



**Appendix B**

**Leicestershire Police**

**Licensing Act 2003 –  
Representation in respect of New Premises Application**

<b>Details of person or body making representation</b>	
Your Name:	PC Jonathan Webb
Your Address:	Force Licensing Department, Mansfield House, 74 Belgrave Gate, Leicester LE1 3GG

<b>Details of premises representation is about</b>	
Name of Premises:	Shop
Address of premises:	98 Narborough Road Leicester LE3 0BS
Application No. (if known)	

<b>Please tick one or more of the licensing objectives that your representation relates to:</b>	
Prevention of crime and disorder	<input checked="" type="checkbox"/>
Public Safety	<input checked="" type="checkbox"/>
Prevention of public nuisance	<input checked="" type="checkbox"/>
Protection of children from harm	<input type="checkbox"/>

<b>Please summarise your concerns about this application:</b>
<p>I write in my capacity as a licensing officer for the Leicestershire Police on the authority delegated to me by the Chief Constable.</p> <p>My representation relates to the licensing objectives of Crime and Disorder, Public Safety &amp; Public Nuisance.</p> <p>Leicester City Council has adopted a Special Policy in relation to applications for <b>new licences</b> and material variations in this Cumulative Impact Area. The effect of this policy is set out in the Council's current Licensing policy.</p> <p>Paragraph 4.13 of that policy states</p> <p><i>"The effect of the special policies will be to create a rebuttable presumption that</i></p>

*applications for new premises licences or club premises certificates, or material variations, will normally be refused. It will be for the applicant to demonstrate that the premises will not add to the existing cumulative impact. Applicants will need to address this matter in their operating schedules."*

These premises are located on a busy commercial road however the rear of the premises backs onto a highly residential area of terraced houses and is next door to a substantial late night takeaway with seating. It is within the Braunstone Gate cumulative impact area designated in the policy.

The cumulative impact zone covers just a short distance of Narborough Road to its junction with Upperton Road. There are at present 12 alcohol licences issued to shops, a further 16 issued to restaurants and bars and 10 late night refreshment licences. This is not including those licences issued to shops, restaurants and bars on Braunstone Gate, New Park Street and Hinckley Road which are also part of this 'cumulative impact area'

The applicant has made no reference to the 'special policy' regarding 'Cumulative Impact' within their application. It must therefore be assumed that the licensing policy has not been fully consulted prior to submission and that the applicant has failed to take note of the local problems and concerns.

The policy requires the applicant to satisfy the Licensing Authority that the grant of the new licence will not add to the existing cumulative impact in the area.

The applicant has requested to sell alcohol off the premises until 2300hrs on Sunday through to Wednesday, midnight on a Thursday and until 0200hrs on Fridays and Saturdays, which are the peak times for crime and anti-social behaviour related to the consumption of alcohol.

The applicant has failed to present any conditions within the operating schedule above and beyond those expected of a responsible premises with a licence to sell alcohol. Some of those presented are requirements under the Licensing Act 2003 ie not selling to underage people or allowing drunks on the premises. Those conditions that have been proposed do not in my opinion give substantial detail in order to promote the licensing objectives.

The availability of take away alcohol until 0200hrs will allow those already affected by the consumption of alcohol to continue to consume whilst waiting for their takeaway food. This has the potential to increase anti-social behaviour and crime as it is recognised that queues are areas where confrontation occurs. It is also a substantial increase in hours for the availability of alcohol from a shop in the area.

There is further potential for an impact on public safety when the discarded bottles from the shops are left on the streets after the contents have been consumed.

The area also suffers during the daytime from those who wish to stand on the street to consume alcohol. These people will not only cause problems associated with their intoxication but will also beg or commit crimes to fund their alcohol consumption.

A further alcohol licence issued in the area increases the availability of alcohol.

It is therefore our opinion that it is correct for Leicestershire Police to put forward this representation in order to uphold the cumulative impact area.

To engage the discretion of the licensing authority in considering the Councils own policy in relation to the cumulative impact policy, to consider the application on its own merit and for the applicant to demonstrate the licensing of these premises will not add to the cumulative impact.

I also believe that in its present form the application fails to **promote** the licensing objectives and I would request that it is refused.



PC1790 Jonathan Webb  
Leicestershire Police  
06 September 2016

