.20	Public nuisance
8.33 – 8.41	Steps to promote the licensing objectives
9.30 – 9.40	Hearings
9.41 – 9.43	Determining actions that are appropriate for the promotion of the licensing objectives
10.1 – 10.3	Conditions - general
10.8 – 10.9	Imposed conditions
13.44 – 13.45	Licensing Hours
15.1 – 15.69	Regulated entertainment

11. Statement of Licensing Policy

- 11.1 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

12. Points for Clarification

- 12.1 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?

13. 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	

14. Background Papers – Local Government Act 1972

14.1 None.

15. Consultations

15.1 As this application was received electronically, the Licensing Authority was required to consult with the relevant responsible authorities as set out in the Licensing Act 2003.

16. Report Author

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

APPENDIX	CONTENT
A	Application
B	Representations
C	Conditions consistent with application

Appendix A

081723
28/04/16

Application ref: leicester-304463
 Licence: Application for a premises licence
 Applicant name: Brett Wells
 Applicant email: [REDACTED]
 Submitted on: 31/03/2016 08:53
 Total fee: Variable
 Payment status: Paid
 Capita ref: 010030
 Amount paid: £190.00

Tacit consent applies

Process by: 12/05/2016
 Status: Not collected

Recent History

Notification to [REDACTED]
 Sent on 31/03/2016 08:55
 Notification to licensing@leicester.gov.uk:
 Sent on 31/03/2016 08:55
 Payment Successful :
 at 31/03/2016 08:55

Application

Brett Wells application form

Supporting documents (2)

Premises Plan (mandatory)

Consent of designated premises supervisor

Authority Reference

Reference:



* required information

Section 1 of 19

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

Main telephone number

Other telephone number

Include country code.

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.

Continued from previous page...

Your Address

Address official correspondence should be sent to.

* Building number or name	<input type="text" value="74"/>
* Street	<input type="text" value="whitteney drive north"/>
District	<input type="text"/>
* City or town	<input type="text" value="leicester"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text" value="le2 9ap"/>
* Country	<input type="text" value="United Kingdom"/>

Section 2 of 19

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name	<input type="text" value="St Andrews Sports Club"/>
Street	<input type="text" value="canal street"/>
District	<input type="text" value="Aylestone"/>
City or town	<input type="text" value="leicester"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="le2 8lx"/>
Country	<input type="text" value="United Kingdom"/>

Further Details

Telephone number	<input type="text" value="01162839298"/>
Non-domestic rateable value of premises (£)	<input type="text" value="4,305"/>

Section 3 of 19

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 19

INDIVIDUAL APPLICANT DETAILS

Applicant Name

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

- Yes No

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.

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Applicant Postal Address

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

Yes No

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.

Building number or name	<input type="text" value="74"/>
Street	<input type="text" value="whitteney drive north"/>
District	<input type="text"/>
City or town	<input type="text" value="leicester"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="le2 9ap"/>
Country	<input type="text" value="United Kingdom"/>

Applicant Contact Details

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

Yes No

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.

E-mail	<input type="text" value="[REDACTED]"/>
Telephone number	<input type="text" value="[REDACTED]"/>
Other telephone number	<input type="text"/>

Section 5 of 19

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of 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.

We plan to use the top field to hold a music festival outdoor with all profits going to the charity Wishes 4 Kids. We will have an outdoor stage that live bands will perform on.

Continued from previous page...

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Section 6 of 19

PROVISION OF PLAYS

Will you be providing plays?

- Yes No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

- Yes No

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

- Yes No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

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.

Continued from previous page...

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

Bands will perform live music on an outdoor stage, the sound is being monitored by a professional company who will also monitor the noise levels. The music will be mixed genre from pop - reggae.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

n/a

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

n/a

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Section 12 of 19**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

 Yes No**Section 13 of 19****PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will you be providing anything similar to live music, recorded music or performances of dance?

 Yes No**Standard Days And Timings**

MONDAY

Start End Start End

TUESDAY

Start End Start End

WEDNESDAY

Start End Start End

THURSDAY

Start End Start End

FRIDAY

Start End Start End

SATURDAY

Start End Start End

SUNDAY

Start End Start End

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.

Give a description of the type of entertainment that will be provided

Live music by various bands.

Continued from previous page...

Will this entertainment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

n/a

State any seasonal variations for entertainment

For example (but not exclusively) where the activity will occur on additional days during the summer months.

n/a

Non-standard timings. Where the premises will be used for entertainment at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

n/a

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
 As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Continued from previous page...

Section 16 of 19

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

This is a family event and there will be no adult entertainment. The whole event is geared for families. There will be no nudity or adult themes.

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

Continued from previous page...

For example (but not exclusively) where the activity will occur on additional days during the summer months.

n/a

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

n/a

Section 18 of 19

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

We have hired a professional security company Dhillion Security Ltd who will be in control of crowd safety and security at the event. They will have staff all over the site who all hold SIA qualifications to ensure the event is a safe one. We also have CCTV in some parts of the site. There will be a temporary fence around the site using herring fencing to monitor access points and secure the site. Every person who enters the event will receive a wrist band that is coloured and adults will have a different colour to under 18's so that we can quickly distinguish age. All drinks served will be served in plastic bottles and cups and no glass will be allowed on the premises. No drink will be allowed in the premises. The sound will be controlled by a professional company JTH Stage who will monitor the noise levels and keep that to an acceptable level. No music will go on after 2300hrs. The stage will be set at the top of the premises away from residential properties. We will have St Johns Ambulance on site to assist with first aid if needed.

b) The prevention of crime and disorder

We have hired a professional security company Dhillion Security Ltd who will be in control of crowd safety and security at the event. They will have staff all over the site who all hold SIA qualifications to ensure the event is a safe one. We also have CCTV in some parts of the site.

c) Public safety

We have hired a professional security company Dhillion Security Ltd who will be in control of crowd safety and security at the event. They will have staff all over the site who all hold SIA qualifications to ensure the event is a safe one. We also have CCTV in some parts of the site. Every person who enters the event will receive a wrist band that is coloured and adults will have a different colour to under 18's so that we can quickly distinguish age. All drinks served will be served in plastic bottles and cups and no glass will be allowed on the premises.

d) The prevention of public nuisance

We have hired a professional security company Dhillion Security Ltd who will be in control of crowd safety and security at the event. They will have staff all over the site who all hold SIA qualifications to ensure the event is a safe one. We also have CCTV in some parts of the site. Every person who enters the event will receive a wrist band that is coloured and adults will have a different colour to under 18's so that we can quickly distinguish age. All drinks served will be served in plastic bottles and cups and no glass will be allowed on the premises.

Continued from previous page...

e) The protection of children from harm

This is a child friendly event and adults and children will be given a different colour wristband from adults. Areas of the site will be fenced off such that pose a risk such as areas with generators etc.

Section 19 of 19

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. Fees are dependent on the business rate band of the premises. Further information is provided at the link below:

<http://www.leicester.gov.uk/your-council-services/cl/licensing/licensing-act/fees/>

* Fee amount (£)

190.00

DECLARATION

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

brett wells

* Capacity

Organiser

* Date

30 / 03 / 2016
dd mm yyyy

Add another signatory

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/premises-licence/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.

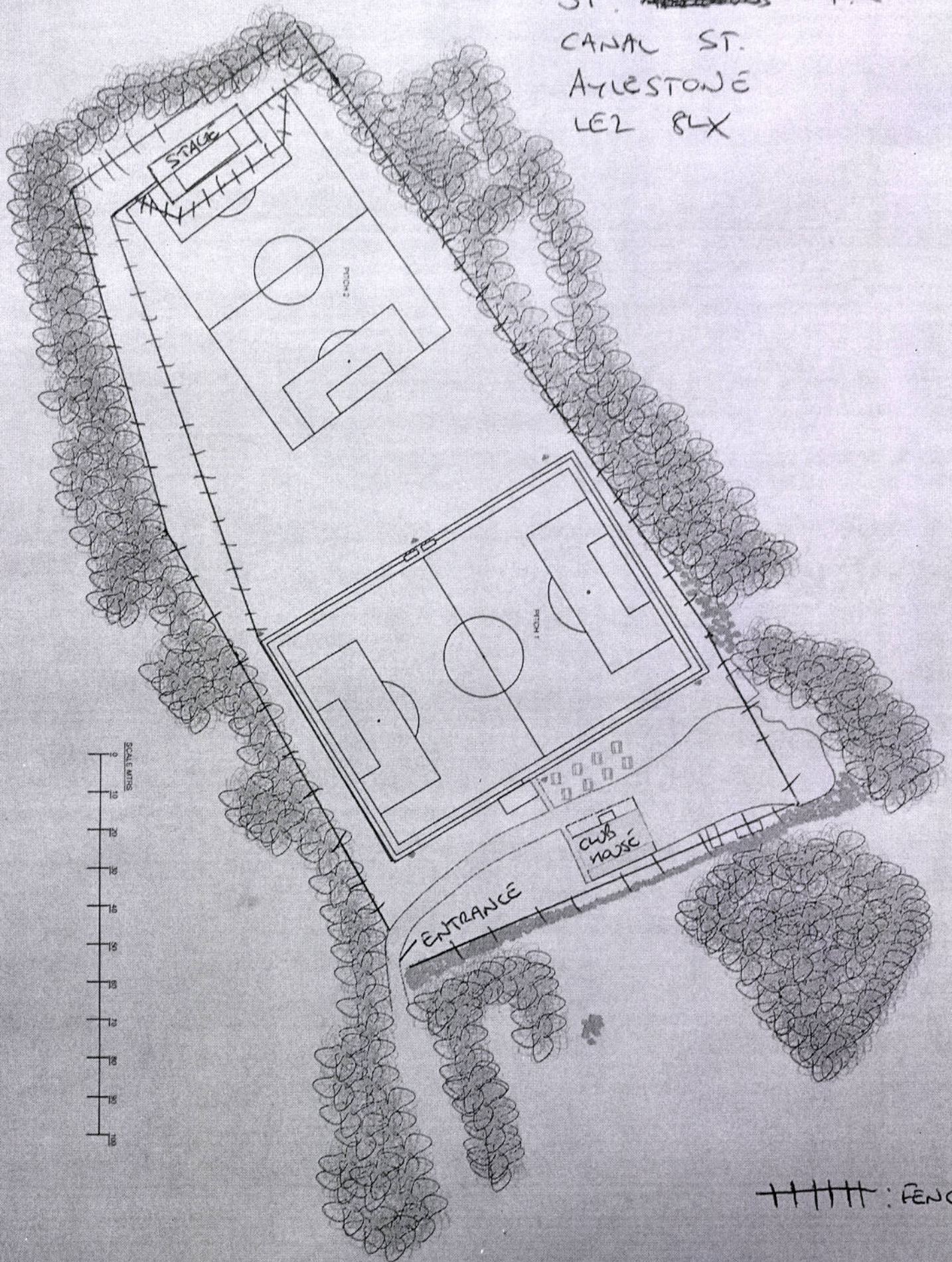
IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

OFFICE USE ONLY

Applicant reference number	<input type="text" value="Drewsfest"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

< Previous [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) Next >

ANDREWS
 ST. ~~ANDREWS~~ F.C.
 CANAL ST.
 AYLESTONE
 LE2 8LX



||||| : FENCE

SCALE METRES
 0
 5
 10
 15
 20
 25
 30

MEMO



**Leicester
City Council
Noise Team**

TO: Amy Day
Licensing Team

FROM: Chris White
Noise Team
Regeneration and Culture
37 3059

OUR REF: 16/03835/PNCNLI
DATE: 14th April 2016

Licensing Act 2003 – New Application.
Application Ref: 081723
Prevention of Public Nuisance.
Drewsfest, St Andrewes Football Club

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.

This application is for a new premises licence for Drewsfest, an outdoor music festival to raise money for a local charity, the event is planned to take place on the 4th June 2016 between 13.00 - 23.00 hours.

I believe the music played at the proposed event will cause a nuisance to the nearby residents. The nearest residential property is across the river and approximately 50m away, The football club is also in a raised position relative the houses which results in very little in the way of volume drop off. This problem is intensified as the area is very quiet with some of the lowest background noise levels in the city, with the normal dominant noise coming from bird song/people noise.

This would mean that if the event goes ahead, either the local residents have to put up with loud music throughout the event or that the music played with be so low on site that event would struggle to be viable.

The effect on the local residents is evident as multiple complaints about music were received from both of the similar outdoor events held at the club in 2015.

Another major concern I also have about this proposed event is the noise from people coming and going.

The site has one entrance which is over a small humped back bridge which means that at some point after 23.00 hours there could be over a thousand people all leaving via this bridge which directly passes a number of residential properties.

Even a small group of people talking laughing etc at this time so close to houses could cause a nuisance, with a group of this size is almost impossible not to cause a nuisance.

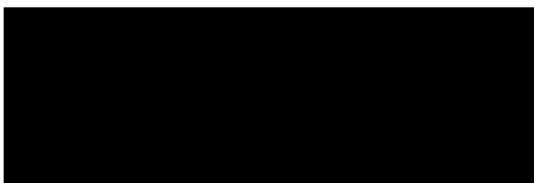


I am also concerned about the event management at the club as although the 2015 Drewsfest did finish on time, the charity event in November 2015 was allowed to run until about 01.00 hours when it should have finished at 23.00 hours.

Drewsfest 2015 was on a much smaller scale and we still received a number of complaints from the local residents. This year's event is planned to be two to three times as big, and as such even more likely to cause a nuisance.

I do not believe that an event of this size and type at this location can be suitably conditioned to prevent a public nuisance, therefore I have no option but to recommended refusal of this application as it stands.

Kind regards



Chris White
POLLUTION CONTROL OFFICER
NOISE CONTROL TEAM

Amy Day

From: Cllr Adam Clarke
Sent: 15 April 2016 08:54
To: Amy Day; Licensing
Subject: Re: Message from Terry Mason

Dear Amy

If this event is to go ahead, satisfactory conditions will need to be identified, primarily relating to the prevention of public nuisance (noise and parking).

I am currently actively working with the applicant and the community to explore whether there are any conditions that would satisfy those with genuine concerns.

Please provide me with papers and the hearing date once confirmed.

Many thanks

Cllr Adam Clarke
Assistant City Mayor - Energy & Sustainability Labour Councillor for Aylestone

Amy Day

From: [REDACTED]
Sent: 17 April 2016 14:16
To: Amy Day
Subject: Festival application on 4.6.16

Hi

I have been passed your details by councilor adam. We are due to get married on the above date at St Andrews church along with another couple whom I have never met. I am absolutely gutted and disappointed today to find out about the application for the festival on the same day. Not only is parking a huge issue in this case but music and noise is a huge issue. This will be picked up by our video grapher regardless of what excuses are made. I'm all for charity and fundraising. I have 3 children myself and wholely support the charity however there are other days this could be done. One of which isn't my wedding day that we have spend 3 years planning and saving for. We have paid £850 to marry at St Andrews and I don't appreciate loud music and parking worries on the day. There will be 33 children at my service on the day and I don't think nor feel very safe having a music festival on the same Street. I will be attending the meeting on Thursday to express my concerned and views. I'm not saying no I'm saying change the day. I have 150 guests coming to me ceremony plus there's the wedding before mine. I now feel like this has ruined my day and caused me nothing but stress. I'm livid.

Amy Day

From: Cllr Adam Clarke
Sent: 18 April 2016 10:19
To: Licensing; Amy Day
Cc: [REDACTED]
Subject: Drewsfest - St Andrews FC, Canal Street, Aylestone.

Please see below which St Andrews Church has asked me to pass on formally as an objection.

-----Original Message-----

From: [REDACTED]
Sent: 15 April 2016 17:39
To: Cllr Adam Clarke
Cc: rowena bass
Subject: Event on 4th June at St. Andrew's football club

Hi Adam,
I'm writing to you with my church hat on because I'm the weddings co-ordinator for St. Andrew's.

██████████ has contacted me about the above event and copied me into correspondence you and she have had. As you know, ██████ is getting married at 1.30 p.m. that afternoon and we also have a second wedding at 3 p.m.

██████████ is understandably worried about both noise and car parking.

Regarding car parking, we will ensure our car park is only used by people using the hall or the church and will police it during the day.

This will not fully solve the problem however, partly because we have an event on in the hall as well. The car park is quite small and normally we expect wedding guests to park in surrounding streets if we run out of car parking space and this is not usually a problem. Because some of the streets will be coned off, or already parked to capacity because the event starts in the morning, then parking is likely to present major problems.

One or two things spring to my mind and I wondered what your views are and whether you think either/both options could be viable.

1. Could wedding guests (only) use Aylestone Hall gardens car park?
2. If some streets are to be coned off, could an area be coned off until just before the wedding and we could police it and let wedding guests know it was available as normal on street parking? Maybe Old Church St. would be one possibility.

Regarding noise nuisance, I've had a chat with Rev. Rowena and we both agree that it's unreasonable to try to deny an organisation a once a year charity bash such as this. Having said that, we do have lots of weddings in the summer, and had we known about this event well enough in advance we would have warned prospective couples about the possible disruption. We are concerned that it will have a detrimental future effect because if couples have a bad experience they tell other people about it, and before long the word gets out that St. Andrew's is unsuitable for weddings. I shall try to attend the meeting on Thursday on behalf of the church (subject to being finished with a hospital appointment earlier). We were wondering whether there was any chance of the organisers trying to work the programme round 1.30p.m. to 2.30 p.m.

and then 3 - 4p.m. by programming in breaks, having quieter bands on during these times and turning the sound down. Would this be something you could support? Do you have any other suggestions?

I shall be asking organisers if in future they can plan these events at least 18 months in advance and let us have dates because we can then advise prospective wedding couples of the situation. As it is, these couples have planned their big day with all the major financial, organisational and emotional implications and they fear it will be marred by an event which seems totally out of their control or the church's.

Best wishes,

██████████

Amy Day

From: Cllr Adam Clarke
Sent: 28 April 2016 11:16
To: Amy Day
Subject: FW: St Andrews FC Application for Muic Licence 4th June 2016

From: [REDACTED]
Sent: 25 April 2016 12:28
To: Cllr Adam Clarke
Subject: Re: St Andrews FC Application for Muic Licence 4th June 2016

From: [REDACTED]
Sent: Monday, April 25, 2016 12:21 PM
To: [lic](#)
Subject: St Andrews FC Application for Muic Licence 4th June 2016

Dear sirs with regard to the above application I strongly object to this as the the noise will be horrendous.

Based on the previous functions they have had we have closed all windows and doors but we still cannot stop the noise being heard

in our home to a very loud level. We have had to turn up the volume on our t.v and even when we have gone to bed the noise has been so loud we could not get to sleep.

We appreciate that it is being done for a good cause but the local residents should not have to suffer noise at this level.

In the passed we have rang the club to ask if they could turn down the sound but the nothing ever happened in fact the last time

I was toldno this is for a charity..... and the phone then went dead.

My details are [REDACTED]

thank you

Amy Day

From: Cllr Adam Clarke
Sent: 22 April 2016 10:54
To: Amy Day
Cc: [REDACTED]
Subject: Fwd: St Andrews

From: [REDACTED]
Date: 22 April 2016 at 10:48:29 BST
To: Adam Clarke <Adam.Clarke@leicester.gov.uk>
Subject: St Andrews

Dear Adam

As I have still not been able to access the public register I would be grateful if you could forward to the relevant department, my objections to the application to hold a "Drewfest" event at St Andrews football ground on 4 June 2016.

I object to the granting of the license on the following grounds:

1. St Andrews ground is not a suitable venue for an open air live music event. It is situated in the heart of the village next to the church and residential houses. It is part of Aylestone meadows nature reserve and next to the canal towpath - popular walking areas for city dwellers to enjoy nature and tranquility. The area is a city gem and is widely valued as providing peaceful surroundings in contrast to busy city life. Holding such an event may give publicity to the club but I would argue is not the sort of publicity that will enhance the image of Aylestone village as conservation village.

St Andrews do regularly host disco, live music and fun day events at the club house during the playing season. I assume these do not need a license and we therefore get no prior warning. The noise from these has been horrendous making my garden unusable and sleep impossible. This event may be promoted as being an annual event but it needs to be considered within the context of all the other social events that the club runs during the season.

2. I have lived directly opposite the club for over 30 years and can testify to the unacceptable levels of noise from the bands, disco music etc. that the event last year caused. It was impossible to be out in my own garden and even indoors with windows and doors shut it was impossible to cut out the noise and throb of the base sound.

The City Council Noise Team have in the past noted my complaints (and the complaints of others) about loud music at the club. They were not able to help because they had no prior notice and they do not provide a 24 hour service. Approaches directly to the club management have also failed to get music turned down.

Regards



Sent from my iPad

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

The licence holder will ensure that professional security company, Dhillon Security Ltd, will be in control of crowd safety and security at the event. Their staff will be SIA registered.

The licence holder will ensure CCTV will be set up in some parts of the site.

The licence holder will ensure every person that enters the event will receive a wrist band that is coloured and adults will have a different colour to under 18's to distinguish age.

The licence holder will ensure all drinks will be served in plastic containers. No glass will be allowed on the premises.



Leicester
City Council

WARDS AFFECTED
Castle

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

17 May 2016

**Application for a variation of an existing premises licence within a
Cumulative Impact Zone
Harveys, 43 Belvoir Street, Leicester, LE1 6SL**

Report of the Director of Neighbourhood and 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

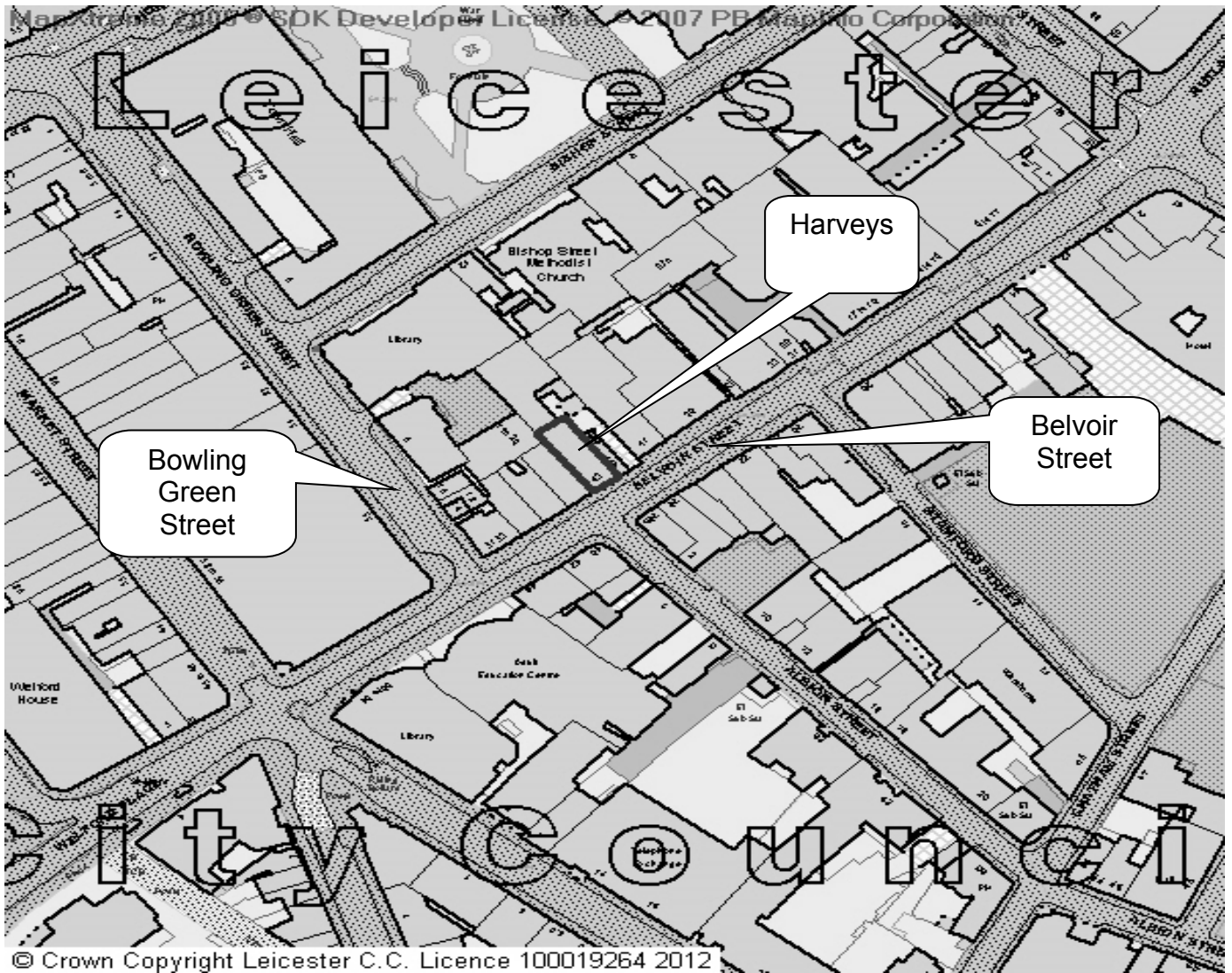
2.1. Having considered the application and representations, Members must consider whether to

- 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 Harveys within the Belvoir Street area Cumulative Impact Zone 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 31st March 2016 from Mr Abdul Caratella for a variation to an existing premises licence for Harveys within the Belvoir Street area Cumulative Impact Zone. 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	Mon – Sun 10.00 – 01.30	Sun – Weds 10.00 – 02.00 Thurs – Sat 10.00 06.00
Recorded Music	Mon – Sun 10.00 – 01.30	Sun – Weds 10.00 – 02.00 Thurs – Sat 10.00 06.00
Performances of Dance	Mon – Sun 10.00 – 01.30	Sun – Weds 10.00 – 02.00 Thurs – Sat 10.00 06.00
Anything similar to live/recorded music or dance	Mon – Sun 10.00 – 01.30	Sun – Weds 10.00 – 02.00 Thurs – Sat 10.00 06.00
Late night refreshment	Mon – Sun 23.00 – 02.30	Sun – Weds 23.00 – 02.30 Thurs – Sat 23.00 05.00
Supply of Alcohol	Mon – Sun 10.00 – 02.00	Sun – Weds 10.00 – 02.00 Thurs – Sat 10.00 06.00
Opening hours	Mon – Sun 10.00 – 03.00	Sun – Weds 10.00 – 02.30 Thurs – Sat 10.00 06.30

- Licensable hours for all bank holidays, Christmas Eve, Boxing day and New Year's Eve to be 10.00 – 06.00 the following day
- Removal of the following condition from Annex 3 – No sale of alcohol for consumption off the premises
- Amend existing condition in Annex 3 to - All staff who will be serving alcohol will be trained to ensure that no person who is intoxicated will be served alcohol, such training to be dated, documented and made available to Leicestershire Police any responsible authority on request.

7. Steps to Promote the Licensing Objectives

- 7.1 The steps the applicant proposes to take to demonstrate that the premises will not add to the existing cumulative impact and 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. Regulated Entertainment

- 8.1 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.
- 8.2 The above exemptions do not affect the application under consideration because the additional hours requested are after 23.00 and before 08.00 hours.

9. Representation

- 9.1 Two representations have been received, one from Leicestershire Police and one from a Ward Councillor. The representations relate to the prevention of crime and disorder, the prevention of public nuisance and public safety. Leicestershire Police and the Ward Councillor are concerned that the increased hours and removal of an existing condition may increase further incidents in the area. Copies of the representations are attached at Appendix C1-2.

10. Conditions

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

11 Cumulative Impact

- 11.1 In February 2005 Leicester City Council introduced a special policy on cumulative impact in the Belvoir Street area, which refers specifically to on and off licences. This creates a rebuttable presumption that an application for a new premises licence will be refused, unless the applicants can show that their premises are unlikely to add to the problems of saturation.

12. Statutory Guidance

- 12.1 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	General Principles
1.16	Each application on its own merits
2.1 – 2.5	Crime & disorder
2.6 – 2.13	Public Safety
2.14 – 2.20	Public nuisance
3.11 – 3.18	Late night refreshment
8.33 – 8.41	Steps to promote the licensing objectives
9.12	Representations from the Police
9.30 – 9.40	Hearings
9.41 – 9.43	Determining actions that are appropriate for the promotion of the licensing objectives
10.1 – 10.3	Conditions - general
10.8 – 10.9	Imposed conditions
10.27 – 10.68	Mandatory conditions in relation to the supply of alcohol
13.30 – 13.35	Effect of special policies
13.36 – 13.39	Limitations on special policies relating to cumulative impact
13.40 – 13.41	Other mechanisms for controlling cumulative impact
13.44 – 13.45	Licensing Hours
15.1 – 15.69	Regulated entertainment

13. Statement of Licensing Policy

13.1 The relevant parts of the Licensing Authority’s Statement of Licensing Policy are as follows:

Section	Heading
2	Fundamental Principles
3	Cumulative Impact
4	Policy on Cumulative Impact
5	Licensing Hours
7	Prevention of Crime and Disorder
8	Public Safety
9	Prevention of Public Nuisance
11.4 – 11.5	Planning
12	Duplication
13	Standardised conditions
17	Live Music, Dancing, Theatre, Circuses and Street Arts

14 Points for Clarification

14.1 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?

15. Other Implications

OTHER IMPLICATIONS	YES /NO	Paragraph/References Within Supporting information
Equal Opportunities	No	
Policy	Yes	The premises is within a cumulative impact area
Sustainable and Environmental	No	

Crime and Disorder	Yes	9.1 – police representation is partly based on concerns about crime and disorder
Human Rights Act	No	
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

16. Background Papers – Local Government Act 1972

There have been two variations since this licence was first granted. Both were to remove or amend conditions relating to restrictions on the sale or supply of alcohol.

17. Consultations

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.

18. Report Author

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

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

Licensing Act 2003
Premises Licence

LEIPRM1416



Leicester
City Council

Local Services & Enforcement
 Leicester City Council
 York House
 91 Granby Street
 Leicester
 LE1 6FB

(0116) 4543040
licensing@leicester.gov.uk

Part 1 - Premises Details

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

Harveys

43 Belvoir Street, Leicester, LE1 6SL.

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
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or 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)	Monday to Sunday	10:00am	1:30am
F. Playing of recorded music (Indoors)	Monday to Sunday	10:00am	1:30am
G. Performance of dance (Indoors)	Monday to Sunday	10:00am	1:30am
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Sunday	10:00am	1:30am
I. Late night refreshment (Indoors & Outdoors)	Monday to Sunday	11:00pm	2:30am
J. Supply of alcohol for consumption ON and OFF the premises	Monday to Sunday	10:00am	2:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	10:00am	3:00am



Licensing Act 2003

Premises Licence

LEIPRM1416



Leicester
City Council

Local Services & Enforcement
Leicester City Council
York House
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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

Abdul Caratella

20 Daneshill Road, Leicester, LE3 6AL.

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

Jose Leandro Fernandes TEIXEIRA

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. LEIPRS0384

Issued by Leicester



Licensing Act 2003
Premises Licence

LEIPRM1416



Leicester
City Council

Local Services & Enforcement
Leicester City Council
York House
91 Granby Street
Leicester
LE1 6FB

(0116) 4543040
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 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 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.

Annex 2 - Conditions consistent with the operating schedule

The licence holder will ensure that staff are trained to be vigilant and report anything unusual to a member of the management.





Leicester
City Council

Local Services & Enforcement
Leicester City Council
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ANNEXES continued ...

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

The licence holder will ensure that CCTV is installed following advice from the Leicestershire Constabulary and maintained in accordance with the Information Commissioners CCTV Code of Practice.

The licence holder will ensure a "Challenge 21" policy requiring the production of "proof of age" for any sale that takes place where there is any suspicion that the customer is under 21. Such proof may include a pass conforming to the PASS accreditation system, photo driving licence, student cards and passports.

The licence holder will ensure that there will be adequate security alarms.

On a Friday and Saturday night from 22.00 the Premises Licence Holder will provide door staff at a ratio of 1 member of door staff for the first 30 customers and a 2nd member of door staff for 31-100 customers and thereafter 1 for every 100 customers or part thereof. Such door staff shall carry out random searches and ID checks on customers when it is felt appropriate to do so and there will be 1 member of door staff on each floor that is trading.

Substantial refreshment will be available from when the premises open, for the provision of licensable activities, until 22.00.

All staff who will be serving alcohol will be trained to ensure that no person who is intoxicated will be served alcohol, such training to be dated, documented and made available to Leicestershire Police on request.

There shall be no sale of alcohol for consumption off the premises.

A member of staff will be available, upon reasonable request, to download CCTV images and provide those images to Leicestershire Police.

The identity of any event promoter and the type of event used by the Premises Licence Holder outside of the normal course of trading shall be notified to Leicestershire Police 21 days before the event.





Leicester
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Premises Details

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

Harveys

43 Belvoir Street, Leicester, LE1 6SL.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

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J. Supply of alcohol for consumption ON and OFF the premises	Monday to Sunday	10:00am	2:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	10:00am	3:00am



Premises Licence Summary

LEIPRM1416



Leicester
City Council

Local Services & Enforcement
Leicester City Council
York House
91 Granby Street
Leicester
LE1 6FB

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licensing@leicester.gov.uk

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

Abdul Caratella

20 Daneshill Road, Leicester, LE3 6AL.

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

Jose Leandro Fernandes TEIXEIRA

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

Restricted as per Licensing Act



081696
28/04/16Leicester
City Council**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 ABDUL CARATELLA*(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 LEIPRM1416

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description HARVEYS 43 BELVOIR STREET
--

Post town	LEICESTER	Postcode	LE1 6SL
-----------	-----------	----------	---------

Telephone number at premises (if any)	[REDACTED]
---------------------------------------	------------

Non-domestic rateable value of premises	£20,750
---	---------

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]
-------------------------------------	------------

E-mail address (optional)	[REDACTED]
---------------------------	------------

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)

Extension of hours for licensable activities as listed in application.
 The following activities extension are requested:
 Live Music, Recorded Music, Performance of Dance, anything of a similar description, Provision of Late night refreshment and Sale by retail of alcohol.

Regulated Entertainment (as stated): Sunday to Wednesday – 01:30 to 02:00 hours
 Thursday to Saturday – 01:30 to 06:00 hours

Late Night Refreshment: Thursday to Saturday – 02:30 to 05:00 hours

Sale by retail of Alcohol: Thursday to Saturday – 02:00 to 06:00 hours

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:

N/A

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) | <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 7)			<u>Will the performance of a play 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					
			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Tue					
			<u>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</u> (please read guidance note 6)		
Wed					
Thur					
Fri					
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					
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Tue					
			<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)		
Wed					
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
Wed			
Thur			<u>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</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"/>
				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					
Wed					
			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
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 6)		
Fri					
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	10:00	02:00			
Tue	10:00	02:00			
Wed	10:00	02:00	State any seasonal variations for the performance of live music (please read guidance note 5) To take into account British Summer Time changes		
Thur	10:00	06:00			
Fri	10:00	06:00	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) All Bank Holidays, Christmas Eve, Boxing Day and New Year's Eve – Licensable Hours to be 10:00 until 06:00 the following day		
Sat	10:00	06:00			
Sun	10:00	02:00			

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 – please tick</u> (please read guidance note 3)	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 4)		
Mon	10:00	02:00			
Tue	10:00	02:00			
Wed	10:00	02:00			
Thur	10:00	06:00			
Fri	10:00	06:00			
Sat	10:00	06:00			
Sun	10:00	02:00			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon	10:00	02:00			
Tue	10:00	02:00			
Wed	10:00	02:00			
Thur	10:00	06:00			
Fri	10:00	06:00			
Sat	10:00	06:00			
Sun	10:00	02:00			

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		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon	10:00	02:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	10:00	02:00	<u>Please give further details here</u> (please read guidance note 4)		
Wed	10:00	02:00			
Thur	10:00	06:00	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5) To take into account British Summer Time changes		
Fri	10:00	06:00			
Sat	10:00	06:00	<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> (please read guidance note 6) All Bank Holidays, Christmas Eve, Boxing Day and New Year's Eve – Licensable Hours to be 10:00 until 06:00 the following day		
Sun	10:00	02:00			

I

Late night refreshment Standard days and timings (please read guidance note 7)			<u>Will the provision of late night refreshment 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 checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	23:00	02:30			
Tue	23:00	02:30			
Wed	23:00	02:30	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) To take into account British Summer Time changes		
Thur	23:00	05:00			
Fri	23:00	05:00	<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> (please read guidance note 6) All Bank Holidays, Christmas Eve, Boxing Day and New Year's Eve – Licensable Hours to be 10:00 until 06:00 the following day		
Sat	23:00	05:00			
Sun	23:00	02:30			

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)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) To take into account British Summer Time changes 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) All Bank Holidays, Christmas Eve, Boxing Day and New Year's Eve – Licensable Hours to be 10:00 until 06:00 the following day		
Mon	10:00	02:00			
Tue	10:00	02:00			
Wed	10:00	02:00			
Thur	10:00	06:00			
Fri	10:00	06:00			
Sat	10:00	06:00			
Sun	10:00	02:00			

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).

NONE

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) To take into account British Summer Time changes
Day	Start	Finish	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) All Bank Holidays, Christmas Eve, Boxing Day and New Year's Eve – Opening Hours to be 10:00 until 06:30 the following day
Mon	10:00	02:30	
Tue	10:00	02:30	
Wed	10:00	02:30	
Thur	10:00	06:30	
Fri	10:00	06:30	
Sat	10:00	06:30	
Sun	10:00	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.

The condition relating to 'no sale of alcohol for consumption off the premises' to be removed as currently licensed for off sales.
 The wording 'Leicestershire Police' to be changed to 'any responsible authority'.

Please tick as appropriate

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)

We are fully aware of the premises being situated within the special policy on cumulative impact within the area of Belvoir Street.

Along with the conditions from the current licence being carried over other than the amendments stated in the previous section, we have identified further measures that is believed to fully promote the licensing objectives and not add to the cumulative impact identified in the area.

b) The prevention of crime and disorder

All previous conditions to be carried over.

An incident log book will be maintained and made available to any responsible authorities on request. CCTV will be kept for a minimum of 28 days and made available to any responsible authorities on request.

c) Public safety

All previous conditions to be carried over.

We will be subject to the Leicester City Council's Standard Conditions for Places of Public Entertainment, published on the Licensing Authority website.

d) The prevention of public nuisance

All previous conditions to be carried over.

A noise limiter will be installed and set to the requirements agreed by the responsible authority department.

Door supervisors will assist patrons to disperse the premises area after closing.

A notice will be displayed to remind patrons to disperse the area quietly and to respect neighbours.

All doors and windows will remain closed except for access and egress after 01:30hrs on any day.

e) The protection of children from harm

All previous conditions to be carried over.

A Challenge 25 policy will be fully implemented requiring the production of 'proof of age' where there is suspicion that any customer is under 25.

No person under the age of 18 will be allowed on the premises during licensable activities without prior notification to the Licensing Authority and Leicestershire Police.

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	
Date	28-3-2016
Capacity	OWNER

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	
Date	
Capacity	

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)			



Leicestershire Police

Appendix
C1

Licensing Act 2003 – Representation in respect of New Premises Application

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

Details of premises representation is about	
Name of Premises:	Harveys Bar and Grill
Address of premises:	43 Belvoir Street Leicester LE1 6SL
Application No. (if known)	Abdul CARATELLA

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 type="checkbox"/>

Please summarise your concerns about this application:
<p>I write in my capacity as a licensing officer for the Leicestershire Police on the authority delegated to me by the Chief Constable.</p> <p>Leicester City Council has adopted a Special Policy in relation to applications for new licences and material variations in the Cumulative Impact Area. The effect of this policy is set out in the Council's current policy.</p> <p>Paragraph 4.13 of that policy states: <i>"The effect of the special policies will be to create a rebuttable presumption that applications for new premises licences or club premises certificates, or material variations, will normally be refused. It will be for the applicant to demonstrate that the premises will not add to the existing cumulative impact. Applicants will need to address this matter in their operating schedules."</i></p>

The policy requires the applicant to satisfy the Licensing Authority that the grant of the new licence will not add to the existing cumulative impact of licensed premises within the area.

These premises, which cover 3 floors, are situated on Belvoir Street in Leicester City centre. The footfall on Belvoir Street increases substantially on a Friday and Saturday night due to the number of licensed premises on this fairly short street and immediate area. It also suffers from a greater amount of anti-social behaviour and criminal offences where alcohol is a contributory factor during the hours of 2200hrs and 0600hrs.

Leicestershire Police currently Police the night time economy in the City through Operation Anthem. This allows for identified officers to work primarily within the City focusing on the bars, pubs & clubs and those customers who visit the City to partake of this entertainment. This operation ceases at 0400hrs by which time many officers will have been tied up with incidents which further reduces the number of resources available to Police the City.

The applicant has requested a substantial increase in the supply of alcohol past the present licence hours of 0200hrs until 0600hrs.

If granted this will allow those who have already consumed sufficient alcohol in other premises that are licensed until 0400hrs to continue their consumption in these premises therefore increasing their intoxication and increasing the likelihood of offences and incidents.

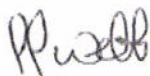
The applicant has further requested the removal of a condition which prevents the sale of alcohol for consumption 'off' the premises.

By removing this condition it would allow the premises to operate as an 'off licence' which would increase the probability of 'pre loading' and 'side loading' and discarded cans and bottles which may be used as weapons on the street.

Leicestershire Police are concerned that the increase in hours and the removal of this condition would allow this substantial premises to trade later, increase the footfall in the area during a time when police resources are reduced and will increase the probability of more crime influenced by alcohol to be committed.

It is in our opinion that granting this licence would be contrary to the intentions and objectives of the saturation policy that exists for this area and would add to the existing late night problems in the City centre by increasing the capacity of licensed premises within the cumulative impact zone and failing to promote the Licensing Objectives.

We therefore wish to engage the discretion of the licensing authority in considering the Councils own policy in relation to this application and to refuse this application.



PC1790 Jonathan Webb

19th April 2016

Amy Day

From: Licensing
Sent: 29 April 2016 09:00
To: Amy Day
Subject: FW: Objection - Variation Application - Harvey's Belvoir Street

From: [REDACTED]
Sent: 28 April 2016 22:37
To: Licensing
Subject: Objection - Variation Application - Harvey's Belvoir Street

Variation Application - Harvey's Bar - Belvoir Street

I wish to object as ward councillor to this application on the grounds that it presents a potential increase in public nuisance, and crime and disorder especially in the respect of the later closing hours proposed therein.

Thanks,

Patrick Kitterick

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE
The licence holder will ensure an incident log book will be maintained and made available to any responsible authority on request.
The licence holder will ensure CCTV will be kept for a minimum of 28 days and made available to any responsible authority on request.
The licence holder will ensure a noise limiter will be installed and set to the requirements agreed by the responsible authority department.
The licence holder will ensure door supervisors will assist patrons to disperse the premises area after closing.
The licence holder will ensure a notice will be displayed to remind patrons to disperse the area quietly and to respect neighbours.
The licence holder will ensure all doors and windows will remain closed except for access and egress after 01.30 hours on any day.
The licence holder will ensure a Challenge 25 policy will be fully implemented requiring the production of a proof of age where there is suspicion that any customer is under 25.
The licence holder will ensure no person under the age of 18 will be allowed on the premises during licensable activities without prior notification to the Licensing Authority and Leicestershire Police.

