



Leicester  
City Council

**WARDS AFFECTED**  
**Castle**

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

**19 August 2016**

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**Application for a review of an existing premises licence**  
**European Shop, 12 Hannam Court, Charles Street, Leicester, LE1 3FT**

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**Report of the Director of Neighbourhood and Environmental Services**

**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

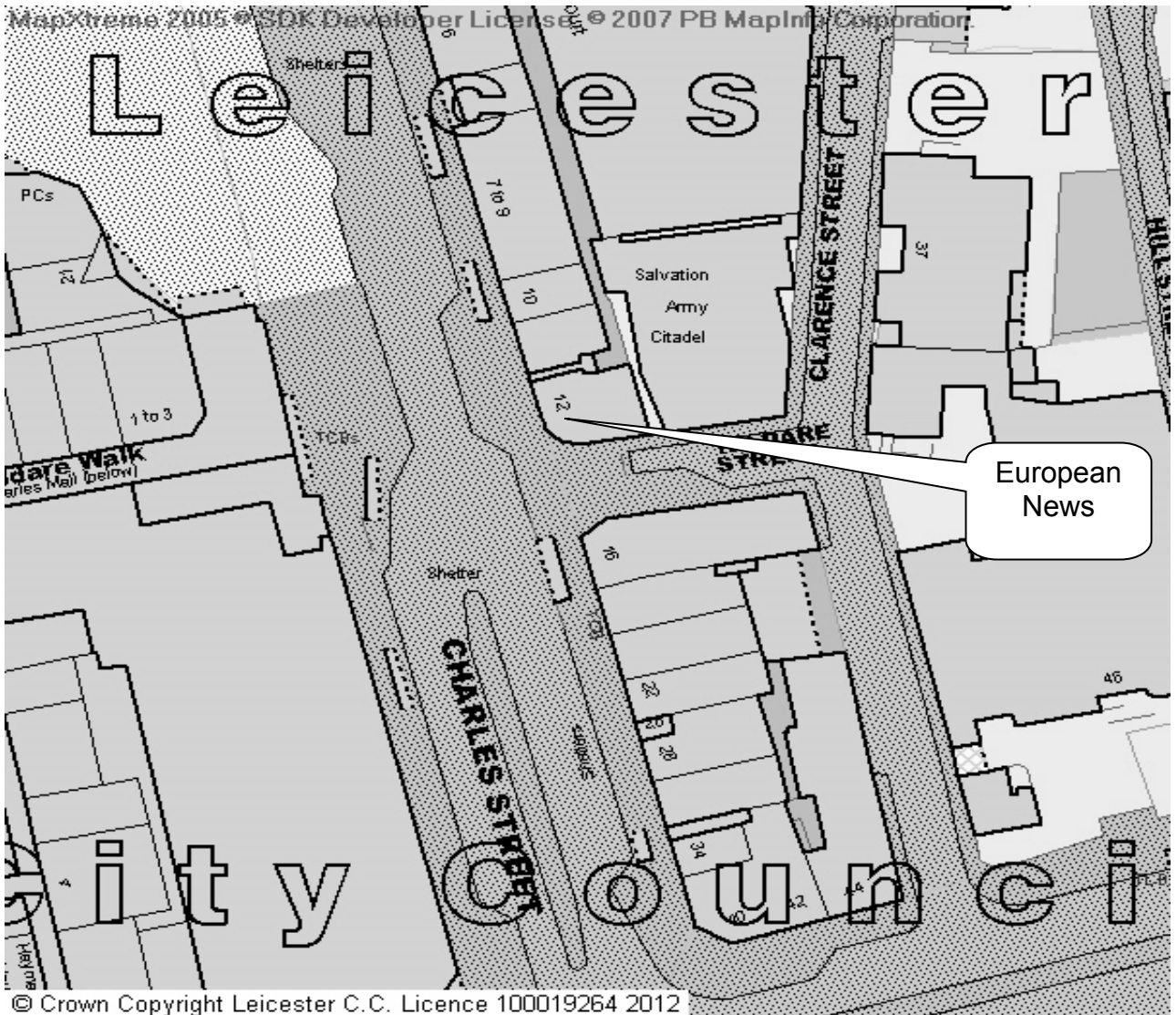
- Reject the review application
- Modify the conditions of the licence
- Exclude a licensable activity from the scope of the licence
- Remove the designated premises supervisor
- Suspend the licence for a period not exceeding three months
- Revoke the licence

2.2 Where Members take the decision to reject the review application, they are permitted to issue an informal warning to the licence holder and / or recommend improvement within a particular period of time.

**3. Summary**

3.1 This report outlines an application for a review of an existing premises licence for European Shop. 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. Existing Licence

- 5.1. The existing licence is attached at Appendix A.
- 5.2. The activities and hours permitted by the existing licence are as follows:

| Licensable activity               | Current Hours                  |
|-----------------------------------|--------------------------------|
| Supply of Alcohol & Opening Hours | Monday to Sunday 08.00 – 22.00 |

#### 6. Review application

- 6.1 An application was received on 5<sup>th</sup> July 2016 from Leicestershire Police for a review of the existing premises licence for European Shop. The application was made on the ground of the prevention of crime and disorder, public safety and the prevention of public nuisance. A copy of the application is attached at Appendix B.

6.2 Leicestershire Police are concerned that the premises are selling high strength alcohol products to members of the public who then cause crime and disorder, public nuisance and impact on public safety in the local area.

## 7. Representations

7.1 No additional representations were received during the statutory representation period.

## 8 Steps to Promote the Licensing Objectives

8.1 In arriving at its decision on the review application, the Licensing Authority's primary consideration must be the promotion of the licensing objectives.

## 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 relevant parts of the guidance in this case are as follows:

| Section       | Heading  |
|---------------|--|
| 1.2 – 1.5     | The licensing objectives   |
| 1.15          | General principles   |
| 1.16          | Each application on its own merits   |
| 2.1 – 2.5     | Crime and disorder   |
| 2.6 – 2.13    | Public safety  |
| 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                              |
| 11.1 – 11.33  | Reviews  |
| 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 |
| 8       | Public Safety                    |
| 9       | Prevention of Public Nuisance    |

|    |                         |
|----|-------------------------|
| 12 | Duplication             |
| 13 | Standardised conditions |

## 11. Points for Clarification

11.1 The licence holder and the applicant for review have been asked to clarify certain points at the hearing, as follows:

*By the premises licence holder*

1. Whether the premises licence holder considers that the concerns outlined in the review application are valid, and if not why not?
2. In the light of the review application, does the applicant wish to propose any additional steps for the promotion of the licensing objectives?

*By the applicant for review*

1. Whether they have any additional information to support the review application 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

| <b>OTHER IMPLICATIONS</b>     | <b>YES/<br/>NO</b> | <b>Paragraph/References<br/>Within Supporting information</b>                                     |
|-------------------------------|--------------------|---|
| Equal Opportunities           | No                 |   |
| Policy                        | No                 |   |
| Sustainable and Environmental | No                 |   |
| Crime and Disorder            | Yes                | Parag. 6 – the review application was made on the grounds of the prevention of 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

- a. None

## 14. Consultations

14.1 The Licensing Authority has fulfilled its obligations under the Licensing Act 2003 by preparing a notice which has been:

- Displayed at the premises
- Published on our website, and
- Displayed in Customer Services (91 Granby Street)

for 28 days.

## 15. Report Author

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| <b>APPENDIX</b> | <b>CONTENT</b>         |
|-----------------|------------------------|
| A               | Existing licence       |
| B               | Application for review |