



Leicester
City Council

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

10th November 2015

Application for a new premises licence
Burnham News, 72 Burnham Drive, Leicester LE4 OHP

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.

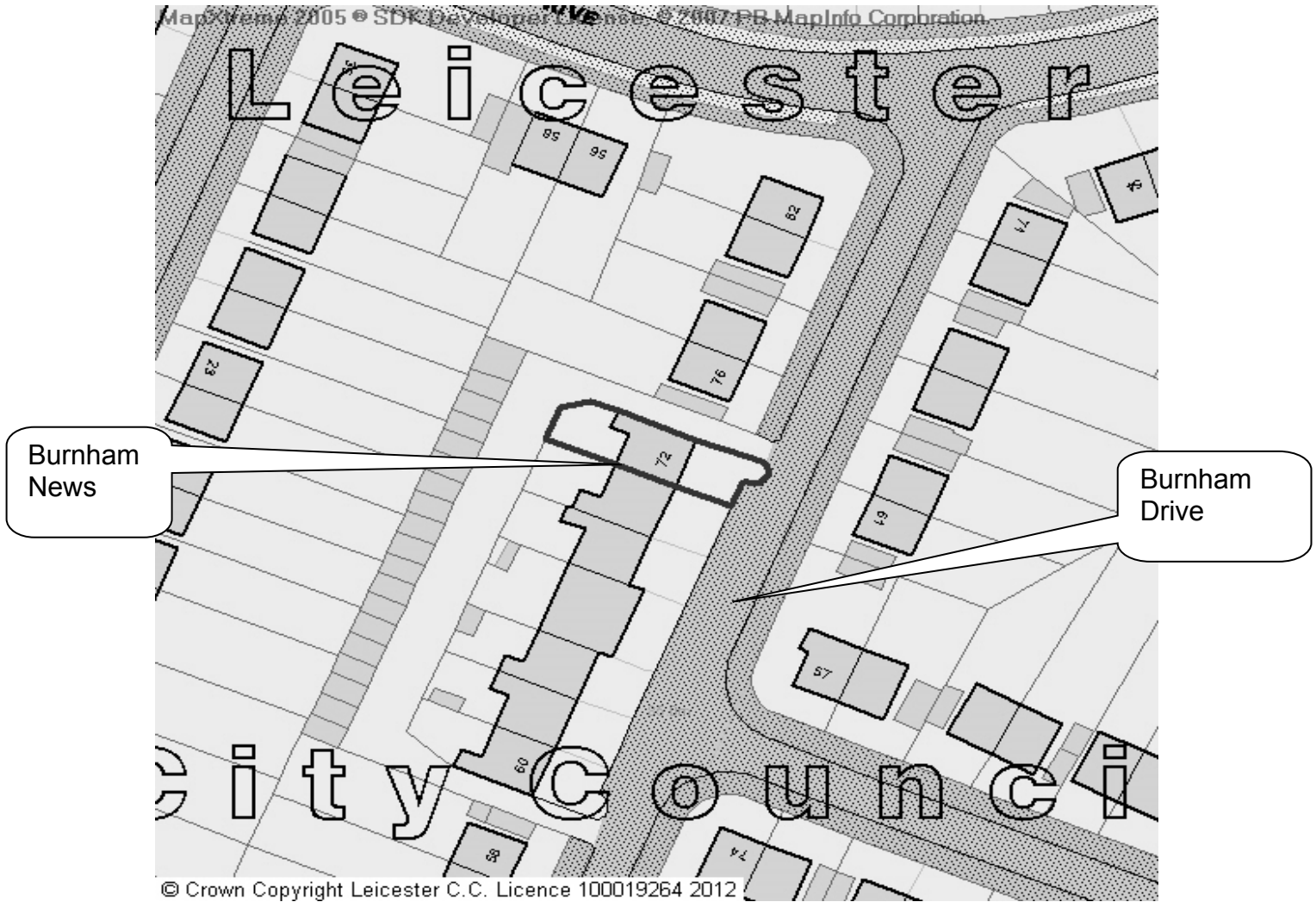
2. Determination to be made

- 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 Burnham News, 72 Burnham Drive, Leicester 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 11th September 15, 2015 from Mr Sembhi for a new premises licence for Burnham News, 72 Burnham Drive, Leicester a copy of the application is attached at Appendix A.

5.2 The application is as follows:

Supply of Alcohol	Sunday to Thursday 10.00 until 00.00 Friday to Saturday 10.00 until 01.00
Opening hours	Sunday to Thursday 10.00 until 00.00 Friday to Saturday 10.00 until 01.00

- Christmas licensing times will be one extra hour for the month of 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 P 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 A representation was received on 2nd October 2015 from Leicestershire Police. The representation relates to the prevention of crime and disorder and the prevention of public nuisance. The police are concerned that the premises is located in a highly residential housing area. The police are seeking the addition of conditions to the licence to promote the licensing objectives and have reached an agreement with the applicant. A copy of the representation and agreement are attached at Appendix B1.
- 7.2 Representation was received on the 13th October 2015 from the owner of the premises. The representation relates to the prevention of public nuisance and crime and disorder. The representee is concerned that a further premises in the area with increased hours would lead to anti social behaviour. He is also concerned that he leases this property to a Mr Manjeet Singh Sebhi not the applicant that has applied for a premises licence and that it contradicts his lease agreement and has mentioned that the applicant can't apply. However, Mr Sebhi is in fact a valid applicant in accordance with the Licensing Act 2003 and therefore this is not something that Members should consider at the hearing. Copies of the representation are attached at Appendix B2.
- 7.3 A representation was received on 15th October 2015 from a local resident who is concerned that another licensed premises in the area will result in anti-social behaviour . A copy of the representation is attached at Appendix B3.
- 7.4 A representation was received on the 15th October 2015 from a neighbouring business/resident. This relates to the prevention of crime and disorder. The representee says that another off licence will affect his business and add to existing problems in the area. A copy of the representation is attached at Appendix B4.
- 7.5 Members should note that some of the issues raised in the representations relate to need or protection of an existing business these are not relevant considerations under the Licensing Act 2003 and must be disregarded.

8 Conditions

- 8.1 The conditions that are consistent with the operating schedule and the agreement 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
9.30 – 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
12	Duplication
13	Standardised conditions

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 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	7.0 Representation
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