
Application for a review of an existing premises licence

Licensing (Hearings) Sub-Committee

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

Date of meeting: 16/05/2022

Lead officer: Deborah Bragg

Useful information

- Ward(s) affected: Abbey
- Report author: Amy Day
- Author contact details: 0116 454 3054
- Report version number: 1

1. Summary

- 1.1 This report outlines an application for a review of an existing premises licence for Blackbird News and summarises the representation 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.

2. Determination to be made

- 2.1 Having considered the application and representation, Members must consider whether to
- Reject the review application
 - Modify the conditions of the licence
 - Exclude a licensable activity from the scope of the licence
 - Remove the designated premises supervisor
 - Suspend the licence for a period not exceeding three months
 - Revoke the licence
- 2.2 Where Members take the decision to reject the review application, they are permitted to issue an informal warning to the licence holder and / or recommend improvement within a particular period of time.

3. Application and promotion of the licensing objectives

- 3.1 An application was received on 28 March 2022 from Leicestershire Fire & Rescue Service for a review of the existing premises licence for Blackbird News, 222 Blackbird Road, Leicester. The application was made on the grounds of public safety. A copy of the application is attached at Appendix A.
- 3.2 Leicestershire Fire & Rescue Service are concerned that the premises has failed to take a fire risk assessment and has been non-compliant with an enforcement notice under article 30 of the Fire Safety Order.
- 3.3 The activities and hours permitted by the existing licence are as follows:

Licensable activity	Current hours
Supply of Alcohol	Mon – Sat 08.00 – 23.00 Sunday 10.00 – 22.30 Good Friday 08.00 – 22.30 Christmas Day 12.00 – 15.00 & 19.00 – 22.30
Opening Hours	Unrestricted

3.4 The existing licence is attached at Appendix B.

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

3.6 Location Plan



4. Representation(s)

4.1 No additional representations were received during the statutory representation period.

5. Statutory guidance and statement of licensing policy

5.1 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
2.7 – 2.14	Public Safety
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
11.1 – 11.29	Reviews
13.10 – 13.11	Giving reasons for decisions
14.51 – 14.52	Licensing Hours

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

Section	Heading
4	Promotion of the Licensing Objectives
4.14 – 4.19	Public Safety
5	General Principles
6.43 – 6.26	Conditions
12	Enforcement and Reviews

6. Points for clarification

6.1 The applicant and the 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, whether the applicant wishes 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.

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

7.1 Financial implications

None.

7.2 Legal implications

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

7.3 Equalities implications

None.

7.4 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

7.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

None.

8. Background information and other papers:

None.

9. Summary of appendices:

Appendix A – Application

Appendix B – Existing licence

10. 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.

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

No.