



APPENDIX C

Leicestershire Police

Licensing Act 2003 – Representation in respect of Variation of Premises Licence Application

Details of person or body making representation	
Your Name:	Insp Nigel Rixon
Your Address:	Force Licensing Department, Mansfield House, 74 Belgrave Gate, Leicester LE1 3GG

Details of premises representation is about	
Name of Premises:	Harveys
Address of premises:	43 BELVOIR STREET LEICESTER LE1 6SL
Application No. (if known)	

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 type="checkbox"/>

Please summarise your concerns about this application:
<p>I write in my capacity as Inspector for the Leicestershire Police on the authority delegated to me by the Chief Constable.</p> <p>My representation relates to the licensing objectives of Prevention of Crime and Disorder, Prevention of Public Nuisance and Public Safety.</p> <p>Leicester City Council has adopted a Special Policy in relation to applications for New Licences and material variations in this location. The effect of this policy is set out in the Councils current policy.</p> <p>Paragraph 4.13 of that policy states:</p> <p>“The effect of the special policies will be to create a rebuttable presumption that</p>

applications for new premises licences or club premises certificates, or **material variations**, will normally be refused. It will be for the applicant to demonstrate that the premises will not add to the existing cumulative impact. Applicants will need to address this matter in their operating schedules”

These premises, which cover 3 floors, are situated on Belvoir Street in the City. The footfall on Belvoir Street increases substantially on a Friday and Saturday night due to the number of licensed premises to be found on this fairly short street. It also suffers from a greater amount of anti social behaviour and criminal offences where alcohol is a contributory factor. It is due to these factors that Leicestershire police submitted a request that the area be considered by the council and designated under their special policy as a cumulative impact area.

The licence for this was applied for in March 2012 and representations were submitted by Leicestershire Police regarding the saturation policy.

A hearing was held on the 10th May 2012 and the committee granted the licence subject to amendments and conditions.

In granting the licence the members stated “Granting a licence was against the Licensing Authorities policy on cumulative impact, but the members believed that a restaurant would be advantageous in this area and would help to provide more diverse entertainment. The panel wanted to ensure that the premises would be run as a restaurant and would remain as a restaurant in the future”

Two conditions were added to the licence by the committee to ensure the premises operated and remained a restaurant;

- The premises will be licensed primarily as a restaurant with on sales only.
- Alcohol will only be served after a meal has been booked.

Temporary event notices were applied for in December 2012 to cover New Years Eve and in April 2013 to cover the Easter bank holiday. No representations were made for these notices as they were for recognised public holidays.

In May 2013 an application was made to remove the condition Alcohol will only be served after a meal has been booked. Due to no representations this condition was removed.

A further temporary event was applied for in August 2013 to cover an event held during the August Bank holiday period and again no representations were made for this reason.

On the 17th September 2014 a hearing was held following representation from Leicestershire Police in respect of a temporary event notice for an event to be held at the venue. The committee decided to disregard the objection notice but imposed conditions from the licence.

Leicestershire Police are concerned that the removal of this condition would allow this 3 floored premises to trade 7 days a week as a bar increasing the footfall in the area. The applicant has not offered any further conditions or suggestions how with their ability to operate as a bar they would not add to the cumulative impact.

There is also concern that by removing a condition which prevents off sales it will allow the premises to operate as an ‘off licence’ which would increase the probability of ‘side loading’ and discarded cans and bottles which may be used as weapons into an already busy area for the night time economy.

The purpose of this application therefore is to engage the discretion of the licensing authority in considering the Councils own special policy in relation to this application and to reject this application.

Nigel Rixon
Inspector 915
Force Licensing Officer

27th February 2015