



Leicester
City Council

LICENSING (HEARINGS) SUB-COMMITTEE

DATE: THURSDAY, 18 AUGUST 2022

TIME: 10:00 am

PLACE: Meeting Room G.02, Ground Floor, City Hall, 115 Charles Street, Leicester, LE1 1FZ

Members of the Sub-Committee

Councillors Ali, Cank and Pickering.

Members of the Sub-Committee are summoned to attend the above meeting to consider the items of business listed overleaf.

for Monitoring Officer

Officer contact: Jessica Skidmore
Democratic Support, Leicester City Council
City Hall, 115 Charles Street, Leicester, LE1 1FZ
Tel: 0116 454 2623
email: Jessica.Skidmore@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).

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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 Jessica Skidmore, Democratic Support on **(0116) 454 2623** or email **jessica.skidmore@leicester.gov.uk**

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

LEICESTER CITY COUNCIL LICENSING SUB-COMMITTEE PROCEDURAL GUIDE

INTRODUCTORY PHASE

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

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

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

INFORMATION GATHERING

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

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

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

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

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

6. *Applicant's Case

Questions (for clarification purposes only):

Members

Officers

Statutory Consultees

Persons who have made representations

7. Summing up in the following order

Officers

Statutory Consultees

Persons who have made representations

*Applicant and Representative(s)

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

DECISION MAKING

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

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

PUBLIC SESSION

AGENDA

FIRE / EMERGENCY EVACUATION

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

1. APPOINTMENT OF CHAIR

2. APOLOGIES FOR ABSENCE

3. DECLARATIONS OF INTEREST

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

4. MINUTES OF PREVIOUS MEETING

Appendix A

The minutes of the meetings of the held on 8 February, 30 March and 20 April 2022 are attached and Members of the Sub-Committee are asked to confirm them as a correct record.

5. APPLICATION FOR A NEW PREMISES LICENCE: VICKY'S CHIPPY, 27 AVENUE ROAD EXTENSION, LEICESTER, LE2 3EP

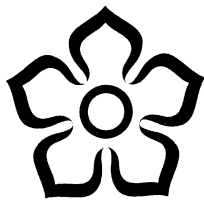
Appendix B

The Director of Neighbourhood and Environmental Services submits a report on an application for a new premises licence for Vicky's Chippy.

Report attached. A copy of the associated documentation is attached for Members only. Further copies are available on the Council's website at www.Cabinet.leicester.gov.uk or by telephoning Democratic Support on 0116 4546354.

(Wards affected: Castle)

6. ANY OTHER URGENT BUSINESS



Leicester
City Council

Appendix A

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

Held: TUESDAY, 8 FEBRUARY 2022 at 5:30 pm

P R E S E N T:

Councillor Singh Johal (Chair)

Councillor Cank

Councillor Gee

* * * * *

41. APPOINTMENT OF CHAIR

Councillor Singh Johal was appointed as chair for the meeting.

The Chair lead on introductions and relayed the procedures for the meeting.

42. APOLOGIES FOR ABSENCE

No apologies were received.

43. DECLARATIONS OF INTEREST

Members were asked to declare any pecuniary or other interests they may have in the business on the agenda.

There were no declarations.

44. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the Hearing held on 7th December 2021 be confirmed as a correct record.

**45. APPLICATION FOR A VARIATION OF AN EXISTING PREMISES LICENCE
IN A CUMULATIVE IMPACT ZONE - METAL MONOCLE, 59-61
BRAUNSTONE GATE, LEICESTER, LE3 5LH.**

The Director of Neighbourhood and Environmental Services submitted a report on an application for the variation of an existing premises licence in a

Cumulative Impact Zone (CIZ) for Metal Monocle, 59-61 Braunstone Gate, Leicester, LE3 5LH.

The Premises Licence Holder (PLH) / Designated Premises Supervisor (DPS) Mr Tommy Coombes was present. PC Jeff Pritchard of the Leicestershire Police and Mr Kennedy Nwokolo of the Noise Control and Pollution Team were present as objectors. Also present was the Licensing Team Manager (Policy and Applications) and the Legal Adviser to the Sub-Committee.

The Licensing Team Manager (Policy and Applications) presented the report and outlined details of the application. It was noted that four objections to the application had been received.

An objection to the application was received on 4th January from Leicestershire Police, on the grounds that the extended hours would undermine the licensing objectives of prevention of crime and disorder and prevention of public nuisance.

An objection to the application was received on 17th January from the Noise Control and Pollution Team, on the grounds that the music on the premises would undermine the licensing objective of prevention of public nuisance.

An objection to the application was received on 18th January from a nearby resident, on the grounds of that the extended licence would undermine the licensing objective of prevention of public nuisance. A further objection to the application was received from a second nearby resident on the same grounds.

The receipt of these objections required the application to be determined by the Sub-Committee.

The Premises Licence Holder and Applicant, Mr Coombes was given the opportunity to present his case, address concerns raised by the objectors and answer questions from Members and Officers.

PC Jeff Pritchard was given the opportunity to outline the details of the Police representation and answer questions from Members.

Pollution Control Officer, Mr Nwokolo was given the opportunity to outline the details of the Noise Control and Pollution Team representation and answer questions from Members and the Applicant.

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.

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 the decisions and reasons 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 Officers 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 application for the variation for an existing premises licence for Metal Monocle, 59-61 Braunstone Gate, Leicester LE3 5LH be GRANTED subject to the conditions contained within the representation from the Police, and two additional conditions as proposed by the Sub-Committee.

Members of the Sub Committee had been asked to determine an application made under Section 34 of the Licensing Act 2003, to vary the premises licence, as follows:

Amend the premises opening hours to the following:

Sunday to Thursday 8am to 2:30am
Friday and Saturday 8am to 4:30am
New Year's Eve into New Year's Day 9am to 4am

And to amend a number of licensable activities in particular the supply of alcohol to the following:

Sunday to Thursday 11am to 2am
Friday and Saturday 11am to 4am
New Year's Eve from 11am to 4am

The other licensable activities which they wished to amend included the provision of films, live music, recorded music, performance of dance and entertainment similar to dance and late-night refreshment, all to commence at 9am or 11am but all reflected the same cease time for the supply of alcohol.

In reaching their decision, the Sub-Committee Members had considered the representations received from Leicestershire Police, the Noise and Pollution Control Team at Leicester City Council and two residents who lived nearby whose representations had been submitted in writing. All had raised concerns

regarding the potential noise nuisance to local residents and the Police and one nearby resident were concerned about the potential for an increase in crime and disorder. They had also taken account of statutory guidance issued under S.182 of the Licensing Act 2003 and the Licensing Authority's Statement of Licensing Policy.

Members had also considered representations made by the Applicant to address the concerns raised.

Members also considered the fact that the Premises was within a Cumulative Impact Zone.

The Sub Committee members overriding consideration was the protection of the public and as such they had spent a great deal of time assessing the evidence and information before them.

As a result of what they had heard, the Sub-Committee Members were satisfied that it was appropriate and proportionate considering the licensing objectives to GRANT the application subject to the following conditions:

1. The conditions contained within the representation from the Police contained in Appendix C1 and the operating schedule;
2. The installation of a noise limiter within the premises set to a level agreed by the Noise and Pollution Control Team at Leicester City Council; and
3. Open containers shall not be taken from premises. The licensee will ensure that no customers shall take glasses or open bottles from the premises.

REASONS FOR THE DECISION

Members accepted the evidence presented by Leicestershire Police and the Noise and Pollution Control Team at Leicester City Council and were of the opinion that granting the licence without modification had the potential to add to the problems of noise pollution and crime and disorder and to the existing problems of cumulative impact in the area.

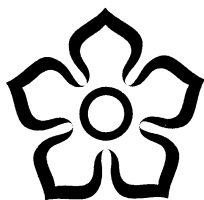
Members were of the opinion however that by adding the additional conditions, which were justifiable and proportionate, the Applicant would manage the premises in a manner that would promote and uphold the licensing objectives and in compliance with the requirements of the Licensing Act 2003. Members were also of the opinion that granting the licence with the additional conditions would not add to the existing problems of cumulative impact in the area.

The Sub-Committee's decision was made in the interests of promoting the licensing objectives.

The applicant would be informed that any appeal against the decision must be made within 21 days of the decision to the Magistrates Court.

46. ANY OTHER URGENT BUSINESS

There being no further business, the meeting closed at 7:04pm.



Leicester
City Council

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

Held: WEDNESDAY, 30 MARCH 2022 at 9:30 am

P R E S E N T:

Councillor Singh Johal (Chair)

Councillor Cank

Councillor Shelton

* * * * *

63. APPOINTMENT OF CHAIR

Councillor Singh-Johal was appointed as Chair for the meeting.

64. APOLOGIES FOR ABSENCE

There were no apologies for absence.

65. DECLARATIONS OF INTEREST

There were no declarations of interest made.

66. 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 it involves 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 which is likely to reveal the identity of an individual.

Paragraph 7

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

B1) Application for the review of an existing Premises Licence:
Mamba Bar, 29 Market Street, Leicester, LE1 6DN.

**67. APPLICATION FOR THE REVIEW OF AN EXISTING PREMISES LICENCE:
MAMBA BAR, 29 MARKET STREET, LEICESTER, LE1 6DN**

The Director of Neighbourhood and Environmental Services submitted a report on an application for the review of an existing premises licence for Mamba Bar, 29 Market Street, Leicester, LE1 6DN.

All parties that were required to attend were not present and the meeting was reconvened to 8th April 2022 at 10am.

The meeting closed at 9.50am.

The Licensing Hearing reconvened on 8th April 2022 at 10am.

Introductions were made and the Chair outlined the procedure for the meeting to be followed.

The Premises Licence Holder (PLH) / Designated Premises Supervisor (DPS) was present, accompanied by his Legal Representative. The Manager of the Gresham Hotel was also present. PC Jefferson Pritchard (Licensing Officer, Leicestershire Police) was present. Also present was the Licensing Team Manager (Policy and Applications) and the Legal Adviser to the Sub- Committee.

The Licensing Team Manager (Policy and Applications) presented the report and answered questions from Members. It was noted a representation was received on 11 February 2022 from a neighbouring business. The representation relates to the prevention of crime and disorder, the prevention of public nuisance and public safety.

PC Pritchard was given the opportunity to outline the details of the Police application and answered questions from Members.

The PLH and DPS and their Legal Representative were given the opportunity to address the Sub-Committee and answered questions from the Police and Members.

All parties present 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 decisions.

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

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, in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

The Chair announced that the decisions and reasons would be publicly announced 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 informed the meeting that all but the Democratic Support Officers should withdraw from the room.

The Sub-Committee then deliberated in private to consider their decision on both applications heard.

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

RESOLVED:

That the PLH / DPS be allowed to RETAIN the premises licence for Mamba Bar, 29 Market Street, Leicester, LE1 6DN, subject to modification in conditions.

Members considered each of the options available to them and concluded that it was appropriate and proportionate in light of the licensing objectives in relation to the Prevention of Crime and disorder, Public Safety and Prevention of Nuisance MODIFY the conditions of the licence to include:

1. The attached conditions agreed by the parties
2. The premises opening hours on Thursdays to Saturdays shall cease at 4am
3. The supply of alcohol shall cease at 3.30am
4. The PLH shall during its opening hours ensure that it does not permit more than a maximum of 10 customers to smoke/vape within the designated smoking area at the front of the premises

The applicant 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.

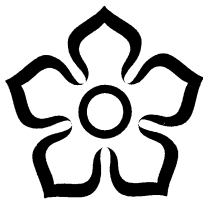
68. PUBLIC SESSION

**69. APPLICATION FOR THE REVIEW OF AN EXISTING PREMISES LICENCE:
SOPHY, KING STREET, LEICESTER, LE1 6RJ**

Since publication of the agenda, it has now become necessary to defer consideration of this agenda item to a future meeting.

70. ANY OTHER URGENT BUSINESS

There being no further business, the meeting closed at 11:36am.



Leicester
City Council

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

Held: WEDNESDAY, 20 APRIL 2022 at 10:00 am

P R E S E N T:

Councillor Singh Johal (Chair)

Councillor Cank

Councillor Khan

* * * * *

6. APPOINTMENT OF CHAIR

Councillor Singh Johal was appointed as Chair for the meeting.

7. APOLOGIES FOR ABSENCE

There were no apologies for absence.

8. DECLARATIONS OF INTEREST

There were no declarations of interest made.

9. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held 28th March 2022 be confirmed as a correct record.

**10. APPLICATION FOR THE REVIEW OF AN EXISTING PREMISES LICENCE:
SOPHY, 8-10 KING STREET, LEICESTER, LE1 6RJ**

The Director of Neighbourhood and Environmental Services submitted a report on an application for the review of an existing premises licence for Sophy, 8-10 King Street, Leicester, LE1 6RJ.

Introductions were made and the Chair outlined the procedure for the meeting to those present.

The Premises License Holder (PLH) Mr Manoj Kumar was present. Mr Neil Cooper (Noise Team, Leicester City Council) was present. Also present were the Licensing Team Manager (Policy and Applications) and the Legal Adviser to the Sub-Committee.

The Licensing Team Manager (Policy and Applications) presented the report. It was noted that an application for the review of an existing premises licence was received on 20 January 2022 from the Noise and Pollution Control Team on the grounds of the prevention of public nuisance. It was noted that further representations were received on the 25th and 31st January from two local residents on the grounds of the prevention of public nuisance.

Mr Cooper presented his report and answered questions from Members, officers and Mr Kumar.

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

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

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

RESOLVED:

That the Premises Licence Holder (PLH) be allowed to RETAIN the premises licence for Sophy, 8-10 King Street, Leicester, LE1 6RJ, subject to modification of licence conditions.

ADDITIONAL CONDITIONS

1. Noise limiters shall be installed on both the ground floor and basement sound systems. All amplified music and voice on the premises shall be played through a noise limiting device which is installed, fitted and maintained in such a manner as to control all sources of amplified music and voice at the premises. The level shall be set to the agreement of the Noise and Pollution Team to prevent noise nuisance being caused to the public, and the agreed level shall not be exceeded without the agreement of the Noise and Pollution Control Team. Once the device is set it should be inaccessible to anyone on the premise other than the licence holder.
2. All external doors and windows must be kept closed, other than for access and egress, in all rooms when events involving recorded/live music or speech are taking place.
3. Disposal of waste bottles into external receptacles where the noise will be audible to neighbouring properties must not occur between 22:00 hours - 08:00 hours.

REASONS FOR THE DECISION

1. The Sub-Committee believed that the additional conditions put forward by the parties would address the cause or causes of the concerns which gave rise to the application for review
2. The Sub-Committee were assured that there would no further noise nuisance from the premises due to the work which had been undertaken at the premises and due to the fitting of noise limiters with agreed noise levels. The Sub-Committee noted that there had been no complaints relating to noise nuisance from the premises since 14th January 2022.
3. The Sub-Committee concluded that customers who caused a nuisance away from the vicinity of the premises were accountable in their own right and were beyond the control of the PLH.

The PLH 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.

11. ANY OTHER URGENT BUSINESS

There being no other items of urgent business, the meeting closed at 11:46am

Application for a new premises licence

Licensing (Hearings) Sub-Committee

Decision to be taken by: Licensing (Hearings)
Sub-Committee

Decision to be taken on/Date of meeting: 18 August 2022

Lead director/officer: Deborah Bragg

Useful information

- Ward(s) affected: Castle
- Report author: Lynsay Coupe
- Author contact details: 0116 454 3065
- Report version number: 1

1. Summary

- 1.1 This report outlines an application under the Licensing Act 2003 for a new premises licence for Vicky's Chippy, 27 Avenue Road Extension, Leicester, LE2 3EP and summarises the representations received. It also highlights the licensing objectives and the relevant parts of both the statutory guidance and the Licensing Authority's Licensing Policy.

2. Determination to be made

- 2.1 Having considered the application and representations, Members must consider whether to
- Grant the licence without modification
 - Grant the licence subject to conditions
 - Reject the application

3. Application and promotion of the licensing objectives

- 3.1 An application was received on 27 June 2022 from MSF Venture Ltd for a new premises licence for Vicky's Chippy, 27 Avenue Road Extension, LE2 3EP. A copy of the application is attached at Appendix A.

- 3.2 The application is as follows:

Licensable activity	Proposed hours
Late night refreshment	Sunday to Thursday 23.00 – 01.00 Friday to Saturday 23.00 – 02.00
Opening hours	Sunday to Thursday 09.00 – 01.00 Friday to Saturday 09.00 – 02.00

- 3.3 The steps the applicant proposes to take to promote the licensing objectives are set out in the operating schedule (see section 18 of Appendix A).
- 3.4 In arriving at its decision on the application, the Licensing Authority's primary consideration must be the promotion of the licensing objectives.

3.5 Location Plan.



4. Representations

- 4.1 A representation was received on 30 June 2022 from the Licensing Enforcement team, Leicester City Council. The representation relates to the prevention of public nuisance. The representee is concerned that the premises is situated in an area heavily populated with residential premises and that the increase in hours, plus the delivery driver activity could result in a noise nuisance. They have proposed reduced hours and conditions to be attached to the licence, if granted, and have reached agreement with the applicant. A copy of the representation is attached at Appendix B1.
- 4.2 A representation was received on 07 July 2022 from an interested party – a local ward councillor. The representation relates to the prevention of public nuisance. The representee is concerned that noise disturbances will be caused to local residents, if the premises is permitted to open later. A copy of the representation is attached at Appendix B2.

- 4.3 A representation was received on 08 July 2022 from a member of the public. The representation relates to the prevention of public nuisance. The representee is a local resident and is concerned that anti-social behaviour and noise disturbance will be created by the premises opening later. A copy of the representation is attached at Appendix B3.
- 4.4 A representation was received on 08 July 2022 from a member of the public. The representation relates to the prevention of public nuisance. The representee is a local resident and is concerned that the premises opening later will cause a noise nuisance. The representation also refers to the purchase of alcohol but members should note that the application does not include a request to sell alcohol and therefore this part of the representation should be disregarded. A copy of the representation is attached at Appendix B4.
- 4.5 A representation was received on 08 July 2022 from a member of the public. The representation relates to the prevention of public nuisance. The representee is a local resident and is concerned that if the premises is granted a licence, then noise nuisance would occur in the early hours. A copy of the representation is attached at Appendix B5.
- 4.6 A representation was received on 22 July 2022 from a member of the public. The representation relates to the prevention of public nuisance. The representee is a local resident and is concerned that this premises is located away from the main area of Queens Road and is on a residential street, where opening late at night will cause noise disturbance. They are also concerned regarding the noise of the flue and subsequent smell. A copy of the representation is attached at Appendix B6.
- 4.7 A representation was received on 24 July 2022 from an interested party. The representation relates to the prevention of public nuisance. The representee is concerned that allowing the premises to open beyond 23:00 would attract customers from outside the area, either on foot, by car, or by proxy via food delivery couriers, creating noise nuisance for local residents. The representation is attached at Appendix B7.

5. Conditions

- 5.1 The conditions that are consistent with the application and representation/agreement with the Licensing Enforcement Team are attached at Appendix C.

6. Statutory guidance and statement of licensing policy

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

Section	Heading
1.2 – 1.5	Licensing objectives and aims
1.15 – 1.16	General Principles

1.17	Each application on its own merits
2.15 – 2.21	Public nuisance
3.12 – 3.20	Late night refreshment
8.41 – 8.49	Steps to promote the licensing objectives
9.11 – 9.12	Role of responsible authorities
9.13 – 9.19	Licensing Authorities acting as responsible authorities
9.31 – 9.41	Hearings
9.42 – 9.44	Determining actions that are appropriate for the promotion of the licensing objectives
10.1 – 10.3	Conditions - general
10.8 – 10.9	Imposed conditions
10.10	Proportionality
10.13 - 10.15	Hours of trading
13.10 – 13.11	Giving reasons for decisions
14.51 – 14.52	Licensing Hours

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

Section	Heading
2	Fundamental Principles
5	Licensing Hours
9	Prevention of Public Nuisance
11.4 – 11.5	Planning
12	Duplication
13	Standardised conditions

7. Points for clarification

7.1 The applicant and the parties making the representations have been asked to clarify certain points at the hearing, as follows:

By the applicant

1. Whether the applicant considers that the concerns outlined in the representations are valid, and if not why not.
2. In the light of the representations made, whether the applicant wishes to propose any additional steps for the promotion of the licensing objectives.

By the party making the representation

1. Whether they have any additional information to support the representation they have made.
2. Whether there are any additional steps that could be taken which would be equally effective in the promotion of the licensing objectives.

8. Financial, legal, equalities, climate emergency and other implications

8.1 Financial implications

None.

8.2 Legal implications

Legal advice specific to the application will be provided at the meeting by Legal Officers.

8.3 Equalities implications

None.

8.4 Climate Emergency implications

There are unlikely to be any significant climate emergency implications directly associated with this report and the licensing process. Aidan Davis, Sustainability Officer, Ext 28 3384.

8.5 Other implications

None.

9. Background information and other papers:

None

10. Summary of appendices:

Appendix A – Application

Appendix B – Representations

Appendix C – Conditions consistent with the application and representation/agreement from Licensing Enforcement.

11. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?

No

12. Is this a “key decision”? If so, why?

No



Leicester
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 21

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

System reference

Not Currently In Use

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

Your reference

Vickys Chippy

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

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

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

Applicant Details

* First name

Shadmir

* Family name

Baig

* E-mail

[REDACTED]

Main telephone number

[REDACTED]

Include country code.

Other telephone number

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

Are you:

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

☐ Applying as an individual

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

Applicant Business

Is your business registered in the UK with Companies House?

☒ Yes

☐ No

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

Registration number

13229404

Business name

MSF Venture Ltd

If your business is registered, use its registered name.

VAT number

-

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

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 21

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Private Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth

* Nationality

[Documents that demonstrate entitlement to work in the UK](#)

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

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

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

Takeaway Fish & Chips & Kebab shop
Fast Food and non-alcoholic drinks
No alcohol served

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

☐ Yes ☒ No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

☐ Yes ☒ No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

☐ Yes ☒ No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

☐ Yes ☒ No

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

☐ Yes ☒ No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Continued from previous page...

Section 13 of 21

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

[See guidance on regulated entertainment](#)

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

☐ Yes

☒ No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

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

☒ Indoors ☐ Outdoors ☐ Both

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

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Late night refreshments indoors
NO alcohol or music

State any seasonal variations

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

N/A

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

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

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☐ Yes ☒ No

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

Section 16 of 21

ADULT ENTERTAINMENT

Continued from previous page...

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

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

Continued from previous page...

N/A

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

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

N/A

Section 18 of 21

LICENSING OBJECTIVES

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

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

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

Ensuring there is no nuisance caused to the neighbours and general public

b) The prevention of crime and disorder

CCTV in operation and reporting any suspicious or aggressive behaviour to police without delay

c) Public safety

Health and safety training to all staff

d) The prevention of public nuisance

Keeping our customers and staff aware of rights of the others and be considerate at all times

e) The protection of children from harm

Staff training and health and safety measures in and around the shop

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

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

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

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

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

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

Documents which demonstrate entitlement to work in the UK

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

Continued from previous page...

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

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

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

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

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

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

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Fees are dependent on the business rate band of the premises. Further information is provided at the link below: <https://www.leicester.gov.uk/business/licences-and-permits/entertainment-food-and-drink-licensing/beer-entertainment-and-late-night-refreshment/policy-and-guidance/>

* Fee amount (£)

190.00

DECLARATION

1 [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

1 The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

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

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

* Full name

Shadmir Baig

* Capacity

Director

* Date

26 / 06 / 2022
dd mm yyyy

Add another signatory

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

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

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

Continued from previous page...

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

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

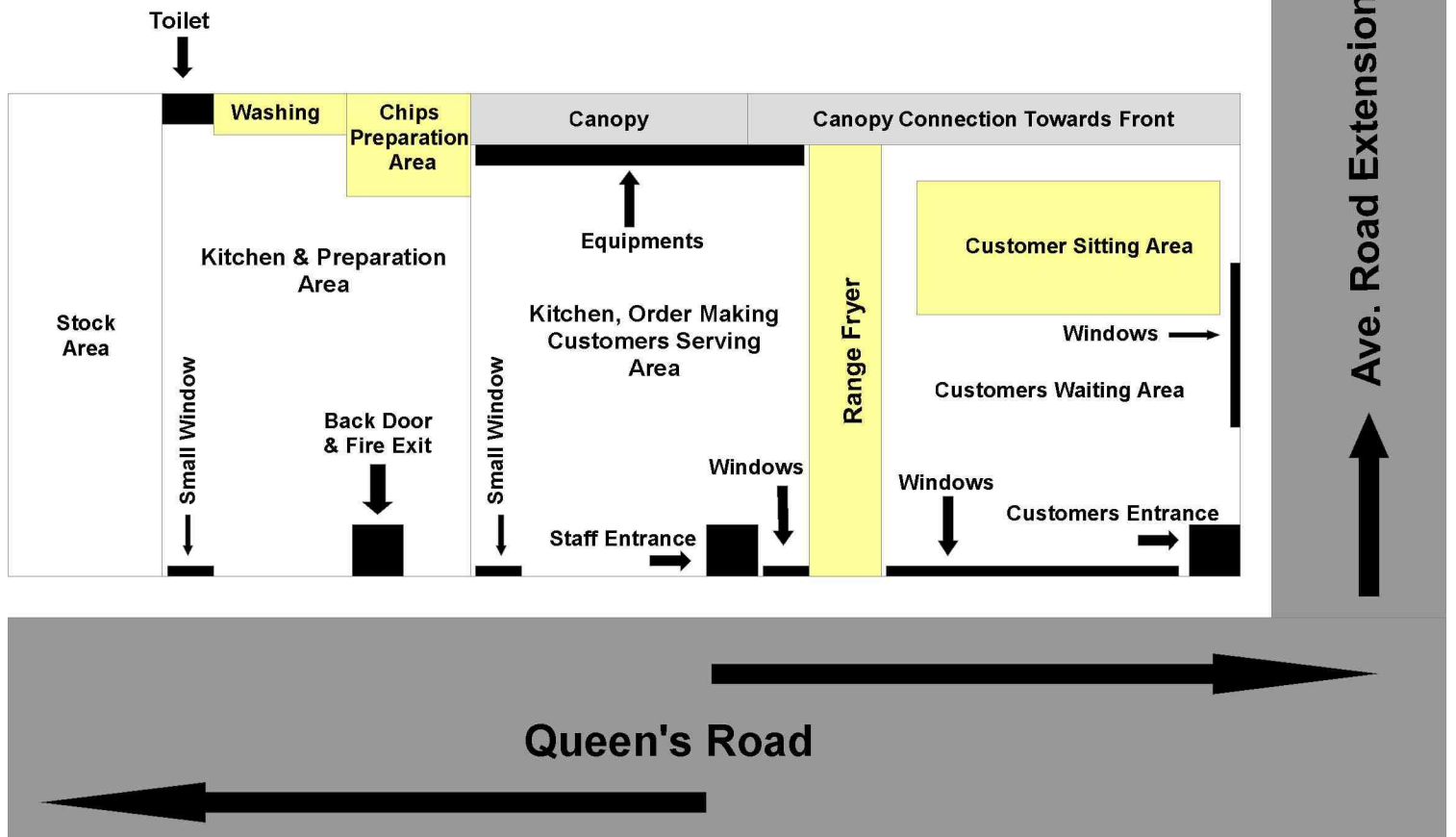
OFFICE USE ONLY

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

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

Layout Vicky's Chippy

27 Avenue Road Extension, Leicester LE2 3EP



Appendix B1

Leicester City Council

Licensing Act 2003 –

Representation in respect of New Premises Application

Details of person or body making representation	
Your Name:	Tj Mavani
Your Address:	Licensing Enforcement York House, 91 Granby Street, Leicester LE1 6FB

Details of premises representation is about	
Name of Premises:	Vicky's Chippy
Address of premises:	27 Avenue Road Extension Leicester LE2 3EP
Application No. (if known)	145039

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

Please summarise your concerns about this application:
<p>I write in my capacity as Licensing Enforcement Manager for Leicester City Council Licensing Authority on the authority delegated to me.</p> <p>Please take notice that I am satisfied that allowing the premises to be used in accordance with the notice would undermine the Prevention of Public Nuisance.</p> <p>We would like to submit our representations for this premises application based upon the above stated licensing objectives.</p> <p>Should the application be granted as applied for, it would undermine one of the four licensing objectives, namely the prevention of public nuisance.</p>

The application is for a new Premises Licence for the provision of late-night refreshment – Sunday to Thursdays 23:00hrs until 01:00hrs and Friday & Saturdays 23:00hrs until 02:00hrs.

The premises is situated on the junction of Avenue Road Extension and Queens Road within the Clarendon Park area of the city and currently opens until 23.00hrs Monday to Sundays.

The vicinity surrounding the premises is heavily populated with residential properties, with houses directly next to and opposite the premises on both Avenue Road Extension and Queens Road. The increase in hours could potentially increase customer footfall and an increase in delivery driver activity resulting in noise nuisance within the area. The only other licensed premises within the immediate area is an off-licence/convenience store that closes at 23.00hrs.

A discussion was held with the applicant in order to ascertain how the business was to operate, should the application be granted. The applicant explained the main reason for applying for a premises licence for the provision of late night refreshment was mainly for the food delivery service he can provide after 23.00hrs. There are currently 2 members of staff who work within the shop and also act as delivery drivers, this could increase if the business needs warrant extra staffing.

We request that the provision of late-night refreshment on the below applied days be restricted to the following:

Sundays to Thursdays cease at 00.00hrs and Fridays to Saturdays cease at 01:00hrs.

We request that the opening hours for the premises on the below applied days be restricted to the following:

Sundays to Thursdays closing at 00.00hrs and Fridays to Saturdays closing at 01:00hrs.

We request that by adding the below list of conditions in full, which we believe are reasonable, proportionate and enforceable, may assist the Licence Holder in upholding the licensing objectives

Requested Conditions

1. Prominent, clear notices shall be displayed on all entrances and exits requesting customers and staff respect the needs of local residents by keeping noise to a minimum when entering and leaving the premises. All such signs must be in a permanent form, prominently placed and be legible.
2. The licensee shall take reasonable steps to prevent public nuisance being caused by customers and delivery drivers outside whilst waiting for orders.
3. The licence holder will ensure the paved area to the frontage of the premises be kept clean and free of all litter associated with the premises.

Tj Mavani
Licensing Enforcement Manager
Leicester City Council
29/06/2022

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

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

11th July 2022

Dear Sir,

**Vicky's Chippy of 27 Avenue Road Extension, Leicester
Application Reference: 145039**

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

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

I am aware that concerns have been made that the following should be placed on any granted licence:

We request that the provision of late-night refreshment on the below applied days be restricted to the following:
Sundays to Thursdays cease at 00.00hrs and Fridays to Saturdays cease at 01:00hrs.

We request that the opening hours for the premises on the below applied days be restricted to the following:
Sundays to Thursdays closing at 00.00hrs and Fridays to Saturdays closing at 01:00hrs.

We request that by adding the below list of conditions in full, which we believe are reasonable, proportionate and enforceable, may assist the Licence Holder in upholding the licensing objectives

Requested Conditions

1. Prominent, clear notices shall be displayed on all entrances and exits requesting customers and staff respect the needs of local residents by keeping noise to a minimum when entering and leaving the premises. All such signs must be in a permanent form, prominently placed and be legible.
2. The licensee shall take reasonable steps to prevent public nuisance being caused by customers and delivery drivers outside whilst waiting for orders.
3. The licence holder will ensure the paved area to the frontage of the premises be kept clean and free of all litter associated with the premises.

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

Yours faithfully,

Signed 1:



Name in block capitals:

SHADMIR BAIG

Application Capacity:

OWNER

Date:

11.07.22

Signed 2:

Name in block capitals:

Application Capacity:

Date:

Appendix B2

From: Cllr Patrick Kitterick <[REDACTED]>
Sent: 07 July 2022 15:00
To: Licensing <Licensing@leicester.gov.uk>

[REDACTED]

Subject: FW: 27 Avenue Road Extension - Vicky's Chippy

FAO Licensing,

I wish to object to the licence application (attached) on the grounds of the creation of a Public Nuisance and specifically that of noise nuisance.

The premises sits outside of the main retail area of Queens Road and on the corner of two terraced areas of streets. If the premises are allowed to operate to between 1am and 2am in the morning it will attract customers by car and by foot who will create noise, for example by loud conversations, slamming of car doors and revving of engines. The ambient noise in this residential terraced area at these times is virtually non-existent except for the occasional passing car but this licence would significantly increase this.

There would be a specific impact on Avenue Road Extension with customers arriving by car seeking to park on this stretch, with the possibility that if parking spaces are not available people would keep their car engines running which again would add to the noise at a time when no such ambient noise would be apparent.

I personally would be prepared to withdraw my objection if the terminal hour of the application was reduced to 11pm. I understand this would then not required a licence at all but may regularise the planning situation around opening hours.

If the applicant is not willing to do this then I would ask for this matter to be determined by the licensing committee of Leicester City Council.

Kind regards,

Patrick Kitterick

Appendix B3

From: [REDACTED]
Sent: 08 July 2022 17:02
To: Licensing
Subject: Vickys chippy Avenue Road extension

Hi,

I'm am messaging to voice my opposition to Vicky's chippy being allowed to stay open until 1am mid week and 2am on the weekend. As a local resident I am mainly concerned about antisocial behaviour. The fast food places in the city center are a hot spot for it in the early hours. I have lost count how many fights I've seen in McDonald's at night, even the security guards they hire struggle to control it. I also have concerns of unacceptable noise levels, the shop is situated in a residential area with lots of young professionals and children around and I don't think it's fair that they should have to deal with any potential arising.

Kind regards

[REDACTED]

From: [REDACTED]
Sent: 08 July 2022 14:21
To: Licensing <Licensing@leicester.gov.uk>
Subject: Vicky chippy queens road

I really don't like to moan but queens road has more than its fare share of drinking establishments these hours are also not needed in this residential area, its not a night club its a chip shop ,are they going to be responsible for trouble late at night its bad enough all ready . This is a corner shop chip shop there is a shop on the opposite side of road sell beer wines and spirits. PEOPLE of mixed ages live along this part of the road, some have families of school age who need there sleep , I on the other hand am a pensioner who also need sleep the noise in this area from parties in rented properties is terrible in the summer months especially. Why would we need them to buy extra booze at all hours of early morning please stop this nonsense my life is beginning to be so upsetting bars reastraunts lived in Clarendon Park since 1972 these changes have spoilt a lovely homely area ,into a giant eating and drinking culture .

Kind regards [REDACTED]

Appendix B5

----- Forwarded message -----

From: [REDACTED]
To: "licensing@leicester.gov.uk" <licensing@leicester.gov.uk>
Sent: Friday, 8 July 2022 at 12:39:05 BST
Subject: Vicky's Chippy licence application.

I live on the Queens Road and have done for 42 yrs. I will definitely appose the licensing application from Vicky's Chippy. There is no need for another licensed premises in an area populated with families. The only people this is set up for are students who have ample places to go in the main shopping area of Queens Road. I think this will fall under the prevention of public nuisance as this would cover the noise that is most likely to occur in the early hours of Saturday and Sunday morning. I live at [REDACTED]

Regards
[REDACTED]

Sent from my Galaxy

From [REDACTED]
Sent: 22 July 2022 13:23
To: Licensing <Licensing@leicester.gov.uk>
Subject: Vicky's Chippy 27 Ave Rd Ext licence application

Premises application 27 Avenue Road Extension - Vicky's Chippy

I am writing to object to this application to extend sale of hot food beyond 11pm. My objection is on the grounds of public nuisance.

This premises is away from the main shopping area, and surrounded by residential properties, including a flat above. The terraced homes are directly onto the street. It is important activity stops at the time that people need to sleep. Takeaways tend to have a particularly disturbing impact on residents when they go on late, with cars coming and going and hovering, perhaps with radios going. Opening late can also encourage groups to come back to the area after drinking in pubs and bars, rather than dispersing. Customers may then hang about in the area, finding a wall to sit on, leaving their rubbish, and urinating in the street since there are no toilets available at that time. Such activity cannot be directly controlled by a premises owner. **The only way to control it is by not being open at those hours.**

Fried food shops will also have a flue going (probably with penetrating smell as well). Such noise during waking hours can often be ignored, but is much more disturbing against quiet background noise when trying to sleep.

Queens Rd is not like a main arterial road - it is busy during the day, but quiet at night. Most food/drink premises in the area are closed by 11pm. This takeaways bins are on street and often rank, to the point I have to hold my breath as I go past. Opening these to put rubbish in could also cause noise and smell nuisance in summer when windows are open.

This means that even delivery only sales would not be acceptable.

The success of Queens Rd shops, at the heart of a dense residential community, depends on keeping the balance with resident's needs. Otherwise people move away. This has happened to a number of my friends living close to takeaways that opened beyond their allowed hours of 11pm. Locals have found controlling hours to be the most important in this context.

Either the licence should be refused, or a licence applied with a stop of food serving and flue use at 11pm, and a full close time a short while afterwards.

From: FCP - [REDACTED]
Sent: 24 July 2022 23:06
To: Licensing <Licensing@leicester.gov.uk>
Cc: [REDACTED]
Subject: 27 Avenue Road - Vicky's Chippy

Hi Licensing,

Re. Vicky's Chippy, 27 Avenue Road Extension – application no. 145039 for a Premises Licence to provide Late Night Refreshment until 01:00 Sun-Thu and 02:00 Fri-Sat.

FCP has serious concerns about the hours applied for, so must **object** to this application on the grounds that it is likely to create **public nuisance** in the form of noise nuisance.

Hot Food Takeaways

There are numerous premises operating as hot food takeaways in Clarendon Park, including:

- Queens Road: Kebab Master (no. 57B), Chicken Ville (no. 68), Wicked Burgers (no. 70), Indian Rooster (no. 80), Subway (no. 82), Pavlos Kebabs (no. 88), and Oshen Poke (no. 92)
- Clarendon Park Road: TJ's Burgers (no. 131), Peri Hot Flames (no. 146), Veggie Master (no. 161), and Clarendon House (no. 198)

Of these hot food takeaways, only two are licensed for Late Night Refreshment:

- TJ's Burgers is licensed Sun-Thu to 00:00 and Fri-Sat to 01:00 (LEIPNA0090)
- Pavlos Kebabs is licensed Mon-Sat to 23:30

Despite being licenced to open later, both TJ's Burgers and Pavlos Kebabs actually close at 23:00.

Restaurants & Cafés

In addition to the dedicated hot food takeaways there are many restaurants and cafés, including:

- Queens Road: Grounded Kitchen (no. 50), Barceloneta (no. 54), Christopher James (no. 60B), Fingerprints (no. 65), Verandah (no. 71), Costa Coffee (no. 80A), Port & Nata (no. 93), Halcyon (no. 95), Northern Cobbler (no. 104), and Bondade (no. 111)
- Clarendon Park Road: Martin Bros (no. 117), Skylark Bakery (no. 249)

None of these restaurants and cafés are open after 23:00.

Location

This premises is at the junction of Queens Road and Avenue Road Extension, which is outside of the main retail areas of Queens Road and Clarendon Park Road. The premises is surrounded by residential premises – Avenue Road has terraced houses on both sides of Queens Road and there are terraced houses on both sides of Queens Road

south of Avenue Road Extension. These terraced houses have no frontages, so their front doors and windows open directly on to the street. There is a flat above the premises, which would be most directly affected.

Planning

27 Avenue Road Extension received planning permission to operate as a fried fish shop in 1968 (planning application no. 16927). Previous owners of the premises, knowing the area and understanding residents need for peace and quiet during the normal sleeping hours of 23:00 and 07:00, did not apply to open beyond the standard Hot Food Takeaway closing time of 23:00.

Concerns

Allowing the premises to open beyond 23:00 would attract customers from outside the area, either on foot, by car, or by proxy via food delivery couriers, creating noise nuisance in the form of loud and shouted conversations, car engine and door noise, which is otherwise absent at this time in Clarendon Park.

Avenue Road Extension is one-way on the west side of Queens Road and is usually fully parked at night, which would result in cars circling looking for a parking space or more likely parking in the road or on double yellow line preventing access by residents and emergency services.

As a hot food takeaway, the premises would have its flue running while open, which may be less noticeable during the day when there is more background noise, but would be much more noticeable at night when there is very little in the way of background noise.

With other premises providing alcohol until 23:00 and closing at 23:30, allowing this premises to open beyond 23:00 will result in people remaining in the area after leaving premises serving alcohol, using our streets as public toilets and dumping their litter on the streets and in peoples gardens.

There is already an issue with this premises storing their commercial bins permanently on the footway on Queens Road, but even if customers did use these bins, they would inevitably cause yet more late night noise closing the bins.

Clarendon Park is a popular area to live in, partly because the community has worked to maintain an acceptable balance between the needs of businesses and those of residents, both permanent and temporary. Some other areas of the city that have not maintained this balance have become dominated by businesses operating antisocial hours resulting in many of the permanent residents moving away, destroying the balance in those communities. Allowing this premises to open beyond 23:00 would be likely to result in other similar businesses seeking later opening hours. Once the precedent is set for one business it becomes difficult to refuse it for other businesses.

Most of these issues are beyond the ability of the premises owner to manage or for licensing or planning to enforce. The only tool that can be reliably used to manage these issues is to control the opening hours.

Mediation

FCP would be prepared to withdraw this objection if the premises was required to close no later than 23:00, which would be in line with all the other hot food takeaways in Clarendon Park, although we realise that this would obviate the need for a Late Night Refreshment licence in the first place.

Best regards,

Ian Brown

Chair, Friends of Clarendon Park

FCP online

e: [REDACTED]

w: ClarryPark.org

f: [@ClarryPark](https://www.facebook.com/ClarryPark)

t: [@ClarryPark](https://www.facebook.com/ClarryPark)

Support FCP's work by becoming a member at membermojo.co.uk/clarrypark

CONDITIONS

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE
The licence holder shall ensure that nuisance is not caused to neighbours and the general public.
The licence holder shall ensure that CCTV is installed and maintained on the premises.
CONDITIONS CONSISTENT WITH REPRESENTATION/AGREEMENT FROM THE LICENSING ENFORCEMENT TEAM
Prominent, clear notices shall be displayed on all entrances and exits requesting customers and staff respect the needs of local residents by keeping noise to a minimum when entering and leaving the premises. All such signs must be in a permanent form, prominently placed and be legible.
The licensee shall take reasonable steps to prevent public nuisance being caused by customers and delivery drivers outside whilst waiting for orders.
The licence holder will ensure the paved area to the frontage of the premises be kept clean and free of all litter associated with the premises.

