



Leicester  
City Council

**WARDS AFFECTED**  
**Castle**

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

**16<sup>th</sup> August 2019**

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**Application for a review of an existing premises licence**  
**The Yellow Door, 34 Belvoir Street, Leicester**

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**Report of the Director of Neighbourhood and Environmental Services**

**1. Purpose of Report**

1.1. This report provides information for Members about an application made under the Licensing Act 2003, to assist them in determining the outcome of that application.

**2. Determination to be made**

2.1. Having considered the application and representation(s), Members must consider whether to

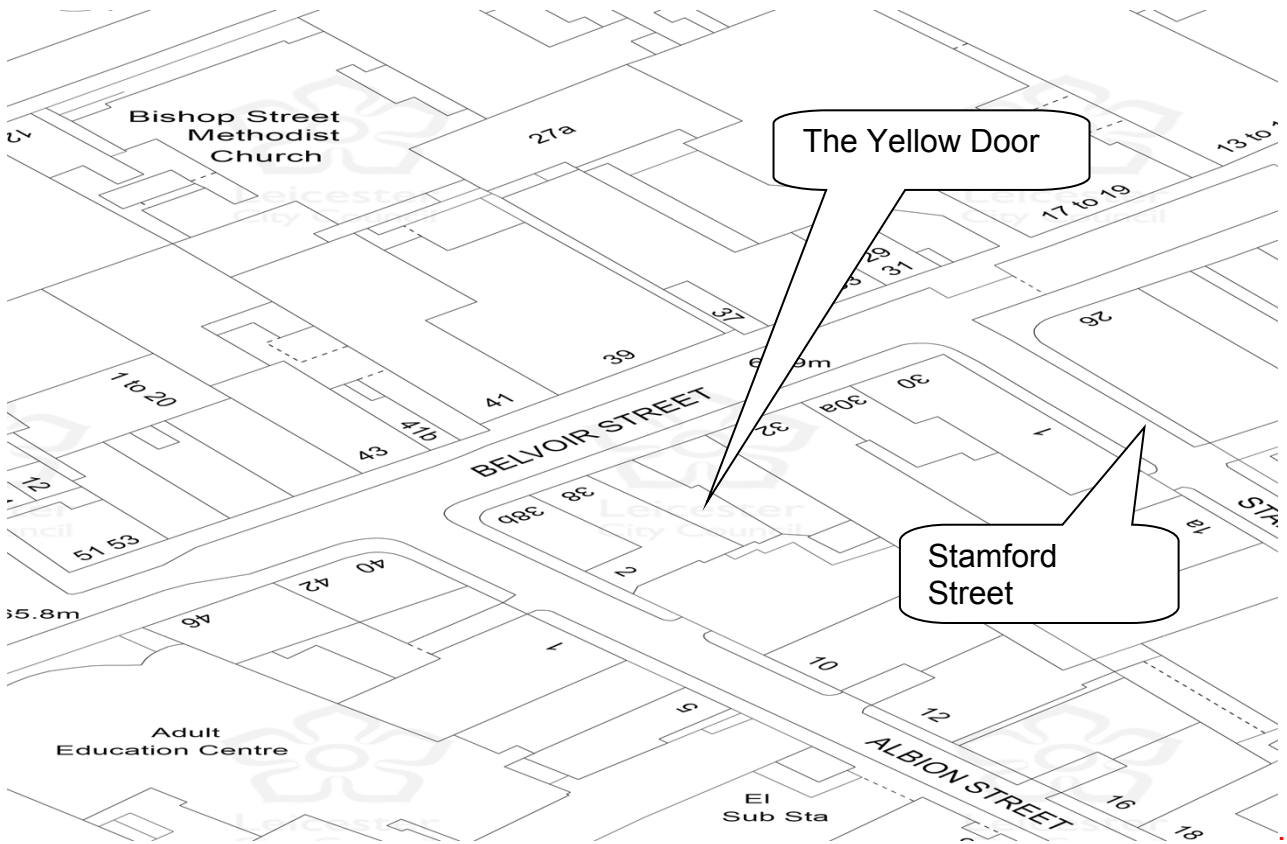
- Reject the review application
- Modify the conditions of the licence
- Exclude a licensable activity from the scope of the licence
- Remove the designated premises supervisor
- Suspend the licence for a period not exceeding three months
- Revoke the licence

2.2 Where Members take the decision to reject the review application, they are permitted to issue an informal warning to the licence holder and / or recommend improvement within a particular period of time.

**3. Summary**

3.1 This report outlines an application for a review of an existing premises licence for The Yellow Door and summarises the representation(s) received. It also highlights the licensing objectives, the relevant parts of the guidance and regulations, and the pertinent sections of the Licensing Authority's Licensing Policy.

#### 4. Location Plan



#### 5. Existing Licence

- 5.1. The existing licence is attached at Appendix A.
- 5.2. The activities and hours permitted by the existing licence are as follows:

Licensable activity	Current Hours
Live Music	Mon-Thurs 19:00-03:00 Fri-Sat 19:00-04:00 Sunday 19:00-01:00 Sunday before a bank holiday 19:00-03:00
Recorded Music	Mon-Thurs 19:00-03:00 Fri-Sat 19:00-04:00 Sunday 19:00-01:00 Sunday before a bank holiday 19:00-03:00
Supply of Alcohol	Mon-Thurs 10:00-03:00 Fri-Sat 10:00-04:00 Sunday 12:00-01:00 Sunday before a bank holiday 12:00-03:00
Opening hours	Mon-Thurs 10:00-03:00 Fri-Sat 10:00-04:00 Sunday 12:00-01:00 Sunday before a bank holiday 12:00-03:00

## 6. Review application

- 6.1 An application was received on 27<sup>th</sup> June 2019 from Leicestershire Police for a review of the existing premises licence for The Yellow Door. The application was made on the grounds of the prevention of crime and disorder, public safety and the prevention of public nuisance. A copy of the application is attached at Appendix B.
- 6.2 Leicestershire Police is concerned that there have been numerous incidents of crime and disorder related to the premises and that the venue has failed to take steps to uphold the licensing objectives and keep the public safe.

## 7. Representations

- 7.1 A representation was received on 22<sup>nd</sup> July 2019 from a member of the public. The representation is in support of the premises who wishes to praise the response of the staff working the Yellow Door when he was assaulted in a nearby premises. A copy of the representation is attached at Appendix C1.
- 7.2 A representation was received on 25<sup>th</sup> July 2019 from the Noise Team. The representation relates to the prevention of public nuisance. The Noise Team have had previous dealings with the premises in relation to noise nuisances in the last year. Whilst no new nuisance has been recorded since May 2019 the Noise Team would like to request that a condition is added to the premises licence requiring all amplified music be played through a noise limiting device set at a level agreed with the Noise and Pollution team. A copy of the representation is attached at Appendix C2.

## 8 Steps to Promote the Licensing Objectives

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

## 9. Statutory Guidance

- 9.1 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
1.2 – 1.5	The licensing objectives
1.15	General principles
1.16	Each application on its own merits
2.1 – 2.6	Crime and disorder
2.7 – 2.14	Public safety
2.15 – 2.21	Public nuisance
8.41 – 8.49	Steps to promote the licensing objectives
9.11 – 9.12	Role of responsible authorities
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
10.25 – 10.66	Mandatory conditions in relation to the supply of alcohol
11.1 – 11.29	Reviews
14.51 – 14.52	Licensing hours

## 10. Statement of Licensing Policy

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

Section	Heading
2	Fundamental Principles
4	Policy on Cumulative Impact
5	Licensing Hours
7	Prevention of Crime and Disorder
8	Public Safety
9	Prevention of Public Nuisance
12	Duplication
13	Standardised conditions

## 11. Points for Clarification

11.1 The licence holder and the applicant for review have been asked to clarify certain points at the hearing, as follows:

*By the premises licence holder*

1. Whether the premises licence holder considers that the concerns outlined in the review application are valid, and if not why not?
2. In the light of the review application, does the applicant wish to propose any additional steps for the promotion of the licensing objectives?

*By the applicant for review*

1. Whether they have any additional information to support the review application 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?

## 12. Other Implications

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

Crime and Disorder	Yes	Parag. 6 – the review application was made on the grounds of the prevention of crime and disorder
Human Rights Act	No	
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

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

a. None

**14. Consultations**

14.1 The Licensing Authority has fulfilled its obligations under the Licensing Act 2003 by preparing a notice which has been:

- Displayed at the premises
- Published on our website, and
- Displayed in Customer Services (91 Granby Street)

for 28 days.

**15. Report Author**

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<b>APPENDIX</b>	<b>CONTENT</b>
A	Existing licence
B	Application for review
C1-2	Representations