



Leicester  
City Council

### **LICENSING (HEARINGS) SUB-COMMITTEE**

**DATE: TUESDAY, 21 SEPTEMBER 2021**

**TIME: 10:00 am**

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

### **Members of the Sub-Committee**

Councillor Pickering (Chair)  
Councillors Fonseca and Shelton

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:** Jason Tyler  
Democratic Support, Leicester City Council  
City Hall, 115 Charles Street, Leicester, LE1 1FZ  
Tel: 0116 454 6359  
email: [Jason.tyler@leicester.gov.uk](mailto:Jason.tyler@leicester.gov.uk)

## **Information for members of the public.**

### **Attending meetings and access to information**

You have the right to attend formal meetings such as full Council, committee meetings, and Scrutiny Commissions and see copies of agendas and minutes.

However, on occasion, meetings may, for reasons set out in law, need to consider some items in private.

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- maintain distancing while entering and leaving the room/building;
- remain seated and maintain distancing between seats during the meeting;
- wear face coverings throughout the meeting unless speaking or exempt;
- make use of the hand sanitiser available;
- when moving about the building to follow signs about traffic flows, lift capacities etc;
- comply with Test and Trace requirements by scanning the QR code at the entrance to the building and/or giving their name and contact details at reception prior to the meeting;
- if you are displaying Coronavirus symptoms: a high temperature; a new, continuous cough; or a loss or change to your sense of smell or taste, you should NOT attend the meeting, please stay at home, and get a PCR test.

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Filming and Recording the Meeting - The Council is committed to transparency and supports efforts to record and share reports of proceedings of public meetings through a variety of means, including social media. In accordance with government regulations and the Council's policy, persons and press attending any meeting of the Council open to the public (except Licensing Sub Committees and where the public have been formally excluded) are allowed to

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The aim of the Regulations and of the Council's policy is to encourage public interest and engagement so in recording or reporting on proceedings members of the public are asked:

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

### **Further information**

If you have any queries about any of the above or the business to be discussed, please contact:

Jason Tyler, Democratic Support on **(0116) 454 6354**  
or email [jason.tyler@leicester.gov.uk](mailto:jason.tyler@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**

#### **FIRE / EMERGENCY EVACUATION**

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

#### **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. MINUTES OF PREVIOUS MEETING**

**Appendix A**

The Minutes of the previous meeting held on 24 August 2021 are attached and members will be asked to confirm them as a correct record.

#### **5. APPLICATION FOR A VARIATION OF AN EXISTING PREMISES LICENCE - THE GRAND UNION, 3-5 NEW WALK, 24 KING STREET, LEICESTER, LE1 6RL**

**Appendix B**

The Director of Neighbourhood and Environmental Services submits a report on an application for a variation of an existing premises licence – The Grand Union, 3-5 New Walk, 24 King Street, Leicester LE1 6RL.

#### **6. PRIVATE SESSION**

#### **MEMBERS OF THE PUBLIC TO NOTE**

Under the law, the Sub-Committee is entitled to consider certain items in private where in the circumstances the public interest in maintaining the matter exempt from publication outweighs the public interest in disclosing the information.

Members of the public will be asked to leave the meeting when such items are discussed.

The Sub-Committee is recommended to consider the following reports in private on the grounds that they contain 'exempt' information as defined by the Local Government (Access to Information) Act 1985, as amended, and consequently that the Sub-Committee makes the following resolution:-

“that the press and public be excluded during consideration of the following reports in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because they involve the likely disclosure of 'exempt' information, as defined in the Paragraphs detailed below of Part 1 of Schedule 12A of the Act, and taking all the circumstances into account, it is considered that the public interest in maintaining the information as exempt outweighs the public interest in disclosing the information.”

Paragraph 1

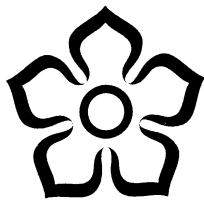
Information relating to an individual.

**7. APPLICATION FOR A NEW PERSONAL LICENCE** **Appendix C**

The Director of Neighbourhood and Environmental Services submits a report on an application for a new personal licence.

**8. ANY OTHER URGENT BUSINESS**





Leicester  
City Council

# Appendix A

## Minutes of the Meeting of the LICENSING (HEARINGS) SUB-COMMITTEE

Held: TUESDAY, 24 AUGUST 2021 at 10:00 am

### P R E S E N T:

Councillor Singh Johal (Chair)

Councillor Byrne

Councillor Cank

\* \* \* \* \*

#### **1. APPOINTMENT OF CHAIR**

Councillor Singh Johal was elected as Chair for the meeting.

#### **2. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

#### **3. DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### **4. MINUTES OF PREVIOUS MEETING**

RESOLVED:

That the minutes of the meetings of the Licensing (Hearings) Sub-Committee held 25 June 2021 and 23 July 2021 be confirmed as a correct record.

#### **5. APPLICATION FOR A NEW PREMISES LICENCE WITHIN A CUMULATIVE IMPACT ZONE, AURA, 33-37 BELVOIR STREET, LEICESTER, LE1 6SL**

The Director of Neighbourhood and Environmental Services submitted a report on an application for a new Premises Licence within a Cumulative Impact Zone for Aura, 33-37 Belvoir Street, Leicester, LE1 6SL.

The applicant, Mr Jordan Singh was present with his representative, Mr Paddy Whur. Also present was Mr Neil Cooper (Noise and Pollution Control Team),

Councillor Kitterick (Ward Councillor), the Licensing Team Manager (Policy and Applications) and the Legal Adviser to the Sub-Committee.

The Licensing Team Manager presented the report and outlined details of the application. It was noted that objections to the application had been received on 17 June 2021 from the Noise and Pollution Control Team and Councillor Kitterick, Ward Councillor.

It was noted that Leicestershire Police had initially objected to the application on 6 July 2021 but had come to an agreement with the applicant.

Mr Cooper was given the opportunity to address the Sub-Committee and answer any questions from Members.

Councillor Kitterick was given the opportunity to address the Sub-Committee and answer any questions from Members and Officers.

Mr Singh and Mr Whur were given the opportunity to address the Sub-Committee, put forward their case, address concerns raised by objectors, and answer questions from Members and Officers,

All parties present were given the opportunity to sum up their positions and make any final comments.

The Sub-Committee received legal advice from the Legal Adviser to the Sub-Committee in the presence of all those present.

In reaching their decision, Members felt they should deliberate in private on the basis that this was in the public interest, and as such outweighed the public interest of their deliberation taking place with the parties represented present.

The Chair announced that the decision and reasons made during private deliberation would be publicly announced in writing within five working days. The Chair informed the meeting the Legal Adviser to the Sub-Committee would be called back to give advice on the wording of the decision.

The Chair then asked all but Members of the Sub-Committee and Democratic Support Officers to leave the meeting. The Sub-Committee then deliberated in private to consider their decision.

The Sub-Committee recalled the Legal Adviser to the Sub-Committee to give advice on the wording of the decision.

RESOLVED:

That the application for a new Premises Licence within a Cumulative Impact Zone for Aura, 33-37 Belvoir Street. Leicester, LE1 6SI be GRANTED subject to conditions.

In reaching their decision, the Sub-Committee had carefully considered the Sub-Committee report presented by the Licensing Officer, all representations

submitted on behalf of the applicant, the representations by the Council's Noise and Pollution Control Team, the representation by Councillor Kitterick and the legal advice given during the hearing.

The Sub-Committee had been asked to determine an application for a new premises licence for 33-37 Belvoir Street, Leicester. When considering the application, the licensing objectives were of paramount concern. The Sub-Committee considered the application on its own merits and in accordance with the licensing authority's Statement of Licensing Policy and guidance issued under S.182 of the Licensing Act 2003.

The application had been made by Olympus Development Limited in accordance with Section 17 of the Licensing Act 2003.

The licensable activities which were the subject of the application were set out in paragraph 5.2 of Licensing Officer report to Sub-Committee.

Representations submitted by the Police were withdrawn following a meeting with the applicant's representative. The applicant had agreed to a comprehensive set of conditions addressing the Police's concerns relating to the Prevention of Crime and Disorder. The agreed conditions included reduced operating hours and restricting the sale of alcohol to on sales.

The representations put forward by the Noise and Pollution Control Team and Councillor Kitterick engaged the Licensing Objective relating to the Prevention of Public Nuisance.

The Noise and Pollution Control Team's primary concern was to prevent noise nuisance to residents living in the flats above the premises and within the vicinity. Councillor Kitterick was also concerned about nuisance to residents living above the premises but he was also concerned by the nuisance caused by customers arriving and leaving the premises until the very early hours of the morning.

He additionally submitted that the operating hours originally applied for indicated that the premises would be a 'party bar' which would add to the existing problems in the Cumulative Impact area. However, he accepted that the applicant's agreement to the conditions put forward by the Police addressed issues relating to Crime and Disorder.

The Noise and Pollution Control Team submitted that the premises would only be viable if there was a robust sound insulation scheme preventing nuisance to the flats above. The team's concerns around sound breakout had been addressed by the applicant agreeing to keeping all windows and doors shut and by constructing a lobby entrance.

The representations also raised concerns about the premises being within the Belvoir Street Cumulative Impact area. Clarification was provided to the Sub-Committee by the Licensing Officer regarding the Council Licensing Policy regarding Cumulative Impact area and the Sub-Committee was referred to

relevant parts of the statutory guidance.

The representative for the applicant denied that the premises would be a 'party bar' and set out in detail how the business would be managed and operated. He informed the Sub-Committee the Police had checked the applicant's background and had been satisfied that he was genuine, and that the intention was to run a restaurant and bar. The food and drink would be sold at premium prices without any discounting. The applicant owned his own building company and intended to spend in the region of £300,000 to renovate the premises and would bring experience of managing and running a premise he owned in Rochester. The applicant's representative gave details of how noise from patrons arriving and leaving would be managed and how smoking outside the premises would be restricted to five individuals at any one time and customers would not be permitted to remove from the premises any alcoholic drinks.

The applicant's representative took the Sub-Committee through the additional conditions and addressed each of the concerns raised by the objectors.

Having considered all of the representations in detail the Sub-Committee were content to grant the application subject to the conditions consistent with the operating schedule, the conditions agreed with the police and subject to the further condition set out below.

In making a decision to grant a Premises Licence subject to conditions, the Sub-Committee were satisfied that:

- The application represented a different offer which would not add to the problems in the cumulative impact area
- There had been good engagement with the Police and contact attempted with objectors. The Sub-Committee were satisfied that engagement would continue with all responsible authorities and were assured that any issues arising at the premise would be addressed
- The applicant's background had been checked and the additional agreed conditions gave Sub-Committee assurance that the premises would be run responsibly, and the licensing objectives promoted

The Sub-Committee however took note of the representation by Councillor Kitterick and the Noise and Pollution Team and remained concerned about noise nuisance from live and amplified music to the residents occupying the flats above the premises. To address those concerns the granting of the premises licence would be subject to the following additional conditions:

1. To prevent nuisance from live and amplified music, the applicant must, prior to the opening of the premises, install a sound insulation scheme between the premises and the flats above.
2. Once a sound insulation scheme was installed the applicant must, prior to the opening of the premises, provide to the Council's Noise and Pollution Team in writing full details of the installed sound insulation scheme together with a Noise Management Plan.



3. After the premises opened and for a period of the first six months, the applicant shall meet with the Councils Noise and Pollution Control Team, on dates specified by the team, to review compliance with the Noise Management Plan.

**6. APPLICATION FOR A REVIEW OF AN EXISTING PREMISES LICENCE, NATTERJACKS, 52A BRAUNSTONE GATE, LEICESTER, LE3 5LG**

The Director of Neighbourhood and Environmental Services submitted a report on an application for a review of an existing Premises Licence for Natterjacks, 52A Braunstone Gate, Leicester, LE3 5LG.

The applicant, Mr Manoj Kumar was present. Mr Allistair Hollis (Noise and Pollution Control Team), the Licensing Team Manager (Policy and Applications), and the Legal Adviser to the Sub-Committee were also present.

The Licensing Team Manager presented the report and outlined details of the application. It was noted that a review application was received on 6 July 2021 from the Noise and Pollution Control Team.

Mr Hollis was given the opportunity to address the Sub-Committee and answer questions from Members, Officers, and the applicant.

Mr Kumar was given the opportunity to put forward his case, address concerns raised by the Noise and Pollution Control Team, and answer questions from Members and Officers.

All parties present were given the opportunity to sum up their positions and make any final comments.

The Sub-Committee received legal advice from the Legal Adviser to the Sub-Committee in the presence of all those present.

In reaching their decision, Members felt they should deliberate in private on the basis that this was in the public interest, and as such outweighed the public interest of their deliberation taking place with the parties represented present.

The Chair announced that the decision and reasons made during private deliberation would be publicly announced in writing within five working days. The Chair informed the meeting the Legal Adviser to the Sub-Committee would be called back to give advice on the wording of the decision.

The Chair then asked all but Members of the Sub-Committee and Democratic Support Officers to leave the meeting. The Sub-Committee then deliberated in private to consider their decision.

The Sub-Committee recalled the Legal Adviser to the Sub-Committee to give advice on the wording of the decision.

RESOLVED:

That the Premises Licence for Natterjacks, 52A Braunstone Gate, Leicester, LE3 5LG be MODIFIED WITH NEW CONDITIONS.

In reaching their decision, the Sub-Committee had carefully considered the Sub-Committee report presented by the Licensing Officer, the application for review made by the Noise and Pollution Control Team in its capacity as Responsible Authority, the representation received from a resident, the representations made on behalf the Premises Licence Holder and the legal advice given during the hearing.

The Sub-Committee had been asked to determine an application for a Review of a Licence held at 52a Braunstone Gate, Leicester. When considering the application, the licensing objectives were of paramount concern. The Sub-Committee had considered the application on its own merits and in accordance with the licensing authority's Statement of Licensing Policy and guidance issued under S.182 of the Licensing Act 2003.

The current licensable activities which were the subject of the review were set out in paragraph 5.2 of Licensing Officer's report to the Sub-Committee.

The review application concerned noise nuisance being caused to residents due to the use of the rear outdoor seating area and the backdoor being left open.

Complaints relating to noise had been received by the Noise and Pollution Control Team from April 2021 with a noise nuisance being witnessed by the team on 4<sup>th</sup> June and 27<sup>th</sup> June 2021 about the use of the rear decking area. A further nuisance occurred on 17<sup>th</sup> July 2021 following which Noise Abatement Notices were served upon the Premises Licence Holder (PLH) and the Designated Premises Supervisor (DPS).

In response, the PLH Mr Manoj Kumar opposed the grounds for review. He explained that the rear decking area was constructed in 2020 and the business reopened in April 2021 but subject to government guidelines relating to Coronavirus. These required the business to keep windows and doors open and to serve to seated customers. Prior to April 2021, there had been no real complaints. Mr Kumar informed the Sub-Committee that since 17<sup>th</sup> July 2021 he had put in place management controls and there had been no further complaints.

The Sub-Committee confirmed they had not taken anything put before them on face value and had scrutinised the evidence in detail.

The Sub-Committee had considered each of the options available to them.

As a result of what they had heard, the Sub-Committee were satisfied that the representations by the Noise and Pollution Control Team engaged one of the four licensing objectives and concluded that it was appropriate and proportionate in light of the Licensing Objective relating to the prevention of

public nuisance to modify the conditions of the licence to include the following additional condition:

- The applicant may use the rear decking area as overspill until 10pm from Sunday to Thursday and until 12 midnight on a Friday and Saturday

#### Reasons for the Decision

1. The Sub-Committee believed that the cause of the concerns which gave rise to the application for review was the use of the rear decking area and the opening of doors and windows
2. The Sub-Committee accepted the evidence of the Responsible Authority that the area at the back namely Bede Street was a residential area and very different in nature to Braunstone Gate. The area was quieter at night and the nearest resident was less than 15 metres away from the rear fire door to the outdoor decking area.
3. The condition which the Sub-Committee added would address the licensing objective relating to the prevention of public nuisance. The Sub-Committee also believed the added condition would address the cause of the concerns which led to the application for a review being submitted.
4. Additionally, the Sub-Committee advised the PLH to consider building an internal door and create a lobby in order to prevent noise breakout.

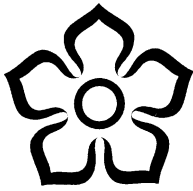
#### **7. APPLICATION FOR A NEW PREMISES LICENCE, PRIDE, VICTORIA PARK**

It was noted that an agreement had been reached regarding this application and that it would not be considered at the meeting.

#### **8. ANY OTHER URGENT BUSINESS**

There being no further business the meeting closed at 12.35pm.





Leicester  
City Council

WARDS AFFECTED  
Castle

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

**21<sup>st</sup> September 2021**

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**Application for a variation of an existing premises licence  
The Grand Union, 3-5 New Walk, 24 King Street, Leicester, LE1 6RL**

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**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.

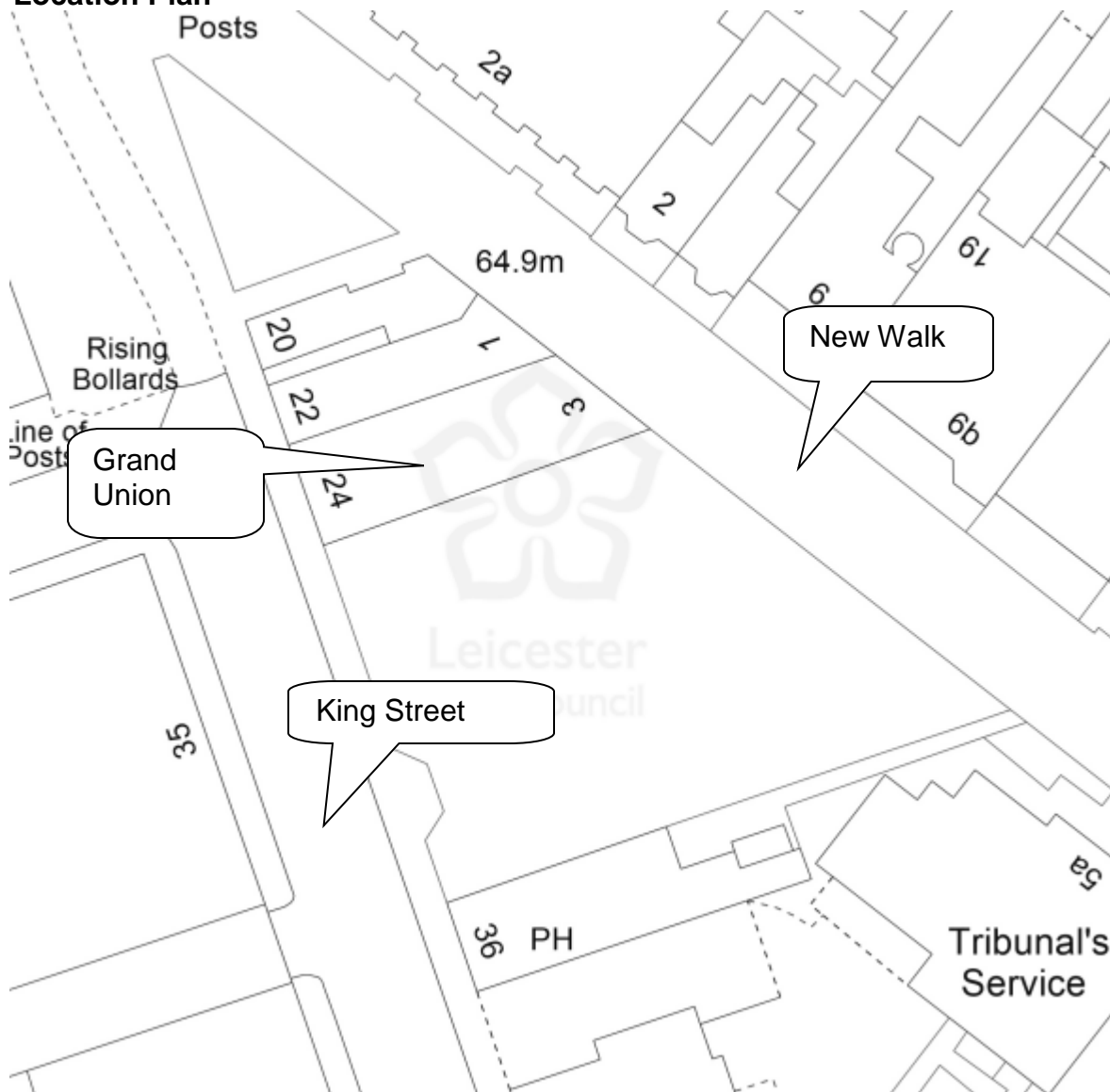
**2. Determination to be made**

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

#### 4. Location Plan



#### 5. Existing Licence

5.1. The existing licence is attached at Appendix A.

#### 6. Application

6.1 An application was received on 4<sup>th</sup> August 2021 from Marstons PLC for a variation to an existing premises licence for The Grand Union. 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
Live Music	Mon-Sat 12:00-00:00 Sunday 12:00-23:00	Sun-Weds 10:00-02:00 Thurs- Sat 10:00-04:00

Recorded Music	Unrestricted	Sun-Weds 10:00-02:00 Thurs- Sat 10:00-04:00
Performances of Dance		Sun-Weds 10:00-02:00 Thurs- Sat 10:00-04:00
Late night refreshment		Sun-Weds 23:00-02:00 Thurs- Sat 23:00-04:00
Supply of Alcohol	Sun-Weds 10:00-01:00 Thurs-Sat 10:00-02:00	Sun-Weds 10:00-02:00 Thurs- Sat 10:00-04:00
Opening Hours	Unrestricted	Unrestricted

- An extra hour for all activities at the start of British Summer Time

## **7. Steps to Promote the Licensing Objectives**

- 7.1 The applicant has not proposed any additional conditions on the licence as they do not believe it to be necessary (see section M of Appendix B).
- 7.2 In arriving at its decision on the application, the Licensing Authority's primary consideration must be the promotion of the licensing objectives.

## **8. Regulated entertainment**

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

## **9. Representation**

- 9.1 A representation was received on 31<sup>st</sup> August 2021 from a ward councillor. The representation relates to the prevention of public nuisance. The local councillor is concerned that the longer hours will result in increased noise and disruption for nearby residents. A copy of the representation is attached at Appendix C1.
- 9.2 A representation was received on 31<sup>st</sup> August 2021 from a local resident. The representation relates to the prevention of crime and disorder and the prevention of public nuisance. The local resident is concerned that the variation would lead to increased noise and require an increased police and licensing enforcement presence. A copy of the representation is attached at Appendix C2.

## **10. Statutory Guidance**

- 10.1 Any decision made by the Licensing Authority must be in accordance with the licensing objectives. In addition, the government has issued guidance under section 182 of the

Licensing Act 2003. The parts of the guidance that are particularly relevant in this case are as follows:

Section	Heading
1.2 – 1.5	Licensing objectives and aims
1.15 – 1.16	General Principles
1.17	Each application on its own merits
2.1 – 2.6	Crime & Disorder
2.15 – 2.21	Public nuisance
8.41 – 8.49	Steps to promote the licensing objectives
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
13.10 – 13.11	Giving reasons for decisions
14.51 – 14.52	Licensing Hours
16.1 – 16.69	Regulated entertainment

## 11 Statement of Licensing Policy

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

Section	Heading
2	Fundamental Principles
3	Cumulative Impact
5	Licensing Hours
7	Prevention of Crime and Disorder
9	Prevention of Public Nuisance
11.4 – 11.5	Planning
12	Duplication
13	Standardised conditions
17	Live Music, Dancing, Theatre, Circuses and Street Arts

## 12 Points for Clarification

12.1 The applicant and the 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?

**13. Other Implications**

<b>OTHER IMPLICATIONS</b>	<b>YES/ NO</b>	<b>Paragraph/References Within Supporting information</b>
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**

- a. None.

**15. Consultations**

- a. 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**

Vicky Marshall  
Licensing Officer  
0116 454 3048  
Victoria.marshall@leicester.gov.uk

<b>APPENDIX</b>	<b>CONTENT</b>
A	Existing licence
B	Application
C1-2	Representations



# Licensing Act 2003 Premises Licence

# LEIPRM0351



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

(0116) 4543040  
[licensing@leicester.gov.uk](mailto:licensing@leicester.gov.uk)

## Part 1 - Premises Details

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

#### The Grand Union

3 - 5 New Walk, 24 King Street, Leicester, LE1 6RL.

### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

Expires **no expiry**

### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- 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
E. Performance of live music (Indoors)	Mon-Sat	Noon	Midnight
	Sunday	Noon	11:00pm
F. Playing of recorded music (Indoors)	Unrestricted		
J. Supply of alcohol for consumption ON and OFF the premises	Sun-Weds	10:00am	1:00am
	Thurs-Sat	10:00am	2:00am

### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Unrestricted		

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

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

## Part 2

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

Marstons PLC

Marston's House, Brewery Road, Wolverhampton, WV1 4JT.  
Telephone 01902 711300



Licensing Act 2003  
**Premises Licence**

**LEIPRM0351**



Leicester  
City Council

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

(0116) 4543040  
[licensing@leicester.gov.uk](mailto:licensing@leicester.gov.uk)

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

Marstons PLC

31461

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

Matthew Brian SWAIN



**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. PERS15046

Issued by Charnwood





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

(0116) 4543040  
[licensing@leicester.gov.uk](mailto:licensing@leicester.gov.uk)

**ANNEXES**

**Annex 1 - Mandatory conditions**

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

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

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

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

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

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

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

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

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

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

The responsible person shall ensure that-

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

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

**Annex 2 - Conditions consistent with the operating schedule**

Licensable activities may continue between the end of the hours permitted by the licence on New Years Eve and the start of the hours permitted by the licence on New Years Day.

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](http://www.leicester.gov.uk/licensing)



Licensing Act 2003  
**Premises Licence**

**LEIPRM0351**



Leicester  
City Council

Local Services & Enforcement  
Leicester City Council  
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**ANNEXES continued ...**

The licence holder will ensure children under the age of 16 shall not be allowed entry to the premises after 22.00 unless dining with an adult or attending a pre-booked function and accompanied by an adult.

The licence holder will ensure that the occupancy of the premises shall be as per the fire risk assessment as updated from time to time.

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

None







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City Council

Local Services & Enforcement  
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[licensing@leicester.gov.uk](mailto:licensing@leicester.gov.uk)

## Premises Details

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

**The Grand Union**

3 - 5 New Walk, 24 King Street, Leicester, LE1 6RL.

## WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

## LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- 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
E. Performance of live music (Indoors)	Mon-Sat	Noon	Midnight
	Sunday	Noon	11:00pm
F. Playing of recorded music (Indoors)	Unrestricted		
J. Supply of alcohol for consumption ON and OFF the premises	Sun-Weds	10:00am	1:00am
	Thurs-Sat	10:00am	2:00am

## THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Unrestricted		

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

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

## NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Marstons PLC

Marston's House, Brewery Road, Wolverhampton, WV1 4JT.



Licensing Act 2003

# Premises Licence Summary

**LEIPRM0351**



Leicester  
City Council

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

(0116) 4543040

[licensing@leicester.gov.uk](mailto:licensing@leicester.gov.uk)

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

Marstons PLC

31461

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

Matthew Brian SWAIN

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

Restricted





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.

We **Marston's PLC** 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

LEIPRM0351

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description	
The Grand Union, 3-5 New Walk, 24 King Street	
Post town Leicester,	Post code LE1 6RL

Telephone number of premises (if any)	
---------------------------------------	--

Non-domestic rateable value of premises	£23000
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Part 2 – Applicant Details

Daytime contact telephone number	c/o 01142 668664
----------------------------------	------------------

Email address (optional)	
--------------------------	--

Current postal address if different from premises address	Marston's House, Brewery Road, Wolverhampton, WV1 4JT
---	---

Post Town	Wolverhampton	Postcode	WV1 4JT
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### Part 3 – Variation

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

Please tick ☒ yes

If not do you want the variation to take effect from

Day    Month    Year

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

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

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 read guidance note 2)

The Grand Union for a period of time was closed but was refurbished by Marston's some years ago and has been operating since that date without issues arising.

In recent times, Temporary Event Notices have been secured to extend the hours of operation, these extensions have proceeded without concern arising and application is now made to formally extend the hours of operation at the premises in respect of licensable activities.

The premises seeks to operate Sunday to Wednesday until 04:00 hours (2 hour extension) and on Thursday to Saturday until 03:00 (1 hour extension).

It is understood that this places it in line with other premises operating in the vicinity but does not exceed those hours already operated by others.

Application is made therefore to extend retail sale of alcohol, live and recorded music and to add to the Licence Late Night Refreshment so as to facilitate the provision of coffees and teas to those persons requiring the same after 23:00 hours.

It is noted that the current Licence does not have the benefit of performance of dance although the site is small and there is no formal dance floor this provision is sought to be added so as to facilitate the rare occurrence when dancing by patrons may take place.

On the basis of previous operation, no additional conditions are proposed in relation to the promotion of the four licensing objectives.

#### 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.

Please tick ✓ yes

##### Provision of regulated entertainment (Please see guidance note 3)

- 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) ☒

Sale by retail of alcohol (if ticking yes, fill in box J) ☒

In all cases complete boxes K, L and M

# A

<b>Plays</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of a play take place indoors or outdoors or both – please tick {Y}</b> (please read guidance note 4).	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)		
Mon					
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 6)		
Thur					
Fri					
Sat			<b>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</b> (please read guidance note 7)		
Sun					

# B

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

**C**

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

**D**

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

# E

<b>Live music</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of live music take place indoors or outdoors or both – please tick {Y}</b> (please read guidance note 4).	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)  As stated in Part 3 above and to include live music which may be amplified or unamplified.		
Mon	10:00	02:00			
Tue	10:00	02:00	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 6)  N/A – save as below		
Wed	10:00	02:00			
Thur	10:00	04:00	<b>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</b> (please read guidance note 7)  When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Fri	10:00	04:00			
Sat	10:00	04:00			
Sun	10:00	02:00			

# F

<b>Recorded music</b> Standard days and timings (please read guidance note 8)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick {Y}</b> (please read guidance note 4).	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5) Recorded music, including juke box, with or without a DJ, during normal business hours or as part of functions and including audience participation as specified in part 3 above.		
Mon	10:00	02:00			
Tue	10:00	02:00	<b>State any seasonal variations for playing recorded music</b> (please read guidance note 6)  N/A – save as below		
Wed	10:00	02:00			
Thur	10:00	04:00	<b>Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 7)  When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Fri	10:00	04:00			
Sat	10:00	04:00			
Sun	10:00	02:00			

## G

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of dance take place indoors or outdoors or both – please tick {Y}</b> (please read guidance note 4).	Indoors	✓
				Outdoors	
Day	Start	Finish	Both		
Mon	10:00	02:00	<b>Please give further details here</b> (please read guidance note 5)  As stated in Part 3 above and to include performance of a dance or a similar activity.		
Tue	10:00	02:00			
Wed	10:00	02:00	<b>State any seasonal variations for the performance of dance</b> (please read guidance note 6)  N/A – save as below		
Thur	10:00	04:00			
Fri	10:00	04:00	<b>Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 7)  When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Sat	10:00	04:00			
Sun	10:00	02:00			

## H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			<b>Please give a description of the type of entertainment you will be providing</b>		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick {Y}</b> (please read guidance note 4).	Indoors	
Mon				Outdoors	
Tue			Both		
Wed			<b>Please give further details here</b> (please read guidance note 5)		
Thur					
Fri			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 6)		
Sat					
Sun			<b>Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick {Y}</b> (please read guidance note 4).	Indoors	
				Outdoors	
				Both	✓
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)  As stated in Part 3 above and to include the provision of hot food and drinks for consumption on and off the premises at the Manager's discretion and in the areas identified.  <b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 6)  N/A – save as below  <b>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</b> (please read guidance note 7)  When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Mon	23:00	02:00			
Tue	23:00	02:00			
Wed	23:00	02:00			
Thur	23:00	04:00			
Fri	23:00	04:00			
Sat	23:00	04:00			
Sun	23:00	02:00			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption (Please tick box Y)</b> (please read guidance note 9)	On the premises	
				Off the premises	
				Both	✓
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)  <b>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</b> (please read guidance note 7)  An additional hour on the morning of the commencement of British Summertime.		
Mon	10:00	02:00			
Tue	10:00	02:00			
Wed	10:00	02:00			
Thur	10:00	04:00			
Fri	10:00	04:00			
Sat	10:00	04:00			
Sun	10:00	02:00			

**K**

<b>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</b> (please read guidance note 10)  NONE save for the presence of AWP machines the use of which is not permitted by persons under the age of 18
---



L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variation</b> (please read guidance note 6)  Unrestricted
Day	Start	Finish	<b>Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 7)  Unrestricted
Mon	00:00	00:00	
Tue	00:00	00:00	
Wed	00:00	00:00	
Thur	00:00	00:00	
Fri	00:00	00:00	
Sat	00:00	00:00	
Sun	00:00	00:00	

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

Please tick ✓ yes

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 failed to enclose 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,e) (please read guidance note 11)

A review of the impact of the extension of hours has been undertaken. The premises will continue to implement policies and procedures which have been used to the current trading hours and during Temporary Event Notices. It is not anticipated that any issues will arise and the conditions are therefore proposed not to change.

The above is provided by way of explanation and not intended to be converted into conditions.

### b) The prevention of crime and disorder

No further risks have been identified which need to be addressed

### c) Public safety

No further risks have been identified which need to be addressed

### d) The prevention of public nuisance

No further risks have been identified which need to be addressed

### e) The protection of children from harm

No further risks have been identified which need to be addressed

- 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: John Gaunt

Date: 4/8/17

Capacity: Solicitors

**Where the premises licence is jointly held signature of 2<sup>nd</sup> applicant (the current premises licence holder) or 2<sup>nd</sup> 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: John Gaunt & Partners

Date:

Capacity: Solicitors

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 15)	
John Gaunt & Partners Omega Court 372 Cemetery Road	
<b>Post town</b> Sheffield	<b>Post code</b> S11 8FT
<b>Telephone number (if any)</b> 0114 266 8664	
<b>If you would prefer us to correspond with you by email your email address (optional)</b> mhazlewood@john-gaunt.co.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.

## LICENSING ACT 2003

Application has been made by Marston's PLC to the Licensing Authority of Leicester City Council to vary the Premises Licence for the The Grand Union at 3-5 New Walk, 24 King Street, Leicester, LE1 6RL. The application includes the following terms:-

- 1.To extend the terminal hour for the sale of alcohol Sunday to Wednesday until 02:00 hours and Thursday to Saturday to 04:00 hours.
- 2.To add licensable activities of Late Night Refreshment and Dancing to the same hours as permitted for sale of alcohol.
- 3.To permit existing regulated entertainment to the same hours as permitted for sale of alcohol.

Full details of the Application can be viewed at the offices of the Licensing Authority at Leicester City Council, York House, 4thFloor, Granby Street, Leicester, LE1 1FB

A responsible authority or any other person can make written representations to the Licensing Authority at any time up to and including 2<sup>nd</sup> September 2021 ([www.leicester.gov.uk](http://www.leicester.gov.uk))

It is an offence for anyone knowingly or recklessly to make a false statement in connection with a Licence Application. The maximum fine on summary conviction is unlimited.

Dated this: 4<sup>th</sup> August 2021

John Gaunt & Partners, Solicitors



### Victoria Marshall

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**From:** [REDACTED]  
**Sent:** 31 August 2021 18:56  
**To:** Victoria Marshall  
**Cc:** [REDACTED]  
**Subject:** Fwd: RE: FW: Licensing weekly reports 1/8/21-15/8/21  
**Attachments:** 137033 - Premises.pdf

Victoria,

I would like to object to the licence variation application for Grand Union on New Walk.

Firstly there appears to be some confusion in the narrative where it appears to request hours of serving alcohol and playing music until 4am Sunday - Wednesday and 3am Thursday - Saturday. This appeared counter intuitive but then when looking at the submitted hours it appears to be a different set of hours, can this point please be clarified?

My objection to any increase in hours after midnight for Grand Union is that it will represent an increase in public nuisance by noise, with residents living only a short walk away. This is compounded by the application including off-licence sales and the playing of music. Finally in schedule L, it appears (I may be wrong) that the licensees of Grand Union wish to have the ability to stay open 24 hours a day so the time when patrons will actually leave could be well after the last serving of alcohol.

It is clear that the operation of these hours and the proximity of residents is not compatible, as the noise that will be generated at the hours requested will represent a public nuisance.

Thanks,





Our Ref: LIC359965981

Date: 31/08/2021

**Customer details:**

Title	First name	Surname	Phone number	Mobile number	Email address

**Address:**

Enter the postcode or street name	Please select the address	Flat	House number	Street	Town	County	Postcode

**Name of premises:** The Grand Union**Location:**

Enter the postcode or street name	Please select the address	The address is not listed	Flat	House number	Street	Town	County	Postcode
LE1 6RL		The address is not listed		3-5	New Walk	Leicester	State (optional)	LE1 6RL

**Application No. (If known):** LEIPR0351**Please tick one or more of the licensing objectives that your representation relates to:**

Prevention of Crime and Disorder, Prevention of Public Nuisance

**Please summarise your concerns about this application:** The premises are very close to the homes of local residents on New Walk and King Street. Extending opening hours will inevitably increase the amount of late night/early morning noise for those living nearby and is highly likely to lead to increased demands on the police and licencing enforcement. Our objection is therefore that the application will not meet the Council's licencing objectives of preventing public nuisance and preventing crime and disorder.

**Please give further details of WHY you believe this application will have an adverse effect on the licensing objectives :** We note that currently the licence holder does not consistently uphold the conditions of their street cafe licence with regard to the siting of tables and the positioning of A-boards. This gives us little confidence that (a) any new conditions issued would be adhered to should this application be successful, (b) that a consistently responsible approach to the selling of alcohol will be taken, or (c) that intoxicated clients will be handled responsibly.

Granting the variation would in our view contradict the Council's proposed strategy on alcohol harm reduction whose priorities include 'promoting a culture of responsible drinking' and 'reducing alcohol related crime, disorder, and anti-social behaviour'.

**Are there any changes that could be made to the application that would reduce or remove your concerns?:** No

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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# Appendix C

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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