



Leicester
City Council

LICENSING (HEARINGS) SUB-COMMITTEE

DATE: WEDNESDAY, 18 DECEMBER 2024

TIME: 5:00 pm

PLACE: Meeting Room G.01, Ground Floor, City Hall, 115 Charles Street, Leicester, LE1 1FZ

Members of the Sub-Committee

Councillors Singh Johal, Joshi and Karavadra

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 / Julian Yeung, Governance Support Assistant,
email: committees@leicester.gov.uk

Information for Members of the Public

Attending meetings and access to information

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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.

Supplemental Reports

Any supplemental reports that were made available after the Agenda and Reports were published are included with this document. Please see below for details.

I-REALTY LTD - APPLICANT REPRESENTATION

New Premises License Application No.: 169142

Site: Car Park 73B Church Gate, Leicester LE1 3AN

Police Engagement:

- Meeting held on site
- Constructive conversation held
- Officer site visit (during event time)
- Conditions agreed
- Police approved

Licensing Engagement:

- Meeting held on site
- Constructive conversation held
- Officer site visit (during event time)
- Conditions agreed
- Licensing approved

Sound Engagement:

- Meeting held on site
- Officer site visit (non-event time)
- Officer site visit (during event time)
- Pollution Control Officer constructive discussions
- Licensing approved

Proposed Licenced Times:

DAYTIME: 12 NOON – 11PM

CAPPED EVENTS: NO MORE THAN 30 EVENTS ANNUALLY

Location and Venue:

Adjacent outdoor (outlined in **red**) area next to Mix'd Café Bar (outlined in **green**).

The adjacent outdoor area was historically licensed under a premise licence when the venue was running as under different ownership as the only summer venue located in the city centre and still is the only venue with a purposed outdoor area.

The space is hidden from the street scene and is enclosed by 9inch brick walls, 12ft high, with only one entrance, gated, from Church Gate.

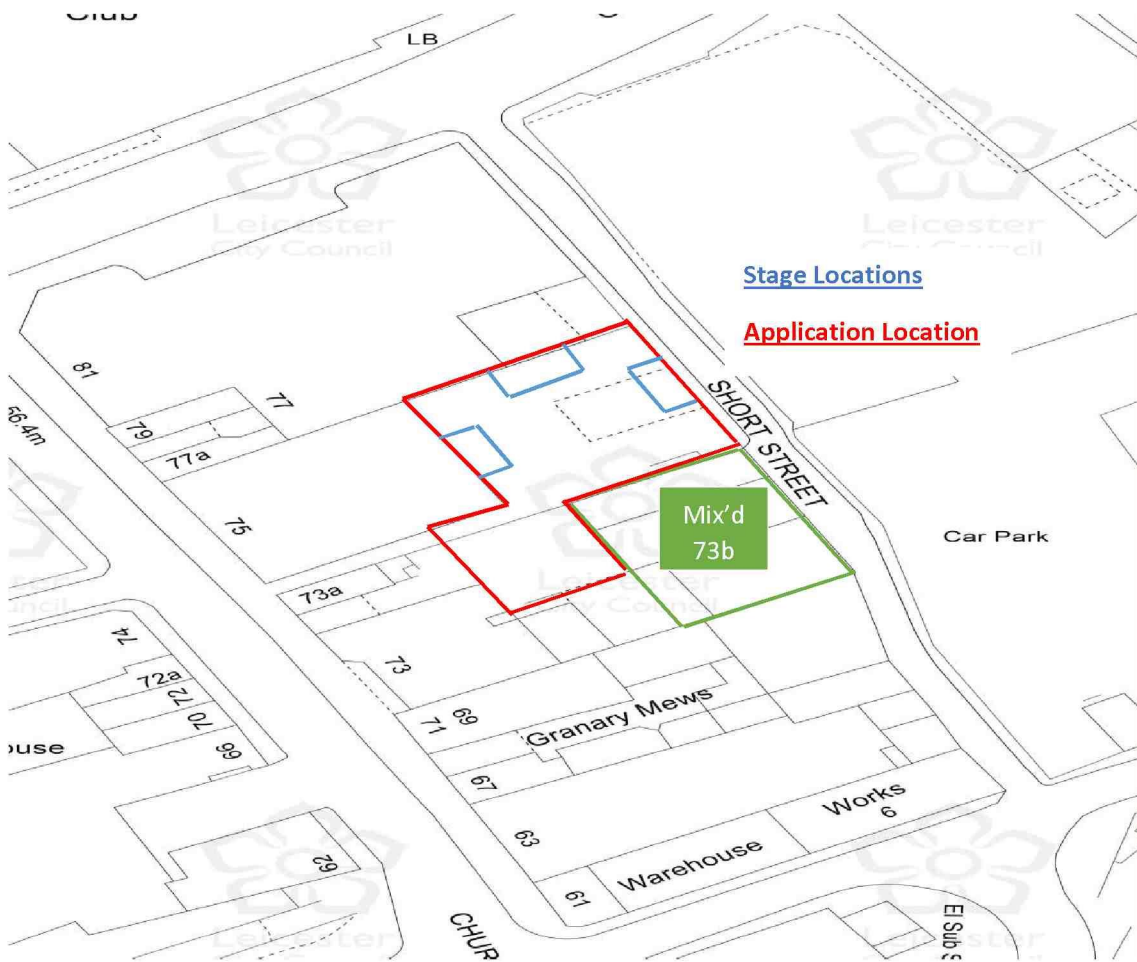
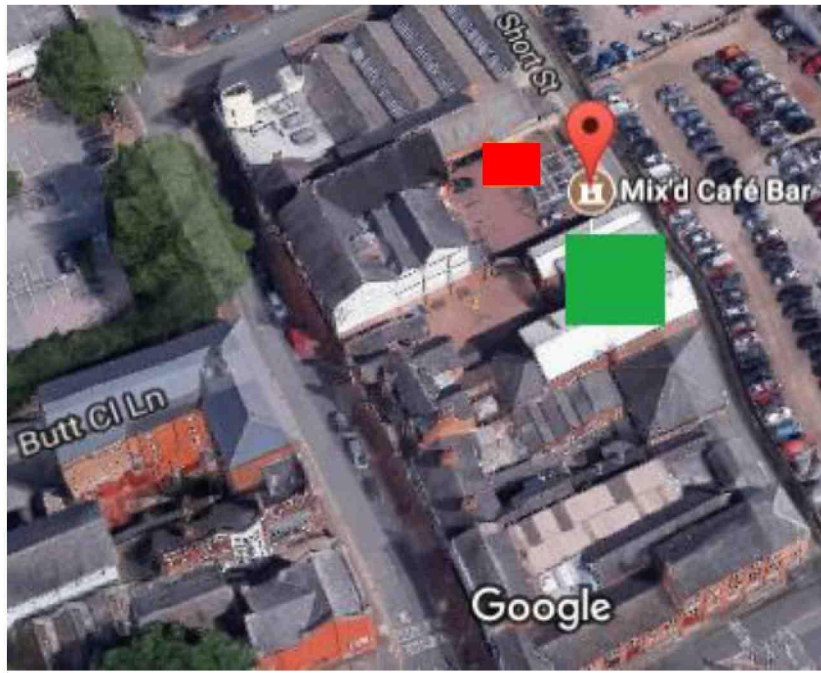


Figure 2: Access to site from Church Gate



Figure 3: Existing front elevations at 73b Church Gate



Blue – Mansfield House Police Station

Orange – Commercial Businesses operating at the same time as the event.

Yellow – Residential properties from which no issues were raised.

Green – Outdoor Event

Licensing History:

- Early 2000s: venue – saturated zone - outdoor space was licensed with a premises licence (different ownership).
- 2013: A new 'MIX'D' venue was established – saturated zone - a new premises licence was **APPROVED** with the ability for patrons to take alcohol 'off' site.
- 'Off-site' use is permitted allowing patrons to take alcohol into the beer garden outside side of the venue – front courtyard and adjacent courtyard (car park).
- 2015: TENS for front courtyard (499 people) and car park (499 people) up to 11PM – **APPROVED**
- 2016: TENS for front courtyard (499 people) and car park (499 people) up to 11PM – **APPROVED**
- 2017: TENS for front courtyard (499 people) and car park (499 people) up to 11PM – **APPROVED (by licensing committee hearing)**
- 2018: TENS for front courtyard (499 people) and car park (499 people) up to 11PM – **APPROVED**
- 2019: TENS for front courtyard (499 people) and car park (499 people) up to 11PM – **APPROVED**
- 2021: TENS for front courtyard (499 people) and car park (499 people) up to 11PM – **APPROVED**
- 2022: TENS for front courtyard (499 people) and car park (499 people) up to 11PM – **APPROVED**
- 2023: TENS for front courtyard (499 people) and car park (499 people) up to 11PM – **APPROVED**
- 2024: TENS for front courtyard (499 people) and car park (499 people) up to 11PM – **APPROVED**

9 YEARS OF SUCCESSFUL TENS WITHOUT ANY VERIFIED STATUTORY NUISANCE OR COMPLAINTS FROM NEIGHBOURING BUSINESSES OR RESIDENTS

36 TENS APPROVED SINCE 2015 (and 16 TENS APPROVED SINCE 2022)

Objections against the Licencing Objectives

- the prevention of crime and disorder - **NO OBJECTIONS**
- public safety - **NO OBJECTIONS**
- the protection of children from harm - **NO OBJECTIONS**
- the prevention of public nuisance – **OBJECTION FROM NOISE TEAM ONLY**

NO OBJECTIONS RECEIVED FROM NEIGHBOURING BUSINESSES OR RESIDENTS

Response to NOISE TEAM (POLLUTION CONTROL OFFICER) Representation:

1. No notices have been served or issued by the local authorities or the police on the neighbouring premises licence conditions granted back in 2013 which I also own.
2. No events have been closed down, nor have we ever had to ask for/by the police.
3. I do not accept concerns raised - management control/noise given track record from 2015. We use a modern sound setup that mitigates noise impact such as Cardioid to direct the output of subwoofers in order to limit excessive amounts of bass in undesired locations.
4. As an active operator the premises is also used by charities and CIC's – public benefit.
5. We also support the regeneration of Church Gate being a key focal point for the street, regeneration focus by the city centre director, heritage schemes and other businesses on Church Gate who have benefited from the increased footfall/trade as a result of our events.
6. Planning permission was granted for commercial to residential conversion at 75 Church Gate – conditioned with noise insulation to prevent a breach beyond a certain level given agent of change principle and proximity overlooking the premises **(see noise team objection below)**.
7. Residential neighbours are actually keep windows open during events **(see photos below)**.
8. Community Engagement prior to any events **(see copies of signs put up below)**.
9. Noise management plan's and regular hourly monitoring during the events together with an onsite sound engineer to maintain control and react to variables is already in place at the premises **(see noise plan and monitoring photographs)**.
10. No glasses are served to customers, plastic cups or cans only outside as standard in order to promote the licensing and public safety objectives.

NOISE TEAM OBJECTION - 75 CHURCH GATE – COMMERCIAL TO RESIDENTIAL USE

Rekha Shah

From: Richard Riley
Sent: 08 March 2017 13:51
To: William Josey
Cc: planning
Subject: 20170100 75 Church Gate

SCANNED
DATE Initials

William

In principle the conversion of unused upper floors of city centre buildings to residential, is very much welcomed. However, as this scheme demonstrates, undertaking these conversion schemes is not always straight forward. This proposal, as an isolated conversion scheme is unacceptable in my view for the following reasons:

1. There would be very low levels of natural light penetrating these apartments. The first and second floor

However, the Mixed nightclub seems to be still in business and popular with young people. Furthermore, this area of Church Gate has been a popular location for nightclubs stretching back several decades. It would be a great shame therefore if the growing city centre residential population, were to force the nightclubs out of business.

Regards

Richard Riley
Urban Designer
Ext 37 3025

Prafula Pankhania

From: Chris White
Sent: 27 March 2017 14:30
To: William Josey
Cc: planning
Subject: Application 20170100: 75 Church Gate

Hi William,

I have been through the submitted application and acoustic report. The report seem very detailed and thorough, however I don't believe that the potential impact from Mix'd Bar has been considered as it was not holding an event at the time of the monitoring. We have witnessed nuisance from events at Mix'd within residential properties that are further away than the proposed development and I believe that if the insulation at the rear of the premises is installed as per the report then it is very likely that the future residents will also be exposed to excessive noise.

if the applicant revises the insulation to also protect the residents at the rear of the building then the application may be acceptable but it is not as it currently stands.

Kind regards

*Chris White
Pollution Control Officer
Noise & Pollution Control Team
Environmental Health
Leicester City Council
Phoenix House
1 King Street
Leicester
0116 454 3059*

From: Chris White
Sent: 28 June 2017 15:53
To: William Josey
Cc: planning
Subject: Application 20170100:75 Church Gate

Hi William,

As with my previous comments I don't believe that the potential impact from Mix'd Bar at the rear of the proposed development, I don't believe the noise from this venue has been appropriately considered as it was not holding an event during the noise monitoring. We have already witnessed statutory nuisance's from events at Mix'd within residential properties that are further away than the proposed development with the most recent within the last couple of weeks. I believe that if the insulation at the rear of the premises is installed as per the report then it is very likely that the future residents will also be exposed to excessive noise.

I understand that the applicant would prefer a noise condition so that planning consent can go ahead which is not a problem, however it should be noted that we would not be happy to discharge this condition with the insulation proposed in the submitted acoustic report

If planning consent is granted I would recommend the following conditions

Sound Insulation Scheme

No development shall take place until an insulation scheme to prevent the transmission of noise into the proposed development is carried out in accordance with details which shall first have been agreed in writing with the City Council as local planning authority. (The scheme shall include ventilation arrangements. The applicant should note that windows shall not be sealed closed).

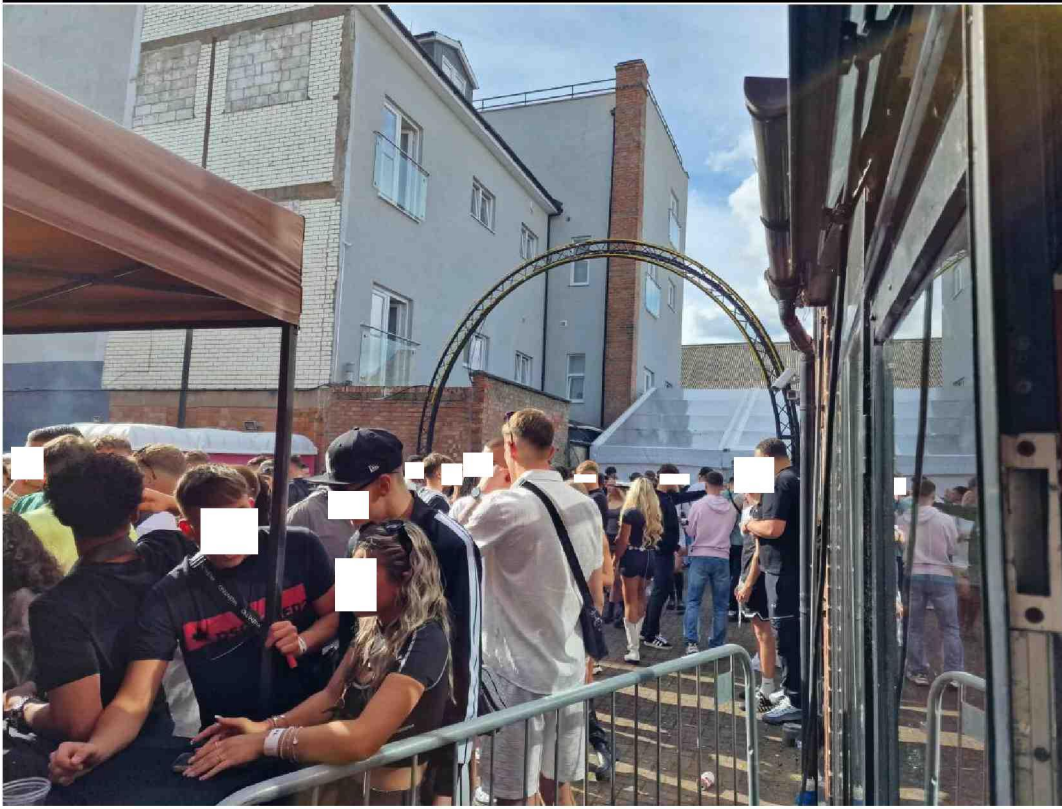
Note to applicant:

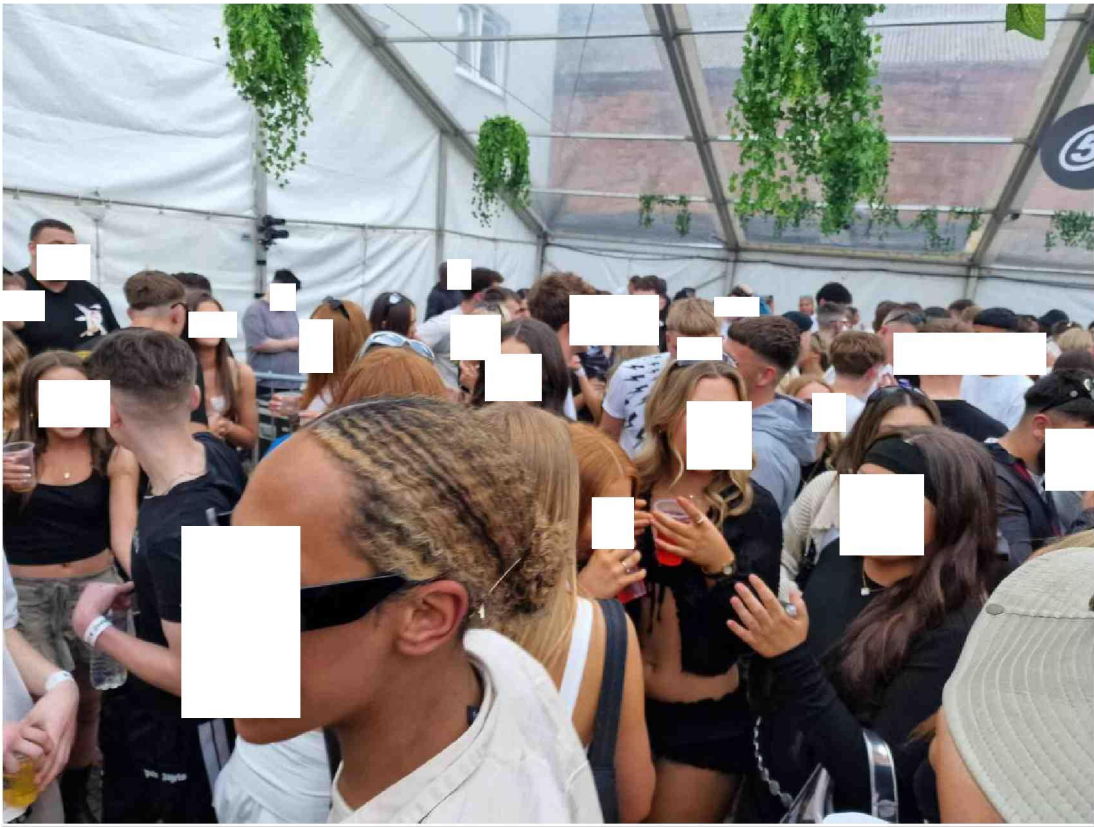
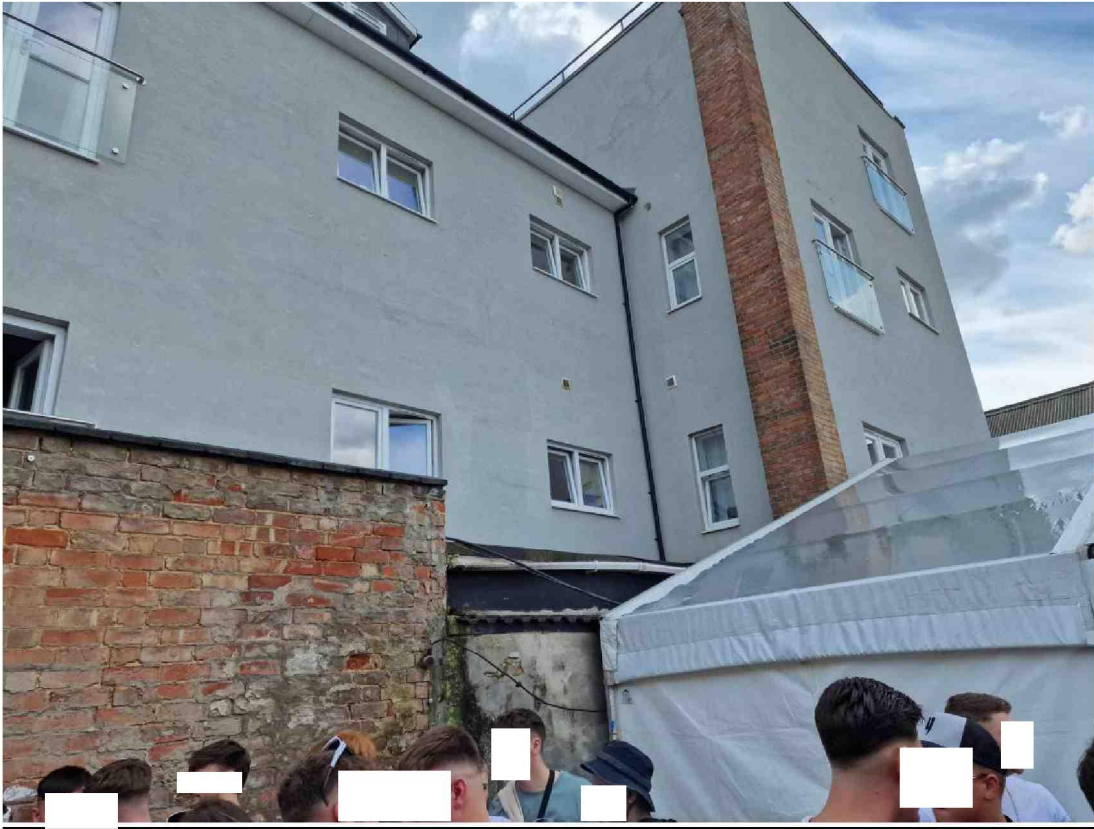
The insulation scheme shall ensure that the Indoor ambient noise levels fall within the guideline values as specified in British Standard BS 8233:2014 "Sound insulation and noise reduction for buildings". In addition, the scheme shall ensure that the L_{Amax} does not exceed 45dB(A) on more than 15 occasions during any night time period

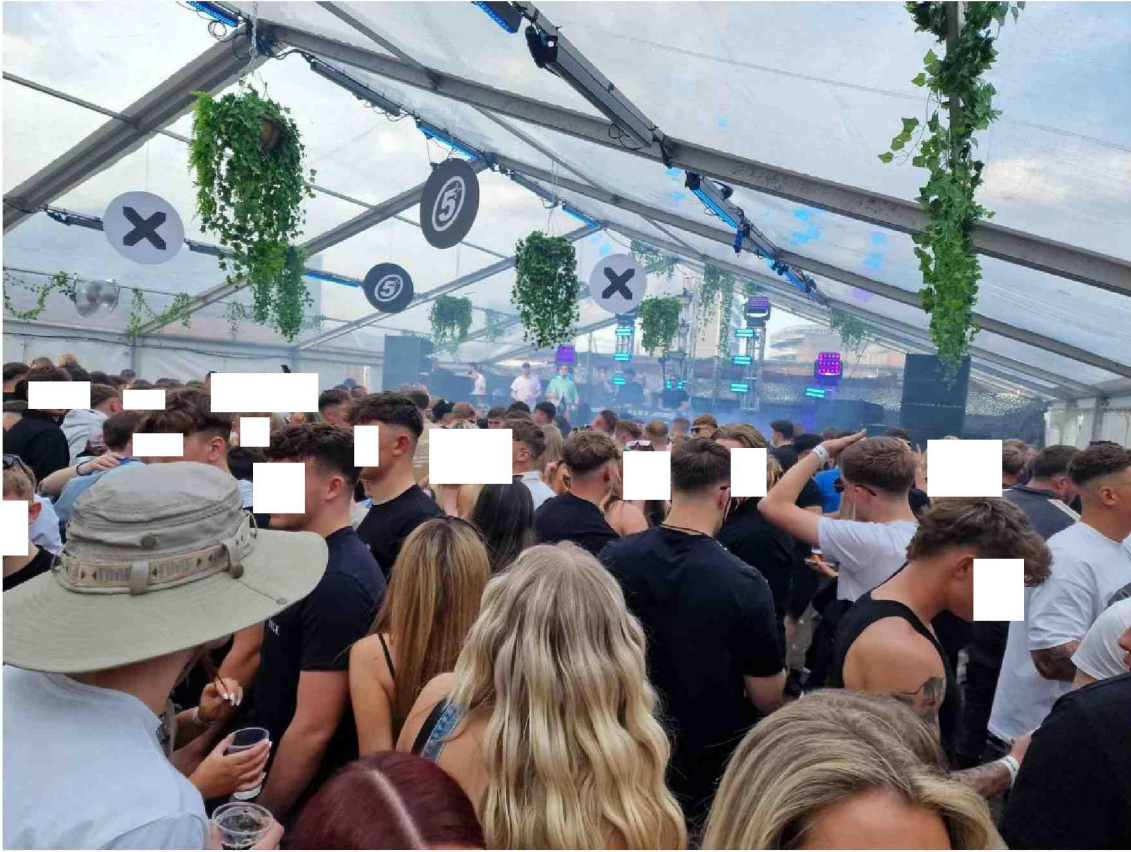
Kind regards

*Chris White
Pollution Control Officer
Noise & Pollution Control Team
Environmental Health
Leicester City Council
Phoenix House
1 King Street
Leicester
0116 454 3059*

PHOTOGRAPHS FROM MAY 2024 EVENTS







PLEASE ALSO FIND ATTACHED HEREWITH:

1) A COPY OF AN EXAMPLE NOISE MANAGEMENT PLAN

2) COMMUNITY / NEIGHBOUR NOISE ENGAGEMENT NOTICES

****Additional steps proposed by the Applicant to promote licencing objectives
- prevention of public nuisance ****

1. Start time to be delayed until 14:00 HRS (instead of 12:00 HRS)
2. Cap of 25 events (instead of 30)
3. No consecutive event days apart from bank holidays and public holidays
4. Sound Engineer to be on site during promoted amplified music events (to react to variable wind and weather conditions).

I respectfully request that the Licence Committee approve our application for a new premises licence given there have been no objections from any members of the public nor neighbouring businesses or residents even after the statutory notices with respect to this application placed at the front of the venue and in the Leicester Mercury newspaper.

Many thanks,

Mr Andy Patel MSc of I-Realty Ltd

BLOX x STUDIO5

MIX'D Venue

Saturday 4th May 2024

73B Church Gate, Leicester LE1 3AN

NOISE MANAGEMENT PLAN

27/04/2024

Event Details:

The upcoming event is a music gathering around the genre of House Music and is set to take place at Mix'd Venue on Saturday 4th May 2024.

Utilising the car park area, our aim is not only to curate an immersive musical experience but also to uphold respect for the neighbouring residential flats. With a scheduled runtime from 14:00 - 22:30, this event is set to host approximately 800 attendees throughout the day and into the evening.

The brands involved are well-versed in orchestrating successful music events across the city, including previous large-scale day events. The design is to bring in a 12m x 21m marquee which will be professionally fitted on Thursday 2nd May. Inside the marquee will house the production that is being supplied by our production Suppliers. Our production suppliers have been partners with the brands for over a year and are experts in sound dispersion and management and we have sought advice from our production team to ensure that the speaker layout/design we choose is one that will create an immersive experience for the crowd but also mitigate as much noise pollution as possible.

The Design:



Key Methods for Noise Management:

1. Marquee Sound Insulation:

- **Physical Barrier:**

Our marquee is constructed of sturdy materials, forming a physical barrier that encloses the event space. This enclosure effectively restricts the outward projection of sound waves, containing noise within the designated area. By confining the sound inside the marquee, we minimise the potential for noise disturbance to neighbouring residential flats.
- **Sound Absorption:**

The interior surfaces of the marquee act as acoustic panels that absorb and dampen sound waves. As sound reverberates within the enclosed space, these surfaces mitigate the intensity of noise by converting sound energy into heat. This process helps to attenuate the overall volume of sound emitted from the event, contributing to noise reduction beyond the marquee boundaries.
- **Containment of Audio Equipment:**

The marquee provides a centralised location for housing audio equipment, including speakers and amplifiers. By consolidating sound-producing elements within the confines of the marquee, we exert greater control over sound distribution and intensity. This centralised approach allows us to optimise sound configuration and mitigate the risk of sound leakage outside the event area.
- **Enhanced Control and Regulation:**

By enclosing the event space with a marquee, we gain greater control over environmental factors that influence noise propagation. This includes factors such as wind direction and ambient noise interference, which can affect the transmission of sound. The marquee provides a controlled environment where we can implement targeted noise management measures, such as adjusting speaker placement and sound levels, to ensure compliance with noise regulations.

2. Hourly Noise Limit Checks:

- Regular noise level checks empower us to proactively address emerging noise issues before they escalate into significant concerns. By staying vigilant throughout the event, we can implement preventative measures such as adjusting sound system settings or repositioning directional speakers to maintain optimal noise levels and minimise the risk of noise complaints.
- We have implemented a SMAART Audio Detection system, which electronically and precisely measures noise levels and pressure within the environment. This advanced system enables us to diligently maintain appropriate noise levels, ensuring compliance with regulatory standards and fostering a conducive atmosphere for all participants.

- The integration of hourly or regular noise level checks into our noise management plan provides a proactive framework for maintaining control over sound levels, ensuring compliance with regulatory standards, and fostering positive community relations. By leveraging real-time monitoring and data-driven insights, we can effectively mitigate noise impact and create a harmonious environment for both event attendees and neighbouring residents.

3. Directional Speakers:

- **Focused Sound Distribution:**
Directional speakers are engineered to emit sound waves in a specific direction, allowing us to control the distribution of sound more effectively. By focusing sound towards the front of the venue where the majority of attendees are situated, we enhance the auditory experience for event-goers while mitigating noise impact on surrounding residential properties. This focused distribution minimises sound spillage into adjacent areas and contributes to overall noise reduction beyond the event boundaries.
- **Variable Output and Coverage:**
Our speaker system is equipped with adjustable output levels and coverage patterns to accommodate the dynamic nature of the event. During peak hours of activity, we can increase the output of directional speakers to maintain audio quality and energy levels within the event space. Conversely, during quieter periods or breaks in programming, we can scale back speaker output to reduce noise levels and conserve energy. This adaptive approach ensures that sound levels remain within acceptable limits while optimising the attendee experience.
- **Sound Engineering Expertise:**
Our sound technicians possess specialised expertise in configuring speaker systems to achieve optimal sound quality and control. Drawing upon their technical knowledge and experience in live event production, they fine-tune speaker settings, EQ levels, and volume levels to strike the right balance between audio immersion and noise mitigation. This meticulous approach ensures that sound is delivered with clarity and precision while minimising the risk of noise disturbance to nearby residents.
- **Continuous Monitoring and Adjustment:**
Throughout the event, our team conducts regular monitoring of sound levels to assess the effectiveness of our speaker setup. If deviations from acceptable noise thresholds are detected, we can make real-time adjustments to speaker configurations or volume levels to bring sound levels back into compliance. This proactive approach enables us to maintain control over noise levels and address any emerging issues promptly, thereby minimising the risk of noise complaints or regulatory violations.

4. Natural Sound Deadening:

- **Sound Absorption by Mass:**

The dense concentration of individuals within the event area creates a physical barrier that absorbs and dampens sound waves. As sound travels through the air, it encounters the bodies of attendees, which act as mass absorbers. This absorption process converts sound energy into kinetic energy, resulting in a reduction in sound intensity and propagation beyond the immediate vicinity of the crowd.
- **Crowd Density and Acoustic Impedance:**

The high density of people packed closely together increases the effective acoustic impedance of the crowd. Acoustic impedance refers to the resistance that the crowd presents to the transmission of sound waves. A dense crowd with higher acoustic impedance effectively impedes the transmission of sound, causing attenuation and reducing the distance over which sound travels.
- **Sound Reflection and Diffusion:**

In addition to absorption, the crowd also contributes to sound reflection and diffusion within the event space. As sound waves interact with the multitude of surfaces presented by the bodies of attendees, they undergo scattering and redirection in various directions. This diffusion of sound helps to distribute acoustic energy more evenly throughout the crowd, reducing the intensity of sound waves that reach the periphery of the event area.
- **Effective Sound Deadening:**

The combined effect of sound absorption, reflection, and diffusion by the compact crowd results in effective sound deadening within the event space. This natural attenuation of sound minimises the risk of noise propagation beyond the boundaries of the event, mitigating the potential for disturbance to neighbouring residential areas. As a result, the dense crowd acts as a buffer that helps to contain sound and maintain a comfortable acoustic environment for both attendees and the surrounding community.

Implementation Strategy:

- **Pre-Event Assessment:**
 - Conduct a thorough assessment of the event site and its proximity to residential areas to identify potential noise hotspots and sensitive locations.
- **Sound System Configuration:**
 - Ensure that sound systems are configured to optimise directional dispersion and minimise noise propagation towards residential areas.
- **Monitoring and Adjustment:**
 - Employ dedicated personnel to conduct regular noise level checks throughout the event duration using a SMAART audio noise detection system. Adjust sound equipment settings as needed to maintain compliance with noise regulations.
- **Communication with Residents:**
 - Proactively communicate with residents in the vicinity prior to the event to inform them about noise management measures being implemented and provide contact information for addressing any concerns or complaints during the event.

Conclusion:

The noise management plan outlined above demonstrates a comprehensive approach to managing the levels of noise during the event. By implementing a combination of techniques we look to create an immersive experience for attendees whilst also achieving the lowest disturbance to nearby residential areas. Leveraging technological solutions such as the SMAART and strategic interventions such as directional speakers and a marquee, we ensure compliance with regulatory standards and mitigate the risk of noise complaints.

Hourly noise level checks and proactive communication with residents demonstrate our commitment to responsible event management and community engagement. By capitalising on the natural sound-deadening properties of a compact crowd and fostering open dialogue with the local community, we strive to create a harmonious event environment while delivering an exceptional music experience.

ADVANCED NOISE NOTICE

THIS IS TO NOTIFY THAT A LICENSED ENTERTAINMENT EVENT WILL BE TAKING PLACE AT

MIX'D VENUE

SATURDAY 25TH MAY 2024

DURING THE EVENT:

- MUSIC WILL BE PLAYED FROM 2PM UNTIL 11PM WITH A LARGE NUMBER OF ATTENDEES
- WE ARE COMMITTED TO WORKING WITH THE LOCAL COMMUNITY
- WE WILL BE TAKING THE FOLLOWING STEPS TO REDUCE NOISE IN RESIDENTIAL AND BUSINESS AREAS - SOUND PROOFING - DIRECTIONAL SPEAKER SYSTEM - HOURLY AND REGULAR AUDIO MONITORING - SMART AUDIO MONITORING SYSTEMS - COMMUNICATION WITH THE LOCAL COUNCIL & LICENSING TO PREVENT NOISE POLLUTION - COMMUNICATION WITH THE CITY POLICE FORCE TO REDUCE DISTURBANCES FROM THE EVENT OR THE ATTENDEES - PROVIDING YOURSELVES WITH DIRECT TELEPHONE NUMBERS SHOULD YOU HAVE A COMPLAINT ON THE DAY OF THIS EVENT.
- THIS EVENT LIKE THOSE PREVIOUSLY ARE ONE-OFF EVENTS AND AS A GESTURE OF GOODWILL WE WOULD LIKE TO OFFER ANYONE IN THE IMMEDIATE RESIDENTIAL VICINITY A FREE TICKET TO THE EVENT - TO REDEEM THIS PLEASE TEXT THE FOLLOWING NUMBER WITH YOUR NAME, EMAIL AND FLAT NUMBER BELOW.
- AS PART OF WORKING WITH THE COMMUNITY WE ASK THAT SHOULD YOU HAVE ANY QUESTIONS IN THE BUILD-UP TO THE EVENT OR A PROBLEM WITH THE NOISE LEVELS ON THE EVENT DAY YOU CONTACT US FIRST SO WE CAN MITIGATE ANY PROBLEMS UPFRONT.

CONTACT MIX'D C/O ANDY: 07700 123456