



Leicester  
City Council

**WARDS AFFECTED**  
**Castle**

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

**1 September 2017**

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**Application for a review of an existing premises licence**  
**City News, 80 Belgrave Gate, Leicester, LE1 3GQ**

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**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 information provided at the hearing, 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 City News 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. 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 Sun 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 13<sup>th</sup> July 2017 from Leicestershire Police for a review of the existing premises licence for City News. The application was made on the grounds of the prevention of crime and disorder, public safety and the prevention of public nuisance. A copy of the application is attached at Appendix B.

- 6.2 Leicestershire Police note that this premises is a small newsagent and off licence situated within the Church Gate cumulative impact area. The Police are concerned that the staff at the premises are selling high strength alcohol to a recognized group of people known as 'street drinkers' even after they have been advised that these people are using alcohol to cause anti-social behavior in the city centre.

## 7. Representations

- 7.1 There have been no representations in relation to this application.

## 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
2.6 – 2.13	Public safety
2.14 – 2.20	Public nuisance
8.33 – 8.41	Steps to promote the licensing objectives
9.12	Representations from the Police
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
3	Cumulative Impact
4	Policy on Cumulative Impact
5	Licensing Hours
7	Prevention of Crime and Disorder

8	Public Safety
9	Prevention of Public Nuisance
12	Duplication
13	Standardised conditions

## 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

<b>OTHER IMPLICATIONS</b>	<b>YES/ NO</b>	<b>Paragraph/References Within Supporting information</b>
Equal Opportunities	No	
Policy	Yes	Section 3 of our Licensing Policy relates to cumulative impact
Sustainable and Environmental	No	
Crime and Disorder	Yes	Parag. 6 – 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

13.1 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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<b>APPENDIX</b>	<b>CONTENT</b>
A	Existing licence
B	Application for review