
Application for a new premises licence

Licensing (Hearings) Sub-Committee

Decision to be taken by: Licensing (Hearings)
Sub-Committee

Date of meeting: 28/03/2022

Lead director/officer: Deborah Bragg

Useful information

- Ward(s) affected: Abbey
- Report author: Lynsay Coupe
- Author contact details: 0116 454 3065
- Report version number: 1

1. Summary

- 1.1 This report outlines an application under the Licensing Act 2003 for a new premises licence for Corah Works, 1st Floor, Euro House, St John Street, Leicester LE1 3WL and summarises the representations received. It also highlights the licensing objectives and the relevant parts of both the statutory guidance and the Licensing Authority's Licensing Policy.

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. Application and promotion of the licensing objectives

- 3.1 An application was received on 01/02/2022 from Mr Karandeep Gill for a new premises licence for Corah Works, 1st Floor, Euro House, St John Street, Leicester. This premises previously held a premises licence, however the licence lapsed in 2021. A copy of the application is attached at Appendix A.
- 3.2 The application is as follows:

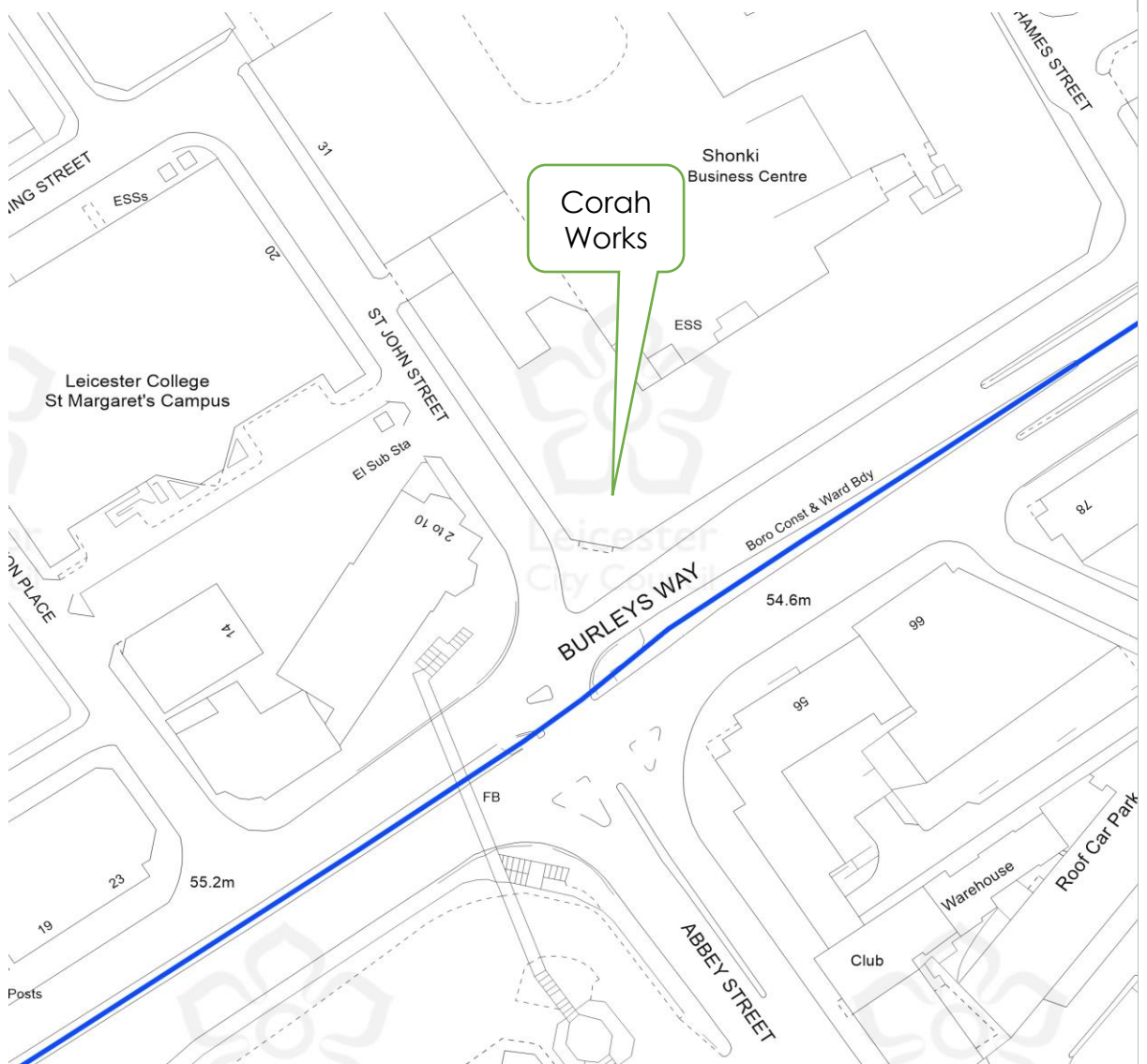
Licensable activity	Proposed hours
Plays Films	Monday to Sunday 10.00 – 01.00
Indoor Sport	Monday to Thursday 10.00 – 01.00 Friday to Sunday 10.00 – 02.00
Boxing or Wrestling	Monday to Wednesday 10.00 – 01.00 Thursday to Sunday 10.00 – 02.00
Live Music Recorded Music Dance Supply of Alcohol	Monday to Sunday 10.00 – 05.00

Late Night Refreshment	Monday to Wednesday 23.00 – 01.00 Thursday to Sunday 23.00 – 02.00
Opening hours	Monday to Sunday 09.00 – 05.00

3.3 The steps the applicant proposes to take to promote the licensing objectives are set out in the operating schedule (see section M of Appendix A).

3.4 In arriving at its decision on the application, the Licensing Authority’s primary consideration must be the promotion of the licensing objectives.

3.5 Location Plan



4. Representation(s)

4.1 A representation was received on 22 February 2022 from the Licensing Enforcement Team, Leicester City Council. The representation relates to the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of

children from harm. The Licensing Enforcement Team are concerned that the operating schedule within the submitted application does not detail enough or specify conditions that they believe would adequately allow the upholding of the Licensing Objectives. They have proposed conditions to be added to the licence, if granted. A copy of the representation is attached at Appendix B1.

- 4.2 A representation was received on 24 February 2022 from Leicestershire Police. The representation relates to the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm. Leicestershire Police are concerned that the application in its current format if granted would undermine all four of the licensing objectives. They have recommended refusal of the application, however they have also proposed conditions that they would like added to the licence, if granted. A copy of the representation is attached at Appendix B2.
- 4.3 A representation was received on 28 February 2022 from the Noise Team, Leicester City Council. The representation relates to the prevention of public nuisance. The Noise Team are concerned that the music from the premises and noise from people leaving the premise has the potential to cause public nuisance to local residents if conditions are not added. The Noise Team have reached agreement with the applicant to add conditions to the licence, if granted. A copy of the representation and agreement is attached at Appendix B3.

5. Conditions

- 5.1 The conditions that are consistent with the application and agreement are attached at Appendix C.
- 5.2 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. These 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.

6. Statutory guidance and statement of licensing policy

- 6.1 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
9.31 – 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

6.2 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
11.4 – 11.5	Planning
12	Duplication
13	Standardised conditions

7. Points for clarification

7.1 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, whether the applicant wishes 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.

8. Financial, legal, equalities, climate emergency and other implications

8.1 Financial implications

None.

8.2 Legal implications

Legal advice specific to the application will be provided at the meeting by Legal Officers.

8.3 Equalities implications

None.

8.4 Climate Emergency implications

There are unlikely to be any significant climate emergency implications directly associated with this report and the licensing process. Aidan Davis, Sustainability Officer, Ext 28 3384

8.5 Other implications

Crime and disorder – see Section 4.

9. Background information and other papers:

None

10. Summary of appendices:

Appendix A – Application

Appendix B – Representations

Appendix C – Conditions consistent with the application and representations

11. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?

No

12. Is this a “key decision”? If so, why?

No