

Leicester
City Council

LICENSING ENFORCEMENT SUB-COMMITTEE

DATE: TUESDAY, 6 SEPTEMBER 2022

TIME: 5:30 pm

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

Members of the Sub-Committee

Councillors Cank, Sangster, Shelton, Singh Johal and Broadwell

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

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.

Due to ongoing mitigations to prevent the transmission of COVID, public access in person is limited to ensure social distancing. If you wish to attend a meeting in person, you are required to contact the Democratic Support Officer in advance of the meeting regarding arrangements for public attendance. A guide to attending public meetings can be found here on the [Decisions, meetings and minutes page](#) of the Council website.

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

To hold this meeting in as Covid-safe a way as possible, all attendees are asked to follow current Government guidance and:

- 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.

NOTE:

Separate guidance on attending the meeting is available for officers. Officers attending the meeting are asked to contact the Democratic Support Officer in advance to confirm their arrangements for attendance.

Making meetings accessible to all

Wheelchair access – Public meeting rooms at the City Hall are accessible to wheelchair users. Wheelchair access to City Hall is from the middle entrance door on Charles Street - press the plate on the right hand side of the door to open the door automatically.

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

Induction loops - There are induction loop facilities in City Hall meeting rooms. Please speak to the Democratic Support Officer using the details below.

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 record and/or report all or part of that meeting. Details of the Council's policy are available at www.leicester.gov.uk or from Democratic Support.

If you intend to film or make an audio recording of a meeting you are asked to notify the relevant Democratic Support Officer in advance of the meeting to ensure that participants can be notified in advance and consideration given to practicalities such as allocating appropriate space in the public gallery etc..

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 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

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.

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 meeting of the Licensing Enforcement Sub-Committee held on 5 July 2022 are attached, and Members will be asked to confirm them as a correct record.

- 5. PRIVATE SESSION**

AGENDA

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.

Paragraph 2

Information which is likely to reveal the identity of an individual.

Paragraph 3

Information relating to the financial or business affairs of any particular person (including the authority).

Paragraph 7

Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

B1) Determination of Continued Entitlement to Retain a Hackney Carriage and Private Hire Vehicle Driver's Licence

B2) Determination of Continued Entitlement to Retain a Hackney Carriage and Private Hire Vehicle Driver's Licence

6. DETERMINATION OF CONTINUED ENTITLEMENT TO RETAIN A HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVER'S LICENCE **Appendix B1**

The Director of Neighbourhood and Environmental Services submits a report.

7. DETERMINATION OF CONTINUED ENTITLEMENT TO RETAIN A HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVER'S LICENCE **Appendix B2**

The Director of Neighbourhood and Environmental Services submits a report.

8. PUBLIC SESSION

9. APPLICATION FOR THE GRANT OF A HIGHWAYS AMENITIES LICENCE (STREET CAFÉ): MAMBA BAR, 29 MARKET STREET, LEICESTER, LE1 6DN **Appendix C**

The Director of Neighbourhood and Environmental Services submits a report which asks Members to determine an application for a the grant of a Highways Amenities Licence (Street Café) for premises known as Mamba. The applicant is Mr Harjinder Athwal on behalf of the business.

The report is 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)

10. APPLICATION FOR THE GRANT OF A HIGHWAYS AMENITIES LICENCE (STREET CAFÉ): GROUNDED KITCHEN (SALVADOR DELI), 50 QUEENS ROAD, LEICESTER, LE2 1TU **Appendix D**

The Director of Neighbourhood and Environmental Services submits a report which asks Members to determine an application for the grant of a Highways Amenities Licence (Street Café) for premises known as Grounded Kitchen (Salvador Deli). The applicant is Mr Orenzeb Jussab on behalf of the business.

The report is 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)

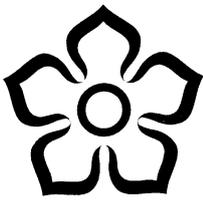
11. APPLICATION FOR THE GRANT OF A HIGHWAYS AMENITIES LICENCE (STREET CAFÉ): GELATO VILLAGE, 107 QUEENS ROAD, LEICESTER, LE2 1TT **Appendix E**

The Director of Neighbourhood and Environmental Services submits a report which asks Members to determine an application for a the grant of a Highways Amenities Licence (Street Café) for premises known as Gelato Village. The applicant is Mr Daniele Taverna on behalf of the business.

The report is 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)

12. ANY OTHER URGENT BUSINESS



Leicester
City Council

Appendix A

Minutes of the Meeting of the
LICENSING ENFORCEMENT SUB-COMMITTEE

Held: TUESDAY, 5 JULY 2022 at 10:00 am

P R E S E N T:

Councillor Pickering (Vice-Chair in the Chair)

Councillor Ali

Councillor Fonseca

Councillor Cank

* * * * *

8. APPOINTMENT OF CHAIR

Councillor Pickering was appointed as Chair for the meeting.

9. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Cank.

10. DECLARATIONS OF INTEREST

Members were asked to declare any interests they had in the business on the agenda.

There were no declarations of interest.

11. MINUTES OF PREVIOUS MEETING

AGREED:

That the minutes of the meeting of the Licensing Enforcement Sub-Committee held on 7th June 2022 be confirmed them as a correct record.

12. PRIVATE SESSION

RESOLVED:

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 was considered that the public interest in maintaining the information as exempt outweighed the public interest in disclosing the information.

Paragraph 1

Information relating to an individual.

Paragraph 2

Information that is likely to reveal the identity of an individual.

Paragraph 3

Information relating to the financial or business affairs of any particular person (including the authority).

Paragraph 7

Information relating to any action taken or to be taken in connection with the prevention, investigation, or prosecution of crime.

- B1) Personal Licence Review Application
- B2) Determination of Continued Entitlement to Retain a Hackney Carriage and Private Hire Vehicle Driver's Licence
- B3) Determination of Continued Entitlement of an Operator's Licence

13. PERSONAL LICENCE REVIEW APPLICATION

The Director of Neighbourhood and Environmental Services submitted a report that required Members to determine the review of a personal licence application.

Councillor Fonseca declared an interest for the avoidance of doubt that the Personal Licence Holder was a constituent in his Ward, but was not known to Councillor Fonseca.

The Personal Licence Holder was not present at the meeting. The Licensing Officer presenting the report and Legal Adviser to the Sub-Committee were present.

Councillors sought assurance that the Personal Licence holder had been served notice of the hearing which was confirmed. Also, correspondence had been received from the Personal Licence Holder prior to the hearing, in the form of a representation (Appendix 6 to the report). It was agreed to continue with the hearing in the absence of the Personal Licence Holder.

The Licensing Officer presented the report and outlined the details of the application, including the relevant City Council guidelines, and conviction outlined in the report, and answered questions from Members.

All parties were then 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 and were advised of the options available to them in making their decision.

The Sub-Committee were also advised of the relevant policy and statutory guidance that needed to be taken into account when making their decision.

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 evidence 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 give advice on the wording of the decision.

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

RESOLVED:

That the Personal Licence be REVOKED.

The Personal Licence Holder would be provided with the reasons for the decision in writing within five working days.

All parties would be advised of the right to appeal the decision.

14. DETERMINATION OF CONTINUED ENTITLEMENT TO RETAIN A HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVER'S LICENCE

The Director of Neighbourhood and Environmental Services submitted a report requiring Members to make a determination of continued entitlement to retain a Hackney Carriage and Private Hire Vehicle Driver's Licence.

The driver was present. The Licensing Officer and the Legal Adviser to the Sub-Committee were also present.

The Licensing Officer outlined details of the application, including the relevant City Council Guidelines.

The driver was invited to set out the reasons why he ought to be allowed to retain his Hackney Carriage and Private Hire Vehicle Driver's Licence and answered questions from Members and Officers.

All parties 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 and were advised of the options available to them in making their decision.

The Sub-Committee were also advised of the relevant policy and statutory guidance that needed to be taken into account when making their decision,

In reaching their decision, the Sub-Committee 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, in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

The Chair announced that full reasons for the decision would be publicly announced and confirmed in writing within five working days. The Chair informed the meeting that 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 Officer to withdraw from the meeting. Members 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 Hackney Carriage and Private Hire Vehicle Driver's Licence be REVOKED.

The driver would be provided with the reasons for the decision in writing within five working days.

All parties would be advised of the right to appeal the decision to the Magistrates Court.

15. DETERMINATION OF CONTINUED ENTITLEMENT OF A PRIVATE HIRE OPERATOR'S LICENCE

The Director, Neighbourhoods and Environmental Services, submitted a report that required Members to make a determination of continued entitlement to retain a Private Hire Operator's Licence.

The holder of the Operator's Licence was present. The Licensing Officer and Legal Adviser to the Sub-Committee were also present.

The Licensing Officer outlined details of the application, including the relevant City Council Guidelines.

The Private Hire Operator's Licence holder was invited to set out the reasons why he ought to be allowed to retain his Licence and answered questions from Members and Officers.

All parties 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 and were advised of the options available to them in making their decision.

The Sub-Committee were also advised of the relevant policy and statutory guidance that needed to be taken into account when making their decision,

In reaching their decision, the Sub-Committee 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, in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

The Chair announced that full reasons for the decision would be publicly announced and confirmed in writing within five working days. The Chair informed the meeting that 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 Officer to withdraw from the meeting. Members 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 Hearing be adjourned to the next meeting of Licensing Enforcement Sub-Committee due to a technicality.

It had been established during private deliberation that the Private Hire Operator's Licence was jointly owned.

16. CLOSE OF MEETING

There being no items of urgent business, the meeting closed at 12.01pm.

Appendix B1

By virtue of paragraph(s) 1, 2, 3, 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 1, 2, 3, 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted



Leicester
City Council

WARD: Castle

LICENSING ENFORCEMENT SUB-COMMITTEE

**APPLICATION FOR THE GRANT OF A HIGHWAYS AMENITIES LICENCE
(STREET CAFÉ)
MAMBA BAR
29 MARKET STREET, LEICESTER LE1 6DN**

Report of the Director (Neighbourhood & Environmental Services)

1. Purpose of the Report

To determine an application for the grant of a Highways Amenities Licence for a Street Café for premises known as Mamba Bar, 29 Market Street, Leicester. The applicant is Mr Harjinder Athwal.

2. Options for the Sub-Committee

The Sub-Committee may determine the application in one of the following ways: -

(1) Grant

The Sub-Committee may grant the application.

If the Sub-Committee decide to grant the application, it should be subject to the standard conditions applicable to Highway Amenities Licences.

(2) Grant subject to special conditions

The Sub-Committee may grant the application subject to such variations, conditions or restrictions, as they think fit.

(3) Refuse

The Sub-Committee may refuse the application.

In arriving at its decision, the Sub-Committee should consider the comments put forward by the applicant and any other information provided in the report.

The Sub-Committee must give the applicant the reasons for the decision it makes when it is announced.

3. Financial Implications

None.

4. Report

An application was received on 18th July 2022 from Mr Harjinder Athwal one of the owner of Mamba Bar for the grant of a Highway Amenities Licence (Street Café).

The premises is situated within a row of shops and business on Market Street. There are a wide range of businesses in this area including bars, shops, a hotel, and cafes. There are also some residential apartments. Due to the range of businesses in the area the street is extremely busy at all times of the day and throughout the night as it is a thoroughfare for people visiting the different businesses that operate in the night time economy.

This business operates as a bar and attracts customers predominantly during the early hours of the morning between 3am and 6am.

The licence held under the Licensing Act 2003 was recently reviewed by the Licensing Authority as Leicestershire Police were concerned about the amount Crime and Disorder associated with the premises – particularly around the outside of the premises which during the nighttime is cordoned off with barriers. The area is a flash point for disorder with customers of the bar and those passing by on Market Street and there have been a number of violent incidents. In addition the Hotel opposite has voiced concerns about the level of crime and disorder and noise associated with the bar affecting their clientele and staff.

The decision of the Licensing Sub Committee to reduce the hours and add conditions to the licence is currently under appeal and is due to be heard at Leicester Magistrates Court on 2nd and 3rd November 2022.

The applicant has submitted a plan which details three tables and six chairs, to be placed in front of the premises.

The tables and chairs are to be contained within the requested area, sectioned off by barriers.

The furniture and barriers proposed are in line with what is suitable to be used within a licensed area.

The applicant has requested to use the street café between the following hours after which the outside area will be cordoned off with the barriers that are already in use:

Monday to Sunday 13.00 to Midnight

On 18th July 2022, letters of consultation were hand delivered to surrounding businesses and residential premises within the area to advise them of the application and a public notice was prominently displayed on the premises itself. This was checked to ensure it remained in situ throughout the consultation period.

Any objections were to be received no later than 28 days from the date of the notice.

Consultations were also carried out with Councillors who represent the Castle Ward of the City, Leicestershire Police, Leicestershire Fire & Rescue Service, Noise Pollution, Planning, Public Safety and Highway/Traffic Management.

Within the representation period, there were three objections received from a local business, Leicestershire Police and Leicester City Councils Licensing Enforcement Team.

All objections were accepted as being 'relevant' to the application. The objections raise concerns about noise, anti-social behaviour and crime and disorder. All objections are attached to this report and detailed in the appendix list below.

The following documents are attached to this report:

Appendix A	Application for Street Café including proposed plan and pictures of the furniture to be used and a picture of the frontage of the premises
Appendix B	Objection from Leicester City Council – Licensing Enforcement
Appendix C	Objection from Leicestershire Police
Appendix D	Objection from Local Business
Appendix E	Not for Publication

5. Policy Guidelines

The overall policy on Street Cafes is to encourage more restaurants, cafes and public houses to have more outside activity in the street which would give an ambience that makes the City more attractive to visitors and residents alike. If an objection is received, the Sub-Committee should consider the impact a street café may have on residents and any surrounding businesses in the area.

6. Legal Implications (including Human Rights Act)

A licensing decision is also a determination of civil rights to which Article 6 the right to a fair trial applies. Article 8 the right to respect for private and family life applies to the protection on neighbouring properties from noise and disturbance. Article 1 of the First Protocol gives the right of peaceful enjoyment of possessions, which would include a licence. Terms and conditions imposed on the grant of a licence will need to be proportionate, and necessary to protect the interests of a democratic society.

There is no right of appeal against the refusal to grant a Highway Amenities Licence.

7. Crime and Disorder implications

None.

8. Consultations

Councillors who represent the relevant Ward of the area, Leicestershire Police, Noise Pollution, Planning, Leicestershire Fire & Rescue Service, Public Safety and Highway/Traffic Management and Residents and Businesses within the area.

9. Reason for Treating the Report as “Not for Publication”

None

10. Officer to Contact

Deborah Bragg
Licensing Manager
(Policy and Applications)

Email: deborah.bragg@leicester.gov.uk

Our Ref SC437110936

Date: 2022-07-14

Street café licensing application



Information submitted to Licensing Authority at Leicester City Council

Type of application: New licence: £278

Customer

Contact details:

Title	First name	Surname	Phone number	Mobile number	Email address
Mr.	HARJINDER	ATHWAL	[REDACTED]	[REDACTED]	[REDACTED]

Address:

Flat	House Number	Street	Town	County	Postcode
	29	Market Street	Leicester	Leicester City	LE1 6DN

Name of premises: MAMBA BAR

Address of premises

Flat	House Number	Street	Town	County	Postcode
	29	Market Street	Leicester	Leicester City	LE1 6DN

Please describe the premises: The bar operates as a late night venue providing alcoholic drinks and live music via a DJ

Proposed licence days and times: The tables and chairs being proposed will be removed and safely stored away by midnight, on the days the venue is actually open.

Additional information: This application is an attempt to try and move away from the late night drinking model currently in place at the venue and move towards a cocktail bar

Proposed licence days and times: The tables and chairs being proposed will be removed and safely stored away by midnight on the days the venue is actually open

Additional information: This application is an attempt to try and move away from the late night drinking model currently in place at the venue and move towards a cocktail bar.

Supporting documents

Proof of your valid ID with a photo: HARJ PASSPORT.pdf

Valid public liability insurance certificate: Late Night Bar - PL Certificate
2021 220714 182636 pdf LAte Night Bar Policy Schedule 2021 220714 182559 pdf

Detailed (proposed) plan of the street café: Mamba Table and Chairs.pdf

Pictures of tables and chairs or barrier type/design: outside chairs.jpg,outside table.jpg

Additional information to support the application: The Barriers in use will be small care barriers, cleared marked and not above waist height around the perimeter of the proposed seating area.

Customer confirmed that they understand and agree to the Declaration.

Payment made for the application: £278

Matching the amount coming out with Distillery – they have their barriers out to 10.5 Feet

BARRIERS

10 Feet

Table 1 – with 2
Chairs

Table 2 – with 2
Chairs

Bar
rier
s

Table 3 – with 2
Chairs

PUBLIC
FOOTPATH

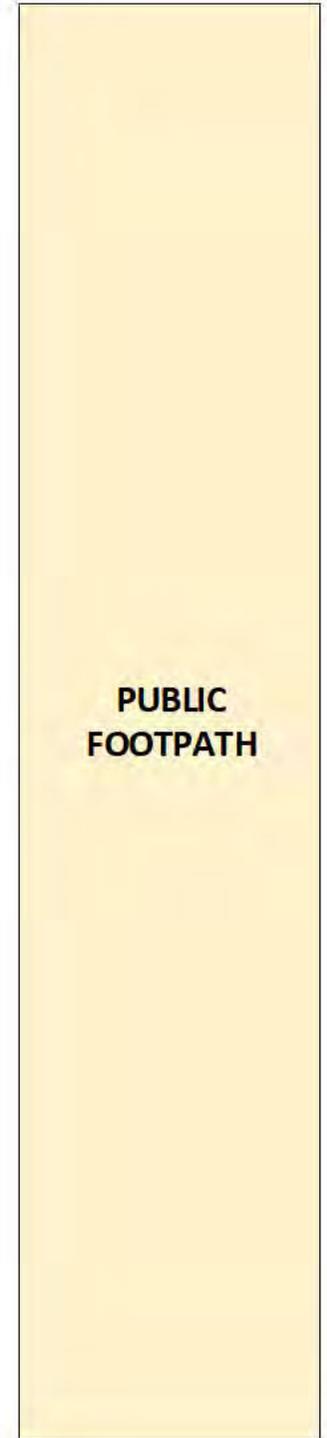
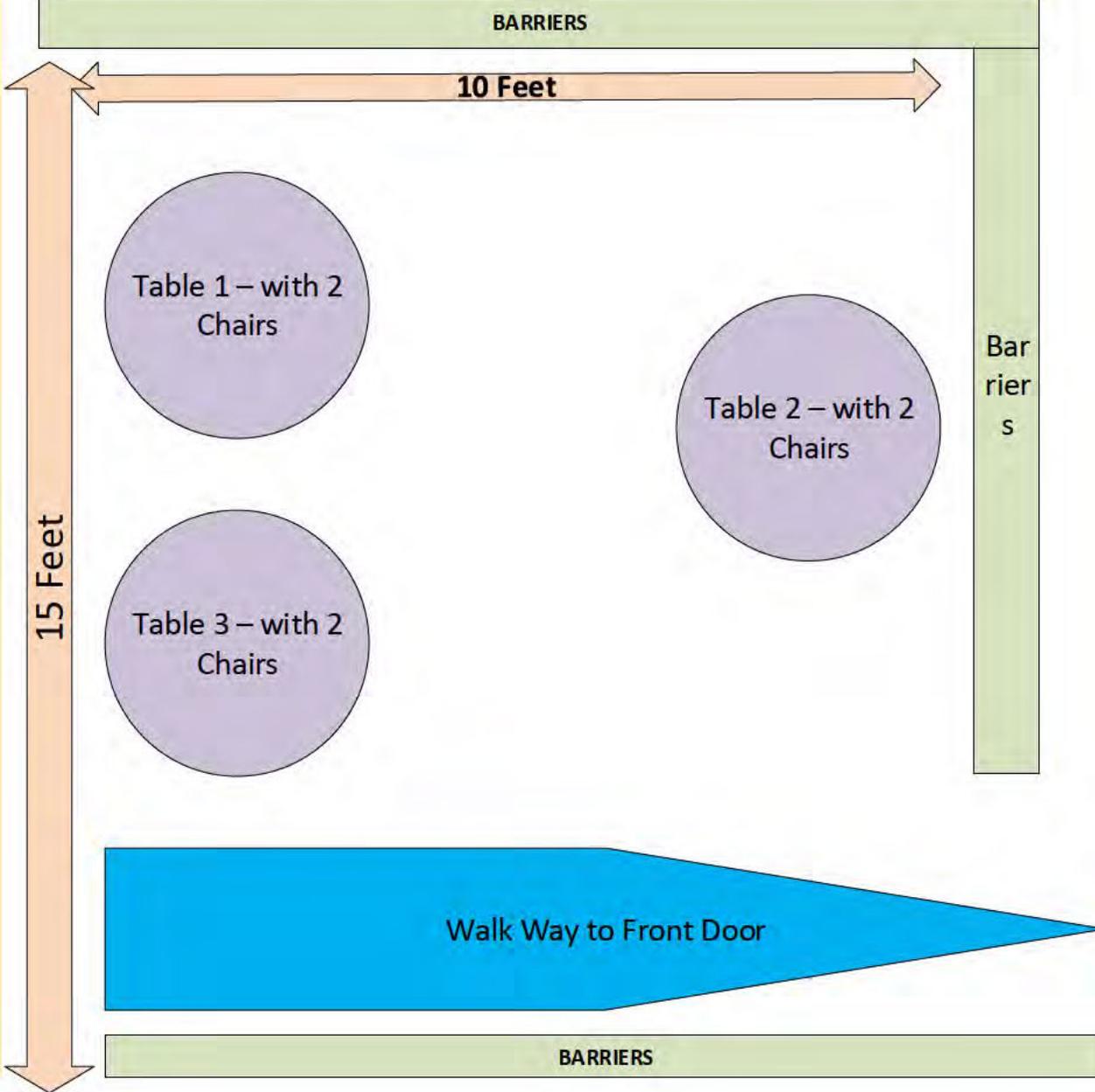
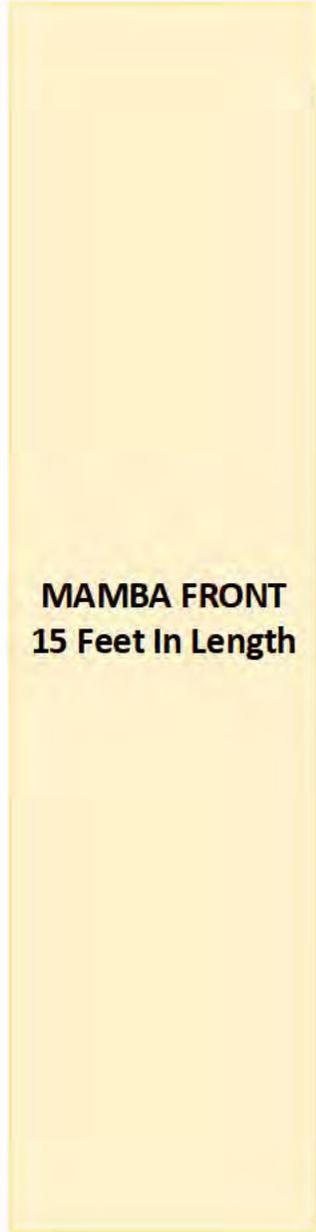
15 Feet

MAMBA FRONT
15 Feet In Length

Walk Way to Front Door

BARRIERS

101



Hi Deborah

Sorry, we would like the option to use outside from 1pm to midnight at the very latest.

We hope thats ok?

Harjinder Athwal

Public Liability Evidence of Insurance

Policy Number [REDACTED] Date of Issue: 20/09/2021 11:44

INSURED

Name Lava Club Ltd t/as Mamba

PERIOD OF INSURANCE

Effective 12 September 2021
Expiry 11 September 2022

COVER

Public Liability Limit of Indemnity £5m

Any One Claim or series of claims arising out of Any One Event

Signed on behalf of Accelerant Insurance Limited acting through its agent, Eaton Gate MGU Ltd (Authorised Insurers)

[REDACTED]
Frank O'Neill
Chief Underwriting Officer
Authorised Signatory

Public Liability Insurance is provided to the Insured under the above noted Policy Number and is subject to the terms and conditions and exclusions of the Policy

YOUR INSURERS

Insurer: Accelerant Insurance Europe SA

104





105



106



Wilkie's

MAMBA
CAFÉ & BAR

THE
DISTILLERY
EST. 1857

MAMBA

MAMBA

MAMBA

**FREE
HIRE**

THE
DISTILLERY

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07904 844 006
MAMBA@OUTLOOK.COM



0116 2756781

2020
YEAR
CELEBRATED
PARTIES

Representation in respect of a New Street Cafe
Application
Highways Act 1980

Details of person or body making representation:	
Your Name:	Lorraine Moore
Your position/role:	Licensing Enforcement Officer Licensing Authority

Details of premises representation is about:	
Name of Premises:	Mamba Café & Bar
Address of premises:	29 Market Street Leicester LE1 6DN
Application No. (if known)	145530

Authority Declarations:
I write in my capacity as Licensing Enforcement Officer for Leicester City Council Licensing Authority on the authority delegated to me.

Representations:
<p>The premises is situated on a busy street within the City Centre comprising of other bars, restaurants, offices and retail premises.</p> <p>The area is deemed to be an area of special interest and consultation in the Leicester City Council Licensing Policy Statement. This relates to the Licensing Act 2003 and not specifically to Street Café legislation but outlines the concerns relating to the area. Details of the policy and the relevant parts of this can be found at Alcohol, entertainment and late night refreshment (leicester.gov.uk)</p> <p>By its nature and location, the bar attracts a late crowd during the night-time economy. Market Street is subject to traffic measures and access is controlled by retractable bollards and there are no street markings in this pedestrianised section.</p> <p>We have some concerns in respect of the times applied for as this would create the possibility of day time and late outside drinking space which may attract and encourage Crime and Disorder.</p>

The concerns in relation to this application follow on from a recent Premises Licence Review for Mamba relating to incidents of crime and disorder inside and outside of the premises. It has been reported that since 2019 there had been approximately 151 incidents connected to the premises.

No details of how this space would be managed and risk mitigation is included with the application.

As previously stated, there are residential flats situated above the retail units and we have concerns that late night noise from this outside street cafe will cause Public Nuisance.

There is also a hotel directly opposite which is likely to be subjected to noise from the Street Café. Transient noise from members of the public will be present, however the presence of a static noise source causes concern.

We request that adding all the below list of conditions in full, which we believe are reasonable, proportionate and enforceable, may assist the Licence Holder to be successful in the application for a Street Café being granted.

Requested Conditions:

If the committee is minded to grant the application, we would ask for the following conditions, which we believe are reasonable, proportionate and enforceable to be applied in their entirety:

Licensed times to be restricted to Mondays - Sundays from 13:00hrs until 23:00hrs.

The licence holder shall ensure that the street café pavement licence area is properly supervised by a member of staff at all times when it is open

The licence holder will ensure that street café pavement licence area is fully covered by the premises CCTV and that no umbrellas, parasols or other coverings are used at any time.

The licence holder will ensure that a trained CCTV operative is available at all times to download and issue CCTV footage at the time of request from the police, local authority or other authorised persons.

The licence holder shall ensure CCTV is retained for a minimum of 31 days and permit the identification of individuals in all lighting conditions. It must be available to the police, local authority or authorised persons at the time of request

The licence holder shall ensure only drinks supplied by the premises are consumed within the street cafe licence area.

The licence holder shall ensure drinks supplied by the premises are only served in polycarbonate / plastic containers.

All customers using the area covered by the pavement licence will be required to be seated with the exception of entry and egress. Customers will not be permitted to stand and consume drinks within that area.

The licence holder shall complete regular risk assessments and if necessary employ additional Security Industry Authority (SIA) door supervisors who are clearly identifiable to patrol/monitor the street cafe licence area

No amplified or unamplified music or other entertainment will be permitted.

Appendix:

No Appendix

Click or tap here to enter text.

Authority Signatures:

Lorraine Moore

Licensing Enforcement Officer

Leicester City Council

12/08/2022

Licensing Authority Details:

Licensing Authority

Licensing Enforcement

York House

91 Granby Street

LE1 6FB

Tel: 0116 4540049

Email: licensingenforcement@leicester.gov.uk

www.leicester.gov.uk/licensing

Agreement Notice Applicant (if applicable & only valid if signed)

Licensing Enforcement Agreement Confirmation (if applicable & only valid if signed)



Street Café /Pavement Licence Application – Representation Notice

Mamba Bar, 29 Market Street, Leicester. LE1 6DN

Leicestershire Police have received notice of an application for a pavement licence.

If you wish to make representation in respect of this application please fully complete each section of the form below and email it to licensing@leicestershire.pnn.police.uk.

The closing date for representations is stated in the accompanying email.

Reasons for the representation

This application is for a licensed premise known as Mamba Bar, 29 Market Street, Leicester. LE1 6DN.

The premises is licensed to supply alcohol and other licensable activities.

The premises existing opening hours to the public are:

Monday to Wednesday – 11am until 3am.

Thursday to Saturday – 11am until 6am.

Sunday – 11am until midnight.

The premises currently only open's 2-3 days a week and does not open until after 10pm/11pm. The premises often does not attract customers until after midnight, therefore after when the Street Café Licence area will be used.

The premises is currently subject of a licensing appeal against Leicester City Council. The use of the outdoor area immediately outside the front of the premises in the night time economy was a key aspect of the review hearing.

It is Leicestershire Police's opinion that the outdoor area has been poorly supervised in the past and acted as a flash point for disorder.

The premises wish to place up to three tables and six chairs immediately outside the premises along the building line.

The application does not directly refer to those days that the "Street Café Licence" would operate. It is believed the proposed operating hours for Street Café Licence area would be 1pm until midnight.

The premises has two existing external CCTV cameras which cover the proposed area.

The premises is located on a busy pedestrian thoroughfare during the day, afternoon, evening and night economy.

The premises is also located within the "Market Street" area of special interest as referred to in Leicester City Council's - Licensing Policy statement.

Crime, disorder and anti-social behaviour have occurred at the premises in the past and within the proposed area but not until after midnight.

As the outdoor space is intended to be used for the consumption of alcohol in the evening/night time economy, significantly increases the risk of crime, disorder and anti-

social behaviour occurring at the premises.

Therefore, Leicestershire Police would recommend that the following conditions be attached to the licence in order to mitigate the risk and promote the licensing objectives in terms of:

- (1) The prevention of crime and disorder.
- (2) Public Safety
- (3) Public Nuisance.

Recommended Conditions for the consideration of Licensing Authority:

- The licence holder shall ensure that the street café pavement licence area is properly supervised by a member of staff at all times when it is open.
- The licence holder will ensure that the street café pavement licence area is covered by the premise's CCTV and that any umbrella or parasols are removed if it obscures CCTV coverage and interferes with the detection of crime and disorder.
- The licence holder shall ensure the CCTV is retained for a minimum of 31 days and permit the identification of individuals.
- The licence holder shall ensure CCTV is provided to an officer from a responsible authority within 7 days of a formal request.
- All customers using the area covered by the pavement licence will be required to be seated with the exception of entry and egress. Customers will not be permitted to stand and consume drinks supplied by the premises.
- The licence holder shall ensure only drinks supplied by the premises are consumed within the pavement licence area.

Grounds for representation.

As above.

Evidence to support representation.

No evidence, as previous incidents connected to the premises occurred outside the times that

the premises intends to operate the "street café licence" area.

Officers Name PC Jefferson Pritchard

Collar Number 2093

Date 20/07/2022



26 July 2022

Licensing enforcement team
Local Services & Enforcement Licensing
Leicester City Council
York House
91 Granby Street
Leicester
LE16FB

To whom it may concern,

I would like to object against the application of Mamba café & bar for having chairs and tables outside, I am seriously concerned that this will have a huge detrimental effect on my business due to the noise and issues it is going to bring to Market Street and therefore to my client. Mamba has been the caused of serious security concern for my team and customers and I fear the above will only add "fuel to the fire"

We already have issues with Braders bar right next to it and they do not offer drinks or seating area outside.

Thank you in advance for considering the above.


General Manager

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted



Leicester
City Council

WARD: Castle

LICENSING ENFORCEMENT SUB-COMMITTEE

6 September 2022

**APPLICATION FOR THE GRANT OF A HIGHWAYS AMENITIES LICENCE
(STREET CAFÉ)
GROUNDED KITCHEN (SALVADOR DELI)
50 QUEENS ROAD, LEICESTER, LE2 1TU**

Report of the Director (Neighbourhood & Environmental Services)

1. Purpose of the Report

To determine an application for the grant of a Highways Amenities Licence for a Street Café for premises known as Grounded Kitchen (Salvador Deli) 50 Queens Road, Leicester LE2 1TG. The applicant is Mr Orenzeb Jussab.

2. Options for the Sub-Committee

The Sub-Committee may determine the application in one of the following ways: -

(1) Grant

The Sub-Committee may grant the application.

If the Sub-Committee decide to grant the application, it should be subject to the standard conditions applicable to Highway Amenities Licences.

(2) Grant subject to special conditions

The Sub-Committee may grant the application subject to such variations, conditions or restrictions, as they think fit.

(3) Refuse

The Sub-Committee may refuse the application.

In arriving at its decision, the Sub-Committee should consider the comments put forward by the applicant and any other information provided in the report.

The Sub-Committee must give the applicant the reasons for the decision it makes when it is announced.

3. Financial Implications

None.

4. Report

An application was received on 12th July 2022 from Mr Orenzeb Jussab the owner of Grounded Kitchen (Salvador Deli) for the grant of a Highway Amenities Licence (Street Café).

The premises is situated within a row of shops and businesses on Queens Road on a junction with Howard Road. There are a wide range of businesses in this area including office premises, retail premises, restaurants and take away food outlets. The business is also surrounded by residential properties. Due to the range of retail, fast food and residential premises the area is busy at all times of the day.

In past years, the premises was called Salvador Deli – the name which remains on the premises licence under the Licensing Act 2003. For members information there is no requirement for licence holders to formally change the name on a premises licence however it is encouraged.

The premises previously held a Street Café Licence until 31 May 2022 for six tables and twenty four chairs – Monday to Sunday 08.00 to 20.00.

The applicant has submitted a plan which details eight tables and twenty four chairs, to be placed in front of the premises on both sides of the property.

The tables and chairs are to be contained within the requested area, sectioned off by planters.

The furniture and barriers proposed are in line with what is suitable to be used within a licensed area.

The applicant has requested to use the street café between the following hours:

Monday to Sunday 11.00am to 21.30

On 14th July 2022, letters of consultation were hand delivered to surrounding businesses and residential premises within the area to advise them of the application and a public notice was prominently displayed on the premises itself. This was checked to ensure it remained in situ throughout the consultation period.

Any objections were to be received no later than 28 days from the date of the notice.

Consultations were also carried out with Councillors who represent the Castle Ward of the City, Leicestershire Police, Leicestershire Fire & Rescue Service, Noise Pollution, Planning, Public Safety and Highway/Traffic Management.

Within the representation period, there were four objections received from a local business and three residents.

All objections were accepted as being 'relevant' to the application. The objections raise concerns about Smoking, Littering, Parking and Noise as well as the general layout of the proposed street café area. All objections are attached to this report and detailed in the appendix list below.

The following documents are attached to this report:

Appendix A	Application for Street Café including proposed plan and pictures of the furniture to be used and a picture of the frontage of the premises
Appendix B	Objection from Business Owner
Appendix C	Objection from Local Resident
Appendix D	Objection from Local Resident
Appendix E	Objection from Organisation representing residents in the Clarendon Park area.
Appendix F	Not for Publication

5. Policy Guidelines

The overall policy on Street Cafes is to encourage more restaurants, cafes and public houses to have more outside activity in the street which would give an ambience that makes the City more attractive to visitors and residents alike. If an objection is received, the Sub-Committee should consider the impact a street café may have on residents and any surrounding businesses in the area.

6. Legal Implications (including Human Rights Act)

A licensing decision is also a determination of civil rights to which Article 6 the right to a fair trial applies. Article 8 the right to respect for private and family life applies to the protection on neighbouring properties from noise and disturbance. Article 1 of the First Protocol gives the right of peaceful enjoyment of possessions, which would include a licence. Terms and conditions imposed on the grant of a licence will need to be proportionate, and necessary to protect the interests of a democratic society.

There is no right of appeal against the refusal to grant a Highway Amenities Licence.

7. Crime and Disorder implications

None.

8. Consultations

Councillors who represent the relevant Ward of the area, Leicestershire Police, Noise Pollution, Planning, Leicestershire Fire & Rescue Service, Public Safety and Highway/Traffic Management and Residents and Businesses within the area.

9. Reason for Treating the Report as “Not for Publication”

None

10. Officer to Contact

Deborah Bragg
Licensing Manager
(Policy and Applications)

Email: deborah.bragg@leicester.gov.uk

Our Ref SC435347568

Date: 2022-07-07

Street café licensing application**Information submitted to Licensing Authority at Leicester City Council****Type of application:** New licence: £278**Customer****Contact details:**

Title	First name	Surname	Phone number	Mobile number	Email address
Mr.	orenzeb	jussab	[REDACTED]		[REDACTED]

Address:

Flat	House Number	Street	Town	County	Postcode
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Name of premises: grounded kitchen**Address of premises**

Flat	House Number	Street	Town	County	Postcode
	50	Queens Road	Leicester	Leicester City	LE2 1TU

Please describe the premises: detached double fronted building takeaway restaurant healthy korean nourish bowls not within conservation zone all ages and ethnicities

Proposed licence days and times: 11am-9.30pm daily

Additional information:

Proposed licence days and times: 11am-9.30pm daily

Additional information:

Supporting documents**Proof of your valid ID with a photo:**IMG 8293.jpeg**Valid public liability insurance certificate:** 5428202 Hub Schedule.pdf**Detailed (proposed) plan of the street café:**cafe outside pdf

Pictures of tables and chairs or barrier type/design: WhatsApp Image 2022-04-21 at 6.22.45 PM (1).jpeg,WhatsApp Image 2022-05-04 at 12.54.56 PM (1).jpeg

Additional information to support the application: renewal of existing license. street is currently being pedestrianised

Customer confirmed that they understand and agree to the Declaration.

Payment made for the application: £278



SECTION G

EMPLOYERS'S, PUBLIC AND PRODUCTS LIABILITY

Employers Liability – Sub-Section 1

Public Liability – Sub-Section 2

Products Liability – Sub-Section 2

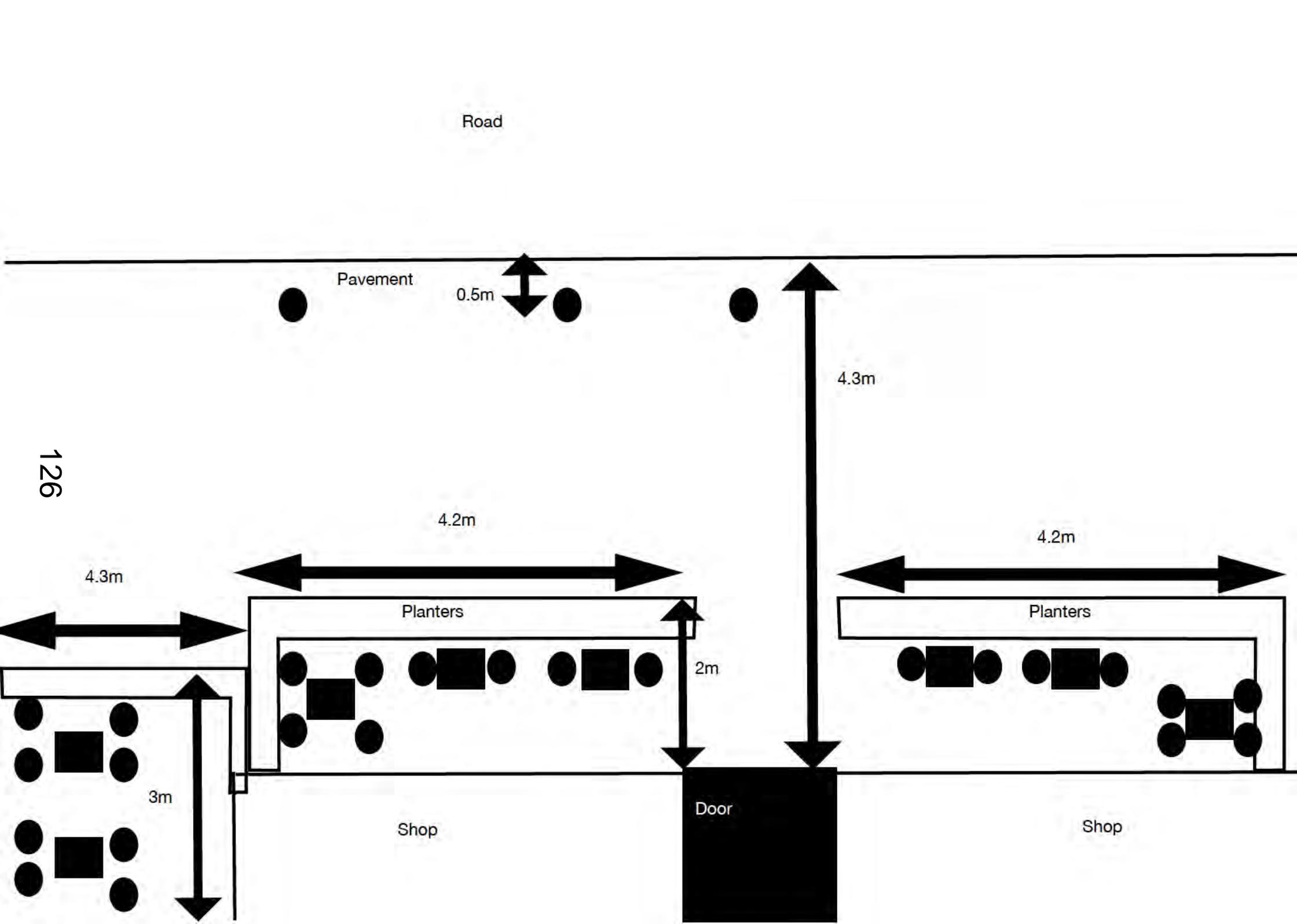
Limit of Indemnity

£10,000,000

£5,000,000

£5,000,000

[Redacted]







APPENDIX B

Dear Deborah, regarding the application for a street café at 186 Uppingham Road. I have no objection to tables and chairs outside this café . However I feel that seven tables and twenty eight chairs would be far too much as it would take up 60% of the pavement width. I feel that this would be a hazard for the partially impaired and pedestrians. I also feel that if a grate number of customers are smokers the smoke could blow into the front door of my shop, as it would only be three feet away from their tables.

Although they would probably provide ash trays, there could still be cigarette ends on the floor .I would therefore be more in favour of four -- five tables.

Kind regards .

APPENDIX C

Hi

I live near the above property and object to it's license change application based on safety concerns.

Since opening the business has operated a defacto drive through service with customers illegally parking on verges and blocking roads. The business has become a victim of its own success attracting motorists from across the city unfamiliar with the area and illegally parking to do a 'pick up' . Blocked T junctions, deliveroo cyclists picking up and being a nuisance. Add to this a mass of cars circling round looking for parking spaces... It is a real pain! So I object on safety and ASB reasons.

Add to this the NEVER put refuse away despite previous owner/ current landlord providing ample space. Please see pictures as evidence.. Ultimate is the Police car 'hovering' to pick up a takeaway and then rushing off to a 999 call (picture doesn't show this but that's what happened!) This business is a pain!





Howards



Deliver
van

APPENDIX D

From:

Sent: 31 July 2022 13:37

To: Licensing <Licensing@leicester.gov.uk>

Subject: Grounded Kitchen 50 Queens Road

Street café application, Grounded Kitchen, 50 Queens Road

I am writing to object to this application as it stands.

I don't object to the principle of this application, but it is too large for the location and nature of the premises.

There is always a balance to be made between the needs of the business and pedestrians using the footway. When a street café is busy and used to capacity, some inconvenience to pedestrians can be justified. This business is primarily a takeaway and does not have much use of the street café. Indeed I have never seen more than one table in use at a time. The disadvantage to pedestrians from such a large café should not then be acceptable. There is plenty of width to have a smaller café that is enough for this businesses use without causing problems for pedestrians.

Plan at corner

The plan is very poor in regard to context. It does not show that the premises is on a corner, and that there are bollards around the corner. The inability for a mobility scooter, and difficulty for pushchairs, to get around the corner has been a problem when the café was in use. It was also difficult for pedestrians coming down the side-street to get around the corner when pedestrians are waiting to cross Howard Rd This has been exacerbated by the business using a window on the side-street to serve delivery couriers - whose bikes, e-scooters and motorbikes ride on and block the footway.

- **So my first condition would be that this café starts well away from the corner, to give good access around the corner**

The plan as shown does not allow a clear 2m between the café barriers and the bollards along the front. The café when out was using two rows of small tables that encouraged the barriers further out. It was causing some people to walk in the road to pass.

- **My second condition is that a minimum clear 2 metres is maintained between the outside of café barriers and the bollards, preferably more.**

Recessed area

The plan does not show that there is a raised kerb for a bus-stop in front of the recessed area. Currently there is not a stop pole there, but more width is needed for passengers to wait, and for people alighting at same time as others are waiting and walking by. It's also unpleasant for passengers to wait close to people smoking in café – they cannot walk away if it gets too much. Under the plans for improvements to Queens Rd a bus shelter is proposed here. The street is not being pedestrianised as stated in the application, and there is no extra footway width planned on this premises frontage. As mentioned previously, this business uses very few tables at a time, and so far they have had their large bins rather than a café along this stretch. They also keep their barriers on street in this recess when not in use.

If it was used, at least 3 metres would be needed, more once a bus shelter was there.

- **My third condition would be that only the main double frontage is used for the street café, not this recessed area**

Hours

This premises is **not** 'detached', as stated in the application. It shares a long party wall with a residential property and has a flat above. It is right at the end of the shopping area and there are many homes close by, especially as it's on a corner. So late evening operation of a street café is not appropriate.

Planning and licensing hours are both only until 2000. The street café should not exceed this.

- **So my fourth condition would be to finish at 2000 not 21 30**

If the applicant can meet these 4 conditions I may be prepared to withdraw my objection.



APPENDIX E

From: FCP – Admin
Sent: 19 July 2022 17:19
To: Deborah Bragg <Deborah.Bragg@leicester.gov.uk>
Cc: Licensing <Licensing@leicester.gov.uk>
Subject: RE: Grounded Kitchen

Hi Deborah,

Thanks for the copy of the application and for clarifying the reason for the Salvador Deli name persisting.

Could you confirm whether this is a **new** application (as described in the weekly licensing report and at the top of the first page of the application) or a **renewal** of an existing licence (as described at the top of page two of the application)?

Also, at the top of page two of the application, the applicant says that the street is currently being pedestrianised, when in fact a number of improvements to Queens Road are only currently being consulted on. Although the proposed improvements include widening some parts of the footway to make more space for pavement cafes, there are no changes proposed to the footway directly outside 50 Queens Road, nor is the road being pedestrianised.

My initial concerns are that:

- As usual with most street café applications the plan is not to scale so gives a misleading impression of how much of the footway the pavement café takes up
- The plan shows the distance from the building line to the kerb as 4.3m, the distance from the building line to the edge of the barriers as 2.0m and the distance from the kerb to the inside face of the bollards as 0.5m, leaving only 1.8m between the bollards and the barriers, which is less than the minimum required distance of 2.0m
- Although the plan shows the set back part of the pavement café having a depth of 3.0m, it doesn't show how what distance this leaves between the barriers of the set back part of the café and the raised kerb in front of this section, which forms part of the bus stop.
- The plan omits the bollards and the kerb on the corner with Howard Road, which necessitated the barriers being put out at an angle when Salvador Deli operated from this premises (see street café plan attached) and which is now regularly blocked by food couriers bicycles while they're waiting to collect food via grounded Kitchen's side window on Howard Road
- The photo included with the application clearly shows the pavement café taking up more than 2.0m from the building line and leaving much less than 2.0m to the bollards on the corner with Queens Road
- Rather than storing the barriers overnight on the street as has become recent practice, they should be stored off the street, either along with Grounded Kitchen's commercial bins in the storage area between 50 and 52 Queens Road or inside the premises itself

Based on these initial concerns I'll be recommending that FCP objects to this application, but we may be able to avoid this if these concerns can be addressed by the applicant.

Best regards,

Chair, Friends of Clarendon Park

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted



Leicester
City Council

Ward: Castle

LICENSING ENFORCEMENT SUB-COMMITTEE

6th September 2022

**APPLICATION FOR THE GRANT OF A HIGHWAYS AMENITIES LICENCE
(STREET CAFÉ)**

GELATO VILLAGE, 107 QUEENS ROAD, LEICESTER LE2 1TT

Report of the Director (Neighbourhood & Environmental Services)

1. Purpose of the Report

To determine an application for the grant of a Highways Amenities Licence (Street Café) for a premises known as Gelato Village, 107 Queens Road, Leicester LE2 1TT. The applicant is a Mr Daniele Taverna.

2. Options for the Sub-Committee

The Sub-Committee may determine the application in one of the following ways: -

- (1) Grant
The Sub-Committee may grant the application.
If the Sub-Committee decide to grant the application, it should be subject to the standard conditions applicable to Highway Amenities Licences.
- (2) Grant subject to special conditions
The Sub-Committee may grant the application subject to such variations, conditions or restrictions, as they think fit.
- (3) Refuse
The Sub-Committee may refuse the application.

In arriving at this decision, the Licensing Enforcement Sub Committee should take into account the policies & guidance adopted by the City Council and any other circumstances or information that are presented at the hearing including those presented in written form within this report.

The Sub-Committee must give the applicant the reasons for the decision it makes when it is announced.

3. Financial Implications

None.

4. Report

On the 9th June 2022 an application (Appendix 1) was submitted by Daniele Taverna on behalf of a business named, Gelato Village for the grant of a Highway Amenities Licence (Street Café). This was made under the Highways Act 1980.

The premises is situated within the Queens Road area of the city and is located near to the junction with Clarendon Park Road. Queens Road itself is a thriving shopping area consisting mainly of small businesses, cafes and bars. There are residential properties above some of the businesses and also housing within the nearby vicinity.

The premises is described as an 'Italian Artisan Gelato' café. The premises serves Gelato, coffees and food items. It currently advertises as being open on Mondays from 3pm until 8pm, Tuesdays to Thursdays from 1pm until 8pm, Fridays and Saturdays from 1pm until 9pm and Sundays from 12 midday until 6pm.

The applicant submitted an initial plan (Appendix 2) which detailed two tables and eight chairs, to be placed directly in front of the premises. The tables and chairs would be contained within the requested area, sectioned off by barriers. The plan outlines the measurements requested and conducted by the applicant.

The applicant also details further information on the application which reads: "Street Café setting with tables laid out in the pavement in front of the store, no alcohol is served"

The applicant has requested a licence for the street café for the following:

08.00hrs – 23:00hrs, Mondays to Sundays

As part of the application process and required by legislation, on the 14th June 2022, letters of consultation were sent to surrounding businesses and residents in the area to advise them of the application (Appendix 4) and a public notice (Appendix 4a) was prominently displayed on the premises itself.

Any objections were to be received no later than 28 days from the date of the notice which in this matter was midnight on the 12th July 2022.

Consultations were also carried out with Councillors who represent the Castle Ward of the city, Leicestershire Police, Leicestershire Fire & Rescue Service, Noise Pollution, Planning, Public Safety and Highway/Traffic Management.

Within the representation period, there were a total of four objections. All objections were accepted as being 'relevant' to the application.

On the Friday 15th July 2022, Mr Taverna emailed the Licensing Enforcement Generic Email to enquire about the application. An email reply was sent on the same day to inform him that there had been several objections received and that the matter would likely be taken to the Licensing Enforcement Sub Committee to be determined. It was also relayed that there may be a chance of a negotiated settlement between all parties.

Licensing Officer Nicola Marsh on return commencing Monday 18th July 2022 as part of her work, then looked to see if a negotiation could be made between all parties. This can only be done once all the information on the objections had been assessed, parties contacted and time for return of information. There had also been attempted negotiations between parties during the course of the representation period through efforts of Officer Marsh, however in totality, no negotiation could be found and therefore the matter was brought before the committee.

Objection Details:

Cllr Kitterick – These concerns relate to timings proposed and suggested that a 21:00hrs closing would be more suitable for the area.

Officer Marsh then spoke to the applicant about the representations who agreed the hours to be restricted to 08:00hrs until 21:00hrs.

This is attached as Appendix 5.

Highways – These concerns related to incorrect measurements on the original application plan. This was then addressed with the applicant by Officer Marsh by visiting the premises and the applicant provided an updated plan. This is attached as Appendix 6.

Sally Williams – These concerns relate to the restricted space of pavement for a street café, near to public amenities, the measurements on the plan and times of proposed operation. There are a number of suggested conditions/restrictions that the objector believes would mitigate their concerns if applied.

Officer Marsh relayed the agreed new reduced times to 21:00hrs and the new plan with correct and agreed measurements.

A reply was received providing photos and concerns about the premises putting out street furniture without a licence. The concerns still remain by the objector.

This is attached as Appendix 7.

Ian Brown (FCP) – These concerns relate to the restricted space of pavement for a street café, near to public amenities, the measurements on the plan and times of proposed operation. There are a number of suggested conditions/restrictions that the objector believes would mitigate their concerns if applied.

Officer Marsh relayed the agreed new reduced times to 21:00hrs and the new plan with correct and agreed measurements.

A reply was received reiterating the concerns about the number of tables and chairs able to fit in the proposed area. Concerns also about the premises putting out street furniture without a licence. The concerns still remain by the objector.

This is attached as Appendix 8.

On the 19th July 2022, several queries were raised by Mr Taverna about street cafes generally by email directly with Officer Marsh. This was replied to on the 20th July answering all the queries in turn. An email was then sent by Mr Taverna to Cllrs Clarke & Myers on the 21st July 2022 expressing discontent at the process conducted and the objections raised. The thread of those emails is attached as Appendix 14.

On 20th July 2022, Officer Marsh relayed the objections to the applicant and a reply to this was received on 21st July 2022 and is attached as Appendix 9.

On 22nd July 2022, after negotiations were not possible, Officer Marsh provided a letter to state that the matter would be heard and determined by the Licensing Enforcement Sub Committee and provided with details of the objections from Sally Williams and Ian Brown. A request was made to return any information for the committee by the 5th August 2022. No response was received to that letter.

Further information:

This application was instigated following a visit to the premises on Tuesday 7th June 2022 by Licensing Enforcement Officers after being notified of the possible use of tables and chairs on the highway. This was confirmed upon the visit and a warning letter was issued to the owner of the premises (Mr Daniele Taverna) for placing table and chairs on the highway without a relevant licence in place. This letter (Appendix 10) detailed the reason for the warning letter as well clearly stating that tables and chairs cannot be placed on the highway without a licence.

In addition to the initial warning detailed above, a further visit by Licensing Enforcement officers on 8th June 2022 which noted that tables and chairs had been placed on the highway again without a licence.

The staff on duty at the premises were verbally advised that this was not permitted. Evidence has also been gathered by Licencing Enforcement officers that the tables and chairs had been placed on the highway on numerous occasions from 8th June 2022 until 13th August 2022 (time of writing report) This is shown by photographs attached as Appendix 13.

On Friday 22nd July 2022 a final warning letter (Appendix 11) was hand delivered to the premises, but the tables and chairs continue to be placed on the highway.

The warnings were issued to both staff and to Mr Daniele Taverna.

A complaint was received to the Authority on the 21st July 2022 by a member of the public raising concerns about the street café and its vicinity to the bus stop and lack of room. Photos were taken of the premises. This is attached as Appendix 15.

This continued disregard of legal requirements, despite the numerous warnings, provides the Licensing Enforcement Team no option but to look to take further legal action regarding this matter.

It also raises serious concerns that if a licence was to be issued, as a direct result of the non-compliance, that the management would have a disregard to the conditions or requirements of a licence.

Report Appendix:

- Appendix 1: Summary Application for street café
- Appendix 1a: Proposed Table & Chairs Design
- Appendix 2: Proposed plan of street café
- Appendix 3: Picture of the premises
- Appendix 4: Consultation Letter for Residents & Local Businesses
- Appendix 4a: Public Notice and display photo.
- Appendix 5: Cllr Kitterick objection & Agreement
- Appendix 6: Highways Objection, New Plan and agreement
- Appendix 7: Local Resident Objection - Sally Williams
- Appendix 8: Friends of Clarendon Park Objection - (Ian Brown)
- Appendix 9: Response document from the applicant - Daniele Taverna
- Appendix 10: Street Café warning letter - 07/06/2022
- Appendix 11: Street Café warning letter - 22/07/2022
- Appendix 12: Objection letter sent to applicant and objections (as App 5 and App 6)
- Appendix 13: Photos of premises (tables and chairs) dated from 06/06/22 – 13/08/22
- Appendix 14: Email from Mr Taverna regarding the process to Cllrs
- Appendix 15: Email Complaint from Member of the public

5. Policy Guidelines

The overall policy on Street Cafes is to encourage more restaurants, cafes and public houses to have more outside activity in the street which would give an ambience that makes the City more attractive to visitors and residents alike. If an objection is received, the Sub-Committee should take into account the impact a street café may have on residents and any surrounding businesses in the area.

Reference: Leicester City Council Street Café Policy & Guidance Document - [street-cafe-policy-and-guidance-2020.pdf](https://www.leicester.gov.uk/street-cafe-policy-and-guidance-2020.pdf) (leicester.gov.uk)

6. Legal Implications (including Human Rights Act)

A licensing decision is also a determination of civil rights to which Article 6 the right to a fair trial applies. Article 8 the right to respect for private and family life applies to the protection on neighbouring properties from noise and disturbance. Article 1 of the First Protocol gives the right of peaceful enjoyment of possessions, which would include a licence. Terms and conditions imposed on the grant of a licence will need to be proportionate, and necessary to protect the interests of a democratic society.

There is no right of appeal against the refusal to grant a Highway Amenities (Street Café) Licence.

7. Crime and Disorder implications

None.

8. Consultations

Councillors who represent the relevant Ward of the area, Leicestershire Police, Noise Pollution, Planning, Leicestershire Fire & Rescue Service, Public Safety, Highway/Traffic Management, Residents and Businesses within the area.

A public notice displayed at the premises for 28 days.

9. Reason for Treating the Report as "Not for Publication"

None

10. Officer to Contact

Nicola Marsh
Licensing Authority
0116 4540049
eh.1536

Our Ref:SC428535095

Date: 2022-06-09

Street café licensing application**Information submitted to Licensing Authority at Leicester City Council****Type of application:** New licence: £278**Customer****Contact details:**

Title	First name	Surname	Phone number	Mobile number	Email address
Mr.	Daniele	Taverna	[REDACTED]	[REDACTED]	[REDACTED]

Address:

Flat	House Number	Street	Town	County	Postcode
	107	Queens Road	Leicester	Leicester City	LE2 1TT

Name of premises: Gelato Village**Address of premises**

Flat	House Number	Street	Town	County	Postcode
	107	Queens Road	Leicester	Leicester City	LE2 1TT

Please describe the premises: Street cafe setting with tables laid out on the pavement in front of the store.

No alcohol is served.

Proposed licence days and times: Mon-Sun

08:00-23:00

Additional information:

Proposed licence days and times: Mon-Sun

08:00-23:00

Additional information:

Supporting documents

Proof of your valid ID with a photo:DT Passport August - Cropped 2018.jpg

Valid public liability insurance certificate: TWIMC Liability Letter.pdf

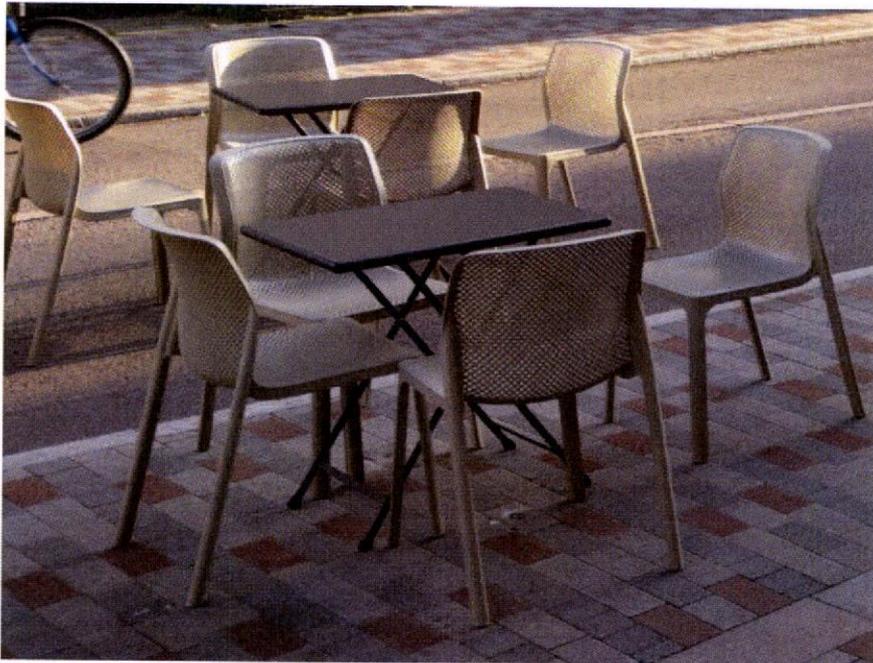
Detailed (proposed) plan of the street café:QR Cafe Licensing Application Drawing.pdf

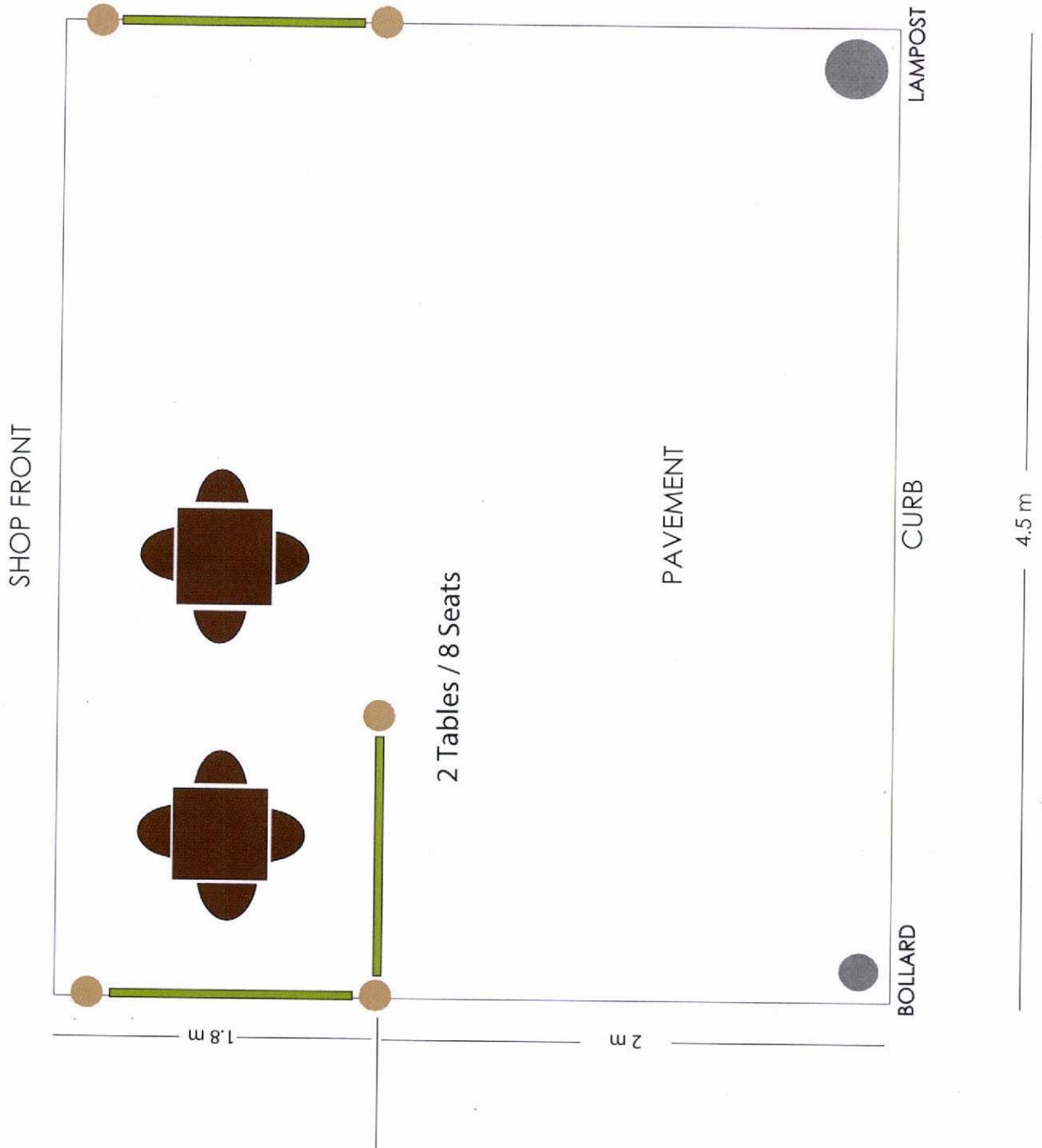
Pictures of tables and chairs or barrier type/design: Street2.jpg,IMG-20200911-WA0009.jpeg

Additional information to support the application:

Customer confirmed that they understand and agree to the Declaration.

Payment made for the application: £278







Please ask for: Nicola Marsh
Direct Line: 0116 454 0049
Email: licensingenforcement@leicester.gov.uk
Our Ref: N&ES/LIC/StreetCafé/nm/GEL
Date: Tuesday 14th June 2022

Dear Sir/Madam/Business

APPLICATION FOR THE GRANT OF A HIGHWAYS AMENITIES LICENCE, (STREET CAFE)
Gelato Village, 107 Queens Road, Leicester LE2 1TT

The Licensing Section of Leicester City Council has received an application for the grant of a Street Café outside the above named premises.

The application is to create a street café by placing a maximum of 2 tables with 8 chairs, contained by means of barriers.

The requested operational times of the street café are from Monday to Sunday from 08:00hrs to 23:00hrs.

Objections to this application must be made in writing and must be **received no later than 28 days from the date of this letter**. Objections must be sent to: Nicola Marsh c/o Licensing Authority, Leicester City Council, City Hall, 115 Charles Street, Leicester, LE1 1FZ or the email address above.

If you require further information or clarification on this application, please do not hesitate to contact the Licensing Team on the above telephone number. Please visit www.leicester.gov.uk for more guidance on street cafes.

Yours faithfully

Nicola Marsh
Licensing Enforcement



Leicester
City Council

FORM OF NOTICE FOR PUBLICATION ON PREMISES

PUBLIC NOTICE

APPLICATION FOR HIGHWAYS AMENITIES
LICENCE (STREET CAFÉ)

Notice is given that:

of **Daniele Taverna**
107 Queens Road
Leicester
LE2 1TT

Premises: **Gelato Village**
107 Queens Road
Leicester
LE2 1TT

has applied to the **Leicester City Council** to use the highway to the front of the above named premises, for the purpose of a **Highway Amenities Licence (Street Café)**.

The application is to create a street café by placing a maximum of 2 (two) tables with 8 (eight) seats, contained by means of barriers.

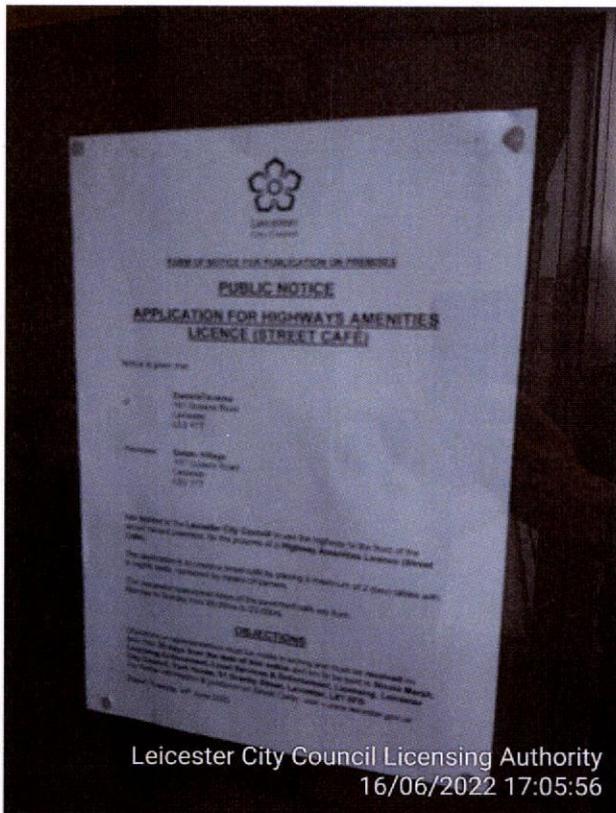
The requested operational times of the pavement café are from:
Monday to Sunday from 08:00hrs to 23:00hrs.

OBJECTIONS

Objections or representations must be made in writing and must be **received** no later than **28 days from the date of this notice** and are to be sent to **Nicola Marsh, Licensing Enforcement, Local Services & Enforcement, Licensing, Leicester City Council, York House, 91 Granby Street, Leicester, LE1 6FB**

For further information & guidance on Street Cafes, visit – www.leicester.gov.uk

Dated: Tuesday 14th June 2022



Nicola Marsh

From: Cllr Patrick Kitterick
Sent: 15 June 2022 09:35
To: Nicola Marsh
Cc: [REDACTED]
Subject: RE: New Street Cafe Application - Gelato Village, 107 Queens Road, Leicester

Nicola,

Thanks for sorting this.

I am, therefore, happy to withdraw my objections.

Kind regards,

Patrick Kitterick

From: Nicola Marsh <Nicola.Marsh@leicester.gov.uk>
Sent: 14 June 2022 15:07
To: Cllr Patrick Kitterick [REDACTED]
Subject: RE: New Street Cafe Application - Gelato Village, 107 Queens Road, Leicester

Good afternoon,

The applicant has agreed that they will alter their hours to 0800hrs – 2100hrs.

Kind regards

Nicola Marsh

From: Cllr Patrick Kitterick [REDACTED]
Sent: 13 June 2022 18:31
To: Nicola Marsh <Nicola.Marsh@leicester.gov.uk>; Ian Brown [REDACTED]
Subject: RE: New Street Cafe Application - Gelato Village, 107 Queens Road, Leicester

Nicola,

Please may I place a formal objection to this street café licence on the grounds of noise nuisance with a terminal hour of 11pm.

I am happy to indicate that I would withdraw my objection should the terminal hour be reduced to 9pm.

Kind regards,

Patrick Kitterick

From: Nicola Marsh <Nicola.Marsh@leicester.gov.uk>
Sent: 13 June 2022 09:15
To: Cllr Patrick Kitterick <[REDACTED]>
Subject: RE: New Street Cafe Application - Gelato Village, 107 Queens Road, Leicester

Good Morning,

Thank you for your reply.

Will you be submitting an objection in relation to the times?

Kind regards

Nicola Marsh

From: Cllr Patrick Kitterick [REDACTED]
Sent: 10 June 2022 15:44
To: Nicola Marsh <Nicola.Marsh@leicester.gov.uk>; noiseteam <noiseteam@leicester.gov.uk>; Licensing <licensing@leicestershire.pnn.police.uk>
Cc: Cllr Deborah Sangster [REDACTED] Cllr Danny Myers <[REDACTED]>
Subject: RE: New Street Cafe Application - Gelato Village, 107 Queens Road, Leicester

Nicola,

11pm appears a bit late for the area, think 9pm would be reasonable.

Kind regards,

Patrick Kitterick

From: Nicola Marsh <Nicola.Marsh@leicester.gov.uk>
Sent: 10 June 2022 14:39
To: Ed Kocik <Ed.Kocik@leicester.gov.uk>; highway-management <highway.management@leicester.gov.uk>; noiseteam <noiseteam@leicester.gov.uk>; publicsafety <publicsafety@leicester.gov.uk>; Jogs Singh <Joginder.Singh@leicester.gov.uk>; planning <planning@leicester.gov.uk>; 'firesafetyadvisors@lfrs.org' <firesafetyadvisors@lfrs.org>; Licensing <licensing@leicestershire.pnn.police.uk>
Cc: Cllr Deborah Sangster <[REDACTED]> Cllr Danny Myers <[REDACTED]> Cllr Patrick Kitterick <[REDACTED]>
Subject: New Street Cafe Application - Gelato Village, 107 Queens Road, Leicester

Good afternoon all,

I am in receipt of an application for a Street Café Licence for the premises detailed below:

Gelato Village, 107 Queens Road, Leicester LE21TT

The application is for below:

<u>Day</u>	<u>Times</u>	<u>Table & Chairs</u>
Monday - Sunday	08.00 hrs x 23.00 hrs	2 tables & 8 Chairs

The plan submitted by the applicant is attached for reference along submitted a picture of the front of the premises.

If you wish to discuss any aspect of the application with the applicant, contact details are **(must be kept confidential)**:

Title	First name	Surname	Phone number	Mobile number	Email address
Mr	Daniele	Taverna	[REDACTED]	[REDACTED]	[REDACTED]

Any objections to this application are to be received to myself no later than 12/7/2022

Please note: The only way to add conditions (in addition to standard conditions) is through submitting a written objection.

If you have any other queries, please contact me.

Kind regards

Nicola Marsh

Licensing Enforcement Officer
Licensing Authority

Phone: 0116 454 2039

Email: nicola.marsh@leicester.gov.uk

Web: www.leicester.gov.uk/licensingwww.leicester.gov.uk/licensing

Nicola Marsh

From: Nicola Marsh
Sent: 14 June 2022 13:12
To: Queens Road Admin
Subject: RE: Objection to times - Street Cafe

Hi Daniele,

Thank you for your email, the reason for the reduction in hours was the noise nuisance that it may cause until 2300hrs.

Many thanks – I will reduce the times to 2100hrs cease.

Kind regards

Nicola

From: Queens Road Admin [REDACTED]
Sent: 14 June 2022 10:59
To: Nicola Marsh <Nicola.Marsh@leicester.gov.uk>
Subject: Re: Objection to times - Street Cafe

Hi Nicola,

Thanks for your call and assistance in this matter.

We are happy to go ahead as per your proposal below.

I'll be at the store at around 12 today or probably 10 - 10:30 tomorrow morning for the window cleaner if that's of any help.

Kind regards,

Daniele

Mr Daniele Taverna
Director

Gelato Village
Leicester, UK

[REDACTED]

--- On Tue, 14 Jun 2022 09:13:11 +0100 **Nicola Marsh** <Nicola.Marsh@leicester.gov.uk> wrote ---

Good Morning,

I have had one objection to the opening times that have been submitted. It has been suggested that the closing time is reduced to 2100hrs – would you be in agreement with this suggestion to progress your application?

<u>Day</u>	<u>Times</u>	<u>Table & Chairs</u>
Monday - Sunday	08.00 hrs x 21.00 hrs	2 tables & 8 Chairs

Kind regards

Nicola Marsh

Nicola Marsh

Licensing Enforcement Officer
Licensing Authority

Phone: 0116 454 2039

Email: nicola.marsh@leicester.gov.uk

Web: www.leicester.gov.uk/licensing

*This e-mail (including any attachments) is intended for the above named addressee only.
If this email has come to you in error please notify the sender and delete the email and any attachments. You must take no action based on it, nor may you forward it or copy it to anyone.
In consideration of Gelato Village Ltd disclosing to you the information set out in this message which is not publicly available, you undertake to treat the information as being strictly private and confidential, and you shall take all precautions to maintain its status as such and to use and apply the information solely for the purpose for which it is intended.*

To Licensing

**Street Cafe Application
Highway Response**

Street: 107 QUEENS RD

Applicant's Name: DANIELE TAVERNA (GELATO VILLAGE)

In respect of this application for a street cafe, from the information we have received our response is:

We wish to object to the application.

MEASUREMENTS GIVEN ON APPLICATION ARE INCORRECT (SPACE BETWEEN BUILDING LINE AND LAMP COLUMN IS 3.2 METRES, NOT 3.8 METRES AS STATED, 3.7 METRES BETWEEN BUILDING LINE AND BOLLARD).

Name: S.HOPE

Date: 15/06/2022

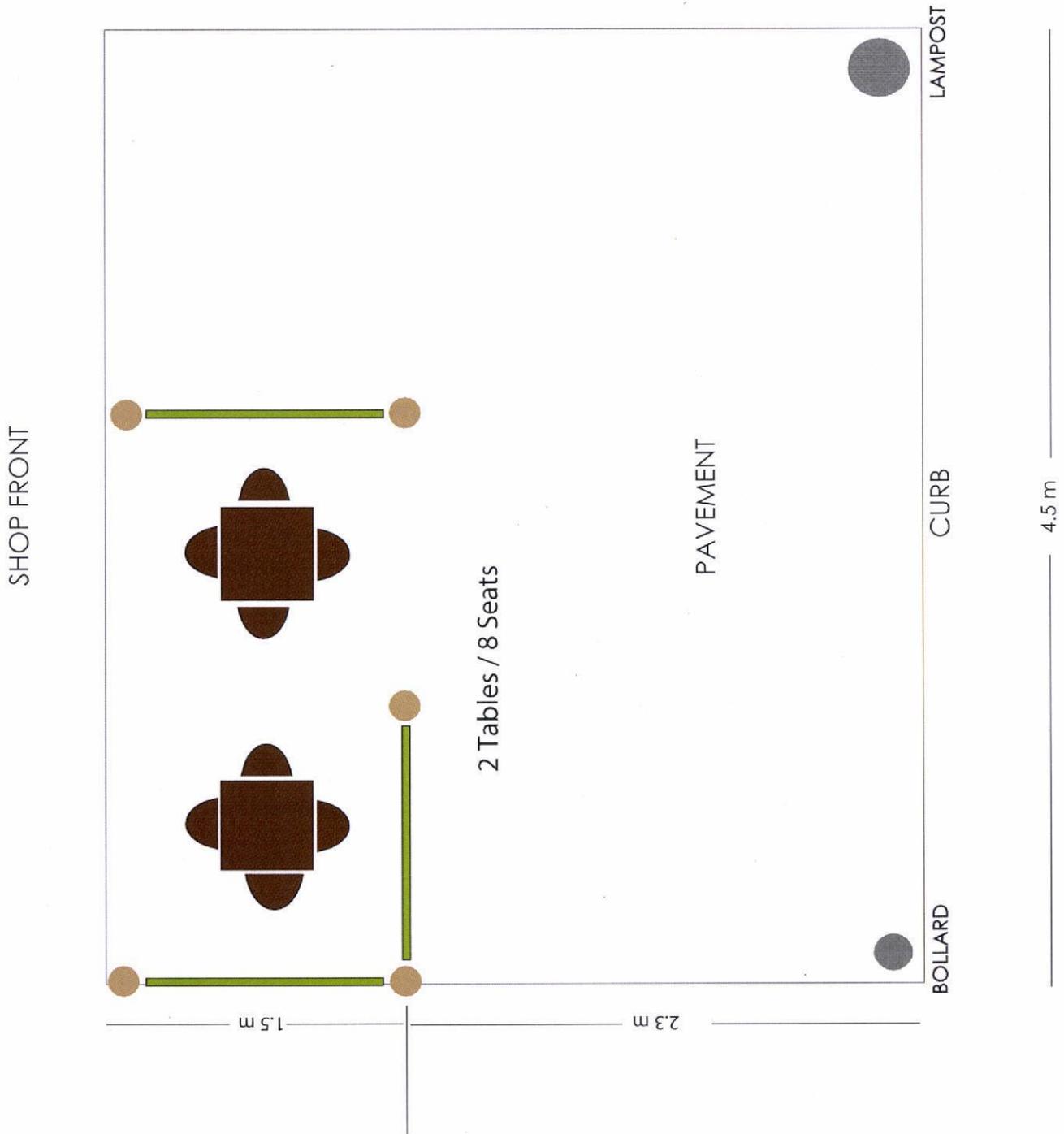
On behalf of Mike Pears, Team Leader, Highway Asset Management Team

Tel [REDACTED]

N.B. If consent is granted action may still be taken at a later date under the Highways Act 1980 in respect of obstruction of the highway.

Standards Conditions

1. Ensure 2 metres of footway remains clear of any obstruction
2. Do not pour anything into drainage gullies e.g. fat or greasy water
3. Comply with all Traffic Regulation Orders restrictions e.g. yellow lines, school keep clear markings, pedestrian crossing markings.
4. Comply with any future Traffic Regulation Order, whether temporary or permanent.
5. Vacate the site if road works are in progress or any other highway approved works or activity is taking place e.g. erection of scaffold or a parade.



To Licensing

**Street Cafe Application
Highway Response**

Street: 107 QUEENS RD

Applicant's Name: DANIELE TAVERNA (GELATO VILLAGE)

In respect of this application for a street cafe, from the information we have received our response is:

We have no specific objection to this application but would require full compliance with all of the standards conditions listed below.

Name: S.HOPE

Date: 16/06/2022

On behalf of Mike Pears, Team Leader, Highway Asset Management Team
Tel [REDACTED]

N.B. If consent is granted action may still be taken at a later date under the Highways Act 1980 in respect of obstruction of the highway.

Standards Conditions

1. Ensure 2 metres of footway remains clear of any obstruction
2. Do not pour anything into drainage gullies e.g. fat or greasy water
3. Comply with all Traffic Regulation Orders restrictions e.g. yellow lines, school keep clear markings, pedestrian crossing markings.
4. Comply with any future Traffic Regulation Order, whether temporary or permanent.
5. Vacate the site if road works are in progress or any other highway approved works or activity is taking place e.g. erection of scaffold or a parade.

Nicola Marsh

From: Nicola Marsh
Sent: 16 June 2022 11:42
To: [REDACTED]
Subject: New plan/photo

Good morning,

For your information – Highways have accepted your new plan and withdrawn their objection.

Would you be able to take a photo of the Public notice (blue notice) that you have displayed on the front of your premises for the application – to show that it is being displayed correctly – and forward me the photo.

Many thanks

Nicola

Nicola Marsh

Licensing Enforcement Officer
Licensing Authority



Phone: 0116 454 2039

Email: nicola.marsh@leicester.gov.uk

Web: www.leicester.gov.uk/licensing www.leicester.gov.uk/licensing

Objection (1)



Dear licensing

I am writing to object to the street café planned for Gelato Village on Queens Rd.

I don't object to the principle of a small café, but to the extent planned – and the diagram seems misleading.

This is a congested section of Queens Rd footway, partly due to it being close to the busiest bus stop in the area, plus a number of small premises that mean people are coming in and out of a number of entrances as well as walking along the street. Gelato itself sometimes has queues on the street. Cyclists and e-scooters regularly travel along the footway now – especially food couriers to the many takeaways. As you can see in the photo the congestion is increased by the street café for Bondade which does not leave enough room for people to pass properly by the bus stop and shelter. This can mean groups of people waiting while others come past in the opposite direction. The population of the area includes a high number of young people who walk in groups. Having navigated that bottleneck people can currently walk forward in a natural flow near the building line, apart from any A-boards when placed out. A street café of any sort at Gelato alters this direct pedestrian flow line, and puts pedestrians nearer to the road and the fixed street furniture.

The measurement on Gelato's plan appears to be to the kerb edge. The bollard and lamppost are shown at equal distance but the lamppost is further from the kerb – and there is a bin just beyond the premises on the other side. As you can see from the photo, the area beyond the line of the bin and lamppost is not a usable bit of the footway.

There needs to be an absolute minimum 2m space between the line of these bits of street furniture and the café (not just to the bollard), or a convoluted route will be created, risking

people walking into the lamppost. If the measurements given are to the kerb edge, it would mean that the space for a café is less than the 1.2m shown.

Even 2m space is not much for this location with its high volume of pedestrians and bus passengers (especially at some peak times) plus buses pulling out should pedestrians divert into the road. The café must be considered in its context. LCC guidance says 'Additional width may be required in areas with high volumes of pedestrian or vehicular traffic'. I think this is a place where more space is needed.

Additionally I feel the diagram of 4 chairs around tables is misleading and can't be fitted into the depth of café available, not even 1.2m. A 2 seater table with the table against the premises and chairs either side might work.

Otherwise it would be yet another street café on Queens Rd whose barriers would creep further over the footway than the licence allows – and difficult to enforce effectively.

This is a permanent licence, not a temporary one while footfall was lower over Covid.

Finally, there are a lot of homes very close to this premises, noise carries outdoors. While I don't suppose a Gelato will be opening very late, the street café should be limited to 8pm to prevent nuisance, in line with its currently promoted opening hours. 11pm is too late.

I may be prepared to withdraw my objection if

- There was a condition limiting end of hours to 20 00 hours
- The café is limited to tables which are against the building line with one chair each side. I'm not sure if there is room for two across the frontage or not.
- An absolute minimum 2 metres is taken from the line of the lamppost and bin (not the kerb or the bollard) and that this measurement does not include the barrier, including its feet, protruding into the space. Nor any A-board. Preferably it should be greater than 2 metres.

Sally Williams

Good Morning,

I am in receipt of your objection to the above Street Café. Apologies for the delay, but I have been on annual leave.

There have been a couple of objections, similar to the concerns that you have raised.

The Street Café times have now been reduced to 0800hrs – 2100hrs (Mon – Sun) and agreed by the applicant and the individual objecting.

There has also been a new plan submitted (please see attached) which has reduced the area of the street café and falls within the guidelines and measurements required and agreed by our highways team.

I hope that this addresses the grounds for your objections.

Kind regards

Nicola Marsh

.....

Thank you for this Nicola. I might have considered this acceptable apart from still being too many chairs/tables shown to fit the space.

However Gelato Village has been jumping the gun, and put out a café. This has had two effects.

- 1) It has demonstrated the problems this café could cause.
- 2) It has indicated this is an applicant who may not keep to the rules, and therefore proposals may need to be tighter than for others. We already have too many cafes that do not meet the agreed plans.
- 3)

I attach some photos from this morning.

- There was no protection from the north end, causing potential hazard for VI person approaching.
- The combination of cafes and people that wait around this area was causing most people to divert in front of the bus-stop. There have been falls there.
- While I don't know the measurements of the café put out, there did not appear to be 2 metres between the café and the street furniture. The café was taking more than half the available footway width.
- It was clear that there wasn't room for two tables with eight chairs in the available space. There were two chairs on one table and three with the other (not all occupied). I noted that there didn't appear to be room for two tables/chairs side-by-side across the frontage width - so one table/chairs was set back, creating greater depth. There was no way eight seats could have been provided even within this over large area.
- There was also an A-board beyond the café. It was obstructive to people trying to access the doorway.

I am prepared to compromise on the finish time to 2100 hours, due to the nature of the business.

But I still don't believe there is sufficient footway left with the café barriers as they have them – and my objection to seating for 8 around two tables remains as I simply don't see how it can be achieved in the area proposed. Indeed I'm now not sure there can't be two tables/two chairs each as I suggested in my objection. This is a small premises in a congested area.

The evidence of seeing the café in situ confirms this – and the likelihood if allowed is that this premises will keep spreading the barriers leading to a detriment to pedestrians or a constant enforcement issue.

I'm still prepared for negotiation, but my objection remains at present.



Objection (2)

Hi Licensing,

Re. Gelato Village, 107 Queens Road – application for a street café licence to have two tables and eight chairs contained by barriers Mon-Sun 08:00 to 23:00

While FCP does not object to the principle of a street café at this location, we have concerns about both the hours applied for and the size of the proposed café, so must **object** to the application.

Hours

The opening hours for the Queens Road branch are shown on Gelato Village's [website](#) as Mon-Thu 15:00-20:00, Fri-Sat 13:00-21:00 and Sun 12:00-18:00, so it seems unlikely that Gelato Village would use their street café licence to 23:00, but this could set a precedent that others, including bars on Queens Road, would want to follow.

Space

The plan provided with the applications doesn't appear to be scale, showing the tables and chairs smaller than actual within the 1.8m barriered area. Also, the 2m clear distance is measured from the kerb rather than the street furniture, and the plan shows the bollard and lamp post at the edge of the pavement when they are actually set back from the edge. Here's how it looks on the latest Street View on Google Maps:



The inner edge of the bollard is ~50cm in from the kerb and the inner edge of the lamp post ~90cm in from the kerb, so the 2.0m minimum clear footway needs to be measured between the front of the street café barriers and the street furniture. Based on the measurements shown on the plan and the actual position of the bollard and the lamp post, that would make the street café only 90cm deep, which wouldn't accommodate two tables with four chairs each, but might accommodate two tables with two chairs each if they were up against the front of the shop. Although this pavement café would not be right next to the bus stop, people do congregate there when waiting for a bus, increasing congestion on that section of footway. If the lamp post were moved closer to the kerb as part of the Queens Road improvements, then the depth of the street café could perhaps be increased.

Objection

FCP objects to this application based on:

- 1. the proposal leaving less than the required 2m minimum between the barriers and street furniture, and
- 2. the requested hours for the street café being later than the opening hours.

We would be prepared to withdraw our objection if:

- 1. the depth of the street café is reduced to allow at least the minimum 2.0m between the front of the feet of the street café barriers and the inner edge of the lamp post
- 2. the hours for the street café are reduced in line with the opening hours.

Best regards,

Ian Brown

Chair, Friends of Clarendon Park

Good Morning,

I am in receipt of your objection to the above Street Café. Apologies for the delay, but I have been on annual leave.

There have been a couple of objections, similar to the concerns that you have raised.

The Street Café times have now been reduced to 0800hrs – 2100hrs (Mon – Sun) and agreed by the applicant and the individual objecting.

There has also been a new plan submitted (please see attached) which has reduced the area of the street café and falls within the guidelines and measurements required and agreed by our highways team.

Kind regards

Nicola Marsh

Hi Nichola,

Thanks for sending the revised plan, and no problem about the delay – I’ve been away on holidays too.

It’s good to see that the depth of the proposed café has been reduced from 1.8m to 1.5m and the that standalone barrier has been relocated closer to the tables. However, the plan still shows two tables with four chairs each, which seems optimistic with a depth of only 1.5m and is likely to result in customers moving the barriers further out. Also, although the revised plan shows 2.3m from the front of the barrier to the kerb, I’m not convinced this leaves the minimum 2m between the barriers and the bollard and particularly the lamp post. Finally, as you can see from the attached photos, Gelato Village are already putting out their street café but without the standalone barrier.

We'll be reviewing this application at an FCP committee meeting on Thursday evening, so I'll let you know our view on these changes on Friday.

In the meantime, could you confirm that the measurement of the 2.0m minimum distance between the barriers and street furniture should be taken from the protruding feet of the barriers rather than the uprights?

Best regards,

Ian Brown

Chair, Friends of Clarendon Park





Good afternoon

The barrier in its entirety should be contained within the licenced area of the street café. Our highways team – have approved the area that GELATO wish to licence on the details of the new plan.

I hope this answers your queries.

Kind regards

Nicola Marsh

Nicola Marsh

From: Queens Road Admin <[REDACTED]>
Sent: 21 July 2022 10:49
To: Nicola Marsh
Cc: [REDACTED]
Subject: RE: General Street Cafè Enquiry

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: gelato

Hi Nicola,

Thanks for your reply.

I am replying here to the objections to the licence at Queens Road.

1. We are well over 28 days and the latest objections were not processed because you were on leave: is this really acceptable?
2. The objections have no ground: shall we keep going back and forward indefinitely because someone is always going to find a possible (but not true) problem with it? The plan clearly stays within the limits, so unless the furniture is fixed to the floor, it could always be moved as the one inside the store does, so staff puts it back in its place.
3. Again I really don't think it is a valid objection to limit a business like ours operating times that much during that time frame. Not sure how Cllr Danny Myers would agree to this when promoting the 'Nighttime economy'.

Both objections are groundless and ludicrous so it is really your duty to push them back to whoever raised them, keeping in mind how much this is impacting our business.

Sorry but I am not available to play this silly game, while other areas of the City - and of Queens Road - have no control whatsoever on what happens on pavements, including the council itself which reduced the pavement opposite us to a width of 60cm because of a road marking pole?

I am sure the paper will be more than interesting to hear our ordeal just to put out a couple of chairs...

I trust you will be able to grant the licence soon.

Kind regards,

Daniele

--

Mr Daniele Taverna
Director

Gelato Village
 Leicester, UK



Please ask for: Matt Robinson
Direct Line: 07729 625 530
Email: matthew.robinson@leicester.gov.uk



Leicester
City Council

Owner
Gelato Village
107 Queens Road
Leicester
LE2 1TT

Tuesday 7th June 2022

REF: Unlicensed Street Café - Gelato Village

Dear Sir/Madam,

**HIGHWAY AMENITIES LICENCE – STREET CAFÉ
HIGHWAYS ACT 1980 – PART VII A
BUSINESS PLANNING ACT 2020**

The Licensing Section of Leicester City Council is in receipt of information which indicates that you are placing tables and chairs on the highway.

Records held in this office show that your premises is without a valid Highway Amenities Licence (Street Café) which is required for the placing of such furniture on the highway.

Until a valid licence is issued you are required to **remove** the table and chairs from the Highway with immediate effect.

Failure to do so may result in prosecution action being taken against you.



Leicester
City Council

For information on obtaining a Highways Amenities Licence, please see the information on the Leicester City Council website.

I trust this letter will receive your most urgent attention.

Many Thanks



Licensing Enforcement Section
Leicester City Council

Please ask for: Licensing Enforcement
Direct line 0116 454 0049
Our ref: N&ES/SC/NM
Email licensingenforcement@leicester.gov.uk
Date: 22/07/2022



Mr Daniele Taverna
Gelato Village
107 Queens Road
Leicester
LE2 1TT

Friday 22nd July 2022

Dear Sir/Madam,

REF: Unlicensed Street Café - Gelato Village

HIGHWAY AMENITIES LICENCE – STREET CAFÉ (HIGHWAYS ACT 1980)

With reference to letter dated 7th June 2022

The Licensing Section of Leicester City Council is in receipt of further information which indicates that, despite numerous warnings, you continue to place tables, chairs & barriers on the highway which without a licence is classed as an obstruction.

Records held in this office show that you do not hold a valid Highway Amenities Licence (Street Café) which is required for the placing of such furniture on the highway.

Until a valid licence is issued you are required to **remove all furniture** from the Highway with immediate effect.

Please note that this and previous correspondence re this matter will form part of the report for Licensing Committee relating to any applications for Street Cafes.

Failure to do so may result in prosecution action being taken against you and seizure of any furniture placed on the highway without a licence.

Yours faithfully

Nicola Marsh
Licensing Enforcement Officer

LEICESTER CITY COUNCIL

Licensing Enforcement Team, Licensing Authority, York House, 91 Granby Street, Leicester, LE1 6FB
www.leicester.gov.uk

Please ask for: Licensing Enforcement
Direct line: 0116 454 0049
Email: licensingenforcement@leicester.gov.uk
Our ref: N&ES/Street Café/nmGe
Date: 22/07/2022

CONFIDENTIAL

Mr Daniele Taverna
Gelato Village
107 Queens Road
Leicester
LE2 1TT

Dear Sir

**APPLICATION FOR HIGHWAYS AMENITIES LICENCE
PROPOSED : Gelato Village, 107 Queens Road, Leicester LE2 1TT**

Further to your email regarding the above application, please find enclosed copies of the objections received from local businesses and other interested parties.

As you are aware, the application will now be deferred to the Licensing Enforcement Sub-Committee for determination. The next committee meeting is scheduled to take place on **6th September 2022**.

In order for your application to be heard at the meeting your written representation must be received no later than **Friday 5th August 2022**. If you are unable to submit your written representation by this date, you may request for the hearing to be deferred until the next scheduled hearing in October 2019.

Please also note that there have been two other objections that have already been agreed.

1. Reduce the hours on the application from 0800hrs – 2300hrs to 0800hrs – 2100hrs – concern for noise in a residential area.
2. Reduce the licenced area of the street cafe as the "MEASUREMENTS GIVEN ON APPLICATION ARE INCORRECT (SPACE BETWEEN BUILDING LINE AND LAMP COLUMN IS 3.2 METRES, NOT 3.8 METRES AS STATED, 3.7 METRES BETWEEN BUILDING LINE AND BOLLARD) – Highways

In the meantime, if you wish to discuss the matter further, please do not hesitate to contact me.

Yours sincerely

Nicola Marsh
LICENSING ENFORCEMENT OFFICER

Objection (1)



Dear licensing

I am writing to object to the street café planned for Gelato Village on Queens Rd.

I don't object to the principle of a small café, but to the extent planned – and the diagram seems misleading.

This is a congested section of Queens Rd footway, partly due to it being close to the busiest bus stop in the area, plus a number of small premises that mean people are coming in and out of a number of entrances as well as walking along the street. Gelato itself sometimes has queues on the street. Cyclists and e-scooters regularly travel along the footway now – especially food couriers to the many takeaways. As you can see in the photo the congestion is increased by the street café for Bondade which does not leave enough room for people to pass properly by the bus stop and shelter. This can mean groups of people waiting while others come past in the opposite direction. The population of the area includes a high number of young people who walk in groups. Having navigated that bottleneck people can currently walk forward in a natural flow near the building line, apart from any A-boards when placed out. A street café of any sort at Gelato alters this direct pedestrian flow line, and puts pedestrians nearer to the road and the fixed street furniture.

The measurement on Gelato's plan appears to be to the kerb edge. The bollard and lamppost are shown at equal distance but the lamppost is further from the kerb – and there is a bin just beyond the premises on the other side. As you can see from the photo, the area beyond the line of the bin and lamppost is not a usable bit of the footway.

There needs to be an absolute minimum 2m space between the line of these bits of street furniture and the café (not just to the bollard), or a convoluted route will be created, risking

people walking into the lamppost. If the measurements given are to the kerb edge, it would mean that the space for a café is less than the 1.2m shown.

Even 2m space is not much for this location with its high volume of pedestrians and bus passengers (especially at some peak times) plus buses pulling out should pedestrians divert into the road. The café must be considered in its context. LCC guidance says 'Additional width may be required in areas with high volumes of pedestrian or vehicular traffic'. I think this is a place where more space is needed.

Additionally I feel the diagram of 4 chairs around tables is misleading and can't be fitted into the depth of café available, not even 1.2m. A 2 seater table with the table against the premises and chairs either side might work.

Otherwise it would be yet another street café on Queens Rd whose barriers would creep further over the footway than the licence allows – and difficult to enforce effectively.

This is a permanent licence, not a temporary one while footfall was lower over Covid.

Finally, there are a lot of homes very close to this premises, noise carries outdoors. While I don't suppose a Gelato will be opening very late, the street café should be limited to 8pm to prevent nuisance, in line with its currently promoted opening hours. 11pm is too late.

I may be prepared to withdraw my objection if

- There was a condition limiting end of hours to 20 00 hours
- The café is limited to tables which are against the building line with one chair each side. I'm not sure if there is room for two across the frontage or not.
- An absolute minimum 2 metres is taken from the line of the lamppost and bin (not the kerb or the bollard) and that this measurement does not include the barrier, including its feet, protruding into the space. Nor any A-board. Preferably it should be greater than 2 metres.

Good Morning,

I am in receipt of your objection to the above Street Café. Apologies for the delay, but I have been on annual leave.

There have been a couple of objections, similar to the concerns that you have raised.

The Street Café times have now been reduced to 0800hrs – 2100hrs (Mon – Sun) and agreed by the applicant and the individual objecting.

There has also been a new plan submitted (please see attached) which has reduced the area of the street café and falls within the guidelines and measurements required and agreed by our highways team.

I hope that this addresses the grounds for your objections.

Kind regards

Nicola Marsh

.....
Thank you for this Nicola. I might have considered this acceptable apart from still being too many chairs/tables shown to fit the space.

However Gelato Village has been jumping the gun, and put out a café. This has had two effects.

- 1) It has demonstrated the problems this café could cause.
- 2) It has indicated this is an applicant who may not keep to the rules, and therefore proposals may need to be tighter than for others. We already have too many cafes that do not meet the agreed plans.

3)

I attach some photos from this morning.

- There was no protection from the north end, causing potential hazard for VI person approaching.
- The combination of cafes and people that wait around this area was causing most people to divert in front of the bus-stop. There have been falls there.
- While I don't know the measurements of the café put out, there did not appear to be 2 metres between the café and the street furniture. The café was taking more than half the available footway width.
- It was clear that there wasn't room for two tables with eight chairs in the available space. There were two chairs on one table and three with the other (not all occupied). I noted that there didn't appear to be room for two tables/chairs side-by-side across the frontage width - so one table/chairs was set back, creating greater depth. There was no way eight seats could have been provided even within this over large area.
- There was also an A-board beyond the café. It was obstructive to people trying to access the doorway.

I am prepared to compromise on the finish time to 2100 hours, due to the nature of the business.

But I still don't believe there is sufficient footway left with the café barriers as they have them – and my objection to seating for 8 around two tables remains as I simply don't see how it can be achieved in the area proposed. Indeed I'm now not sure there can't be two tables/two chairs each as I suggested in my objection. This is a small premises in a congested area.

The evidence of seeing the café in situ confirms this – and the likelihood if allowed is that this premises will keep spreading the barriers leading to a detriment to pedestrians or a constant enforcement issue.

I'm still prepared for negotiation, but my objection remains at present.





Objection (2)

Hi Licensing,

Re. Gelato Village, 107 Queens Road – application for a street café licence to have two tables and eight chairs contained by barriers Mon-Sun 08:00 to 23:00

While FCP does not object to the principle of a street café at this location, we have concerns about both the hours applied for and the size of the proposed café, so must **object** to the application.

Hours

The opening hours for the Queens Road branch are shown on Gelato Village's [website](#) as Mon-Thu 15:00-20:00, Fri-Sat 13:00-21:00 and Sun 12:00-18:00, so it seems unlikely that Gelato Village would use their street café licence to 23:00, but this could set a precedent that others, including bars on Queens Road, would want to follow.

Space

The plan provided with the applications doesn't appear to be scale, showing the tables and chairs smaller than actual within the 1.8m barriered area. Also, the 2m clear distance is measured from the kerb rather than the street furniture, and the plan shows the bollard and lamp post at the edge of the pavement when they are actually set back from the edge. Here's how it looks on the latest Street View on Google Maps:



The inner edge of the bollard is ~50cm in from the kerb and the inner edge of the lamp post ~90cm in from the kerb, so the 2.0m minimum clear footway needs to be measured between the front of the street café barriers and the street furniture. Based on the measurements shown on the plan and the actual position of the bollard and the lamp post, that would make the street café only 90cm deep, which wouldn't accommodate two tables with four chairs each, but might accommodate two tables with two chairs each if they were up against the front of the shop. Although this pavement café would not be right next to the bus stop, people do congregate there when waiting for a bus, increasing congestion on that section of footway. If the lamp post were moved closer to the kerb as part of the Queens Road improvements, then the depth of the street café could perhaps be increased.

Objection

FCP objects to this application based on:

- 1. the proposal leaving less than the required 2m minimum between the barriers and street furniture, and
- 2. the requested hours for the street café being later than the opening hours.

We would be prepared to withdraw our objection if:

- 1. the depth of the street café is reduced to allow at least the minimum 2.0m between the front of the feet of the street café barriers and the inner edge of the lamp post
- 2. the hours for the street café are reduced in line with the opening hours.

Friends of Clarendon Park

Good Morning,

I am in receipt of your objection to the above Street Café. Apologies for the delay, but I have been on annual leave.

There have been a couple of objections, similar to the concerns that you have raised.

The Street Café times have now been reduced to 0800hrs – 2100hrs (Mon – Sun) and agreed by the applicant and the individual objecting.

There has also been a new plan submitted (please see attached) which has reduced the area of the street café and falls within the guidelines and measurements required and agreed by our highways team.

Kind regards

Nicola Marsh

Hi Nichola,

Thanks for sending the revised plan, and no problem about the delay – I’ve been away on holidays too.

It’s good to see that the depth of the proposed café has been reduced from 1.8m to 1.5m and the that standalone barrier has been relocated closer to the tables. However, the plan still shows two tables with four chairs each, which seems optimistic with a depth of only 1.5m and is likely to result in customers moving the barriers further out. Also, although the revised plan shows 2.3m from the front of the barrier to the kerb, I’m not convinced this leaves the minimum 2m between the barriers and the bollard and particularly the lamp post. Finally, as you can see from the attached photos, Gelato Village are already putting out their street café but without the standalone barrier.

We’ll be reviewing this application at an FCP committee meeting on Thursday evening, so I’ll let you know our view on these changes on Friday.

In the meantime, could you confirm that the measurement of the 2.0m minimum distance between the barriers and street furniture should be taken from the protruding feet of the barriers rather than the uprights?

Friends of Clarendon Park



Good afternoon

The barrier in its entirety should be contained within the licenced area of the street café. Our highways team – have approved the area that GELATO wish to licence on the details of the new plan.

I hope this answers your queries.

Kind regards

Nicola Marsh

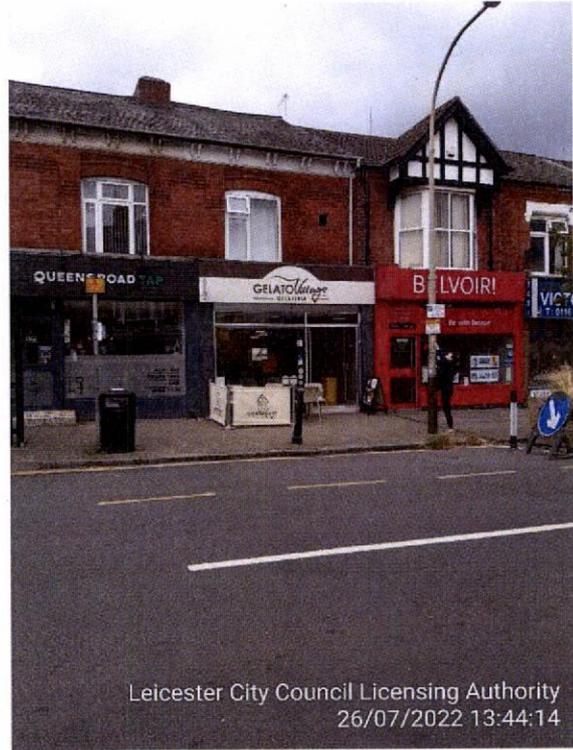


Photos taken by licensing enforcement officers page 2

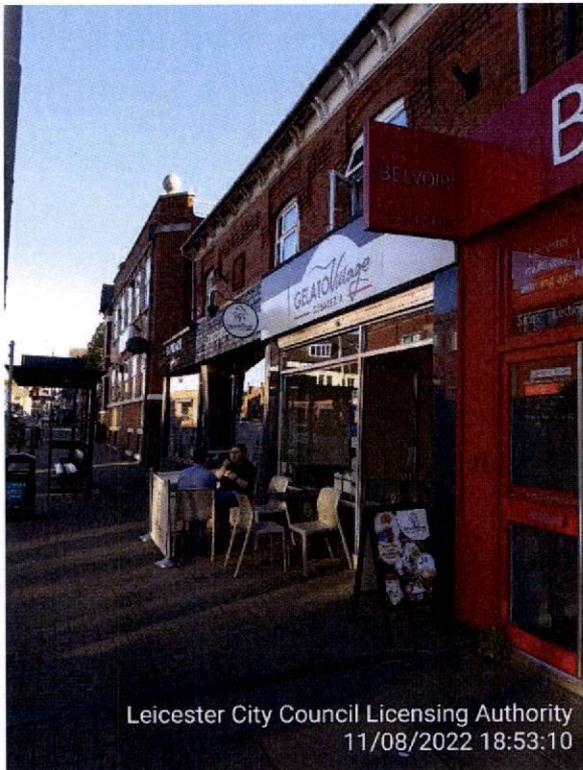




Leicester City Council Licensing Authority
26/07/2022 13:44:55



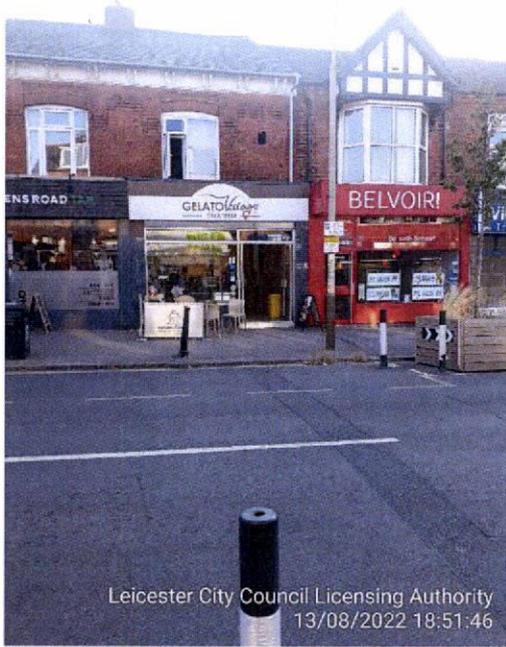
Leicester City Council Licensing Authority
26/07/2022 13:44:14



Leicester City Council Licensing Authority
11/08/2022 18:53:10



30/08/2022



Nicola Marsh

From: Tj Mavani
Sent: 17 August 2022 23:51
To: Nicola Marsh
Subject: FW: General Street Cafè Enquiry

For the report

Licensing Enforcement Team

Licensing Authority

Phone: 0116 454 0049

Email: licensingenforcement@leicester.gov.uk

Web: www.leicester.gov.uk/licensing

From: GV Admin <[REDACTED]>
Sent: Friday, July 22, 2022 3:07:44 PM
To: Cllr Adam Clarke <[REDACTED]> Fiona Byrne <[REDACTED]> Cllr Danny Myers <[REDACTED]>
Subject: Fwd: RE: General Street Cafè Enquiry

Cllrs Clarke and Myers,

I am afraid the issues I wanted to discuss with Cllr Clarke, won't be resolved anytime soon, because they link directly to how different departments of the Council function (or rather don't).

In this case, I'm referring to our application for a Street café licence for our Queens Road store.

Do you reckon that it is at all acceptable that groundless objections stop the licence to be issued (on top of wasting days because of the officer being on leave). I've been informed that we'll have to wait until September now for the committee to meet? Are we stuck in the Middle Ages? What good will it be for our business to put tables out (two) in October?

Is this how the Civil Servants of Leicester City Council enact the political vision of the Major and Councillors of which we are constantly reminded? What about the Night Time Economy?

When running a business (a small one in particular) the last thing one needs is to be constantly hassled by either too zealous or incompetent Officials: this seems to happen way too frequently. This is not quite supporting small businesses...

We are not deeming ourselves above the law, but there seems to be loads of bad or lack of application of it everywhere you look in the city and that is not right nor fair.

If this goes ahead, our only conclusion is that we are not a welcome addition to the City.

I trust I will hear from you very soon.

Best regards,

Daniele Taverna
Director
Gelato Village
Leicester
[REDACTED]

==== Forwarded Message =====

From : [REDACTED]
To : Nicola.Marsh@leicester.gov.uk
Cc : [REDACTED]
Date : Thu, 21 Jul 2022 10:49:28 +0100
Subject : RE: General Street Cafè Enquiry

==== Forwarded Message =====

Hi Nicola,

Thanks for your reply.

I am replying here to the objections to the licence at Queens Road.

1. We are well over 28 days and the latest objections were not processed because you were on leave: is this really acceptable?
2. The objections have no ground: shall we keep going back and forward indefinitely because someone is always going to find a possible (but not true) problem with it? The plan clearly stays within the limits, so unless the furniture is fixed to the floor, it could always be moved as the one inside the store does, so staff puts it back in its place.
3. Again I really don't think it is a valid objection to limit a business like ours operating times that much during that time frame. Not sure how Cllr Danny Myers would agree to this when promoting the 'Nighttime economy'.

Both objections are groundless and ludicrous so it is really your duty to push them back to whoever raised them, keeping in mind how much this is impacting our business.

Sorry but I am not available to play this silly game, while other areas of the City - and of Queens Road - have no control whatsoever on what happens on pavements, including the council itself which reduced the pavement opposite us to a width of 60cm because of a road marking pole?

I am sure the paper will be more than interesting to hear our ordeal just to put out a couple of chairs...

I trust you will be able to grant the licence soon.

Kind regards,

Daniele

--

Mr Daniele Taverna
Director

Gelato Village
Leicester, UK



--- On Wed, 20 Jul 2022 14:51:30 +0100 **Nicola Marsh** <Nicola.Marsh@leicester.gov.uk> wrote ---

Good afternoon,

I will address each point raised.

1. St Martins is a privately owned area and therefore the legislation regarding street cafes do not apply and we have no powers to enforce any issues in the square.
2. Veeno have applied for the area that they are using. You are also able to alter your licenced area for your street café by contacting our licensing applications team and completing the online application for a major variation.
3. Sonrisa – the planters allow pedestrians to walk through the street café although by the layout of the street, pedestrians usually travel around the outer edge. I actually walked through it yesterday to remain in the shade from the afternoon sun.
4. Prana – with regards to parasols – You are able to have removable parasols in your street café if you apply for them or can contact the licensing applications team with regards to adding them to your existing licence.

Regarding your application for the street café on Queens Road, the objections were surrounding the concerns of the size of the licenced area (I have forwarded the new plan for consideration to the persons objecting) and the amount of tables and chairs – their concerns were that the two tables with fours chairs may encourage customers to push the barriers out of the licensed area to gain enough space to sit down comfortably.

Would you consider reducing the amount of chairs?

The other objection was the opening times – which I have forwarded the new agreed times. They did suggest 2000hrs as a cease time – I am still waiting for the reply from them for the proposed 2100hrs cease time.

I hope this answers your queries satisfactorily.

Kind regards

Nicola

From: GV Admin [REDACTED]
Sent: 19 July 2022 19:18
To: Nicola Marsh <Nicola.Marsh@leicester.gov.uk>
Subject: General Street Café Enquiry

Hi Nicola,

Since you have been so helpful, I thought I'd ask you a question regarding the licensing enforcement in St Martins: sorry for taking advantage of your availability.

I would just like to have clarified the usage of pavements by some of our neighbours so I we may be able to do the same?

Veeno seems now to have permission to use the entire width of the pavement, from their store-front to the curb, leaving a gap in between for pedestrians, who are then faced by the items put out by the store adjacent.

Sonrisa, is leaving an entire area closed off with planters: sometime ago when I enquired about leaving heavy-duty parasol out (like also Prana at Town Hall Square does), but during a meeting with other council officials someone from the Licensing department said that it couldn't be done .

As I said at the beginning I don't mean to cause trouble, but only understand how things work.

Many thanks for your attention so far.

Kind regards,

Daniele

--

Mr Daniele Taverna
Director

Gelato Village
Leicester, UK

This e-mail (including any attachments) is intended for the above named addressee only.

If this email has come to you in error please notify the sender and delete the email and any attachments. You must take no action based on it, nor may you forward it or copy it to anyone.

In consideration of Gelato Village Ltd disclosing to you the information set out in this message which is not publicly available, you undertake to treat the information as being strictly private and confidential, and you shall take all precautions to maintain its status as such and to use and apply the information solely for the purpose for which it is intended.

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Would you like to report a problem with:: A footpath or verge

To help us to deal with this problem, please tell us what type of problem it is:: Outdoor seating

Tell us where it is::

Select property	In order to help us find it, please provide as much detail about the exact location as possible.
107 Queens Road, Leicester	There is outdoor seating in front of Gelato Village. This is within feet of a bus stop and in front of a bollard.

Map Ward: Ward: CA,

upload:

Upload a file or photo
Gelato_Village_LE2_1TT.jpg

Tell us about the problem; give us a brief description : The outdoor seating is an accessibility issue so close to the bus stop and in front of a bollard. The space is too small for a wheel chair and difficult to negotiate with a mobility aid. I am particularly concerned because I was taking a picture of the shop front in passing, it being a relatively new business in my area, when the staff came out and questioned me about why I was taking a picture because they have been receiving complaints from locals about the outdoor seating.

Customer details:

Title	First name	Surname	Phone number	Mobile number	Email address

Customer address:

Flat	House number	Street	Town	County	Postcode

Assigned to:: Licencing

Does this task need to be reassigned?: Yes

Task reassignment:

Please select an email address	To:	CC:	Reason for reassignment
Licensing	licensing@leicester.gov.uk		

Case notes:

Note	Note Date	Added by:
Passed to officer to investigate	22/07/2022 10:12:37	

Email case note?:

Send job sheet:

Case status: Closed



