



Leicester  
City Council

**WARDS AFFECTED**  
Evington

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

**Friday, 7<sup>th</sup> February 2020**

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**Application for a new premises licence**  
**Curry Flavour Restaurant & Bar, 225 Uppingham Road, Leicester, LE5 4DG**

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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.

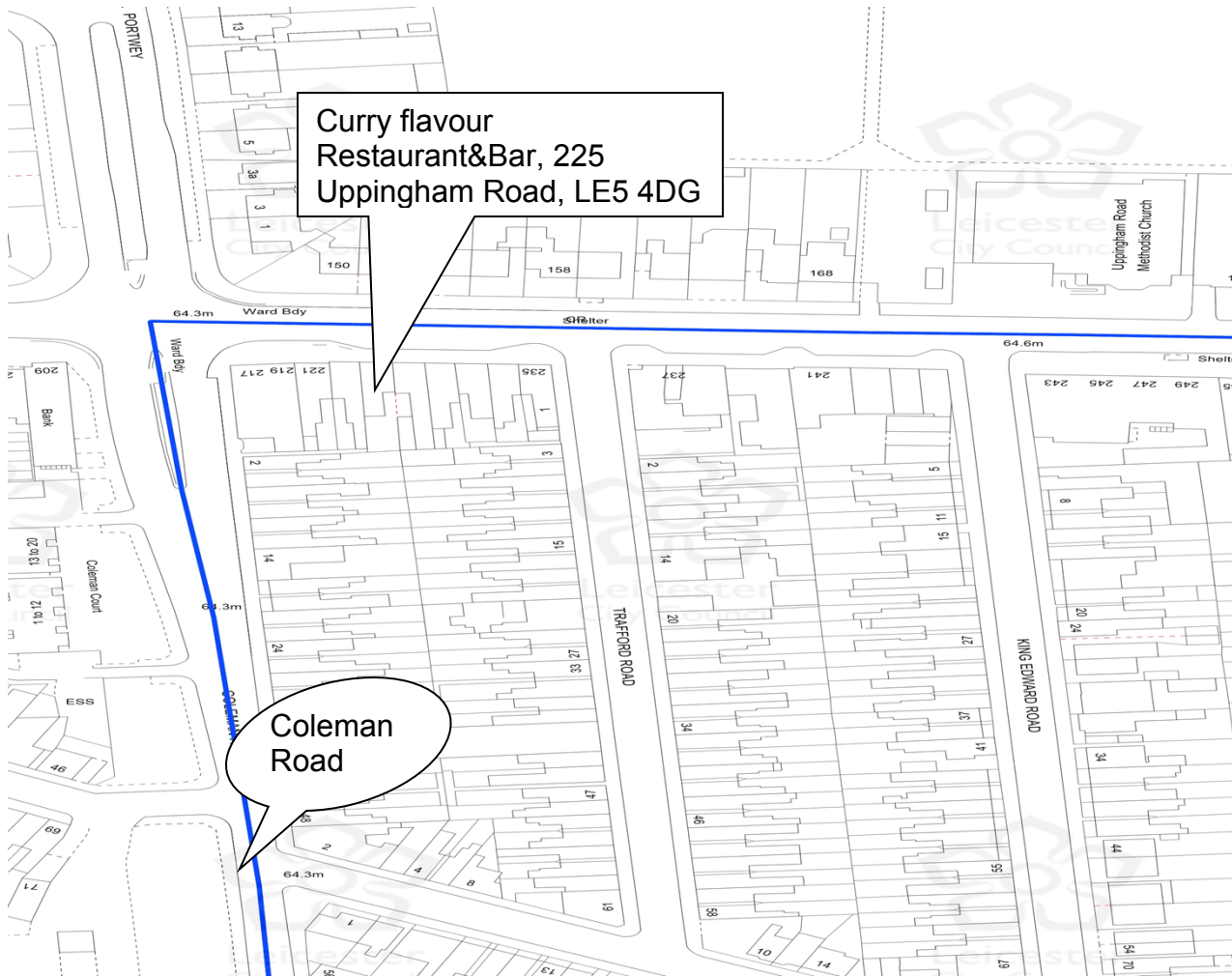
**2. Determination to be made**

- 2.1. Having considered the application and representation(s), Members must consider whether to
- 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 Curry Flavour Restaurant & Bar, 225 Uppingham Road, Leicester, LE5 4DG 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. Existing Application**

5.1. An application was received on 19<sup>th</sup> December 2019 from Mr Dharmesh Lacmo for a new premises licence for “Curry Flavour Restaurant & Bar”. A copy of the Application is attached at Appendix A.

5.2 The application is as follows:

<b>Licensable activity</b>	<b>Current Hours</b>	<b>Proposed Hours</b>
Late night refreshment	Friday – Saturday	23:00 – 02:00
Supply of Alcohol	Sunday – Thursday Friday – Saturday	11:00 – 22:30 11:00 – 01:30
Opening hours	Sunday – Thursday Friday - Saturday	11:00 – 23:00 11:00 – 02:00

## 6. Steps to Promote the Licensing Objectives

- 6.1 The steps the applicant proposes to take to promote the licensing objectives are set out in the operating schedule (see section M of Appendix B).
- 6.2 In arriving at its decision on the application, the Licensing Authority's primary consideration must be the promotion of the licensing objectives

## 7. Representation

- 7.1 A representation was received on 10<sup>th</sup> January 2020 from Mr Naushad & Mrs Sarabanu Ismail, local shopkeepers. The representation relates to the prevention of crime and disorder, the prevention of public nuisance and public safety. The representees are concerned that open drinking will lead to anti-social behaviour and vandalism, in particular to their shop as in the past they had alcohol served in a nearby bar and the damage to the shop shutters commenced. They are also concerned that serving and consuming of alcohol will cause nuisance and fear amongst the tenants occupying the flat above.
- 7.2 A representation was received on 13<sup>th</sup> January 2020 from Leicestershire Police. The representation relates to all four licensing objectives. The Police are concerned that the present application fails to promote the four licensing objectives. However, an agreement between Police and the applicant has been reached.
- 7.3 A representation was received on 14<sup>th</sup> January 2020 from Noise Team. It relates to prevention of public nuisance. The Noise Team are concerned that grant of a licence will be detrimental to the licensing objective of preventing public nuisance. However, an agreement between the Noise Team and the applicant has been reached.

Copies of the representations and Agreements are attached at Appendix B.

## 8. Conditions

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

## 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 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

2.22 – 2.31	Protection of children from harm
3.12 – 3.20	Late night refreshment
8.41 – 8.49	Steps to promote the licensing objectives
9.11 – 9.12	Role of responsible authorities
9.13 – 9.19	Licensing Authorities acting as 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
10.13 - 10.15	Hours of trading
10.25 – 10.66	Mandatory conditions in relation to the supply of alcohol
13.10 – 13.11	Giving reasons for decisions
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
5	Licensing Hours
7	Prevention of Crime and Disorder
8	Public Safety
9	Prevention of Public Nuisance
10	Protection of Children from Harm
12	Duplication
13	Standardised conditions

## 11. Points for Clarification

11.1 The applicant and the parties making the representation have been asked to clarify certain points at the hearing, as follows:

*By the applicant*

1. Whether the applicant considers that the concerns outlined in the 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 representation*

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

**12. Other Implications**

<b>OTHER IMPLICATIONS</b>	<b>YES/ NO</b>	<b>Paragraph/References Within Supporting information</b>
Equal Opportunities	No	
Policy	No	
Sustainable and Environmental	No	
Crime and Disorder	Yes	Para 7.2 - Police representation is partly based on concerns about 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**

None

**14. Consultations**

As this application was received electronically, the Licensing Authority was required to consult with the relevant responsible authorities as set out in the Licensing Act 2003.

**15. Report Author**

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<b>APPENDIX</b>	<b>CONTENT</b>
A	Application
B	Representations
C	Conditions consistent with application and representation / agreement