

Appendix B3

## 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
Your Address:	Licensing Enforcement City Hall, 115 Charles Street, Leicester LE1 1FZ

<b>Details of premises representation is about</b>	
Name of Premises:	Vertigo
Address of premises:	29 Churchgate Leicester LE1 3AL
Application No. (if known)	132193

<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>We would like to submit our representations for this premises application based upon the above stated licensing objectives.</p>

This premises are situated at the heart of the night-time economy area within the city centre and within an area which has been classed as a **Cumulative Impact Area**.

Premises in this area are a mix of retail, fast food outlets and late bars. There are also residential apartments sighted above many of the properties.

This premises came to the attention of the authority in August 2020 when, having been closed since March 2020, this applicant reopened the premises and attempted to affect the transfer of the existing Licence from a previous owner. For various reasons this process was unable to be completed and was discontinued.

Licensing enforcement officers attended the premises and found that no Coronavirus measures has been implemented by the applicant and the premises were far from satisfactory in terms of compliance with the legislation and guidance in place at that time.

Following a meeting with the applicant it was the view of the authority that the he had no knowledge or ability to adhere to guidance and legislation in respect of public safety at the venue. Since this time the venue has remained closed.

We have concerns that the premises will add to the numbers of persons within the area and feel that the conditions that have been listed within the operating schedule would not allow for the management and staff to fully uphold the licensing objectives.

The individual conditions offered by the applicant are not specific enough for us to consider that any of the objectives will be upheld.

Given our information we have genuine doubts that the management are capable to operate the premises for the Licensable Activities applied for due to lack of knowledge and experience.

This application is asking for the premises to be allowed the selected licensable activities until 3am every day. This is catering for a late crowd and with that crowd dynamic there are certain vulnerabilities that the operating schedule and management is required to address in order to uphold the licensing objectives. They have provided no detail in this regard within the application.

As stated the application sits within a designated cumulative impact area identified within the Licensing Policy adopted by Leicester City Council which outlines the issues that arise with the current number of licensed premises in regards to crime and disorder and that an addition of another premises licence would only add, not reduce the issues of crime and disorder.

The application does not address any issues in relation to operating the premises within a Cumulative Impact Area and there is no evidence of any pre engagement with relevant organisations or authorities has taken place.

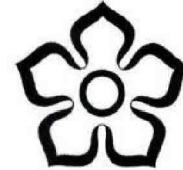
It is understood that despite this, every application must be decided on its own merits.

If the committee are minded to grant the licence, we would strongly urge that all the following conditions be added that would assist in upholding the licensing objectives:

- 1) 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)
- 2) The licence holder will maintain an incident book to record all incidents at the premises of crime & disorder, damage to property and personal injury. This book/record is to be retained at the premises for a minimum of 12 months and made available to the Police or Licensing Authority upon request.
- 3) The licence holder will ensure security are present and identifiable in line with documented security risk assessments conducted by the premises management and those assessments be made available to the Police or Licensing Authority upon request and received within agreed timescales.
- 4) The licence holder will ensure that internal and external CCTV is installed following advice from Leicestershire Police and maintained in accordance with the Information Commissioner's CCTV codes of practice. Recordings will always be maintained and will be retained for a minimum of 30 days.
- 5) The licence holder will ensure that there is a member of staff on the premises whilst it is open to members of the public who are trained to operate and provide images/footage from the CCTV system to the Police or Licensing Authority. Any request for CCTV outside these times will be completed within 24 hours of the request being made.
- 6) The licence holder will ensure that all staff, whether paid or unpaid, will receive training relating to the Licensing Act 2003. The training is to include preventing underage sales, proxy purchasing, serving to drunks and conflict management. The training will be documented, completed annually, signed, and dated on completion by trainer and trainee. Copies will be provided to the Police or Licensing Authority within 24 hours of any request made.
- 7) The licence holder will adhere to the 'Challenge 25' principals and will ensure all staff are fully conversant with the aims of Challenge 25.
- 8) The licence holder will display Challenge 25 posters within the premises in positions where they can be both be seen and read by customers.
- 9) The licence holder shall take reasonable steps to prevent public nuisance being caused by customers outside whilst smoking.
- 10) The licence holder will take all reasonable steps to reduce the chances of any event causing a public nuisance.
- 11) No persons under the age of 18 must be in the premises at any time or for any reason after 21:00hrs on any night. If there is a request for an exception to this condition, this must be authorised by the Police Licensing Manager and the Licensing Authority Enforcement Manager.

12) 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.

Tj Mavani  
Licensing Enforcement  
Licensing Authority  
06/04/2021



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**Licensing Act 2003**  
**Premises Licence Application**  
**Notification to Local Authority of Agreement Regarding**  
**Licensing Enforcement Representations.**

Tuesday 6<sup>th</sup> April 2021

**Vertigo 29 Churchgate Leicester LE1 3AL.**

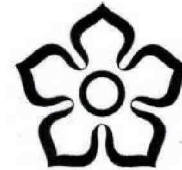
Dear Sir,

I write in my capacity as the applicant in relation to the above matter.

Discussions have taken place with the Leicester City Council Licensing Enforcement in relation to the promotion of the Licensing Objectives.

I am aware that representations have been made that the following conditions should be placed upon the new licence:

- 1) 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)
- 2) The licence holder will maintain an incident book to record all incidents at the premises of crime & disorder, damage to property and personal injury. This book/record is to be retained at the premises for a minimum of 12 months and made available to the Police or Licensing Authority upon request.
- 3) The licence holder will ensure security are present and identifiable in line with documented security risk assessments conducted by the premises management and those assessments be made available to the Police or Licensing Authority upon request and received within agreed timescales.
- 4) The licence holder will ensure that internal and external CCTV is installed following advice from Leicestershire Police and maintained in accordance with the Information Commissioner's CCTV codes of practice. Recordings will be maintained at all times the premises are open to the public and will be retained for a minimum of 30 days.



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- 5) The licence holder will ensure that there is a member of staff on the premises whilst it is open to members of the public who are trained to operate and provide images/footage from the CCTV system to the Police or Licensing Authority. Any request for CCTV outside these times will be completed within 24 hours of the request being made.
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- 12) 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.

**I agree to this/these condition/s and do not therefore consider that a hearing is necessary.**

Yours faithfully,

Signe 

Name (Block Capitals): *MR GEBREKRSTOS EYASU.* 