



Leicester
City Council

LICENSING (HEARINGS) SUB-COMMITTEE

DATE: FRIDAY, 12 JANUARY 2018

TIME: 9:30 am

PLACE: Meeting Room G.01, Ground Floor, City Hall, 115 Charles Street, Leicester, LE1 1FZ

Members of the Sub-Committee

Councillors Hunter, Shelton and Unsworth

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

for Monitoring Officer

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

Information for members of the public

Attending meetings and access to information

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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- ✓ 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 Angie Smith, **Democratic Support on (0116) 454 6354 or email angie.smith@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. APPLICATION FOR A NEW PREMISES LICENCE
WITHIN A CUMULATIVE IMPACT ZONE: LOST IN
LEICESTER, 58-64 BRAUNSTONE GATE,
LEICESTER, LE3 5LG**

Appendix A

The Director of Neighbourhood and Environmental Services submits a report on an application for a new premises licence within a Cumulative Impact Zone for Lost in Leicester, 58-64 Braunstone Gate, Leicester, LE3 5LG.

Report attached. A copy of the associated documentation is attached for Members only. Further copies are available on the Council's website at www.Cabinet.leicester.gov.uk or by telephoning Democratic Support on 0116 4546354.

(Wards Affected: Westcotes)

- 5. ANY OTHER URGENT BUSINESS**



Leicester
City Council

WARDS AFFECTED
Westcotes

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

12 January 2018

**Application for a new premises licence within a Cumulative Impact Zone
Lost in Leicester, 58-64 Braunstone Gate, LE3 5LG**

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.

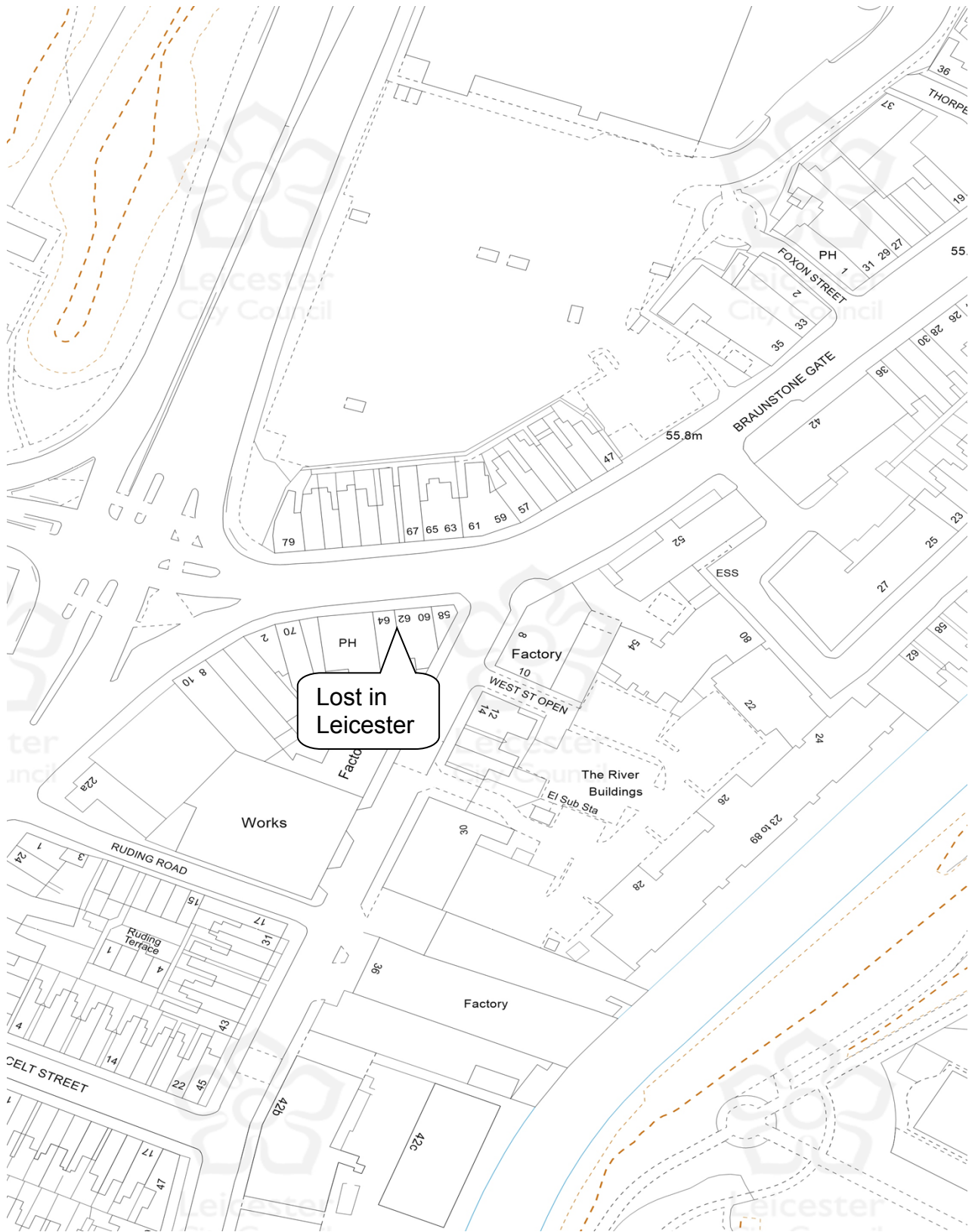
2. Determination to be made

- 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 Lost in Leicester, 58-64 Braunstone Gate within the Braunstone Gate 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 21 November 2017 from Lost in Leicester Ltd for a new premises licence for 58-64 Braunstone Gate within the Braunstone Gate 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 |
|----------------------------|-----------------------|
| Live Music | Sunday to Thursday |
| Recorded Music | 12.00 – 00.00 |
| Supply of Alcohol | Friday & Saturday |
| Opening hours | 12.00 – 01.00 |

- All licensable activities and opening hours, New Years Eve 12.00 – 01.00

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. 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 A relevant representation was received on 22 November 2017 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 applicant has made no mention in their application of the Cumulative Impact Zone that their premises is sited within and that they have failed to take into account the local problems and concerns. A copy of the representation is attached at Appendix B1.

8.2 A relevant representation was received on 29 November 2017 from Leicester City Council's noise team. The representation relates to the prevention of public nuisance. The noise team are concerned that music from the premises has the potential to cause a nuisance to residents living in flats directly above the premises. They have therefore

reached an agreement with the applicant to add conditions on to the licence. A copy of the representation/agreement is attached at Appendix B2

9. Conditions

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

10 Cumulative Impact

10.1 In February 2011 Leicester City Council introduced a special policy on cumulative impact in the Braunstone Gate 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.

11. Statutory Guidance

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

| Section | Heading |
|---------------|--|
| 1.2 – 1.5 | Licensing Objectives and aims |
| 1.15 – 1.16 | General Principles |
| 1.17 | Each application on its own merits |
| 2.1 – 2.6 | Crime & disorder |
| 2.7 – 2.14 | Public Safety |
| 2.15 – 2.21 | Public nuisance |
| 8.38 – 8.46 | Steps to promote the licensing objectives |
| 9.12 | Representations from the Police |
| 9.31 – 9.41 | Hearings |
| 9.42 – 9.44 | Determining actions that are appropriate for the promotion of the licensing objectives |
| 10.1 – 10.3 | Conditions - general |
| 10.8 – 10.9 | Imposed conditions |
| 10.10 | Proportionality |
| 10.13 - 10.15 | Hours of trading |
| 10.25 – 10.66 | Mandatory conditions in relation to the supply of alcohol |
| 13.10 | Giving reasons for decisions |
| 14.20 – 14.23 | What is cumulative impact? |
| 14.30 – 14.35 | Effect of special policies |
| 14.36 – 14.39 | Limitations on special policies relating to cumulative impact |
| 14.40 – 14.41 | Other mechanisms for controlling cumulative impact |
| 14.44 – 14.45 | Licensing Hours |
| 16.1 – 16.69 | Regulated entertainment |

12. Statement of Licensing Policy

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

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

Points for Clarification

- 13.1 The applicant and the parties making the representations 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 parties making the representations

1. Whether they have any additional information to support the representation they have made?
2. Whether there are any additional steps that could be taken which would be equally effective in the promotion of the licensing objectives?

14 Other Implications

| OTHER IMPLICATIONS | YES/ NO | Paragraph/References Within Supporting information |
|-------------------------------|------------|---|
| Equal Opportunities | No | |
| Policy | Yes | The premises is within a cumulative impact area |
| Sustainable and Environmental | No | |
| Crime and Disorder | Yes | Paragraph 8 relates to crime and disorder |
| Human Rights Act | No | |

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

15. Background Papers – Local Government Act 1972

- a. None

16. Consultations

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

17. Report Author

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

| APPENDIX | CONTENT |
|-----------------|--|
| A | Application |
| B | Representations |
| C | Conditions consistent with application and representations / agreement |

**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 Lost in Leicester 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

| | | | |
|-----------------------|-----------|-----------------|---------|
| 58-64 Braunstone Gate | | | |
| Post town | Leicester | Postcode | LE3 5LG |

| | |
|---|---------------|
| Telephone number at premises (if any) | 0116 255 5073 |
| Non-domestic rateable value of premises | £ 43,250 |

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/limited liability please complete section (B)
 partnership
 - ii as a partnership (other than limited liability) 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 (by ticking yes to one box below):

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 | Mrs | Miss | Ms | Other Title (for example, Rev) | |
| Surname | | | First names | | |
| Date of birth over | | I am 18 years old or | | Please tick yes | |
| Nationality | | | | | |
| Current residential address if different from premises address | | | | | |
| Post town | | | | Postcode | |
| Daytime contact telephone number | | | | | |
| E-mail address (optional) | | | | | |

SECOND INDIVIDUAL APPLICANT (if applicable)

| | | | | | |
|---|-----|----------------------|--------------------|--------------------------------|--|
| Mr | Mrs | Miss | Ms | Other Title (for example, Rev) | |
| Surname | | | First names | | |
| Date of birth over | | I am 18 years old or | | Please tick yes | |
| Nationality | | | | | |
| 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: Lost in Leicester Limited |
| Address: c/o The Freemasons Arms 101 St Mary's Road Market Harborough Leicestershire LE16 7DT |
| Registered number (where applicable) 10423225 |
| 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 |
|----|----|------|
| 24 | 11 | 2017 |
| | | |

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 occupy the ground floor and basement of 58-64 Braunstone Gate, an attractive brick built building on the corner of Braunstone Gate and Western Road. The premises have an established history of operating as successful licensed premises.

There is a small bar and floor space located on the ground floor, with further floor space and public toilets on the basement floor, accessed via an internal staircase.

The venue has many similar businesses nearby, and the area is generally known as being a popular destination for those wishing to enjoy a night out with friends.

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 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

Provision of late night refreshment (if ticking yes, fill in box I)

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



In all cases complete boxes K, L and M

A

| | | | | | |
|---|-------|--------|---|----------|--|
| Plays Standard days and timings (please read guidance note 7) | | | <u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | |
| | | | | Outdoors | |
| | | | | Both | |
| Day | Start | Finish | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 4) | | |
| | | | | | |
| Tue | | | <u>State any seasonal variations for performing plays</u> (please read guidance note 5) | | |
| | | | | | |
| Wed | | | <u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| | | | | | |
| Fri | | | | | |
| | | | | | |
| | | | | | |
| Sat | | | | | |
| | | | | | |
| Sun | | | | | |
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B

| | | | | | |
|---|-------|--------|---|----------|--|
| Films Standard days and timings (please read guidance note 7) | | | Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | |
| | | | | Outdoors | |
| | | | | Both | |
| Day | Start | Finish | Please give further details here (please read guidance note 4) | | |
| Mon | | | | | |
| Tue | | | State any seasonal variations for the exhibition of films (please read guidance note 5) | | |
| Wed | | | | | |
| Thur | | | 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 (please read guidance note 6) | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

C

| Indoor sporting events Standard days and timings (please read guidance note 7) | | | <u>Please give further details</u> (please read guidance note 4) |
|--|-------|--------|---|
| Day | Start | Finish | |
| Mon | | | |
| | | | |
| Tue | | | <u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5) |
| | | | |
| Wed | | | <u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6) |
| | | | |
| Thur | | | |
| | | | |
| Fri | | | |
| | | | |
| Sat | | | |
| | | | |
| Sun | | | |
| | | | |

D

| | | | | | | |
|--|-------|--------|--|--|----------|--|
| Boxing or wrestling entertainments Standard days and timings (please read guidance note 7) | | | <u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | | Indoors | |
| | | | | | Outdoors | |
| Day | Start | Finish | | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 4) | | | |
| | | | | | | |
| Tue | | | | | | |
| | | | | | | |
| Wed | | | <u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5) | | | |
| | | | | | | |
| Thur | | | | | | |
| | | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6) | | | |
| Sat | | | | | | |
| Sun | | | | | | |

E

| Live music Standard days and timings (please read guidance note 7) | | | Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | <input checked="" type="checkbox"/> |
|--|-------|--------|---|----------|-------------------------------------|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Mon | 12.00 | 00.00 | <p><u>Please give further details here</u> (please read guidance note 4)</p> <p>I have requested the ability to play live music any time during our opening times, although in reality a live band will only feature one night a week, usually a Friday or Saturday between the hours of 21.00 and midnight.</p> <p><u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)</p> <p><u>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</u> (please read guidance note 6)</p> <p>New Years Eve 12.00 – 01.00</p> | | |
| Tue | 12.00 | 00.00 | | | |
| Wed | 12.00 | 00.00 | | | |
| Thur | 12.00 | 00.00 | | | |
| Fri | 12.00 | 01.00 | | | |
| Sat | 12.00 | 01.00 | | | |
| Sun | 12.00 | 00.00 | | | |

F

| Recorded music Standard days and timings (please read guidance note 7) | | | Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | <input checked="" type="checkbox"/> |
|--|-------|--------|--|----------|-------------------------------------|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Mon | 12.00 | 00.00 | <u>Please give further details here</u> (please read guidance note 4) Recorded music to include background music as well as DJ sets. Music to be amplified if a DJ is playing. | | |
| Tue | 12.00 | 00.00 | | | |
| Wed | 12.00 | 00.00 | <u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5) | | |
| Thur | 12.00 | 00.00 | | | |
| Fri | 12.00 | 01.00 | <u>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</u> (please read guidance note 6) New Years Eve 12.00 till 01.00 | | |
| Sat | 12.00 | 01.00 | | | |
| Sun | 12.00 | 00.00 | | | |

G

| Performances of dance Standard days and timings (please read guidance note 7) | | | <u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | |
|---|-------|--------|---|----------|--|
| Day | Start | Finish | | Outdoors | |
| | | | | Both | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 4) | | |
| Tue | | | | | |
| Wed | | | <u>State any seasonal variations for the performance of dance</u> (please read guidance note 5) | | |
| Thur | | | | | |
| Fri | | | <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> (please read guidance note 6) | | |
| Sat | | | | | |
| Sun | | | | | |

H

| | | | | | |
|--|-------|--------|--|----------|--|
| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7) | | | Please give a description of the type of entertainment you will be providing | | |
| Day | Start | Finish | <u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | |
| Mon | | | | Outdoors | |
| | | | | Both | |
| Tue | | | <u>Please give further details here</u> (please read guidance note 4) | | |
| Wed | | | | | |
| Thur | | | <u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5) | | |
| Fri | | | | | |
| Sat | | | <u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6) | | |
| Sun | | | | | |


I

| | | | | | | |
|--|-------|--------|---|--|----------|--|
| Late night refreshment Standard days and timings (please read guidance note 7) | | | Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3) | | Indoors | |
| | | | | | Outdoors | |
| Day | Start | Finish | Both | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 4) | | | |
| Tue | | | | | | |
| Wed | | | <u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) | | | |
| Thur | | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6) | | | |
| Sat | | | | | | |
| Sun | | | | | | |

J

| | | | | | |
|---|-------|--------|---|------------------|-------------------------------------|
| Supply of alcohol Standard days and timings (please read guidance note 7) | | | Will the supply of alcohol be for consumption – please tick (please read guidance note 8) | On the premises | |
| | | | | Off the premises | |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | State any seasonal variations for the supply of alcohol (please read guidance note 5) | | |
| Mon | 12.00 | 00.00 | | | |
| Tue | 12.00 | 00.00 | | | |
| Wed | 12.00 | 00.00 | | | |
| Thur | 12.00 | 00.00 | | | |
| Fri | 12.00 | 01.00 | | | |
| Sat | 12.00 | 01.00 | | | |
| Sun | 12.00 | 00.00 | | | |
| | | | Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| | | | New Years Eve 12.00 – 01.00 | | |

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

| |
|---|
| Name Adam Dale |
|  |
| Personal licence number (if known) RW1/0382 |
| Issuing licensing authority (if known) Rutland County 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 9).

L

| | | | |
|---|-------|--------|--|
| Hours premises are open to the public Standard days and timings (please read guidance note 7) | | | State any seasonal variations (please read guidance note 5) |
| Day | Start | Finish | |
| Mon | 12.00 | 00.00 | |
| Tue | 12.00 | 00.00 | |
| Wed | 12.00 | 00.00 | |
| Thur | 12.00 | 00.00 | |
| Fri | 12.00 | 01.00 | |
| Sat | 12.00 | 01.00 | |
| Sun | 12.00 | 00.00 | |
| Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) | | | |

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 10)

Staff training on prevention of incidents and defusing of potentially difficult situations.
Challenge 21 with all refusals logged.
Join and actively participate in any Police approved “Pub Watch” scheme.
Ensuring a positive relationship and compliance with local policing and licensing authorities.

b) The prevention of crime and disorder

Ensuring we don't serve guests who are too drunk to be in control of their thoughts/emotions, or displaying signs of agitated behaviour. All refusals to be logged and recorded.
No irresponsible drink promotions.
Signs asking guests to leave quietly, enforced by staff and management where necessary.
Zero tolerance towards drug use and any other anti-social behaviour.

c) Public safety

Ensuring the installation and use of CCTV, with digital files kept for a minimum of 7 days.
Glassware to be collected on a regular basis, with floor walkers spotting and removing empties.
Ensuring all areas are well lit with appropriate signage.
Full health & safety risk assessments conducted in all aspects of our business, with actions followed up to ensure compliance.
H&S reviewed and updated by senior management at every staff meeting.

d) The prevention of public nuisance

Music to be kept at a reasonable level during opening hours, with doors kept closed to minimise noise pollution.
Glass bins to be emptied during the daytime to avoid disturbance.
Deliveries made between the hours of 10.00 and 17.00.
A company dispersal policy to be agreed and acted upon, to minimise the potential for the forming of groups of people, as part of closing down procedures.

e) The protection of children from harm

No children allowed on the premises after 19.00.
Challenge 21 scheme to be vigorously enforced by all employees.
Regular staff training on laws relating to children and premises licensed for the sale of alcohol.
Full co-operation with local authorities on preventative measures relating to under age drinking.

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. ✓
-

[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

| | |
|--------------------|--|
| Declaration | <ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). |
|--------------------|--|

| | |
|-----------|--|
| | <ul style="list-style-type: none"> The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15) |
| Signature | [REDACTED] |
| Date | 2.11.17 |
| Capacity | DIRECTOR |

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

| | |
|-----------|--|
| Signature | |
| Date | |
| Capacity | |

| | |
|---|--------------------------------|
| Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) | |
| Jonathan Pinder Lost in Leicester Limited [REDACTED] | |
| Post town | [REDACTED] Postcode [REDACTED] |
| Telephone number (if any) | [REDACTED] |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional) | |
| [REDACTED] | |

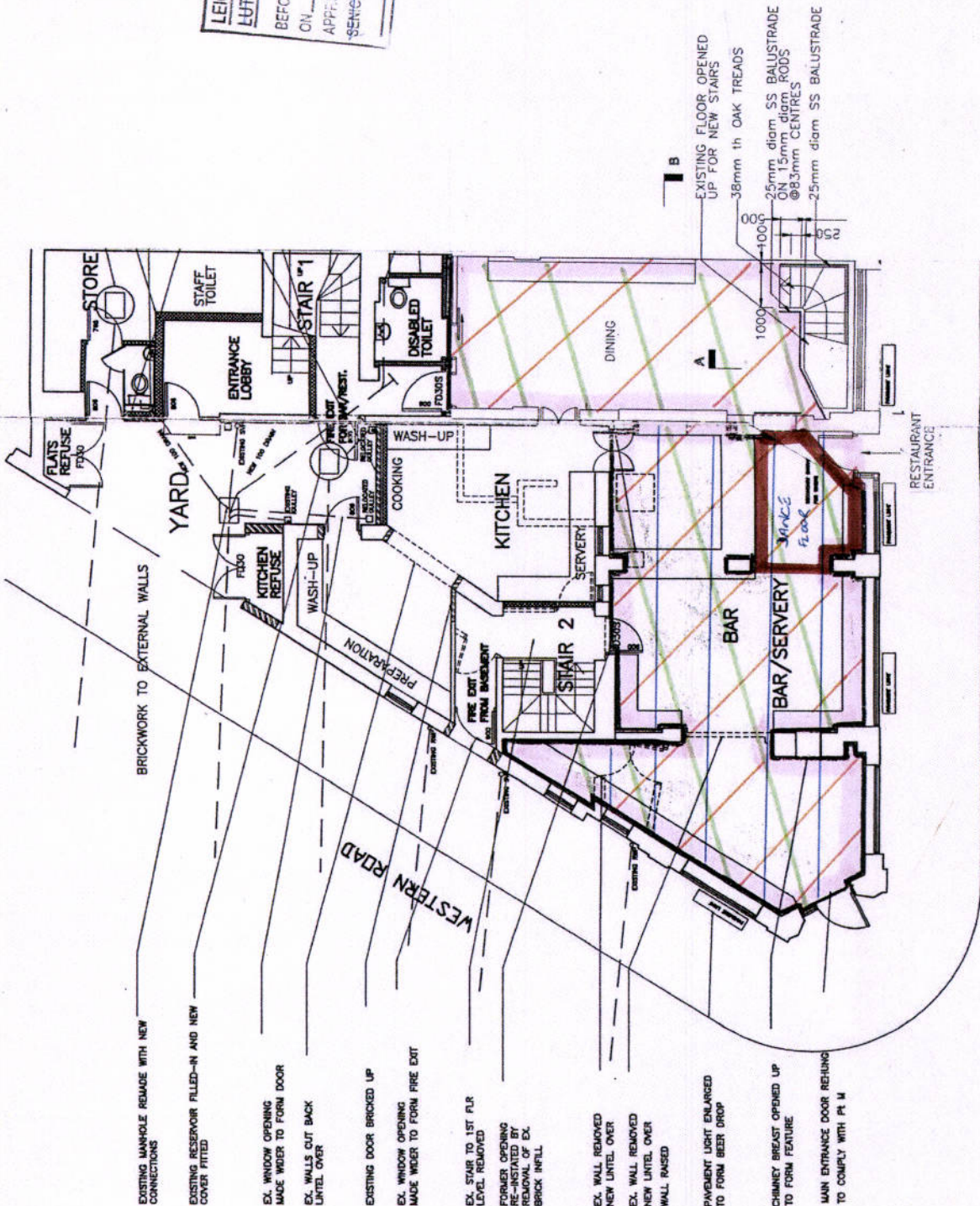
Notes for Guidance

- 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.
- In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening

NOTES

ALL TOILETS TO BE LINKED TO CENTRAL PLANT EXTRACT SYSTEM. SEE CO-ORDIT DWG.99113-1

LEICESTER, MARKET HARBOUROUGH
LUTTERWORTH MAGISTRATES' COURT
BEFORE THE COMMITTEE
ON 7/11/02
APPEAL Special Hours Certificate S77 granted
SENIGT/LEICESTER: JCA



Rev C Staff toilet moved. Bar and kitchen doors changed. Seating added. Bar door handed. 31/1/00
Rev B Staff toilet moved flat entrance changed. 29/11/99
Rev A Additional notes added and layout updated. 17/11/99

| | | | | | |
|-------|---------|-----------|--------|-----|---|
| Drawn | KB | Drng. No. | 163/21 | Rev | C |
| Date | 5.11.99 | Scale | 1:100 | | |

PROPOSED GROUND FLOOR PLAN
58-64 BRAUNSTONE GATE
LEICESTER LE3 5LG

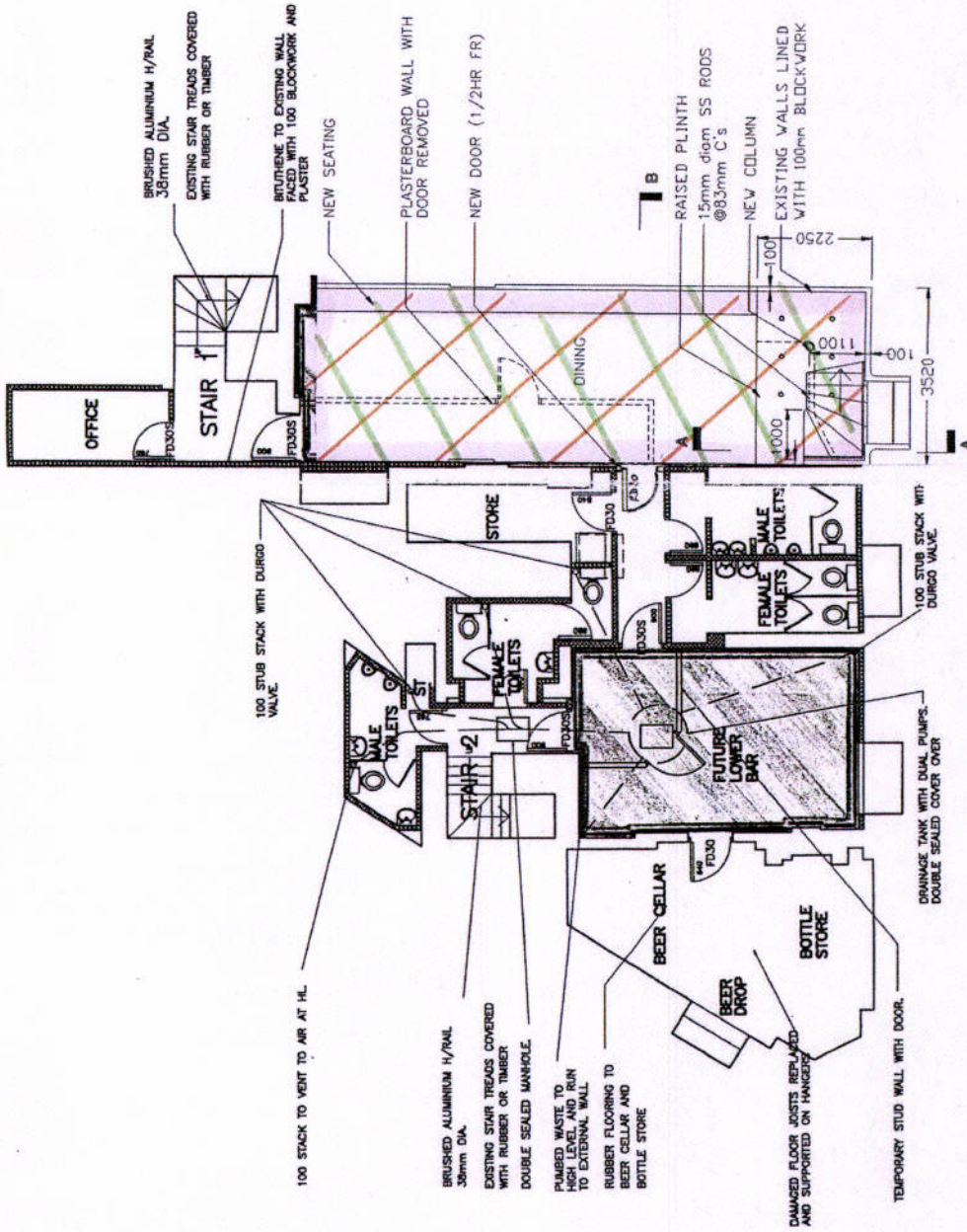
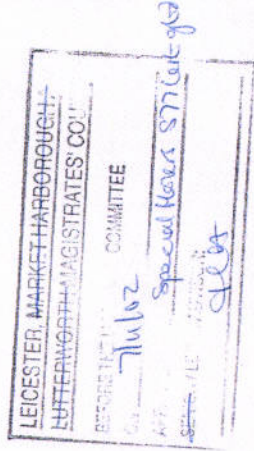
Key Plan

K C Burgess
Chartered Architect.
19 Kingsdown Road
Surrey KT9 4ZJ
Telephone 0181 390 2805
Facsimile 0181 241 0500

00:00PM 5.11.99

NOTES

- ALL TOILETS TO BE LINKED TO CENTRAL PLANT EXTRACT SYSTEM. SEE CO-OROOT DWG.99113-1
- ALL DUCTS TO HAVE FIRE DAMPERS WHEN PASSING THRO FIRE WALLS AND FLOORS
- EPOXY DPM APPLIED TO ALL BASEMENT FLOORS AND LAPPED WITH BITUTHENE AND INJECTED DPCs
- TILING TO 2100mm HT. IN ALL WC's
- RUBBER FLOORING TO ALL TOILETS AND STORES.



- Rev C Door swings changed. Handbasins moved. 31/1/00
- Rev B Silt vent to HL added. 30/11/99
- Rev A Additional notes added and layout updated. 17/11/99

| | | | |
|-------|---------|---------|-----|
| Drawn | KB | Dr. No. | Rev |
| Date | 5.11.99 | 163/20 | C |
| Scale | 1:100 | | |

PROPOSED BASEMENT PLAN
58-64 BRAUNSTONE GATE
LEICESTER LE3 5LG

Title

K C Burgess
Chartered Architect
18 Kingsdown Road
Surrey KT8 6LZ
Tel: 0181 241 5580
Fax: 0181 241 5580

Key Plan

Consent of individual to being specified as premises supervisor

Adam James Dale

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

Premises Licence

[type of application]

by

Lost in Leicester Limited

[name of applicant]

New application, so no existing licence

relating to a premises licence

[number of existing licence, if any]

for

58-64 Braunstone Gate
Leicester
LE3 5LG

[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

Lost in Leicester

[name of applicant]

concerning the supply of alcohol at
58-64 Braunstone Gate
Leicester
LE3 5LG

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

RW1 / 0382

[insert personal licence number, if any]

Personal licence issuing authority

RUTLAND COUNTY COUNCIL DISTRICT COUNCIL

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

CATMOSE,
OAKHAM
RUTLAND
LE15 6HP

Signed



Name (please print)

ADAM JAMES DALE

Date 1 / 11 / 2017



Appendix B1

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: | Lost In Leicester Ltd |
| Address of premises: | 58 - 64 Braunstone Gate Leicester LE3 5LG |
| 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 new licences or material variations in this location. The effects of this policy are set out in Leicester City Councils current Licensing policy.</p> <p>Paragraph 4.13 of that policy states:</p> <p><i>The effect of the special policies will be to create a rebuttal 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</i></p> |

need to address this matter in their Operating Schedule.

The applicant has made no mention in their application of the Cumulative Impact Zone (CIZ) and it must therefore be assumed that within the application they have failed to take into account the local problems and concerns. The applicant has therefore failed to address this issue directly in their operating schedule.

Leicester City Councils' Special Policy in relation to Cumulative Impact in this area has regards to all licences.

This is an application for a premises to supply alcohol until 0000hrs Sunday to Thursday and until 0100hrs on a Friday and Saturday.

Section 182 Guidance gives the following information relating to Cumulative Impact;

14.21 states "In some areas, where the number, type or density of premises selling alcohol or providing late night refreshment is high or exceptional, serious problems of nuisance and disorder may be arising or have begun to arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport.

Braunstone Gate Cumulative Impact area can be broken down into 3 sections but when these 3 areas are taken as one they hold 78 premises licensed to supply alcohol or provide late night refreshment.

The Braunstone Gate triangle part of the CIZ, in which these premises sit, presently has 3 shops, 17 pubs and restaurants and 4 late night refreshment takeaways.

Braunstone Gate sees a large increase in footfall during the hours of 2100 to 0400 at the weekend.

Leicestershire Police provide Operation Anthem at the weekend to provide a limited increase in resources to deal with incidents in this area during these times.

Incidents occur due to the consumption of alcohol and the close proximity of members of the public in a congested area

Leicestershire Police recognise that a licence currently exists for these premises however this new application does not provide adequate conditions within its operating schedule to effectively promote the licensing objectives.

The applicant is only offering CCTV to be kept for a minimum of 7 days which is inadequate.

There is no mention of employing door staff.

There is a lack of detail in proposed policies and procedures.

It is imperative that the premises does not increase the impact on crime and disorder, public safety or public nuisance and we believe that we are right to protect the cumulative impact policy by allowing the committee to hear from the applicant and be able to question them as to how they will manage their impact on the area and promote the licensing objectives.

J Webb
PC1790

PC1790 Jonathan Webb
Leicestershire Police
22nd November 2017



Leicester
City Council

Licensing Act 2003 - Representation in respect of Premises Licence

| Details of person or body making representation | |
|---|---|
| Your Name: | Neil Cooper |
| Your Address: | Environmental Health Officer Noise and Pollution Control Leicester City Council Phoenix House 1 King Street Leicester LE1 6RN |

| Details of premises representation is about | |
|---|---|
| Name of Premises: | Transilvania |
| Address of premises: | 58-64 Braunstone Gate Leicester LE3 5LG |
| Application No. (if known) | |

| Please tick one or more of the licensing objectives that your representation relates to: | |
|--|------------------------------|
| Prevention of crime and disorder | <input type="checkbox"/> No |
| Public Safety | <input type="checkbox"/> No |
| Prevention of public nuisance | <input type="checkbox"/> Yes |
| Protection of children from harm | <input type="checkbox"/> No |

| Please summarise your concerns about this application: |
|---|
| I have concerns that music from the premises has the potential to cause a nuisance to occupiers of flats directly above the premises. |

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

The premise is located directly beneath flats, and it is likely that music from the premises after 2300 will cause a nuisance to occupiers of the flats.

I therefore object to the proposed licence

I will contact the applicant to discuss potential mitigation measures that can be added as conditions to the premises licence, in particular including a condition on the premises licence requiring that all music be played through a noise limiter set at a level agreed with the Noise and Pollution Team.

Lost in Leicester Ltd
c/o The Freemason Arms
101 St Mary's Road
Market Harborough
Leicestershire
LE16 7DT

Licensing Team
Leicester City Council
91 Granby Street
Leicester
LE1 6ZG

**Licensing Act 2003 – Application for a variation premises licence (application
099814)
Lost, 58-64 Braunstone Gate, Leicester**

I, JONATHAN PINOCH acting for Lost in Leicester Ltd, the applicant for a variation of the above Premises Licence, hereby agree to the following condition being applied to any premises licence granted in response the above application, in respect to prevention of public nuisance.

1. All live music shall take place in the basement of the premises
2. All amplified music on the ground floor shall be played through a noise limiting device set at a level agreed by the Leicester City Council Noise and Pollution Team

Signed  For Lost in Leicester Ltd

Name: J PINOCH
(PRINT)

Dated: 12.12.17

CONDITIONS

| CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE |
|--|
| The licence holder shall ensure that the Challenge 21 policy is implemented and maintained. |
| The licence holder shall ensure that the premises join and actively participate in any Police approved Pub Watch scheme. |
| The licence holder shall ensure that signs are displayed asking customers to leave quietly. |
| The licence holder shall ensure that a CCTV system is installed and maintained, with digital files kept for a minimum of seven days. |
| The licence holder shall ensure that glassware is collected on a regular basis. |
| The licence holder shall ensure that glass bins are emptied during the daytime to avoid disturbance. |
| The licence holder shall introduce a company dispersal policy to minimise the potential for the forming of groups of people, as part of closing down procedures. |
| The licence holder shall ensure that children are not allowed on the premises after 19.00. |
| The licence holder shall ensure that regular staff training takes place in relation to children and premises licensed for the sale of alcohol. |
| The licence holder shall ensure full co-operation with local authorities on preventative measures relating to under age drinking. |
| The licence holder shall ensure that music is kept to a reasonable level during opening hours, with doors kept closed to minimise noise pollution. |
| The licence holder shall ensure that deliveries to the premises are limited to 10.00 – 17.00. |
| The licence holder shall ensure that a refusals register is maintained. |
| CONDITIONS CONSISTENT WITH THE REPRESENTATION/AGREEMENT FROM NOISE CONTROL, LEICESTER CITY COUNCIL |
| All live music shall take place in the basement of the premises |
| All amplified music on the ground floor shall be played through a noise limiting device set at a level agreed by the Leicester City Council Noise and Pollution Team |

