



Leicester
City Council

**WARDS AFFECTED
BELGRAVE**

Hearing under the Licensing Act 2003

9th August 2017

**Application for a review of an existing premises licence
Kapz Newz & Booze, 286 Loughborough Road, Leicester, LE4 5PH**

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 “Kapz News & Booze”, 286 Loughborough Road, Leicester 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.
- 5.2. The activities and hours permitted by the existing licence are as follows:

Licensable activity	Current Hours
Supply of Alcohol	Mon – Sat 08.00 – 23.00
	Sunday 10.00 – 22.30
	Good Friday 08.00 – 22.30
	Christmas Day 12.00 – 15.00
	19.00 – 22.30
Opening hours	Unrestricted

6. Review application

- 6.1 An application was received on 15th June 2017 from the Police for a review of the existing premises licence for “Kapz News & Booze”, 286 Loughborough Road, Leicester. The

application was made on the ground of the prevention of crime and disorder. A copy of the application is attached at Appendix B.

- 6.2 The police say that they have concerns about the handling of stolen goods at the premises, and it is their view that the licensing objectives would be best promoted by revocation of this licence.

7. Representations

- 7.1 Fourteen representations were received between 21st June and 21st July 2017 from a local councillor and 13 local residents. The representations relate to the prevention of crime and disorder. They are all positive representations in support of the licence holder. Copies of the representations are attached at Appendices C1 – C14.

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
8.33 – 8.41	Steps to promote the licensing objectives
9.12	Representations from the Police
9.13 – 9.19	Licensing Authorities acting as responsible authorities
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
12	Duplication
17	Live Music, Dancing, Theatre, Circuses and Street Arts

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

OTHER IMPLICATIONS	YES/ NO	Paragraph/References Within Supporting information
Equal Opportunities	No	
Policy	No	
Sustainable and Environmental	No	
Crime and Disorder	Yes	Parag. 6.1 – 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

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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APPENDIX	CONTENT
A	Existing licence
B	Application for review
C	Representations