



Representation in respect of a New Premises Application

Licensing Act 2003

Details of person or body making representation:	
Your Name:	Tj Mavani
Your position/role:	Licensing Enforcement Manager

Details of premises representation is about:	
Name of Premises:	La Piana
Address of premises:	14-16 King Street Leicester LE1 6RJ
Application No. (if known)	158519

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of Crime and Disorder	<input checked="" type="checkbox"/>
Public Safety	<input checked="" type="checkbox"/>
Prevention of Public Nuisance	<input checked="" type="checkbox"/>
Protection of Children from Harm	<input checked="" type="checkbox"/>

Authority Declarations:
<p>I write in my capacity as Licensing Enforcement Manager for Leicester City Council Licensing Authority on the authority delegated to me.</p> <p>Please take notice that I am satisfied that allowing the premises to be used in accordance with the application would undermine the above stated Licensing Objectives and as such submit our representations.</p>

Representations:
<p>We would like to submit our representations for this premises application based upon the above stated licensing objectives.</p>

The application is for a new Premises Licence for the La Piana restaurant. The opening hours of the restaurant are 11:00hrs until 04:30hrs Monday to Sunday; the performance of dance indoors has been requested from 23:00hrs until 04:00hrs; the provision of late night refreshment indoors has been requested from 23:00hrs until 04:00hrs; with the supply of alcohol for consumption both on and off the premises Mondays to Sundays from 11:00hrs until 04:00hrs.

No seasonal variations have been applied for.

The application suggests that the premises will be used as an Argentinian restaurant with a wine and cocktail bar for an immersive experience for the food enthusiast.

The premises is located at 14-16 King Street a pedestrian area of the city at the bottom of New Walk. The area consists of commercial buildings, residential properties, and has several late-night public houses, bars and clubs licensed for the sale of alcohol both on and off the premises. There are also several off-licences in the immediate vicinity.

The proposed area to be licensed is on the ground floor only using the front door for both access and egress.

There is access to the basement via the central corridor. The stairs lead up to the first floor of the building contains the toilets for staff and customers, the kitchen and the office.

At 14:00hrs on Tuesday 29th November 2023, Elizabeth Arculus, Licensing Officer within the Licensing Enforcement Team at Leicester City Council attended the premises and was met by the applicant, Mr Mauro Culasso and the designated premises supervisor Mrs Valeria Bernardi who is still yet to undertake her personal alcohol licence training. They went through the building together and the purpose of the facility was explained to her. They discussed the general operation of the premises and Mr Culasso explained some of the methods to counter some of the concerns that were raised whilst being shown round.

Some of the specifics that Mr Culasso relayed were that he was the joint director of the premises which would be called White Tango with Mrs Bernardi and that they have held a premises licence (LEIPRM1102) since 21st May 2021 which had lapsed on 14th March 2023. The premises licence permitted an exhibition of a film, a performance of live music, any playing of recorded music, entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance, provision of late night refreshment and the supply of alcohol between the hours of 10:00hrs and 04:00hrs.

Mr Culasso confirmed that the CCTV system would be of the highest quality including provision for the clear facial recording of any persons entering the premises. The system will include a separate monitor with external cameras covering the front entrance. The internal cameras cover all accessible areas of the restaurant.

Discussions took place with the applicant and the DPS around the Licensing Authority's concerns regarding the functions of another late night premises opening in the King Street/ New Walk vicinity.

The Licensing Authority do have concerns about the premises and the effects it may have on the local community, both business and residential. This relates to the timings of the applied activities, the location of the CCTV cameras, the control of the age range of the persons attending and also the detail of the operating schedule that has been applied for. The operating schedule

does lay out some of the intentions of the applicant however, it is loose in specifically how they would uphold the licensing objectives.

We believe that with the amendments and additions shown below that the premises and applicant could promote the licensing objectives in line with conducting their business in a safe manner.

Conditions Details:

We believe the below additions/amendments of conditions in full, which we believe are reasonable, proportionate and enforceable, may assist the Licence Holder in upholding the licensing objectives.

We have detailed, for clarity, those that

- (a) We believe should be replaced from the applied operating schedule with our proposed wording
- (b) Those to be removed from the operating schedule and;
- (c) Those that are in addition.

Any wording on the operating schedule that is not detailed below to remain on any licence

(a) Conditions to be replaced from Operating Schedule

Wording contained within the applied operating schedule as copied below be replaced with Requested Condition/s:

Operating Schedule Wording:

- The premises shall install and maintain a comprehensive CCTV system.
- All entry and exit points will be covered enabling frontal identification of every person in any light condition.
- The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
- All recordings shall be stored for a minimum period of 31 days with date and time stamping.
- Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
- A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
- Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card, or Military ID with the PASS Hologram.

To be replaced with:

- The licence holder will ensure a high definition, colour HD CCTV camera system is installed, operational and recording whilst the premises is open to the public. The system must permit the identification of individual(s) in all lighting conditions.
- CCTV cameras must cover all areas that the public have access to, including the entrance, exit and pavement area immediately outside the premises.
- CCTV system images must be securely stored, display an accurate date/time stamp and retained for a minimum of 31 days.
- The licence holder will ensure the premises CCTV is provided to an officer from a responsible authority in a downloadable and viewable format within fourteen days of being requested.
- The licence holder will ensure that there is always a member of staff trained and available to download images/ footage immediately or an agreed timescale if requested by the police or the Licensing Authority.
- The licence holder shall take reasonable steps to prevent public nuisance being caused by customers outside the premises by displaying prominent Quiet notices requesting customers respect the needs of local residents.
- A Challenge 25 policy will be adopted with the only acceptable proof of age identification consisting of a current passport, photo card driving licence or identification carrying a PASS logo. A training record must be kept on the premises, retained for 12 months from the date of the incident and produced to an officer from a responsible authority upon request.

(b) Conditions to be removed from Operating Schedule

Wording contained within the applied operating schedule as copied below be removed:

Operating Schedule Wording to be removed:

N/A

(c) Requested Additional Conditions

Condition/s wording below to be added in full to any granted licence:

- The premises will predominantly be for the use as a restaurant.
- A substantial food menu will be displayed and items available for order during licensable hours.
- An incident and refusals log will be kept on the premises and retained for a period of 12 months from the date of the incident. The log will be made immediately available for inspection on request of an officer from a responsible authority.
- The licence holder will ensure that a full fire risk assessment will be conducted and reviewed and implemented in line with Fire Safety Legislation annually.
- There will be regular safety checks of areas such as toilets and entrances/exits and recorded in a logbook which will be kept on the premises and immediately available upon request from any authority officers.

- The Licence is subject to Leicester City Council’s Standard Conditions for Places of Public Entertainment, published on the Licensing Authority’s website www.leicester.gov.uk/licensing

Appendix:

No Appendix

Click or tap here to enter text.

Authority Signatures:

Tj Mavani
Licensing Enforcement Manager
Leicester City Council
30/11/2023

Reporting Officer
Elizabeth Arculus

Licensing Authority Details:

Licensing Authority
Licensing Enforcement
York House
91 Granby Street
LE1 6FB

Tel: 0116 4540049
Email: licensingenforcement@leicester.gov.uk
www.leicester.gov.uk/licensing

Notice Sent to:

Please note that this representation has been sent to:

- (1) Licensing Authority Applications Team, Leicestershire Police Licensing, Noise Pollution Team, Leicestershire Fire & Rescue Service
- (2) Applicant and/or Agent

Agreement Notice Applicant (if applicable & only valid if signed)

Licensing Enforcement Agreement Confirmation (if applicable & only valid if signed)