



Leicester
City Council

**WARDS AFFECTED
CASTLE**

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

10 July 2015

**Application for a new premises licence
Savers, 24 Market Place, Cank Street, LE1 5GF**

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

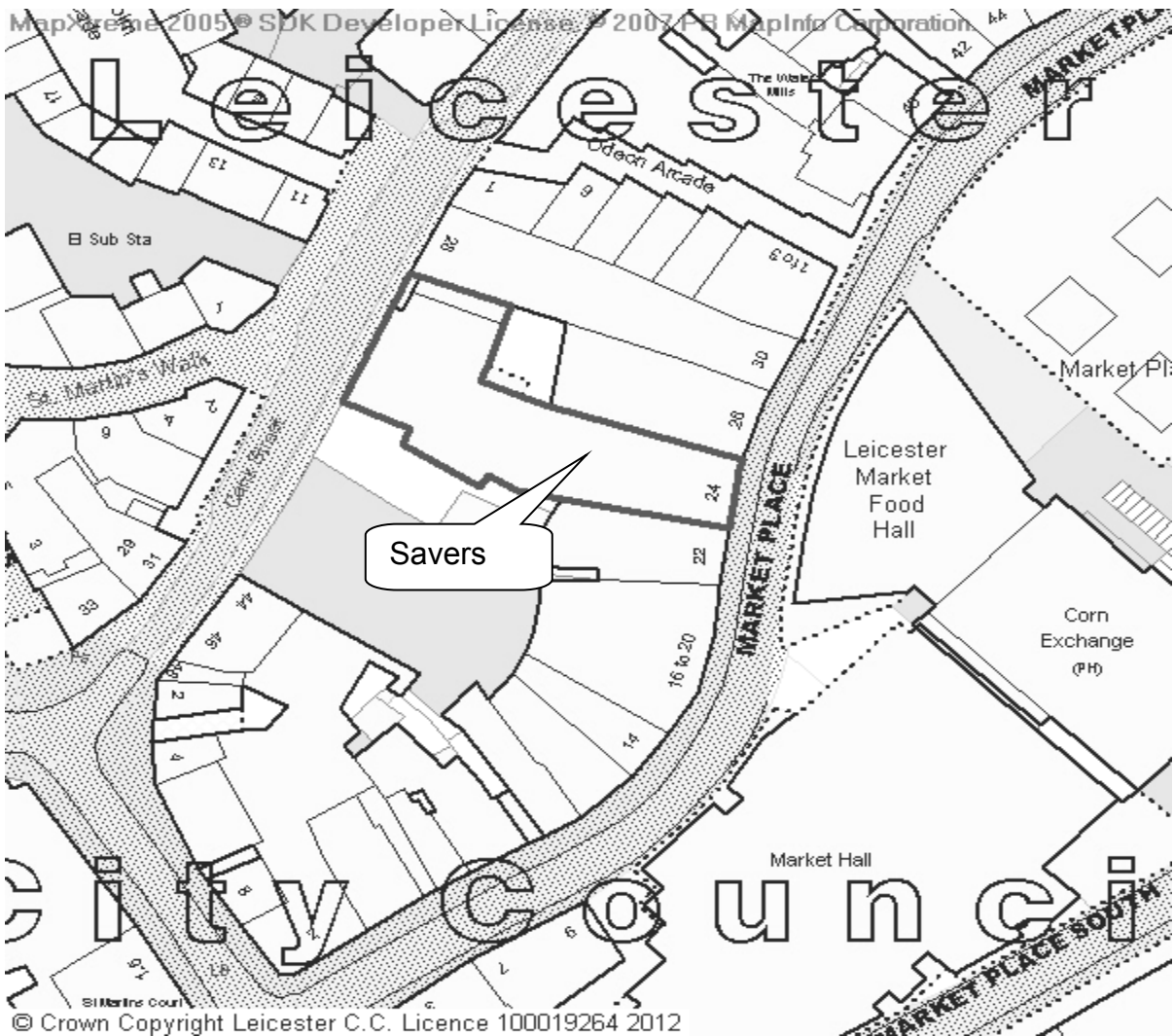
- 2.1. Having considered the application and representations, Members must consider whether to
- Grant the licence without modification
 - Grant the licence subject to conditions
 - Refuse to accept the proposed premises supervisor
 - Reject the application

3. Summary

- 3.1 This report outlines an application for a new premises licence for Savers 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.

Continued.....

4. Location Plan



5. Application

- 5.1 An application was received on 18 May 2015 from Savers Health and Beauty Limited for a new premises licence for Savers, 24 Market Place. A copy of the application is attached at Appendix A.
- 5.2 The application is as follows:

Licensable activity	Proposed Hours
Supply of Alcohol Opening hours	Monday to Saturday 08.30 – 18.00 Sunday 10.00 – 18.00

- **Finish time 20.00 hours Monday to Saturday 14 November to 24 December.**

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. Representation

- 7.1 A representation was received on 27 May 2015 from Leicestershire Police. The representation relates to the prevention of crime and disorder and the prevention of public nuisance. Leicestershire Police are concerned that the premises are close to a number of bars that attract day time drinkers and an area where street drinkers meet. They feel that the application does not promote the licensing objectives and have therefore proposed conditions to be added to the licence. An agreement has been reached with the applicant. A copy of the representation/agreement is attached at Appendix B.
- 7.2 A representation was received on 28 May 2015 from the Head of Markets, Leicester City Council. The representation relates to the prevention of public nuisance. The Head of Markets is concerned that allowing this premises to sell alcohol will encourage street drinking and anti-social behaviour on the new square which forms part of the market re-development. A copy of the representation is attached at Appendix B1.
- 7.3 A representation was received on 3 June 2015 from the Head of Economic Regeneration, Leicester City Council. The representation relates to the prevention of crime and disorder and the prevention of public nuisance. The Head of Economic Regeneration is concerned that granting a licence to sell alcohol to this premises could result in street drinking problems, in particular on the nearby new public area. A copy of the representation is attached at Appendix B2.
- 7.4 A representation was received on 3 June 2015 from the City Centre Director, Leicester City Council. The representation relates to the prevention of public nuisance. The City Centre Director is concerned that the sale of alcohol from this premises could create a public nuisance with regards to street drinking on the nearby public square. A copy of the representation is attached at Appendix B3.

8. Conditions

- 8.1 The conditions that are consistent with the operating schedule and the representation/agreement from Leicestershire Police are attached at Appendix C.

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
2.14 – 2.20	Public nuisance
8.33 – 8.41	Steps to promote the licensing objectives
9.12	Representations from the Police
9.13 – 9.19	Licensing Authorities acting as responsible authorities
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
13.44 – 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
5	Licensing Hours
7	Prevention of Crime and Disorder
9	Prevention of Public Nuisance
11.4 – 11.5	Planning
12	Duplication
13	Standardised conditions

11. Points for Clarification

11.1 The applicant and the parties making the representations 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 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?

12. Other Implications

OTHER IMPLICATIONS	YES/ NO	Paragraph/References Within Supporting information
Equal Opportunities	No	
Policy	No	
Sustainable and Environmental	No	
Crime and Disorder	Yes	Paragraph 7 relates to crime and disorder
Human Rights Act	No	
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

13. Background Papers – Local Government Act 1972

13.1. None

14. Consultations

14.1. 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 consistent with application and representation / agreement from Leicestershire Police