



FORM 20
 LICENSING SECTION
 RECEIVED
 15 AUG 2014
 LEICESTER CITY COUNCIL

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I Neil Cooper
 (Insert name of applicant)
 apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description City Rooms Hotel Street,	
Post town Leicester	Post code (if known) LE1 5AW

Name of premises licence holder or club holding club premises certificate (if known) Naresh Parmar
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Number of premises licence or club premises certificate (if known) LEIPRS1064 LEIPRM1003

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
 - a) a person living in the vicinity of the premises

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- b) a body representing persons living in the vicinity of the premises
- c) a person involved in business in the vicinity of the premises
- d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

First names

Please tick yes

I am 18 years old or over

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

Neil Cooper
 Noise Team
 3rd Floor
 Phoenix House
 King Street
 Leicester
 LE1 6RN

Telephone number (if any)

0116 454 3063 (internal 37 3063)

E-mail address (optional)

neil.cooper@leicester.gov.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

The noise Team has witnessed noise nuisances from the City Rooms which have demonstrated that the Licence Holder and/or Designated Premises Supervisor have failed to properly manage the volume of music. I request that a condition be applied to the licence requiring that all live and amplified music be played through a noise limiting device of a type agreed with the City Council Noise Team, set at a level agreed with the City Council Noise Team. The use of a noise limiting device will ensure that the volume in music in the premises is properly managed.

Please provide as much information as possible to support the application

(please read guidance note 2)

On 6th June 2014 a Noise Officer witnessed a noise nuisance from The City Rooms at 2318 hours. Music from the City Rooms was witnessed in the bedroom of a local resident, clearly audible over the street noise in the area at that time. The City Rooms windows were open, with no attempt to mitigate the music breakout from the premises. At that time the City Rooms was the only source of music audible in the complainant's bedroom.

Both the Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) were invited to attend an informal interview with Noise Officers on 18th June 2014. The DPS failed to attend the interview, although PLH attended, accompanied by the person managing the premises at the time that the nuisance was witnessed. During the interview the PLH advised that a corporate event was taking place at the time that the nuisance was witnessed, and admitted that no monitoring had taken place to ensure that music breakout did not cause a nuisance. The PLH was advised to monitor noise levels in the vicinity during an event to prevent the likelihood of a further noise nuisance, and in particular he was advised to keep windows closed, although it was accepted that since the windows are single glazed sash windows, they will provide only limited noise mitigation.

Less than three weeks later, on 4th July 2014, a further noise nuisance was witnessed at 2240 hours, when music was audible over the television in the complainant's living room. The source was confirmed as being City Rooms, where once again windows were open. Under the circumstances I was satisfied that further noise nuisances were likely, and consequently on 7th July 2014 I served abatement notices on the PLH and the DPS.

The letter accompanying each notice advised of my intention to apply for a review of the licence with a view to requesting an additional condition requiring that all live and amplified music be played through a noise limiting device of a type agreed with the City Council Noise Team, set at a level agreed with the City Council Noise Team. The letter stated that unless the PLH or DPS contacted me within seven days to agree a condition requiring that doors and windows remain closed when music is played, then any agreed level required by the premises licence will be set with windows open. Neither the PLH nor the DPS have contacted me to discuss this condition.

I appreciate that it is difficult or impractical for the PLH, DPS or manager of City Rooms to monitor noise externally to assess nuisance in a residential flat to which they have no access. If all music is played through a noise limiter set a level agreed with the Noise Team, the limiter will be set at a level that does not cause a nuisance inside the nearest residential flat. If properly used, the noise limiter will ensure that music from the City Rooms does not cause a noise nuisance.

Consequently I request that the following condition be applied to the premises licence for City Rooms;

"All live and amplified music shall be played through a noise limiting device of a type agreed with the City Council Noise Team, set at a level agreed with the City Council Noise Team"

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

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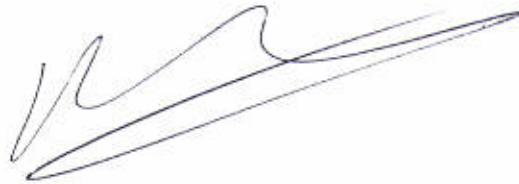
If you have made representations before relating to this premises please state what they were and when you made them

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate X
- I understand that if I do not comply with the above requirements my application will be rejected X

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**



Signature

.....
Date 14/8/14
.....

Capacity Environmental Health Officer, Noise Team (Responsible Authority)
.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5) Noise Team, Phoenix House, 1 King Street, 	
Post town Leicester	Post Code LE1 6RN
Telephone number (if any) 0116 454 3063 (internally 37 3063)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) neil.cooper@leicester.gov.uk	