



Leicester
City Council

WARDS AFFECTED
Rushey Mead

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

16 May 2017

Application for a variation of an existing premises licence
Victoria Jubilee, 112 Leire Street, Leicester, LE4 6NT

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.

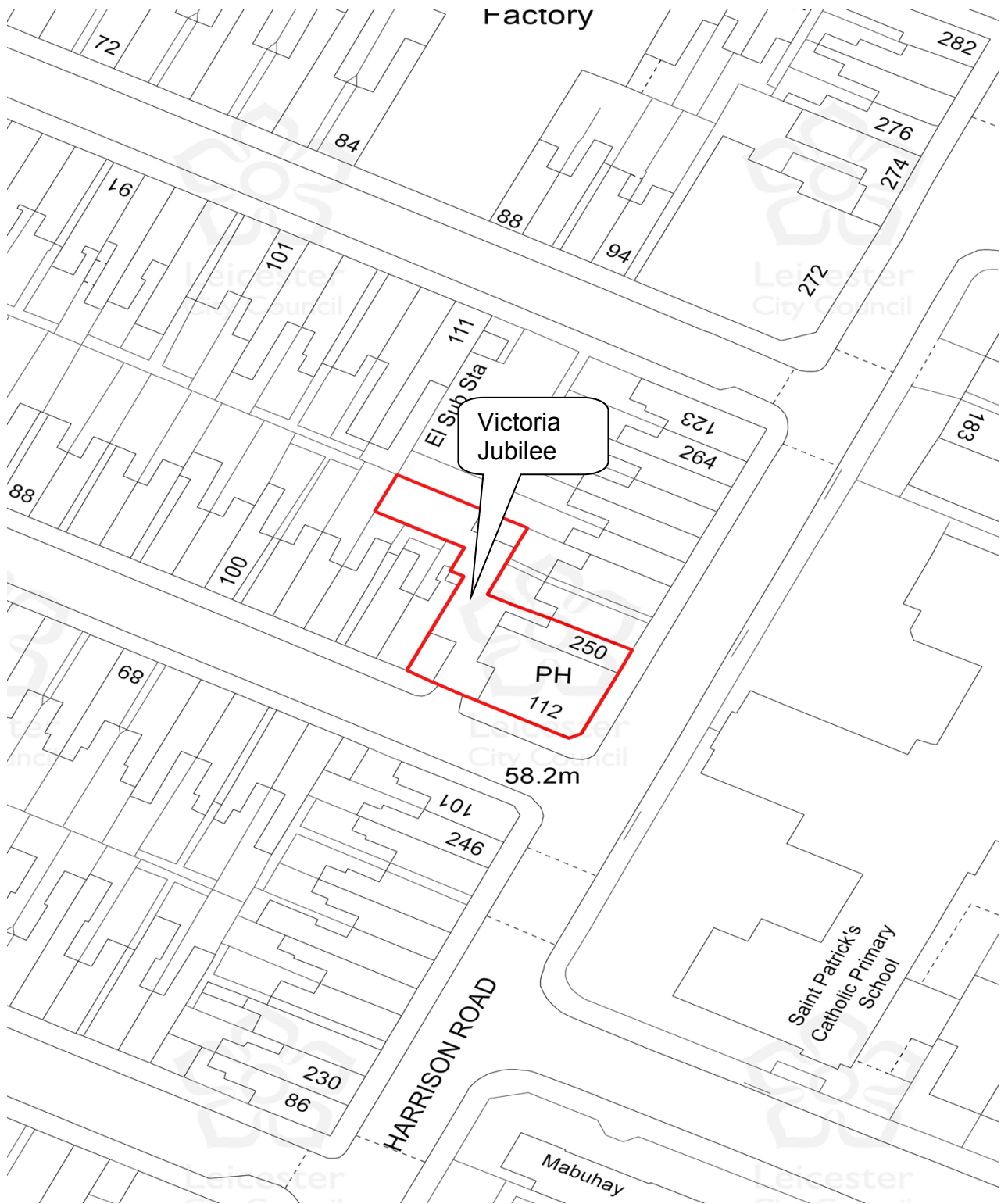
2. Determination to be made

- 2.1. Having considered the application and representations, Members must consider whether to
- Grant the licence without modification
 - Modify the conditions of the licence
 - Reject the whole application

3. Summary

- 3.1 This report outlines an application for a variation to an existing premises licence for Victoria Jubilee 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. Existing Licence

5.1. The existing licence is attached at Appendix A.

6. Application

6.1 An application was received on 28 March 2017 from Mr Yogesh Chauhan for a variation to an existing premises licence for Victoria Jubilee. A copy of the application is attached at Appendix B.

6.2 The variation sought by the application is as follows:

Licensable activity	Current Hours	Proposed Hours
Films	10.00 – 00.30	10.00 – 02.30
Indoor Sporting Events		10.00 – 02.30
Live Music	10.00 – 00.00	10.00 – 02.30
Recorded Music		10.00 – 02.30
Performance of Dance		10.00 – 02.30
Late night refreshment	23.00 – 00.00	23.00 – 02.00
Supply of Alcohol	10.00 – 00.00	10.00 – 02.00
Opening hours	10.00 – 00.30	10.00 – 02.30

7. Steps to Promote the Licensing Objectives

7.1 The steps the applicant proposes to take to promote the licensing objectives are set out in the operating schedule (see section M of Appendix B).

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

8. Regulated entertainment

8.1 The Live Music Act 2012 and the Legislative Reform (Entertainment Licensing) Order 2014 amended the Licensing Act 2003 in relation to the provision of regulated entertainment. Certain entertainment does not require a licence subject to audience limits, between 08.00 and 23.00 hours each day.

8.2 The above exemptions do not affect the application under consideration due to the proposed hours.

9. Representation

9.1 A representation was received on 11 April 2017 from the Noise Team, Leicester City Council. The representation relates to the prevention of public nuisance. The Noise Team are concerned that the premises are in a densely populated area and that live music and customers leaving the premises late at night are likely to cause a noise nuisance. They have proposed conditions and reduced hours and have asked the applicant to sign an agreement. At the time of writing this report, the agreement had not been signed by the applicant. A copy of the representation is attached at Appendix C1.

Two representations were received on 24/25 April 2017 from nearby residents. The representations relate to the prevention of public nuisance and public safety. The local residents are concerned that they already suffer from noise nuisance and litter from this premises. They are worried that a later closing time will exacerbate this. Copies of the

representations are attached at Appendix C2 – C3.

10. Conditions

- 10.1 The conditions that are consistent with the operating schedule and the representation are attached at Appendix D.

11. Statutory Guidance

- 11.1 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 – 1.16	General Principles
1.17	Each application on its own merits
2.7 – 2.14	Public Safety
2.15 – 2.21	Public nuisance
3.12 – 3.20	Late night refreshment
8.38 – 8.46	Steps to promote the licensing objectives
9.31 – 9.41	Hearings
9.42 – 9.44	Determining actions that are appropriate for the promotion of the licensing objectives
10.1 – 10.3	Conditions - general
10.8 – 10.9	Imposed conditions
10.10	Proportionality
10.13 - 10.15	Hours of trading
10.25 – 10.66	Mandatory conditions in relation to the supply of alcohol
13.10	Giving reasons for decisions
14.44 – 14.45	Licensing Hours
16.1 – 16.69	Regulated entertainment

12 Statement of Licensing Policy

- 12.1 The relevant parts of the Licensing Authority's Statement of Licensing Policy are as follows:

Section	Heading
2	Fundamental Principles
5	Licensing Hours
8	Public Safety
9	Prevention of Public Nuisance
11.4 – 11.5	Planning
12	Duplication
13	Standardised conditions
17	Live Music, Dancing, Theatre, Circuses and Street Arts

13. Points for Clarification

13.1 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 parties making the representations

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?

14. 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	

15. Background Papers – Local Government Act 1972

None

16. Consultations

- a. 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.

17. Report Author
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APPENDIX	CONTENT
A	Existing licence
B	Application
C	Representations
D	Conditions consistent with application and representation / agreement