



Leicester
City Council

**WARDS AFFECTED
CASTLE**

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

9 December 2016

**Application for a new premises licence
Red Apple Supermarket, 7-9 Hannam Court, Charles Street, LE1 3FS**

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.

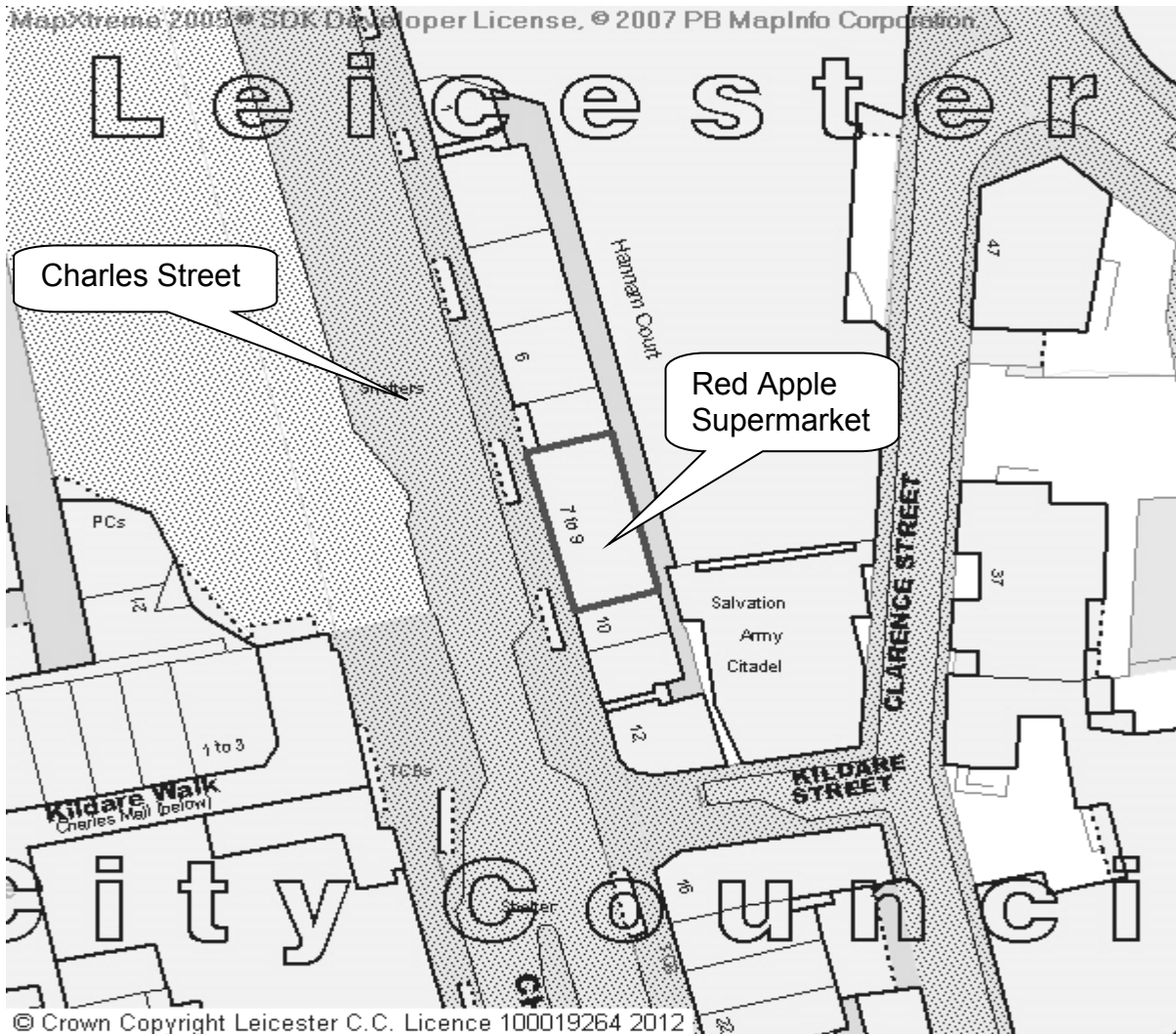
2. Determination to be made

- 2.1. Having considered the application and representation, 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 Red Apple Supermarket and summarises the representation 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 19 October 2016 from Red Apple Supermarket Ltd for a new premises licence for Red Apple Supermarket, 7-9 Hannam Court. 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 Sunday 08.00 – 23.00

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 15 November 2016 from a nearby resident. The representation relates to the prevention of public nuisance. The local resident is concerned that if this licence is granted then the problems with street drinkers in this area will increase, which will impact on local residents. A copy of the representation is attached at Appendix B.

8. Conditions

8.1 The conditions that are consistent with the operating schedule and the representation 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
2.14 – 2.20	Public nuisance
8.33 – 8.41	Steps to promote the licensing objectives
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
3	Cumulative Impact
5	Licensing Hours
9	Prevention of Public Nuisance
12	Duplication
13	Standardised conditions

11. Points for Clarification

- 11.1 The applicant and the party 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	No	
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	Representation
C	Conditions consistent with application