

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: THURSDAY, 7 MAY 2020
TIME: 10:00 am
VENUE: Teams Virtual Meeting

Members of the Sub-Committee

Councillors Gee, Hunter and Singh Johal

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.

Attending meetings and access to information

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

Dates of meetings and copies of public agendas and minutes are available on the Council's website at www.cabinet.leicester.gov.uk, or by contacting us using the details below.

Making meetings accessible to all

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**
- 2. APOLOGIES FOR ABSENCE**
- 3. DECLARATIONS OF INTEREST**

Members are asked to declare any interests they may have in the business to be discussed.

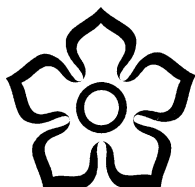
- 4. APPLICATION FOR A VARIATION OF AN EXISTING PREMISES LICENCE. LA LORY, 8 HUMBERSTONE ROAD, LEICESTER LE5 0AR**

The Director of Neighbourhood and Environmental Services submits a report on an application for a variation of an existing premises licence for La Lory, 8 Humberstone Road, Leicester LE5 0AR.

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.

(Wards Affected: Castle)

- 5. ANY OTHER URGENT BUSINESS**



Leicester
City Council

WARDS AFFECTED
Castle

Appendix A

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

7th May 2020

**Application for a variation of an existing premises licence
La Lory, 8 Humberstone Road, 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.

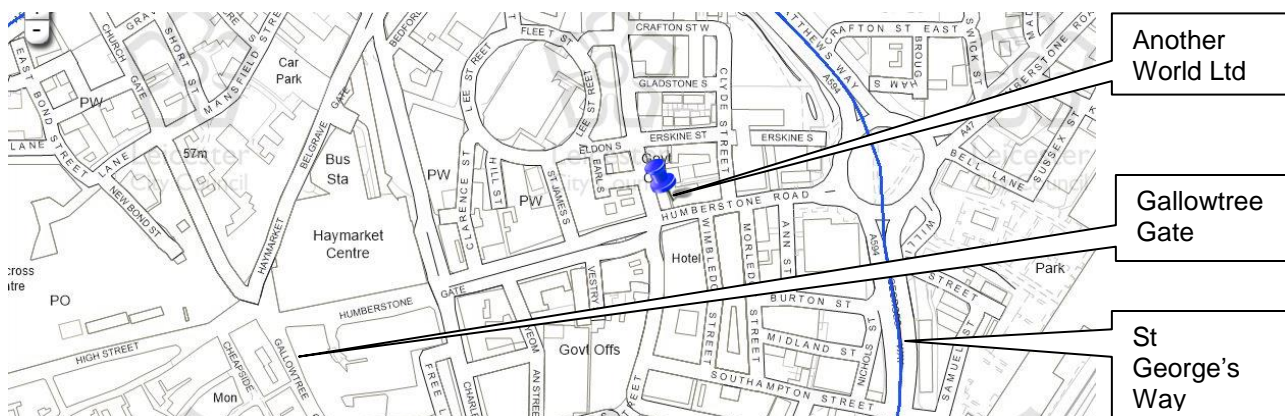
2. Determination to be made

- 2.1. Having considered the application and representation(s), Members must consider whether to
- Grant the licence without modification
 - Modify the conditions of the licence
 - Reject the whole application]

3. Summary

- 3.1 This report outlines an application for a variation to an existing premises licence for La Lory, 8 Humberstone Road, 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. Existing Licence

5.1. The existing licence is attached at Appendix A.

6. Application

6.1. An application was received on 11th March 2020 from Chris Nixon at Knight Training acting on behalf of Another World Ltd for a variation to an existing premises licence for La Lory, 8 Humberstone Road, Leicester. A copy of the application is attached at Appendix B.

The variation sought by the application is as follows:

Licensable activity	Current Hours	Proposed Hours
Indoor Sporting Events	Sunday to Thursday 05:00-00:20 Friday to Saturday 05:00-02:20	No Changes
Live Music (Indoors)	Sunday to Thursday 11:00-00:00 Friday to Saturday 11:00-02:00	No Changes
Recorded Music (Indoors)	Sunday to Thursday 09:00-00:00 Friday to Saturday 09:00-02:00	No Changes
Performances of Dance (Indoors)	Sunday to Thursday 11:00-00:20 Friday to Saturday 11:00-02:20	No Changes
Entertainment similar to making music or dancing (Indoors)	Sunday to Thursday 11:00-00:20 Sunday to Thursday	No Changes
Late night refreshment (On and Off Sales)	Sunday to Thursday 23:00-00:20 Friday to Saturday 23:00-02:00	Monday to Sunday 23:00 -05:00

Supply of Alcohol (On and Off Sales)	Sunday to Thursday 11:00-00:20 Friday to Saturday 11:00-02:00	Monday to Sunday 07:00-04:30
Opening hours	Sunday to Thursday 05:00-12:20 Friday-Saturday 05:00-2:20	Monday to Sunday Unrestricted

- To remove the condition the licence holder will fit and maintain a CCTV system in accordance with the direction of Leicestershire Constabulary Crime Prevention Officer.
- To remove the condition the licence holder will adopt a challenge 21 system.
- To remove the condition for a noise limiting device to be installed, fitted and maintained in such a manner as to control all sources of amplified music at the premises. The level set on the limited shall be agreed by Leicester City Council Noise Team.

7. Steps to Promote the Licensing Objectives

- 7.1 The steps the applicant proposes to take to promote the licensing objectives are set out in the operating schedule (see section M of Appendix B).
- 7.2 In arriving at its decision on the application, the Licensing Authority's primary consideration must be the promotion of the licensing objectives.

8. Regulated entertainment

- 8.1 The Live Music Act 2012 and the Legislative Reform (Entertainment Licensing) Order 2014 amended the Licensing Act 2003 in relation to the provision of regulated entertainment. Certain entertainment does not require a licence subject to audience limits, between 08.00 and 23.00 hours each day.
- 8.2 The above exemptions may affect the application under consideration because conditions may not be imposed at this stage to control live or recorded music that is unregulated. However, if problems do occur as a result of that entertainment then conditions may be imposed to control such music in the future after a formal review.

9. Representation

- 9.1 A representation was received on the 2nd April 2020 from the Licensing Manager at Leicestershire Police. The representation relates to the prevention of crime and disorder and the prevention of public nuisance. The Police have expressed concerns about the close proximity of the premises to the city centre and the potential disturbance to neighbouring residential premises. They have also expressed concerns regarding how the applicant plans to operate and links to a neighbouring premises, which is also owned by the licence holder. A copy of the representation is attached at Appendix C.
- 9.2 A representation was received on the 3rd April 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 by extending the premises over an additional floor, therefore increasing the capacity of the premises and the increase in

trading hours then this would cause an increase in noise disturbances, which would have a negative effect on existing residential properties. They have also raised concerns regarding the request to remove the condition on the licence to remove the noise limiter which was requested by the noise team when the licence was originally. The noise team requests that this not only remains but it extended to include the first floor. A copy of the representation is attached at Appendix C.1.

10. Conditions

- 10.1 The conditions that are consistent with the operating schedule are attached at Appendix D. All objectors have recommended refusal however if granted the Police have requested a number of conditions be imposed in addition to all of those detailed within the application. The Noise Team have also requested that if granted the noise limiter in place remains and is extended to include the 1st floor now covered by the licence.

11. Statutory Guidance

- 11.1 Any decision made by the Licensing Authority must be in accordance with the licensing objectives. In addition, the government has issued guidance under section 182 of the Licensing Act 2003. The parts of the guidance that are particularly relevant in this case are as follows:

Section	Heading
1.2 – 1.5	Licensing objectives and aims
1.15 – 1.16	General Principles
1.17	Each application on its own merits
2.1 – 2.6	Crime & Disorder
2.7 – 2.14	Public Safety
2.15 – 2.21	Public nuisance
2.22 – 2.31	Protection of children from harm
3.12 – 3.20	Late night refreshment
8.41 – 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

12 Statement of Licensing Policy

- 12.1 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

13 Points for Clarification

- 13.1 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?

14 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	

15 Background Papers – Local Government Act 1972

15.1 None

16 Consultations

16.1 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.

17 Report Author

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

APPENDIX	CONTENT
A	Existing licence
B	Application
C	Representation(s)
D	Conditions consistent with application

Please ask for: Amy Day
Direct Line: (0116) 454 3054
Our Ref: LEIPRM1093
Date: 19 December 2019



Leicester
City Council

Licensing Authority Office
Phoenix House, 1 King Street,
Leicester, LE1 6RN

www.leicester.gov.uk/licensing
e-mail: licensing@leicester.gov.uk

Another World Ltd
8 Humberstone Road
Leicester
LE5 0AR

Dear Sirs

La Lory
8 Humberstone Road

Your application to change the name of the above premises has been processed. The updated licence is enclosed, together with a summary.

May I take this opportunity to remind you that Section 57 of the Licensing Act 2003 states;

"(2) The holder of the premises licence must secure that the licence or a certified copy of it is kept at the premises in the custody or under the control of

- a) the holder of the licence, or
- b) a person who works at the premises and whom the holder of the licence has nominated in writing...

(3) The holder of the premises licence must secure that

- a) the summary of the licence or a certified copy of that summary, and
- b) a notice specifying the position held at the premises by any person nominated for the purposes of subsection (2),
are displayed prominently at the premises."

It is an offence to fail to comply with the above requirements.

A questionnaire is enclosed, the results of which will enable us to monitor and improve the service we provide. I would be grateful if you could fill it in and return it to the Licensing Section at the address shown above.

If you have any queries, please contact the Licensing Section on (0116) 454 3030 or email licensing@leicester.gov.uk.

Yours sincerely,



Amy Day
Licensing Officer
amy.day@leicester.gov.uk



Leicester
City Council

Local Services & Enforcement
Leicester City Council
Phoenix House
1 King Street
Leicester
LE1 6RN

(0116) 4543040
licensing@leicester.gov.uk

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

La Lory

8 Humberstone Road, Leicester, LE5 0AR.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

Expires **no expiry**

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an indoor sporting event
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
C. Indoor sporting event	Mon-Sun Sun-Thur Fri-Sat	5:00am 5:00am	12:20am 2:20am
E. Performance of live music (Indoors)	Mon-Sun Sun-Thur Fri-Sat	11:00am 11:00am	Midnight 2:00am
F. Playing of recorded music (Indoors)	Mon-Sun Sun-Thur Fri-Sat	9:00am 9:00am	Midnight 2:00am
G. Performance of dance (Indoors)	Mon-Sun Sun-Thur Fri-Sat	11:00am 11:00am	12:20am 2:20am
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Mon-Sun Sun-Thur	11:00am	12:20am



Licensing Act 2003
Premises Licence

LEIPRM1093



Leicester
City Council

Local Services & Enforcement
Leicester City Council
Phoenix House
1 King Street
Leicester
LE1 6RN

(0116) 4543040
licensing@leicester.gov.uk

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
H. Entertainment of a similar description to that falling within E, F, or G (Indoors) continued ...	Fri-Sat	11:00am	2:20am
I. Late night refreshment (Indoors & Outdoors)	Mon-Sun Sun-Thur Fri-Sat	11:00pm 11:00pm	12:20am 2:20am
J. Supply of alcohol for consumption ON and OFF the premises	Mon-Sun Sun-Thur Fri-Sat	11:00am 11:00am	12:20am 2:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Mon-Sun		
Sun-Thur	5:00am	12:20am
Fri-Sat	5:00am	2:20am

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON and OFF the premises

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Another World Ltd

8 Humberstone Road, Leicester, LE5 0AR.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Another World Ltd

11816744

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Loredana Viorica COZMA

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. LEIPRS4348

Issued by Leicester



Licensing Act 2003 Premises Licence

LEIPRM1093



Leicester
City Council

Local Services & Enforcement
Leicester City Council
Phoenix House
1 King Street
Leicester
LE1 6RN

(0116) 4543040
licensing@leicester.gov.uk

ANNEXES

Annex 1 - Mandatory conditions

No supply of alcohol may be made under the premises licence -

- a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-

- a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supplied alcohol), or
 - ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-

- a) a holographic mark, or
- b) an ultraviolet feature.

The responsible person shall ensure that-

- a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
 - i) beer or cider: ½ pint;
 - ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - iii) still wine in a glass: 125 ml;
- b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

Annex 2 - Conditions consistent with the operating schedule

The Licence holder will fit and maintain a CCTV system in accordance with the directions of the Leicestershire Constabulary Crime Prevention Officer.

The Licence holder will adopt the challenge 21 system.

Annex 3 - Conditions attached after a hearing by the Licensing Authority



Licensing Act 2003

Premises Licence

LEIPRM1093



Leicester
City Council

Local Services & Enforcement
Leicester City Council
Phoenix House
1 King Street
Leicester
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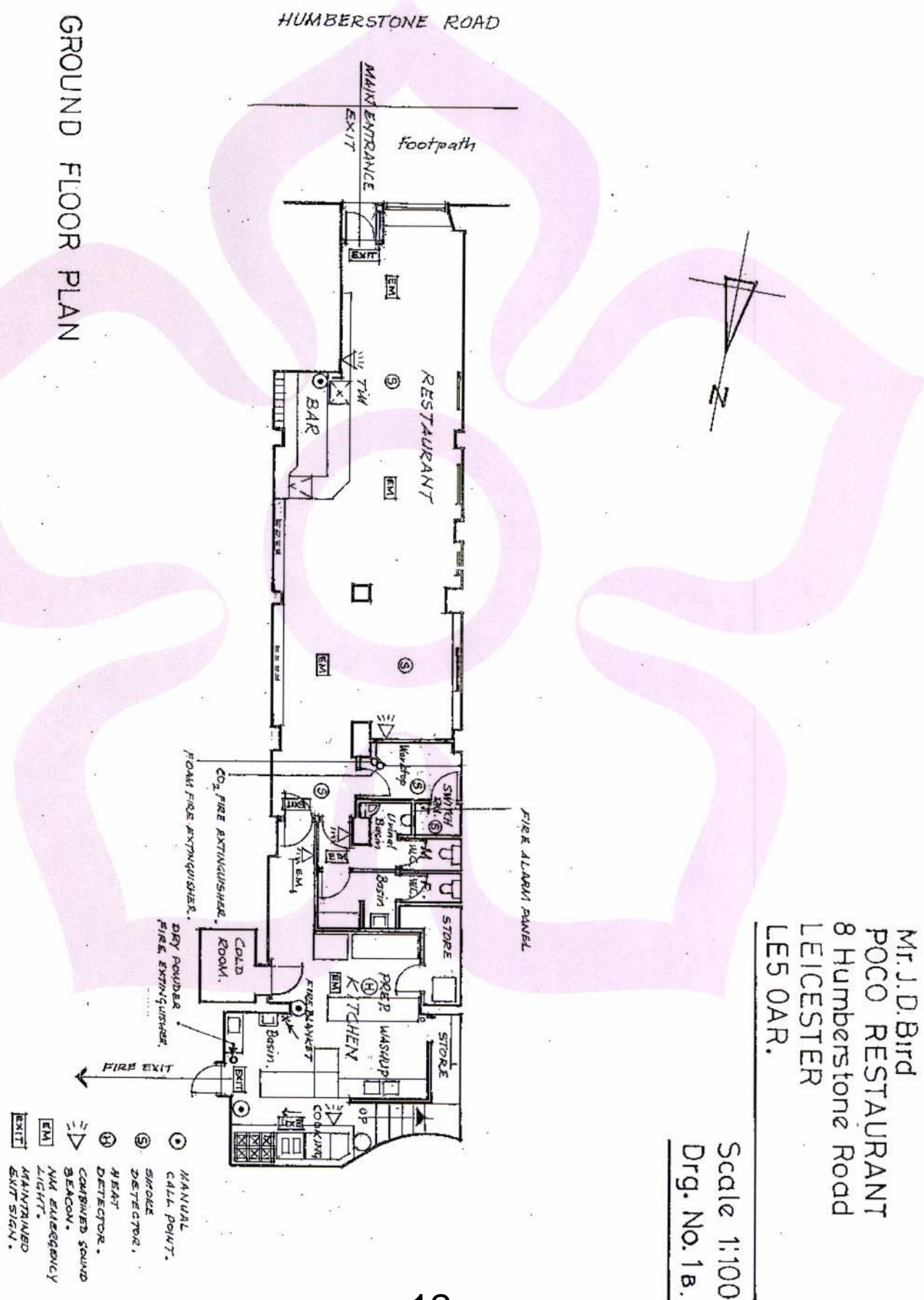
ANNEXES continued ...

A noise limiting device shall be installed, fitted and maintained in such a manner as to control all sources of amplified music at the premises. The level set on the limiter shall be agreed by the City Council Noise Team, and once set such a device should be inaccessible to anyone using the premises, other than the Licencee. (Note to applicant - the level has been agreed as a peak setting of +15 and main output setting of -10 on the combined limiter/compressor currently installed).

Prominent, clear notices shall be displayed at all exits requesting customers to respect the needs of local residents and leave the premises and the area quietly.



Annex 4 - Plan



Premises Licence Summary



Leicester
City Council

Local Services & Enforcement
Leicester City Council
Phoenix House
1 King Street
Leicester
LE1 6RN

(0116) 4543040
licensing@leicester.gov.uk

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

La Lory

8 Humberstone Road, Leicester, LE5 0AR.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an indoor sporting event
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
C. Indoor sporting event	Mon-Sun		
	Sun-Thur	5:00am	12:20am
	Fri-Sat	5:00am	2:20am
E. Performance of live music (Indoors)	Mon-Sun		
	Sun-Thur	11:00am	Midnight
	Fri-Sat	11:00am	2:00am
F. Playing of recorded music (Indoors)	Mon-Sun		
	Sun-Thur	9:00am	Midnight
	Fri-Sat	9:00am	2:00am
G. Performance of dance (Indoors)	Mon-Sun		
	Sun-Thur	11:00am	12:20am
	Fri-Sat	11:00am	2:20am
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Mon-Sun		
	Sun-Thur	11:00am	12:20am



Premises Licence Summary



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THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
H. Entertainment of a similar description to that falling within E, F, or G (Indoors) continued ...	Fri-Sat	11:00am	2:20am
I. Late night refreshment (Indoors & Outdoors)	Mon-Sun		
	Sun-Thur	11:00pm	12:20am
	Fri-Sat	11:00pm	2:20am
J. Supply of alcohol for consumption ON and OFF the premises	Mon-Sun		
	Sun-Thur	11:00am	12:20am
	Fri-Sat	11:00am	2:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Mon-Sun		
Sun-Thur	5:00am	12:20am
Fri-Sat	5:00am	2:20am

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON and OFF the premises

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Another World Ltd

8 Humberstone Road, Leicester, LE5 0AR.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Another World Ltd

11816744

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Loredana Viorica COZMA

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED



CAND6186 £100 PHONE
125482

Application to vary a premises licence 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 Another World Ltd

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number
LEIPRM1093

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

La Lory
8 Humberstone Road

Post town LEICESTER

Postcode LE5 0AR

Telephone number at premises (if any)

Non-domestic rateable value of premises £0

Part 2 – Applicant details

Daytime contact
telephone number

E-mail address (optional)

Current postal address if
different from premises
address

8 Humberstone Road

Post town LEICESTER

Postcode LE5 0AR

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

☒ Yes

☐
No

If not, from what date do you want the variation to take effect?

DD MM YYYY

--	--	--	--	--	--	--	--	--	--

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☐ No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

The Application is to submit a new Premises Plan (extending the Licensable Area to cover the First Floor), amend Licensable & opening hours and amend Conditions on the Operating Schedule.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

--

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3) 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 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon					
Tue			<u>State any seasonal variations for performing plays (please read guidance note 6)</u>		
Wed			<u>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 7)</u>		
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Fri					
Sat			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 7)		
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed			
Thur			
Fri			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 (please read guidance note 7)
Sat			
Sun			

To REMAIN THE SAME

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
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 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur					
Fri			<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 7)		
Sat					
Sun					

To REMAIN THE SAME

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Wed					
Thur					
			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 7)		
Fri					
Sat					
Sun					

To Remain THE SAME

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 6)		
Thur					
Fri			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 7)		
Sat					
Sun					

To REMAIN THE SAME

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)	
Wed				
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)	
Fri				
Sat			<u>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</u> (please read guidance note 7)	
Sun				

To REMAIN THE SAME

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	23:00	05:00			
Tue	23:00	05:00			
Wed	23:00	05:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Thur	23:00	05:00			
Fri	23:00	05:00	<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 7)		
Sat	23:00	05:00			
Sun	23:00	05:00			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)					
Mon	07:00	04:30						
Tue	07:00	04:30						
Wed	07:00	04:30						
Thur	07:00	04:30				<u>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</u> (please read guidance note 7)		
Fri	07:00	04:30						
Sat	07:00	04:30						
Sun	07:00	04:30						

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 10).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	00:00	00:00	
Tue	00:00	00:00	
Wed	00:00	00:00	
Thur	00:00	00:00	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 7)
Fri	00:00	00:00	
Sat	00:00	00:00	
Sun	00:00	00:00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Remove Conditions:

- The Licence holder will fit and maintain a CCTV system in accordance with the directions of Leicestershire Constabulary Crime Prevention Officer
- The Licence holder will adopt the challenge 21 system
- A noise limiting device shall be installed, fitted and maintained in such a manner as to control all sources of amplified music at the premises The level set on the limiter shall be agreed by the City Council Noise Team

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence



If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

Consideration of the Leicester City Council Licensing policy and pre-consultation with police licensing have been carried out to ensure the promotion of the four licensing objectives
The premises shall operate as a restaurant in which, when a sale or supply of alcohol is made for consumption on the premises:

- customers are shown to their table;
- where the supply of alcohol is by waiter or waitress service only;
- which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery;
- where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and taking substantial table meals there, and provided that the consumption of alcohol by such persons is ancillary to taking such meals;
- Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal;
- Notwithstanding this condition customers are permitted to be sold or supplied alcohol at the bar, while waiting to be seated

b) The prevention of crime and disorder

A camera CCTV system is in place covering all public areas of the premises enabling frontal identification of every person entering in any light condition

The CCTV system shall continuously record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings will be stored for a minimum of 31 days and can be accessed and downloaded immediately when requested by the police or other authorised officer

There will always be at least one person present whilst the premises is open to the public who is able to operate and download images from the CCTV

An incident log shall be kept at the premises, and made available on request to the police or an authorised officer, which will record the following:

- All crimes reported to the venue;
- Any complaints received;
- Any incidents of disorder;
- Any faults in the CCTV system;
- Any visit by a relevant authority or emergency service;
- All ejections of patrons;
- All seizures of drugs or offensive weapons ;
- Any refusal of the sale of alcohol

c) Public safety

- The premises will be maintained in a safe manner at all times
- All exits will be kept unobstructed, easy to open and clearly signed
- The licensee will ensure the proper maintenance of all escape routes and exits including external exits. This will require that such exits are kept unobstructed, in good order with non slippery and even surfaces, free of trip hazards and clearly identified

d) The prevention of public nuisance

All refuse will be disposed of in an appropriate manner. Staff will be instructed to maintain all external areas in a clean and presentable manner at all times
 Notices will be displayed asking patrons to leave the premises quietly and to have respect for local residents
 Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises
 No deliveries to the premises shall take place between 23:00 and 07:00 on the following day
 No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 hours and 07:00 hours on the following day
 All external doors and windows must be kept closed, other than access and egress, after 22:00 daily in all rooms when events involving amplified music or speech are taking place
 No music or speech shall be relayed via external speakers
 The licensee shall take reasonable steps to prevent public nuisance being caused by customers outside whilst smoking. Should customer be found loitering outside, staff will be required to encourage them to move on
 Any artificial lighting on the premises must not cause nuisance due to glare unless it is considered necessary by the local Police force to prevent crime and disorder
 The licensee shall endeavour to ensure that there are no noxious smells emitted from the licensed premises so as to cause a nuisance to nearby properties and that the licensed premises is properly vented

e) The protection of children from harm

A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of ID are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS hologram
 The premises will operate a "No ID, No Sale" policy at all times for persons who look under 25
 Staff will be trained in the understanding of this policy and training records maintained for inspection if requested by the police or any other responsible authority
 A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises is open
 After 21:00 hours daily all persons under the age of 18 shall be accompanied by an adult

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or ☒
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	[REDACTED]
Date	11 th March 2020
Capacity	Acting/Licensing Agent

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Knight Training
134 The Barracks
White Cross
South Road

Post town	LANCASTER	Post code	LA1 4XQ
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.

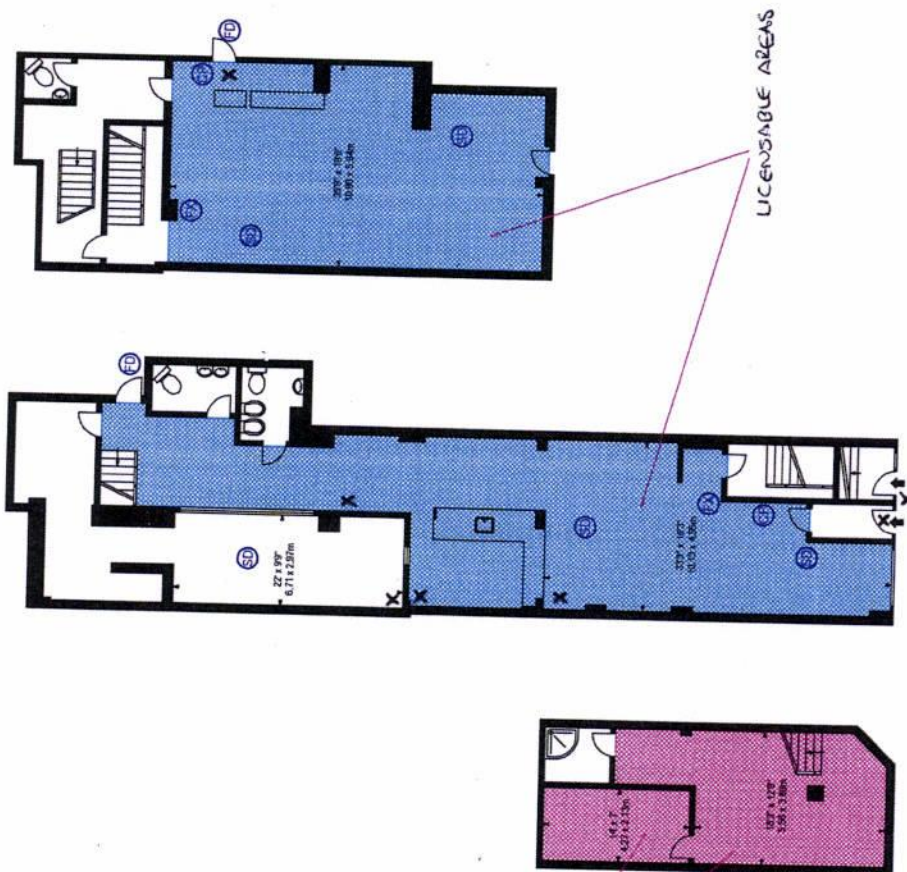
3. In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.

- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.

Key :

- FD - Fire Door
- EW - Escape Window
- EL - Emergency Lighting
- CP - Manual Call Point
- FAP - Fire Alarm Control Panel
- SD - Smoke Detector Linked To Whole House System
- HD - Heat Detector Linked To Whole House System
- AS - Alarm Sounder Linked To Whole House System
- SA - Combined Smoke Detector/Alarm, Maybe Linked Or Stand-Alone
- FB - Fire Blanket
- WE - Water Extinguisher
- FE - Foam Extinguisher
- DP - Dry Powder Extinguisher
- SH - Shower
- B - Bath
- WC - Toilet
- WHB - Wash-Hand Basin
- C - Cooler
- S - Sink
- F - Fridge
- X - CCTV



BASEMENT

GROUND FLOOR

FIRST FLOOR

Property Details:

8 HUMBERSTONE ROAD
LEICESTER
LE5 0AR

SCALE
1:200 @ A4

Plans Drawn: 23.12.2019

Surveyed and Drawn By:

BKR

Hideaway Work Space
1 Empire Mews
Leicester
SW16 2BF

Tel: 0345 257 2023
info@bkrfloorplans.co.uk
www.bkrfloorplans.co.uk

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Please ask for: Jamie Stubbs
Direct Line: [REDACTED]
Our Ref:
Date: 11 March 2020



Leicester
City Council

Another World Ltd
8 Humberstone Road
Leicester
LE5 0AR

Licensing Authority Office
Phoenix House, 1 King Street,
Leicester, LE1 6RN

www.leicester.gov.uk/licensing
e-mail: licensing@leicester.gov.uk

Dear Another World Ltd

8 Humberstone Road

La Lory

Application for an existing Premises Licence to be varied

Received on: 11 March, 2020

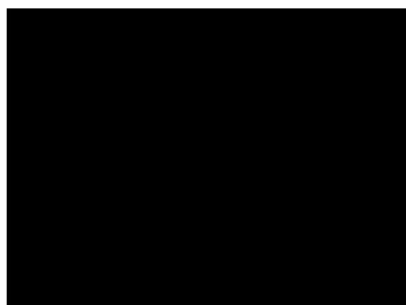
Thank you for your application to vary the Premises Licence for the above premises.

The Licensing Act 2003 allows 28 days for interested parties or responsible authorities to make representations, starting from the day after we receive the application.

In the meantime, you are reminded that the Licensing Act specifies that you must advertise your application, both in the local press and at the premises. Your application will not be valid unless you comply with the advertising requirements set out in the Regulations. If you need further advice on this, please contact me on the above number as a matter of urgency.

We will contact you again once the representation period has passed.

Yours sincerely,





**Leicestershire
Police**
Protecting our communities

Force Licensing Department
Mansfield House
74 Belgrave Gate
Leicester LE1 3GG

Tel: 101

www.leics.police.uk

Leicestershire Police

Licensing Act 2003 – Representation in respect of Premisess Licence Application

Details of person or body making representation	
Your Name:	Mr Nigel Rixon
Your Address:	Mansfield House, 74 Belgrave Gate, Leicester LE1 3GG

Details of premisess representation is about	
Name of Premisess:	La Lory
Address of premisess:	8 Humberstone Road Leicester LE5 0AR
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 type="checkbox"/>
Prevention of public nuisance	<input checked="" type="checkbox"/>
Protection of children from harm	<input type="checkbox"/>

Please summarise your concerns about this application:
<p>I write in my capacity as Licensing Manager for Leicestershire Police on the authority delegated to me by the Chief Constable.</p> <p>The current application if granted would undermine the licensing objectives in relation to the prevention of crime and disorder and the prevention of public nuisance.</p> <p>My representation to this variation for an existing licensed premises is based upon the licensing objectives.</p> <p>This application has been submitted in order to increase the licensable area of an existing licensed premises, increase the permitted licensable activity hours and increase the permitted hours that the premises can open to the public. The premises has recently re-opened after</p>

being closed for some time. During the closure period, the premises has undergone a refurbishment.

The current licence permits the premises to open to the public on the following:

Sunday – Thursday 5am until 12:20am

Friday & Saturday 5am until 2:20am.

The current licence permits the premises to supply alcohol and late night refreshment for consumption both ON & OFF the premises on the following:

Sunday – Thursday 11am until 12:20am.

Friday & Saturday 11am until 2am.

The current licence permits the performance of live music (indoors) on the following:

Sunday – Thursday 11am until midnight.

Friday & Saturday 11am until 2am.

The current licence permits the playing of recorded music (indoors):

Sunday – Thursday 9am until midnight.

Friday & Saturday 9am until 2am.

Therefore, the applicant wishes to extend the following:

(1) Late night refreshment.

Extend daily (Monday to Sunday) from 11pm until 5am.

Sunday – Thursday = 4 hour and 40 minute increase.

Friday & Saturday = 3 hour increase.

(2) Supply of alcohol.

Extend daily (Monday to Sunday) from 7am until 4:30am.

Sunday – Thursday = 4 hour and 10 minute increase.

Friday & Saturday = 3 hours increase.

(3) Hours that premises is open to the public.

Extend daily (Monday to Sunday) from midnight to midnight.

Sunday – Thursday = 4 hour and 40 minute increase.

Friday & Saturday = 2 hour and 40 minute increase.

(4) Increase the size of the licensable area by incorporating the first floor into the licensable area of the premises.

Location & Surrounding Area.

The premises is owned by a couple who have owned the business for a period of time.

The premises is located at 8 Humberstone Road, LE5 0AR. Despite the postcode, the address is located within the Leicester city inner ring road (LE1 post code area) near to Wharf Street South, Rutland Street and Wimbledon Street. The premises is located opposite a derelict building formally known as the “International Hotel”.

The premises is situated on the edge of the city centres late night time economy.

Another licensed premises is located next door called “Altro Mondo” and operates as an Italian restaurant. The restaurant’s address is 10-12 Humberstone Road. Altro Mondo has

unrestricted opening hours but is only permitted to carry out licensable activity on Monday to Saturday between 10am until 2am and on Sunday from midday until 2am.

Adana (Turkish restaurant) which is not licensed is located at 14-16 Humberstone Road. Humberstone Supermarket which is also not licensed is located 18-20 Humberstone Road.

A number of other shops are located along the same side of the road as the premises up until the junction of Clyde Street.

During an initial inspection, there appears to be some first and second floor residential accommodation above all of the above mentioned premises. There are several large residential blocks containing flats a short distance away bordering Wimbledon Street, Humberstone Road and Morledge Street.

The premises currently operates as a Romanian and Greek restaurant of which only the ground floor is presently licensed. By licensing the first floor, it will effectively double the size and capacity of the premises but also provide an area for private parties/functions.

The applicant also owns the property next door at 8A Humberstone Road. The business operates as a massage parlour known as Club 8A. Club 8A is accessed via a flight of stairs from street level to the right hand side of the restaurant as you look at the premises from the street. There is a security gate at the top of the stairs controlling access and egress to and from the massage parlour. On entry into the massage parlour there is a reception area with several settees, a bar area and a stand-alone fridge containing non-alcoholic drinks.

In 2019 Club 8A, which is not a licensed premises, was suspected to have been supplying alcohol to customers.

History

In the early hours of Sunday 30th June 2019, police officers attended the premises to conduct a licensing visit as intelligence was received that the premises was selling alcohol to customers using the massage parlour despite not having a licence to do so. The attending officers described how they rang the doorbell, as the security gate at the top of the stairs prevented them entry, at which point they could hear what was described as the furious sound of glass bottles clinking from inside. The officers were allowed entry by a male who gave his details as – Andrew Kyracou, the owner and applicant.

PC3028 Apps stated that Mr Kyracou looked nervous and on entering the first floor reception area there was a bar area that had a number of bottles of beer hidden in boxes behind the bar area.

PC3028 Apps suspected alcohol was either being sold or given away to customers at the premises.

Given the events of Sunday 17th November 2019, there is a strong possibility that the victim and alleged suspect had both been consuming alcohol on the premises and this may be the reason why the manager/applicant was distancing himself from the incident.

On Wednesday 18th December 2019, a multi-agency licensing visit was conducted to the premises but no offences were identified.

Crime & disorder associated to the premises
Sunday 17th November 2019 @ 03:01 hours.

Assault whereby occasioning actual bodily harm allegation (ABH)

Crime Number 19000615944

The victim states he was inside Club 8A, 8A Humberstone Road, Leicester along with the suspect who is known to him. The victim states he had consumed alcohol and that the suspect was intoxicated when he assaulted him outside the premises by punching him to the face four of five times.

The officer in the case contacted the premises to make enquiries about CCTV opportunities and was later contacted by the manager of the club who stated he was aware of the incident, however none of the men involved were customers or had been in the club. The manager stated that he didn't witness any assault, although he was able to tell the investigating officer "The guy who called you was aggressive and his friends were trying to calm him down".

The investigating officer suspected that the manager was attempting to deflect attention away from the premises and did not want the officer to check his CCTV system, as it might have been detrimental to his business.

The victim later withdrew his complaint after discrepancies in his account including admitting that he had removed his own belt in order to "defend himself".

Meeting with the applicant

On Friday 27th March 2020, PC2093 Pritchard acting in his role as Leicester City Centre Licensing Officer for Leicestershire Police met the applicant at the premises to discuss the application in person.

During the meeting the applicant discussed his business intentions, however it quickly became apparent that the applicant's intentions were different to what was detailed in the submitted operating schedule.

The applicant stated that he would permit customers to consume alcohol only on the premises and would permit beer and other alcoholic drinks to be taken off the premises and supplied to his adjoining business premises of Club 8A.

The applicant stated that the business aims to cater for private parties including Romanian celebrations and that the extended hours would cater for this demand, as it is common for these types of celebrations not to start until later and to continue into the early hours.

However, it is noted that the applicant has not applied to amend / increase the hours for live or recorded music in order to mirror the opening hours for such parties as you would expect, which seems odd and would suggest the alcohol consumption will be the primary focus after midnight on Sunday to Thursday and after 2am on Friday and Saturday.

The internal layout of the premises, including the first floor extension was inspected by PC2093 Pritchard. PC Pritchard noted an internal wooden link door which links the first floor area of the restaurant to the reception area of Club 8A. The applicant stated that this door would be locked whilst open to the public.

The applicant was asked how the 'off sales' of alcohol would operate. The applicant stated that customers would be permitted to buy alcohol including beer and take it off the premises. The applicant also stated that he would supply and deliver alcohol himself to customers using Club 8A.

In conclusion:

As the premises is seeking to increase its size by licensing the first floor area, this will effectively double the capacity of the premises. This effectively increases the likelihood of crime, disorder, anti-social behaviour and public nuisance associated to the premises. I do not believe the increase in capacity alone is sufficient to object; however as the applicant wishes to remain open to the public daily until 5am, with alcohol being served daily until 4:30am, this does raise concern. As other licensable activity including the playing of live and recorded music remains unchanged from the existing permitted hours, thus midnight or 2am dependant on the day of the week, it would strongly suggest that the alcohol consumption would become the primary function of the premises after the music has finished. The premises would cease to operate primarily as a restaurant / private hire area and become an alcohol led stand up bar with alcohol as the only licensable activity.

As alcohol fuelled violent crime increases significantly late at night and into the early of the morning, more so at weekends given the longer periods that customers are permitted to consume alcohol, it would inevitably result in increased crime and disorder at the premises regardless of the applicants good intentions and ability to manage its customers.

The premises proximity to nearby existing residential flats could potentially result in an increase in public nuisance as customers disperse from the premises in the early hours of the morning.

As the premises does not have a designated enclosed external smoking area, it ultimately means that customers will smoke cigarettes and vape E-cigarettes on the pavement area to the front of the premises, resulting in increased noise and disruption to local residents.

Customers smoking to the front of the premises in the early hours of the morning could result in increased crime and disorder as other revellers in the night time economy, already under the influence of alcohol, exit the city centre and come into contact with the customers smoking outside.

Given the premises position on a main footfall and vehicle thoroughfare into the city centre, it could result in it becoming a 'stopping off point' for customers already under the influence of alcohol, wishing to seek another alcoholic beverage as they exit the city centre in the early hours of the morning.

Leicestershire Police believe that the application effectively fails to address two out of the four licensing objectives in terms of:

- (1) The prevention of crime and disorder.
- (2) The prevention of public nuisance.

Leicestershire Police respectfully requests that the committee refuses the application. However, if the committee choose to grant the licence, Leicestershire Police would ask that they consider attaching the following conditions to the licence in order to promote the licensing objectives.

- (1) No alcoholic drinks purchased on the premises can be removed from the premises with the exception of partly consumed or resealed bottles of wine supplied and which are ancillary to a substantial table meal.

- (2) The supply of alcohol to be limited to:
Sunday to Wednesday from 11am to 1am.
Thursday from 11am to 1:30am.
Friday & Saturday from 11am to 2:30am.
- (3) The hours that the premises are open to the public to be limited to an additional 30 minutes after the supply of alcohol ceases.
- (4) Customers will not be permitted to congregate immediately outside the front of the premises.

Nigel Rixon
Licensing Manager
Leicestershire Police

2nd April 2020



Licensing Act 2003 - Representation in respect of an application for a New Premises Licence

Details of person or body making representation	
Your Name:	Alistair Hollis
Your Address:	Noise and Pollution Team, Phoenix House 1 King Street Leicester LE1 6RN

Details of premises representation is about	
Name of Premises:	La Lory
Address of premises:	8 Humberstone Road Leicester LE5 0AR
Application No. (if known)	125482

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	No
Public Safety	No
Prevention of public nuisance	Yes
Protection of children from harm	No

Please summarise your concerns about this application:
<p>The premises is located on Humberstone Road directly adjacent to residential flats at 10 Humberstone Road and behind Block E, Clyde Court, Erskine Street containing 15 residential units. It is by nature a lively area where higher ambient noise is expected, however this significantly drops at night, particularly after 02:00 hours.</p> <p>Opening hours are to extend daily (Monday to Sunday) from 00:00 – 00:00 hours. This would increase the detriment to the above residential properties from customers inside the premises and when entering and exiting. This is exacerbated with the extension of the licensable area to the first floor.</p> <p>Recorded Music hours are to remain the same 23:00 - 00:00 hours Sunday to Thursday, and 23:00 – 02:00 hours Friday & Saturday. Extending the licensable area to the first floor will increase the detriment to the adjacent first floor residential property from Recorded Music.</p> <p>Supply of Alcohol 23:00 hours - 05:00 hours is to be extended which will increase the existing ambient noise level from within the premises, as well as an increase in noise</p>

when entering and exiting the premises. This is again exacerbated by extending the licensable area to the first floor.

Extending the licensable area to the first floor also increases the overall capacity of the premises. With the increase in capacity there will be an increase in the overall noise level, for example conversations, singing and chanting. This also applies to the increase of customers congregating on the pavement while smoking/vaping due to the lack of a designated smoking area.

Upon discussing the application with a representative of the applicant from Knight Training, the main reason for extending the opening hours, Late Night Refreshment Hours and Supply of Alcohol is for private functions such as birthday parties. With these events typically comes higher noise levels again exacerbated by the increased capacity and extended hours.

I was also made aware of the new extraction system that has been installed for which the applicant intends to submit a retrospective planning application. The proposed hours of Late Night Refreshment of 23:00 – 05:00 hours raises concern as we have to assume the flue will be operating throughout those hours. Additionally, without planning details of the extraction flue, the detriment to the nearby residential units cannot be assessed fully.

I am also concerned about the current level of sound insulation the building provides as this would not have been designed to take out music or noise from large groups of people.

There is also a request for removal of the condition concerning the noise limiting device previously set by the Leicester City Council Noise Team. This condition was requested to protect the local residents and as such we would not only want this retained but extended to include the first floor.

In summary, based on the above, I recommend the committee refuse the application as it does not effectively address the licensing objective for the Prevention of Public Nuisance.

CONDITIONS

CONDITIONS CONSISTENT WITH OPERATING SCHEDULE
The licence holder will ensure the premises is run as a restaurant in which, when a sale or supply of alcohol is made for consumption on the premises customers are shown to their table.
The licence holder will ensure the supply of alcohol for consumption on the premises is by waiter or waitress service only.
The licence holder will ensure that they provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery.
The licence holder will ensure that where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and taking substantial table meals there, and provided that the consumption of alcohol by such persons in ancillary to taking such meals.
The licence holder will ensure that customers are only permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
The licence holder will ensure that customers are permitted to be sold or supplied alcohol at the bar, while waiting to be seated.
The licence holder will ensure that a camera CCTV system is in place covering all public areas of the premises enabling frontal identification of every person entering in any light condition.
The licence holder will ensure the CCTV system shall continuously record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings will be stored for a minimum of 31 days and can be accessed and downloaded immediately when requested by the police or other authorised officer.
The licence holder will ensure there will always be at least one person present whilst the premises is open to the public who is able to operate and download images from the CCTV.
The licence holder will ensure an incident log shall be kept on the premises and made available on request to the police or an authorised officer. The log will record all crimes reported to the venue, any complaints received, any incidents of disorder, any faults in the CCTV system, any visit by a relevant authority or emergency service, all ejections of patrons, all seizure of drugs or offensive weapons and any refusal of the sale of alcohol.
The licence holder will ensure that the premises will always be maintained in a safe manner.

CONDITIONS

The licence holder will ensure that all exits will be kept unobstructed, easy to open and clearly signed.
The licence holder will ensure the proper maintenance of all escape routes and exits including external exits. This will require such exits are kept unobstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified.
The licence holder will ensure that all refuse is disposed of in an appropriate manner and staff will keep all external areas in a clean and presentable manner at all times.
The licence holder will ensure notices are displayed asking patrons to leave the premises quietly and to have respect for local residents.
The licence holder will ensure substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
The licence holder will ensure that no deliveries to the premises shall take place between 23:00 hours and 07:00 hours the following day.
The licence holder will ensure no waste or recyclable materials, including bottles shall be moved, removed from or placed in outside areas between 23:00 hours and 07:00 hours on the following day.
The licence holder will ensure all external doors and windows must be kept closed, other than access and egress, after 22:00 daily in all rooms when events involving amplified music or speech shall be relayed via external speakers.
The licence holder will ensure reasonable steps are taken to prevent public nuisance being caused by customers outside whilst smoking. Should customers be found loitering outside, staff will be required to encourage them to move on.
The licence holder will ensure any artificial lighting on the premises must not cause nuisance due to glare unless it is considered necessary by the local police force to prevent crime and disorder.
The licence holder will ensure that there are no noxious smells emitted from the licensed premises that could cause a nuisance to nearby properties and that the licensed premises is properly vented.
The licence holder will ensure a challenge 25 proof of age scheme shall be operated at the premises, where the only acceptable forms of ID are recognised photographic identification cards, such as driving licence, passport or proof of age card with the pass hologram.
The licence holder will ensure that the premises operates a No ID, No sale policy at all times for persons who look under 25. Staff will be trained in the understanding of this policy and training record maintained for inspection, if requested by the police or an authorised officer of the council at all times whilst the premises is open.

CONDITIONS

The licence holder will ensure after 21:00 hours daily all persons under the age of 18 shall be accompanied by an adult.

CONDITIONS CONSISTENT WITH THE REPRESENTATION FROM THE POLICE

No alcoholic drinks purchased on the premises can be removed from the premises apart from partially consumed or resealed bottles of wine supplied and which are ancillary to a substantial table meal.

The supply of alcohol be limited to Sunday to Wednesday from 11am to 1am, Thursday from 11am to 1:30am, Friday & Saturday 11am to 2:30am.

The hours that the premises are open to the public be limited to an additional 30 minutes after the supply of alcohol ceases.

Customers will not be permitted to congregate immediately outside the front of the premises.

The noise limiting device previously set by the Leicester City Council Noise Team is retained but also extended to include the first floor.

