



Leicester  
City Council

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

**DATE: TUESDAY, 29 NOVEMBER 2016**

**TIME: 9:30 am**

**PLACE: THE TEA ROOM - FIRST FLOOR, TOWN HALL, TOWN  
HALL SQUARE, LEICESTER**

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

Councillors Thomas, Hunter and Cole

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.

Dates of meetings and copies of public agendas and minutes are available on the Council's website at [www.cabinet.leicester.gov.uk](http://www.cabinet.leicester.gov.uk), from the Council's Customer Service Centre or by contacting us using the details below.

### Making meetings accessible to all

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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 [ayleena.thomas@leicester.gov.uk](mailto:ayleena.thomas@leicester.gov.uk)** or call in at City Hall, 115 Charles Street.

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

# **PUBLIC SESSION**

## **AGENDA**

### **FIRE/EMERGENCY EVACUATION**

If the emergency alarm sounds, you must evacuate the building immediately by the nearest available fire exit and proceed to area outside the Ramada Encore Hotel on Charles Street as Directed by Democratic Services staff. Further instructions will then be given.

**1. APPOINTMENT OF CHAIR**

**2. APOLOGIES FOR ABSENCE**

**3. DECLARATIONS OF INTEREST**

Members are asked to declare any interests they may have in the business to be discussed.

**4. OBJECTION NOTICE GIVEN FOR A TEMPORARY [Appendix A](#)  
EVENT NOTICE: FUNCTION ROOM, 3-5  
POCKLINGTONS WALK, LEICESTER, LE1 6RN**

The Chair has agreed to take the following item as the period allowed for objections in respect of Temporary Event Notices necessitates that an urgent decision be made in respect of this application.

**5. ANY OTHER URGENT BUSINESS**





Leicester  
City Council

WARDS AFFECTED  
Castle

# Appendix A

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

29 November 2016

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**Objection notice given for a Temporary Event Notice  
Function room, 3-5 Pocklingtons Walk, Leicester LE1 6RN**

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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 objection notice received in relation to a temporary event notice (TEN) given under the Licensing Act 2003, to assist them in determining the outcome.

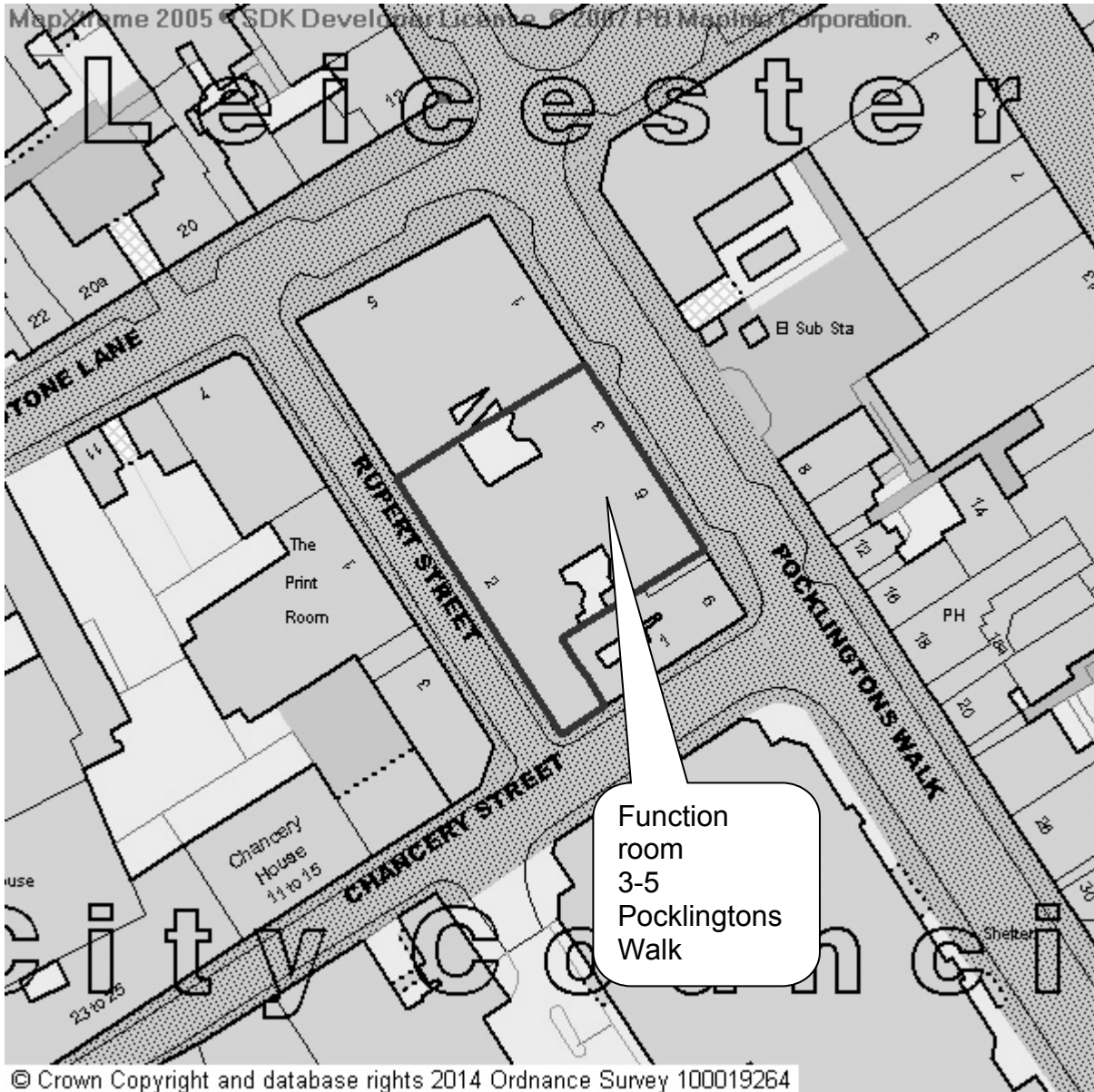
**2. Determination to be made**

- 2.1. Having considered the temporary event notice and the objection notice, Members must consider whether to
- Give the premises user a counter notice under Section 105 (2) of the Licensing Act 2003 if it is considered appropriate for the promotion of a licensing objective to do so; or
  - Impose one or more conditions on the temporary event notice if:
    - it is appropriate for the promotion of the licensing objectives to do so, and
    - the condition(s) are also imposed on a premises licence or club premises certificate that has effect in relation to all or part of the same premises as the temporary, and
    - the condition(s) would not be inconsistent with the carrying out of the licensable activities under the temporary event notice; or
  - Disregard the objection notice

**3. Summary**

- 3.1 This report outlines an objection notice given by the Noise team in response to a temporary event notice given by Thomas Bennett for the function room at 3 -5 Pocklingtons Walk Leicester (previously the registry office). It also highlights the licensing objectives, the relevant parts of the guidance and regulations, and the pertinent sections of the Licensing Authority's Licensing Policy.

4. **Location Plan**



5. **Temporary event notice**

5.1. A temporary event notice was given on 14 November 2016 by Thomas Bennett for an event at the function room, 3-5 Pocklington's Walk, Leicester. The temporary event notice is for an event on Saturday 17 December 2016 and is attached at Appendix A.

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

Licensable activities	Proposed hours
The sale by retail of alcohol (for consumption on the premises) and the provision of regulated entertainment.	21.00 – 4.30am
The provision of late night refreshment	23.00 – 4.30am

## 6. Objection notice

- 6.1 An objection notice was received on 18 November 2016 from Leicester City Council Noise team on the grounds of the prevention of public nuisance. A copy of the objection notice is attached at Appendix B.

## 7. Existing premises licence

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

## 8. Statutory Guidance

- 8.1 Any decision made by the Licensing Authority must be in accordance with the licensing objectives. In addition, the government has issued guidance under section 182 of the Licensing Act 2003. The relevant parts of the guidance in this case are as follows:

Section	Heading
7.2 – 7.7	TEN – General
7.25 – 7.31	Role of the Licensing Authority
7.32 – 7.35	Police and Environmental Health intervention

## 9. Statement of Licensing Policy

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

Section	Heading
2	Fundamental Principles
15	Temporary Event Notices

## 10. Other Implications

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

## 11. Background Papers – Local Government Act 1972

a. None

**12. Consultations**

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

**13. Report Author**

Sarah Miller  
Licensing Officer  
0116 454 3052  
sarah.miller@leicester.gov.uk

<b>APPENDIX</b>	<b>CONTENT</b>
A	Temporary event notice
B	Objection notice



089066

Appendix A

Application ref: leicester-396165  
 Licence: Temporary Event Notice  
 Applicant name: Thomas Bennett  
 Applicant email: tomwabennett@gmail.com  
 Submitted on: 14/11/2016 19:48  
 Total fee: £21.00  
 Payment status: Paid  
 Capita ref: 014429  
 Amount paid: £21.00  
 Fee outstanding: £0.00

Application

Thomas Bennett application form

Supporting documents (0)

Authority Reference

Reference:

Tacit consent applies

Process by: 28/11/2016

Status: Not collected

Recent History

Notification to licensing-  
 notifications+production@digital.cabin  
 office.gov.uk:  
 Sent on 14/11/2016 19:50

Notification to  
 tomwabennett@gmail.com:  
 Sent on 14/11/2016 19:50

Notification to licensing-  
 notifications+production@digital.cabin  
 office.gov.uk:  
 Sent on 14/11/2016 19:50

Notification to  
 licensing@leicester.gov.uk:  
 Sent on 14/11/2016 19:50

Payment Successful :  
 at 14/11/2016 19:49



**Leicester  
Temporary Event Notice  
Licensing Act 2003**

For help contact  
[licensing@leicester.gov.uk](mailto:licensing@leicester.gov.uk)  
Telephone: +44 116 454 3040

\* required information

**Section 1 of 9**

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

System reference

Not Currently In Use

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

Your reference

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

Are you an agent acting on behalf of the applicant?

Yes

No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

First name

Thomas

Family name

Bennett

E-mail address

Main telephone number

Other telephone number

Include country code.

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

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

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

Continued from previous page...

**Your Address**

Address official correspondence should be sent to.

Building number or name

Street

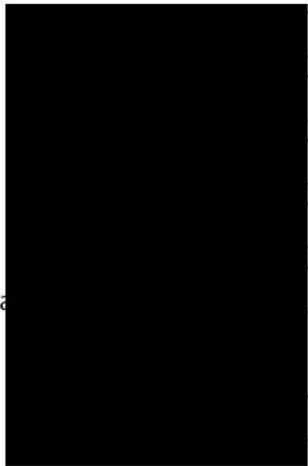
District

City or town

County or administrative area

Postcode

Country



Form fields for address details, partially redacted with a black box.

**Section 2 of 9**

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

Have you had any previous or maiden names?

Yes

No

Your date of birth



Redacted date of birth field.

Applicant must be 18 years of age or older

National Insurance number

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

Place of birth

**Correspondence Address**

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

Yes

No

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

Building number or name

Street


District

City or town

County or administrative area

Postcode

Country



Form fields for correspondence address, partially redacted with a black box.



Continued from previous page...

### Additional Contact Details

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

- Yes  No

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

E-mail

Telephone number

Other telephone number

### Section 3 of 9

#### THE PREMISES

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

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

Does the premises have an address?

- Yes  No

#### Address

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

- Yes  No

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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

- Neither  Premises licence  Club premises certificate

#### Location Details

Provide further details about the location of the event

The building is the former Leicester Registry Office, now a vacant function room

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

We will be utilising the main entrance, function room and small bar room

Continued from previous page...

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

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

The event is a Christmas party with music and refreshments

### Section 4 of 9

#### LICENSABLE ACTIVITIES

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

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

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

[\(See also guidance on completing the form, note 7\).](#)

#### Event Dates

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

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

[\(see also guidance on completing the form, note 8\)](#)

Event start date       /  /   
   dd            mm            yyyy

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

Event end date         /  /   
   dd            mm            yyyy



**Continued from previous page...**

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

9pm - 4.30am

[\(see also guidance on completing the form, note 9\)](#)

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

300

Note that the maximum number of people cannot exceed 499.

[\(see also guidance on completing the form, note 10\)](#)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 11\):](#)

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

**Section 5 of 9**

**RELEVANT ENTERTAINMENT** [\(See also guidance on completing the form, note 12\)](#)

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

9pm - 4.30am

**Section 6 of 9**

**PERSONAL LICENCE HOLDERS** [\(See also guidance on completing the form, note 13\)](#)

Do you currently hold a valid personal licence?

- Yes
- No

**Section 7 of 9**

**PREVIOUS TEMPORARY EVENT NOTICES** [\(See also guidance on completing the form, note 14\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

- Yes
- No

**Continued from previous page...**

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

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

**Section 8 of 9**

**ASSOCIATES AND BUSINESS COLLEAGUES** [\(See also guidance on completing the form, note 15\)](#)

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

- Yes  No

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

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

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

- Yes  No

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

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



Continued from previous page...

**Section 9 of 9**

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

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

**PAYMENT DETAILS**

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

This formality requires a fixed fee of £21

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

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

Full name

Capacity

Date  /  /   
dd mm yyyy

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

1. Save this form to your computer by clicking file/save as...
  2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/leicester/apply-1> to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

**OFFICE USE ONLY**

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









**Licensing Act 2003  
Objection to Temporary Event Notice (TEN)**

<b>Details of Relevant Authority</b>
<b>Name and Job Title:</b> Chris White Pollution Control Officer
<b>Address:</b> Noise and Pollution Control Team, Leicester City Council, Phoenix House, 1 King Street, Leicester LE1 6RN
<b>Phone Number:</b> 0116 454 3059

<b>Details of Premises Representation is about</b>
<b>Name of Premises:</b> Unknown
<b>Address:</b> 3-5 Pocklingtons Walk
<b>Application Number:</b> 089066
<b>Our Reference:</b> 16/14075

<b>This objection relates to the following licensing objective(s):</b>	
Prevention of crime and disorder	No
Public Safety	No
Prevention of public nuisance	Yes
Protection of children from	No

## Representation

I wish to make an objection to the application for temporary event notice for the 17<sup>th</sup> December 2016 as I consider this would be detrimental to the licensing objective of preventing public nuisance.

This application is for regulated entertainment, sale of alcohol and late night refreshment, for a Christmas party for up to 300 people at 3-5 Pocklingtons Walk between 21.00 and 04.30 hours

The proposed venue has a number of flats directly behind it and due to the age of the building I believe the level of insulation currently installed will not be enough to mitigate the noise from a party for 300 people.

These points were considered in detail when the venue applied for planning consent and as so the hours were restricted to finish at 23.00 hours and also conditioned that before the function hall is used a noise management plan has been agreed with the City Council, to date no such plan has been submitted.

If the flats are occupied at the time of this event I can't see how it can go ahead without causing a nuisance to the residents even if it was to finish earlier, and therefore I have to **recommend refusal** of this temporary event notice as it stands.

Send / email to:

- 1) Licensing Officer (Sarah Miller)  
Licensing  
New Walk Centre  
Leicester  
LE1 6ZG
- 2) Applicant
- 3) Leicestershire Police ([licensing@leicestershire.pnn.police.uk](mailto:licensing@leicestershire.pnn.police.uk))