



Leicester
City Council

LICENSING (HEARINGS) SUB-COMMITTEE

DATE: FRIDAY, 22 MARCH 2024

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 Pickering (Chair), Cank and Pantling.

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: Katie Jordan
Democratic Support, Leicester City Council
City Hall, 115 Charles Street, Leicester, LE1 1FZ
Tel: 0116 454 2616
email: Katie.Jordan@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.

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.

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 committees@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. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

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

3. APPLICATION FOR A NEW PREMISES LICENSE FOR [A-E](#) POPEYES, WELFORD ROAD LEICESTER

The Director of Neighbourhood and Environmental Services submits a report in respect of an application for a new premises licence for Popeyes, Welford Road, Leicester.

4. OBJECTION NOTICE GIVEN FOR A TEMPORARY [Appendix F](#) EVENT NOTICE: KING MARIO'S PIZZA, 1 LINTON STREET, LEICESTER, LE5 5JB

The Director of Neighbourhood and Environmental Services submits a report on an application for a Temporary Event Notice for King Mario's Pizza, 1 Linton Street, Leicester, LE5 5JB.

5. ANY OTHER URGENT BUSINESS

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: 22nd March
2024

Lead director/officer: Deborah Bragg

Useful information

- Ward(s) affected: Castle
- Report author: Vicky Marshall
- Author contact details: 0116 454 3048
- Report version number: 1

1. Summary

- 1.1 This report outlines an application under the Licensing Act 2003 for a new premises licence for Popeyes, 40 Welford Road, Leicester 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

- 1.1 Having considered the application and representations, Members must consider whether to
- Grant the licence without modification
 - Grant the licence subject to conditions
 - Exclude from the licence any of the licensable activities
 - Refuse to accept the proposed premises supervisor
 - Reject the application

3. Application and promotion of the licensing objectives

- 1.1 An application was received on 5th February 2024 from Popeyes Welford Ltd for a new premises licence for Popeyes, 40 Welford Road, Leicester. A copy of the application is attached at Appendix A.

- 1.2 The application is as follows:

Licensable activity	Proposed hours
Late night refreshment	Mon – Sun 23.00 – 05.00
Opening hours	Mon – Sun 18.00 – 05.00

- 1.3 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).
- 1.4 In arriving at its decision on the application, the Licensing Authority's primary consideration must be the promotion of the licensing objectives.

4. Representations

- 1.5 A representation was received on 20th February 2024 from the Police . The representation relates to the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm. The representee is concerned that the premises has been offering unauthorised licensable activities and the application is vague and does not refer to specific ways of promoting the licensing objectives. A copy of the representation is attached at Appendix B1.
- 1.6 A representation was received on 23rd February 2024 from the Noise Team The representation relates the prevention of public nuisance. The representee is concerned about the proximity to neighbouring residential properties and the noise from deliveries, waiting customers and the flue running during the proposed hours. They have been in contact with the applicant and have proposed amended timings. A copy of the representation is attached at Appendix B2.

5. Conditions

- 1.1 The conditions that are consistent with the application and the representations are attached at Appendix C.

6. Statutory guidance and statement of licensing policy

- 1.1 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:

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

1.17	Each application on its own merits
2.1 – 2.6	Crime & Disorder
2.7 – 2.14	Public Safety
2.15 – 2.21	Public nuisance
2.22 – 2.31	Protection of children from harm
3.12 – 3.20	Late night refreshment
8.41 – 8.49	Steps to promote the licensing objectives
9.11 – 9.12	Role of responsible authorities
9.31 – 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

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

Section	Heading
4	Promotion of the licensing objectives
5	General Principles
6	Premises Licences and Club Premises Certificates
8	Areas of Specific Interest and Consultation

7. Points for clarification

- 1.1 The applicant and the parties making the representation have been asked to clarify certain points at the hearing, as follows:

By the applicant

1. Whether the applicant considers that the concerns outlined in the representations are valid, and if not why not.
2. In the light of the representations made, 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 (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

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 representations

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

Victoria Marshall

From: ali afzal <thealiafzal@gmail.com>
Sent: 05 February 2024 16:08
To: Victoria Marshall
Subject: Re: Application for a new premises licence - Popeyes, 40 Welford Road

Thank you, will do.
You can put company name if you want it is
: POPEYES WELFORD LIMITED
Company number is :15404179

Many thanks...



Leicester
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 21

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

System reference

Not Currently In Use

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

Your reference

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

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

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

Applicant Details

* First name

Ali

* Family name

Afzal

* E-mail

thealiafzal@gmail.com

Main telephone number

+44 7758665189

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.

Is your business registered outside the UK?

☐ Yes ☒ No

Business name

Popeyes Pizza and Burger

If your business is registered, use its registered name.

VAT number

none

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

Legal status

Public Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Business Address

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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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 (£)

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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 His Majesty's prerogative

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INDIVIDUAL APPLICANT DETAILS

Applicant Name

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

- ☒ Yes ☐ No

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

First name

Ali

Family name

Afzal

Is the applicant 18 years of age or older?

- ☒ Yes ☐ No

Continued from previous page...

Current Residential Address

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

☐ Yes

☐ No

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

Building number or name	<input type="text" value="559A"/>
Street	<input type="text" value="Saffron Lane"/>
District	<input type="text"/>
City or town	<input type="text" value="Leicester"/>
County or administrative area	<input type="text" value="Leicestershire"/>
Postcode	<input type="text" value="LE2 6UN"/>
Country	<input type="text" value="United Kingdom"/>

Applicant Contact Details

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

☒ Yes

☐ No

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

E-mail	<input type="text" value="thealiafzal@gmail.com"/>										
Telephone number	<input type="text" value="+44 7758665189"/>										
Other telephone number	<input type="text"/>										
* Date of birth	<table><tr><td><input type="text" value="23"/></td><td>/</td><td><input type="text" value="04"/></td><td>/</td><td><input type="text" value="1991"/></td></tr><tr><td>dd</td><td></td><td>mm</td><td></td><td>yyyy</td></tr></table>	<input type="text" value="23"/>	/	<input type="text" value="04"/>	/	<input type="text" value="1991"/>	dd		mm		yyyy
<input type="text" value="23"/>	/	<input type="text" value="04"/>	/	<input type="text" value="1991"/>							
dd		mm		yyyy							
* Nationality	<input type="text" value="Pakistani"/>										
Right to work share code	<input type="text"/>										

Documents that demonstrate entitlement to work in the UK

Right to work share code if not submitting scanned documents

Add another applicant

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OPERATING SCHEDULE

When do you want the premises licence to start?

<input type="text" value="26"/>	/	<input type="text" value="02"/>	/	<input type="text" value="2024"/>
dd		mm		yyyy

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

<input type="text"/>	/	<input type="text"/>	/	<input type="text"/>
dd		mm		yyyy

Provide a general description of the premises

Continued from previous page...

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

The type of premise that Popeyes Pizza and Burger is, is a fast food takeaway. It does not sell any form of alcohol, it does not provide any form of live or recorded entertainment such as music, movies, plays, sporting events or form of dance. It is purely open for the selling of hot food and soft drinks. There is not a seating area in this premise, there is also no toilet facilities for public and costumer usage (one is provided for staff to use when on break). There is a small area upfront of the premise with a wooden sill where food can be placed upon and possibly consumed if costumers are willing to stand, however this rarely happens. The area upfront of the shop that would be open for costumers would be able to hold just under 10 people, due to this many costumers would wait outside after having placed an order.

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

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

☐ Yes ☒ No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

☐ Yes ☒ No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

☐ Yes ☒ No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

☐ Yes ☒ No

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Continued from previous page...

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

☐ Yes ☒ No

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

☐ Yes ☒ No

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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

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

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

Continued from previous page...

SATURDAY

Start 18:00

End 05:00

Start 18:00

End 05:00

SUNDAY

Start 18:00

End 05:00

Start 18:00

End 05:00

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.

The premises wishes to serve hot food, specifically fast food, which would be for takeaway and not to be consumed in the premises as there is no seating provided. It also will be serving cold soft drinks. There will be no alcohol allowed on the premises and it will not be sold, all drinks sold are non-alcoholic beverages. Costumers are to wait outside the premises whilst their food is prepared due to little space.

State any seasonal variations

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

There will be no seasonal variations, the shop will be open the same times every day of the year.

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.

There will be no non-standard timings.

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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

Continued from previous page...

☐ 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'.

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ADULT ENTERTAINMENT

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

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

There will not be any form of entertainment.

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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

Continued from previous page...

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.

There is no seasonal variation.

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.

There are no non-standard timings.

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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.

The location of this premises was taken into account when determining the hours of when food and drinks are to be sold. It is also intended to have all members of staff to have their training be up to date and relevant which would prove to help with the premises being more complying with all the conditions of the license, There are also other factors such as CCTV Cameras being in place and etc.

b) The prevention of crime and disorder

Ensuring that staff are aware of any public nuisances that may prove to be a potential crime in process and also ensuring that the staff know the standard procedures when faced with criminals e.g calling the law enforcement or hiding when the danger may become too much.

c) Public safety

There are accessible emergency exits and other safety tools such as, fire extinguishers, safety protocols, CCTV Camera and etc.

d) The prevention of public nuisance

Encourage for a proactive and risk-based approach to be taken towards any sort of public nuisance, if necessary staff will encourage people to leave in a safe and ordered manner.

Continued from previous page...

e) The protection of children from harm

All persons looking under the age of 18 will be asked if they are safe and/or if they have an adult present who is looking after them if not it should be reported to keep them safe and the child to remain with the staff until they are safe.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

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

Documents which demonstrate entitlement to work in the UK

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

Continued from previous page...

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

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

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

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

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

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

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/alcohol-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

Ali Afzal

* Capacity

Director

* Date

23

/

04

/

1991

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

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

1

2

3

4

5

6

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21

Next >

CCTV

EXTENT OF BOUNDARY ENDS WITH ALLEYWAY.

Emergency Alleyway

EMERGENCY EXIT

19.2 FT

15.2 FT

FOOD PREP

EMERGENCY FIRE EXIT

CCTV

FOOD PREP

FRIDGE / FREEZER

OUTDOOR FREEZER

EXTERIOR WALL LEADS OUTSIDE

FRIDGE / FREEZER

hand wash basin

WASHING UP AREA

fire equipment

CCTV

INTERNAL WALL (fire equipment placed here)

STAIRS (1 FLOOR)

Kitchen / Looking Area

FIXED LOOKING FACILITIES

CCTV

PREMISES USED FOR SELLING FOOD HERE (LICENSABLE ACTIVITY)

Orders take place here.

CCTV

7 FT

Customer Waiting Area

11.5 FT

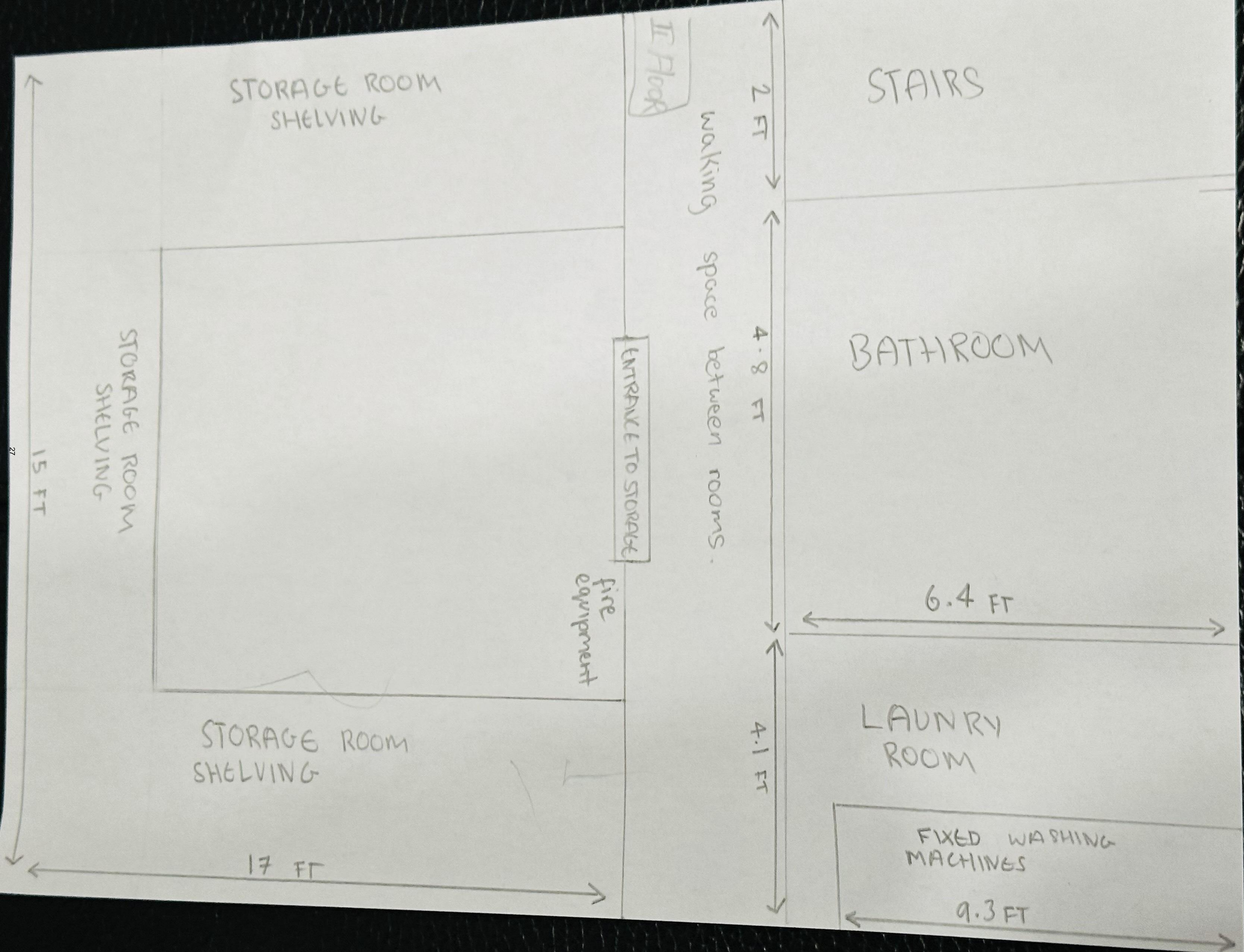
FIXED BILLS

CCTV (outside building)

ENTRANCE

(outside building)

CCTV





Leicestershire Police

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

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

Details of premises representation is about	
Name of Premises:	Popeyes Pizza & Burger
Address of premises:	40 Welford Road Leicester LE2 7AA
Application No. (if known)	

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input checked="" type="checkbox"/>
Public Safety	<input checked="" type="checkbox"/>
Prevention of public nuisance	<input checked="" type="checkbox"/>
Protection of children from harm	<input checked="" type="checkbox"/>

Please summarise your concerns about this application:
<p>I write in my capacity as Leicester City centre's licensing officer for Leicestershire Police, with authority delegated to me by the Chief Constable.</p> <p>My representation to this new premises licence application is based upon the licensing objectives as per the Licensing Act 2003.</p> <p>The application in its current format if granted would undermine all four licensing objectives.</p> <p>This is an application for a new premises licence at 40 Welford Road, Leicester. LE2 7AA. The business intends to operate as a fast-food takeaway, providing licensable activities including "late night refreshment" daily between 6pm and 5am.</p>

The premises is located on Welford Road (A594) which is part of the inner-city ring road. Welford Road acts a main arterial route in and out of the city centre and is busy throughout the day, evening and night-time economy.

The premises is located on the ground floor and amongst a row of other businesses between the junctions of Marlborough Street and Mill Street.

Study Inn and The Shoe & Boot Factory which are both student accommodation complexes are located directly opposite the proposed premises.

The applicant has applied for the following licensable activities:

Late Night Refreshment (indoors only) – Daily from 6pm until 5am.

Hours the premises are open to the public – Daily from 6pm until 5am.

The premises was licensed by Leicester City Council between 2009-2019. The premises was known as TJ's and was permitted to provide late night refreshments daily between 11am and 2am. However, the licence was surrendered in 2019.

In July 2023, Leicester City Council received an application from Mr Ahmed under the company name of Popeyes Express Welford Ltd.

Leicestershire Police raised concerns about a person associated to the premises by the name of Mr Singh, as result of suspected unauthorised licensable activity in 2021,2022 and 2023.

In November 2022, Leicester City Council Licensing Enforcement served Mr Singh a written warning and a further final written warning in July 2023.

In August 2023, Leicestershire Police conducted a test purchase and found Mr Singh providing unauthorised licensable activities.

In September 2023, a licensing hearing was held as result of representations from Leicestershire Police, Leicester City Council Licensing Enforcement and Leicester City Council Noise & Pollution Team. The licensing committee elected to refuse the application.

In February 2024, a new application was received from Mr Afzal under the company name of Popeyes Welford Limited.

On Monday 13th February 2023, a Leicester City Council Licensing Enforcement Officer and myself visited the premises to meet the new applicant – Mr Afzal.

The application is vague and does not provide specific details about how the licensing objectives will be promoted.

The application states that “*customers are to wait outside the premises whilst their food is being prepared*” which is highly likely to result in crime, disorder and public nuisance in the form of noise.

Mr Afzal stated he was aware of the previous application and subsequent refusal.

Mr Afzal stated that Mr Singh was a pivotal part of the business moving forward, and was going to be employed at the premises.

Leicestershire Police have serious concerns about Mr Singh's involvement in the business moving forward. Leicestershire Police have no confidence in Mr Singh's ability to promote and uphold the licence objectives and/or adhere to any licence conditions.

Fast food takeaways often act as a magnet for revellers under the influence of alcohol in the night-time economy. This can often result in confrontation between different/rival groups, resulting in alcohol related violent crime and disorder.

Leicestershire Police believe that the application fails to promote all four licensing objectives and therefore respectfully request that the application is refused.

However, should the committee elect to grant the licence, Leicestershire Police respectfully requests that the following conditions are attached to the licence in order to help mitigate potential risks and help promote the licensing objectives:

- (1) The opening hours to the public:
Monday to Thursday from 6pm until 2am.
Friday to Sunday from 6pm until 3am.
- (2) Late Night Refreshment Operating hours:
Monday to Thursday from 6pm until 2am.
Friday to Sunday from 6pm until 3am.
- (3) Customers and delivery drivers/couriers will not be permitted on the premises between closing time to the public and 6pm.
- (4) The licence holder will ensure a high-definition resolution, coloured CCTV system is installed, operational and recording whilst the premises is open to the public. The system must permit the identification of individuals in all lighting conditions. Cameras must cover all areas that the public have access to, including the entrance/exit and pavement area immediately outside the front of the premises.
- (5) The licence holder will ensure CCTV images are securely stored, display an accurate date/time stamp (BST/GMT) and retained for a minimum of 31 days.
- (6) The licence holder will ensure that viewable CCTV images are provided in a downloadable format to an officer from a responsible authority within fourteen days of a request.
- (7) The licence holder shall ensure a trained member of staff is present on the premises whilst the premises is open to the public, who is able to operate the CCTV system and provided a playback facility to an officer from a responsible authority.
- (8) The licence holder will promote and ensure that all front of house staff are trained in public safety campaigns such as "Ask for Angela" or other similar schemes. A record of training must be retained for at least twelve months, kept on the premises and

made available for inspection by an officer from a responsible authority upon request.

(9) No more than ten customers will be permitted inside the premises at one time.

(10) A lockable counter service hatch must be installed to prevent unauthorised access behind the counter and into the kitchen area.

(11) The licence holder shall take reasonable steps to prevent public nuisance being caused by customers outside the premises and display prominent notices requesting customers respect the needs of local residents.

(12) The licence holder shall ensure litter is collected within two meters of the premises building line, after the premises has closed to the public and at the end of each day.

(13) The licence holder shall ensure Mr Palwinder Singh will not be permitted to be employed or involved in the business in any capacity, regardless of if paid or not.

PC2093 Jefferson Pritchard

Leicestershire Police – Licensing.

Representation dated – Monday 19th February 2024



Licensing Act 2003 - Representation in respect of Premises Licence

Details of person or body making representation	
Your Name:	Jasvinder Mann
Your Address:	Pollution Control Officer Noise and Pollution Control Leicester City Council City Hall 115 Charles Street Leicester LE1 1FZ

Details of premises representation is about	
Name of Premises:	Popeyes Express Welford Road
Address of premises:	40 Welford Road Leicester LE2 7AA
Application No. (if known)	

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input type="checkbox"/> yes
Public Safety	<input type="checkbox"/> yes
Prevention of public nuisance	<input checked="" type="checkbox"/> yes
Protection of children from harm	<input type="checkbox"/> yes

Please summarise your concerns about this application:

My main concerns are the operating times that the business has proposed to stay open. They have requested a time from 18:00-05:00 Monday-Sunday.

Taking into consideration the number of residential buildings, comprising of hundreds of flats in close proximity to the business, including huge number of student accommodation surrounding the premises.

I would have serious concerns for the potential of noise from people shouting, talking and laughing while waiting outside for when their order is being prepared.

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

There is a very large student population located at this end of the City. Students regularly attend student nights through most nights of the week. Taking advantage of student offers, with the price of drinks reduced upon proof of NUS card.

The main concerns are regarding noise at the premises from deliveries, customers coming and going from the premises, people congregating outside and including having a flue running for that length of time throughout the night.

The owner has stated that he only has maximum capacity to hold only 10 customers on the premises with the remainder of excess customers waiting outside.

The area is much quieter during the early hours of the morning and the late operation times would have the potential to cause a nuisance by way of noise to nearby residential properties, for that reason I recommend the following hours:

Hours open to the public

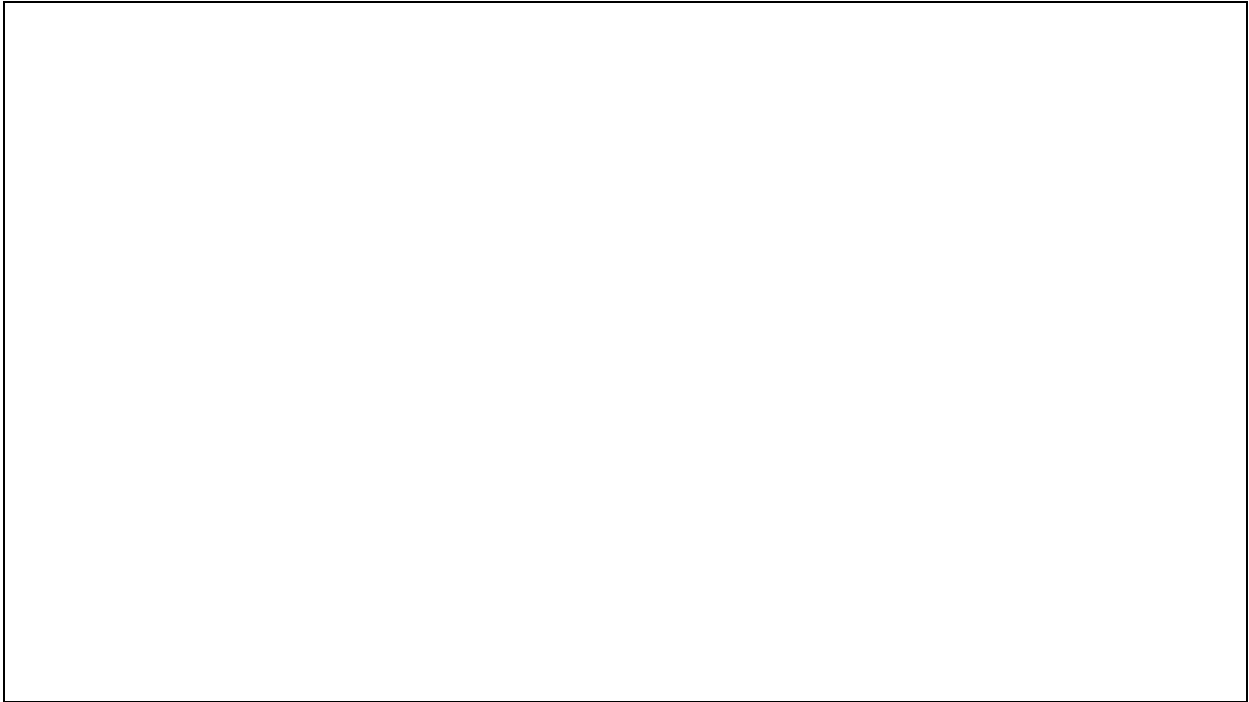
Requested:	Monday-Sunday	18:00-05:00
Recommended:	Monday-Thursday	18:00-02:00
	Friday-Sunday	18:00-03:00

Late Night Refreshment

Requested:	Monday-Sunday	18:00-05:00
Recommended:	Monday-Thursday	18:00-02:00
	Friday-Sunday	18:00-03:00

I have spoken to the Mr Afzal regarding the application. We have come to an agreement, therefore, a hearing would not be necessary.

I have discussed my concerns with the applicant and an agreement document has been drafted and sent to the applicant.



Return your completed form to:

By Post:

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

By Email:

licensing@leicester.gov.uk

CONDITIONS

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE
The licence holder will train staff in complying with the conditions on the licence and how to respond to any potential criminality.
The licence holder will ensure that all the CCTV cameras are in operation at all times.
Anyone appearing to be an unaccompanied minor will be asked if they are with a responsible adult and if not safeguarding measures taken.
CONDITIONS CONSISTENT WITH THE REPRESENTATION FROM LEICESTERSHIRE POLICE
The opening hours to the public: Monday to Thursday from 6pm until 2am. Friday to Sunday from 6pm until 3am. Late Night Refreshment Operating hours: Monday to Thursday from 6pm until 2am. Friday to Sunday from 6pm until 3am
Customers and delivery drivers/couriers will not be permitted on the premises between closing time to the public and 6pm.
The licence holder will ensure a high-definition resolution, coloured CCTV system is installed, operational and recording whilst the premises is open to the public. The system must permit the identification of individuals in all lighting conditions. Cameras must cover all areas that the public have access to, including the entrance/exit and pavement area immediately outside the front of the premises.
The licence holder will ensure CCTV images are securely stored, display an accurate date/time stamp (BST/GMT) and retained for a minimum of 31 days.
The licence holder will ensure that viewable CCTV images are provided in a downloadable format to an officer from a responsible authority within fourteen days of a request.
The licence holder shall ensure a trained member of staff is present on the premises whilst the premises is open to the public, who is able to operate the CCTV system and provided a playback facility to an officer from a responsible authority.
The licence holder will promote and ensure that all front of house staff are trained in public safety campaigns such as "Ask for Angela" or other similar schemes. A record of training must be retained for at least twelve months, kept on the premises and made available for inspection by an officer from a responsible authority upon request.
No more than ten customers will be permitted inside the premises at one time.
A lockable counter service hatch must be installed to prevent unauthorised access behind the counter and into the kitchen area.
The licence holder shall take reasonable steps to prevent public nuisance being caused by customers outside the premises and display prominent notices requesting customers respect the needs of local residents.
The licence holder shall ensure litter is collected within two meters of the premises building line, after the premises has closed to the public and at the end of each day.
The licence holder shall ensure Mr Palwinder Singh will not be permitted to be employed or involved in the business in any capacity, regardless of if paid or not.
CONDITIONS CONSISTENT WITH THE REPRESENTATION FROM THE NOISE AND POLLUTION CONTROL TEAM
The late-night refreshment activities on the below days be restricted to the following: Mondays to Thursdays from 23:00hrs until 02:00hrs, and Fridays to Sundays from 23:00hrs until 03:00hrs.
The opening hours for the premises on the below days be restricted to the following: Mondays to Thursdays from 18:00hrs until 02:00hrs, and Fridays to Sundays from 18:00hrs until 03:00hrs.

Please ask for: Miss M Patel
Direct line: 0116 454 3223
Email: minaxi.patel@leicester.gov.uk
Our ref: N&ES/LIC/LateNightRefreshment/NoLicence
Date: Wednesday 5th July 2023



Popeyes Pizza
40 Welford Road
Leicester
LE2 7AA

FOR THE ATTENTION OF MR PALWINDER SINGH

Hand Delivered

Dear Sir,

FINAL WARNING LETTER

LICENSING ACT 2003, Late Night Refreshment Licensable Activities

Popeyes Pizza, 40 Welford Road, Leicester

We are aware that the above-named business is conducting activities without a licence as required under the Licensing Act 2003.

The activity relates to selling hot food and/or drink between the hours of 11pm and 5am. Any business that conducts this activity, during these times, is required to have been granted a licence under the stated Act.

Our records show that you do not have such a licence, and thus you may be committing offences to which you would be liable for prosecution.

Further, our records show that a previous verbal warning has been issued regarding this matter.

ANY SUCH ACTIVITIES MUST CEASE WITH IMMEDIATE EFFECT.

Failure to comply is a criminal offence under section 136 of the Licensing Act 2003 (to carry on any licensable activity without a licence) and it may leave you liable to prosecution at the Magistrates' Court and/or further enforcement action.



Please treat this letter as a final warning and cease immediately the activity in question.

If you have any questions, please do not hesitate to contact me on 0116 454 3223.

Further information and guidance can be found at www.leicester.gov.uk and by searching Premises Licensing.

Yours faithfully,

M. Patel

Miss M Patel
Licensing Enforcement Officer

Cc Leicestershire Police Licensing Team
Cc Food Safety Team
Cc the Proprietor: Mr Palwinder Singh.

WITNESS STATEMENT**(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)**

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Statement of: **Fabian Culverwell**

Age if under 18 O/18 (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature **F Culverwell**

Date 13.08.2023

Tick if witness evidence is visually recorded ☐ (supply witness details on MG11b)

I am Police Constable 1684 Culverwell based at Mansfield House Police Station.

At 00:05hrs on Sunday 13th August 2023, I used Google on my work mobile phone to get the telephone number for Popeye's Welford Road. The number provided was 0116 254 2000. I called at this time and a male answered the phone who said, "POPEYES", I asked if they were providing a collection service to which he said they were not, and it was delivery's only. I have then terminated the call. This call lasted for 12 seconds.

At 00:31hrs, I made a further call to 0116 254 2000 and the same person who answered at 00:05hrs answered the phone. I have then requested the Triple Pop eye burger meal with salad, a coca cola and fries and requested the delivery to 68A Belgrave Gate, LE1 3GG. The male on the phone then said delivery needs to exceed £10 for delivery so I have requested a small fries to take the final value to £10. I was then informed £1 will be for delivery. The male said the delivery time will be between 45 minutes and an hour. This call lasted two minutes 15 seconds.

At 01:08hrs, I then received a phone call. I answered it and a different male from who I spoke to earlier said, "POP EYES DELIVERY". I have then waited outside 68A Belgrave Gate and remained on the phone. I could not see the delivery driver and he then said, "IM IN THE SILVER BMW." I have then looked over towards the traffic lights at the BELGRAVE GATE junction with ABBEY STREET and a silver saloon BMW has then driven from the direction of MELTON ROAD down BELGRAVE GATE and then did a U-turn stopping outside 68A Belgrave Gate. This call lasted 1 minute 24 seconds.

The Asian male in the driver's seat has then passed me two plastic bags containing food and I have given him £20 cash. He has then given me £9 in change back.

Signature:

F CULVERWELL

Signature witnessed by:

41

I have then asked for the receipt which he produced. This receipt has been exhibited as FC1. The business on the receipt was named as 'American Fried Chicken, 559 Saffron Lane, Leicester, LE2 6UN.'

I produce the images of the food within the two plastic bags as FC2. I produce the image of the food outside of the bags as exhibit FC3.

Signature: 

F CULVERWELL

Signature witnessed by:

Signature:	F CULVERWELL	Signature witnessed by:	
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WITNESS STATEMENT**(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)****URN**

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Statement of: **Fabian Culverwell**

Age if under 18 O/18 (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature **F Culverwell**

Date 18.08.2023

Tick if witness evidence is visually recorded ☐ (supply witness details on MG11b)

I am Police Constable 1684 Culverwell based at Mansfield House Police Station.

This is the second statement which I have provided. The initial one was dated 13.08.2023.

When I received the phone call to notify me that the Popeyes delivery was ready to collect outside 68A Belgrave Gate, Leicester. The telephone number which it came from was 07482758275.

In relation to the silver saloon BMW which made the delivery, the registration number was P80 OTA.

From checking police systems I am aware that this telephone number has previously been used by a male called Palwinder Singh and the vehicle P80 OTA is also insured to a male called Palwinder Singh

Signature:  **F CULVERWELL**

Signature witnessed by:

Signature:

F CULVERWELL

43

Signature witnessed by:

Objection notice given for a Temporary Event Notice

Licensing (Hearings) Sub-Committee

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

Decision to be taken on/Date of meeting: 22 March 2024

Lead director/officer: Deborah Bragg

Useful information

- Ward affected: Evington
- Report author: Lynsay Coupe
- Author contact details: 0116 454 3065
- Report version number: 1

1. Summary

1.1 This report outlines an objection notice given by Leicestershire Police and the Noise Team, LCC in response to a temporary event notice given by Mr Pujara for King Mario's Pizza, 1 Linton Street and 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

- 2.2 Having considered the temporary event notice and the objection notices, Members must consider whether to
- Give the premises user a counter notice under Section 105 (2) of the Licensing Act 2003 if it is considered appropriate for the promotion of a licensing objective to do so; or
 - Disregard the objection notices

3. Temporary event notice

3.1 A temporary event notice was given on 14 March 2024 by Mr Pujara for an event at 1 Linton Street. The temporary event notice is for an event from 28 March 2024 to 3 April 2024 and is attached at Appendix A.

3.2 The temporary event notice is for the following licensable activities:

Licensable activity	Proposed hours
Late night refreshment	23:00-04:00

4. Objection notice

- 4.1 An objection notice was received on 18 March 2024 from Leicestershire Police on the grounds of the prevention of crime and disorder, the prevention of public nuisance and public safety. A copy of the objection notice is attached at Appendix B.
- 4.2 An objection notice was received on 18 March 2024 from the Noise Team, LCC on the grounds of the prevention of public nuisance. They will be discussing an earlier finish time with the applicant. A copy of the objection notice is attached at Appendix B1.

5. Conditions

- 5.1 There is no premises licence that affects any part of the premises identified in the temporary event notice. This means that no conditions may be applied to the temporary event notice.

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
7.2 – 7.7	TEN – General
7.25 – 7.31	Role of the Licensing Authority
7.32 – 7.36	Police and Environmental Health intervention

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

Section	Heading
5	General Principles
11	Temporary Event Notices

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 – Temporary Event Notice

Appendix B – Objection notices

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

Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notices. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)	
1. Your name	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input checked="" type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	PUJARA
Forenames	HIMALI BIPINBHAI
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	
Forenames	
3. Your date of birth	
4. Your place of birth	
5. National Insurance Number	
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)	
[Redacted Address]	
Post town	[Redacted]
Postcode	[Redacted]
7. Other contact details	
Telephone numbers	[Redacted]
Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	[Redacted]
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	

[REDACTED]	
Post town	[REDACTED]
Postcode	[REDACTED]
9. Alternative contact details (if applicable)	
Telephone numbers:	
Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
1 Linton Street LEICESTER LE5 5JB	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
Please describe the nature of the premises below. (Please read note 4)	
TAKE AWAY SELLING COOKED FOOD PIZZA, BURGER, WRAPS, DONER, FRIES, SAMOOSAS, STREET FOOD, COLD DRINKS	
Please describe the nature of the event below. (Please read note 5)	
RAMADAN MUBARAK	

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3. The licensable activities							
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)							
The sale by retail of alcohol	<input type="checkbox"/>						
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>						
The provision of regulated entertainment (Please read note 7)	<input type="checkbox"/>						
The provision of late night refreshment	<input checked="" type="checkbox"/>						
Are you giving a late temporary event notice? (Please read note 8)	<input type="checkbox"/>						
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)							
28/03/2024 - 03/04/2024							
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24-hour clock). (Please read note 10)							
23:00 - 4:00am							
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)	18						
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">On the premises only</td> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> </tr> <tr> <td style="padding: 5px;">Off the premises only</td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> <tr> <td style="padding: 5px;">Both</td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> </table>	On the premises only	<input checked="" type="checkbox"/>	Off the premises only	<input type="checkbox"/>	Both	<input type="checkbox"/>
On the premises only	<input checked="" type="checkbox"/>						
Off the premises only	<input type="checkbox"/>						
Both	<input type="checkbox"/>						

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)
ONLY LATE NIGHT SNACKS WILL BE AVAILABLE

4. Personal licence holders (Please read note 14)		
Do you currently hold a valid personal licence? (Please tick)		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority		
Licence number		
Date of issue		
Any further relevant details		


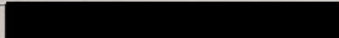
5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
a) ends 24 hours or less before; or		
b) begins 24 hours or less after the event period proposed in this notice?		

6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.	1	
Has any associate of yours already given a temporary event notice for the same premises in which the event period:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
a) ends 24 hours or less before; or		
b) begins 24 hours or less after the event period proposed in this notice?		
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before, or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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7. Check list. (Please read note 17)	
3 have. (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input type="checkbox"/>
Signed the declaration in Section 9 below	<input type="checkbox"/>

8. Condition (Please read note 18)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence:	
(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and	
(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	13/03/2024
Name of Person signing	



Leicestershire Police

Licensing Act 2003 – Representation in respect of a Temporary Event Notice

Details of person or body making representation	
Your Name:	Paul Hardwick
Your Address:	Licensing Department Mansfield House 74 Belgrave Gate Leicester LE1 3GG

Details of premises representation is about	
Premises	King Mario's Pizza,
Address of premises:	1 Linton Street, Leicester.
Application No. (if known)	
Applicant	Himali Bipinbhai PUJARA
Date Of Event	28 th March 2024 – 3 rd April 2024
Date Application Received By Police	15 th March 2024

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of crime and disorder	<input checked="" type="checkbox"/>
Public Safety	<input checked="" type="checkbox"/>
Prevention of public nuisance	<input checked="" type="checkbox"/>
Protection of children from harm	<input type="checkbox"/>

Please summarise your concerns about this application:
<p>I write in my capacity as licensing officer for Leicestershire Police, on the authority delegated to me by the Chief Constable.</p> <p>My representation to this temporary event notice is based upon three of the four of the licensing objectives as per the Licensing Act 2003. Those being:</p> <p>(1) The prevention of crime disorder.</p>

- (2) Public Safety.
- (3) The prevention of public nuisance.

This is a temporary event notice for "late night refreshment" from a venue on Linton Street, Leicester.

The application was received by Leicestershire Police on 15th March 2024 for the period of - Thursday 28th March to Wednesday 3rd April 2024. The requested operating hours is 23:00hrs until 4am.

The area in which the premises is located is already saturated with premises of a similar nature. This causes a large proportion of vehicle and foot traffic when premises are open and this increases during the period of Ramadan annually. The impact of the increase in patrons attending the location has a direct impact on the local residential community, who suffer with noise nuisance and parking issues as a result. This is regularly reported to the Police and local councillors along with objections to more premises of a similar nature being allowed to open.

Previous personal experience of the local Police team is that disorder often occurs in the area during the proposed opening times, and this increases with the increase in traffic in the area (vehicle and foot traffic). Parking issues also cause extra demand on the Police and impact on the ability for emergency services vehicles to traverse through the area when responding to emergency calls.

During the period of Ramadan 2024, there have been a number of incidents involving disorder, all of which have occurred near to or inside of licensed premises, including reports of weapons offences, public order offences and serious assault. This has placed a significant demand on Police resources which would increase if further licences were granted, and in turn would have a cost implication to the Police and lessen their ability to respond to emergency service calls.

Leicestershire Police respectfully requests this temporary event notice is refused as it fails to promote and uphold three of the four licensing objectives.

Paul Hardwick
Deputy Licensing Manager - Leicestershire Police
Date – Monday 18th March 2024



**Licensing Act 2003
Objection to Temporary Event Notice (TEN)**

Date: 16/03/24

Details of Relevant Authority
Name and Job Title: Gary Geldard Pollution Control Officer
Address: Noise and Pollution Control Team, Leicester City Council, City Hall, 115 Charles Street, Leicester. LE1 1FZ
Phone Number: 0116 4543175
Email Address: gary.geldard@leicester.gov.uk

Details of Premises Representation is about.
Name of Premises: King Mario's Pizza
Address: 1 Linton Street, Leicester, LE5 5JB
Application Number:
Our Reference:

This objection relates to the following licensing objective(s):
Prevention of crime and disorder No
Public Safety No
Prevention of public nuisance Yes
Protection of children from harm No

Representation

I wish to make representation in connection with this application for a temporary event notice (TEN) as I consider this proposal will be detrimental to the licensing objective of public nuisance.

The proposed extended closing time is from 2300 Hrs. to 0400 Hrs. from 28/03/24-03/04/24

The immediate area comprises mainly residential properties although there are retail units on Evington Road.

If the TEN was granted, the later opening hours would potentially increase customer footfall to the area, this combined with delivery driver/rider activity could result in noise nuisance to residents.

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

I am concerned that allowing the premises to operate such long hours will increase the likelihood of noise complaints and cause disturbance to residents by customers visiting the premises throughout the night and early morning.

Noise on the street is very difficult to control and enforce. I am concerned that the staff will have little or no power to control patrons once they have been served but may remain in the immediate area.

Noise from customer activity, noise from vehicles (doors slamming, stereo systems, revving engines etc.) when parked outside the premises or on the quieter local streets throughout the night would be difficult if not impossible for the applicant to control.

I am concerned that the proposed opening hours will increase pedestrian and vehicular activity in the area thereby increasing the likelihood of noise complaints and cause disturbance to residents.

I recommend that:

The hours of the TEN are reduced from 0400 Hrs. to 0100 Hrs. for the period proposed in the interests of preventing public nuisance from noise emanating from the premises:

I will attempt contact with the applicant. If an agreement is reached, I will request that they contact you in writing. In the absence of such a formal written request being made, I will recommend refusal of this application as it stands.



