
Application for a new premises licence

Licensing (Hearings) Sub-Committee

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

Decision to be taken on/Date of meeting: 15 March 2023

Lead director/officer: Deborah Bragg

Useful information

- Ward(s) affected: Castle
- 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 Doppler Studio, 3rd Floor, 80-84 High Street, LE1 5YP 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 24 January 2023 from Doppler Studio Ltd for a new premises licence for Doppler Studio, High Street, Leicester. A copy of the application is attached at Appendix A.
- 3.2 The application is as follows:

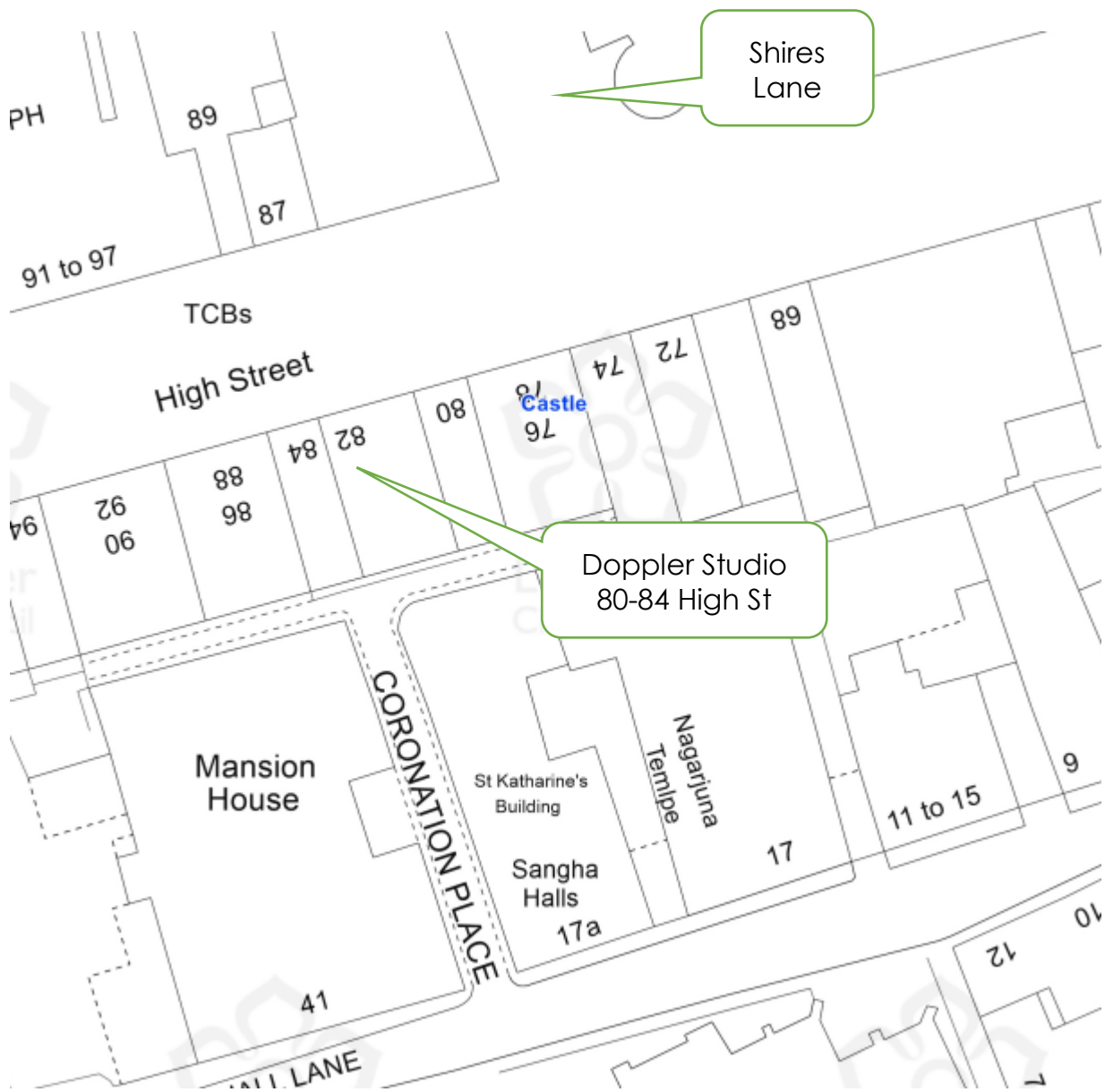
Licensable activity	Proposed hours
Films Live Music Recorded Music	Sunday to Thursday 10.00 – 03.00 Friday to Saturday 10.00 – 05.00
Late night refreshment	Sunday to Thursday 23.00 – 03.00 Friday to Saturday 23.00 – 05.00
Supply of Alcohol	Monday to Thursday 10.00 – 02.45 Friday to Sunday 10.00 – 04.45
Opening hours	Sunday to Thursday 10.00 – 03.00 Friday to Saturday

Non-standard hours:

Day before all UK bank holidays, Boxing Day and New Years Eve - Start 10:00
Finish 05:00 – for Films, Live Music, Recorded Music & Late Night Refreshment.

Day before all UK bank holidays, Boxing Day and New Years Eve - Start 10:00
Finish 04:45 – for sale of alcohol and opening hours.

- 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. Representations

- 4.1 A representation was received on 06 February 2023 from the 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. The representee is concerned that the late operating hours and types of licensable activities could result in an increased risk of alcohol related violent crime, disorder and anti-social behaviour, despite the best intentions of the applicant. The police have reached an agreement with the applicant to add conditions to any licence granted. A copy of the representation/agreement is attached at Appendix B1.
- 4.2 A representation was received on 16 February 2023 from the Noise team. The representation relates to the prevention of public nuisance. The representee is concerned that noise produced from this premises will transmit and interfere with the rightful use of neighbouring residential and other commercial properties. In addition, the late terminal hours will introduce additional noisy activities that could have a detrimental impact on nearby residents and properties. A copy of the representation is attached at Appendix B2.

5. Conditions

- 5.1 The conditions that are consistent with the application and the representation from the Police 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
4	Promotion of the Licensing Objectives
5	General Principles
6	Premises Licences and Club Premises Certificates
8	Areas of Specific Interest and Consultation

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 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.

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

None

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 representation from the Police

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