

## Licensing Act 2003 - Representation in respect of Premises Licence

Details of person or body making representation	
Your Name:	Andrew Sansome
Your Address:	Noise and Pollution Team Leicester City Council Third Floor Phoenix House 1 King Street Leicester LE1 6RN

Details of premises representation is about	
Name of Premises:	Bar 47 (Basement of Spark VIP)
Address of premises:	37-43 Rutland Street Leicester LE1 1RE
Application No. (if known)	069777

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	
Public Safety	
Prevention of public nuisance	yes
Protection of children from harm	

Please summarise your concerns about this application:
<p>Bar 47 (Basement of Spark VIP) occupies a premises situated within the Cultural Quarter of the City Centre. The area consists of a mixture of residential, commercial and licensed premises.</p> <p>Currently Spark VIP currently operates a specialised karaoke bar on the ground floor of 37-43 Rutland Street which opens until 03.00 hours daily. The premises operate a booking system where group of customers pre book a soundproof booth for a predetermined time. This eliminates the need for customers queuing outside the premises and therefore minimises noise disturbance from on-street activity. A customer smoking area is located within an enclosed yard within the building footprint.</p> <p>Bar 47, Basement of Spark VIP have made this application to make use of the basement of 37-43 Rutland Street. They wish to use the basement of the premises for licensable activities from 18.00 hours to 02.00 hours Monday to Thursday, 15.00 hours to 03.00 hours Friday and Saturday, 15.00 hours to 23.00 hours Sunday.</p>

The applicant has indicated that the use of the ground floor and the basement will operate independently of each other.

The applicant indicates that there will be separate smoking areas in operation. Customers of the ground floor will smoke on the street at the front of the building and customers of the basement will use the enclosed yard area.

The applicant also indicated that there is a small enclosed yard to the side of the building (no exit) which may also be used for smoking, although this area leads directly from the dance floor and is likely to cause noise complaint when the access door is opened.

The basement bar is entered and exited through a lobby door system and provided that these are maintained the likelihood of complaint from noise breakout will be minimised.

However, there is an increased likelihood of public nuisance from on-street activity associated with customers of the ground floor and basement premises, either arriving, leaving, queuing, or smoking outside the property. The hours the applicant has applied to operate the basement bar for 02.00 hours Monday to Thursday and 03.00 hours on Friday and Saturday is likely to prevent sleep or cause sleep disruption to nearby residents particularly in the early part of the working week.

**I therefore recommend that the licence be refused as applied for.**

However, it may be possible for the bar to operate without causing public nuisance if appropriate conditions are applied.

I recommend that the hours of the premises be restricted to lesser hours. Sunday 15.00 to 23.00, Monday to Thursday 18.00 to 01.00 and Friday / Saturdays 15.00 to 02.00 hours.

To prevent noise breakout from the premises, sound trap lobbies with automatic door closers shall be installed and maintained to all entrance and exit doors.

The small enclosed yard area to the west of the building shall not be used when events involving live, amplified music or speech are taking place. The access door and windows to the yard area must be kept closed when events involving live, amplified music or speech are taking place.

Note to applicant:

You may need to consider providing ventilation or air conditioning in warm weather.

No music or speech shall be relayed via external speakers

Prominent, clear notices shall be displayed at all exits requesting customers and staff respect the needs of local residents by keeping noise to a minimum when using the outside area and when leaving the premises. All such signs must be in a permanent form, prominently placed and be legible.

Disposal of waste bottles into external receptacles where the noise will be audible to neighbouring properties must not occur between 20.00 and 09.00 hours

The licensee shall ensure that whilst customers are queuing to enter the premises, noise levels are managed to prevent public nuisance to local residents.

The licensee shall take reasonable steps to prevent public nuisance being caused by customers outside whilst smoking.

**Please give further details of why you believe this application will have an adverse effect on the licensing objectives**

Return your completed form to:

By Post:

Licensing Authority Office  
Leicester City Council  
New Walk Centre  
Leicester  
LE1 6ZG

By Email:

[licensing@leicester.gov.uk](mailto:licensing@leicester.gov.uk)