



Leicester  
City Council

**WARDS AFFECTED**  
**Castle**

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

**7<sup>th</sup> September 2021**

---

**Application for a new premises licence**  
**The Big Difference, 68 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 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 representations, 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 68 High Street, Leicester 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. Application

5.1 An application was received on 16<sup>th</sup> July 2021 from Big Difference Productions for a new premises licence for 68 High Street, Leicester. A copy of the application is attached at Appendix A.

5.2 The application is as follows:

Licensable activity	Proposed Hours
Play	Fri – Sat 12.00 – 00.00
Films	Fri – Sat 10.00 – 00.00
Live Music	Mon – Sun 10.00 – 00.00
Recorded Music	Sun - Fri 10.00 – 00.00 Sat 10.00 – 01.00
Performances of Dance	Fri – Sat 12.00 – 00.00
Anything similar to live/recorded music or dance	Fri 12.00 – 00.00 Sat 10 – 01.00
Late night refreshment	Mon – Thurs 23.00 – 00.30 Fri – Sat 23.00 – 01.30 Sun 23.00 – 00.00

Supply of Alcohol	Mon – Thurs 12.00 – 00.30 Fri – Sat 12.00 – 01.30 Sun 12.00 – 00.00
Opening hours	Mon – Thurs 08.00 – 00.30 Fri – Sat 08.00 – 01.30 Sun 08.00 – 00.00

## 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).

## 7. Regulated entertainment

- 7.1 The Live Music Act 2012 and the Legislative Reform (Entertainment Licensing) Order 2014 amended the Licensing Act 2003 in relation to the provision of regulated entertainment. Certain entertainment does not require a licence subject to audience limits, between 08.00 and 23.00 hours each day.
- 7.2 The above exemptions may affect the application under consideration because conditions may not be imposed at this stage to control live or recorded music that is unregulated. However, if problems do occur as a result of that entertainment then conditions may be imposed to control such music in the future after a formal review.

## 8. Representation

- 8.1 A representation was received on 31<sup>st</sup> July 2021 from the manager of a residential property in the area. The representation relates to the prevention of public nuisance. The manager is concerned that live music, the use of the terrace and the disposal of glasses will disturb residents of the property. A copy of the representation is attached at Appendix B1.
- 8.2 A representation was received on 6<sup>th</sup> August 2021 from Leicestershire Police. The representation relates to the prevention of crime and disorder, the protection of children from harm, public safety and the prevention of public nuisance. Leicestershire Police are concerned that High Street is a busy pedestrian city centre thoroughfare in the day, evening and night-time economy, as revellers often under the influence of alcohol move around the city. This does on occasions result in crime, disorder and anti-social behaviour in the immediate area between different individuals / groups of revellers. The Police have requested a number of extra conditions be added to the licence which the applicant has agreed to. A copy of the representation and agreement is attached at Appendix B2.

## 9. Conditions

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

## 10. Statutory Guidance

- 10.1 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:

<b>Section</b>	<b>Heading</b>
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
9.31 – 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
16.1 – 16.69	Regulated entertainment

## 11. Statement of Licensing Policy

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

<b>Section</b>	<b>Heading</b>
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
11.4 – 11.5	Planning
12	Duplication
13	Standardised conditions
17	Live Music, Dancing, Theatre, Circuses and Street Arts

## 12. Points for Clarification

- 12.1 The applicant and the party / 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 party 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?

## 13. 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	Paragraph 8.2
Human Rights Act	No	
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

## 14. Background Papers – Local Government Act 1972

- 14.1 None.

## 15. Consultations

- 15.1 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.

## 16. Report Author

Amy Day  
Licensing Officer  
0116 454 3054  
Amy.day@leicester.gov.uk

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