



Leicester  
City Council

**WARDS AFFECTED**  
Abbey

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

**21<sup>st</sup> November 2017**

---

**Application for a new premises licence**  
**Broadway, 263 – 265 Abbey Lane, Leicester, LE4 5QH**

---

**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**

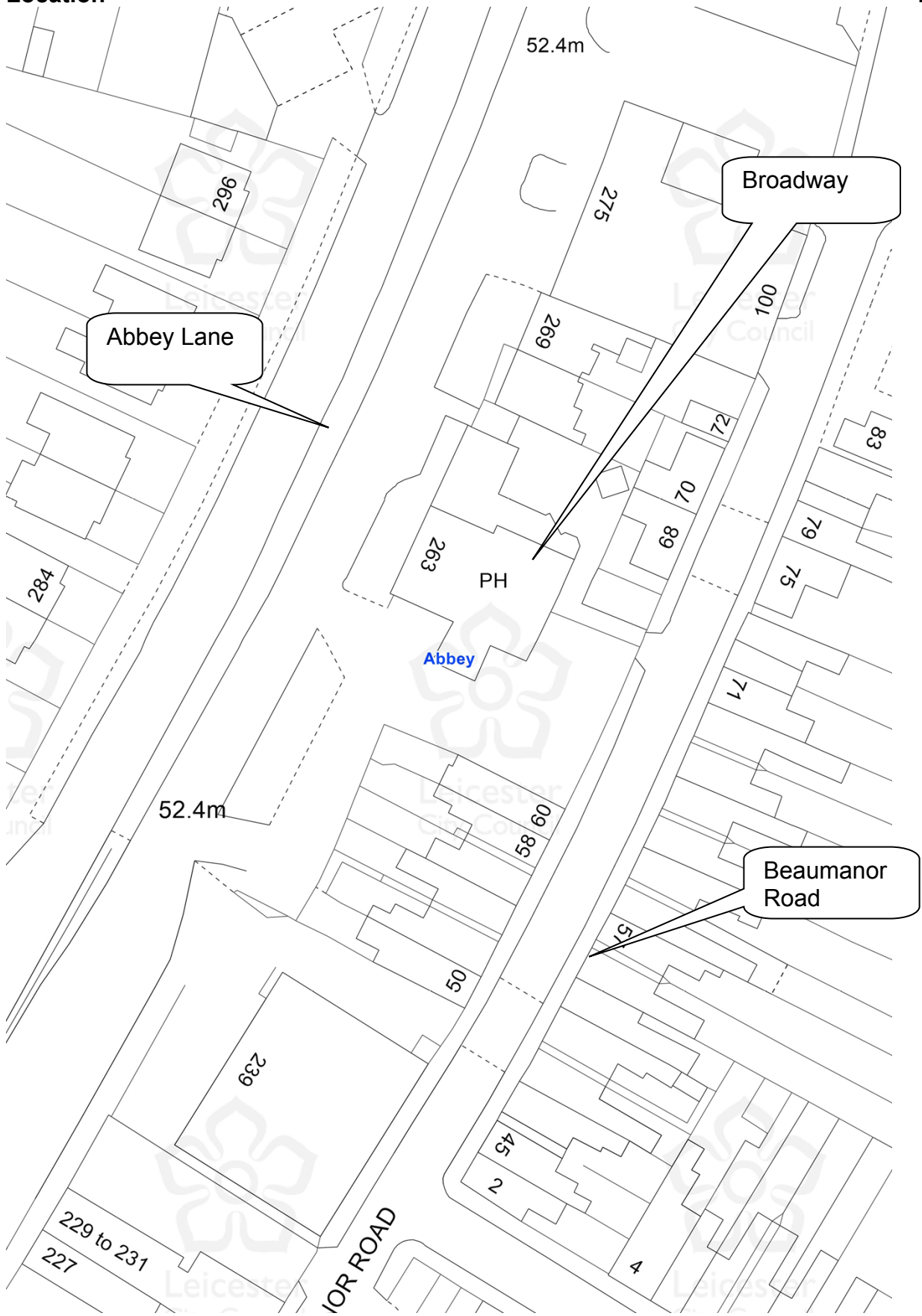
- 2.1. Having considered the application and representation, Members must consider whether to:
- Grant the licence without modification
  - Grant the licence subject to conditions
  - Exclude from the licence any of the licensable activities
  - Refuse to accept the proposed premises supervisor
  - Reject the application

**3. Summary**

- 3.1 This report outlines an application for a new premises licence for the Broadway 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. Application

- 5.1 An application was received on 13<sup>th</sup> September 2017 from Parjinder Singh for a new premises licence for the Broadway. A copy of the application is attached at Appendix A.
- 5.2 The application is as follows:

<b>Licensable activity</b>	<b>Proposed Hours</b>
Plays, Films, Indoor sporting events, Live Music.	Sunday – Thursday 10.00 – 0.00 Friday and Saturday 10.00 – 2.00
Recorded Music, Performance of dance and anything similar	Sunday – Thursday 10.00 – 0.00 Friday and Saturday 10.00 – 2.00
Late Night Refreshment	Sunday – Thursday 23.00 – 0.00 Friday and Saturday 23.00 – 2.00
Supply of Alcohol	Sunday – Thursday 10.00 – 0.00 Friday and Saturday 10.00 – 2.00
Opening hours	Sunday – Thursday 8.00 – 0.30 Friday and Saturday 8.00 – 2.30

## 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 M 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. Regulated entertainment

- 7.1 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.
- 7.2 The above exemptions may affect the application under consideration because conditions may not be imposed at this stage to control live or recorded music that is unregulated. However, if problems do occur as a result of that entertainment then conditions may be imposed to control such music in the future after a formal review.

## 8. Representation

- 8.1 A representation was received on 5<sup>th</sup> October 2017 from a person in the vicinity of the premises. The representation relates to the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. The local resident is concerned about the reopening of the premises and the impact this will have on the area. They say that there has been a significant positive difference since it closed with

a reduction in crime and disorder and violent assaults. A copy of the representation is attached at Appendix B1.

- 8.2 The local ward councilor has also emailed in and supports any objections from local residents. A copy of the email is attached at Appendix B2.
- 8.3 A representation was received on 6 October 2017 from a local resident and signed by 23 other local residents. The representation relates to the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. They are concerned about previous issues of crime and disorder and public nuisance and are concerned that if the premises re-opens the same issues will re occur. A copy of the representation is attached at Appendix B3, including additional information received on 30<sup>th</sup> October 2017.
- 8.4 A representation was received on 11 October 2017 from the Noise team at Leicester City Council The representation relates to the prevention of public nuisance. They are concerned about the close proximity of residents and the effect that live or amplified music may have if doors and windows are left open. A copy of the representation is attached at Appendix B4.

## 9. Conditions

- 9.1 The conditions that are consistent with the operating schedule and the representation from the noise team are attached at Appendix C.

## 10. 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
2.1 – 2.6	Crime & Disorder
2.7 – 2.14	Public Safety
2.15 – 2.21	Public nuisance
2.22 – 2.31	Protection of children from harm
3.12 – 3.20	Late night refreshment
8.38 – 8.46	Steps to promote the licensing objectives
9.12	Representations from the Police

## 12 Statement of Licensing Policy

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

<b>Section</b>	<b>Heading</b>
2	Fundamental Principles
5	Licensing Hours
7	Prevention of Crime and Disorder
8	Public Safety
9	Prevention of Public Nuisance
10	Protection of Children from Harm
11.4 – 11.5	Planning
12	Duplication
13	Standardised conditions

### 13. Points for Clarification

13.1 The applicant and the party 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 party making the representation*

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

<b>OTHER IMPLICATIONS</b>	<b>YES/ NO</b>	<b>Paragraph/References Within Supporting information</b>
Equal Opportunities	No	
Policy	No	
Sustainable and Environmental	No	
Crime and Disorder	Yes	8.1, 8.3.
Human Rights Act	No	
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

**15. Background Papers – Local Government Act 1972**

a. 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**

Sarah Miller  
Licensing Officer  
0116 454 3052  
sarah.miller@leicester.gov.uk

<b>APPENDIX</b>	<b>CONTENT</b>
A	Application
B1 –B4	Representations
C	Conditions that are consistent with the operating schedule and the representation are attached at Appendix C.