

Leicester
City Council

**WARDS AFFECTED
CASTLE**

**FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:
Hearing under the Licensing Act 2003**

18th May 2015

**Application for a new premises licence
Riddhi Convenience Store, 22 King Street, Leicester, LE1 6RL**

Report of the Director of Local Services and Enforcement

1. Purpose of Report

- 1.1. This report provides information for Members about an application made under the Licensing Act 2003, to assist them in determining the outcome of that application.

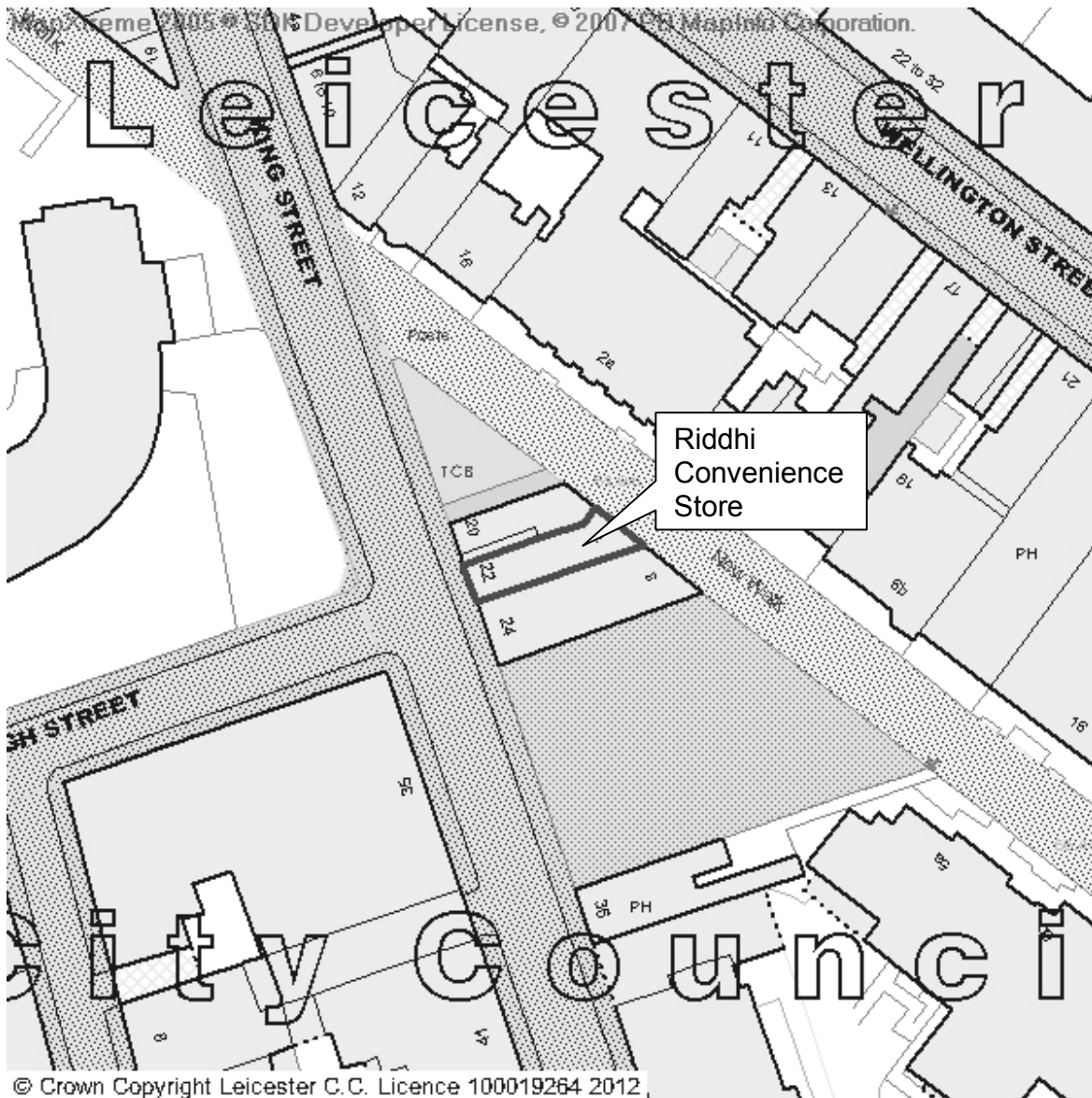
2. Determination to be made

- 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. Summary

- 3.1 This report outlines an application for a new premises licence for Riddhi Convenience Store which may be in the Belvoir street area cumulative impact zone and summarises the representations received. It also highlights the licensing objectives, the relevant parts of the guidance and regulations, and the pertinent sections of the Licensing Authority's Licensing Policy.

4. Location Plan



5. Application

- 5.1 An application was received on 26th March from Mr Anand Vinod for a new premises licence for Riddhi Convenience Store, 22 King Street, Leicester, LE1 6RL. A copy of the application is attached at Appendix A.
- 5.2 The Application is as follows:

Licensable activity	Proposed Hours
Supply of Alcohol	Mon - Fri 06:00 to 23:00 Sat 07:00 to 23:00

	Sun	08:00 to 23:00
Opening hours	Mon – Fri	06:00 to 23:00
	Sat	07:00 to 23:00
	Sun	08:00 to 23:00

6 Steps to Promote the Licensing Objectives

- 6.1 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).
- 6.2 In arriving at its decision on the application, the Licensing Authority's primary consideration must be the promotion of the licensing objectives.

7 Representations

- 7.1 Seven representations were received between 27th March 2015 and 22nd April 2015 from local residents. The representations relate to the prevention of crime and disorder, the prevention of public nuisance and public safety. The local residents are concerned that licensing of the premises will only add to existing noise problems and increase already high rates of alcohol related harm and anti-social behaviour. Copies of the representations are attached at Appendix B1 – B7.
- 7.2 A representation was received on 27th March 2015 from Cllr Lynn Senior. The representation relates to the prevention of crime and disorder, the prevention of public nuisance and public safety. The Cllr fully supports the comments of her constituents regarding this application. A copy of the representation is attached at Appendix B8.
- 7.3 A representation was received on 21st April 2015 from Leicestershire Police. The representation relates to the prevention of crime and disorder, prevention of public nuisance, public safety and the protection of children from harm. The Police are concerned that licensing of the premises will add to existing cumulative problems in the area and that the application does not fully promote the licensing objectives. A copy of the representation is attached in Appendix B9.

8 Conditions

- 8.1 Conditions consistent with the operating schedule are attached at Appendix C.

9 Cumulative Impact

In February 2011 Leicester City Council introduced a special policy on cumulative impact in the Belvoir Street area, which refers specifically to on and off licences. This creates a rebuttable presumption that an application for a new premises licence will be refused, unless the applicants can show that their premises are unlikely to add to the problems of saturation.

- 9.1 The address of Riddhi Convenience Store is 22 King Street, but there is also a door to the rear of the premises that opens on to the section of New Walk that is included in the cumulative impact zone. Officers consider that the premises is within the cumulative impact zone, but Members may wish to address this issue for the sake of clarity.

9 Statutory Guidance

- 9.1 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	General Principles
1.16	Each application on its own merits
2.1 – 2.5	Crime & Disorder
2.6 – 2.13	Public Safety
2.14 – 2.20	Public nuisance
2.21 – 2.30	Protection of children from harm
8.33 – 8.41	Steps to promote the licensing objectives
9.12	Representations from the Police
9.30 – 9.40	Hearings
9.41 – 9.43	Determining actions that are appropriate for the promotion of the licensing objectives
10.1 – 10.3	Conditions - general
10.8 – 10.9	Imposed conditions
10.27 – 10.68	Mandatory conditions in relation to the supply of alcohol
13.30 – 13.35	Effect of special policies
13.36 – 13.39	Limitations on special policies relating to cumulative impact
13.40 – 13.41	Other mechanisms for controlling cumulative impact
13.44 – 13.45	Licensing Hours

10 Statement of Licensing Policy

- 10.1 The relevant parts of the Licensing Authority's Statement of Licensing Policy are as follows:

Section	Heading
2	Fundamental Principles
3	Cumulative Impact
4	Policy on Cumulative Impact
5	Licensing Hours
7	Prevention of Crime and Disorder
8	Public Safety
9	Prevention of Public Nuisance
10	Protection of Children from Harm
12	Duplication

11 Points for Clarification

11.1 The applicant and the 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, does the applicant wish to propose any additional steps for the promotion of the licensing objectives?

By the parties 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?

12 Other Implications

OTHER IMPLICATIONS	YES/ NO	Paragraph/References Within Supporting information
Equal Opportunities	No	
Policy	Yes	The premises is within a cumulative impact area
Sustainable and Environmental	No	
Crime and Disorder	Yes	Police representation para. 7
Human Rights Act	No	
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

13 Background Papers – Local Government Act 1972

None

14 Consultations

The Licensing Authority is not obliged to consult any parties with regard to applications made under the Licensing Act 2003. However, the applicant is required to consult with the responsible authorities as set out in the 2003 Act.

15 Report Author

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APPENDIX	CONTENT
A	Application
B	Representations
C	Conditions