



Leicester  
City Council

**WARDS AFFECTED  
BELGRAVE**

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

**20 January 2017**

---

**Application for a review of an existing club premises certificate  
Latimer Conservative Club, Surrey Street, LE4 6FG**

---

**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, Members must consider whether to

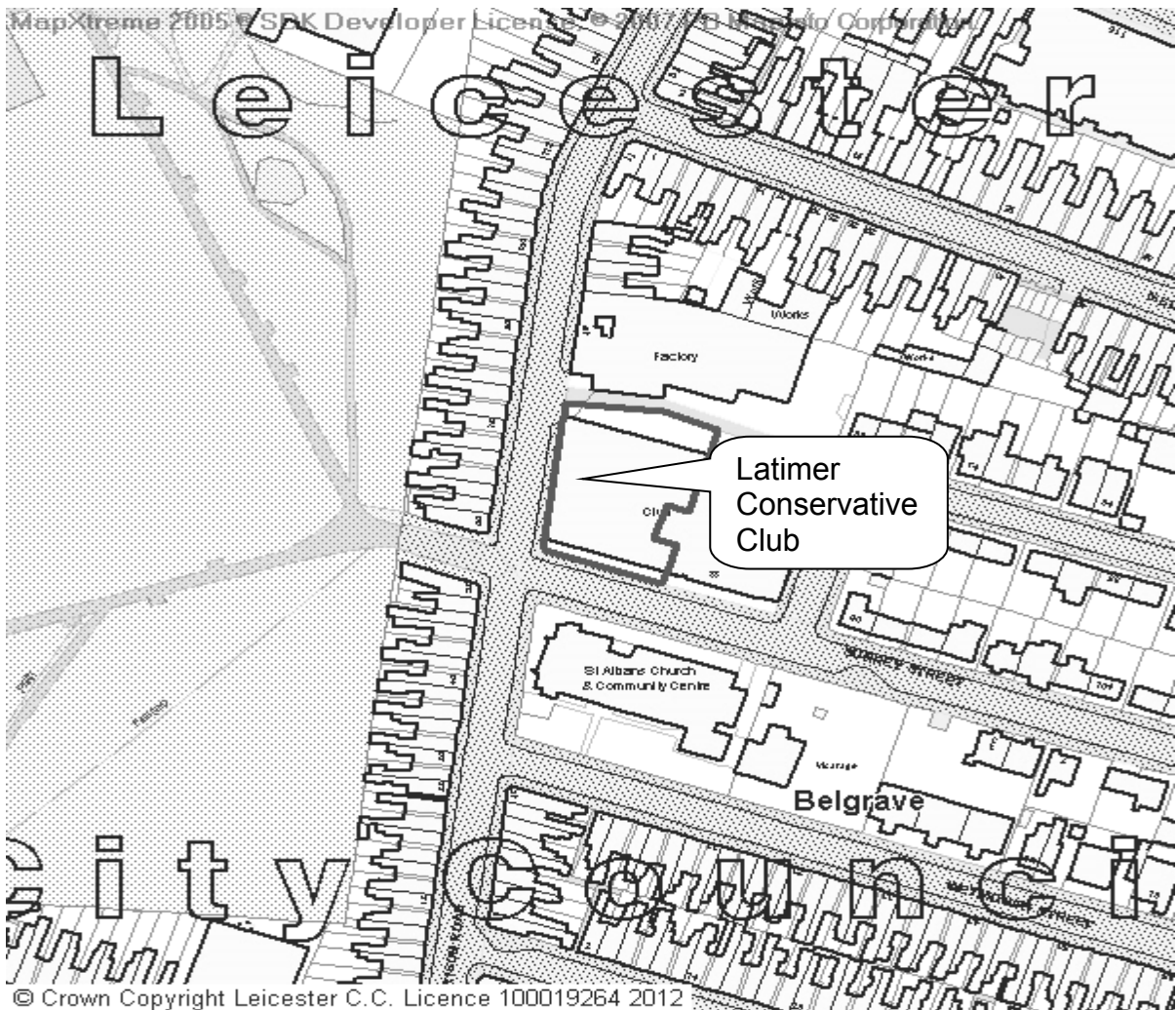
- Reject the review application
- Modify the conditions of the certificate
- Exclude a licensable activity from the scope of the certificate
- Suspend the certificate for a period not exceeding three months
- Revoke the club premises certificate

2.2 Where Members take the decision to reject the review application, they are permitted to issue an informal warning to the certificate 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 club premises certificate for Latimer Conservative Club. 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 Club Premises Certificate

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

Licensable activity	Current Hours
Play Indoor Sporting Events Boxing or Wrestling Live Music Recorded Music Dance Anything similar to live/recorded music or dance Supply of Alcohol	Monday to Sunday 11.00 – 01.00
Opening hours	Unrestricted

## 6. Review application

- 6.1 An application was received on 30 November 2016 from LCC Noise Team for a review of the existing club premises certificate for Latimer Conservative Club. The application was made on the ground of the prevention of public nuisance. A copy of the application is attached at Appendix B.
- 6.2 The LCC Noise Team has witnessed numerous noise nuisances at this premises which has demonstrated that the club has failed to properly manage the volume of music. They therefore request that a condition is applied to the club premises certificate, as follows:  
“All live and amplified music shall be played through a noise limiting device of a type agreed with the City Council Noise and Pollution Control Team, set at a level agreed with the City Council Noise and Pollution Control Team”

## 7 Steps to Promote the Licensing Objectives

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

## 8. Statutory Guidance

- 8.1 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
2.14 – 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
11.1 – 11.33	Reviews
13.44 – 13.45	Licensing hours

## 9. Statement of Licensing Policy

- 9.1 The relevant parts of the Licensing Authority’s Statement of Licensing Policy are as follows:

Section	Heading
2	Fundamental Principles
5	Licensing Hours
9	Prevention of Public Nuisance
12	Duplication

13	Standardised conditions
17	Live Music, Dancing, Theatre, Circuses and Street Arts

## 10. Points for Clarification

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

*By the club premises certificate holder*

1. Whether the certificate 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?

## 11. 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	

## 12. Background Papers – Local Government Act 1972

- a. None

## 13. Consultations

13.1 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.

**14. Report Author**

Lynsay Coupe

Licensing Officer

0116 454 3065

Lynsay.coupe@leicester.gov.uk

<b>APPENDIX</b>	<b>CONTENT</b>
A	Existing club premises certificate
B	Application for review