



Leicester  
City Council

## **LICENSING ENFORCEMENT SUB-COMMITTEE**

**DATE: TUESDAY, 20 AUGUST 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**

Members to be confirmed in due course.

**Officer contact: Jessica Skidmore**  
Governance Services Officer,  
Leicester City Council, City Hall, 115 Charles Street, Leicester, LE1 1FZ  
email: [jessica.skidmore@leicester.gov.uk](mailto: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, City Mayor & Executive Public Briefing and Scrutiny Commissions and see copies of agendas and minutes. On occasion however, meetings may, for reasons set out in law, need to consider some items in private.

Dates of meetings and copies of public agendas and minutes are available on the Council's website at [www.cabinet.leicester.gov.uk](http://www.cabinet.leicester.gov.uk), from the Council's Customer Service Centre or by contacting us using the details below.

## 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 Governance Support Officer (production times will depend upon equipment/facility availability).

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

Filming and Recording the Meeting - The Council is committed to transparency and supports efforts to record and share reports of proceedings of public meetings through a variety of means, including social media. In accordance with government regulations and the Council's policy, persons and press attending any meeting of the Council open to the public (except Licensing Sub Committees and where the public have been formally excluded) are allowed to record and/or report all or part of that meeting. Details of the Council's policy are available at [www.leicester.gov.uk](http://www.leicester.gov.uk) or from Governance Services.

If you intend to film or make an audio recording of a meeting you are asked to notify the relevant Governance 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 us on [committees@leicester.gov.uk](mailto:committees@leicester.gov.uk), or call in at City Hall.

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 Governance Services.

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

## INFORMATION GATHERING

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

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

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

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

Questions (for clarification purposes only):  
Members  
Officers  
Statutory Consultees  
Persons who have made representations

7. Summing up in the following order

Officers  
Statutory Consultees  
Persons who have made representations  
Applicant and Representative(s)

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

## **DECISION MAKING**

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

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

## **PUBLIC SESSION**

### **AGENDA**

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

If the emergency alarm sounds, you must evacuate the building immediately by the nearest available fire exit and proceed to the area outside the Ramada Encore Hotel on Charles Street as directed by Governance 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. PRIVATE SESSION**

### **AGENDA**

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

**Under the law, the Sub-Committee is entitled to consider certain items in private where in the circumstances the public interest in maintaining the matter exempt from publication outweighs the public interest in disclosing the information. Members of the public will be asked to leave the meeting when such items are discussed.**

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

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

Paragraph 1

Information relating to an individual.

Paragraph 2

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

Paragraph 3

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

Paragraph 7

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

B1) DETERMINATION OF CONTINUED ENTITLEMENT TO RETAIN A HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVERS LICENCE

**5. DETERMINATION OF CONTINUED ENTITLEMENT TO RETAIN A HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVERS LICENCE [Appendix A](#)**

The Director of Neighbourhood and Environmental Services submits a report.

**6. PUBLIC SESSION**

The meeting will now move into public session.

**7. APPLICATION FOR THE GRANT OF PAVEMENT LICENCE - BATON ROUGE AT QUEENS, 41 RUTLAND STREET, THE QUEENS BUILDING, LEICESTER LE1 1RE [Appendix B](#)**

The Director of Neighbourhood and Environmental Services submits a report.

**8. PRIVATE SESSION**

**AGENDA**

**MEMBERS OF THE PUBLIC TO NOTE**

**Under the law, the Sub-Committee is entitled to consider certain items in private where in the circumstances the public interest in maintaining the matter exempt from publication outweighs the public interest in disclosing the information. Members of the public will be asked to leave the meeting when**

## **such items are discussed.**

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### Paragraph 1

Information relating to an individual.

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### Paragraph 3

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

B1) APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVERS LICENCE

- 9. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVERS LICENCE** **Appendix C**

The Director of Neighbourhood and Environmental Services submits a report.

- 10. ANY OTHER URGENT BUSINESS** **Appendix B**





# Appendix A

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

Document is Restricted





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WARD: Castle

LICENSING ENFORCEMENT SUB-COMMITTEE

20 August 2024

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**APPLICATION FOR THE GRANT OF PAVEMENT LICENCE  
BATON ROUGE AT QUEENS, 41  
RUTLAND STREET, THE QUEENS  
BUILDING, LEICESTER LE1 1RE**

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**Report of the Director (Neighbourhood & Environmental Services)**

**1. Purpose of the Report**

To determine an application for the grant of a Pavement Licence for a premises known as Baton Rouge at Queens, 41 Rutland Street, Leicester LE1 1RE. The applicant is Matthew Hogg.

**2. Options for the Sub-Committee**

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

(1) Grant

The Sub-Committee may grant the application for a period of 2 years.

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

(2) Grant subject to special conditions which may include a shorter period of licence.

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

(3) Refuse

The Sub-Committee may refuse the application.

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

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

### **3. Financial Implications**

None.

### **4. Report**

An application was received on 19th July 2024 from Mr Matthew Hogg the owner of Baton Rouge at Queens.

The premises is located in a largely pedestrianised area and is a large, detached building overlooking the Curve Theatre, Athena Building amongst others. There are a wide range of businesses in this area including office premises, retail premises, and bars. Above the business are a number of residential apartments.

The premise was recently granted a premises licence after a hearing of the Licensing Hearings Sub Committee. A number of objections were received from residents in the apartments above the premise. Members chose to add a number of conditions to the premise licence which is attached at Appendix A to the report.

The applicant has submitted an application which is attached at Appendix B to the report. They wish to place 6 tables and 24 chairs outside the front of the premise along with four parasols. Originally the applicant was requesting benches but these are not allowed due to our standard conditions.

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

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

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

Monday to Sunday 11.00am to 23.00

On 20<sup>th</sup> July 2024 letters of consultation were hand delivered by the tenancy management company to the residential premises within the building to advise them of the application and a public notice was prominently displayed on the premises itself. This was checked to ensure it remained in situ throughout the consultation period.

Any objections were to be received no later than 14 days from the date of the notice.

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

No objections were received from any of the above.

Within the representation period, there were four objections received from residents who live in the apartments above the premise.

All objections were accepted as being ‘relevant’ to the application. The objections raise concerns about Noise and smoke from cigarettes.as well as the general layout of the proposed street café area. All objections are attached to this report and detailed in the appendix list below.

The following documents are attached to this report:

Appendix A	Premises Licence issued under the Licensing Act 2003
Appendix B	Application for Street Café including proposed plan and pictures of the furniture to be used and a picture of the frontage of the premises as well as clarification from applicant on how they will manage the outside area.
Appendix C	Objection from Local Resident
Appendix D	Objection from Local Resident
Appendix E	Objection from Local Resident
Appendix F	Objection from Local Resident
Appendix G	Private

## 5. Policy Guidelines

The legislation governing street cafes has recently changed. Previously permissions were issued under the Highways Act 1980 and the Business and Planning Act 2020 brought in during the Covid pandemic. On 31 March 2024 the government introduced new legislation to deal with what were previously called ‘street cafes’ renaming them pavement licences.

The legislation has streamlined the application process for businesses reducing the consultation period on applications from 28 days to 14 days with Licensing Authorities required to determine an application within 28 days (i.e. 14 days after the consultation period has ended).

The Government has issued Statutory Guidance to Local Authorities on how the system should be administered [Pavement licences: guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/pavement-licences)

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

## 6. Legal Implications (including Human Rights Act)

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

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

**7. Crime and Disorder implications**

None.

**8. Consultations**

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

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

None

**10. Officer to Contact**

Deborah Bragg Licensing Manager (Policy and Applications)

Email: [deborah.bragg@leicester.gov.uk](mailto:deborah.bragg@leicester.gov.uk)

# Appendix A

Licensing Act 2003

## Premises Licence

# LEIPRM2052



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### Part 1 - Premises Details

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

### Baton Rouge at Queens

41 Rutland Street, The Queens Building, Leicester, LE1 1RE.

Telephone [bpacrush@gmail.com](mailto:bpacrush@gmail.com)

#### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

Expires **no expiry**

#### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

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

#### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To	
E. Performance of live music (Indoors)	Tuesday	6:00pm	11:00pm	
	Wednesday	3:00pm	11:00pm	
	Thursday	Noon	11:00pm	
	Fri-Sat	Noon	Midnight	
F. Playing of recorded music (Indoors)	Sun-Weds	9:00am	1:00am	
	Thurs-Sat	9:00am	2:00am	
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Fri-Sun	Noon	6:00pm	
	I. Late night refreshment (Indoors)	Sun-Weds	9:00am	1:00am
Thurs-Sat		9:00am	2:00am	
J. Supply of alcohol for consumption ON and OFF the premises	Sun-Weds	9:00am	1:00am	Cease at 6pm in outside areas
	Thurs-Sat	9:00am	2:00am	Cease at 6pm in outside areas





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**THE OPENING HOURS OF THE PREMISES**

Description	Time From	Time To
Sun-Weds	9:00am	1:30am
Thurs-Sat	9:00am	2:30am

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

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

## Part 2

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

Baton Rouge@41 LTD 49 Kensington Avenue, Burbage, Hinckley, Leicestershire, LE10 3JE.

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

Baton Rouge@41 LTD 14668049

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

Matthew HOGG

**PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL**

Licence No. 23/00462/PSL Issued by Hinckley and Bosworth







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**ANNEXES**

## Annex 1 - Mandatory conditions

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

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

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

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

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

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

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

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

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol,





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**ANNEXES continued ...**

identification bearing their photograph, date of birth and either-

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

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

The responsible person shall ensure that-

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

The Licensee will employ sufficient registered door staff to deal with any likely contingency. Each such individual must be licensed by the Security Industry Authority.

Where door supervisors are required, the Licensee will keep records showing the names of the supervisor and the date/time that they were employed.

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

Seasonal variation for live music for the celebration of American holidays including Mardi Gras (changeable date each year but pre-Lent in the United Kingdom), 4<sup>th</sup> of July, Halloween and Thanksgiving. Timings will not exceed those listed on the licence.

The Baton Rouge directors will actively involve themselves in the local community and any schemes available to promote the Licensing objectives.

A red Care alarm system will be used across the premises.

The licence holder will ensure that staff will be trained in conflict management and de-escalation techniques.

The licence holder will ensure that staff will be trained to promote an inclusive culture within the premises.

The licence holder will ensure that customers are reminded to use smoking bins when extinguishing cigarettes.





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**ANNEXES continued ...**

The licence holder will ensure that customers do not consume drinks on the public highway (unless using a permitted licensed pavement cafe)

The licence holder will ensure a high definition, colour HD CCTV camera system is installed, operational and recording whilst the premises is open to the public. The system must permit the identification of individual(s) in all lighting conditions.

CCTV cameras must cover all areas that the public have access to, including the entrance, exit and pavement area immediately outside the premises.

CCTV system images must be securely stored, display an accurate date/time stamp, and retained for a minimum of 31 days.

The licence holder will ensure the premises CCTV is provided to an officer from a responsible authority in a downloadable and viewable format within fourteen days of being requested.

The licence holder will ensure that there is always a member of staff trained and available to download images/ footage immediately or an agreed timescale if requested by the police or the Licensing Authority. The licence holder will complete a monthly security review and if necessary and/or if directed in writing by Leicestershire Police Licensing Department, employ Security Industry Authority (SIA) front line door supervisors at the premises and/or additional Security Industry Authority (SIA) front line door supervisors at the premises.

The licence holder will employ a minimum of two Security Industry Authority (SIA) front line door supervisors at the premises from 9pm until all customers have left the premises when both the ground floor and basement area is being used by customers.

The licence holder will ensure all Security Industry Authority (SIA) door supervisor(s) used at the premises record their full name, full SIA registration number and the dates/time deployed at the premises. A record must be kept on the premises for six months and made available for inspection to an officer from a responsible authority upon request.

A Challenge 25 policy will be adopted with the only acceptable proof of age identification consisting of a current passport, photo card driving licence or identification carrying a PASS logo. A training record must be kept on the premises, retained for 12 months from the date of the incident, and produced to an officer from a responsible authority upon request.

An incident log shall be kept on the premises, retained for a period of 12 months from the date of the incident and made available to an officer from a responsible authority upon request. The incident log must be completed within 24 hours of the incident and record the following:

- (a) All crimes reported to the premises.
- (b) Any ejections of patrons.
- (c) Any complaints received concerning crime, disorder, and anti-social behaviour.
- (d) Any incidents of crime, disorder, and anti-social behaviour inside, associated to the premises or immediately outside the premises.
- (e) Any faults in the CCTV system.





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**ANNEXES continued ...**

A training record must be kept on the premises, retained for 12 months from the date of the incident, and produced to an officer from a responsible authority upon request.

The licence holder will ensure that a full fire risk assessment will be conducted and reviewed and implemented in line with Fire Safety Legislation annually.

There will be regular safety checks of areas such as toilets and entrances/exits and recorded in a logbook which will be kept on the premises and immediately available upon request from any authority officers.

The licence holder will ensure that there is a dedicated smoking area outside of the premises which will be monitored by staff throughout.

The Licence is subject to Leicester City Council's Standard Conditions for Places of Public Entertainment, published on the Licensing Authority's website [www.leicester.gov.uk/licensing](http://www.leicester.gov.uk/licensing)  
<<http://www.leicester.gov.uk/licensing>>

The licence holder will ensure that at least one operational audio and visual body worn camera is deployed at the premises and worn by either a member of security staff or staff, whilst the premises is open to the public from 9pm until close to the public, when both the ground floor and basement area is being used by customers.

The licence holder shall take reasonable steps to prevent public nuisance being caused by customers outside the premises by displaying prominent Quiet notices at all exit points requesting customers respect the needs of residents and keep noise to a minimum whilst outside of the venue.

The licence holder will ensure that children and young people under 18 years of age will only be allowed to enter the premises under the supervision of a responsible adult.

The licence holder will ensure that children and young people under 18 years of age will not be permitted to remain on the premises after 11pm

All external doors and windows shall be kept closed, other than for access and egress, in all rooms when events involving amplified/live music or speech are taking place. \*(Note to applicant this may mean that air conditioning is required)

Emptying, dispensing, or disposing of bottles in outside bins must only be conducted between 09:00hrs and 22:00hrs.

Installation of Noise Limiting device, setting a limit agreed with the noise and pollution team.

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





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**ANNEXES continued ...**

No alcohol shall be served or consumed in the outside areas after 6pm on any day.

No deliveries shall, take place after 6pm on any day.

Installation of a noise limiting device both in the basement and the ground floor area. Noise level limits to be set by the Noise and Pollution control team.

The applicant will work with residents of the Queens Building to ensure that residents were not subjected to unreasonable noise and that action would be taken by the premises in relation to any challenging behaviour from customers.

The sub-committee recommends that the applicant meets periodically with those representing the Queens Building Tenants Association with a view to discussing any issues relating to the premises.





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## Premises Details

**POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION****Baton Rouge at Queens**

41 Rutland Street, The Queens Building, Leicester, LE1 1RE.

Telephone [bpacrush@gmail.com](mailto:bpacrush@gmail.com)

**WHERE THE LICENCE IS TIME LIMITED THE DATES**

Not applicable

**LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE**

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

**THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES**

Activity (and Area if applicable)	Description	Time From	Time To	
E. Performance of live music (Indoors)	Tuesday	6:00pm	11:00pm	
	Wednesday	3:00pm	11:00pm	
	Thursday	Noon	11:00pm	
	Fri-Sat	Noon	Midnight	
F. Playing of recorded music (Indoors)	Sun-Weds	9:00am	1:00am	
	Thurs-Sat	9:00am	2:00am	
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Fri-Sun	Noon	6:00pm	
I. Late night refreshment (Indoors)	Sun-Weds	9:00am	1:00am	
	Thurs-Sat	9:00am	2:00am	
J. Supply of alcohol for consumption ON and OFF the premises	Sun-Weds	9:00am	1:00am	Cease at 6pm in outside areas
	Thurs-Sat	9:00am	2:00am	Cease at 6pm in outside areas





**Leicester**  
City Council

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

(0116) 4543030  
[licensing@leicester.gov.uk](mailto:licensing@leicester.gov.uk)

**THE OPENING HOURS OF THE PREMISES**

Description	Time From	Time To
Sun-Weds	9:00am	1:30am
Thurs-Sat	9:00am	2:30am

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

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

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

Baton Rouge@41 LTD 49 Kensington Avenue, Burbage, Hinckley, Leicestershire, LE10 3JE.

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

Baton Rouge@41 LTD 14668049

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

Matthew HOGG

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

Not applicable



Our Ref: SCL627687842  
 Date: 02/07/2024  
 Pavement licence application



**Do you currently hold a licence?:**No

**Please let us know what you would like to apply for:**New pavement licence

**disclaimer:**

**I have read the above 'Street café policy and guidance':**I have read the above 'Pavement licence policy and guidance'

**Are you applying as:** a company

**Name of premises:** Baton Rouge at Queens

**Address of premises:**

Enter the postcode or street name	Please select the address
LE1 1RE	41 Rutland Street, Leicester

**Please describe the premises:** American country music bar, live music venue and restaurant serving American/Cajun/Creole style cuisine.

**Proposed licence days and times:**Monday: 11am - 11pm

Tuesday: 11am - 11pm

Wednesday: 11am - 11pm

Thursday: 11am - 11pm

Friday: 11am - 11pm

Saturday: 11am - 11pm

Sunday: 11am - 11pm

**Additional information:** Black square metal tables - approx 668mm (W) x 10

Black metal chairs approx 850(H) x 425(W) x 510(D) mm x 30 40

Wooden and cast iron tables - approx 1200mm (L) x 600mm (W) x 4

Wooden benches approx 1500mm (L) x 500mm (W) x 8

White San Miguel barriers - approx 1500mm (W) x 18

White San Miguel Parasols approx 2000mm x 2000mm x 8 (during periods of intense sun or rain)

Cigarette bin - x2

We will start by using wooden and cast iron tables and wooden benches before transitioning to black metal tables and black metal chairs. We won't be using both concurrently. The San Miguel barriers will be used to mark out the licensed area.

**What is the applicant's date of birth?:** 2 [REDACTED]



**Applicant's contact details:**

Title	First name	Surname	Phone number	Mobile number	Email address
Mr	Matthew	Hogg	[REDACTED]		[REDACTED]

**Applicant's home address:**

Enter the postcode or street name	Please select the address	The address is not listed
[REDACTED]	[REDACTED]	

**Name:** [REDACTED]

**Email Address:** [REDACTED]

**Telephone Number:** [REDACTED]

**Address:** [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] residents in the flat directly above?: Yes

**Name:** [REDACTED]

**Email Address:** [REDACTED]

**Telephone Number:** [REDACTED]

**Please upload written permission:** Pavement licence - residents.docx

**Upload a file or photo:** IMG\_4162.jpg

**Upload a file or photo:** Policy Schedule (PS).pdf

**Upload a file or photo:** Untitled (11).png

**Upload a file or photo:** IMG\_0166.jpg, IMG\_0006.jpg

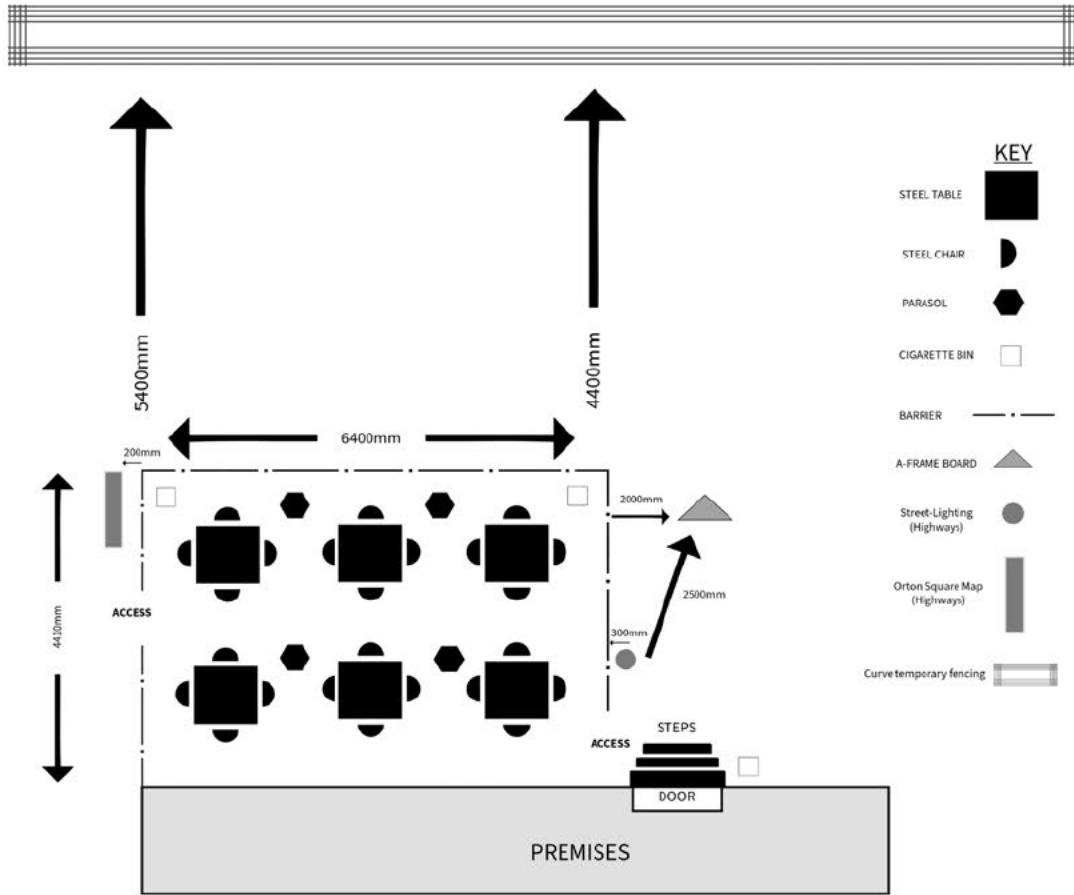
**Please provide any additional information.:** I can only upload 2 photos of furniture. Benches will be treated wood, rectangle in shape with squared off corners and edges.

**I agree:** I understand and agree to the above

**Full name of applicant:** Mr Matthew Hogg

**Date:** 03/07/2024

# ORTON SQUARE



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Enjoy responsibly.

EXPLORING THE WORLD  
CERVEZA PREMIUM INTERNACIONAL  
**San Miguel**  
ESPECIAL  
SINCE 1890

THE MY FRIENDS  
CAN GO  
EITHER WAY





Hey Deborah,

Great go catch up on the phone today.

Hopefully the attached plan has all of the required information.

To confirm, we will no longer put barriers to the front, left side of the building (as you face it) to mark out a smoking area. We will still utilise this area for customers to smoke, without using any furniture.

Here is some additional information for our application:

- We will monitor the pavement licence in the same professional and courteous manner that we achieve inside the premises.
- We will utilise 1 staff member to monitor this area at all times and ensure that customers are reminded to keep noise levels at a reasonable level so as not to impact on the nearby residents.
- Information cards will be placed on tables (each time they are used), to remind customers to be mindful of the impact that excessive noise will have on the nearby residents.
- We would still seek the same hours applied for on the premises, even if this means that only soft drinks or tea/coffee is allowed to be served past 6pm, or alternatively this area becomes a smoking area for our customers past 6pm.

Let me know if you require any further information, and I will get it across to you today.

Matt

[REDACTED]

[REDACTED]

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Thursday, July 25, 2024 12:27 PM  
**To:** Licensing <Licensing@leicester.gov.uk>  
**Subject:** Application for Pavement Licence

I would like to express my objection and concern over the proposed pavement licence for Baton Rouge at Queens in Orton Square, Leicester. As a resident of the Queens Building living above Baton Rouge, Orton Square automatically amplifies and resonates any sound produced. Extra noise generated by Baton Rouge would add to the noise already generated by The Exchange Bar and The Athena in the same area. I understand that Baton Rouge was denied this outside facility in their initial planning application.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

---

From [REDACTED]

Sent: Thursday, July 25, 2024 8:42 AM

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

[REDACTED]

Subject: Baton Rouge Pavement Licensing

To whom it may concern,

I hope this email finds you well.

I am a resident [REDACTED] the Queens Building. Im writing today to express my concerns regarding the Baton Rouge pavement licensing application, my partner and I are both strongly against the idea of further outdoor seating, we were abit more lenient initially when they first applied for the licensing, however they've quite frankly taken the piss, they continue to use the outdoor space way past the allocated times and we've been woken up multiple times in the night to loud base. We've had noise pollution over to monitor the noise level but it was quite evident that they down played music levels during that visit and no further action was taken. We were under the impression that noise pollution were to install a meter which regularly checks the sound levels rather than just a one off which again defeats the object. We've attempted to call noise pollution wardens out on two occasions in the middle of the night however you can appreciate by the time we get a call back we would have both fallen back asleep given the respected times.

We've also noticed, during the days the outdoor space is not in use there has often been groups of people who have jumped the gates and been using the space to drink, smoke etc. My partner has sent Matt a few pictures and address this with him however the response has always been vague. (Please see attached images) For me this is a huge risk for my health and safety and I speak as a collective when I say the resident fear for their safety within that part of the building.

We are not opposed to the having a bar downstairs however they need to respect the fact upstairs is fully residential and we have a mixed group of people, who are disabled, work night, elderly/ vulnerable, have pets etc. This has evidentially caused a lot of distress amongst us residents causing a knock on effect with our daily lives.

I would greatly appreciate an update following this email.

Kind regards,

[REDACTED]







## Appendix E

**From:** [REDACTED]  
**To:** [Deborah Bragg](#)  
**Subject:** Fwd: Baton Rouge Pavement Licence - OBJECTION  
**Date:** 25 July 2024 13:24:59

---

Dear Deborah

Please see below my objection to the granting of a pavement license for Baton Rouge.

Sincerely

[REDACTED]

[REDACTED]

Date: Thu, 25 Jul 2024 at 12:58

Subject: Baton Rouge Pavement Licence - OBJECTION

To: <[REDACTED]>

[REDACTED]

Dear Licensing team

My name is [REDACTED]. My husband and I live in Queens Building where Baton Rouge has recently opened its music, food and hospitality business. Matthew Hogg, Baton Rouge owner, has now applied for a pavement licence for the area at the front of the building (which happens to be below our apartment) and we **strongly object** to this being granted. Baton Rouge is seeking to have outdoor eating and drinking from 11am to 11pm every day of the week. We are already experiencing disturbed sleep because of the noise (music and people) travelling through the building on the evenings/nights they open, so allowing this pavement licence would create intolerable levels of disturbance to building residents - throughout the day-time and into the night-time. Additionally, smoke from their cigarette smoking clientele rising up the side of the building from their current outdoor area, already means that we cannot have our windows open when Baton Rouge is trading, and this therefore would be worsened should this licence be permitted. This should not be acceptable, surely.

We objected to the original licence being granted, but the licence was granted anyway. The negative consequences we anticipated would happen, in terms of noise disturbance, have already very definitely happened. Baton Rouge has, quite frankly, shown a disregard for the licensing terms as they currently stand, as well as the building residents, and this is another indication of their lack of care for the rights and well-being of their neighbours.

We should not have to keep our windows closed and lose sleep because Baton Rouge refuses to be reasonable.

I hope that you will take these concerns into consideration when making your decision.

Sincerely

[REDACTED]

[REDACTED]

[REDACTED]



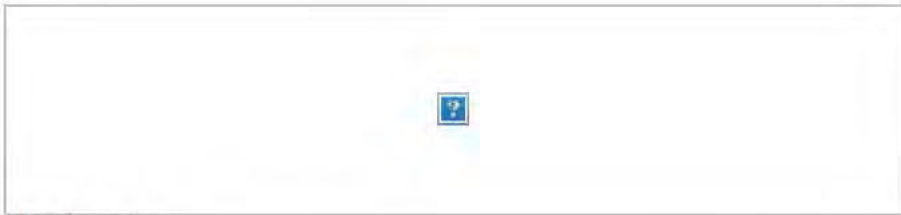
[REDACTED]

[REDACTED]

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Wednesday, July 31, 2024 6:02 PM  
**To:** Deborah Bragg <Deborah.Bragg@leicester.gov.uk>; Licensing <Licensing@leicester.gov.uk>  
**Subject:** Objection to pavement license Baton Rouge



Hi Licensing,

I strongly object to the pavement license being proposed by Baton Rouge.

They have to date been playing loud music that carries up into the apartments due to the age of the building. The lack of soundproofing has led to countless nights of lost sleep with music often going on until 2-3am. Whilst we have complained about this, alongside various other residents jointly effected, no action has been taken that has resulted in a reduction in sound levels.

The proposal of a pavement license also creates a huge problem in that the windows on the apartments are not double glazed due to the building being listed. So all sound carries easily in to the apartment.

If we open windows in summer to try to keep air in circulation, we will be prevented from doing so if there is people drinking and being rowdy in the club/bar directly below. This means our lives will be impacted and our ability to live at peace in our home.

I work from home everyday. A bar and noise all day, everyday, would prevent me from being able to work particularly noting the 11am opening suggested. As such the proposal could lead to a lack of being able to present professionally in frequent video calls and could create mass stress potentially stopping myself from being able to work at all.

Furthermore, I often record music and sounds at home. Due to this I need to ensure that background noises are kept to a minimum. This action would directly limit and prohibits my ability to record anything at all if there are always people outside.

If approved this will have a direct ability on both being able to sell the apartment in the future and may reduce any sale price, creating a potential liability for loss in value that the council would be responsible for as the approving licensing body.

The previous restaurant that was in situ below never created any noise concerns with myself, despite being situated in the exact same location, It also didn't have any seating at the front of the building. The current owner has shown no ownership or responsibility in trying to control and prevent sound travelling into the apartments since the building opened.

It's noted that there are various complaints about the owners running of the Hinckley bar online, showing a clear lack of regard in that location, this has reflected to date our experience of the Leicester city location.

The council approving this license, when there are already serious concerns from residents about the internal noise alone would show clear negligence in the council's responsibility to protect the rights of all homeowners and residents that want to use the building as their home.

I hope this license is not approved and the current existing problems with sound are dealt with first. This has created serious stress to myself and partner to date and any further increase causes great concern that my mental health will deteriorate further to an unmanageable degree.

Regards,

██████

████████████████████

# Appendix C

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

Document is Restricted

