



Leicester
City Council

LICENSING (HEARINGS) SUB-COMMITTEE

DATE: THURSDAY, 28 NOVEMBER 2024

TIME: 10:00 am

PLACE: Meeting Room G.02, Ground Floor, City Hall, 115 Charles Street, Leicester, LE1 1FZ

Members of the Sub-Committee

Councillors Pickering, Adatia, Cank and Kennedy-Lount

Members of the Sub-Committee are summoned to attend the above meeting to consider the items of business listed overleaf.

for Monitoring Officer

Officer contact:

Katie Jordan, Governance Services Officer, email: katie.jordan@leicester.gov.uk / Julian Yeung, Governance Support Assistant, email: wing.yeung@leicester.gov.uk

Information for Members of the Public

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You have the right to attend formal meetings such as full Council, committee meetings, City Mayor & Executive Public Briefing and Scrutiny Commissions and see copies of agendas and minutes. On occasion however, meetings may, for reasons set out in law, need to consider some items in private.

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- ✓ to respect the right of others to view and hear debates without interruption;
- ✓ to ensure that the sound on any device is fully muted and intrusive lighting avoided;
- ✓ where filming, to only focus on those people actively participating in the meeting;
- ✓ where filming, to (via the Chair of the meeting) ensure that those present are aware that they may be filmed and respect any requests to not be filmed.

Further information

If you have any queries about any of the above or the business to be discussed, please contact us on committees@leicester.gov.uk, or call in at City Hall.

For Press Enquiries - please phone the **Communications Unit on 0116 454 4151**.

LEICESTER CITY COUNCIL LICENSING SUB-COMMITTEE PROCEDURAL GUIDE

INTRODUCTORY PHASE

The meeting will be held in public unless stated otherwise in the report.

Present at the hearing will be Members of the Licensing Sub-Committee (minimum 3 Members), Officers from the Licensing Authority, a Legal Adviser to the Sub-Committee, an Officer from Governance Services.

1. Participants at the meeting will introduce themselves as follows:
 - a. Members and Officers
 - b. Statutory Consultees (if any)
 - c. The Applicant and any representatives
 - d. Persons who have made representations
2. The Chair will check that the Applicant has received a copy of the Officer report.

INFORMATION GATHERING

(*Please Note – for the purposes of a hearing to determine an application in a Cumulative Impact Zone (CIZ), the Applicant will present their case first)

3. The Licensing Officer presents the report (previously circulated)

Questions (for clarification purposes only):
Members
Statutory Consultees (if any)
Persons who have made representations
Applicant and Representative(s)
4. Depending on the nature of the report, Statutory Consultees present their comments.

Questions (for clarification purposes only):
Members
Officers
Persons who have made representations
Applicant and Representative(s)
5. Persons who have made representations

Questions (for clarification purposes only):
Members
Officers
Statutory Consultees (is any)
Applicant and Representative(s)
6. *Applicant's Case

Questions (for clarification purposes only):
Members
Officers

Statutory Consultees
Persons who have made representations

7. Summing up in the following order

Officers
Statutory Consultees
Persons who have made representations
*Applicant and Representative(s)

8. The Legal Adviser to the Sub-Committee to advise the Sub-Committee in the presence of the Applicant, Representatives, Officers, Statutory Consultees, and persons who have made representations on relevant issues the Members need to be aware of when they come to make their decision.

DECISION MAKING

9. Apart from the Sub-Committee Members and the Governance Support Officer everyone will be asked to withdraw from the meeting The Legal Adviser to the Sub-Committee may be called back to the meeting to advise on the wording of the decision the Sub-Committee Members will have made during private deliberation.
10. The Applicant will be advised that the decision made by the Sub-Committee will be made public within 5 working days of the meeting.

PUBLIC SESSION

AGENDA

FIRE / EMERGENCY EVACUATION

If the emergency alarm sounds, you must evacuate the building immediately by the nearest available fire exit and proceed to the area outside the Ramada Encore Hotel on Charles Street as directed by Governance Services staff. Further instructions will then be given.

7. Any Other Urgent Business

(Pages 1 - 16)

OBJECTION NOTICE FOR A TEMPORARY EVENT NOTICE, AOUB 1 Ice Rink, Jubilee Square, Leicester.

Councillor Singh Johal, Chair of the Licensing and Public Safety Committee has agreed that this item may be taken as urgent business because of the timescale given for holding a hearing in relation to a Temporary Event Notice. The timescale is set out in Schedule 1 of the Licensing Act 2003 (Hearings) Regulations 2005, which provides that a hearing must be held in 7 working days beginning with the day after the end of the period within which representations may be made.

Report attached. A copy of the associated documentation is attached for Members only. Further copies are available on the Council's website at www.cabinet.leicester.gov.uk or by phoning Governance Support on 454 6354.

Objection notice given for a Temporary Event Notice

Licensing (Hearings) Sub-Committee

Decision to be taken by: Licensing (Hearings)
Sub-Committee

Decision to be taken on/Date of meeting: 28 November
2024

Lead director/officer: Deborah Bragg

Useful information

- Ward affected: Castle
- Report author: Victoria Marshall
- Author contact details: 0116 454 3048
- Report version number: 1

1. Summary

- 1.1 This report outlines an objection notice given by the Noise Team in response to a temporary event notice given by James Locke-Moulding for the ice rink on Jubilee Square. It also highlights the licensing objectives and the relevant parts of both the statutory guidance and the Licensing Authority's Licensing Policy.

2. Determination to be made

- 2.2 Having considered the temporary event notice and the objection notice, Members must consider whether to
- Give the premises user a counter notice under Section 105 (2) of the Licensing Act 2003 if it is considered appropriate for the promotion of a licensing objective to do so; or
 - Disregard the objection notice

3. Temporary event notice

- 3.1 A temporary event notice was given on 19 November 2024 by Mr Locke-Moulding for an event at the ice rink on Jubilee Square. The temporary event notice is for an event on 4-10 December 2024 and is attached at Appendix A.
- 3.2 The temporary event notice is for the following licensable activities:

Licensable activity	Proposed hours
The sale by retail of alcohol (for consumption on and off the premises)	10:00-22:00 each day
Provision of regulated entertainment	10:00-22:00 each day

4. Objection notice

- 4.1 An objection notice was received on 22 November 2024 from the Noise team on the grounds of the prevention of public nuisance. A copy of the objection notice is attached at Appendix B.

5. Conditions

- 5.1 There is no premises licence that affects any part of the premises identified in the temporary event notice. This means that no conditions may be applied to the temporary event notice.

6. Statutory guidance and statement of licensing policy

6.1 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
7.2 – 7.7	TEN – General
7.25 – 7.31	Role of the Licensing Authority
7.32 – 7.36	Police and Environmental Health intervention

6.2 The relevant parts of the Licensing Authority’s Statement of Licensing Policy are as follows:

Section	Heading
2	Fundamental Principles
15	Temporary Event Notices

8. Financial, legal, equalities, climate emergency and other implications

8.1 Financial implications

None.

8.2 Legal implications

Legal advice specific to the application will be provided at the meeting by Legal Officers.

8.3 Equalities implications

None.

8.4 Climate Emergency implications

There are unlikely to be any significant climate emergency implications directly associated with this report and the licensing process. Aidan Davis, Sustainability Officer, Ext 28 3384.

8.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

None.

9. Background information and other papers:

None

10. Summary of appendices:

Appendix A – Temporary Event Notice

Appendix B – Objection notice

11. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?

No

12. Is this a “key decision”? If so, why?

No

Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)	
1. Your name	
Title	Mr
Surname	LOCKE-MOULDING
Forenames	JAMES
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	[REDACTED]
Surname	[REDACTED]
Forenames	[REDACTED]
3. Your date of birth	
4. Your place of birth	
5. National Insurance Number	
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)	
[REDACTED]	
Post town:	[REDACTED]
Postcode:	[REDACTED]
7. Other contact details	
Telephone numbers	[REDACTED]
Daytime	[REDACTED]
Evening (optional)	[REDACTED]
Mobile (optional)	[REDACTED]
Fax number (optional)	[REDACTED]
E-Mail address (if available)	[REDACTED]
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	

JUBILEE SQUARE ICE RINK,	
Post town: LEICESTER	Postcode: LE1 4LD
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
LEICESTER ICE RINK JUBILLE SQUARE LEICESTER LE1 4LD	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	WAITING APPROVAL
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
Please describe the nature of the premises below. (Please read note 4)	
IN JUBILLEE SQUARE AT LEICESTER ICE RINK OUTSIDE FOOD COURT	
Please describe the nature of the event below. (Please read note 5)	
IT IS A OUTSIDE FOOD AND DRINK COURT ON JUBILEE SQUARE NEXT TO LEICESTER ICE RINK	

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3. The licensable activities	
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)	
The sale by retail of alcohol	yes
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	Yes
The provision of regulated entertainment (Please read note 7)	YES
The provision of late night refreshment	NO
Are you giving a late temporary event notice? (Please read note 8)	NO
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)	
FROM THE 04/12/24- 10/12/24	
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24-hour clock). (Please read note 10)	
10:00AM TO 22:00PM	
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)	400
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only <input type="checkbox"/>
	Off the premises only <input type="checkbox"/>
	Both YES

<p>Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)</p> <p>RECORDED MUSIC, LIVE ENTERTAINMENT, SALE OF ALCHOL</p>
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4. Personal licence holders (Please read note 14)		
Do you currently hold a valid personal licence? (Please tick)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	CHARNWOOD COUNCIL	
Licence number	PERS145450	
Date of issue	03/11/2023	
Any further relevant details		


5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		


Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No X
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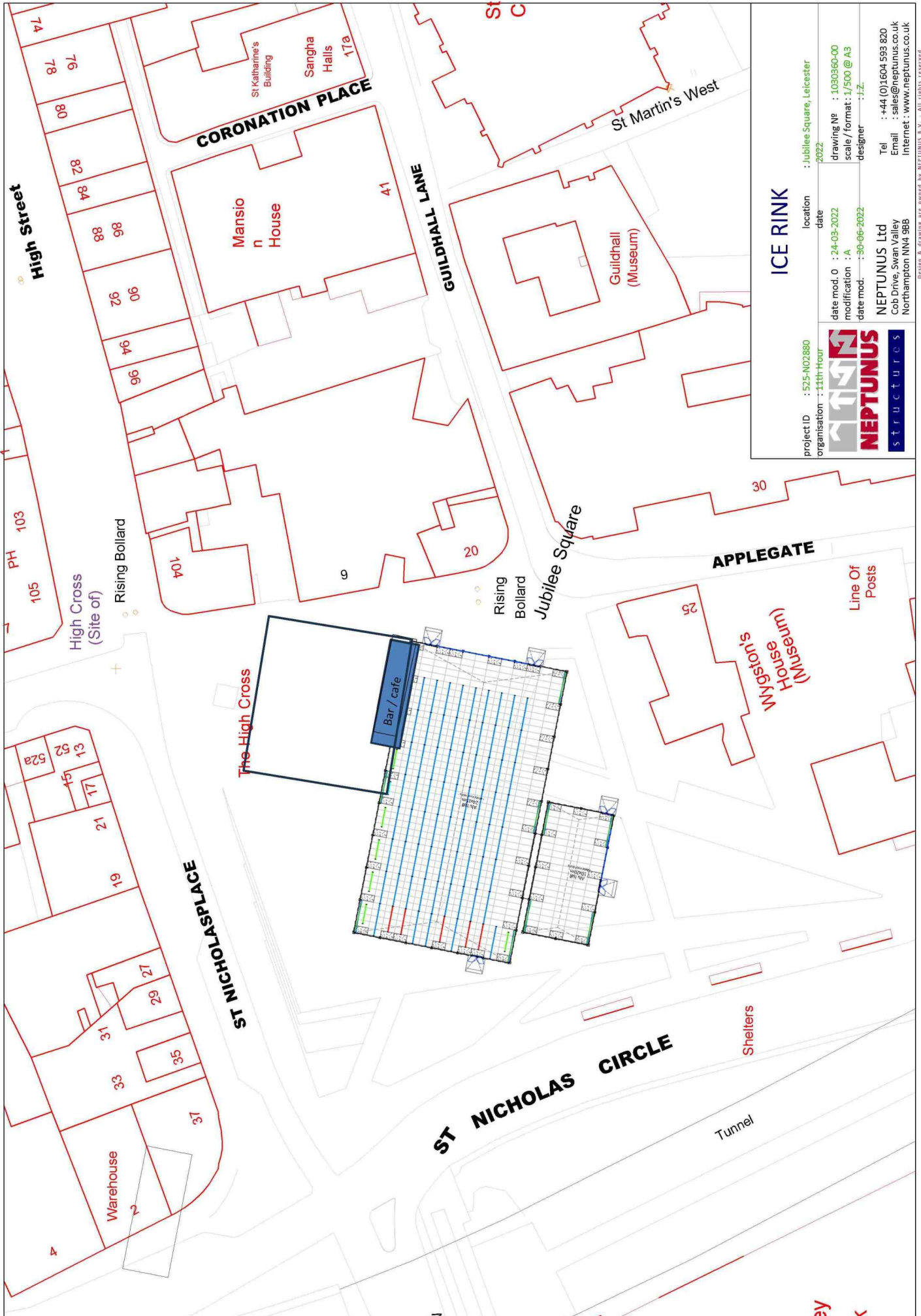
7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input type="checkbox"/>
Signed the declaration in Section 9 below	<input type="checkbox"/>

8. Condition (Please read note 18)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence: (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not	
Signature	
Date	19/11/2024
Name of Person signing	JAMES LOCKE-MOULDING

For completion by the licensing authority

10. Acknowledgement (Please read note 20)	
I acknowledge receipt of this temporary event notice.	
Signature	 On behalf of the licensing authority
Date	20/11/24
Name of Officer signing	A Day



ICE RINK

project ID : 525-N02880
 organisation : 11th Hour
 location : Jubilee Square, Leicester
 date : 2022
 date mod. 0 : 24-03-2022
 drawing № : 1080960-00
 modification : A
 scale / format : 1/500 @ A3
 date mod. : 30-06-2022
 designer : J.Z.
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Licensing Act 2003 - Representation in respect of Premises Licence

Details of person or body making representation	
Your Name:	Jasvinder Mann
Your Address:	Pollution Control Officer Noise and Pollution Control Leicester City Council City Hall 115 Charles Street Leicester LE1 1FZ

Details of premises representation is about	
Name of Premises:	Leicester Ice Rink
Address of premises:	Jubilee Square Leicester LE1 4LD
Application No. (if known)	

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input type="checkbox"/> yes
Public Safety	<input type="checkbox"/> yes
Prevention of public nuisance	<input checked="" type="checkbox"/> yes
Protection of children from harm	<input type="checkbox"/> yes

Please summarise your concerns about this application:
<p>I wish to make representation in connection with this application. The applicant has requested to have an outside food and drink court on Jubilee Square, next to the ice rink from 10:00-22:00 (Monday-to-Sunday).</p> <p>The applicant wishes to have recorded music, live entertainment, and the sale of alcohol during these hours.</p> <p>I have spoken to the applicant, who mentioned that they do have a Noise Management Plan in place. I have requested this Noise Management Plan.</p> <p>I emailed the applicant explaining that I do need to see a Noise Management Plan and still need to speak to them to clarify a few things on their application form.</p>

The applicant has confirmed there will be a DJ every Saturday from 19:00-22:00. The rest of the time there will just be music or radio playing inside the ice rink. The customer had said that no live performances have been confirmed yet, so wasn't sure of the timings of these performances.

The applicant mentioned that a P.A speaker will be outside playing music and for safety announcements. When asked "how loud will this be" the applicant said that he did not know that he has a technical person who he will arrange to contact me.

Please give further details of why you believe this application will have an adverse effect on the licensing objectives

Currently, I have had no further contact from the applicant since speaking to him. The application form was very vague. It was not supported by a Noise Management Plan nor has one been received.

My concerns are that we do not have enough information to process this application. Times of live performances outdoors are unknown. Currently, no Noise Management Plan has been submitted, the technical person who has knowledge of the levels of the P.A system has not been in touch.

No timings for the live performances outdoor have been confirmed. We do require this information, as it will be outdoors and could have an effect on residents near by.

Noise from the ice rink combined with an outdoor food and drinks area, with a large number of people has the potential to cause noise disturbances to the residents living close by. In particular during the evening hours, as the background level drops and noise has the potential to travel further.

The area consists of student accommodation, flats, shops, bars and hairdressers in very close proximity to the location of the ice rink. My concerns are noise associated with activities of this nature has the potential to impact these premises.

Currently, as it stands. I recommend that this application be rejected.

Return your completed form to:

By Post:

Licensing Section
Leicester City Council
City Hall
115 Charles Street
Leicester
LE1 1FZ

By Email:

licensing@leicester.gov.uk

