
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: 22 April 2024

Lead director/officer: Deborah Bragg

Useful information

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

1. Summary

- 1.1 This report outlines an application under the Licensing Act 2003 for a new premises licence for King Mario Pizza, 1 Linton Street, Leicester, LE5 5JB 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 representation(s), Members must consider whether to
- Grant the licence without modification
 - Grant the licence subject to conditions
 - Reject the application

3. Application and promotion of the licensing objectives

- 3.1 An application was received on 05 March 2024 from Rising Sun Foods Limited for a new premises licence for King Mario Pizza, 1 Linton Street, Leicester. A copy of the application is attached at Appendix A.

- 3.2 The application is as follows:

Licensable activity	Proposed hours
Late night refreshment	Thursday & Sunday 23.00 – 02.00 Friday & Saturday 23.00 – 03.00
Opening hours	Monday to Wednesday 11.00 – 23.00 Thursday 11.00 – 02.00 Friday – 14.00 – 03.00 Saturday 11.00 – 03.00 Sunday 11.00 – 02.00

- 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. Representations

- 4.1 A representation was received on 25 March 2024 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 this premises falls into an area of special interest and is in a hotspot for serious crime and disorder. A copy of the representation is attached at Appendix B1. They have requested that the application be refused.
- 4.2 A representation was received on 27 March 2024 from the Licensing Enforcement team. 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 hours requested on the application will have an impact on the local community and the loose information provided on the operating schedule doesn't detail how the applicant will uphold the licensing objectives. They have been in contact with the applicant and have agreed conditions. A copy of the representation and agreement is attached at Appendix B2.

4.3 A representation was received on 27 March 2024 from the Noise team. The representation relates to the prevention of public nuisance. The representee is concerned that the later opening hours would increase footfall, including vehicles in the area which may cause more noise nuisances to local residents. They have been in contact with the applicant and have agreed conditions. 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 the representations are attached at Appendix C.

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
9.13 – 9.19	Licensing Authorities acting as 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

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 party / 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 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 (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 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