

Leicester
City Council

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Castle

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

21st September 2021

Application for a variation of an existing premises licence
The Grand Union, 3-5 New Walk, 24 King Street, Leicester, LE1 6RL

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.

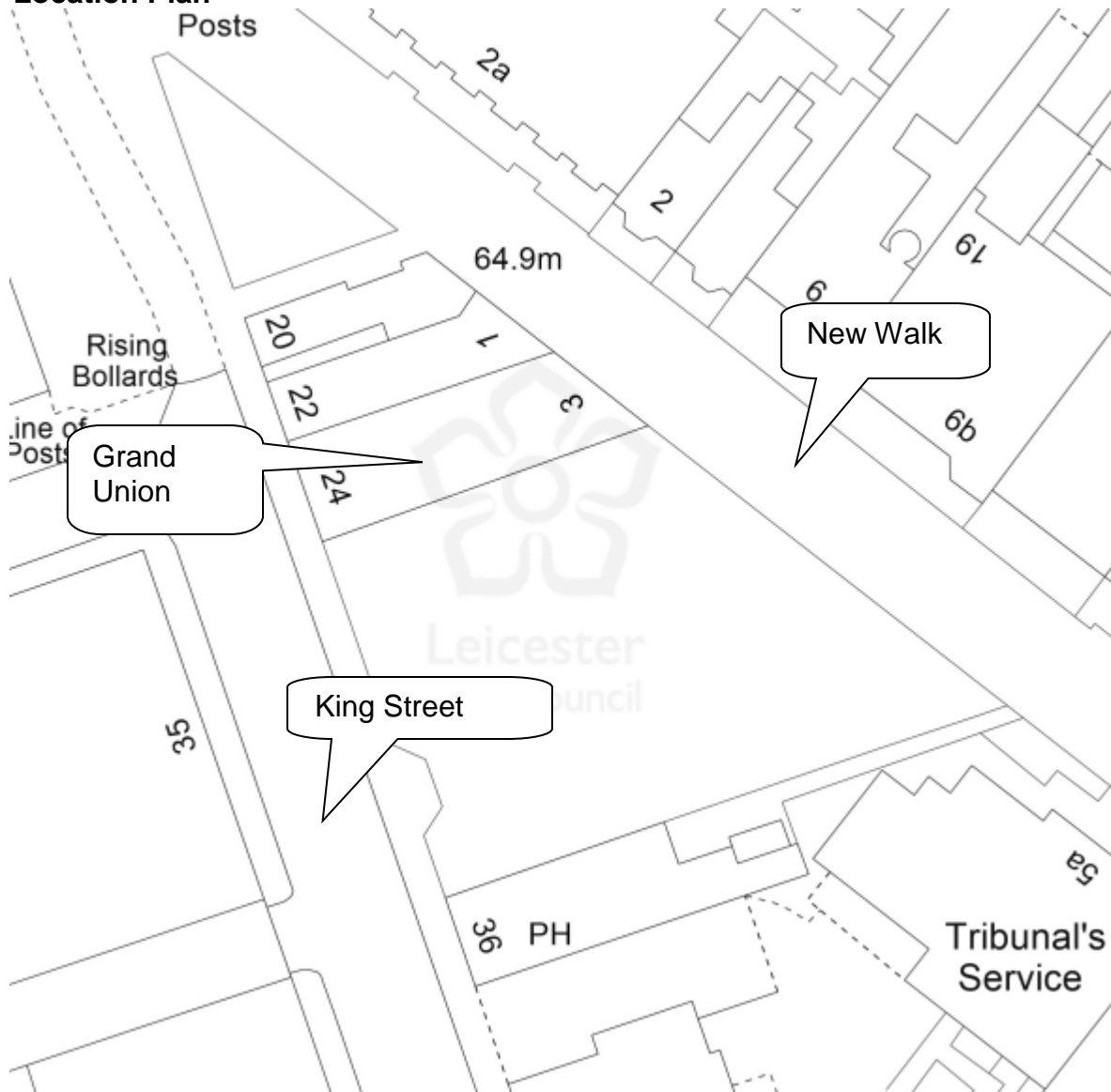
2. Determination to be made

- 2.1. Having considered the application and representations, Members must consider whether to
- Grant the licence without modification
 - Modify the conditions of the licence
 - Reject the whole application

3. Summary

- 3.1 This report outlines an application for a variation to an existing premises licence for The Grand Union 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 Licence**

5.1. The existing licence is attached at Appendix A.

6. **Application**

6.1 An application was received on 4th August 2021 from Marstons PLC for a variation to an existing premises licence for The Grand Union. A copy of the application is attached at Appendix B.

6.2 The variation sought by the application is as follows:

Licensable activity	Current Hours	Proposed Hours
Live Music	Mon-Sat 12:00-00:00 Sunday 12:00-23:00	Sun-Weds 10:00-02:00 Thurs- Sat 10:00-04:00

Recorded Music	Unrestricted	Sun-Weds 10:00-02:00 Thurs- Sat 10:00-04:00
Performances of Dance		Sun-Weds 10:00-02:00 Thurs- Sat 10:00-04:00
Late night refreshment		Sun-Weds 23:00-02:00 Thurs- Sat 23:00-04:00
Supply of Alcohol	Sun-Weds 10:00-01:00 Thurs-Sat 10:00-02:00	Sun-Weds 10:00-02:00 Thurs- Sat 10:00-04:00
Opening Hours	Unrestricted	Unrestricted

- An extra hour for all activities at the start of British Summer Time

7. Steps to Promote the Licensing Objectives

- 7.1 The applicant has not proposed any additional conditions on the licence as they do not believe it to be necessary (see section M of Appendix B).
- 7.2 In arriving at its decision on the application, the Licensing Authority's primary consideration must be the promotion of the licensing objectives.

8. Regulated entertainment

- 8.1 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.
- 8.2 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.

9. Representation

- 9.1 A representation was received on 31st August 2021 from a ward councillor. The representation relates to the prevention of public nuisance. The local councillor is concerned that the longer hours will result in increased noise and disruption for nearby residents. A copy of the representation is attached at Appendix C1.
- 9.2 A representation was received on 31st August 2021 from a local resident. The representation relates to the prevention of crime and disorder and the prevention of public nuisance. The local resident is concerned that the variation would lead to increased noise and require an increased police and licensing enforcement presence. A copy of the representation is attached at Appendix C2.

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:

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
2.15 – 2.21	Public nuisance
8.41 – 8.49	Steps to promote the licensing objectives
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
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:

Section	Heading
2	Fundamental Principles
3	Cumulative Impact
5	Licensing Hours
7	Prevention of Crime and Disorder
9	Prevention of Public Nuisance
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 parties making the representations 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 representations

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

OTHER IMPLICATIONS	YES/ NO	Paragraph/References Within Supporting information
Equal Opportunities	No	
Policy	No	
Sustainable and Environmental	No	
Crime and Disorder	No	
Human Rights Act	No	
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

14. Background Papers – Local Government Act 1972

- a. None.

15. Consultations

- a. 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

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APPENDIX	CONTENT
A	Existing licence
B	Application
C1-2	Representations