



Leicester
City Council

**WARDS AFFECTED
BELGRAVE**

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

23 October 2017

**Application for a new premises licence
The Local Store, 116 Bruin Street, LE4 5AY**

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.

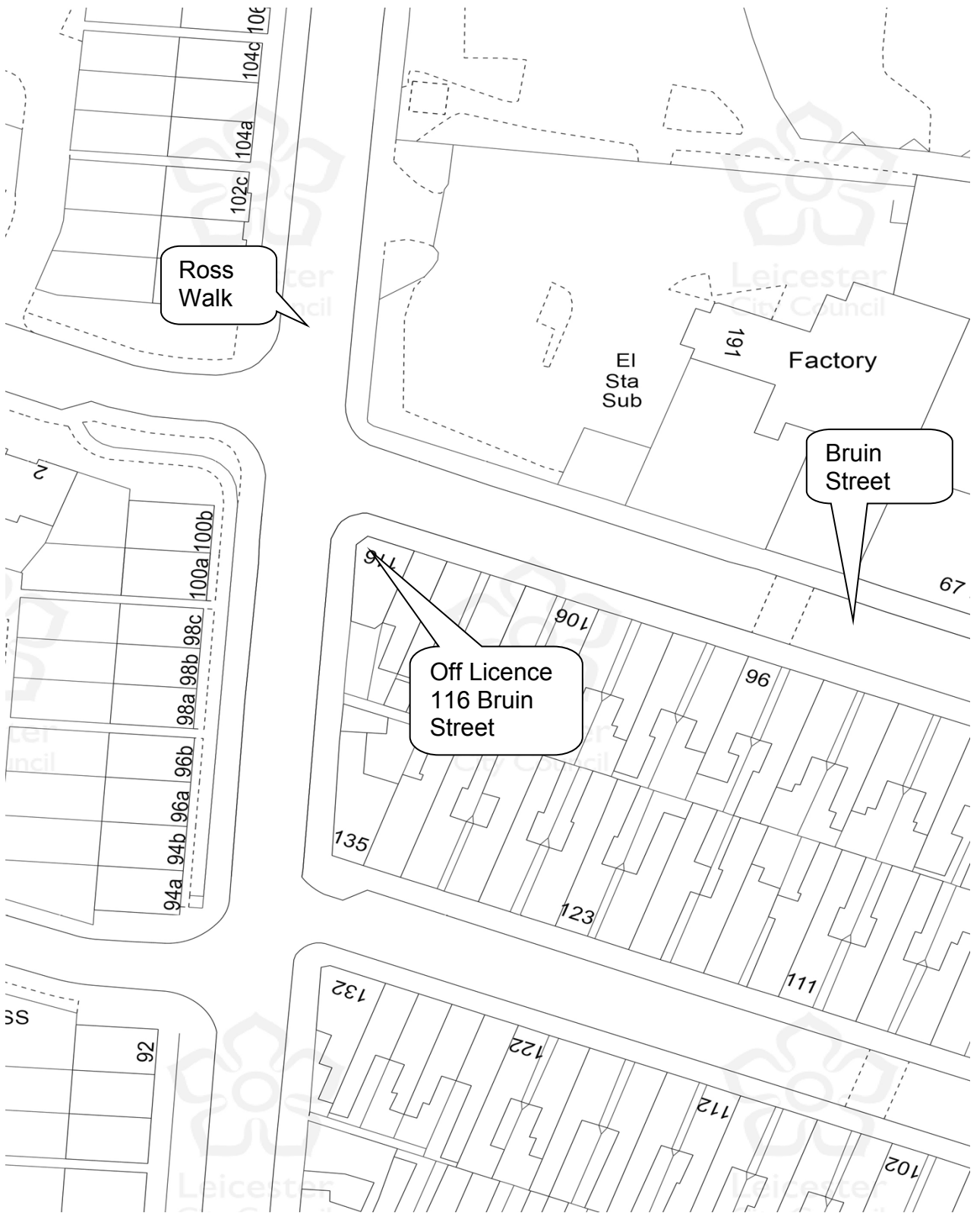
2. Determination to be made

- 2.1. Having considered the application and representations, Members must consider whether to
- Grant the licence without modification
 - 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 The Local Store, 116 Bruin Street 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.
- 3.2 A new premises licence was previously applied for at this premises. The hearing was held in August 2017, no parties attended the hearing and the licence was refused.

4. Location Plan



5. Application

- 5.1 An application was received on 31 August 2017 from Mr Dharmesh Valobo for a new premises licence for The Local Store. 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 06.00 – 21.00

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 18 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 Representations were received between 15 and 26 September 2017 from eight local residents. The representations relate to the prevention of public nuisance and the protection of children from harm. The local residents are concerned that granting this licence will exacerbate the noise and anti-social behaviour problems already experienced in this area. Copies of the representations are attached at Appendix B1 – B8.

8. Conditions

- 8.1 The conditions that are consistent with the operating schedule 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 – 1.16	General Principles
1.17	Each application on its own merits
2.15 – 2.21	Public nuisance
2.22 – 2.31	Protection of Children from Harm
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

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
10	Protection of Children from Harm
11.4 – 11.5	Planning
12	Duplication
13	Standardised conditions

11. Points for Clarification

11.1 The applicant and the parties making the representations 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?

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

a. None

14 Consultations

As this application was received electronically, the Licensing Authority was required to consult with the relevant responsible authorities as set out in the Licensing Act 2003.

15 Report Author

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APPENDIX	CONTENT
A	Application
B	Representations
C	Conditions consistent with application