

Leicester
City Council

PLEASE NOTE: This will be a 'virtual meeting', a link to which will be available on the Council's website at least 24hrs before the meeting.

LICENSING (HEARINGS) SUB-COMMITTEE

DATE: TUESDAY, 12 MAY 2020
TIME: 1:00 pm
VENUE: Teams Virtual Meeting

Members of the Sub-Committee

Councillors Gee, Hunter and Pickering

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: Ed Brown
Democratic Support, Leicester City Council
City Hall, 115 Charles Street, Leicester, LE1 1FZ
Tel: 0116 454 3833
email: edmund.brown@leicester.gov.uk

Information for members of the public

PLEASE NOTE that any member of the press and public may listen in to proceedings at this 'virtual' meeting via a weblink which will be publicised on the Council website at least 24hrs before the meeting. Members of the press and public may tweet, blog etc. during the live broadcast as they would be able to during a regular Committee meeting at City Hall / Town Hall. It is important, however, that Councillors can discuss and take decisions without disruption, so the only participants in this virtual meeting will be the Councillors concerned, the officers advising the Committee and any objectors and applicants relevant to the applications to be considered.

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Braille/audio tape/translation - If you require this please contact the Democratic Support Officer (production times will depend upon equipment/facility availability).

Further information

If you have any queries about any of the above or the business to be discussed, please contact Ed Brown, Democratic Support on **(0116) 454 3833** or email edmund.brown@leicester.gov.uk.

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

PUBLIC SESSION

AGENDA

1. APPOINTMENT OF CHAIR

Members are asked to appoint a chair for the Hearing.

2. APOLOGIES FOR ABSENCE

3. DECLARATIONS OF INTEREST

Members are asked to declare any interests they may have in the business on the agenda.

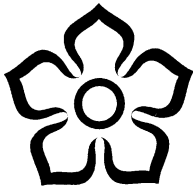
**4. APPLICATION FOR A NEW PREMISES LICENCE:
XTRA HUMONGOUS, LAND BETWEEN ST JOHN
STREET AND BURLEYS WAY**

The Director of Neighbourhood and Environmental Services submits a report on an application for a new premises licence: Xtra Humongous Ltd, Land between St John Street and Burleys Way Leicester.

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 phone from Democratic Support on 0116 4546354.

(Wards affected: Abbey)

5. ANY OTHER URGENT BUSINESS



Leicester
City Council

WARDS AFFECTED
Abbey

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

12th May 2020

**Application for a new premises licence
Xtra Humongous Ltd, Land between St John Street and Burleys Way,
Leicester**

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.

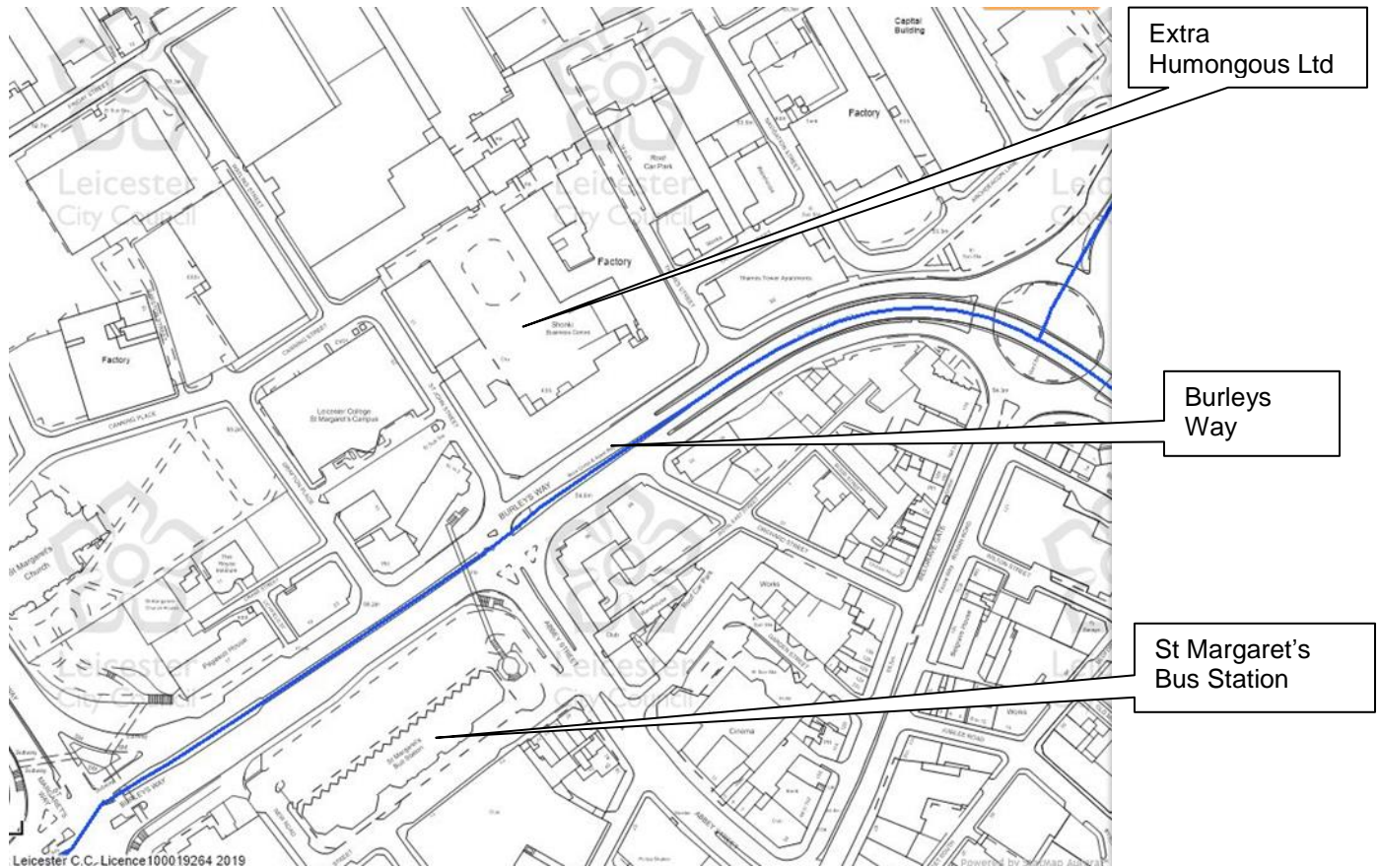
2. Determination to be made

- 2.1. Having considered the application and representation(s), 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 Xtra Humongous Ltd, for land between St John Street and Burleys Way, Leicester 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.

4. Location Plan



5. Application

5.1. An application was received on 3rd February 2020 from Rob Edge at Licence Leader Ltd acting on behalf of Xtra Humongous Ltd for a new premises licence for a plot of land between St John Street and Burleys Way, Leicester. A copy of the application is attached at Appendix A.

5.2 The new application is as follows:

Licensable activity	Proposed Hours
Plays	Monday to Sunday 10:00-00:00
Films	Monday to Sunday 10:00-00:00
Live Music	Monday to Sunday 10:00-00:00
Recorded Music	Monday to Sunday 10:00-00:00
Performances of Dance	Monday to Sunday 10:00-00:00
Anything similar to live/recorded music or dance	Monday to Sunday 10:00-00:00
Late night refreshment	Monday to Sunday 23:00-00:00
Supply of Alcohol	Monday to Sunday 10:00-00:00
Opening hours	Monday to Sunday 09:30-00:30

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

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.

- 7.1 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 28th February 2020 from the Public Safety Team at Leicester City Council. The representation relates to public safety. The Public Safety Team are concerned that the location is badly maintained and offers a number of potential dangers to the public such as uneven ground, broken and shattered windows and a large hole which could result in a potential fall from height. They have also expressed concerns regarding crowd safety and access to and from the area for emergency vehicles. A copy of the representation is attached at Appendix B.
- 8.2 A representation was received on the 1st March 2020 from the Licensing Enforcement Manager at Leicester City Council. The representation relates to the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm. The Licensing Enforcement Manager is not satisfied that the activities applied for would not have a negative impact on the licensing objectives and that the type of events to take place are not fully clear or defined in order to make a reasonable judgement. They have also expressed safety concerns over the current state of the land. A copy of the representation is attached at Appendix B.1.
- 8.3 A representation was received on the 2nd March 2020 from the Noise and Pollution Control Team at Leicester City Council. The representation relates to the prevention of public nuisance. The Noise Team have expressed concerns that the applicant intends to frequently hold outdoor events, including large scale music events and that there would be an inherent difficulty in noise control and management and that this would have a negative effect on existing and proposed nearby residential properties. A copy of the representation is attached at Appendix B.2.
- 8.4 A representation was received on the 2nd March 2020 from the Deputy Licensing Manager at Leicestershire Police. The representation relates to the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm. The

Police have expressed concerns that the application does not promote the licensing objectives. Concerns have been raised about the location of the site and safe access to and from the venue, lack of CCTV in the area and the impact of events on nearby residential accommodation. The Police have also raised concerns regarding child safety due to a lack of detail surrounding what type of events will be taking place. A copy of the representation is attached at Appendix B.3.

9. Conditions

- 9.1 The conditions that are consistent with the operating schedule are attached at Appendix C. All objectors have recommended refusal however if granted the Licensing Enforcement Team have requested a number of conditions be imposed in addition to all of those detailed within the application.

10. Statutory Guidance

- 10.1 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
8.41 – 8.49	Steps to promote the licensing objectives
9.11 – 9.12	Role of responsible authorities
9.13 – 9.19	Licensing Authorities acting as responsible authorities
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 – 13.11	Giving reasons for decisions
14.51 – 14.52	Licensing Hours
16.1 – 16.69	Regulated entertainment

11 Statement of Licensing Policy

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

Section	Heading
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
17	Live Music, Dancing, Theatre, Circuses and Street Arts

12 Points for Clarification

- 12.1 The applicant and the party / parties 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?

13 Other Implications

OTHER IMPLICATIONS	YES/ NO	Paragraph/References Within Supporting information
Equal Opportunities	No	
Policy	No	
Sustainable and Environmental	No	
Crime and Disorder		Possibly – depends on circumstances
Human Rights Act	No	
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

14 Background Papers – Local Government Act 1972

14.1 None

15 Consultations

15.1 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.

16 Report Author

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Licensing Officer
0116 4543122
Jamie.stubbs@leicester.gov.uk

APPENDIX	CONTENT
A	Application
B	Representation(s)
C	Conditions consistent with application and representation



Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We XTRA HUMONGOUS LTD

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
The licensable area will encompass the land between St John Street, Burleys Way, as indicated on the plan. The exact area used for each event will be determined by the type of event.			
Post town	Leicester	Postcode	

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ Band B

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **Please tick as appropriate**

- | | |
|--|-----------------------------|
| a) an individual or individuals * | please complete section (A) |
| b) a person other than an individual * | |
| i as a limited company/limited liability partnership | please complete section (B) |
| ii as a partnership (other than limited liability) | please complete section (B) |

- iii as an unincorporated association or please complete section (B)
- iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name XTRA HUMONGOUS LTD
Address 8-39 Albert Road, Tamworth, B79 7JS
Registered number (where applicable) 09337686
Description of applicant (for example, partnership, company, unincorporated association etc.) 70210 - Public relations and communications activities - Limited company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)
Xtra Humongous - Event industry experts renowned for delivering successful events of diverse types, From festivals to club shows, to orchestral tours, to food and drink, events to niche bespoke calendar events for Halloween, open air cinema events and much much more! They have also owned multiple clubs, and operate events and consult to multiple event spaces throughout the UK.

A city centre open-air multi use event space that will engage and excite not only the community of Leicester but also transient event tourists, bringing people from all over the UK into the city.

This will mean a boost for the local and night-time economy with a vast amount of businesses like hotels, taxi drivers, food outlets, bars benefitting from a significant uplift in business.

Whilst strongly promoting the licensing objectives for a safe friendly venue.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	X
				Both	
Mon	1000	0000	Please give further details here (please read guidance note 4)		
Tue	1000	0000			
Wed	1000	0000	State any seasonal variations for performing plays (please read guidance note 5)		
Thur	1000	0000			
Fri	1000	0000	Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	1000	0000			
Sun	1000	0000			

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	X
				Both	
Mon	1000	0000	Please give further details here (please read guidance note 4)		
Tue	1000	0000			
Wed	1000	0000	State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur	1000	0000			
Fri	1000	0000	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	1000	0000			
Sun	1000	0000			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	
Day	Start	Finish	Outdoors	
Mon			Both	
Tue			<u>Please give further details here</u> (please read guidance note 4)	
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)	
Thur				
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)	
Sat				
Sun				

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	X
				Both	
Mon	1000	0000	<u>Please give further details here</u> (please read guidance note 4)		
Tue	1000	0000			
Wed	1000	0000	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur	1000	0000			
Fri	1000	0000	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	1000	0000			
Sun	1000	0000			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input checked="" type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)	
Mon	1000	0000		
Tue	1000	0000		
Wed	1000	0000	State any seasonal variations for the playing of recorded music (please read guidance note 5)	
Thur	1000	0000		
Fri	1000	0000	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)	
Sat	1000	0000		
Sun	1000	0000		

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	X
				Both	
Mon	1000	0000	Please give further details here (please read guidance note 4)		
Tue	1000	0000			
Wed	1000	0000	State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur	1000	0000			
Fri	1000	0000	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	1000	0000			
Sun	1000	0000			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Mon	1000	0000		Outdoors	X
				Both	
Tue	1000	0000	Please give further details here (please read guidance note 4)		
Wed	1000	0000			
Thur	1000	0000	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri	1000	0000			
Sat	1000	0000	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun	1000	0000			

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	X
				Both	
Mon	2300	0000	<u>Please give further details here</u> (please read guidance note 4)		
Tue	2300	0000			
Wed	2300	0000	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	2300	0000			
Fri	2300	0000	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	2300	0000			
Sun	2300	0000			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises				
				Off the premises				
				Both	X			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)					
Mon	1000	0000						
Tue	1000	0000						
Wed	1000	0000						
Thur	1000	0000						
Fri	1000	0000						
Sat	1000	0000						
Sun	1000	0000						
						Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	
Date of birth	
Address	
DPS To be added at a later date after recruitment, of a suitable individual	
Postcode	
Personal licence number (if known)	

Issuing licensing authority (if known)

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	0930	0030	
Tue	0930	0030	
Wed	0930	0030	
Thur	0930	0030	
Fri	0930	0030	
Sat	0930	0030	
Sun	0930	0030	

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

The team behind this venture is a business partnership consisting of Event industry experts renowned for delivering successful, safe events of diverse types. E.g. festivals to club shows, to orchestral tours, food and drink events to niche bespoke calendar events for Halloween, cinema events and much more!

They have also owned multiple clubs, operating events and consulting to multiple event spaces in the UK. These include, not least - Event Health & Safety experts, Licensing Consultant and Noise Management Consultants.

b) The prevention of crime and disorder

The Premises Licence Holder will notify 28 days in advance of any event with Police Licensing that all arrangements are in place.

Security and Stewards

A Site Security, Communications Control room will be provided on site for events over 1000 people. Access will be made available to any Responsible Authority.

Numbers of Personnel

Written information shall be provided, prior to the start of the event, of the number of SIA Security personnel or Marshals to be employed on site, during the period the premises is open for licensable activities.

The Premises Licence Holder or DPS or a person nominated by them in writing for the purpose, shall maintain a register of staff on site for any event, which shall be kept on the premises showing the names and addresses of the door supervisors, their badge numbers. The register shall be made available on demand for inspection by any Responsible Authority.

Security Uniforms and Security Logs

All security and stewarding personnel will be readily identifiable by means of a hi-visibility clothing and.

No person shall perform the role of Stewarding/Marshalling without wearing hi-visibility clothing

An incident log must be kept at the premises, and made immediately available on request to any Responsible Authority., which must record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) seizures of drugs or offensive weapons
- (g) any visit by a relevant authority or emergency service

Each bar will be run by a bar manager/supervisor and this person under the direction of the Designated Premises Supervisor will be fully in control of the sale of alcohol from that bar.

All staff will be fully trained prior to undertaking any sale of alcohol on the premises. The training shall include:

- Drugs Awareness
- Conflict resolution
- Selling to under age persons
- Selling to persons under the influence of alcohol

Such training will be recorded and records shall be kept at the premises which will be produced to an authorised officer the licensing authority or the police on demand.

Secure and safe systems are to be in place for the storage of items seized. These systems are to include secure methods of storing any drugs, 'legal highs' (or similar) or weapons seized or found and procedures for handing the items over to the responsible authority where required. In addition, records of seizures will be kept in the incident book and made available to the Licensing Authority on demand or to the police on authority of the operational commander during the duration of any event or to any authorised person of the Police post event.

At least one personal licence holder shall be present at any alcohol serving area at all times during the event. Signed/countersigned documentation for briefings for challenge 25, refusals and all personal licence holder authorisations shall be kept on the premises and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer on demand.

Transport

A Traffic Management Plan (TMP) will be drawn up for the events and will be provided to relevant agencies prior to the events taking place, such plan shall be agreed by the Safety Advisory Group, if deemed necessary. The TMP will cover all aspects of vehicle and pedestrian access to and egress from the site during the 'load in and load out as well as for the event itself.

Off Sales will only take place for events such as farmers markets, when produce may be purchased as "off sales"; and then only when sold in sealed containers.

c) Public safety

Event Safety Consultant

The Premises Licence Holder will appoint an Event Safety Consultant who will be able to authorise and supervise safety measures, for all events over 1,000 people.

The Event Safety Consultant will be responsible for:

- Monitoring of contractors
- Liaison with contractors
- Checking of method statements and risk assessments
- Preparation and monitoring of site rules
- Safety inspections and audits
- Collection and checking of completion certificates
- Communication of safety information to contractors and employees
- Monitoring and coordinating safety performance
- Coordinating safety in response to a Major Incident
- Liaison with nominated officers from Herefordshire Council.

Electrical wiring and distribution systems

Temporary electrical wiring and distribution systems shall be signed off by a competent person prior to any licensable activity taking place at the premises. The competent person must be a member of a recognised electrical association such as NICEIC, NAPIT, ECA or other association as agreed by the licensing authority.

Any additional electrical work required after the event has commenced shall be signed off by a competent person. The competent person must be a member of a recognised electrical association such as NICEIC, NAPIT, ECA or other association as agreed by the licensing authority. The sign off certificates shall be available for inspection in the Event Office located on the licensed premises.

Structures

The Premises Licence Holder will ensure that all temporary structures and any other elements of infrastructure or artistic installation have been inspected and signed off as being safe prior to the commencement of its use.

A copy of each safety sign off certificate shall be kept at the Event Office and shall be made available to an authorised local authority officer.

All enclosed structures that the public have entry to will have designated entry/exit points. The numbers of these entry/exit points will be determined by the occupancy capacity and will be listed in the Tent Exit Calculation document submitted in the EMP. In this licence "enclosed structures" are classed as a structure whether tented or not, which has less than 25% of its sides open to the atmosphere (excluding entrances and exits) and which are accessible to the public when regulated entertainment is provided.

Special Effects

The installation and use of laser beams, pyrotechnics or real flames, explosive or highly flammable or smoke/foam producing agent, for any purpose shall not be permitted without prior notification to the Licensing Authority. A detailed description of the method of use, shall be made to the Licensing Authority.

Lanterns

Paper lanterns will not be sold on site and will be listed within the ticketing terms and conditions as items that may not be brought to the venue.

Sanitary Facilities

A Sanitation Management Strategy will be provided to the satisfaction of Leicester Council's Environmental and Trading Standards Service prior to commencement of each event. Once agreed, the strategy will be implemented throughout the events.

d) The prevention of public nuisance

A Noise Management strategy will be provided before the commencement of each event. The Premise Licence Holder must comply with the Noise Management Strategy.

The Noise Consultant shall be available for meetings with EHO Officers from Leicester Council.

The Premises License Holder will maintain a noise log and these will be kept in the Event Office and will be available at all times.

A noise hotline will be installed and publicised so that local residents can report any noise issues directly to the Event organiser. All calls will be logged by time, location and contact number and address will be requested. The log will be kept in the Event Office.

After the event has closed, the event organiser will pass the noise complaints register to the event consultant. The log will be available at all times for inspection in the Event Office. The noise hotline number will be operational throughout the hours of regulated entertainment.

e) The protection of children from harm

Lost Children Policy

The goal of the Lost Children Policy is to reunite each lost child with its parents or guardians. However if there is any evidence or suspicion of abuse or neglect of children, then this must be reported to the appropriate authority.

Age Verification

The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the Police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of the Council. Prominent, clear and legible signage shall also be displayed at all alcohol serving areas advertising the scheme operated.

Proof of the attainment of 18 years of age will be required through production of a full or provisional photo card driving licence, by a passport, PASS card or by a national identity card with a hologram photo prior to any alcohol sale taking place or entry to age restricted areas.

Bar staff must ask for proof of age ID whenever the customer appears to be under 25. If there is any doubt as to the age of the customer, they will be refused service.

A written register of refusals is to be kept including a description of the people who have been unable to provide required identification to prove their age. Such records will be kept for a period of 12 months. It will be collected and reviewed on a daily basis by a personal licence holders or designated premises supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of the Council on demand.

The Designated Premises Supervisor will brief bar security staff that they should take reasonable steps to monitor the final destination of the drinks and where it would appear that supply is being made by proxy to a person under the age of 18 years take steps to prevent the consumption by that person.

No persons serving alcohol shall be under the age of 18 years

The Designated Premises Supervisor, the bar manager and other bar supervisors will monitor the performance of the serving staff to ensure adherence to the licensing laws.

Any underage persons found arriving at or on the Licensed Premises with alcohol will have the alcohol confiscated by security.

A selection of soft drinks will be available to buy, along with an ample supply of free drinking water.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.


- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	3 February 2020
Capacity	Agent on behalf of the applicant

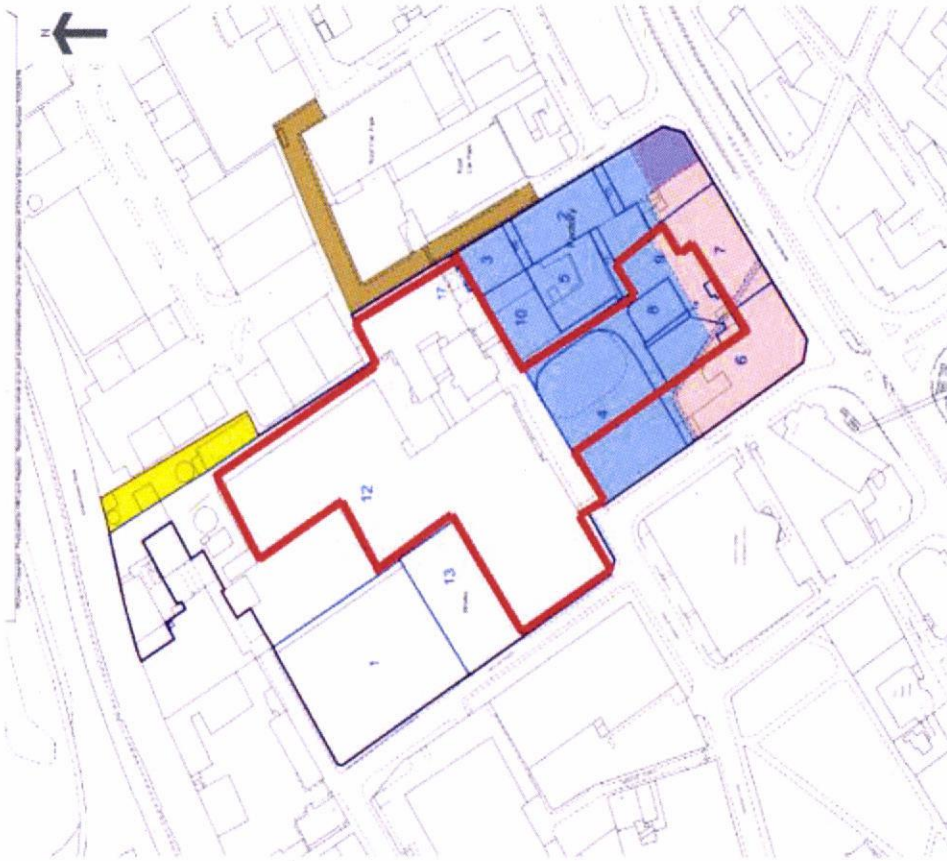
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Rob Edge Licence Leader Ltd 25, Hemyock Road Selly Oak			
Post town	Birmingham	Postcode	B29 4DG
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			

XTRAHUMGOUS

Area encompassed by the following streets - St John Street and Burleys Way.



Licence Leader Ltd
www.licence-leader.co.uk
rob.edge@licence-leader.co.uk
Rob. 07982917819

Version 01 – January 2020
Plans supplied by owner

Licensing Act 2003 - Representation in respect of Premises Licence

Details of person or body making representation	
Your Name:	Hanifa Turk
Your Address:	Public Safety Team Leicester City Council Third Floor Phoenix House 1 King Street Leicester LE1 6RN

Details of premises representation is about	
Name of Premises:	Open Land
Address of premises:	Area bounded by the following streets – St John Street, Burleys Way and Watling Street.
Application No. (if known)	Xtra Humongous Ltd

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	YES
Prevention of public nuisance	<input type="checkbox"/> yes
Protection of children from harm	<input type="checkbox"/> yes

Please summarise your concerns about this application:
<p>I refer to the above-mentioned application for a new premises licence for an area bounded by – St John Street and Burleys Way.</p> <p>My representations relate to public safety objectives.</p> <p>The application site is an open space within a build-up industrial area that is surrounded by a mixture of derelict/disused buildings and commercial buildings in use.</p> <p>Currently, a large proportion of the application site is uneven in places, with large amounts of building waste/rubble. In addition, in the middle of the site there is a large depression/hole (appeared very deep) similar to a repair garage inspection pit.</p> <p>The site is flanked to the west by Burleys Way (inner ring Road) one of main roads within the surrounding roads are very narrow and flow of traffic is one way. This would restrict access, emergency services, etc</p>

Overall, this area is badly maintained and in a dilapidated state.

Therefore, I have the following concerns:

1. Access & Egress

- Vehicular access/egress is limited particularly for emergency services vehicles
- Evacuation in case of an emergency (bearing in mind that the St John Street, Friday Street, Watling Street are very narrow Streets) will be problematic.



- During evacuations – the foot bridge and two pedestrians' crossings across Burleys Way (part of the inner ring road) would need robust controls/management/controls etc.



2. Safety of Site

- The application site is currently badly maintained (broken windows with damaged glass, building rubble etc. was noted).



- The site is surrounded by mixture of damaged/derelict/partly demolished structures.



- The site is very uneven in parts and holed in the centre.



I had a meeting with the applicant, and he did not provide satisfactory details of the work that would be carried out at the application site. However, the applicant did state that they would be carrying out work on the application site, but again no details were provided.

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

Based on the above concerns I believe that the licensing objective of public safety would be compromised if the licence is granted. **I would recommend that the application is refused** based on the following:

- The application site is badly maintained site and not suitable for public events in its present condition.
- The management of crowd safety in terms of access and egress at the application site and in particular the emergency evacuation from the site to a place of safety would be compromised due to the infrastructure of the area.
- The surrounding roads/streets are narrow, some are one-way streets and therefore, the flow of traffic is one way. This would restrict access for emergency services, traffic and pedestrians.
- The application site has large number of uneven areas in places, with large amounts of building waste/rubble. This presents trip hazards.
- The application site has a large hole (appeared very deep and is similar to a repair garage inspection pit) that presents a risk of fall from height.
- The application site has a large number of broken windows with shattered glass that presents risk of injury to the users.
- The area around the application site is not a well-lit and this could lead to access/egress issues particularly in emergencies/at night.

Return your completed form to:

By Post:

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

By Email:

licensing@leicester.gov.uk

Leicester City Council

Licensing Act 2003 –
Representation in respect of New Premises Application

Details of person or body making representation	
Your Name:	Tj Mavani, Licensing Enforcement Manager
Your Address:	Licensing Enforcement Licensing Authority Phoenix House 1 King Street Leicester

Details of premises representation is about	
Name of Premises:	Xtra Humongous Ltd
Address of premises:	St Johns Street Leicester
Application No. (if known)	124444

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of Crime and Disorder	<input checked="" type="checkbox"/>
Public Safety	<input checked="" type="checkbox"/>
Prevention of Public Nuisance	<input checked="" type="checkbox"/>
Protection of Children from Harm	<input checked="" type="checkbox"/>

Please summarise your concerns about this application:
<p>I write in my capacity as Licensing Enforcement Manager for Leicester City Council Licensing Authority on the authority delegated to me.</p> <p>Please take notice that I am satisfied that allowing the premises to be used in accordance with the notice would undermine the Public Safety/Prevention of Public Nuisance/Prevention of Crime & Disorder and Protection of Children from Harm.</p> <p>This application requests a premises licence for a large area of external land that is encompassed by St John Street and Burleys Way which is detailed on the submitted plan.</p> <p>This area is the land which surrounds a large number of old, dilapidated and also</p>

currently used factory units.

The site in its current state needs to have significant clearing and protective work to it in order for it to be used safely for any entertainment space for members of the public.

The location of this land sits on the periphery of the inner ring road on the opposite side of the St Margaret's Bus Station. Burleys Way is an arterial traffic route in and out of the city areas as well as a significant route for emergency vehicles. This land is set back from the road however requires access from Burleys Way.

The application details that the type of entertainment this area would be conducting is listed as "festivals to club shows, to orchestral tours to food and drink, events to niche bespoke calendar events for Halloween, open air cinema events and much much more!"

The application does not detail a number above 5000 persons at any one time, however the grant of any licence would allow the area to be occupied up to 5000 people.

The list of activities that have been applied for are:

- Performance of Plays (outdoors)
- Exhibition of Films (outdoors)
- Performance of Live Music (outdoors)
- Playing of recorded Music (outdoors)
- Performance of Dance (outdoors)
- Provision of Late-Night Refreshment (outdoors)
- Supply & Sale of alcohol (on & off premises)

All of the above activities have been applied for Mondays to Sundays from 10:00hrs until Midnight. They have also indicated that the opening hours be from Mondays to Sundays from 09:30hrs until 00:30hrs.

The concerns that we have is that the application in its current state does not satisfy us that the activities and times that have been applied for would not have a negative impact on all of the licensing objectives or that the type of events are not fully clear or defined in order to make a reasonable judgement on this.

One meeting has been conducted between some of the responsible authorities and the applicant who attempted to reassure the meeting that he as an individual was a responsible person and that the with his best intentions would run the events in line with the licensing objectives. However, as a new business it was not possible for the applicant to deliver the full reassurances that were required at that time to mitigate the requirement for this representation. Further information was provided by the applicant as a result of the meeting which detailed the numbers and types of events that would be conducted being fifteen (15) music events and sixty-eight (68) other types of events. These do state a reduced cease time then applied for and shows that any music event expected to be over 2000 persons would trigger a Safety Advisory Group (SAG) assessment process.

It is in our opinion that in the current state of the land and application the application should be refused in order to safeguard the licensing objectives as we do not know how these would be adequately promoted, however we would also state that if the land/area is constructed and adapted for the intended use in line with all legislative and safety requirements and if the committee was minded to consider granting the

licence that all of the following conditions be imposed in full in addition to all of those detailed within the application.

General Objectives

- 1) The cease times for all activities to be 22:30 hours on all days.
- 2) A calendar of events booked or planned at the venue will be served on the Police Licensing Office, the Licensing Enforcement Team of the Licensing Authority, the Noise Pollution Team and the Festivals & Events Team at Leicester City Council at least 30 days in advance in an agreed format and delivery.
- 3) Any event that is assessed to be deemed a risk event by any of the responsible authorities, the Licensing Authority will require the implementation by the Licence Holder of the Event Management Plan Process (EMPP) and the related conditions.
- 4) All Live music or recorded music events (limited to 12 in a calendar year) that involve a band, music artist or DJ will be automatically be required to implement the event management plan process (EMPP).
- 5) The licence is subject to Leicester City Council's Standard Conditions for Places of Public Entertainment, published on the Licensing Authority's website www.leicester.gov.uk/licensing
- 6) The licence is subject to the licence holder, when the EMPP is implemented, in satisfying the deadlines set in relation to submission of any event plans, risk assessments or any other documents or plans required by the Authorities/Agencies. If these deadlines are not adhered to satisfactorily as deemed by the Licensing Authority, the licence is deemed null and void and all licensable activities will not be licensed.
- 7) When the EMPP is implemented, the licence holder must submit a fully documented event management plan to the Licensing Authority which must be completed within the agreed timelines. The plan must include full details relating to at the very least; event management structure and contact details, site plans, programme timings, attendance estimations, site, staging and facilities provisions, Emergency risk assessments and access, public communications, insurances and any other areas of consideration. Consultation must take place between the licence holder and the Responsible Authorities to achieve this and will be adhered to in full.
- 8) The Licensing Authority will consult with all the required authorities/agencies to ensure that all of the conditions are complied with in full in regards to the terms of the EMPP and inform the licence holder if this is not the case which will require immediate compliance and if not the condition/s relating to deadlines will come into force.

- 9) The time restrictions of activities stated on the licence are the maximum allowed, however the time limits stated within the event management plan or risk assessments would be those applicable.
- 10) The licence holder will comply with all reasonable actions or steps directed by or an officer acting on behalf of the Licensing Authority.

Prevention of Crime & Disorder

- 11) The licence holder will submit to Leicestershire Police (Operations planning department or as directed) any documents that they require as part of a documented plan or risk assessment that must be submitted in line with agreed deadlines of the EMPP.
- 12) The licence holder will complete any reasonable requests or instructions issued by the police in relation to the event/s.
- 13) Full consideration and assessment must take place of the security provision. This must be done in consultation with the police and the Licensing Authority. The authorities must be satisfied that the provisions are in place, meet the requirements of any event/s and will be adhered to in full.
- 14) Any personnel that require to be SIA registered must be correctly licensed and must display their SIA identification prominently at all times during any event/s.
- 15) The Licence Holder must ensure that all staff (paid or unpaid) selling alcohol are trained on the law with regards to age restricted sales, in particular what identification can be accepted and that this is properly documented.

Prevention of Public Nuisance

- 16) A comprehensive noise risk assessment must be completed in consultation with the noise pollution team of the local authority. The authority must be satisfied with this assessment and that it will be adhered to in full.
- 17) The licence holder will take all reasonable steps in order to reduce the chances of any event causing a public nuisance.

Public Safety

- 18) The licence holder will monitor and not exceed the maximum safe capacity for any event. This will be determined by the local authority in consultation with partner agencies and detailed on the event management plan.
- 19) The licence holder will take into account public safety in all aspects of any events and this must be documented within the event management plan and any other risk assessments or documents submitted to the satisfaction of the relevant part of the local authority.
- 20) The licence holder will consult and comply with any required public safety

actions directed by the relevant parts of the local authority.

- 21) The licence holder will consult with the Traffic Management/Highways or relevant parts of the local authority if required and submit a management plan in relation to traffic/highways management. This must be to the satisfaction of the local authority and complied with in full.

Prevention of Harm to Children

- 22) If alcohol is being served or sold, then the age verification scheme 'Challenge 25' must be operated and complied with by all staff members. Staff members must be trained in the scheme and specifically what identification can be accepted. Notices advertising that the premises operates a Challenge 25 scheme must be displayed in a clear and prominent position at the entrance to the event and inside the event at all bar serverly areas where alcohol is being served or sold.
- 23) A refusals log shall be in operation at each area where the sale of alcohol is being conducted. The refusals log shall be maintained throughout the event and be made available immediately to the police or Licensing Authority on request.

Tj Mavani
Licensing Team Manager (Enforcement)
Licensing Authority
28/02/2020

Licensing Act 2003 - Representation in respect of Premises Licence

Details of person or body making representation	
Your Name:	Terence Olaf
Your Address:	Noise and Pollution Control Team Leicester City Council Phoenix House 1 King Street Leicester LE1 6RN

Details of premises representation is about	
Name of Premises:	
Address of premises:	Area encompassed by the following streets – St John Street and Burleys Way. Please Map on page 3.
Application No. (if known)	

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	
Public Safety	
Prevention of public nuisance	yes
Protection of children from harm	

Please summarise your concerns about this application:

I refer to the above-mentioned application for a premises licence for the site encompassed by Friday street to the North, Burleys Way to the South, Thames Street to the East and St. John Street to the West in Leicester. Please see map on page 3; the application site is outlined in red.

The application includes the provision of largescale events involving live and recorded music for up to 5000 people from 10:00 hours to 00:00 hours from Monday-Sunday, 365 days a year.

Subsequent information from the applicant proposes 15 music events plus 68 other events.

My representation relates to the Prevention of Public Nuisance.

The site is overlooked by the Horizon building on Navigation Street and Abbey House on Burleys Way which are multi-storey block of flats. The flats on the higher floors of these buildings have direct line of sight of the application site. Furthermore, it is my understanding that an application for planning consent has been submitted to convert an existing building on St. John street into a block of flats. Existing and proposed block of flats indicated by green circles in map on page 3.

The applicant proposes to hold music events outdoors. This is particularly problematic and challenging in an urban setting because of the proximity to noise sensitive properties and inherent challenges in noise control and management.

The application contains no information of the expected noise levels from proposed event and displays no understanding of the sensitivity to noise of the immediate surrounding of the application site.

I am concerned that if this application is granted it is likely that the licensing objective of Prevention of Public Nuisance will be undermined and will result in complaints of noise nuisance.

Main points of objection

Proximity to residential properties; existing and proposed.

Outdoor events (inherent difficulty in noise control and management).

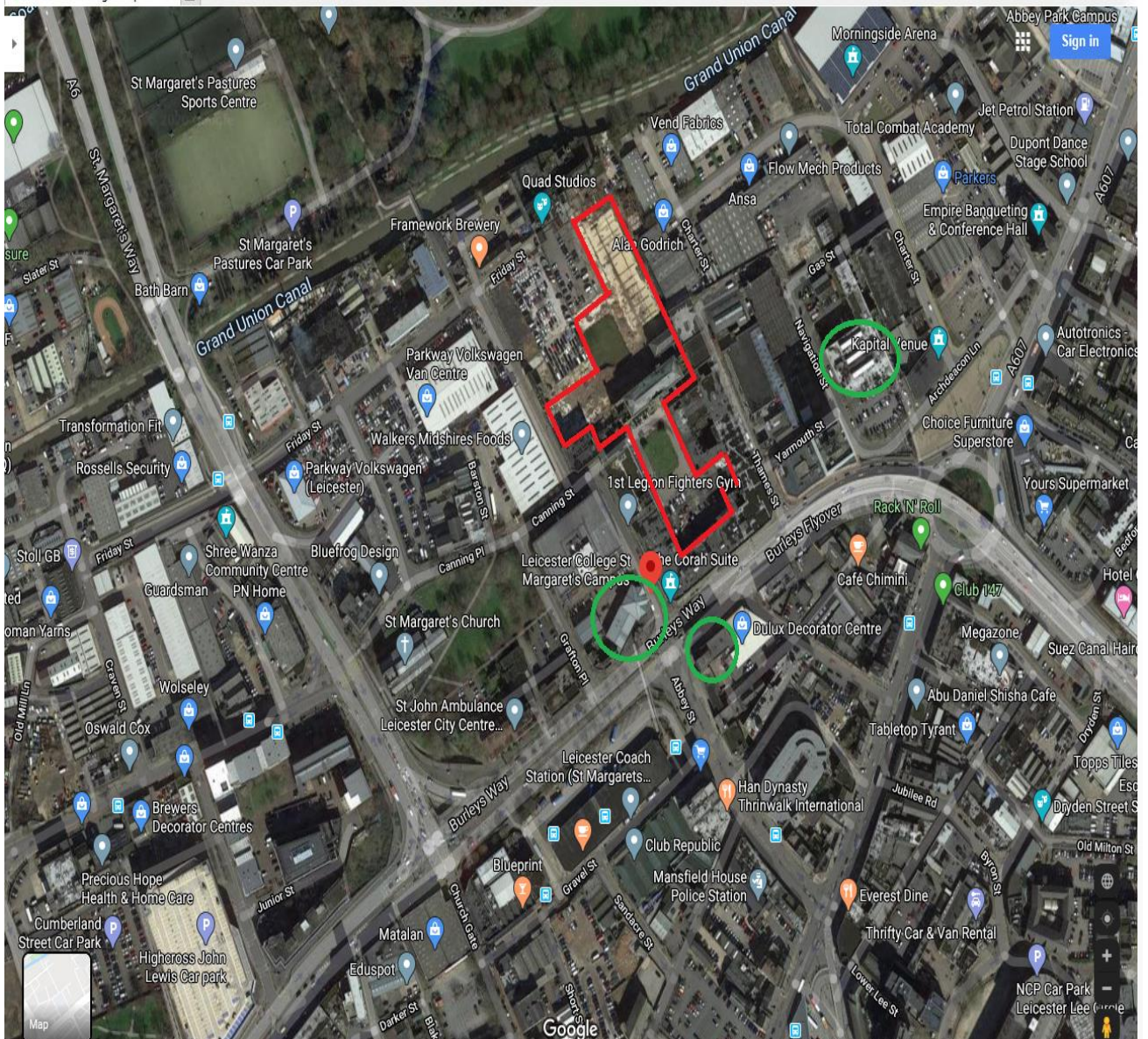
Scale of proposed events (up to 5000 people).

Intensity of use (15 music events plus 68 other events).

Lack of information of expected noise levels from proposed events.

Therefore, in order to prevent the occurrence of public nuisance I recommend that the application should be refused.

Figure 1: Showing Application Site in Red and Noise Sensitive Buildings in Green





Appendix B.3

Leicestershire Police

Licensing Act 2003 – Representation in respect of New Premises Application

Details of person or body making representation	
Your Name:	David Braithwaite
Your Address:	Force Licensing Department Mansfield House 74 Belgrave Gate LEICESTER LE1 3GG

Details of premises representation is about	
	Xtra Humongous Ltd
Address of premises:	Land between St John Street / Burleys Way, Leicester
Application No. (if known)	

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

Please summarise your concerns about this application:
<p>I write in my capacity as Deputy Licensing Manager for Leicestershire Police on the authority delegated to me by the Chief Constable.</p> <p>This is an application for a new premises licence for a new outdoor venue / event area. The land is situated between St John Street, Watling street, Thames Street and Burleys Way, Leicester.</p> <p>Their planned operating times are :</p> <p>All licensable activities = Monday – Sunday 10:00 x 00:00 hours. Opening hours = Monday – Sunday 09:30 x 00:30 hours.</p>

The list of activities that have been applied for are as follows (all of which are outdoors):

1. Performance of Plays
2. Performance of Dance
3. Provision of Late-Night Refreshment
4. Exhibition of Films
5. Performance of Live Music
6. Playing of recorded Music
7. Supply & Sale of alcohol (both on & off the premises)

Leicestershire police are concerned that the present application fails to promote the following licensing objectives, Prevention Of Crime And Disorder, Public Safety, Protecting Children From Harm and the Prevention Of Public Nuisance.

A multi-agency meeting was held with the applicant to discuss the application in 2019 at City Hall. Leicestershire Police raised concerns about the suitability of the site, the size and type of events proposed.

On receipt of the application the applicant has failed to address the original concerns.

The proposed premise is located within the existing St John Business Centre, St John Street Leicester, off the Burleys Way (A594 Leicester City inner city ring road). The site consists of a mix of enclosed buildings and open air area.

The site is surrounded by a mix of occupied warehouses, textile/manufacturing units, car workshops, derelict buildings and wasteland.

Access to the site is currently accessed via a one way system off St John Street / Canning Street, through a narrow tunnel entrance. A narrow gated vehicle and pedestrian access point is also situated on Thames Street which also gives access to Burleys Way. However, given the narrowness of Thames Street the road is unsuitable as an access and egress route.

Thames Street is also occupied by car workshops with parked vehicles awaiting service. Given the sheer volume of vehicles in the street, some of which are in disrepair, possess a potential risk to public safety.

The proposed licensable activity area consists of a mix of derelict buildings, occupied buildings, open air square currently used as a car park and derelict wasteland. Parts of the site have also been demolished or suffered from fire damage over the years and thus resulting in some of the buildings and wasteland being in a poor state of repair.

In short, the site is a very large area and could easily cater for large scale events of over 5000+ people at once.

Accessibility

The site is accessed via St John Street, thus a "one way" system off Burleys Way. Burleys Way is a busy, high speed dual carriage way. A 1980's pedestrian footbridge crosses over the ring road and provides access to St John Street.

Premises including Leicester College St Margaret's Campus and Corah Suite an existing private hire/licensed premise is also located on St John Street.

The site is accessed at the end of St John at the junction of Canning Street and near to Watling Street. Both streets are narrow in width with on street parking.

(1) The prevention of crime and disorder

CCTV

Access to the site and surrounding streets are not covered by Leicester City Council CCTV. Therefore, key areas in terms of public safety and the prevention of crime and disorder are not covered. The lack of the CCTV in these areas will both hinder criminal investigations and fail to support the licensing objectives.

Some of the surrounding business possess CCTV cameras, however the quality and extent it not known. These cameras are likely to belong to individual business and not to a centralised responsible individual.

However, large areas of the proposed premise/site are not covered by CCTV. The application does not address CCTV and fails to state how CCTV will be installed, maintained, operated and made available to the relevant authorities.

(2) Public Safety

Parking

There is limited parking for private vehicles and coaches in the proximity to the site. There is currently no available / safe "drop of area" for visitors. If we have a large influx of cars and coaches dropping off around the same time, this will almost certainly lead to a queue developing which would back up onto St Margaret's Way, this in turn will have a detrimental impact on the inner ring road due to the congestion it will cause, this will then have a knock on effect with the local community.

St John Street & Watling Street

Both streets are narrow in width with very limited on street parking. Highway street lighting is sparse. Given the fact that the majority of the events will be hosted during the hours of darkness means that the risk factors to public safety are increased.

Thames Street

This street is also very narrow and there are parked vehicles on either side of the road almost all day, every day.

All of the proposed entry and egress points are situated on these roads, again this leads to grave concern especially following events. This is due to the fact that a mass of people leaving at the same time will instantly block all of these side roads and more worryingly most of their clientele will more than likely head towards the city centre and Burleys Way. This road is a dual carriageway and is the main part of the inner ring road within the city centre, it is very busy 24 hours a day and traffic travel along it at fast speeds (even though it has a 30 MPH limit). There is also very limited places to cross this road at the site location, this could lead to either people just all crossing in mass and ignoring the traffic signals which in turn will cause traffic congestion or they could take risks, and attempt to run in-between passing vehicles.

(3) Public Nuisance

Public Conveniences

St Margaret's Bus station located nearby does have public conveniences, however closed at 23:45 hours and they are not designed to cater for a large number of people. As the premise has applied to remain open to the public until 00:30 hours thus an additional 45 minutes it is likely that surrounding streets will be used as a public toilet when people leave events having consumed alcohol.

Residential Accommodation

Thames Tower located on Navigation Street / Thames Street junction is an eighteen story residential block containing approximately 112 individual flats/apartments. Given the distance from the site, it is inevitable that noise and parking within proximity to the proposed site would cause an inconvenience to residents.

(4) Protecting Children From Harm

Due to lack of detail surrounding what type of events will be taking place at the venue, we still have concerns surrounding how children will be dealt with, especially those that turn up by themselves. There is no mention as to what age restrictions will be in place for children who may try to attend unaccompanied, nor is there any indication as to what will happen to children who are refused entry other than a refusal book.

The police accept that, reported crime and disorder within the area is very low at this moment in time, however should this licence be granted then this would without question break the current status quo.

It cannot be underestimated what an impact 5000 people attending an event in such a confined area (as outlined above) will have on the local community nor can we ignore the fact, that a vast majority of these people would then head to the city centre following the end of any event they have attended. This in turn could have a very negative impact on the Night Time Economy, bearing in mind these people will have been consuming alcohol whilst at the premises and they would then carry on 'Topping up' throughout the night which in turn could lead to outbreaks of violence and disorder.

Leicester Police also have concerns as to what type of events will be taking place at the premises and also the frequency of them. The difference between a food and wine festival and a live music event are worlds apart and the latter will bring problems that are associated with these types of functions.

On 24/02/2020 the applicant attended a multi-agency meeting in regards to this application. The applicant offered us a brief description about what they intend to provide and stated numbers will be restricted to below 5000, however they were still being very vague and illusive as to what their full intentions are for the site. If the licence is granted in its current format, it could be used for anything and as often as they wish on any day of the year.

Following on from this meeting the applicant has since offered to reduce their

operating hours and also stated that there will only be a total of 15 music events and 68 other types of events.

In short, it is Leicestershire Police's opinion that the site is unsuitable for large scale events and would fail to promote all of the four licensing objectives in terms of:

- (1) The prevention of crime and disorder.
- (2) Public Safety.
- (3) The prevention of public nuisance.
- (4) Protecting Children from Harm.

Whilst not wishing to restrain the discretion of the committee, it is my opinion that granting this application in its present format would be contrary to the intentions and objectives of the four licensing objectives, therefore we request that this application be rejected.

A video and pictures of the location will be produced and submitted in due course.

David Braithwaite
Deputy Licensing Manager
Leicestershire Police

2nd March 2020

CONDITIONS

CONDITIONS CONSISTENT WITH OPERATING SCHEDULE
The premises licence holder will notify 28 days in advance of any event with Police Licensing that all arrangements are in place.
A site security, communication control room will be provided on site for events over 1000 people. Access will be made available to any Responsible Authority.
Written information shall be provided, prior to the start of the event of the number of SIA Security personnel or Marshalls to be employed on site during the period the premises is open for licensable activities.
The Premises Licence Holder or DPS or any person nominated by them in writing for the purpose, shall maintain a register of staff on site for any event, which shall be kept on the premises showing the names and addresses of the door supervisors and their badge numbers. The register shall be made available on demand for inspection by any Responsible Authority.
All security and stewarding personnel will be readily identifiable by means of a hi-visibility clothing and no person shall perform the role of Stewarding/Marshalling without wearing hi-visibility clothing.
An incident log must be kept at the premises and made immediately available on request to any Responsible Authority. The log will record all crimes reported at the venue, all ejections of patrons, any complaints received, any incidents of disorder and any visit by a relevant authority or emergency service.
Each bar will be run by a bar manager/supervisor and this person under the direction of the DPS will be fully in control of the sale of alcohol from that bar.
All staff will be fully trained prior to undertaking any sale of alcohol on the premises. The training shall include drug awareness, conflict resolution, selling to underage persons and selling to persons under the influence of alcohol. Such training will be recorded, and records shall be kept at the premises which will be produced to an authorised officer of the licensing authority or police on demand.
Secure and safe systems are to be in place for the storage of items seized. These systems are to include secure methods of storing drugs, legal highs (or similar) or weapons seized or found and procedures for handling the items over to the responsible authority where required. In addition, records of seizures will be kept in the incident book and made available to the licensing authority on demand or to the police on authority of the operational commander during the duration of any event or to any authorised person of the police post event.

CONDITIONS

At least one personal licence holder shall always be present at any alcohol serving area during the event. Signed/countersigned documentation for briefings for the challenge 25 refusals and all personal licence holder authorisations shall be kept on the premises and produced to the police or an authorised person (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer on demand.

A Traffic Management Plan (TMP) will be drawn up for events and will be provided to relevant agencies prior to events taking place, such plans shall be agreed by the Safety Advisory Group if deemed necessary. The TMP will cover all aspects of vehicle and pedestrian access to and egress from the site during the load in and load out as well as for the event itself.

Off sales will only take place for events such as farmers markets, when produce may be purchased as off sales and then only when sold in sealed containers.

The premises licence holder will appoint an Event Safety Consultant who will be able to authorise and supervise safety measures for all events over 1,000 people.

The Event Safety Consultant will be responsible for monitoring of contractors, liaising with contractors, checking of method statements and risk assessments, preparation and monitoring of site rules, safety inspections and audits, collection and checking of completion certificates, communication of safety information to contractors and employees, monitoring and coordinating safety performance, coordinating safety in response to a major incident, liaison with nominated officers from Leicester City Council.

Temporary electrical wiring and distribution systems shall be signed off by a competent person prior to any licensable activity taking place at the premises. The competent person must be a member of a recognised electrical association such as NICEIC, NAPIT, ECA or other association as agreed by the licensing authority.

Any additional electrical work required after the event has commenced shall be signed off by a competent person. The competent person must be a member of a recognised electrical association such as NICEIC, NAPIT, ECA or other association as agreed by the licensing authority. The sign off certificates shall be available for inspection in the Event Office located on the licensed premises.

The Premises Licence Holder will ensure that all temporary structures and any other elements of infrastructure or artistic installation have been inspected and signed off as being safe prior to the commencement of its use.

A copy of each safety sign off certificate shall be kept at the Event Office and shall be made available to an authorised local authority officer.

CONDITIONS

<p>All enclosed structures that the public have entry to will have designated entry/exit points. The numbers of these entry/exit points will be determined by the occupancy capacity and will be listed in the Tent Exit Calculation document submitted in the EMP. In this licence "enclosed structures" are classed as a structure whether tented or not, which has less than 25% of its sides open to the atmosphere (excluding entrances and exits) and which are accessible to the public when regulated entertainment is provided.</p>
<p>The installation and use of laser beams, pyrotechnics or real flames, explosive or highly flammable or smoke/foam producing agent, for any purpose shall not be permitted without prior notification to the Licensing Authority. A detailed description of the method of use, shall be made to the Licensing Authority.</p>
<p>Paper lanterns will not be sold on site and will be listed within the ticketing terms and conditions as items that may not be brought to the venue.</p>
<p>A Sanitation Management Strategy will be provided to the satisfaction of Leicester Council's Environmental and Trading Standards Service prior to commencement of each event. Once agreed, the strategy will be implemented throughout the events.</p>
<p>A Noise Management strategy will be provided before the commencement of each event. The Premise Licence Holder must comply with the Noise Management Strategy.</p>
<p>The Noise Consultant shall be available for meetings with EHO Officers from Leicester Council.</p>
<p>The Premises License Holder will maintain a noise log, and these will be kept in the Event Office and will always be available.</p>
<p>A noise hotline will be installed and publicised so that local residents can report any noise issues directly to the Event organiser. All calls will be logged by time, location and contact number and address will be requested. The log will be kept in the Event Office.</p>
<p>After the event has closed, the event organiser will pass the noise complaints register to the event consultant. The log will be available at all times for inspection in the Event Office. The noise hotline number will be operational throughout the hours of regulated entertainment.</p>
<p>The goal of the Lost Children Policy is to reunite each lost child with its parents or guardians. However, if there is any evidence or suspicion of abuse or neglect of children, then this must be reported to the appropriate authority.</p>
<p>The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the Police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of the Council. Prominent, clear and legible signage shall also be displayed at all alcohol serving areas advertising the scheme operated.</p>

CONDITIONS

Proof of the attainment of 18 years of age will be required through production of a full or provisional photo card driving licence, by a passport, PASS card or by a national identity card with a hologram photo prior to any alcohol sale taking place or entry to age restricted areas.

Bar staff must ask for proof of age ID whenever the customer appears to be under 25. If there is any doubt as to the age of the customer, they will be refused service.

A written register of refusals is to be kept including a description of the people who have been unable to provide required identification to prove their age. Such records will be kept for a period of 12 months. It will be collected and reviewed on a daily basis by a personal licence holders or designated premises supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of the Council on demand.

The Designated Premises Supervisor will brief bar security staff that they should take reasonable steps to monitor the final destination of the drinks and where it would appear that supply is being made by proxy to a person under the age of 18 years take steps to prevent the consumption by that person.

No persons serving alcohol shall be under the age of 18 years.

The Designated Premises Supervisor, the bar manager and other bar supervisors will monitor the performance of the serving staff to ensure adherence to the licensing laws.

Any underage persons found arriving at or on the Licensed Premises with alcohol will have the alcohol confiscated by security.

A selection of soft drinks will be available to buy, along with an ample supply of free drinking water.

CONDITIONS CONSISTENT WITH THE REPRESENTATION FROM THE LICENSING ENFORCEMENT MANAGER

The cease times for all activities to be 22:30 hours on all days.

A calendar of events booked or planned at the venue will be served on the Police Licensing Office, the Licensing Enforcement Team of the Licensing Authority, the Noise Pollution Team and the Festivals & Events Team at Leicester City Council at least 30 days in advance in an agreed format and delivery.

Any event that is assessed to be deemed a risk event by any of the responsible authorities, the Licensing Authority will require the implementation by the Licence Holder of the Event Management Plan Process (EMPP) and the related conditions.

All Live music or recorded music events (limited to 12 in a calendar year) that involve a band, music artist or DJ will be automatically be required to implement the event management plan process (EMPP).

The licence is subject to Leicester City Council's Standard Conditions for Places of Public Entertainment, published on the Licensing Authority's website www.leicester.gov.uk/licensing

The licence is subject to the licence holder, when the EMPP is implemented, in satisfying the deadlines set in relation to submission of any event plans, risk assessments or any other documents or plans required by the Authorities/Agencies. If

CONDITIONS

these deadlines are not adhered to satisfactorily as deemed by the Licensing Authority, the licence is deemed null and void and all licensable activities will not be licensed.
When the EMPP is implemented, the licence holder must submit a fully documented event management plan to the Licensing Authority which must be completed within the agreed timelines. The plan must include full details relating to at the very least; event management structure and contact details, site plans, programme timings, attendance estimations, site, staging and facilities provisions, Emergency risk assessments and access, public communications, insurances and any other areas of consideration. Consultation must take place between the licence holder and the Responsible Authorities to achieve this and will be adhered to in full.
The Licensing Authority will consult with all the required authorities/agencies to ensure that all of the conditions are complied with in full in regards to the terms of the EMPP and inform the licence holder if this is not the case which will require immediate compliance and if not the condition/s relating to deadlines will come into force.
The time restrictions of activities stated on the licence are the maximum allowed, however the time limits stated within the event management plan or risk assessments would be those applicable.
The licence holder will comply with all reasonable actions or steps directed by or an officer acting on behalf of the Licensing Authority.
The licence holder will submit to Leicestershire Police (Operations planning department or as directed) any documents that they require as part of a documented plan or risk assessment that must be submitted in line within agreed deadlines of the EMPP.
The licence holder will complete any reasonable requests or instructions issued by the police in relation to the event/s.
Full consideration and assessment must take place of the security provision. This must be done in consultation with the police and the Licensing Authority. The authorities must be satisfied that the provisions are in place, meet the requirements of any event/s and will be adhered to in full.
Any personnel that require to be SIA registered must be correctly licensed and must always display their SIA identification prominently during any event/s.
The Licence Holder must ensure that all staff (paid or unpaid) selling alcohol are trained on the law with regards to age restricted sales, in particular what identification can be accepted and that this is properly documented.
A comprehensive noise risk assessment must be completed in consultation with the noise pollution team of the local authority. The authority must be satisfied with this assessment and that it will be adhered to in full.
The licence holder will take all reasonable steps in order to reduce the chances of any event causing a public nuisance.
The licence holder will monitor and not exceed the maximum safe capacity for any event. This will be determined by the local authority in consultation with partner agencies and detailed on the event management plan.
The licence holder will take into account public safety in all aspects of any events and this must be documented within the event management plan and any other risk assessments or documents submitted to the satisfaction of the relevant part of the local authority.
The licence holder will consult and comply with any required public safety actions directed by the relevant parts of the local authority.
The licence holder will consult with the Traffic Management/Highways or relevant parts of the local authority if required and submit a management plan in relation to traffic/highways management. This must be to the satisfaction of the local authority and complied with in full.

CONDITIONS

If alcohol is being served or sold, then the age verification scheme 'Challenge 25' must be operated and complied with by all staff members. Staff members must be trained in the scheme and specifically what identification can be accepted. Notices advertising that the premises operates a Challenge 25 scheme must be displayed in a clear and prominent position at the entrance to the event and inside the event at all bar serving areas where alcohol is being served or sold.

A refusals log shall be in operation at each area where the sale of alcohol is being conducted. The refusals log shall be maintained throughout the event and be made available immediately to the police or Licensing Authority on request.