

Leicester
City Council

LICENSING (HEARINGS) SUB-COMMITTEE

DATE: WEDNESDAY, 13 NOVEMBER 2019

TIME: 9:30 am

PLACE: Room G.52 - Town Hall, Town Hall Square, Leicester

Members of the Sub-Committee

Councillors Hunter, Dr. Sangster and Shelton

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 / Edmund Brown
Democratic Support, Leicester City Council
City Hall, 115 Charles Street, Leicester, LE1 1FZ
Tel: 0116 454 6354 / 3833

email: angie.smith@leicester.gov.uk / Edmund.Brown@leicester.gov.uk

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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 / Edmund.brown@leicester.gov.uk or call in at City Hall, 115 Charles Street.

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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 meetings held on 10 October 2019 and 28 October 2019 are attached and Members will be asked to confirm them as a correct record.

**5. OBJECTION NOTICE GIVEN FOR A TEMPORARY
EVENT NOTICE: THE APRES LOUNGE, 94 HIGH
STREET, LEICESTER, LE1 5YP**

Appendix B

Report attached. A copy of the associated documentation is attached for Members only. Further copies are available on the Council's website at www.cabinet.leicester.gov.uk or by phoning Democratic Support on (0116) 454 6354.

6. ANY OTHER URGENT BUSINESS



Leicester
City Council

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

Held: THURSDAY, 10 OCTOBER 2019 at 9:30 am

P R E S E N T:

Councillor Hunter (Chair)

Councillor Pickering

* * * * *

Councillor Thomas

12. APPOINTMENT OF CHAIR

Councillor Hunter as Chair led on introductions.

13. APOLOGIES FOR ABSENCE

There were no apologies for absence.

14. DECLARATIONS OF INTEREST

There were no declarations of interest.

15. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes from the meetings held on 9 August 2019 and 16 August 2019 be confirmed as a correct record.

16. APPLICATION FOR A NEW PREMISES LICENCE: DOMINO'S PIZZA, 13 BELGRAVE BOULEVARD, LEICESTER, LE4 2JD

The Director of Neighbourhood and Environmental Services submitted a report on a new premises licence for, Domino's Pizza, 13 Belgrave Boulevard, Leicester, LE4 2JD.

Members noted that a representation had been received, which necessitated the application had to be considered by the Sub-Committee.

The Applicant, the Franchisee and a legal representative were in attendance. Terence Olaf from Environmental Health and Alistair Hollis from the Noise Team at Leicester City Council were in attendance.

Also present was the Licensing Team Manager and the Legal Adviser to the Sub-Committee.

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

The Licensing Team Manager presented the report. It was noted that an application for a new premises licence had been received on 21 August 2019. A representation had been received on 17 September 2019 from the Noise and Pollution Control Team at Leicester City Council in relation to the prevention of public nuisance. The Noise Team were concerned that on street activities associated to the premises would cause noise disturbances to nearby residents during the hours of the night.

Representatives from the Noise and Pollution Control Team were then given the opportunity to outline the reasons for their representations and responded to questions from the Sub-Committee.

The applicant's Legal Representative was then given the opportunity to outline the application and respond to the questions from the Sub-Committee. In light of the concerns raised by the Noise and Pollution Team, the applicant's Legal Representative put forward an amendment to the business opening hours. The premises now proposed opening hours from 11am to 11pm for counter service thereafter the premises would be closed to customers. However, a late-night refreshment licence was sought for hot food deliveries from the premises between 11pm and 5am.

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

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

In reaching their decision the Sub-Committee felt they should deliberate in private on the basis that it 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, Legal Adviser to the Sub-Committee, the applicant, franchisee and their legal representative, Terence Olaf from Environmental Health and Alistair Hollis from the Noise Team then withdrew from the hearing.

The Sub-Committee then gave the application full and detailed consideration.

The Legal Adviser to the Sub-Committee was then recalled to the hearing to give advice on the wording of the decision.

The Licensing Team Manager, Legal Adviser to the Sub-Committee, the applicant, franchisee and their legal representative, Terence Olaf from Environmental Health and Alistair Hollis from the Noise Team then returned to the hearing.

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

Resolved:

That the application for a new premises licence for Domino's Pizza, 13 Belgrave Boulevard, Leicester, LE4 2JD be GRANTED

REASON FOR DECISION:

In reaching Their decision the Sub- Committee had carefully considered the Committee report presented by the Licensing Officer, all the representations submitted on behalf of the applicant, the representations from the Noise and Pollution Team and the legal advice given during the hearing.

The Sub-Committee had been asked to determine an application for a new premises licence at 13 Belgrave Boulevard, Leicester. When considering the application, the licensing objectives were of paramount concern. The Sub-Committee had considered the application on its own merits and in accordance with the licensing authority's statement of licensing policy and guidance issued under Section 182 of the Licensing Act 2003.

The application had been received from KL Ventures LTD in accordance with Section 17 of the Licensing Act 2003.

The licensable activities which were the subject of the application were set out in paragraph 5.2 of the Licensing Officers report to the Committee. Representations had been received from the Council's Noise and Pollution Team in its capacity as a Responsible Authority.

The Sub-Committee had fully considered the issues raised by the representation, but having heard the applicant's representative, the Sub-Committee were satisfied that enough practical measures will be put in place to ensure that noise will be kept to a minimum and that nuisance is not caused to people living in the area.

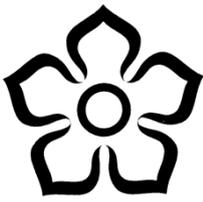
The Sub-Committee were therefore content to grant the application.

However, the Sub-Committee attached the following conditions to the licence in order to address the representations made;

- 1) Delivery vehicles will park approximately 50 meters away after 11pm between the junction of Belgrave Boulevard and Border Drive and the access gate to Border House.
- 2) There will be no more than 5 delivery vehicles used on any evening after 11pm.
- 3) Each delivery driver operating after 11pm shall ensure that only one door of their vehicle is used when picking up deliveries. This is to minimise the sound caused by car doors shutting.

17. ANY OTHER URGENT BUSINESS

There being no items of urgent business the meeting closed at 10:55am.



Leicester
City Council

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

Held: MONDAY, 28 OCTOBER 2019 at 9:30 am

P R E S E N T:

Councillor Hunter (Chair)

Councillor Fonseca

Councillor Dr Moore

* * * * *

18. APPOINTMENT OF CHAIR

Councillor Hunter was appointed as Chair for the meeting.

19. APOLOGIES FOR ABSENCE

There were no apologies for absence.

20. DECLARATIONS OF INTEREST

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

Councillor Hunter declared that she had heard the Licensing Hearing on 16th August when the licence had been revoked for The Yellow Door but would approach the application before her with an open mind.

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

21. OBJECTION NOTICE GIVEN FOR A TEMPORARY EVENT NOTICE: THE YELLOW DOOR, 34 BELVOIR STREET, LEICESTER, LE1 6QH

The Director of Neighbourhood and Environmental Services submitted a report that required Members to determine an application for a temporary event notice (TEN) submitted by The Yellow Door, 34 Belvoir Street, Leicester, LE1 6QH.

Members noted that an objection notice had been received in respect of the application, which necessitated that the application for the TEN had to be considered by Members.

The applicant Mr Mitchell Humby was not present. PC Jeff Pritchard (Licensing Officer, Leicestershire Police), Licensing Team Manager, and Legal Adviser to the Sub-Committee were present. Also in attendance was a reporter from the Leicester Mercury.

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

The Licensing Team Manager presented the report and answered questions from Members. It was noted that an objection notice had been given by Leicestershire Police on the grounds of the prevention of crime and disorder, the prevention of public nuisance and public safety.

PC Pritchard outlined the reasons for the objection notice and responded to questions from Members.

PC Pritchard was then given the opportunity to sum up and make any final comments.

Prior to the Sub-Committee considering the application, the Legal Adviser to the Sub-Committee advised of the options available to them in making a decision. The Sub-Committee 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, the Sub-Committee felt they should deliberate in private on the basis that this was in the public interest of their deliberation taking place with the parties represented present, in accordance with the provisions of the Licensing Act 2003 (Hearings) Regulations 2005.

The Licensing Team Manager, Legal Adviser to the Sub-Committee, PC Pritchard and reporter from the Leicester Mercury then withdrew from the meeting.

The Sub-Committee then gave the application their full and detailed consideration. The Legal Adviser to the Sub-Committee was recalled to the hearing to give advice on the wording of the decision.

The Licensing Team Manager, PC Pritchard and reporter from the Leicester Mercury then returned to the meeting.

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

RESOLVED:

That a counter notice under Section 105 (2) of the Licensing Act

2003 be issued for the Temporary Event Notice as it was considered appropriate for the promotion of the licensing objectives to do so.

REASON FOR THE DECISION

The Sub-Committee members had been asked to determine an objection submitted by Leicestershire Police in relation to a Temporary Event Notice (TEN) given under the Licensing Act 2003 by Mr Mitchell Humby on behalf of Yellow Door.

In reaching their decision Members considered the written objections filed by Leicestershire Police together with the oral submission made by them at the hearing. Members had also considered the TEN itself, though the applicant did not attend the hearing.

The Sub-Committee stated that whilst they had considered the matter on its own merits, they were bound to take note of the Sub-Committee's decision on 16th August 2019 to revoke the Premises Holders licence following an application for a review. The Sub-Committee acknowledged that its decision of 16th August 2019 was the subject of an appeal the hearing of which was listed for 7th and 9th January 2020.

The Sub-Committee noted the TEN was for the period of 31st October to 3rd November 2019 and sought to operate licensable activities for the sale by retail of alcohol for consumption on the premises and provision of regulated entertainment for the hours 9.00pm until 5.00am on those dates. The reason given for the TEN was to celebrate Halloween.

The Police had objected to the TEN stating that they continued to have no confidence in the management of the premises to operate a safe environment for its customers and they further submitted that the management continued to place their customers at significant risk of harm. The Police had provided information on eight further incidents which they said had occurred since 6th August 2019, including an incident on 5th October 2019 when it was said that CCTV cameras captured two SIA registered door staff assault three members of the public several times.

Members noted that the Licensing Act 2003 Guidance in relation to the licensing objective of Crime and Disorder advised local authorities to look to the Police as the main source of advice on crime and disorder. The Sub-Committee Members stated they had scrutinised the information put before them by the Police and not taken anything at face value.

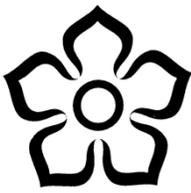
The Sub-Committee accepted the Police submission regarding the ability of the management to operate a safe environment for its customers and took heed of the Police assessment that management of the premises continued to place its customers at a significant risk of harm. The Sub-Committee said that additional hours sought from Thursday 31st October to Sunday 3rd November could only exacerbate the identified risks on what was said to be the second busiest

period of the year. The Sub-Committee stated nothing had been placed before them by the applicant as to what additional measures would be put in place during the period requested and what steps had been taken to address the issues previously identified.

The Sub-Committee concluded that they had carefully considered the options available to them. In light of matters they had set out, their decision was that it was appropriate for the promotion of the Licensing Objectives of the prevention of crime and disorder, public safety to give the applicant a counter notice under Section 105(2) of the Licensing Act 2003.

22. CLOSE OF MEETING

There being no other items of urgent business, the meeting closed at 10.11am.



Leicester
City Council

WARDS AFFECTED
Castle

Appendix B

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

13 November 2019

**Objection notice given for a Temporary Event Notice
The Apres Lounge, 94 High Street, Leicester, LE1 5YP**

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.

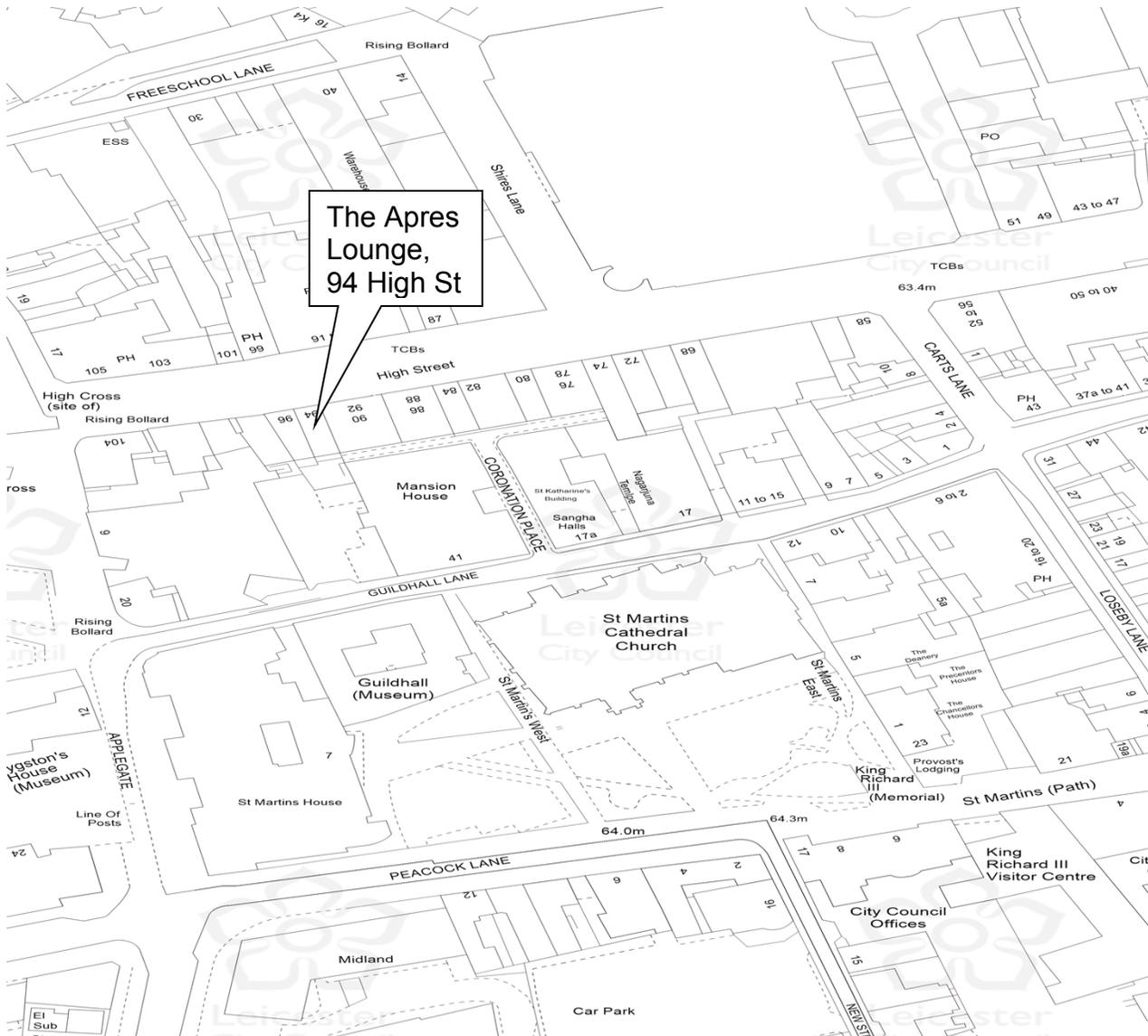
2. Determination to be made

- 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 Leicester City Council's Noise Team in response to a temporary event notice given by Mr Ercan Dogan for The Apres Lounge. 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 Wednesday, 30th October 2019 by Mr Ercan Dogan for an event at The Apres Lounge in the garden of the premise. The temporary event notice is for an event from Friday 15th November 2019 until Sunday 17th November 2019 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)	19.00 to 04.00 the following morning
Provision of regulated entertainment	19.00 to 04.00 the following morning

6. Objection notice

- 6.1 An objection notice was received on 5 November 2019 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 The premises identified in the temporary event notice is partially covered by an existing premises licence. One or more of the conditions on this premises licence may be applied to the temporary event notice if Members consider it appropriate for the promotion of the licensing objectives, and insofar as the conditions are not inconsistent with the carrying on of licensable activities under the notice. A copy of the existing premises licence, including the conditions are attached at Appendix C.

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 – 7.36	Police and Environmental Health intervention
7.38 – 7.39	Applying conditions to a TEN

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

Deborah Bragg
Licensing Manager (Policy and Applications)
0116 454 1924
deborah.bragg@leicester.gov.uk

APPENDIX	CONTENT
A	Temporary event notice
B	Objection notice
C	Existing premises licence



**Leicester
Temporary Event Notice
Licensing Act 2003**

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

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

Are you an agent acting on behalf of the applicant?

Yes No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number include country code.

Other telephone number

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.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name If your business is registered, use its registered name.

VAT number Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

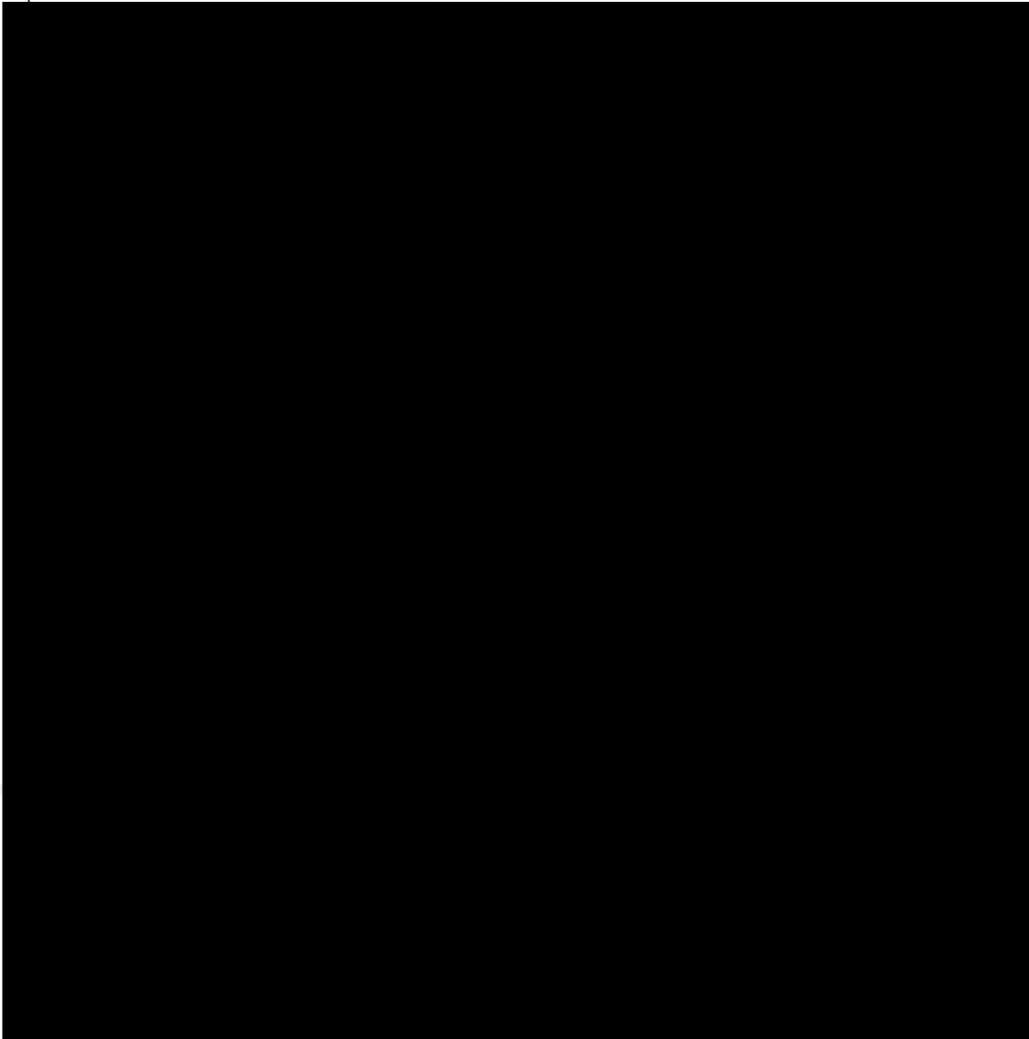
County or administrative area

Postcode

Country

Section 2 of 9

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



ant must be 18 years of age or older

ox need not be completed if you are an
ual not liable to pay UK national
nce.

" is selected you can re-use the details
ection one, or amend them as
ed. Select "No" to enter a completely
et of details.

Continued from previous page...

Additional Contact Details

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

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.

Yes No

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?

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.

Yes No

* 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

* Premises licence number

Location Details

* Provide further details about the location of the event

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)

(see also guidance on completing the form, note 10)

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

(see also guidance on completing the form, note 11)

Note that the maximum number of people cannot exceed 499.

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 12):

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

Section 5 of 9

RELEVANT ENTERTAINMENT (See also guidance on completing the form, note 13)

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

Section 6 of 9

PERSONAL LICENCE HOLDERS (See also guidance on completing the form, note 14)

Do you currently hold a valid personal licence? Yes No

Provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue / /
dd mm yyyy

Any further relevant details

Continued from previous page...

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES (See also guidance on completing the form, note 15)

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

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 16)

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

Continued from previous page...

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:

Yes No

- a) Ends 24 hours or less before; or
- b) Begins 24 hours or less after the event period proposed in this notice?

Section 9 of 9

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

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 19)

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

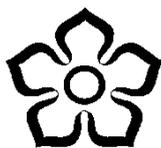
Applicant reference number	Temporary licence
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

1 2 3 4 5 6 7 8 9 Next >

This TEN has been acknowledged by Leicester City Council.



Thu, 31/10/2019



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

Details of Relevant Authority
Name and Job Title: Terence Olaf Pollution Control Officer
Address: Noise and Pollution Control Team, Leicester City Council, Phoenix House, 1 King Street, Leicester, LE1 6RN.
Phone Number: 0116 454 3056

Details of Premises Representation is about
Name of Premises: The Apres Lounge
Address: 94 High Street, Leicester
Application Number: 121564
Our Reference: 19/12591/PNCNLT

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

Representation

I wish to make representation in connection with this application for a temporary event notice (TEN) for events to be held on 15-17 November 2019 from 19:00 hours to 04:00 hours. I consider this proposal will be detrimental to the licensing objective of public nuisance.

REASONS:

The TEN is for DJ events including amplified music outdoors (rear garden) of The Apres Lounge. The premises, is very close to residential properties on Guildhall Lane. The noise and pollution control team have received several noise complaints and have recently witnessed a statutory noise nuisance from loud music from a DJ event in the rear garden of The Apres Lounge. The provision of outdoor events involving amplified music in the city centre is particularly problematic because of the number of residential units in very close proximity.

If the Temporary Event is allowed to on ahead it is most likely to result in complaints of noise nuisance.

Licensing Act 2003

Premises Licence**LEIPRM1554**Leicester
City CouncilLocal Services & Enforcement
Leicester City Council
York House
91 Granby Street
Leicester
LE1 6FB(0116) 4543040
licensing@leicester.gov.uk

Part 1 - Premises Details

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

Apres Lounge, The

94 High Street, Leicester, LE1 5YP.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

Expires **no expiry**

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Mon-Sun	10:00am	4:00am
F. Playing of recorded music (Indoors)	Mon-Sun	10:00am	4:00am
G. Performance of dance (Indoors)	Mon-Sun	10:00am	4:00am
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Mon-Sun	10:00am	4:00am
I. Late night refreshment (Indoors)	Mon-Sun	11:00pm	4:00am
J. Supply of alcohol for consumption ON and OFF the premises	Mon-Sun	10:00am	4:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Unrestricted	10:00am	4:00am



Licensing Act 2003

Premises Licence

LEIPRM1554



Leicester
City Council

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

(0116) 4543040
licensing@leicester.gov.uk

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON and OFF the premises

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Ercan Dogan

2a Avenue Road, Leicester, LE2 3EA.
[REDACTED]

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

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

Alex SALTER
[REDACTED]

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. HHTER00636

Issued by - Harborough





Leicester
City Council

Local Services & Enforcement
Leicester City Council
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ANNEXES**Annex 1 - Mandatory conditions**

No supply of alcohol may be made under the premises licence -

- a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-

- a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supplied alcohol), or
 - ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-

- a) a holographic mark, or
- b) an ultraviolet feature.

The responsible person shall ensure that-

- a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
 - i) beer or cider: ½ pint;
 - ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - iii) still wine in a glass: 125 ml;
- b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

All individual(s) at the premises for the purpose of carrying out a security activity must

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- (b) be entitled to carry out that activity by virtue of section 4 of that Act.

Annex 2 - Conditions consistent with the operating schedule

The licence holder will ensure that CCTV is installed following the advice from the Leicestershire Police and maintained in accordance with the



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ANNEXES continued ...

Commissioners Codes of Practice for CCTV. Recordings will be maintained at all times the premises are open to the public and will be kept for a minimum 31 days. Recordings will be made available to the Police and responsible authorities within 48 hours or a request for the recordings being made.

The licence holder will ensure all incidents of crime and disorder are reported to the Police and recorded in incident book to be kept at the premises and made available immediately to responsible authorities on request.

The licence holder will provide training to all staff, paid or unpaid, working at the premises in relation to Challenge 21. The training is to be documented and repeated a minimum of twice a year to retain focus.

The licence holder will ensure a refusal book is maintained and kept at the premises and made available immediately on request to the responsible authorities.

The licence holder will ensure information relating to the venue age policy is displayed in prominent positions for customers and staff around the venue.

The licence holder will provide drug awareness training for all staff at the premises, whether paid or unpaid which will be fully documented. The training must include processes to be followed on finding drugs and dealing with the persons found in possession of drugs.

The licence holder will employ SIA registered door staff between the hours of 22.00hrs till the venue closes on Friday and Saturday nights and at times when a risk is identified by the licence holder or responsible authorities.

The licence holder will ensure access and egress to the premises is only via High Street.

The licence holder will ensure nobody under the age of 18 years will be allowed on the premises.

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

None.



Annex 4 - Plan

