

Appendix B.1

## **Leicester City Council**

Licensing Act 2003 –  
**Representation in respect of New Premises Application**

<b>Details of person or body making representation</b>	
Your Name:	Tj Mavani, Licensing Enforcement Manager
Your Address:	Licensing Enforcement Licensing Authority Phoenix House 1 King Street Leicester

<b>Details of premises representation is about</b>	
Name of Premises:	Xtra Humongous Ltd
Address of premises:	St Johns Street Leicester
Application No. (if known)	124444

<b>Please tick one or more of the licensing objectives that your representation relates to:</b>	
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 checked="" type="checkbox"/>

<b>Please summarise your concerns about this application:</b>
<p>I write in my capacity as Licensing Enforcement Manager for Leicester City Council Licensing Authority on the authority delegated to me.</p> <p><b>Please take notice that I am satisfied that allowing the premises to be used in accordance with the notice would undermine the Public Safety/Prevention of Public Nuisance/Prevention of Crime &amp; Disorder and Protection of Children from Harm.</b></p> <p>This application requests a premises licence for a large area of external land that is encompassed by St John Street and Burleys Way which is detailed on the submitted plan.</p> <p>This area is the land which surrounds a large number of old, dilapidated and also</p>

currently used factory units.

The site in its current state needs to have significant clearing and protective work to it in order for it to be used safely for any entertainment space for members of the public.

The location of this land sits on the periphery of the inner ring road on the opposite side of the St Margaret's Bus Station. Burleys Way is an arterial traffic route in and out of the city areas as well as a significant route for emergency vehicles. This land is set back from the road however requires access from Burleys Way.

The application details that the type of entertainment this area would be conducting is listed as "festivals to club shows, to orchestral tours to food and drink, events to niche bespoke calendar events for Halloween, open air cinema events and much much more!"

The application does not detail a number above 5000 persons at any one time, however the grant of any licence would allow the area to be occupied up to 5000 people.

The list of activities that have been applied for are:

- Performance of Plays (outdoors)
- Exhibition of Films (outdoors)
- Performance of Live Music (outdoors)
- Playing of recorded Music (outdoors)
- Performance of Dance (outdoors)
- Provision of Late-Night Refreshment (outdoors)
- Supply & Sale of alcohol (on & off premises)

All of the above activities have been applied for Mondays to Sundays from 10:00hrs until Midnight. They have also indicated that the opening hours be from Mondays to Sundays from 09:30hrs until 00:30hrs.

The concerns that we have is that the application in its current state does not satisfy us that the activities and times that have been applied for would not have a negative impact on all of the licensing objectives or that the type of events are not fully clear or defined in order to make a reasonable judgement on this.

One meeting has been conducted between some of the responsible authorities and the applicant who attempted to reassure the meeting that he as an individual was a responsible person and that the with his best intentions would run the events in line with the licensing objectives. However, as a new business it was not possible for the applicant to deliver the full reassurances that were required at that time to mitigate the requirement for this representation. Further information was provided by the applicant as a result of the meeting which detailed the numbers and types of events that would be conducted being fifteen (15) music events and sixty-eight (68) other types of events. These do state a reduced cease time then applied for and shows that any music event expected to be over 2000 persons would trigger a Safety Advisory Group (SAG) assessment process.

It is in our opinion that in the current state of the land and application the application should be refused in order to safeguard the licensing objectives as we do not know how these would be adequately promoted, however we would also state that if the land/area is constructed and adapted for the intended use in line with all legislative and safety requirements and if the committee was minded to consider granting the

licence that all of the following conditions be imposed in full in addition to all of those detailed within the application.

#### General Objectives

- 1) The cease times for all activities to be 22:30 hours on all days.
- 2) A calendar of events booked or planned at the venue will be served on the Police Licensing Office, the Licensing Enforcement Team of the Licensing Authority, the Noise Pollution Team and the Festivals & Events Team at Leicester City Council at least 30 days in advance in an agreed format and delivery.
- 3) Any event that is assessed to be deemed a risk event by any of the responsible authorities, the Licensing Authority will require the implementation by the Licence Holder of the Event Management Plan Process (EMPP) and the related conditions.
- 4) All Live music or recorded music events (limited to 12 in a calendar year) that involve a band, music artist or DJ will be automatically be required to implement the event management plan process (EMPP).
- 5) The licence is subject to Leicester City Council's Standard Conditions for Places of Public Entertainment, published on the Licensing Authority's website [www.leicester.gov.uk/licensing](http://www.leicester.gov.uk/licensing)
- 6) The licence is subject to the licence holder, when the EMPP is implemented, in satisfying the deadlines set in relation to submission of any event plans, risk assessments or any other documents or plans required by the Authorities/Agencies. If these deadlines are not adhered to satisfactorily as deemed by the Licensing Authority, the licence is deemed null and void and all licensable activities will not be licensed.
- 7) When the EMPP is implemented, the licence holder must submit a fully documented event management plan to the Licensing Authority which must be completed within the agreed timelines. The plan must include full details relating to at the very least; event management structure and contact details, site plans, programme timings, attendance estimations, site, staging and facilities provisions, Emergency risk assessments and access, public communications, insurances and any other areas of consideration. Consultation must take place between the licence holder and the Responsible Authorities to achieve this and will be adhered to in full.
- 8) The Licensing Authority will consult with all the required authorities/agencies to ensure that all of the conditions are complied with in full in regards to the terms of the EMPP and inform the licence holder if this is not the case which will require immediate compliance and if not the condition/s relating to deadlines will come into force.

- 9) The time restrictions of activities stated on the licence are the maximum allowed, however the time limits stated within the event management plan or risk assessments would be those applicable.
- 10) The licence holder will comply with all reasonable actions or steps directed by or an officer acting on behalf of the Licensing Authority.

#### Prevention of Crime & Disorder

- 11) The licence holder will submit to Leicestershire Police (Operations planning department or as directed) any documents that they require as part of a documented plan or risk assessment that must be submitted in line within agreed deadlines of the EMPP.
- 12) The licence holder will complete any reasonable requests or instructions issued by the police in relation to the event/s.
- 13) Full consideration and assessment must take place of the security provision. This must be done in consultation with the police and the Licensing Authority. The authorities must be satisfied that the provisions are in place, meet the requirements of any event/s and will be adhered to in full.
- 14) Any personnel that require to be SIA registered must be correctly licensed and must display their SIA identification prominently at all times during any event/s.
- 15) The Licence Holder must ensure that all staff (paid or unpaid) selling alcohol are trained on the law with regards to age restricted sales, in particular what identification can be accepted and that this is properly documented.

#### Prevention of Public Nuisance

- 16) A comprehensive noise risk assessment must be completed in consultation with the noise pollution team of the local authority. The authority must be satisfied with this assessment and that it will be adhered to in full.
- 17) The licence holder will take all reasonable steps in order to reduce the chances of any event causing a public nuisance.

#### Public Safety

- 18) The licence holder will monitor and not exceed the maximum safe capacity for any event. This will be determined by the local authority in consultation with partner agencies and detailed on the event management plan.
- 19) The licence holder will take into account public safety in all aspects of any events and this must be documented within the event management plan and any other risk assessments or documents submitted to the satisfaction of the relevant part of the local authority.
- 20) The licence holder will consult and comply with any required public safety

actions directed by the relevant parts of the local authority.

- 21) The licence holder will consult with the Traffic Management/Highways or relevant parts of the local authority if required and submit a management plan in relation to traffic/highways management. This must be to the satisfaction of the local authority and complied with in full.

Prevention of Harm to Children

- 22) If alcohol is being served or sold, then the age verification scheme 'Challenge 25' must be operated and complied with by all staff members. Staff members must be trained in the scheme and specifically what identification can be accepted. Notices advertising that the premises operates a Challenge 25 scheme must be displayed in a clear and prominent position at the entrance to the event and inside the event at all bar service areas where alcohol is being served or sold.
- 23) A refusals log shall be in operation at each area where the sale of alcohol is being conducted. The refusals log shall be maintained throughout the event and be made available immediately to the police or Licensing Authority on request.

Tj Mavani  
Licensing Team Manager (Enforcement)  
Licensing Authority  
28/02/2020