



Leicester  
City Council

## **LICENSING (HEARINGS) SUB-COMMITTEE**

**DATE: TUESDAY, 21 JUNE 2016**

**TIME: 9:30 am**

**PLACE: COMMITTEE ROOM 2 - GROUND FLOOR, TOWN HALL,  
TOWN HALL SQUARE, LEICESTER**

### **Members of the Sub-Committee**

Councillors Byrne, Cank and Unsworth

Members of the Sub-Committee are summoned to attend the above meeting to consider the items of business listed overleaf.

*A. Thomas .*

for Monitoring Officer

**Officer contact: Ayleena Thomas**  
*Democratic Support*  
*Leicester City Council*  
City Hall, 115 Charles Street, Leicester, LE1 1FZ  
Tel: 0116 454 6369  
email: [ayleena.thomas@leicester.gov.uk](mailto:ayleena.thomas@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.

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If you intend to film or make an audio recording of a meeting you are asked to notify the relevant Democratic Support Officer in advance of the meeting to ensure that participants can be notified in advance and consideration given to practicalities such as allocating appropriate space in the public gallery etc.

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 Ayleena Thomas, **Democratic Support on (0116) 454 6369 or email** 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 MEETING**

**Appendix A**

The minutes of the meeting held on 11 May 2016 are attached and have been circulated. Members will be asked to confirm them as a correct record.

#### **5. APPLICATION FOR A NEW PREMISES LICENCE: COFFEE SHOP/ CAFE/ BAR/ LOUNGE & RESTAURANT - 95 QUEENS ROAD, LEICESTER, LE2 1TT**

**Appendix B**

The Director of Neighbourhood and Environmental Services submits a report on an application for a new premises licence for Coffee Shop/ Café/ Bar/ Lounge & Restaurant, 95 Queens Road, Leicester, LE2 1TT.

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](http://www.Cabinet.leicester.gov.uk) or by telephoning Democratic Support on 0116 4546369.

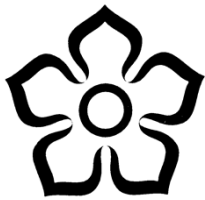
#### **6. APPLICATION FOR A NEW PREMISES LICENCE WITHIN A CUMULATIVE IMPACT ZONE: GOURMET COFFEE BAR & KITCHEN, LEICESTER RAILWAY STATION**

**Appendix C**

The Director of Neighbourhood and Environmental Services submits a report on an application for a new premises licence within a Cumulative Impact Zone for Gourmet Coffee Bar & Kitchen, Leicester Railway Station.

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](http://www.Cabinet.leicester.gov.uk) or by telephoning Democratic Support on 0116 4546369.

**7. ANY OTHER URGENT BUSINESS**



Leicester  
City Council

Minutes of the Meeting of the  
LICENSING (HEARINGS) SUB-COMMITTEE

Held: WEDNESDAY, 11 MAY 2016 at 9:30 am

P R E S E N T:

Councillor Thomas (Chair)

Councillor Cank

Councillor Fonseca

\* \* \* \* \*

**8. APPOINTMENT OF CHAIR**

Councillor Thomas was elected as Chair for the meeting.

**9. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**10. DECLARATIONS OF INTEREST**

Members were asked to declare any disclosable pecuniary or other interest they may have in the business on the agenda.

Councillor Thomas declared an "other declarable interest" as the applicant was known to him in the capacity of an acquaintance.

In accordance with the Council's Code of Conduct, the interest was not considered so significant that it was likely to prejudice Councillor Thomas's judgement of the public interest and he was, therefore, not required to withdraw from the meeting.

**11. APPLICATION FOR A NEW PREMISES LICENCE WITHIN A CUMULATIVE IMPACT ZONE: CANDLE ROOMS, 25 GRAVEL STREET, LEICESTER, LE1 3AG**

The Director of Neighbourhoods and Environmental Services, submitted a report that required Members to determine an application for a new premises licence within a Cumulative Impact Zone for Candle Rooms, 25 Gravel Street, Leicester, LE1 3AG.

Members noted that a representation had been received in respect of the application, which necessitated that the application had to be considered by Members.

The applicant Mr Ashik Madlani together with his representative Mr Ibrahim Kadri were both present. PC Jon Webb from Leicestershire Police, the Licensing Team Manager and the Solicitor to the Sub-Committee were also present at the hearing.

Introductions were made and the procedure for the meeting was outlined to those present.

The Licensing Team Manager presented the report and outlined the details of the application. It was noted that a representation had been received from Leicestershire Police that related to three of the licensing objectives, namely the prevention of crime and disorder, the prevention of public nuisance and public safety. Photographs showing external views of the current premises were circulated to everyone present at the meeting. The Chair queried whether the premises opposite was a night club. PC Webb confirmed this query. There were no further questions from members, the Police or the applicant.

PC Jon Webb outlined the reasons for the representation and answered questions from the applicant. There were no questions from Members.

The applicant/ representative requested to circulate an additional statement in support of their application. Members agreed for the circulation. Mr Ibrahim Kadri and Mr Ashik Madlani were then given the opportunity to outline the details of the application, responded to the points made and answered questions from Members and the Police.

All parties were then given the opportunity to sum up their positions and make any final comments.

Prior to Members considering the application, the Solicitor to the Sub-Committee advised Members of the options available to them in making a decision. Members were also advised of the relevant policy and statutory guidance that needed to be taken into account when making their decision.

In reaching their decision, Members felt they should deliberate in private on the basis that this was in the public interest, and as such outweighed the public interest of their deliberation taking place with the parties represented present.

The Licensing Team Manager, the Solicitor to the Sub-Committee, the applicant with his representative and PC Webb then withdrew from the meeting.

Members then gave the application full and detailed consideration.

The Solicitor to the Sub-Committee was then recalled to the hearing to give

advice on the wording of the decision.

The Licensing Team Manager, the applicant with his representative and PC Webb then returned to the meeting.

The Chair informed all persons present that they had recalled the Solicitor to the Sub-Committee for advice on the wording of their decision.

RESOLVED:

That the application for a new premises licence within a Cumulative Impact Zone for Candle Rooms, 25 Gravel Street, Leicester, LE1 3AG be refused.

#### REASONS FOR THE DECISION

In reaching their decision the Sub-Committee members had considered this application carefully and also the representations made on behalf of the Police. The Sub-Committee found that the applicant has not demonstrated that the grant of the licence with or without conditions would not add to the existing problems in the Cumulative Impact Zone. The Sub-Committee felt that the grant of the licence would undermine the promotion of the licensing objectives of preventing crime and disorder, preventing public nuisance and public safety. The application was accordingly refused.

#### **12. CLOSE OF MEETING**

The Chair declared the meeting closed at 11:21am.







Leicester  
City Council

**WARDS AFFECTED**  
**Castle**

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

**21 June 2016**

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**Application for a new premises licence**  
**Coffee Shop/Café/Bar/Lounge & Restaurant**  
**95 Queens Road, Leicester LE2 1TT**

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**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**

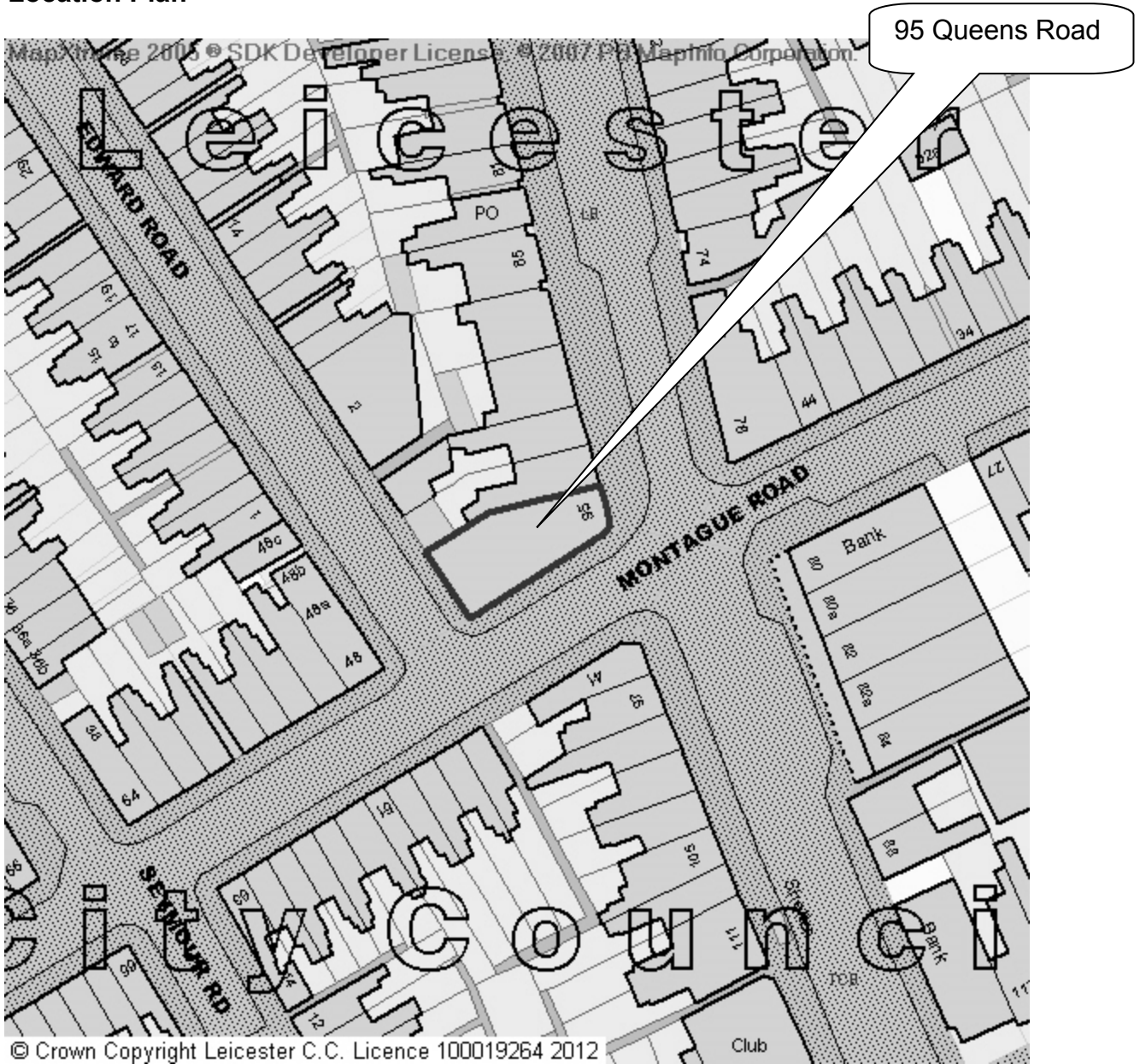
2.1. Having considered the application and representations, Members must consider whether to

- 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 95 Queens Road, Leicester 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. Application

- 5.1 An application was received on 4 May 2016 from South Southwest Limited for a new premises licence for 95 Queens Road, Leicester LE2 1TT. A copy of the application is attached at Appendix A.

5.2 The application is as follows:

<b>Licensable activity</b>	<b>Proposed Hours</b>
Live Music	09.00 – 00.00
Recorded Music	09.00 – 00.00
Performances of Dance	09.00 – 00.00
Anything similar to live/recorded music or dance	09.00 – 00.00
Late night refreshment	23.00 – 00.00
Supply of Alcohol	09.00 – 00.00
Opening hours	00.00 – 00.00

## **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 M 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.

## **8. Representation**

- 8.1 Representations were received between 6 May and 23 May 2016 from six local residents. The representations relate to the prevention of public nuisance. The local residents are concerned that if a licence is granted to these premises, the residents in the area will experience noise nuisance. Copies of the representations are attached at Appendix B1, B2, B7, B8, B9 and B10.

A representation was received on 10 May from Planning, Transportation & Economic Development relating to planning permission and the opening hours granted under planning application 19980763. A copy of the representation is attached at Appendix B5.

Representations were received from two ward councillors on 8 and 9 May that relate to the prevention of public nuisance. Copies of the representations are attached at Appendix B3 and B4.

A representation was received on 23 May 2016 from the Noise Team at Leicester City Council. The representation relates to the prevention of public nuisance. The Noise Team is concerned about the likelihood of public nuisance affecting occupiers of nearby

properties. The Noise Team has been in contact with the applicant, and seeks the addition of conditions to the licence. A copy of the representation is attached at Appendix B6.

## 9. Conditions

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

## 10. Statutory Guidance

10.1 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
2.14 – 2.20	Public nuisance
3.11 – 3.18	Late night refreshment
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
10.27 – 10.68	Mandatory conditions in relation to the supply of alcohol
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**

<b>OTHER IMPLICATIONS</b>	<b>YES/ NO</b>	<b>Paragraph/References Within Supporting information</b>
Equal Opportunities	No	
Policy	No	
Sustainable and Environmental	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**

- a. None

**15 Consultations**

- b. 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.

Or

- a. 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**

Jean Arnold  
Licensing Officer  
0116 454 3049  
Jean.arnold@leicester.gov.uk

<b>APPENDIX</b>	<b>CONTENT</b>
A	Application
B1 – B10	Representations
C	Conditions consistent with application and representation

## APPENDIX A

082743



Leicester  
City Council

**Application for a premises licence to be granted  
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** SOUTH SOUTHWEST LIMITED

*(Insert name(s) of applicant)*

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description  
**95 QUEENS ROAD**

<b>Post town</b>	LEICESTER	<b>Postcode</b>	LE2 1TT
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Telephone number at premises (if any)	[REDACTED]
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Non-domestic rateable value of premises	£25,000
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**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as  
Please tick as appropriate

- |    |  |                          |                             |
|----|--|--------------------------|-----------------------------|
| a) | an individual or individuals *           | <input type="checkbox"/> | please complete section (A) |
| b) | a person other than an individual *      |                          |                             |
|    | i. as a limited company                  | X                        | please complete section (B) |
|    | ii. as a partnership                     | <input type="checkbox"/> | please complete section (B) |
|    | iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |

- iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B) PHILIP
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

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

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					




**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post town			Postcode		
Daytime contact telephone number					
E-mail address (optional)					

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name SOUTH SOUTHWEST LIMITED
Address 
Registered number (where applicable) 08549557
Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED COMPANY
Telephone number (if any) 
E-mail address (optional) 

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
06	06	2016

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
┐	┐	┐

Please give a general description of the premises (please read guidance note 1)  
 THE PREMISES IS SITUATED ON QUEENS ROAD ON THE CORNER OF MONTAGUE ROAD. IT IS 3 STOREY BUILDING BUILT IN A VICTORIAN STYLE. A COFFEE SHOP / CAFÉ IN THE DAYTIME DOWNSTAIRS SERVING FINE WINES AND STONEBAKED FOOD. BAR LOUNGE AND RESTAURANT UPSTAIRS. AN OFFICE/PRIVATE AREA EXISTS ON THE TOP FLOOR. ACCESSED VIA AN INTERNAL SPIRAL STAIR CASE

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any 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)

X

**Supply of alcohol** (if ticking yes, fill in box J)

X

**In all cases complete boxes K, L and M**

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 4)		
Wed					
Thur			<b><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></b> (please read guidance note 5)		
Fri					
Sat					
Sun					

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)
Day	Start	Finish	
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Tue			
Wed			<b><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></b> (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Wed					
Thur			<b><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></b> (please read guidance note 5)		
Fri					
Sat					
Sun					

**E**

Live music Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3) WE MAY WISH TO OFFER INSIDE LIVE ENTERTAINMENT IN THE FORM OF JAZZ / ACOUSTIC ETC. SUBJECT TO GUIDELINES ON NOISE LEVELS.		
Mon	09:00	MIDNIGHT			
Tue	09:00	MIDNIGHT			
Wed	09:00	MIDNIGHT	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Thur	09:00	MIDNIGHT			
Fri	09:00	MIDNIGHT	<b>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</b> (please read guidance note 5)		
Sat	09:00	MIDNIGHT			
Sun	09:00	MIDNIGHT			



F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	X
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	09:00	MIDNIGHT	Please give further details here (please read guidance note 3) RECORDED MUSIC IN THE FORM OF CD'S AND MP3 FILES ETC. WILL BE PLAYED INDOORS THROUGHOUT SERVICE.	Both	<input type="checkbox"/>
Tue	09:00	MIDNIGHT			
Wed	09:00	MIDNIGHT	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	09:00	MIDNIGHT			
Fri	09:00	MIDNIGHT	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 5)		
Sat	09:00	MIDNIGHT			
Sun	09:00	MIDNIGHT			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3) WE MAY WISH TO USE THE PREMISES FOR THE PERFORMANCE OF DANCE AT THE TIMES SHOWN TO THE LEFT. THIS WILL APPLY TO PERFORMANCES OR PRIVATE USE		
Mon	09:00	MIDNIGHT			
Tue	09:00	MIDNIGHT	<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)		
Wed	09:00	MIDNIGHT			
Thur	09:00	MIDNIGHT	<b><u>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</u></b> (please read guidance note 5)		
Fri	09:00	MIDNIGHT			
Sat	09:00	MIDNIGHT			
Sun	09:00	MIDNIGHT			

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing COMIC ENTERTAINMENT ANY OTHER LOCAL EVENTS RELATING TO ARTS / FESTIVALS FILM MAKING ,DESIGN, EXHIBITION ETC.		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	09:00	MIDNIGHT		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	09:00	MIDNIGHT	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Wed	09:00	MIDNIGHT			
Thur	09:00	MIDNIGHT	<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)		
Fri	09:00	MIDNIGHT			
Sat	09:00	MIDNIGHT	<b><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></b> (please read guidance note 5)		
Sun	09:00	MIDNIGHT			

1

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	09:00	MIDNIGHT	<b>Please give further details here</b> (please read guidance note 3) AS A FOOD-LED OPERATION, A FULL MENU WILL BE AVAILABLE THROUGHOUT THE DAY AND NIGHT	Both	X
Tue	09:00	MIDNIGHT			
Wed	09:00	MIDNIGHT	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
Thur	09:00	MIDNIGHT			
Fri	09:00	MIDNIGHT	<b>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</b> (please read guidance note 5)		
Sat	09:00	MIDNIGHT			
Sun	09:00	MIDNIGHT			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	X			
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)					
Mon	09:00	MIDNIGHT						
Tue	09:00	MIDNIGHT						
Wed	09:00	MIDNIGHT						
Thur	09:00	MIDNIGHT				<b>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</b> (please read guidance note 5)		
Fri	09:00	MIDNIGHT						
Sat	09:00	MIDNIGHT						
Sun	09:00	MIDNIGHT						

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:**

Name PHILIP LUTHLEN	
Address 80 LANSDOWNE ROAD LEICESTER	
Postcode	LE2 8AQ
Personal licence number (if known) LEIPRS0234	
Issuing licensing authority (if known) LEICESTER CITY COUNCIL	

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 8).

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	00:00	MIDNIGHT	<b>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</b> (please read guidance note 5)
Tue	00:00	MIDNIGHT	
Wed	00:00	MIDNIGHT	
Thur	00:00	MIDNIGHT	
Fri	00:00	MIDNIGHT	
Sat	00:00	MIDNIGHT	
Sun	00:00	MIDNIGHT	

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

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)**

EDUCATION OF STAFF IN BEST LICENSING PRACTICE. PARTICULAR FOCUS ON HEALTH AND SAFETY, UNDER AGE DRINKING, IDENTIFICATION OF POTENTIAL DRUG USE AND PREVENTION. LIAISE WITH LOCAL POLICING/FIRE SERVICES FOR TRAINING ON BEST PRACTICE. PUTTING CUSTOMER SAFETY AND FOOD HYGIENE FIRST. PROMOTE RESPONSIBLE CONSUMPTION OF ALCOHOL FOCUSING ON PROMOTING FOOD. NO GAMBLING POLICY.

**b) The prevention of crime and disorder**

TO PROVIDE EXTERNAL AND INTERNAL CCTV THROUGHOUT INCLUDING PUBLIC ENTRANCE TO WASHROOMS. A STRONG ANTI DRUG POLICY. NO CUSTOMERS WILL BE SERVED IF THEY APPEAR TO BE DRUNK. TO DEVELOP A STRONG RELATIONSHIP WITH LOCAL POLICE UNITS IN THE AREA. NOT TO HOLD IRRESPONSIBLE DRINKS PROMOTIONS. TO PARTICIPATE WHERE POSSIBLE IN PUB WATCH SCHEMES AND TO INFORM RELEVANT AUTHORITIES OF ANTISOCIAL BEHAVIOUR. LIAISE WITH THE LOCAL CRIME PREVENTION OFFICER TO PROMOTE AND BUILD GOOD RELATIONS WITH LOCAL POLICE UNITS. PROMOTE FOOD WITH ALCOHOL CONSUMPTION.

**c) Public safety**

TO PROVIDE EXTERNAL AND INTERNAL CCTV THROUGHOUT INCLUDING ENTRANCES TO PUBLIC COMMUNAL AREAS OF WASHROOMS. DOOR SECURITY FOR PRIVATE FUNCTIONS WITH SIA REGISTERED STAFF, OFFER WELL LIT AREAS AROUND THE RESTAURANT EXITS. FREEPHONE TO LOCAL TAXI FIRMS TO PREVENT CUSTOMERS WALKING HOME ALONE AND LOITERING OUTSIDE AFTER HOURS. TO LIAISE WITH COUNCIL TO ENSURE CLEAR WALKWAYS.

**d) The prevention of public nuisance**

ENCOURAGE CUSTOMERS TO LEAVE QUIETLY, ENCOURAGE RESPONSIBLE CONSUMPTION OF ALCOHOL WITH MEALS. CCTV INSTALLED THROUGHOUT, DOOR SUPERVISION, SUPPLY OF NUMBERS FOR LOCAL TAXI FIRMS. TO ENCOURAGE A STRONG POLICY ON NOT SERVING INDIVIDUALS WHO APPEAR TO BE DRUNK. NOT TO EMPTY BINS LATE AT NIGHT AND TO CLOSE WINDOWS AFTER 10PM

**e) The protection of children from harm**

CHILDREN WILL NOT BE PERMITTED TO ENTER THE PREMISES WITH BEING ACCOMPANIED BY AN ADULT AT ANY TIME AND CHILDREN WILL NOT BE PERMITTED TO BE ON THE PREMISES FULL STOP BETWEEN 21:00 AND 09:00 HRS. ALL CUSTOMERS WHO APPEAR TO BE UNDER THE AGE OF 21 WILL BE ASKED TO PROVIDE IDENTIFICATION UPON ENTRY. STRONG ANTI DRUGS ENFORCEMENT POLICY. ENCOURAGING A DAYTIME FAMILY ATMOSPHERE IN A LIGHT OPEN ENVIRONMENT.

**Checklist:**

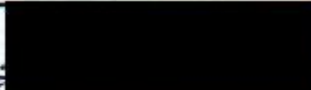
**Please tick to indicate agreement**

- I have made or enclosed payment of the fee. X
- I have enclosed the plan of the premises. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable. X
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. X
- I understand that I must now advertise my application. X
- I understand that if I do not comply with the above requirements my application will be rejected. X

**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 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

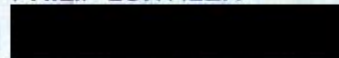
Signature	PHILIP LUITHLEN 
Date	25 <sup>TH</sup> APRIL 2016
Capacity	DIRECTOR AND PERSONAL LICENSE HOLDER

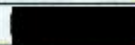
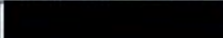
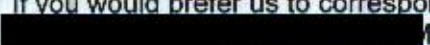
**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 13)

PHILIP LUITHLEN



Post town	<b>LEICESTER</b>	Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
			



## Notes for Guidance

1. 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.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. 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.
7. 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'.
8. 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.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



**Consent of individual to being specified as premises supervisor**

**PHILIP LUTHLEN**

I

.....  
*[full name of prospective premises supervisor]*

of

.....  
[REDACTED]

.....  
*[home address of prospective premises supervisor]*

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

**PREMISES LICENSE**

.....  
*[type of application]*

by

**SOUTH SOUTHWEST LIMITED**

.....  
*[name of applicant]*

relating to a premises licence

**TBC**

.....  
*[number of existing licence, if any]*

for

**95 QUEENS ROAD  
LEICESTER  
LE2 1TT**

.....  
*[name and address of premises to which the application relates]*

and any premises licence to be granted or varied in respect of this application made by

**SOUTH SOUTHWEST LIMITED**

-----  
*[name of applicant]*

concerning the supply of alcohol at

**95 QUEENS ROAD  
LEICESTER  
LE2 1TT**

-----  
*[name and address of premises to which application relates]*

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

**LEIPRS0234**

-----  
*[insert personal licence number, if any]*

Personal licence issuing authority

**LEICESTER CITY COUNCIL**

-----  
*[insert name and address and telephone number of personal licence issuing authority, if any]*

Signed

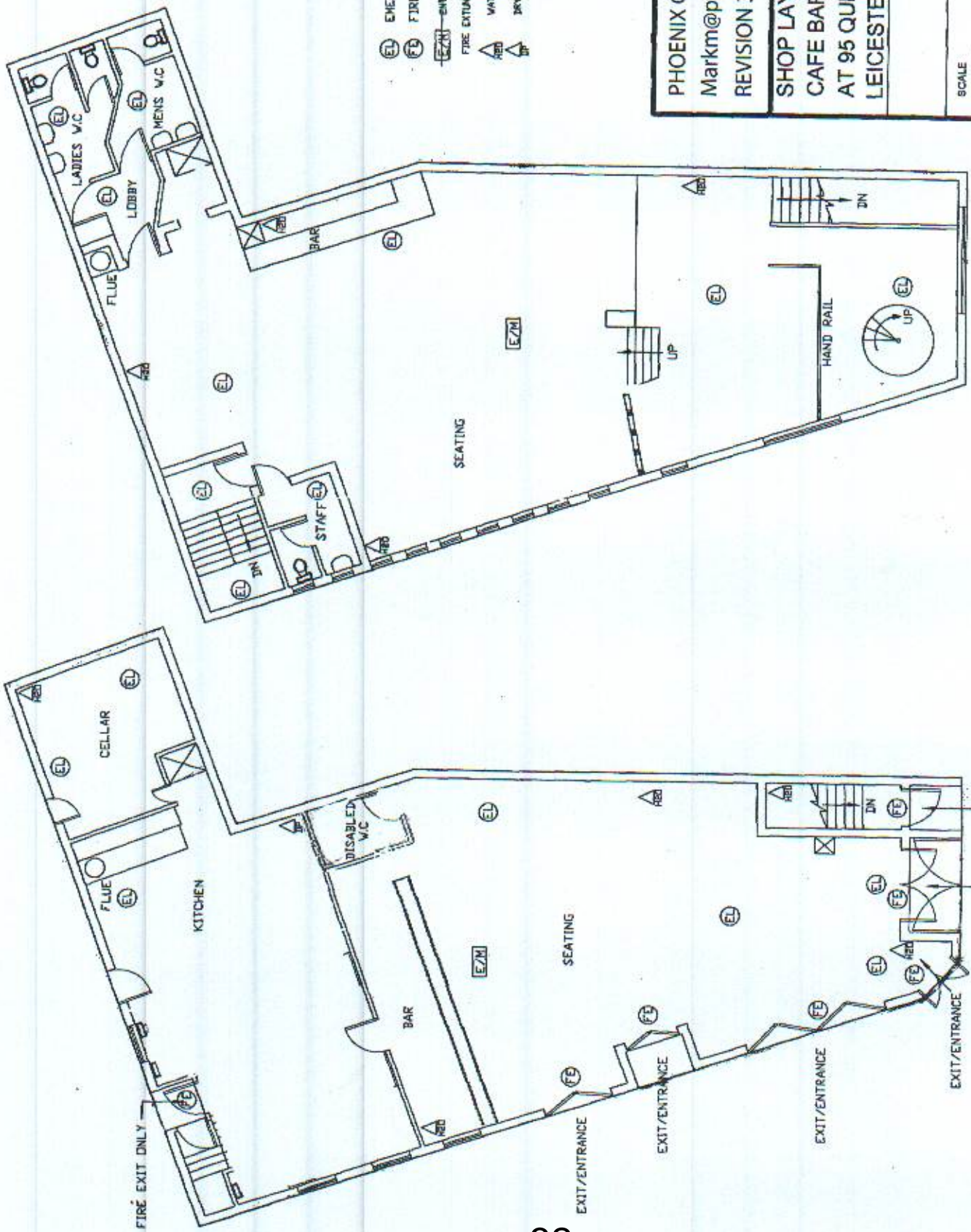


Name (please print)

**PHILIP LUTHLEN**

Date

-----  
**20/04/2016**



- (EL) EMERGENCY LIGHT BS 5266/88 Pt 1
- (FE) FIRE EXIT DOOR
- (EZH) ENTERTAINMENT MACHINE
- (A) FIRE EXTINGUISHERS
- (W) WATER
- (D) DRY POWDER

PHOENIX COLOUR LTD  
 Markm@phoenix-colour.com  
 REVISION 3.1

SHOP LAYOUT OF  
 CAFE BAR  
 AT 95 QUEENS ROAD  
 LEICESTER

SCALE  
 1:100

DATE  
 31/03/16

DRAWING NO.  
 05/08/146

SS

F.F LAYOUT

G.F LAYOUT


By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted



**Jean Arnold**

---



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

From: 

Sent: 06 May 2016 20:22

To: Licensing

Cc: 

Subject: Licence application for 95 Queens Rd, Clarendon Park

Dear Licensing

I have a concern with the new licence application for 95 Queens Rd, Clarendon Park, Leicester.

Whilst I encourage the buildings reuse and I don't mind a licence as such, I feel the midnight licence , particularly with live music will disturb local residents. The former bar at this premises had issues with this especially, when they opened the upstairs rear window onto a residential street.

If possible could an earlier finishing time be encouraged?

Thank You



Sent from my iPad





# APPENDIX B.2

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

From: [REDACTED]

Sent: 06 May 2016 22:39

To: [REDACTED]

Cc: [REDACTED]

Subject: Re: Licence application for 95 Queens Rd, Clarendon Park

## Objection on grounds of prevention of public nuisance

This was a licence that had a lot of extras added to it because of the problems that were caused due to its location affecting residents on several roads. Its extremely important that the concertina doors have regulation as there were major issues before with noise escape and with people gathering in Montague Road. The license said they should be fixed closed. last year they put some barriers up to stop people going in and out which helped so I wouldn't necessarily say there couldn't be some use e.g. daytime but it does need control. There were also issues because there is nowhere to store bins, and they were putting bottles out after closing so there were controls on that that need repeating on a new licence.

its like Don Leone changing to Cultura - a new app would mean all those controls that make things work are lost unless we get them re-applied.

It also has an 11pm planning condition.

[REDACTED]



## APPENDIX B.3

**From:** [REDACTED]  
**Sent:** 08 May 2016 17:14  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Licence application for 95 Queens Rd, Clarendon Park

I would like to object to the closing hour for activities for this licence application/planning application of Midnight as Queens Road has a principle cut off time of 11pm (23:00 Hours). This has been tested with the Kebab shop on Queens Road appealing against this principle as it is a threat to local amenity and a public nuisance.

It will be a public nuisance because the later hour will cause noise disturbing the people living in the vicinity of the premises.

Thanks,

[REDACTED]



Jean Arnold

---

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

From: [REDACTED]

Sent: 09 May 2016 07:49

To: Licensing

Cc: [REDACTED]

Subject: Re: Licence application for 95 Queens Rd, Clarendon Park

Dear Licensing,

I wish to object to this application on the following grounds;

The closing time of midnight is not in line with other premises nearby which close at 11pm and this later time could cause noise and nuisance to nearby residents.

The issue that the premises could be open to the public 24/7, perhaps for private events ? - if alcohol could be bought within hours but consumed later this would also cause noise and nuisance to nearby residents at too late an hour.

Best regards,

[REDACTED]



## APPENDIX B.5

**From:** [REDACTED]  
**Sent:** 10 May 2016 15:40  
**To:** Licensing  
**Subject:** RE: Licence application for 95 Queens Rd, Clarendon Park

Dear Colleague

The above premises was granted consent under planning application 19980763 to open between 0930-2300 hours Mondays to Saturdays. Opening outside the permitted hours would be a breach of planning condition attached to the planning permission.

I would appreciate if you would attach a note to the licence, if granted, that opening outside permitted hours would lead to enforcement action under planning legislation if it was detrimental to residential amenity. I attach a copy of the planning decision.

[REDACTED]  
Planning, Transportation & Economic Development, Leicester City Council  
2<sup>nd</sup> Floor, City Hall, Charles Street, Leicester, LE1 1FZ , Ext 373005

# PLANNING PERMISSION

See Note 'A' attached.

CONTINUATION  
SHEET →



Applicant



Agent (if any)



## **PART 1 - PARTICULARS OF APPLICATION - no: 980763**

DATE OF APPLICATION: 12th June 1998

LOCATION OF PROPOSAL: 95 QUEENS ROAD

DETAILS OF PROPOSAL: CHANGE OF USE FROM GROUND FLOOR  
SHOP (CLASS A1) AND FIRST FLOOR FUNCTION  
ROOM (CLASS D2) TO CAFE/BAR (CLASS A3)

## **PART 2 - PARTICULARS OF DECISION**

### **TOWN AND COUNTRY PLANNING ACT 1990**

Leicester City Council grants Planning Permission for the carrying out of the development referred to in Part 1 above in accordance with the application and plans submitted subject to the following conditions:

1. The development shall be begun within five years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990.)
2. The premises shall be closed for business outside the hours of 0930 to 2300 Mondays to Saturdays except between the hours of 0930 and 2300 on Sundays until 31st July 1999.  
(In the interests of residential amenity and to keep the matter under review in the interests of residential amenity)
3. Details of a scheme of insulation against the transmission of noise from the premises to the residential accommodation in the adjoining property shall be submitted to and agreed in writing with the City Council as local planning authority, and shall be implemented before the use commences.  
(To safeguard the amenity of occupiers of the adjoining properties.)

Page 1 of 2

Date: 29th July 1998



Proper Officer of the Council



4. There shall be no live or amplified music or voice played which would be detrimental to the amenities of occupiers of nearby properties.  
(In the interests of the amenities of nearby occupiers.)
5. Before the use is begun the ventilation system shall be installed as shown on the approved plans and it shall be maintained and operated thereafter to the satisfaction of the City Council as Local Planning Authority.  
(In the interests of the amenities of nearby occupiers.)

*P.N. Webster*

Proper Officer of the Council



## Licensing Act 2003 - Representation in respect of Premises Licence

### Details of person or body making representation

Your Name: [REDACTED]

Your Address: Noise and Pollution Team  
Leicester City Council  
Third Floor  
Phoenix House  
1 King Street  
Leicester LE1 6RN

### Details of premises representation is about

Name of Premises: Bar Lounge / Restaurant

Address of premises: 95 Queens Road,  
Leicester.  
LE2 1TT

Application No. (if known) 082743

### Please tick one or more of the licensing objectives that your representation relates to:

Prevention of crime and disorder

Public Safety

Prevention of public nuisance

Protection of children from harm

yes

### Please summarise your concerns about this application:

The premises, known as Bar Lounge / Restaurant, 95 Queens Road is located in the Clarendon Park area of Leicester on the corner of Queens Road and Montague Road.

The premise is situated over two floors (ground and first floor). The area to the front of the premises consists of a mixture of retail, commercial and licensed premises, with a number of residential flats above located above these use classes. To the rear of the premises there are predominantly residential properties.

The premises have previously operated as a licensed premise for a number of years.

Historically, there have been complaints about noise from the premises. The general issue has been about loud music and noise breakout at the rear of the property. The Noise Team have worked with the previous operators to eliminate these problems.

The Noise Team have spoken with the applicant and it is understood that the intention is change the premises to a more "food orientated" operation.

The applicant have requested that the following –  
Opening hours to the public - unrestricted  
Sale of Alcohol 09.00 hours till Midnight Monday to Sunday  
Live and recorded music 09.00 hours till Midnight Monday to Sunday  
Performance of dance 09.00 hours till Midnight Monday to Sunday  
Activities similar to above 09.00 hours till Midnight Monday to Sunday  
Late night refreshment 23.00 – midnight Monday to Sunday

The concerns of the Noise Team is the likelihood of public nuisance affecting occupiers of nearby properties from the following activities and include –

Noise breakout from the premises (all facades).  
On-street activity from persons outside the premises and leaving the premises late at night.  
Disposal / delivery / collection of waste / bottles late at night and the early hours

**I therefore recommend that the licence be refused as applied for.**

However, it may be possible for the premise to operate without causing public nuisance if appropriate conditions are applied to the licence.

I recommend that the hours for the sale of alcohol be restricted to the lesser hours on Sundays

Sunday 09.00 to 23.00  
Monday to Saturday 09.00 to 00.00 (midnight)

I recommend that the hours for the playing of live and recorded music and dancing on the ground and first floor be restricted to the lesser hours of  
Monday to Saturday 9.00 to 23.00 (except for the playing of low level background music).

Sundays 09.00 to 22.30 (except for the playing of low level background music).

Late night refreshment 23.00 – midnight Monday to Saturday

All [external doors / 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:

You may need to consider providing ventilation or air conditioning in warm weather.

Prominent, clear notices shall be displayed at all exits requesting customers and staff respect the needs of local residents by keeping noise to a minimum when using the outside area and when leaving the premises. All such signs must be in a permanent form, prominently placed and be legible.

Disposal of waste bottles into external receptacles where the noise will be audible to neighbouring properties must not occur between 19.00 and 09.00 hours

The licensee shall take reasonable steps to prevent public nuisance being caused by customers outside whilst smoking.

**Please give further details of why you believe this application will have an adverse effect on the licensing objectives**

Photographs attached

Return your completed form to:

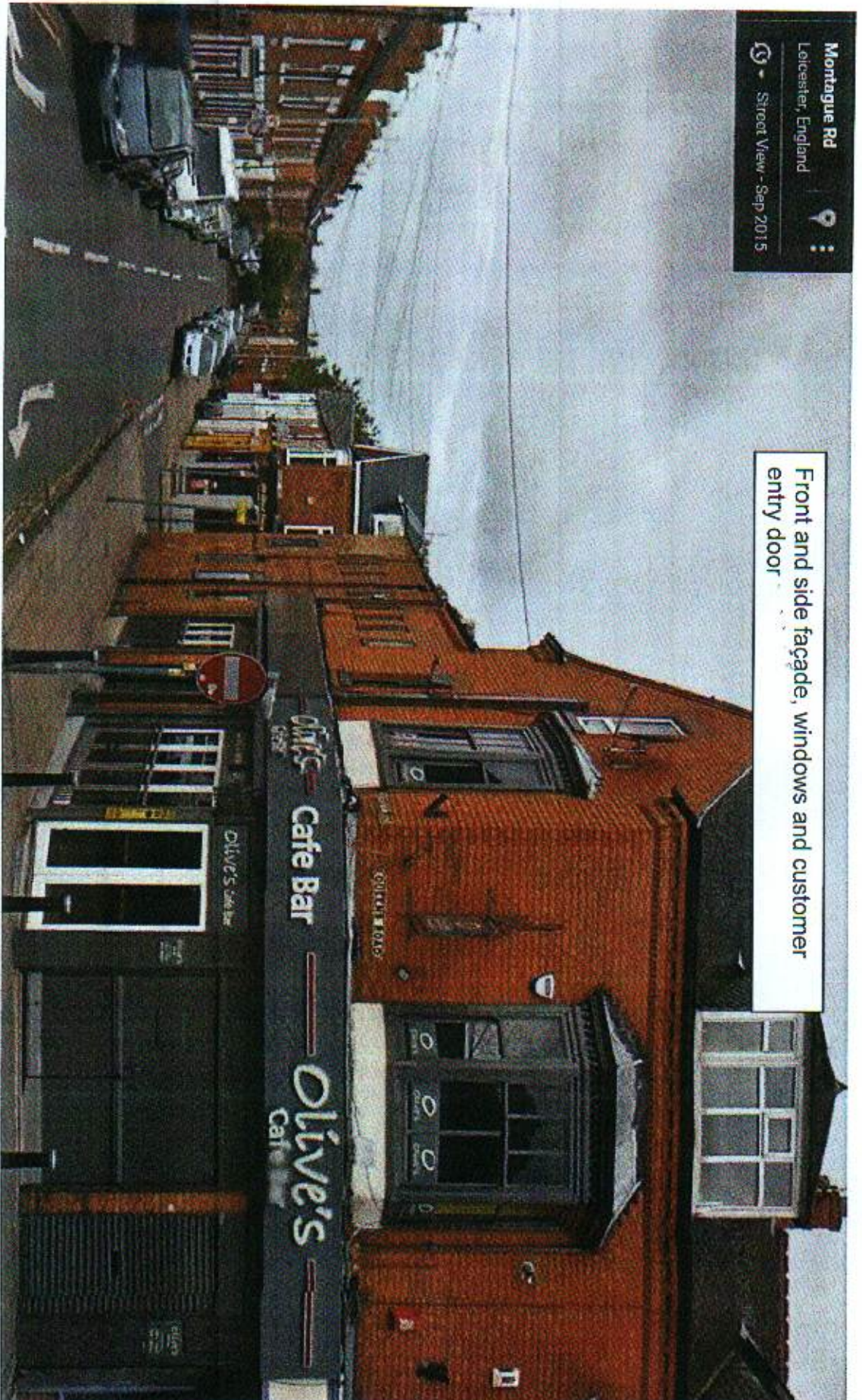
By Post:

Licensing Authority Office  
Leicester City Council  
City Hall  
115 Charles Street  
Leicester  
LE1 1FZ

By Email:

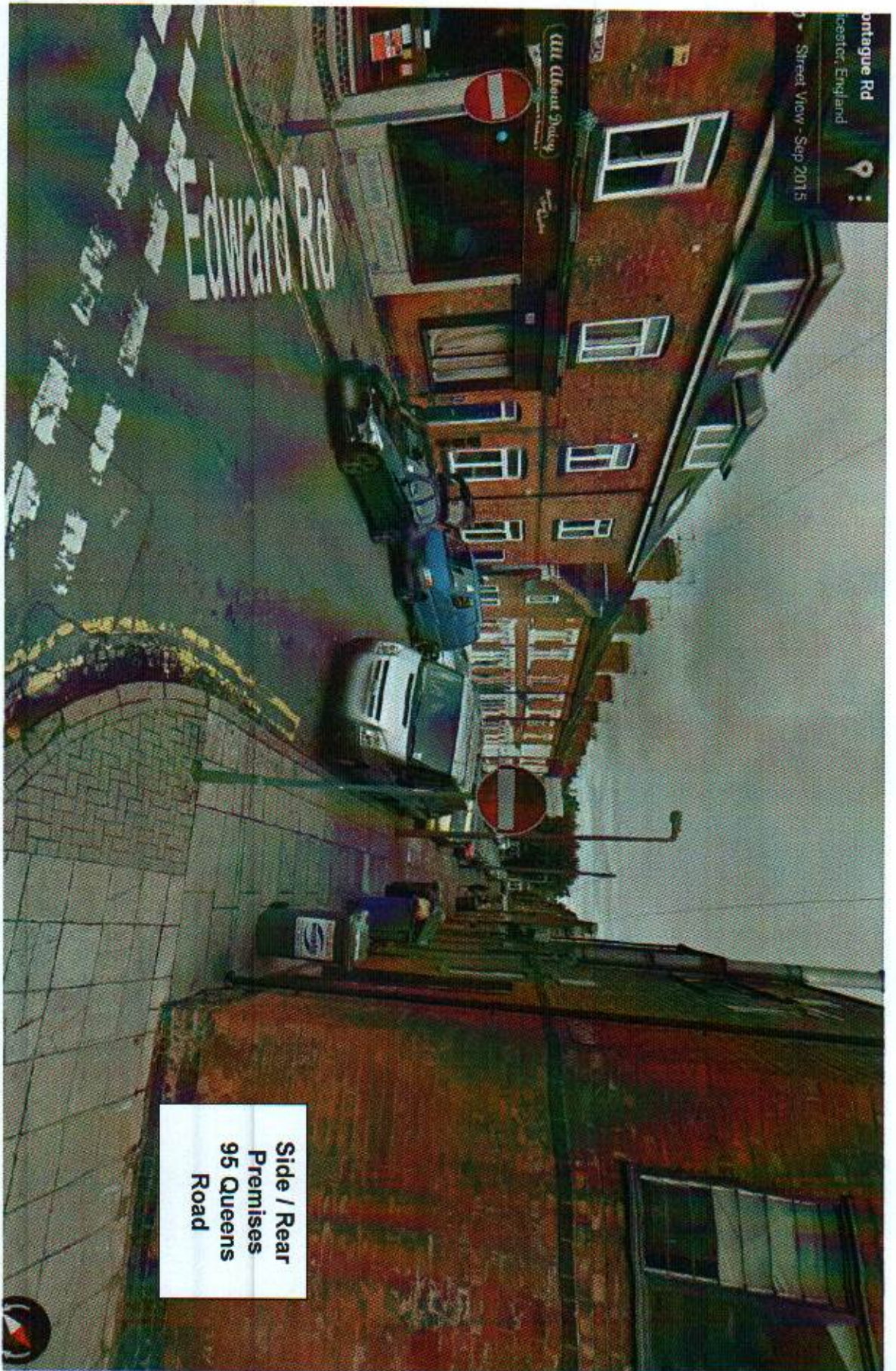
[licensing@leicester.gov.uk](mailto:licensing@leicester.gov.uk)





Front and side façade, windows and customer entry door

Montague Rd  
Leicester, England  
Street View - Sep 2015



Side / Rear  
Premises  
95 Queens  
Road





**Edward Road /  
Montague Road facades,  
Showing waste  
collection point /  
deliveries  
95 Queens Road**



Reference: LIC619666I

## Licensing Act 2003 - Representation in respect of Premises Licence / Club Premises Certificate

### Details of person or body making representation

Your Name:\*

Your Address:\*

Your Email (optional)



### Details of premises representation is about

Name of Premises:\*

the former Olive's Bar

Address of Premises:\*

95, Queens Rd. Leicester

Application No. (If known)

don't know

### Please tick one or more of the licensing objectives that your representation relates to:

\*

- Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children From Harm

### Please summarise your concerns about this application:

\*

A company called South South West has lodged an application for a midnight drinking license and wish to hold 24 hour private parties. We believe there will be a public nuisance due to noise from open windows and people outside on the pavement late at night, some of whom will be drinking alcohol and some will be intoxicated. There is also a potential for damage to local shops and houses and violent behaviour if some people are wandering about drunk.

### Please give further details of WHY you believe this application will have an adverse effect on the licensing objectives:

\*

Regarding noise, this did cause a problem when Olive's bar was open. They had a license until 11pm, and we think this is late enough. Regarding more serious criminal behaviour, the later the premises is open selling alcohol, it is probable that some people will continue drinking longer and get more drunk, making undesirable behaviour more likely. We realise that this is a small minority of people, but the potential is there.



**Lynsay Coupe**

---

**From:** [REDACTED]  
**Sent:** 23 May 2016 17:51  
**To:** Licensing  
**Subject:** Application by South South West - Olives Bar, 95 Queens Road, Leicester.

FAO The Licensing Section

Regarding the licensing request by South South West for a license at Olives Bar, Queens Road.

As a resident within a very short distance from Olives Bar I would like to complain about the license application put in by South South West.

Being a large corner property, unlike some of the other bars on Queens Road, Olives backs onto a significant amount of residential. The previous bar had a license until 11pm, this meant loud music up to 11.30-12pm at the weekends and sometimes midweek such as live music nights and student nights. As somebody who has to get up early for work and would normally go to sleep at 10-10.30pm this was very frustrating. Music carries easily within such short proximity, especially as it gets hot in the bar so the windows are always opened. It would be especially difficult to sleep when they had live bands, as I am sure you can imagine drums, base etc is extremely loud. With the no smoking law this also means large groups talking loudly outside increasing the disturbance as well as creating a lot of litter.

Personally I do not want a bar on the property at all and would like to register my complaint as such. However if this license is automatically granted do to there being a license in the past, I would like to register my complaint of a late licence to midnight which is completely unsuitable for a residential area and the live music licence due to the high level of volume this creates.

Please could you respond in recognition of receipt of this email so I know it has reached the correct department.

Kind Regards

[REDACTED]

[REDACTED]



# APPENDIX B.9

Jean Arnold

---

**From:** Licensing  
**Sent:** 23 May 2016 08:20  
**To:** [REDACTED]  
**Subject:** FW: Midnight drinking license for 95 queens rd

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

**From:** [REDACTED]  
**Sent:** 22 May 2016 16:00  
**To:** Licensing  
**Subject:** Midnight drinking license for 95 queens rd

Hello,

We are residents of Edward Road in Clarendon Park and have recently been made aware of the fact that an application for a midnight license has been put in for 95 queens road. When Olive's Bar was running at the address we had trouble with noise from the Bar, especially in the summer when the windows of the bar were open. We now have a small baby and sleep is quite sacred for us at the moment. We would therefore like to ask you to consider the noise levels for the neighbouring streets when deciding on the application. I don't know if there would be any better insulation in place than when it was Olive's Bar, but it used to be really loud and disruptive for us, especially considering that all the terraced houses on the street have their main bedroom facing out on Edward Rd.


Thank you very much,

[REDACTED]

[REDACTED]







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**From:** [REDACTED]  
**Sent:** 31 May 2016 13:37  
**To:** Licensing  
**Subject:** Licensing Application - 95 Queens Road



31 May 2014

I am writing to object to the application for the sale of alcohol from Mon - Sun until midnight at 95 Queens Road.

Queens Road and the area around it is predominantly residential. Establishments that sell alcohol on Queens Road have shown year in, year out, that they are a source of noise, antisocial behaviour and intimidation. It is bad enough already with the current bars and their licensing conditions without giving another venue permission to be open until midnight and therefore bring more alcohol related behaviour for an even longer period every day.

Please do not allow this application.

Yours sincerely,



**CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

The licence holder will liaise with local police/fire services for training on best practice

The licence holder will provide internal CCTV throughout the premises including public entrance to washrooms

The licence holder will ensure no customers will be served if they appear to be drunk

The licence holder will encourage customers to leave the premises quietly

The licence holder will ensure windows are closed after 10pm

The licence holder will not permit children to enter the premises without being accompanied by an adult at any time

The licence holder will not permit children on to the premises between 21.00 and 09.00 hrs.

The licence holder will ask customer who appear to be under the age of 21 to provide identification upon entry

**CONDITIONS CONSISTENT WITH THE REPRESENTATION FROM THE NOISE TEAM**

**The Noise Team recommend that the licence be refused as applied for.**

However, it may be possible for the premise to operate without causing public nuisance if appropriate conditions are applied to the licence.

I recommend that the hours for the sale of alcohol be restricted to the lessor hours on Sundays

Sunday 09.00 to 23.00

Monday to Saturday 09.00 to 00.00 (midnight)

I recommend that the hours for the playing of live and recorded music and dancing on the ground and first floor be restricted to the lessor hours of Monday to Saturday 9.00 to 23.00 (except for the playing of low level background music).

Sundays 09.00 to 22.30 (except for the playing of low level background music).

Late night refreshment 23.00 – midnight Monday to Saturday

All [external doors / 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:

You may need to consider providing ventilation or air conditioning in warm weather.

Prominent, clear notices shall be displayed at all exits requesting customers and staff respect the needs of local residents by keeping noise to a minimum when using the outside area and when leaving the premises. All such signs must

Disposal of waste bottles into external receptacles where the noise will be audible to neighbouring properties must not occur between 19.00 and 09.00 hours

The licensee shall take reasonable steps to prevent public nuisance being caused by customers outside whilst smoking.



Leicester  
City Council

WARDS AFFECTED  
CASTLE

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

21 June 2016

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## **Application for a new premises licence within a Cumulative Impact Zone Gourmet Coffee Bar & Kitchen, Leicester Railway Station**

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### **Report of the Director of Neighbourhood & 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.

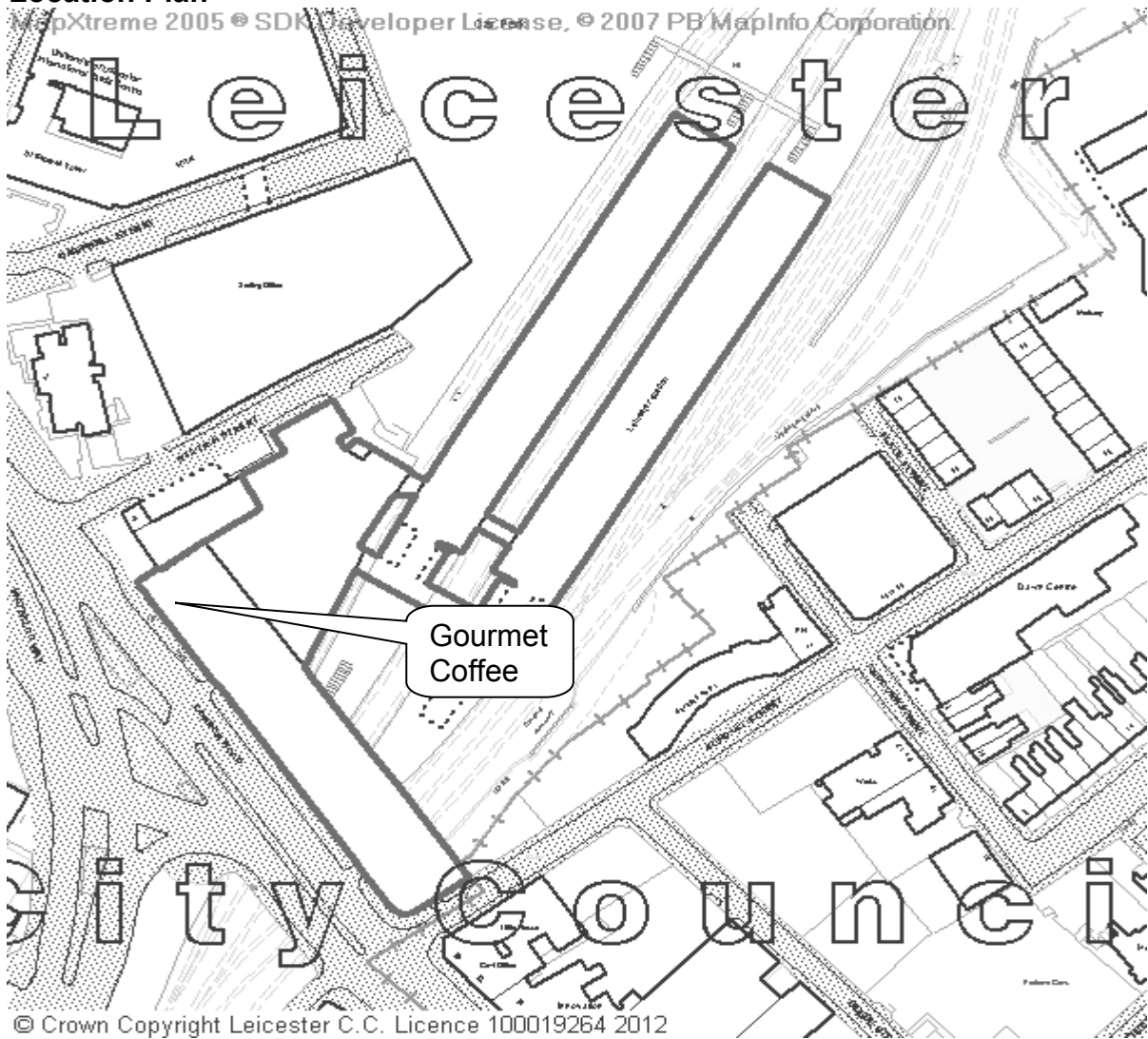
#### **2. Determination to be made**

- 2.1. Having considered the application and representation, Members must consider whether to
- Grant the licence without modification
  - Grant the licence subject to conditions
  - 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 Gourmet Coffee Bar & Kitchen within the London Road & Granby 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. Application**

5.1 An application was received on 25 April 2016 from Gourmet Coffee Bar & Kitchen Ltd for a new premises licence for Gourmet Coffee Bar & Kitchen, London Road within the London Road & Granby Street area Cumulative Impact Zone. A copy of the application is attached at Appendix A.

5.2 The application is as follows:

Licensable activity	Proposed Hours
Supply of Alcohol (on & off)	11.00 – 21.00
Opening hours	05.30 – 21.00

**6. Steps to Promote the Licensing Objectives**

6.1 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 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. Representation

7.1 A relevant representation was received on 23 May 2016 from Leicestershire Police. The representation relates to the prevention of crime and disorder, the prevention of public nuisance and public safety. Leicestershire Police are concerned that the granting of this licence would provide a further outlet for alcohol in an area already suffering with problems associated with street drinkers and risks impacting on the licensing objectives and cumulative impact policy. A copy of the representation is attached at Appendix B.

## 8. Conditions

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

## 9 Cumulative Impact

9.1 In February 2011 Leicester City Council introduced a special policy on cumulative impact in the Granby Street and London Road 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.

## 10. Statutory Guidance

10.1 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
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
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## 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
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

## 12. Points for Clarification

12.1 The applicant and the 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 representation are valid, and if not why not?
2. In the light of the representation 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	Yes	The premises is within a cumulative impact area
Sustainable and Environmental	No	
Crime and Disorder	Yes	Paragraph 7 relates to crime & disorder
Human Rights Act	No	



Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

**14. Background Papers – Local Government Act 1972**

None

**15. Consultations**

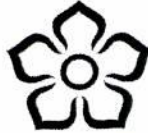
The Licensing Authority is not obliged to consult any parties with regard to applications made under the Licensing Act 2003. However, the applicant is required to consult with the responsible authorities as set out in the 2003 Act.

**16. Report Author**

Lynsay Coupe  
Licensing Officer  
0116 454 3065  
Lynsay.coupe@leicester.gov.uk

<b>APPENDIX</b>	<b>CONTENT</b>
A	Application
B	Representation
C	Conditions consistent with application





Leicester  
City Council

**Application for a premises licence to be granted  
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 Nicholas Garnell Gourmet Coffee Bar + Kitchen Ltd  
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

**Part 1 – Premises Details**

Gourmet Coffee Bar & Kitchen Leicester Railway Station London Road Leicester LE2 0QB		LICENSING SECTION <b>RECEIVED</b> 25 APR 2016 LEICESTER CITY COUNCIL	
<b>Post town</b>	Leicester	<b>Postcode</b>	LE2 0QB

Telephone number at premises (if any)	01978 660700 (head office)
Non-domestic rateable value of premises	N/A – Temporary Structure

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
- i. as a limited company  please complete section (B)
- ii. as a partnership  please complete section (B)
- iii. as an unincorporated association or  please complete section (B)

- iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or   
 a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town			Postcode		
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

<b>Name</b> Gourmet Coffee Bar & Kitchen Ltd
<b>Registered Address</b> Gourmet Coffee Bar & Kitchen Ltd Unit 5 Evolution House Lakeside Business Village St Davids Park Ewloe Flintshire CH5 3XP
<b>Registered number (where applicable)</b> 6222631
<b>Description of applicant (for example, partnership, company, unincorporated association etc.)</b> Limited company
<b>Telephone number (if any)</b> 01978 660700
<b>E-mail address (optional)</b> staceywilliams@gourmetcoffeebar.co.uk

### Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
1	4	05 2016

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)

Café within the Porte Cochere at Leicester Railway Station, measuring 135 square feet (public access: 42 square foot).  
 Primarily serving coffee, breakfasts, lunch options, wine & beers.  
 Exterior seating will be available to the right of the staff area (approx. 20 feet away)

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

N/A
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What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any 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**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish		
Mon			<b>Please give further details here</b> (please read guidance note 3)	
Tue				
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)	
Thur				
Fri			<b>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</b> (please read guidance note 5)	
Sat				
Sun				



**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)					
Mon								
Tue								
Wed						<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Thur								
Fri						<b>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</b> (please read guidance note 5)		
Sat								
Sun								

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)
Day	Start	Finish	
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Tue			
Wed			<b><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></b> (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)			
Mon						
Tue						
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)			
Thur						
Fri			<b>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</b> (please read guidance note 5)			
Sat						
Sun						

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 3)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)		
Fri					
Sat			<b>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</b> (please read guidance note 5)		
Sun					

I


<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
Wed			<b>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</b> (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					



J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4) N/A		
Mon	11.00	21.00			
Tue	11.00	21.00			
Wed	11.00	21.00			
Thur	11.00	21.00			
Fri	11.00	21.00			
Sat	11.00	21.00			
Sun	11.00	21.00	<b>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</b> (please read guidance note 5) N/A		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

<b>Name</b> Nicholas Garnell
<b>Address</b> 
<b>Personal licence number (if known)</b> PA/SC030254
<b>Issuing licensing authority (if known)</b> Shropshire Council

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 8).

N/A

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4) N/A
Day	Start	Finish	
Mon	5.30	21.00	
Tue	5.30	21.00	
Wed	5.30	21.00	
Thur	5.30	21.00	
Fri	5.30	21.00	
Sat	5.30	21.00	
Sun	5.30	21.00	

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

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)**

- 1) The licence holder will ensure posters informing customers that the premises adheres to "Challenge 25" will be placed in prominent positions. Challenge 25 will be clearly advertised and adhered to on every transaction.
- 2) Remote access CCTV is installed and monitored from head office
- 3) All staff will receive full challenge 25 training by the designated premises supervisor and this training will be repeated a minimum of twice within a 12 month period
- 4) Managers/supervisors of premises to attend and fully participate in the City Centre Pub and Club Watch scheme

**b) The prevention of crime and disorder**

- 1) Remote access CCTV, monitored from head office, is installed and maintained in accordance with the Information Commissioners Codes Of Practice For CCTV. Recordings will be maintained at all times and images kept for 31 days. These images will be made available to Police Officers and Responsible Authorities within 48hours of a request being made.
- 2) A refusal book shall be kept detailing all refused sales of alcohol. The log will be kept for a minimum of 24 months, include the date and time of the refused sale and the name of the member of staff who refused the sale and be made available on request to Leicestershire Police and Responsible Authorities.
- 3) The licence holder will ensure all staff whether paid or unpaid will be trained in Responsible Alcohol Retailing and the relevant aspects of the Licensing Act 2003 before selling alcohol. This training will be documented and records maintained detailing the trainer and trainee and date of training. These records are to be kept for a minimum 24 months and made available to Leicestershire Police and Responsible Authorities on request. Training records shall be kept to record staff training and advice.
- 4) No drinks shall be served in glass containers at any time
- 5) We will give at least 7 days notification to the police licensing department supplying an operating plan of any changes in or of any new drinks offers and promotions in writing
- 6) The licence holder will ensure that customers do not have any access to alcohol until payment has been taken.
- 7) There will be no alcohol sales on those days when Leicester City Football Club are playing football matches on their home ground.
- 8) The licence holder will ensure that no beers, lagers, ciders or perrys are sold where the alcohol by volume (ABV) content exceeds 5.5%. All alcohol will be charged at premium rate.

**c) Public safety**

- 1) Our outlet will be fully secure and locked over night
- 2) A refusal book shall be kept detailing all refused sales of alcohol. The log will be kept for a minimum of 24 months, include the date and time of the refused sale and the name of the member of staff who refused the sale and be made available on request to Leicestershire Police and Responsible Authorities. Any customer seen to be intoxicated will be refused sale, this will then be recorded and kept on site for a minimum of 12 months
- 3) The outlet is within the station with East Midlands Trains security resources in place – significant staff present & CCTV

**d) The prevention of public nuisance**

- 1) Substantial food and non-intoxicating beverages, shall be available at all times and in all parts of the premises where alcohol is sold or supplied for consumption on the premises
- 2) All alcohol will be kept in a lockable chilled unit accessible only to staff.

**e) The protection of children from harm**

- 1) A challenge 25 proof of age scheme, shall be operated at the premises where the only acceptable forms of identification shall bear their photograph, date of birth and a holographic mark. The licence holder will operate a "Challenge 25" policy and will only accept a passport, a photo card driving licence, a P.A.S.S. cards bearing a PASS hologram or identity cards issued by HM Forces if they contain the holders date of birth as a means of proof of age.
- 2) A refusal book shall be kept detailing all refused sales of alcohol. The log will be kept for a minimum of 24 months, include the date and time of the refused sale and the name of the member of staff who refused the sale and be made available on request to Leicestershire Police and Responsible Authorities. A log shall be kept detailing all refused sales of alcohol. The log will include the date and time of the refused sale and the name of the member of staff who refused the sale.
- 3) The licence holder will ensure all staff whether paid or unpaid will be trained in Responsible Alcohol Retailing and the relevant aspects of the Licensing Act 2003 before selling alcohol. This training will be documented and records maintained detailing the trainer and trainee and date of training. These records are to be kept for a minimum 24 months and made available to Leicestershire Police and Responsible Authorities on request. We will keep an up to date record, which will be available for inspection of staff training in respect of age related sales.
- 4) Notices shall be clearly displayed in the premises to emphasis to customers the prohibition on providing sales of alcohol to persons under the age of eighteen years.

**Checklist:**

**Please tick to indicate agreement**


- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.

- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- 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 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	21/04/16
Capacity	managing director

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

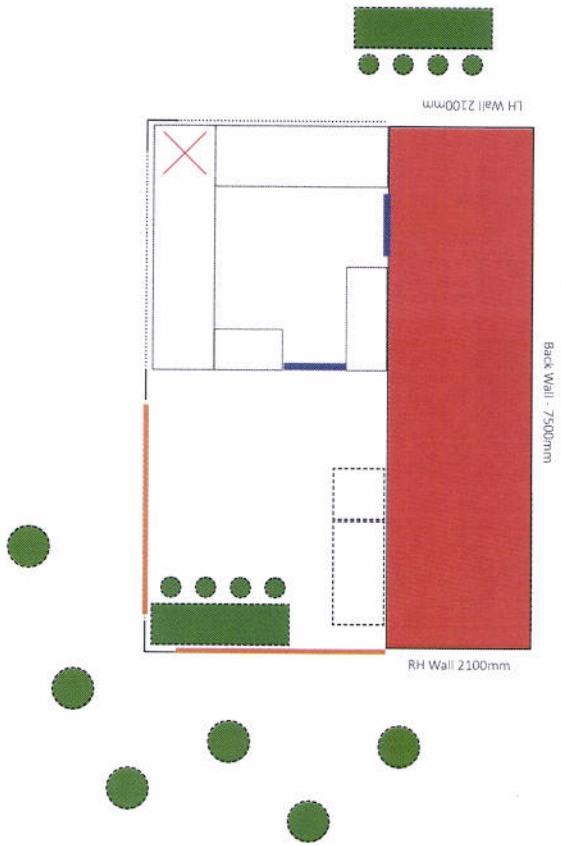
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) staceywilliams@gourmetcoffeebar.co.uk			

**Notes for Guidance**

1. 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.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  3. For example the 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.
  4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  6. 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.
  7. 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'.
  8. 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.
  9. Please list here steps you will take to promote all four licensing objectives together.
  10. The application form must be signed.
  11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
  12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
  13. This is the address which we shall use to correspond with you about this application.

Drawing Scale 1:100



- Services Key**
- Kitchen Area
  - X Man Hole Cover
  - Proposed Seating Plan
  - Staff Access Point
  - Public Access Point

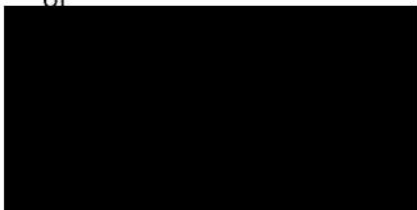


**Consent of individual to being specified as premises supervisor**

Nicholas Garnell

I .....  
*[full name of prospective premises supervisor]*

of



.....  
*[home address of prospective premises supervisor]*

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

A premises license

.....  
*[type of application]*

by

Gourmet Coffee Bar & Kitchen Ltd

.....  
*[name of applicant]*

relating to a premises licence N/A  
.....  
*[number of existing licence, if any]*

for

Gourmet Coffee Bar & Kitchen Ltd  
Leicester Railway Station  
Leicester  
LE2 0QB

.....  
*[name and address of premises to which the application relates]*



and any premises licence to be granted or varied in respect of this application made by

Gourmet Coffee Bar & Kitchen Ltd

-----  
*[name of applicant]*

concerning the supply of alcohol at

Gourmet Coffee Bar & Kitchen Ltd  
Leicester Railway Station  
Leicester  
LE2 0QB

-----  
*[name and address of premises to which application relates]*

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

PA/SC030254

-----  
*[insert personal licence number, if any]*

Personal licence issuing authority

Shropshire Council

-----  
*[insert name and address and telephone number of personal licence issuing authority, if any]*

Signed



Name (please print)

Nicholas Garnell

Date

20<sup>th</sup> April 2016

David Oldershaw  
Area Station Manager  
Leicester Station



Leicester City Council Licensing Dept

15<sup>th</sup> September 2015

To Whom it May Concern

## **Re. Alcohol License for Gourmet Kitchen, Leicester Train Station**

I write to ask you to reconsider your decision to not grant the above an alcohol license.

Within the footprint of the station there are already establishments that sell alcohol, There is also the Parcel Yard pub merely 30 feet away that also sells alcohol not to mention the 2 supermarkets very close by.

I would ask that you visit the site to see what an improvement to the station the new outlet has had, how it is very different from the current offering and how the area is well managed by the tenants and the BTP (whose office is 30 yards away) and that being able to offer alcoholic drinks will further add to the service provision of the outlet.

Yours sincerely



David Oldershaw  
Area Station Manager  
Disciplinary Hearing Officer

Following an unsuccessful application last year we have revisited all points raised and would now like the opportunity to re apply.

We have been trading at Leicester railway station for eight months and are confident that extending our range to include wines & beers wont add to the issues within the cumulative impact zone. Our alcohol offering consists of bottled local ales, ciders and lagers along with a selection of hand-selected wines. Due to the nature of the location these are priced at a premium rate and very rarely bought in any quantity to take away.

We consulted extensively with all of the local stakeholders to ensure that we had understood and addressed all of the potential issues and concerns. In particular following the representation from Leicestershire police we made contact with PC Jonathan Webb and have amended our application to match their conditions.

We have also taken on board the representation from Patrick Kitterick and have ensured that all of our beers and ciders are under 5.5%abv.

From our experience of serving alcohol at other similar locations we are confident that we can operate a license without causing any problems for the area.

Please find the attached letter from David Oldershaw regarding our application.

Yours faithfully,

[Redacted signature]

Nicholas Garnell  
*Managing director & DPS*

LICENSING SECTION  
**RECEIVED**

25 APR 2016

LEICESTER CITY COUNCIL



**GOURMET**  
Coffee Bar & Kitchen

## NOTICE OF APPLICATION FOR A NEW PREMISES LICENCE

Name of applicant:
GOURMET COFFEE BAR & KITCHEN LTD
Postal address of premises:
LEICESTER RAILWAY STATION LONDON ROAD LEICESTER LE2 0QB
Details of Application:
ALCOHOL SALES – ON & OFF THE PREMISES  MONDAY TO SUNDAY 11.00 – 21.00
<ul style="list-style-type: none"><li>• The Licensing Register can be inspected at any time by visiting <a href="http://www.leicester.gov.uk/licensing">www.leicester.gov.uk/licensing</a> . During office hours arrangements may be made for the register to be viewed at the Customer Services Centre, 91 Granby Street, Leicester, LE1 6FB.</li><li>• Any representation relating to this application must be made in writing to the Licensing Authority by <b>23 May 2016</b>.</li><li>• It is an offence knowingly or recklessly to make a false statement in connection with an application. The maximum fine on summary conviction for this offence is £5,000.</li></ul>

**HELPFUL INFORMATION** (NB These notes do not form part of the notice and do not need to be displayed)

\* delete if not applicable



## Appendix B

# Leicestershire Police

### 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:	Gourmet Coffee Bar & Kitchen
Address of premises:	Leicester Railway Station London Road Leicester LE2 0QB
Application No. (if known)	

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 <b>new licences</b> 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: "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."</p>

The applicant has consulted with Leicestershire Police and taken advice regarding the Cumulative Impact Policy.

During the football season Leicester Station is the gateway to many travelling football supporters attending matches at Leicester City Football Club. Leicester Police provide a policing operation on these days to ensure the safety of those attending the matches and those visiting the City for business and leisure purposes. Much of the operation is conducted to meet travelling fans in the area outside the station buildings and therefore monitor and restrict access to alcohol.

The train station and area surrounding suffers from a higher than proportionate number of reports regarding street drinkers. This is due to its close proximity to the Dawn Centre on Conduit Street which provides accommodation and support for those with alcohol dependency problems.

By granting this licence it would provide a further outlet for alcohol and a risk of it impacting on the licensing objectives and special policy.

We would therefore ask that the Committee consider the licence in line with the policy and the purpose of this representation is to engage the discretion of the licensing authority in considering the Councils own policy in relation to this application.

Jonathan Webb  
PC1790

23 May 2016

**CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

The licence holder shall ensure that remote access CCTV, monitored from head office, is installed and maintained in accordance with the Information Commissioners Codes of Practice for CCTV. Recordings will be maintained at all times and images kept for 31 days. These images will be made available to Police Officers and Responsible Authorities within 48 hours of a request being made.

The licence holder shall ensure that a refusal book is kept detailing all refused sales of alcohol. The log will be kept for a minimum of 24 months, include the date and time of the refused sale and the name of the member of staff who refused the sale and be made available on request to Leicestershire Police and Responsible Authorities. Any customer seen to be intoxicated will be refused sale, this will then be recorded and kept on site for a minimum of 12 months.

The licence holder shall ensure that all staff whether paid or unpaid will be trained in Responsible Alcohol Retailing and the relevant aspects of the Licensing Act 2003 before selling alcohol. This training will be documented and records maintained detailing the trainer and trainee and date of training. These records are to be kept for a minimum of 24 months and made available to Leicestershire Police and Responsible Authorities on request. Training records shall be kept to record staff training and advice.

The licence holder shall ensure that no drinks are served in glass containers at any time.

The licence holder shall ensure that at least 7 days notification is given to the Police licensing department regarding any changes or of any new drinks offers and promotions.

The licence holder shall ensure that customers do not have access to alcohol until payment has been taken.

The licence holder shall ensure that there are no alcohol sales on days when Leicester City Football Club are playing football matches on their home ground.

The licence holder will ensure that no beers, lagers, ciders or perrys are sold where the alcohol by volume (ABV) content exceeds 5.5%. All alcohol will be charged at premium rate.

The licence holder shall ensure that the outlet is fully secure and locked over night.

The licence holder shall ensure that all alcohol is kept in a lockable chilled unit accessible only to staff.

The licence holder shall ensure that a challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification shall bear their photograph, date of birth and a holographic mark. The licence holder will operate a "Challenge 25" policy and will only accept a passport, a photo card driving licence, a P.A.S.S cards bearing a PASS hologram or identity cards issued by HM Forces if they contain the holders date of birth as means of proof of age.

