



Leicester
City Council

LICENSING (HEARINGS) SUB-COMMITTEE

DATE: TUESDAY, 27 APRIL 2021
TIME: 10:00 am
PLACE: Zoom Virtual Meeting

Members of the Sub-Committee

Councillors Fonseca, Gee 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: Angie Smith
Democratic Support, Leicester City Council
City Hall, 115 Charles Street, Leicester, LE1 1FZ
Tel: 0116 454 6354
email: angie.smith@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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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.

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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 Angie Smith, Democratic Support on **(0116) 454 6354** or email angie.smith@leicester.gov.uk

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

LEICESTER CITY COUNCIL LICENSING SUB-COMMITTEE PROCEDURAL GUIDE

INTRODUCTORY PHASE

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

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

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

INFORMATION GATHERING

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

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

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

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

Questions (for clarification purposes only):
Members
Officers
Statutory Consultees (is any)
Applicant and Representative(s)

6. *Applicant's Case

Questions (for clarification purposes only):

Members

Officers

Statutory Consultees

Persons who have made representations

7. Summing up in the following order

Officers

Statutory Consultees

Persons who have made representations

*Applicant and Representative(s)

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

DECISION MAKING

9. Apart from the Sub-Committee Members and the Democratic Support Officer everyone will be asked to withdraw from the meeting The Legal Adviser to the Sub-Committee may be called back to the meeting to advise on the wording of the decision the Sub-Committee Members will have made during private deliberation.

10. The Applicant will be advised that the decision made by the Sub-Committee will be made public within 5 working days of the meeting.

PUBLIC SESSION

AGENDA

LIVE STREAM OF MEETING

A live stream of the meeting can be viewed on the following link:

https://www.youtube.com/channel/UCddTWo00_gs0cp-301XDbXA

- 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 NEW PREMISES LICENCE WITHIN A CUMULATIVE IMPACT ZONE: AFRICAN VILLAGE PUB, 29 CHURCHGATE, LEICESTER, LE1 3AL** **Appendix A**

The Director of Neighbourhood and Environmental Services submits a report on an application for a new premises licence within a cumulative impact zone for African Village Pub, 29 Churchgate, Leicester, LE1 3AL.

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 telephoning Democratic Support on 0116 4546354.

(Wards affected: Castle)

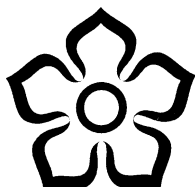
- 5. APPLICATION FOR A VARIATION OF AN EXISTING PREMISES LICENCE: FRIENDS FOODS RETAIL (T/A LONDIS), MERLIN HEIGHTS, 105 BATH LANE, LEICESTER, LE3 5AU** **Appendix B**

The Director of Neighbourhood and Environmental Services submits a report on an application for a variation of an existing premises licence for Friends Foods Retail (t/a Londis), Merlin Heights, 105 Bath Lane, Leicester, LE3 5AU.

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 telephoning Democratic Support on 0116 4546354.

(Wards affected: Abbey)

6. ANY OTHER URGENT BUSINESS



Leicester
City Council

WARDS AFFECTED
Castle

Appendix A

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

27th April 2021

Application for a new premises licence within a Cumulative Impact Zone
African Village Pub, 29 Churchgate, Leicester, LE1 3AL

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.

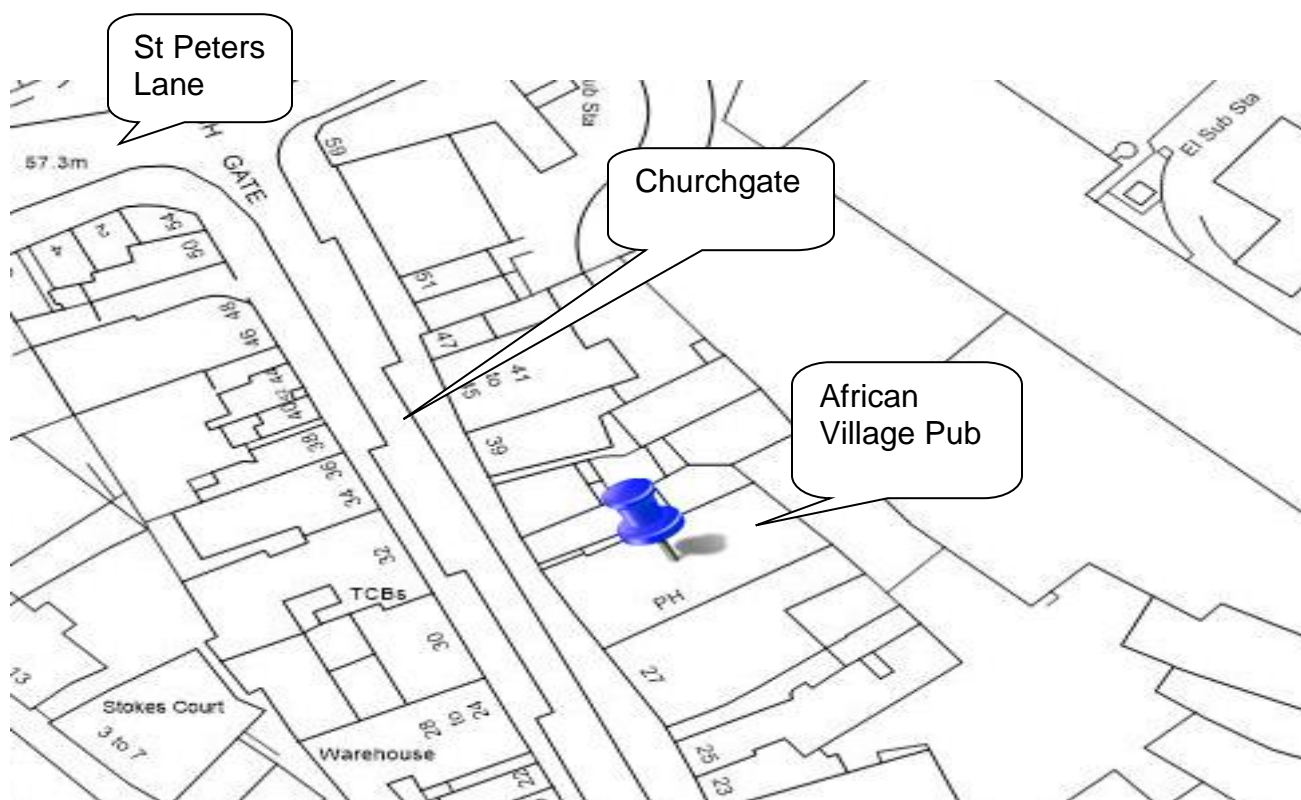
2. Determination to be made

- 2.1. Having considered the application and representations, 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 African Village Pub within the Churchgate area Cumulative Impact Zone 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 10th March 2021 from African Village Pub Limited for a new premises licence for 29 Churchgate within the Churchgate area Cumulative Impact Zone. A copy of the application is attached at Appendix B.

5.2 The application is as follows:

Licensable activity	Proposed Hours
Play	Monday-Sunday 11:00-03:00
Live Music	Monday-Sunday 11:00-03:00
Recorded Music	Monday-Sunday 11:00-03:00
Performances of Dance	Monday-Sunday 11:00-03:00
Anything similar to live/recorded music or dance	Monday-Sunday 11:00-03:00
Late night refreshment	Monday-Sunday 11:00-03:00
Supply of Alcohol (consumption on and off the premises)	Monday-Sunday 11:00-03:00
Opening hours	Monday-Sunday 11:00-03:00

6. Steps to Promote the Licensing Objectives

6.1 The steps the applicant proposes to take to demonstrate that the premises will not add to the existing cumulative impact and promote the licensing objectives are set out in the operating schedule (see section 18 of Appendix A).

- 6.2 In arriving at its decision on the application, the Licensing Authority's primary consideration must be the promotion of the licensing objectives.

7. Regulated Entertainment

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

8. Representations

- 8.1 A relevant representation was received on 12th March 2021 from Leicestershire Police. The representation relates to the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm. Leicestershire Police are concerned that the premises may increase crime, disorder and anti-social behaviour and the applicant seems inexperienced and lacking in knowledge. A copy of the representation is attached at Appendix B1.
- 8.2 A relevant representation was received on 16th March 2021 from the Noise Team. The representation relates to the prevention of public nuisance. The Noise Team are concerned that there will be increased noise levels and potential for disruption for neighbouring properties if the licence is granted as applied for. A copy of the representation is attached at Appendix B2.
- 8.3 A relevant representation was received on 6th April 2021 from Licensing Enforcement. The representation relates to the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm. They are concerned that the applicant lacks knowledge about running a licensed premises and the conditions volunteered may not be enough to support the promotion of the licensing objectives. A copy of the representation is attached at Appendix B3.

9. Conditions

- 9.1 The conditions that are consistent with the operating schedule and the representations are attached at Appendix C.

10. Cumulative Impact

- 10.1 In February 2005 Leicester City Council introduced a special policy on cumulative impact in the Churchgate area, which refers specifically to on and off licences. The licensing authority must have regard to the special policy. However, this does not change the fundamental way that licensing decisions are made. It is therefore open to the licensing authority to grant an application where it considers it is appropriate and where the applicant can demonstrate in the operating schedule that they would not be adding to the cumulative impact.

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
14.20 – 14.23	What is cumulative impact?
14.39 – 14.43	Effect of special policies
14.44 – 14.46	Limitations on special policies relating to cumulative impact
14.47 – 14.48	Other mechanisms for controlling cumulative impact
14.51 – 14.52	Licensing Hours
16.1 – 16.69	Regulated entertainment

13. Statement of Licensing Policy

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

Section	Heading
2	Fundamental Principles
3	Cumulative Impact
4	Policy on Cumulative Impact
5	Licensing Hours
7	Prevention of Crime and Disorder
8	Public Safety

9	Prevention of Public Nuisance
10	Protection of Children from Harm
13	Standardised conditions
17	Live Music, Dancing, Theatre, Circuses and Street Arts

14 Points for Clarification

- 14.1 The applicant and the parties making the representations 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 parties making the representations

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?

15. Other Implications

OTHER IMPLICATIONS	YES/ NO	Paragraph/References Within Supporting information
Equal Opportunities	No	
Policy	Yes	The premises is within a cumulative impact area
Sustainable and Environmental	No	
Crime and Disorder	Yes	Representations relate to crime and disorder
Human Rights Act	No	
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

16. Background Papers – Local Government Act 1972

- a. None.

17. Consultations

As this application was received electronically, the Licensing Authority was required to consult with the relevant responsible authorities as set out in the Licensing Act 2003.

18. Report Author

Vicky Marshall

Licensing Officer

0116 454 3048

Victoria.marshall@leicester.gov.uk

APPENDIX	CONTENT
A	Application
B1-3	Representations
C	Conditions consistent with application and representations / agreements



Leicester
Application for a premises licence
Licensing Act 2003

For help contact
licensing@leicester.gov.uk
 Telephone: +44 116 454 3040

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

GEBREKRSTOS

* Family name

EYASU

* E-mail

Main telephone number

Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

☒ Applying as a business or organisation, including as a sole trader

☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House?

☐ Yes

☒ No

Is your business registered outside the UK?

☐ Yes

☒ No

Note: completing the Applicant Business section is optional in this form.

Business name

AFRICAN VILLAGE LIMITED

If your business is registered, use its registered name.

VAT number

GB

1211124919

Put "none" if you are not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- ☒ An individual or individuals
- ☐ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☐ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales

Confirm The Following

- ☒ I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- ☐ I am making the application pursuant to a statutory function
- ☐ I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- ☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- ☒ Yes ☐ No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

☐ Yes

☒ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

* Date of birth

* Nationality

Right to work share code

Documents that demonstrate entitlement to work in the UK
Right to work share code if not submitting scanned documents

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start?

/ /
dd mm yyyy

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

/ /
dd mm yyyy

Provide a general description of the premises

Continued from previous page...

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 for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

THE PREMISES IS INTENDED TO SERVE EAT, DRINK, DANCE , LIVE MUSIC AND OTHER RELATED TO THOSE.

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

**Confirmed with Mr
Eyasu Plays will be
indoors only**

Will the performance of a play take place indoors or outdoors or both?

☐ Indoors ☐ Outdoors ☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

-an exhibition of a film
-a performance of live music
-any playing of recorded music
-entertainment of a similar description to that falling with a performance of live music, any playing recorded music or a performance of dance
-provision of late night refreshment
- the supply of alcohol

State any seasonal variations for performing plays

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where the premises will be used for the performance of a play at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

☐ Yes ☒ No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

☐ Yes ☒ No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Continued from previous page...

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

☐ Yes

☒ No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

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.

Continued from previous page...

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

☒ Yes

☐ No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

**Confirmed with Mr Eyasu
- should be 11:00-03:00**

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of dance take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

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.

State any seasonal variations for the performance of dance

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Give a description of the type of entertainment that will be provided

Will this entertainment take place indoors or outdoors or both?

☒ Indoors ☐ Outdoors ☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

State any seasonal variations for entertainment

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for entertainment at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

Continued from previous page...

TUESDAY

Start 11:00

End 03:00

Start

End

WEDNESDAY

Start 11:00

End 03:00

Start

End

THURSDAY

Start 11:00

End 03:00

Start

End

FRIDAY

Start 11:00

End 03:00

Start

End

SATURDAY

Start 11:00

End 03:00

Start

End

SUNDAY

Start 11:00

End 03:00

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

☐ Indoors

☐ Outdoors

☒ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the sale of alcohol be for consumption:

- ☐ On the premises ☐ Off the premises ☒ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

GEBREKRSTOS

Family name

EYASU

Date of birth

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number
(if known)

LEIPRS4547

Continued from previous page...

Issuing licensing authority
(if known)

LEICESTER CITY COUNCIL

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☐ Electronically, by the proposed designated premises supervisor
- ☒ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

- Admission of children to the exhibition of any films will be in accordance with the recommendation of the British Board of film classification for that film.
- individuals who appears to be under 18 years of age kindly requested to produce identification bearing their photograph, date of birth before being served alcohol.
- management have full control of music
- during sale of alcohol children should be accompanied by individual who is above age and allowed to stay till the time specified by the licencing authority.

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start 11:00

End 03:00

Start

End

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.

TUESDAY

Start 11:00

End 03:00

Start

End

WEDNESDAY

Start 11:00

End 03:00

Start

End

Continued from previous page...

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 18 of 21

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

public safety, crime and disorder, protection of children from harm and public nuisance are our top priority in our business
- all fire doors and emergency exits are designated with signs, their fully operative, and properly maintained.
- all exits are free from obstruction for safety purposes.
- fire warning alarms of the premises are checked by qualified gas engineers and their fully operative.
- CCTV is installed in our premises to prevent crime and disorder. we share informations regarding crime and disorder according to Leicestershire crime reduction unit and licensing authority.

—

Continued from previous page...

b) The prevention of crime and disorder

- CCTV is installed in our premises to prevent crime and disorder. we share informations regarding crime and disorder according to Leicestershire crime reduction unit and licensing authority.

c) Public safety

public safety is our top priority

- all fire doors and emergency exists are designated with signs, their fully operative, and properly maintained.
- all exits are free from obstruction for safety purposes.
- fire warning alarms of the premises are checked by qualified engineers and their fully operative.

d) The prevention of public nuisance

- In order to minimize public nuisance, we want to ensure that all external doors and windows in all rooms will be closed, other than for access.
- clear instruction are displayed in regards to noise reduction at all exist, requesting our customers to respect the needs of local residents.

e) The protection of children from harm

we ensure that children are fully protected in our premises from harm by

- Preventing the illegal sale of alcohol to under 18s in our premises
- Preventing the consumption of alcohol by children in our premises
- Following guidance on this matters provided by our licensing authority or by government agencies

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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:
 - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - o 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.
 - o 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.
 - o 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.
 - o 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:
 - o 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.
 - o 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.
 - o 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.

Continued from previous page...

- 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:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o 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;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o 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.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Fees are dependent on the business rate band of the premises. Further information is provided at the link below: <https://www.leicester.gov.uk/business/licences-and-permits/entertainment-food-and-drink-licensing/alcohol-entertainment-and-late-night-refreshment/policy-and-guidance/>

* Fee amount (£)

190.00

DECLARATION

[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, if appropriate (please see note 15)

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

GEBREKRSTOS EYASU

* Capacity

OWENER

* Date

15 / 01 / 2020
dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/leicester/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

Continued from previous page...

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

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

OFFICE USE ONLY

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)



Appendix B1

Leicestershire Police

Licensing Act 2003 – Representation in respect of New Premises Licence application.

Details of person or body making representation	
Your Name:	PC Jefferson Pritchard
Your Address:	Force Licensing Department, Mansfield House, 74 Belgrave Gate, LEICESTER LE1 3GG

Details of premises representation is about	
Name of Premises:	African Village
Address of premises:	29 Church Gate Leicester LE1 3AL
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 Leicester City Centre's alcohol licensing officer for Leicestershire Police on the authority delegated to me by the Chief Constable.</p> <p>This is an application for a new premises licence at 29 Church Gate, Leicester. LE1 3AL.</p> <p>The premises was formally licensed and was previously known as both Rosie O'Brien's and more recently Vertigo.</p> <p>The applicant has applied for licensable activities including the provision of live music, the provision of recorded music, the provision of late night refreshments and the supply of alcohol - daily from 11am until 3am.</p>

The premises opening hours to the public, mirrors its proposed licensable activity.

The premises is located within the Church Gate Area Cumulative Impact Zone as per Leicester City Council's Statement of Licensing Policy.

Paragraph 4:13 of the policy states, *"There will be a presumption that applications for new premises licences or extensions to the hours of licensing of existing premises in a cumulative impact zone will be refused. If the applicant can demonstrate that the premises will not add to the existing problems in a cumulative impact zone, the application could be approved. Applicants will need to address this issue in their operating schedules"*.

Given the proposed daily operating hours of 11am until 3am, the premises will operate during the night time economy, when alcohol fuelled violent crime in the area is a concern.

The granting of a further alcohol licence in this area has the potential to impact upon the already identified saturation zone and provide a further outlet for customers to consume alcohol. If the premises is not managed correctly, could result in a rise a crime, disorder and anti-social behaviour and therefore have a negative impact upon the area.

Leicestershire Police have reviewed the application, visited the premises and met the applicant in person. Leicestershire Police believe that if the licence was granted in its current form, the premises would add to the existing crime, disorder and anti-social behaviour in the area.

Leicestershire Police are concerned that the applicant who is both the proposed premises licence holder and the designated premises supervisor is inexperienced, with no previous experience of managing a licensed premises in the UK.

During a meeting with the applicant on Tuesday 23rd February 2021, the applicant was unaware of health and safety legislation, public safety schemes (Challenge 21 & 25 schemes) and his legal responsibilities as the proposed designated premises supervisor as per the Licensing Act 2003.

The application does not address a security provision and the applicant was vague when asked.

The premises CCTV system was not operational at the time of the visit. The existing CCTV system is located in a basement area that is accessed via a communal stairway which permits access to the flats above the premises. The applicant was unsure about key aspects of the system, including the position of the cameras, the retention period and the process to provide viewable copies to the responsible authorities. The applicant made no reference to any of the external CCTV camera's covering the front of the premises.

During the meeting the applicant stated that customers prior to the current coronavirus national lockdown were permitted to smoke within an enclosed courtyard area. The applicant was advised that the area was enclosed area and therefore unlawful but also the area was a fire exit route. The enclosed area also acted as a storage area for refuse bins for both the premises and the flats directly above the premises and therefore a potential fire hazard.

Therefore, the only legal and safe area for customers to smoke is outside the front of the premises on Church Gate. Given the proposed operating hours and the only outdoor smoking area available, increases the risk of conflict between customers and other members of the public passing by during the night time economy.

Leicestershire Police accept that there has been very little recorded crime at the premises or

within the area over the last year but this is most likely due to coronavirus pandemic.

However prior to the 21st March 2020, Leicestershire Police recorded five incidents of crime and disorder associated with the premises within a twelve month period. (21/03/2019-21/03/2020)

(Please see Annex A for a list of the incidents).

Leicestershire Police believes that the application fails to promote all four of the licensing objectives. The application fails to address how the premises will reduce its footprint and not contribute to the existing crime, disorder and anti-social behaviour in the Church Gate Area cumulative impact zone.

Therefore, Leicestershire Police respectfully requests that the application be refused.

However, if the committee elects to grant the licence. Leicestershire Police would ask that the committee considers attaching the following licence conditions:

- (1) Licensable activities including the supply of alcohol to cease thirty minutes prior to closing to the public.
- (2) The premises licence holder must ensure that CCTV cameras are located within the premises to cover all the public areas including all entrances and exits.
- (3) The CCTV system must record clear images permitting the identification of individuals and retained for a minimum of 28 days.
- (4) The CCTV system must be recording at all times that the premises are open for licensable activity. All equipment must have a constant and accurate time and date generation.
- (5) The CCTV system must be fitted with security functions to prevent recordings being tampered with.
- (6) There must be a trained member of staff at the premises during the operating hours who is able to provide viewable images of the CCTV on request of a responsible authority.
- (7) A minimum of one Security Industry Authority (SIA) door supervisor must be on duty at the premises on Friday and Saturday between 10pm and must remain on duty until the premises are closed and all customers have left.
- (8) All door supervisors and others engaged at the premises for the purpose of supervising or controlling queues or customers must wear high visibility armbands.
- (9) A noise limiting device must be installed and must operate at all time regulated entertainment takes place at the premises. The device must be of a type, in a location and set at a level approved in writing by the appropriate officer of the council.
- (10) No more than five customers will be permitted to smoke outside the front of the premises on Church Gate at once.

- (11) No alcoholic drinks or other supplied by the premises may be taken off the premises.
- (12) The premises licence holder must adopt a Challenge 25 Policy and ensure all staff are trained. A record of this training must be kept on the premises, retained for twelve months and made available for inspection by the responsible authorities within a reasonable timescale on request.
- (13) No members of the public are permitted to remain on the premises after hours.

PC 2093 Jefferson Pritchard Leicester
City Centre Licensing Officer
12th March 2021

African Village, 29 Church Gate, Leicester. LE1 3AL – Annex A

Incidents at the premises 12 months prior to the coronavirus pandemic 21/03/2019 – 21/03/2020

(1) Sunday 16th June 2019 @ 00:35 hours.

The premises calls police stating that ten persons are fighting outside but have also caused damage inside the premises. Police attend and disperse the group as no permanent damage caused.

Storm Incident 17 (16/06/2019)

(2) Sunday 7th July 2019 @ 02:31 hours.

Caller reports that 15-20 persons fighting in the street outside the premises. Police unable to attend.

Storm Incident 99 (07/07/2019)

(3) Sunday 14th July 2019 @ 02:45 hours.

Leicester City Council CCTV observes a fight outside the premises, resulting in three persons being arrested for public order offences.

Crime Number 19*366646.

(4) Friday 24th January 2020 @ 23:59 hours.

Police receive a report about two people fight at the location. The DPS later phones the police stating that two persons were fighting inside the pub. Police attend and three persons are arrested.

Storm Incident Number 722 & 723 (24/01/2020)

Crime Number 20*46461.

(5) Saturday 25th January 2020 @ 01:08 hours.

Leicester City Council CCTV alerts the police to a fight outside the location. Police attend. No persons arrested or complaints of assault.

Storm Incident Number 38 (25/01/2020)

Incidents within proximity to the premises, six months prior to Coronavirus pandemic - 21/09/2019 – 21/03/2020

(1) Sunday 1st December 2019 @ 00:35 hours.

A drunk male jumps out in front of car and was subsequently arrested by the police for being drunk and disorderly in a public place.

Crime Number 19*642248.

(2) Saturday 19th October 2019 @ 00:55 hours.

Leicester City Council CCTV observes a fight in the street. Police attend and arrest a person for assault.

NOT PROTECTIVELY MARKED



Licensing Act 2003 - Representation in respect of Premises Licence

Details of person or body making representation	
Your Name:	Kennedy Nwokolo
Your Address:	Pollution Control Officer Noise and Pollution Team Phoenix House 1 King Street Leicester LE1 6RN

Details of premises representation is about	
Name of Premises:	African Village Pub Limited
Address of premises:	29 Church Gate Leicester LE1 3AL
Application No. (if known)	132193

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:
<p>I have concerns that amplified music, live or recorded, that takes place after 23:00 hours from the premises will cause noise nuisance to residential properties close by if certain conditions are not attached. Secondly, the potential noise will cause public nuisance to local residents if the proposed late night refreshment and sale of alcohol is allowed outside.</p>

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

The proposed licenced activity includes recorded music, Live music, late night refreshment (inside and outside) and supply of alcohol (inside and outside), which, if not limited, has the potential to cause public nuisance to residents in close proximity.

Typical volumes that would be expected from recorded music from a premises licenced bar would be significantly greater than the background noise levels in the area.

Local flats and houses do not include acoustic glazing sufficient to mitigate such noise levels, nor additional ventilation that permits windows to remain closed. Consequently, during late at night and early hours of the morning, noise from recorded music played at a volume typical of such entertainment venues, could prevent the normal and reasonable use of local properties.

I am concerned that noise nuisance from raised voices and general activities associated with a typical licenced premises would be detrimental to close by residential units.

It is therefore normal practice to recommend that the premises licence application be refused as applied for.

However, it may be possible for the premises to operate the activities applied for without causing public nuisance if the measures proposed by the applicant in their application in addition to the following recommendation by the Noise Team are formalised as conditions attached to the premises licence. Furthermore, the applicant has accepted to remove recorded and live music from the application.

Recommended Conditions

- Opening hours; Monday – Sunday 11:00 hours – 01:00 hours.
- All external doors and windows must be kept closed, other than for access and egress, in all rooms when events involving live music or speech are taking place.

Note to applicant:

You may need to consider providing ventilation or air conditioning in warm weather.

- No recorded music or live music to be played outside at anytime.
- The outdoor area shall not be used for any licensable activities at any time.
- Disposal of waste bottles into external receptacles where the noise will be audible to neighbouring properties must not occur between 22:00 hours – 08:00 hours.

- The licensee shall take reasonable steps to prevent public nuisance being caused by customers outside whilst smoking.
- Prominent, clear notices shall be displayed at all exits requesting customers and staff respect the needs of local residents by keeping noise to a minimum when outside the premises and when leaving the premises

Return your completed form to:

By Post:

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

By Email:

licensing@leicester.gov.uk

Please ask for Kennedy Nwokolo
Direct Line 0116 454 5338
Our Ref 21/01688/PNCNLI
Date 16 March 2021



The Secretary
African Village Pub Limited
29 Church Gate
Leicester
LE1 3AL

Dear Sir/Madam,

Licensing Act 2003 – Objection to Application for a premises licence

Application Ref: 132193

Prevention of Public Nuisance.

29 Church Gate, Leicester, LE1 3AL

The Noise Team as a function of Environmental Health for Leicester City Council are required to make a formal representation to an application for licensable activities at your premises in order to object to activities and / or recommend the attachment of conditions to the application for a premises licence. The addition of conditions should help you prevent noise affecting your near neighbours.

Should you agree with my recommendations, the licencing system requires that I request that you make a formal, written request to Licensing that measures have been agreed with the Noise Team. This may make a hearing unnecessary.

Please be aware that the decision whether the conditions are added to the licence rests with the licensing authority.

Please find enclosed a form with the following modification:

Regulated entertainment (Late night refreshment & supply of alcohol)

I recommend that during the performance of recorded music that external doors and windows to the premise remain closed to prevent the likelihood of public nuisance to the occupiers of nearby properties.

Recommended Conditions

- Opening hours; Monday – Sunday 11:00 hours – 01:00 hours.
- All external doors and windows must be kept closed, other than for access and egress, in all rooms when events involving live music or speech are taking place.

Note to applicant:

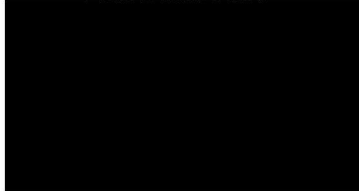
You may need to consider providing ventilation or air conditioning in warm weather.

- No recorded music or live music to be played outside at anytime.
- The outdoor area shall not be used for any licensable activities at any time.
- Disposal of waste bottles into external receptacles where the noise will be audible to neighbouring properties must not occur between 22:00 hours – 08:00 hours.
- The licensee shall take reasonable steps to prevent public nuisance being caused by customers outside whilst smoking.
- Prominent, clear notices shall be displayed at all exits requesting customers and staff respect the needs of local residents by keeping noise to a minimum when outside the premises and when leaving the premises.

The form requires your signature before you return it to the Licensing Team.

Thank you for your help in this matter. Should you require any further advice, please contact me at this office.

Yours faithfully



Kennedy Nwokolo
POLLUTION CONTROL OFFICER
NOISE TEAM

Victoria Marshall
Licensing Authority Office
Leicester City Council
Phoenix House
1 King Street
Leicester
LE1 6RN

Dear Ms Marshall,

Licensing Act 2003 – Objection to Application for a premises licence
Application Ref: 132193
Prevention of Public Nuisance.
29 Church Gate, Leicester, LE1 3AL

I, _____ as the applicant / applicant's representative of the above premises licence, hereby agree recorded music and live music be removed from the application and also to the following modifications in respect to prevention of public nuisance.

Conditions

- Opening hours; Monday – Sunday 11:00 hours – 01:00 hours.
- All external doors and windows must be kept closed, other than for access and egress, in all rooms when events involving live music or speech are taking place.

Note to applicant:

You may need to consider providing ventilation or air conditioning in warm weather.

- No recorded music or live music to be played outside at anytime.
- The outdoor area shall not be used for any licensable activities at any time.
- Disposal of waste bottles into external receptacles where the noise will be audible to neighbouring properties must not occur between 22:00 hours – 08:00 hours.
- The licensee shall take reasonable steps to prevent public nuisance being caused by customers outside whilst smoking.
- Prominent, clear notices shall be displayed at all exits requesting customers and staff respect the needs of local residents by keeping noise to a minimum when outside the premises and when leaving the premises.

Signed

Name:
(PRINT)

Dated:.....

Appendix B3

Leicester City Council

Licensing Act 2003

Representation in respect of New Premises Application

Details of person or body making representation	
Your Name:	Tj Mavani
Your Address:	Licensing Enforcement City Hall, 115 Charles Street, Leicester LE1 1FZ

Details of premises representation is about	
Name of Premises:	Vertigo
Address of premises:	29 Churchgate Leicester LE1 3AL
Application No. (if known)	132193

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>We would like to submit our representations for this premises application based upon the above stated licensing objectives.</p>

This premises are situated at the heart of the night-time economy area within the city centre and within an area which has been classed as a **Cumulative Impact Area**.

Premises in this area are a mix of retail, fast food outlets and late bars. There are also residential apartments sighted above many of the properties.

This premises came to the attention of the authority in August 2020 when, having been closed since March 2020, this applicant reopened the premises and attempted to affect the transfer of the existing Licence from a previous owner. For various reasons this process was unable to be completed and was discontinued.

Licensing enforcement officers attended the premises and found that no Coronavirus measures has been implemented by the applicant and the premises were far from satisfactory in terms of compliance with the legislation and guidance in place at that time.

Following a meeting with the applicant it was the view of the authority that the he had no knowledge or ability to adhere to guidance and legislation in respect of public safety at the venue. Since this time the venue has remained closed.

We have concerns that the premises will add to the numbers of persons within the area and feel that the conditions that have been listed within the operating schedule would not allow for the management and staff to fully uphold the licensing objectives.

The individual conditions offered by the applicant are not specific enough for us to consider that any of the objectives will be upheld.

Given our information we have genuine doubts that the management are capable to operate the premises for the Licensable Activities applied for due to lack of knowledge and experience.

This application is asking for the premises to be allowed the selected licensable activities until 3am every day. This is catering for a late crowd and with that crowd dynamic there are certain vulnerabilities that the operating schedule and management is required to address in order to uphold the licensing objectives. They have provided no detail in this regard within the application.

As stated the application sits within a designated cumulative impact area identified within the Licensing Policy adopted by Leicester City Council which outlines the issues that arise with the current number of licensed premises in regards to crime and disorder and that an addition of another premises licence would only add, not reduce the issues of crime and disorder.

The application does not address any issues in relation to operating the premises within a Cumulative Impact Area and there is no evidence of any pre engagement with relevant organisations or authorities has taken place.

It is understood that despite this, every application must be decided on its own merits.

If the committee are minded to grant the licence, we would strongly urge that all the following conditions be added that would assist in upholding the licensing objectives:

- 1) 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
- 2) The licence holder will maintain an incident book to record all incidents at the premises of crime & disorder, damage to property and personal injury. This book/record is to be retained at the premises for a minimum of 12 months and made available to the Police or Licensing Authority upon request.
- 3) The licence holder will ensure security are present and identifiable in line with documented security risk assessments conducted by the premises management and those assessments be made available to the Police or Licensing Authority upon request and received within agreed timescales.
- 4) The licence holder will ensure that internal and external CCTV is installed following advice from Leicestershire Police and maintained in accordance with the Information Commissioner's CCTV codes of practice. Recordings will always be maintained and will be retained for a minimum of 30 days.
- 5) The licence holder will ensure that there is a member of staff on the premises whilst it is open to members of the public who are trained to operate and provide images/footage from the CCTV system to the Police or Licensing Authority. Any request for CCTV outside these times will be completed within 24 hours of the request being made.
- 6) The licence holder will ensure that all staff, whether paid or unpaid, will receive training relating to the Licensing Act 2003. The training is to include preventing underage sales, proxy purchasing, serving to drunks and conflict management. The training will be documented, completed annually, signed, and dated on completion by trainer and trainee. Copies will be provided to the Police or Licensing Authority within 24 hours of any request made.
- 7) The licence holder will adhere to the 'Challenge 25' principals and will ensure all staff are fully conversant with the aims of Challenge 25.
- 8) The licence holder will display Challenge 25 posters within the premises in positions where they can be both be seen and read by customers.
- 9) The licence holder shall take reasonable steps to prevent public nuisance being caused by customers outside whilst smoking.
- 10) The licence holder will take all reasonable steps to reduce the chances of any event causing a public nuisance.
- 11) No persons under the age of 18 must be in the premises at any time or for any reason after 21:00hrs on any night. If there is a request for an exception to this condition, this must be authorised by the Police Licensing Manager and the Licensing Authority Enforcement Manager.

12) 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.

Tj Mavani
Licensing Enforcement
Licensing Authority
06/04/2021



Licensing Act 2003
Premises Licence Application
Notification to Local Authority of Agreement Regarding
Licensing Enforcement Representations.

Tuesday 6th April 2021

Vertigo 29 Churchgate Leicester LE1 3AL.

Dear Sir,

I write in my capacity as the applicant in relation to the above matter.

Discussions have taken place with the Leicester City Council Licensing Enforcement in relation to the promotion of the Licensing Objectives.

I am aware that representations have been made that the following conditions should be placed upon the new licence:

- 1) 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
- 2) The licence holder will maintain an incident book to record all incidents at the premises of crime & disorder, damage to property and personal injury. This book/record is to be retained at the premises for a minimum of 12 months and made available to the Police or Licensing Authority upon request.
- 3) The licence holder will ensure security are present and identifiable in line with documented security risk assessments conducted by the premises management and those assessments be made available to the Police or Licensing Authority upon request and received within agreed timescales.
- 4) The licence holder will ensure that internal and external CCTV is installed following advice from Leicestershire Police and maintained in accordance with the Information Commissioner's CCTV codes of practice. Recordings will be maintained at all times the premises are open to the public and will be retained for a minimum of 30 days.



- 5) The licence holder will ensure that there is a member of staff on the premises whilst it is open to members of the public who are trained to operate and provide images/footage from the CCTV system to the Police or Licensing Authority. Any request for CCTV outside these times will be completed within 24 hours of the request being made.
- 6) The licence holder will ensure that all staff, whether paid or unpaid, will receive training relating to the Licensing Act 2003. The training is to include preventing under age sales, proxy purchasing, serving to drunks and conflict management. The training will be documented, completed annually, signed and dated on completion by trainer and trainee. Copies will be provided to the Police or Licensing Authority within 24 hours of any request made.
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- 10) The licence holder will take all reasonable steps in order to reduce the chances of any event causing a public nuisance.
- 11) No persons under the age of 18 must be in the premises at any time or for any reason after 21:00hrs on any night. If there is a request for an exception to this condition, this must be authorised by the Police Licensing Manager and the Licensing Authority Enforcement Manager.
- 12) 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.

I agree to this/these condition/s and do not therefore consider that a hearing is necessary.

Yours faithfully,

Signe [REDACTED]

Name (Block Capitals): *MR GEBREKRSTOS EYASU.* [REDACTED]

CONDITIONS CONSISTENT WITH OPERATING SCHEDULE

CCTV is installed in the premises and information will be shared with the responsible authorities.

All external windows and doors will be kept closed except for ingress and egress

Clear notices will be displayed reminding customers to keep noise levels low to respect neighbouring properties.

CONDITIONS CONSISTENT WITH REPRESENTATION FROM LEICESTERSHIRE POLICE

Licensable activities including the supply of alcohol to cease thirty minutes prior to closing to the public.

The premises licence holder must ensure that CCTV cameras are located within the premises to cover all the public areas including all entrances and exits.

The CCTV system must record clear images permitting the identification of individuals and retained for a minimum of 28 days.

The CCTV system must be recording at all times that the premises are open for licensable activity. All equipment must have a constant and accurate time and date generation.

The CCTV system must be fitted with security functions to prevent recordings being tampered with.

There must be a trained member of staff at the premises during the operating hours who is able to provide viewable images of the CCTV on request of a responsible authority.

A minimum of one Security Industry Authority (SIA) door supervisor must be on duty at the premises on Friday and Saturday between 10pm and must remain on duty until the premises are closed and all customers have left.

All door supervisors and others engaged at the premises for the purpose of supervising or controlling queues or customers must wear high visibility armbands.

A noise limiting device must be installed and must operate at all time regulated entertainment takes place at the premises. The device must be of a type, in a location and set at a level approved in writing by the appropriate officer of the council.

No more than five customers will be permitted to smoke outside the front of the premises on Church Gate at once.

No alcoholic drinks or other supplied by the premises may be taken off the premises.

The premises licence holder must adopt a Challenge 25 Policy and ensure all staff are trained. A record of this training must be kept on the premises, retained for twelve months and made available for inspection by the responsible authorities within a reasonable timescale on request.

No members of the public are permitted to remain on the premises after hours.

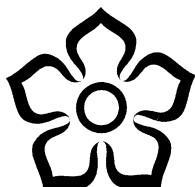
CONDITIONS CONSISTENT WITH REPRESENTATION FROM THE NOISE TEAM
Opening hours; Monday – Sunday 11:00 hours – 01:00 hours..
All external doors and windows must be kept closed, other than for access and egress, in all rooms when events involving live music or speech are taking place. Note to applicant: You may need to consider providing ventilation or air conditioning in warm weather.
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The licensee shall take reasonable steps to prevent public nuisance being caused by customers outside whilst smoking.
Prominent, clear notices shall be displayed at all exits requesting customers and staff respect the needs of local residents by keeping noise to a minimum when outside the premises and when leaving the premises.

CONDITIONS CONSISTENT WITH REPRESENTATION FROM THE LICENSING ENFORCEMENT TEAM
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 holder will maintain an incident book to record all incidents at the premises of crime & disorder, damage to property and personal injury. This book/record is to be retained at the premises for a minimum of 12 months and made available to the Police or Licensing Authority upon request.
The licence holder will ensure security are present and identifiable in line with documented security risk assessments conducted by the premises management and those assessments be made available to the Police or Licensing Authority upon request and received within agreed timescales.
The licence holder will ensure that internal and external CCTV is installed following advice from Leicestershire Police and maintained in accordance with the Information Commissioner's CCTV codes of practice. Recordings will always be maintained and will be retained for a minimum of 30 days.
The licence holder will ensure that all staff, whether paid or unpaid, will receive training relating to the Licensing Act 2003. The training is to include preventing underage sales, proxy purchasing, serving to drunks and conflict management. The training will be documented, completed annually, signed, and dated on completion by trainer and trainee. Copies will be provided to the Police or Licensing Authority within 24 hours of any request made.
The licence holder will adhere to the 'Challenge 25' principals and will ensure all staff are fully conversant with the aims of Challenge 25.
The licence holder will display Challenge 25 posters within the premises in positions where they can be both be seen and read by customers.
The licence holder shall take reasonable steps to prevent public nuisance being caused by customers outside whilst smoking.

The licence holder will take all reasonable steps to reduce the chances of any event causing a public nuisance.

No persons under the age of 18 must be in the premises at any time or for any reason after 21:00hrs on any night. If there is a request for an exception to this condition, this must be authorised by the Police Licensing Manager and the Licensing Authority Enforcement Manager.

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.



Leicester
City Council

WARDS AFFECTED

ABBEY

Appendix B

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

27th April 2021

Application for a variation of an existing premises licence
Friends Foods Retail (t/a Londis), Merlin Heights, 105 Bath Lane, Leicester,
LE3 5AU

Report of the Director of Neighbourhood and Environmental Services

1. Purpose of Report

- 1.1. This report provides information for Members about an application made under the Licensing Act 2003, to assist them in determining the outcome of that application.

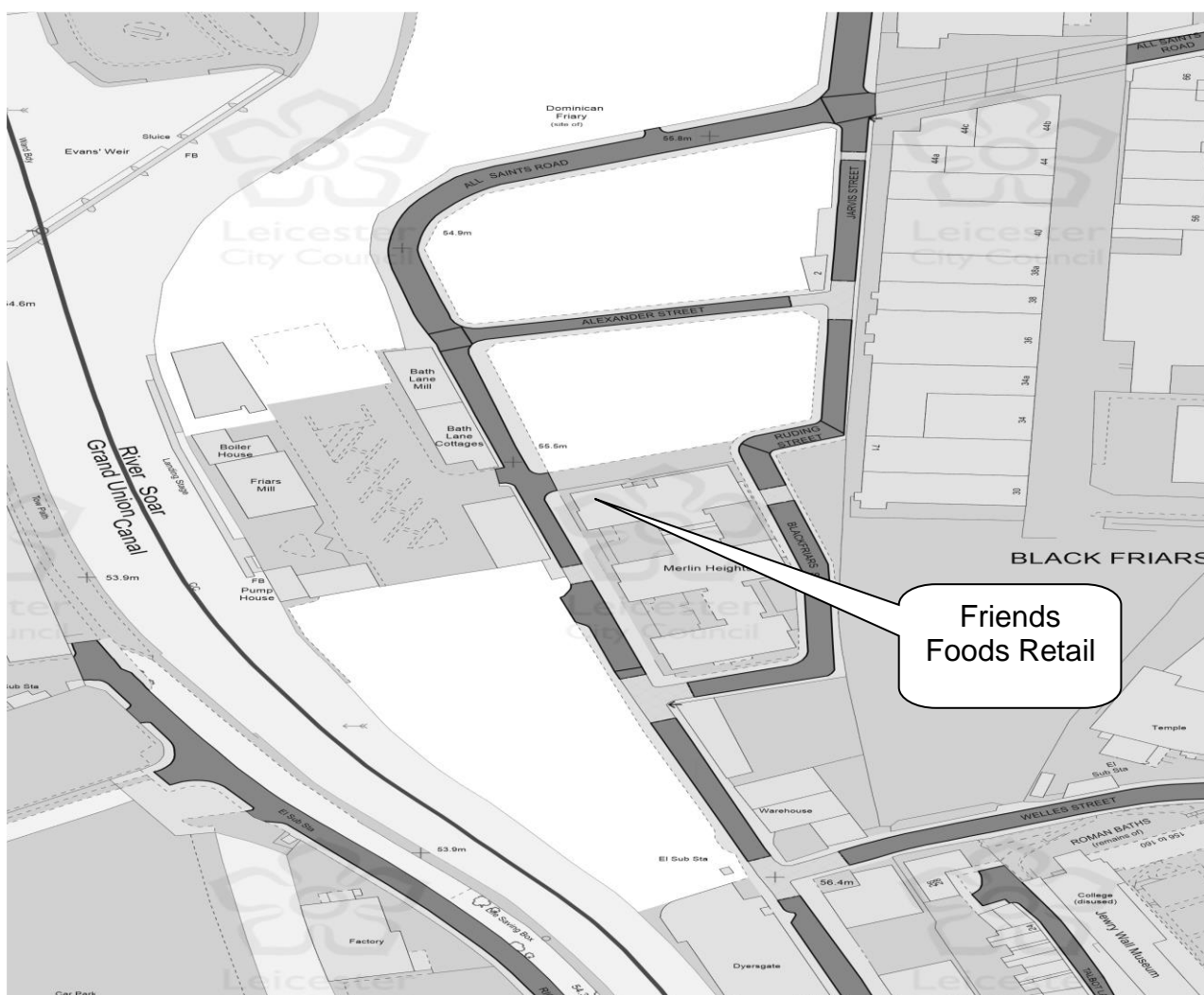
2. Determination to be made

- 2.1. Having considered the application and representation, Members must consider whether to
- Grant the licence without modification
 - 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 Friends Foods Retail and summarises the representation received. It also highlights the licensing objectives, the relevant parts of the guidance and regulations, and the pertinent sections of the Licensing Authority's Licensing Policy.

4. Location Plan



5. Existing Licence

5.1. The existing licence is attached at Appendix A.

6. Application

6.1 An application was received on 3rd April 2021 from Mr Thinojan Thirumohan and Friends Foods for a variation to an existing premises licence for Friends Foods Retail. A copy of the application is attached at Appendix B.

6.2 The variation sought by the application is as follows:

Licensable activity	Current Hours	Proposed Hours
Supply of Alcohol (consumption off the premises)	Mon – Sun 0600 – 00.00	Mon – Sun 00.00 – 00.00
Opening hours	Mon – Sat 05.30 – 00.00 Sun 06.00 – 00.00	Mon – Sun 00.00 – 00.00

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. Representation

- 8.1 A representation was received on 17th March 2021 from the Noise Team. The representation relates to the prevention of public nuisance. The noise officer is concerned that allowing the premises to operate for such long hours may increase noise disturbances to residents. A copy of the representation is attached at Appendix C.

9. Conditions

- 9.1 The conditions that are consistent with the operating schedule are attached at Appendix D.

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
2.15 – 2.21	Public nuisance
8.41 – 8.49	Steps to promote the licensing objectives
9.11 – 9.12	Role of 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

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
9	Prevention of Public Nuisance
11.4 – 11.5	Planning
12	Duplication
13	Standardised conditions

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	No	
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 As this application was received electronically, the Licensing Authority was required to consult with the relevant responsible authorities as set out in the Licensing Act 2003.

16. Report Author

Amy Day
Licensing Officer
0116 454 3054
Amy.day@leicester.gov.uk

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

Licensing Act 2003
Premises Licence

LEIPRM1711



Leicester
City Council

Local Services & Enforcement
 Leicester City Council
 York House
 91 Granby Street
 Leicester
 LE1 6FB

(0116) 4543040
licensing@leicester.gov.uk

Part 1 - Premises Details

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

Friends Foods Retail

Merlin Heights, 105 Bath Lane, Leicester, LE3 5AU.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

Expires **no expiry**

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
J. Supply of alcohol for consumption OFF the premises only	Monday to Sunday	6:00am	Midnight

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Mon-Sat	5:30am	Midnight
Sunday	6:00am	Midnight

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

- J. Supply of alcohol for consumption OFF the premises only

Part 2

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

Thinojan Thirumohan	46 Althorpe Crescent, Bradville, Milton Keynes.
Friends Foods	46 Althorpe Crescent, Bradville, Milton Keynes, MK13 7AT.

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

Thinojan Thirumohan	11076994
Friends Foods	11076994



Licensing Act 2003

Premises Licence

LEIPRM1711



Leicester
City Council

Local Services & Enforcement
Leicester City Council
York House
91 Granby Street
Leicester
LE1 6FB

(0116) 4543040

licensing@leicester.gov.uk

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

Thinojan THIRUMOHAN

**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. MK 00146458

Issued by Milton Keynes



Licensing Act 2003
Premises Licence

LEIPRM1711



Leicester
City Council

Local Services & Enforcement
Leicester City Council
York House
91 Granby Street
Leicester
LE1 6FB

(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 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.

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

A CCTV system will be installed to monitor entrances, exits and other parts of the premises in order to address the prevention of the crime objective

The licence holder will ensure that alcohol is not sold to drunk/intoxicated customers

Staff will be trained to undertake ID checks

An incident log book will be kept at the premises

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.

Deliveries will be carried out at a time or in a manner as to prevent nuisance and disturbance to nearby residents

Any lighting on or outside the premises will be positioned and screened in such a way as not to cause a disturbance to nearby residents

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

None



Premises Licence Summary



Leicester
City Council

Local Services & Enforcement
Leicester City Council
York House
91 Granby Street
Leicester
LE1 6FB

(0116) 4543040
licensing@leicester.gov.uk

Premises Details

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

Friends Foods Retail

Merlin Heights, 105 Bath Lane, Leicester, LE3 5AU.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
J. Supply of alcohol for consumption OFF the premises only	Monday to Sunday	6:00am	Midnight

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Mon-Sat	5:30am	Midnight
Sunday	6:00am	Midnight

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

- J. Supply of alcohol for consumption OFF the premises only

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Thinojan Thirumohan
Friends Foods

46 Althorpe Crescent, Bradville, Milton Keynes.
46 Althorpe Crescent, Bradville, Milton Keynes, MK13 7AT.

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

Thinojan Thirumohan	11076994
Friends Foods	11076994



Licensing Act 2003

Premises Licence Summary

LEIPRM1711



Leicester
City Council

Local Services & Enforcement
Leicester City Council
York House
91 Granby Street
Leicester
LE1 6FB

(0116) 4543040
licensing@leicester.gov.uk

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


Thinojan THIRUMOHAN

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

Not applicable



[illegible]

DRAWING TITLE	UNIT 1 BATH LANE LEICESTER LE3 5AU		DATE	12/11/2017
SCALE	1/75 @ A3	DRAWING NO	C4-1DP-LE3 5AU-12017-01	
DRAWN		REVISIONS		
LIVERPOOL ORION CO. UK		B		
 <p> E. JORDON REPRESENTATIONAL LTD 100, CHURCH STREET LIVERPOOL L3 1JH UK T +44 (0) 161 6227999 F +44 (0) 161 6227999 E info@orion.co.uk W www.orion.co.uk </p>				

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NOTICE OF APPLICATION FOR A VARIATION OF EXISTING PREMISES LICENCE

Name of (applicant / club)*:
Mr Thinojan Thirumohan
Postal address of (premises / club premises)*:
Friends Food Retail Ltd. (Londis Supermarket) Merlin Heights 105 Bath Lane Leicester LE3 5AU
Details of Application:
<p>Application to vary the existing premises licence for the sale of alcohol Monday to Sunday 00.00 – 00.00</p> <p>Also to update the plan of the premises.</p>
<ul style="list-style-type: none"> The Licensing Register can be inspected at any time by visiting www.leicester.gov.uk/business/licences-and-permits/entertainment-food-and-drink-licensing/alcohol-entertainment-and-late-night-refreshment/ . During office hours arrangements may be made for the register to be viewed at the Customer Services Department, Leicester City Council, 91 Granby Street, Leicester, LE1 6FB.
<ul style="list-style-type: none"> Any representation relating to this application must be made in writing to the Licensing Authority by <div style="text-align: center;"><u>Wednesday 31st March 2021</u></div>
<ul style="list-style-type: none"> It is an offence knowingly or recklessly to make a false statement in connection with an application. The maximum fine on summary conviction for this offence is £5,000.

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 Mr Thinojan Thirumohan

(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

LEIPRM1711

Part 1 – Premises Details

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

Friends Food Retail Ltd.
(Londis Supermarket)
Merlin Heights
105 Bath Lane

Post town

Leicester

Postcode

LE3 5AU

Telephone number at premises (if any)

0116 2510134

Non-domestic rateable value of premises

£16250

Part 2 – Applicant details

Daytime contact
telephone number

E-mail address (optional)

Current postal address if
different from premises
address

46 Althorpe Crescent
Bradville

Post town

Milton Keynes

Postcode

MK13 7AT

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			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

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)

Increase opening/sale of groceries and alcohol hours to being operative for 24 hours.

(The premises is an off licence & convenience store therefore we won't let customer consume alcohol at the premises)

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:

N/A

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

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please <u>give further details</u> (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			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)
Fri			
Sat			
Sun			

D

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

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	
				Outdoors	
				Both	
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					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	
				Outdoors	
				Both	
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 playing of recorded music</u> (please read guidance note 6)		
Thur					
Fri			<u>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</u> (please read guidance note 7)		
Sat					
Sun					

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	
				Outdoors	
				Both	
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 dance</u> (please read guidance note 6)		
Thur					
Fri			<u>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</u> (please read guidance note 7)		
Sat					
Sun					

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	
Mon				Outdoors	
				Both	
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					

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Thur					
Fri			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 (please read guidance note 7)		
Sat					
Sun					

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	
				Off the premises	✓
				Both	
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)		
Mon	00:00	24:00			
Tue	00:00	24:00			
Wed	00:00	24:00			
Thur	00:00	24:00			
Fri	00:00	24:00	<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)		
Sat	00:00	24:00			
Sun	00:00	24:00			

K

<p>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).</p> <p style="text-align: center;">N/A</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon	00:00	24:00	
Tue	00:00	24:00	<u>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</u> (please read guidance note 7)
Wed	00:00	24:00	
Thur	00:00	24:00	
Fri	00:00	24:00	
Sat	00:00	24:00	
Sun	00:00	24:00	

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.

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)

- no selling of alcohol to underage people
- no drunk and disorderly behaviour on the premises area
- vigilance in preventing the use and sale of illegal drugs at the retail area
- no violent and anti-social behaviour
- no any harm to children

b) The prevention of crime and disorder

CCTV System installed to monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective. A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted. Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed. Not selling of alcohol to drunk or intoxicated customers. Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises. Prevention and vigilance in illegal drug use at the retail unit area. Staff will be well trained in asking customers to use premises in an orderly and respectful manner and prevent drinking alcohol at the retail unit (ex. canned or bottled beer).

c) Public safety

Internal and external lighting fixed to promote the public safety objective. Well trained staff adherence to environmental health requirements. Training and implementation of underage ID checks. A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation. All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.

d) The prevention of public nuisance

Noise reduction measures to address the public nuisance objective. Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly. Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents. The Licensee will ensure that staff who arrive early morning or depart late at night (ex. for unpacking, pricing newly delivered goods) when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents. Customers will be asked not to stand around loudly talking in the street outside the premises. Customers will not be admitted to premises above opening hours. The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises. Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents. Adequate waste receptacles for use by customers will be provided in the local vicinity.

e) The protection of children from harm

"Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol. Well trained staff about requirement for persons' identification, age establishment etc. All the details provided in Training Record Book available the retail unit. Log Book will be kept upon the premises all the time. Nothing belong existing Health & Safety requirements.

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	
Date	02/03/2021
Capacity	Director/Owner

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)			
Post town			Post code
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
<div style="background-color: black; width: 100%; height: 20px;"></div>			

NOTE

Any personal data that you provide will be processed in accordance with current data protection laws. It will be used by Leicester City Council and our partners to deliver and improve services and fulfil our legal duties. We will not disclose any personal information to anyone else unless required or allowed to do so by law. Read more about how we use personal data in our Privacy Notice on our website www.leicester.gov.uk

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.



REVISION

DRAWING NUMBER
LON/01

PROJECT TITLE
Merlin Heights

ALL DIMENSIONS ARE SHOWN IN MILLIMETERS UNLESS STATED OTHERWISE. ALL DIMENSIONS ARE TO BE CHECKED PRIOR TO COMMENCEMENT OF WORK ON SITE.

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Telephone: 01895 828 100
LondisCentralOps@Londis.co.uk ~ www.Londis.co.uk

Merlin Heights

105 Bath lane
Leicester
LE3 5BD

PROPOSED
(APPROX 1400 SQ FT)

SCALE	N.T.S	DATE 10.09.18
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DRAWN D.ROBERTS

<u>DRAWING NUMBER</u> LON/01	<u>REVISION</u> A
--	-----------------------------

87



Licensing Act 2003 - Representation in respect of an application for the variation of a premises licence

Details of person or body making representation

Your Name:	Andrew Sansome
Your Address:	Noise and Pollution Team Leicester City Council City Hall Charles Street Leicester LE1 1FZ

Details of premises representation is about

Name of Premises:	Friends Food Retail - Londis
Address of premises:	Merlin Heights 105 Bath Lane Leicester LE3 5AU
Application No. (if known)	133055

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:

The premises, known as Friends Food Retail - Londis is a licensed retail store located in a ground floor unit within a large multi-floor student residential development on Bath Lane Leicester, close to the City Centre. The area is a large inner-city regeneration area and there are a number of other large residential developments within the close proximity of the premises.

The premises are currently licensed for the off-sales of alcohol 06.00 hours to 00.00 hours daily (Monday to Sunday)

The proposal is to seek approval to be able to open the premises to include the sale of alcohol (for consumption off the premises) 00.00 – 24.00 hours daily (Monday to Sunday), thus enabling a 24 hour operation 365 days a year.

Currently there are no other late-night premises in the area and therefore the effect of permitting the sale of alcohol over a period of 24 hours within this area has not been

tested. However, the Noise Team are concerned that allowing the premises to operate such long hours will increase the likelihood of noise complaint and disturbance to residents by customers coming to the premises from the locality and from further afield throughout the night and particularly into the early hours of the morning. There is an increased likelihood especially in the earlier part of the working week when background noise levels across the City are generally lower.

Due to the proposed long working hours there is also the likelihood of noise disturbance from the activities of staff and deliveries.

During the planning consultation and approval stages for the construction of the residential development (which forms the majority part of the site complex) the Noise Team were consulted regarding potential noise issues from commercial uses on the site. The developer was aware of these concerns which were published in their consultation statement and replicated in the requested hours of use for the commercial uses in their application for planning approval (06.30 hours to 23.00 hours) and the conditioned hours of opening of commercial uses 06.30 hours to 23.00 hours.

The area is predominantly high-rise residential living and there are many hundreds of flats and apartments close by (the application site houses 600 flats alone). There is little commercial or non-residential traffic or footfall late at night to the few commercial mainly office style premises on Bath Lane.

The premises is not seeking to provide entertainment or other licensable activities that would encourage customers to remain within the curtilage of the premises. However, there is an increased likelihood that customers would gather or meet outside the premises to drink and chat into the early hours when clubs, bars and other licenced premises outside the area are closed.

Noise on the street is very difficult to control and enforce. I am concerned that the premises staff will have little or no power to control people once they have left the premises but may remain in the locality.

The long hours requested are likely to encourage people from out of the locality to visit the area to obtain alcohol and / or purchase general goods. The premises is also within easy walking distance of the City Centre. Noise from customer activity, noise from vehicles (doors slamming, stereo systems etc.) when parked outside the premises throughout the night would be very difficult if not impossible for the applicant to control; but may significantly affect residents whose windows are directly above the premises

During the daytime, road traffic, commercial activity and on-street activity would probably be the dominant noise source in the locality. However, later in the evening, into the early hours of the morning traffic noise and street noise noticeably reduces.

It is therefore recommended that the application for variation of the premises licence to allow 24 hour alcohol sales be refused.

Attached - Photographs

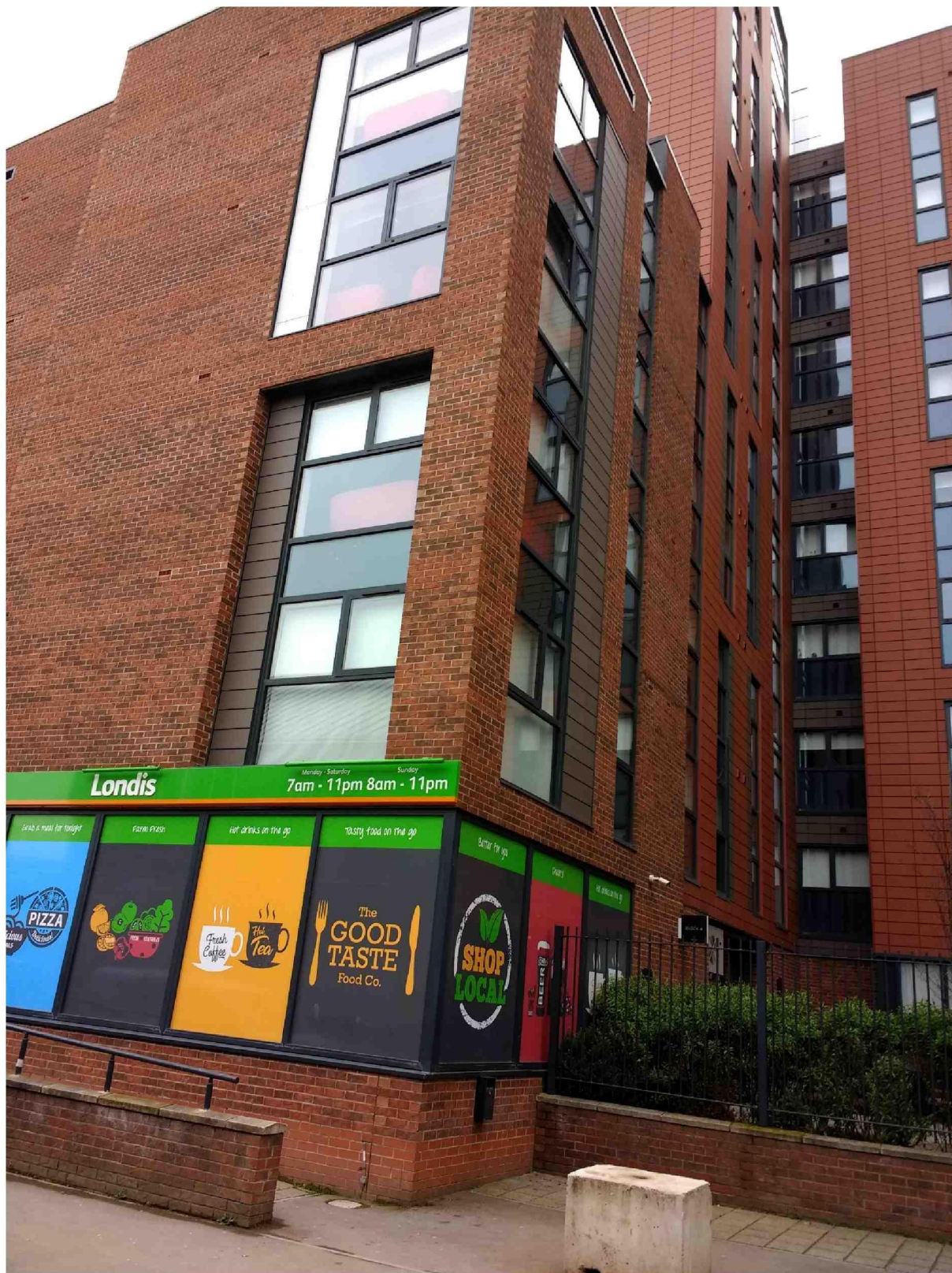
Return your completed form to:

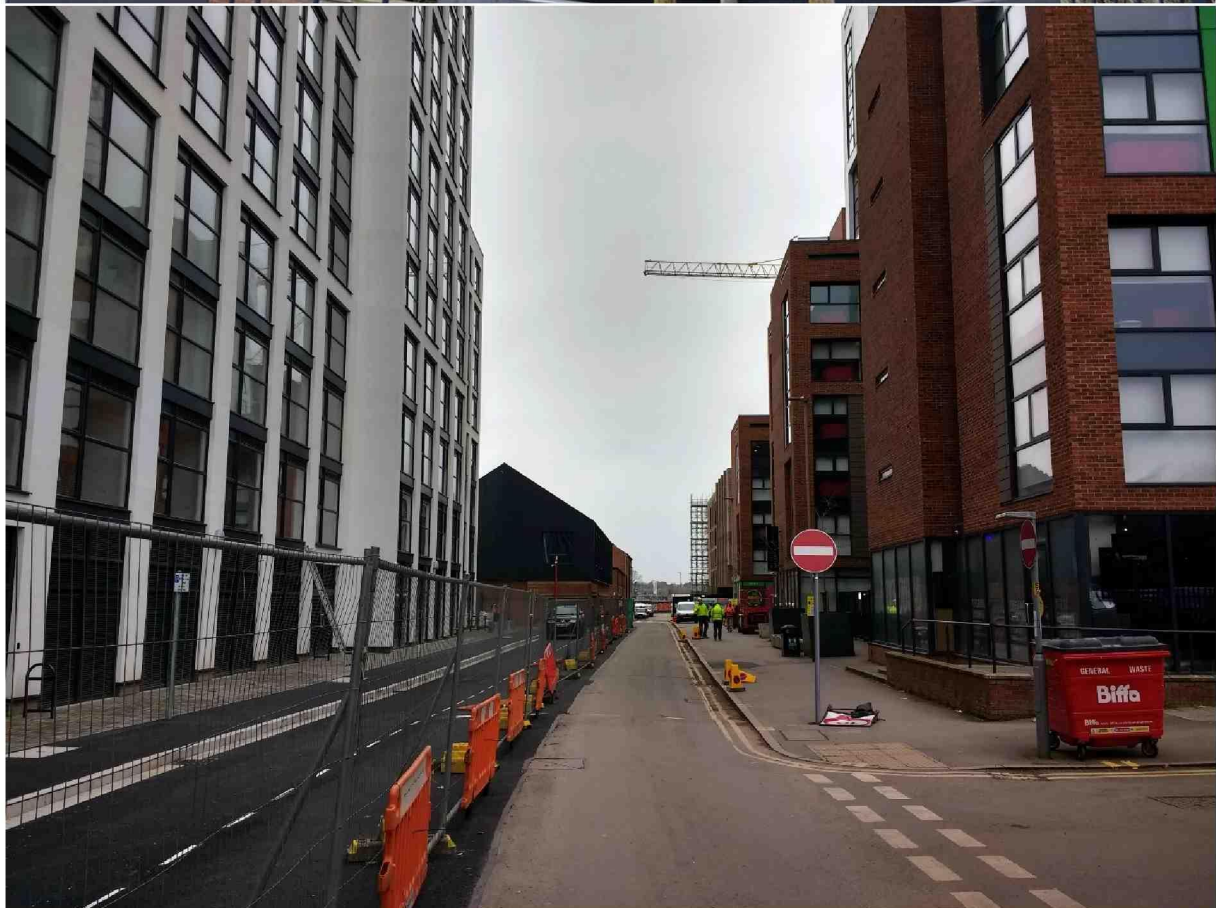
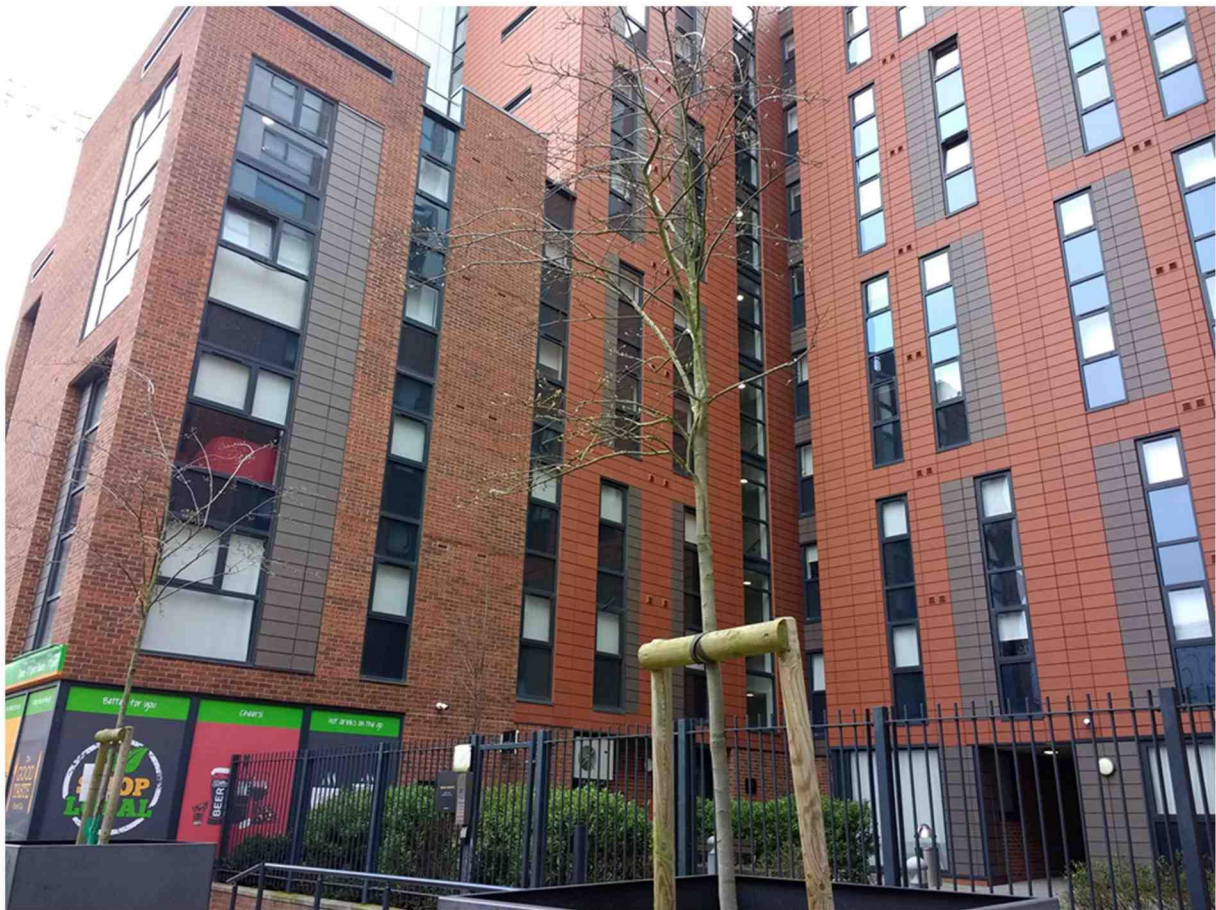
By Post:

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

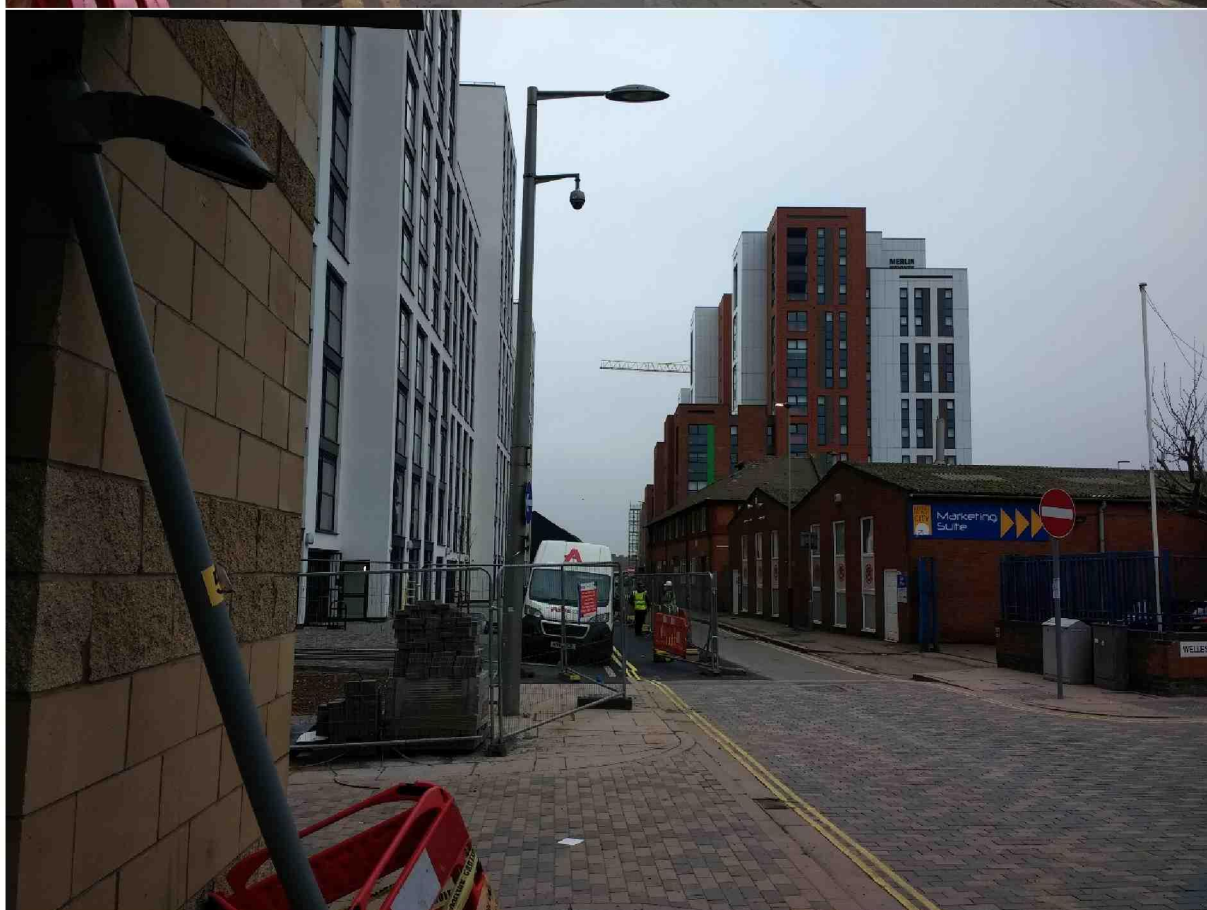
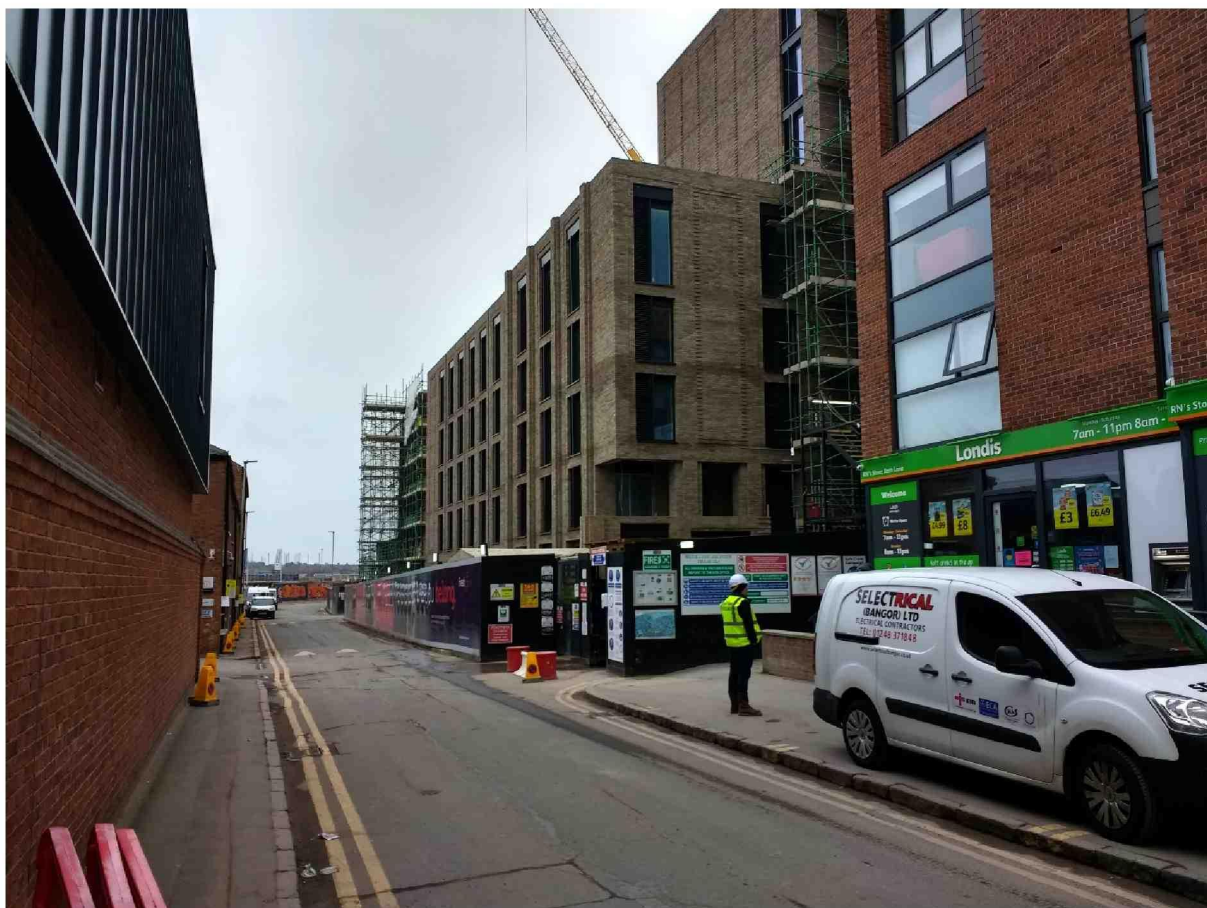
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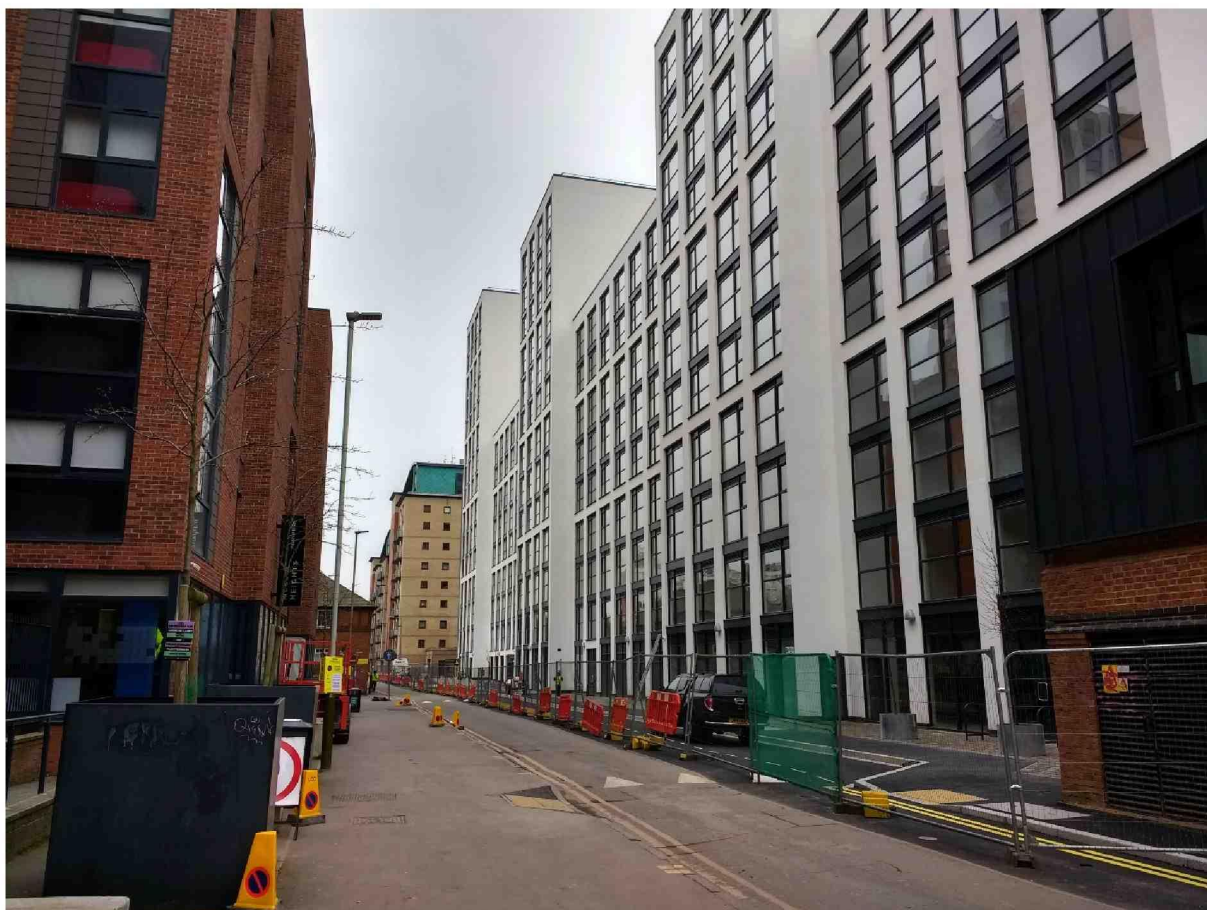
licensing@leicester.gov.uk











CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

The licence holder will ensure a CCTV System is installed to monitor entrances, exits, and other parts of the premises, in order to address the prevention of crime objective.

The licence holder will ensure alcohol is not sold to drunk or intoxicated customers.

The licence holder will ensure training and implementation of underage ID checks.

The licence holder will ensure a log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information.

The licence holder will ensure the logbook shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.

The licence holder will ensure prominent, clear, and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.

The licence holder will ensure deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.

The licence holder will ensure customers will be asked not to stand around loudly talking in the street outside the premises.

The licence holder will ensure the movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises.

The licence holder will ensure any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.

The licence holder will ensure adequate waste receptacles for use by customers will be provided in the local vicinity.

The licence holder will ensure "Challenge 25" signs are on display at the premises that advises anyone who is over 18 but looks under 25, to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol.

The licence holder will ensure all staff are trained about the requirement for a persons' identification, age etc. All the details to be provided in the Training Record Book, available on the premises at all times.

