



Leicester
City Council

LICENSING (HEARINGS) SUB-COMMITTEE

DATE: WEDNESDAY, 14 AUGUST 2024

TIME: 2:00 pm

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

Members of the Sub-Committee

Councillor Singh Johal (Chair)
Councillors Cank and Kennedy-Lount

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 / Julian Yeung
Governance Services, Leicester City Council
City Hall, 115 Charles Street, Leicester, LE1 1FZ
email: Committees@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.

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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, 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

(*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 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.

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 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. MINUTES OF PREVIOUS MEETING

Appendix A

The minutes of the meeting held on 3rd July 2024 are attached and members will be asked to confirm them as a correct record.

5. APPLICATION FOR A NEW PREMISES LICENCE - LIYA SUPERMARKET, 62 HINCKLEY ROAD, LEICESTER

Appendix B

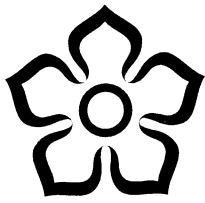
The Director of Neighbourhood and Environmental Services submits a report for an application of a new premises licence for Liya Supermarket, 62 Hinckley Road, Leicester.

6. APPLICATION FOR A REVIEW OF AN EXISTING PREMISES LICENCE FOR CURRY FLAVOUR RESTAURANT AND BAR, 225 UPPINGHAM ROAD, LEICESTER

Appendix C

The Director of Neighbourhood and Environmental Services submits a report on an application for a review of an existing premises licence for Curry Flavour Restaurant and Bar, 225 Uppingham Road, Leicester.

7. ANY OTHER URGENT BUSINESS



Leicester
City Council

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

Held: WEDNESDAY, 3 JULY 2024 at 10:00 am

P R E S E N T:

Councillor Pickering (Chair)

Councillor Bonham

Councillor Cank

* * * * *

1. APPOINTMENT OF CHAIR

Councillor Pickering was appointed as Chair.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. DECLARATIONS OF INTEREST

There were no declarations of interest made.

**4. APPLICATION FOR A VARIATION TO AN EXISTING PREMISES LICENCE
FOR BEST ONE, 77 HINCKLEY ROAD, LEICESTER**

Councillor Pickering, as Chair led on introductions and outlined the procedure the hearing would follow.

The Director of Neighbourhood and Environmental Services submitted a report on an application for a variation to an existing premises licence for Best One, 77 Hinckley Road, Leicester.

The Applicant Mr Kanjibhai Patel, Mr Vimesh Gandhi (DPS), and their representative Mr Anil Bhawsar (Licensing Agent) were in attendance. Also in attendance was PC Jefferson Pritchard, Leicestershire Police, and Vandana Lad, Noise and Pollution team. Also present was the Licensing Team Manager (Policy and Applications) and the Legal Adviser to the Sub-Committee.

The Licensing Team Manager (Policy and Applications) presented the report

and outlined details of the application.

A representation was received on 10 June 2024 from the Police. The representation related to the prevention of crime and disorder, the prevention of public nuisance and public safety. The representee was concerned about the application but believed the inclusion of some additional conditions would reduce the likelihood of crime, disorder and anti-social behaviour in the future and help promote and uphold the licensing objectives. They had reached agreement with the applicant.

A second representation was received on 10 June 2024 from the Noise team. The representation related to the prevention of public nuisance. The Noise team were concerned regarding noise implications for local residents with the later hours and proposed serving hatch.

Mr Pritchard, Police Constable for Leicestershire Police, was given the opportunity to outline the details of the Police's representation and answered questions from Members.

Ms Lad, Noise and Pollution Control Officer was given the opportunity to outline the details of their representation and answered questions from Members.

Mr Bhawsar and Mr Gandhi were given the opportunity to address the Sub-Committee and answered questions from the Members.

Mr Gandhi invited the Sub-Committee to consider a written submission but this had not been provided in advance of the hearing so the Police and Noise Team had not been able to consider the document. Mr Gandhi was invited to read those submissions to the Sub-Committee, which he did, following which with the consent of all parties the written document was submitted to the Sub-Committee.

Mr Gandhi invited the Sub-Committee to consider a petition in support of the application signed by approximately 100 of his customers. The Sub-Committee declined to accept the petition as it had not been produced to the Council or to the Police for verification prior to the hearing. However, Mr Gandhi was informed that he was entitled to explain the content of the petition in his oral submissions which he did.

With the consent of all parties Mr Gandhi submitted to the Sub-Committee examples of Notices to be displayed at the premises asking customers not to loiter after purchases, to keep noise to a minimum and to respect neighbours.

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

The Sub-Committee received legal advice from the Legal Adviser to the Sub-Committee in the presence of all those present and were advised of the options available to them in making their decision. The Sub-Committee were also advised of the relevant policy and statutory guidance that needed to be taken

into account when making their decision.

In reaching their decision, Members felt they should deliberate in private on the basis that this was in the public interest, and as such outweighed the public interest of their deliberation taking place with the parties represented present, in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

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

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

RESOLVED:

That the application for a variation to an existing premises licence be GRANTED subject to the following additional conditions.

1. The conditions detailed in Appendix D of the Licensing Officer's Report (those being the conditions consistent with the Operating Schedule and the conditions consistent with the representation from Leicestershire Police)
2. All sales between midnight and 6am must be conducted through a hatch constructed at the premises.
3. A canopy for customers must be constructed at the hatch before any sale takes place.
4. The canopy must be soundproofed to a specification approved by the Council's Noise and Pollution Control Team.

REASONS

In considering the application by Kanjibhai Patel for variation of the Premises Licence held by him for Best One Store at 77 Hinckley Road, Leicester, the Sub-Committee has considered the Licensing Officer's Report and all the relevant representations, both written and oral. The Sub-Committee has taken account of all relevant legislation, the Statutory Guidance, the Regulators' Code and the Council's Licensing Policy. The Sub-Committee has had regard in its deliberations to the steps appropriate to promote the licensing objectives, and has decided the matter on its merits on the evidence presented to it. The Sub-Committee has taken a risk based approach to its decision which has been made on the balance of probability. The Sub-Committee has, as it is required to do, limited its deliberation to the promotion of the licensing objectives (with each licensing objective being of equal importance) and nothing outside of those parameters.

Best One Store is a grocery / convenience store on Hinckley Road. The area has a mix of residential and retail properties including other licensed premises. Commercial properties are found either side of the store and there is a residential flat above the premises. The Premises Licence was first issued on 25 July 2005. It was varied in February 2022 to increase by 3 hours the hours for the supply of alcohol. The premises has unrestricted opening hours and the Licence prior to this variation application authorised the supply alcohol for consumption off the premises seven days a week from 6am to midnight.

Leicestershire Police had originally made representations opposing the application based on the licensing objectives of the prevention of crime and disorder, public safety and the prevention of public nuisance but they had visited the premises on 03 May 2024 and met with Mr Gandhi (the premises leaseholder and DPS) and his Licensing Agent Mr Bhawsar to discuss the application. Mr Gandhi had explained that a minimum of two staff members would be employed at the premises at all times and that no customers would be permitted on the premises between midnight and 6am. During those hours, and subject to any necessary planning consent, customers would be served through a hatch at the front of the store. The view now taken by the Police is that although any 24 hour licensed premises gives concern as regards possible incidents, conditions agreed with the Applicant and now imposed by Members are appropriate and proportionate so as to negate their original objection.

The Noise and Pollution Control Team also made an objection opposing the application on the basis of the licensing objective of the prevention of public nuisance. They too had spoken with Mr Gandhi prior to the hearing but their objection remained live. They felt there was nothing in the written application to explain how staff inside the store would prevent people outside causing public nuisance. They indicate that experience with other licensed premises shows that public nuisance is likely to occur if the variation is granted. They are concerned with the noise implications for local residents during core sleeping hours arising from the early morning operating hours and the proposed serving hatch at the front of the premises. They envisage noise from customers potentially congregating outside the premises and an increase in noise from vehicular traffic as people are attracted to the premises from outside the area. They suggest these new noise sources centred around the premises could lead to sleep deprivation for the residents nearby. The Noise Team have visited the area on at least two occasions and have found it very quiet during the hours for which the variation has been sought. In their discussion Mr Gandhi had suggested to the Noise Team that the installation of a bulletproof canopy could provide cover for up to 15 people and that, together with a micro audio system at the serving hatch would help to reduce customer noise. The Noise Team disagreed with Mr Gandhi, hence their continued objection to the application.

Mr Gandhi informed Members that he has been active at the premises for some 10 years and has a long history in retail. He currently employs 8 staff members and the store stocks approximately 25,000 products with alcohol representing a small part of the sales. There are approximately 1,000 customers per day and customers had asked for 24 hour sale of all products. Mr Gandhi indicated approximately 100 customers had signed a petition in

support of the application (the petition itself was not accepted at the hearing as evidence as it had not been produced to the Council or to the Police for verification prior to the hearing). Mr Gandhi indicated that staff at a local care home also supported 24 hour opening for the purchase of items and the tenant above the store was in support of the application as he worked nightshifts and felt it would provide extra security for his family to know staff remained in the store below. Mr Gandhi indicated that the store currently opens from 6am through to midnight and although he was able to remain open 24 hours a day, he does not do so as he is concerned that it might be problematic to have to refuse the sale of alcohol to customers during the hours of midnight through to 6am. His intention is to refurbish the front of the premises to create a hatch for service. No customers will be admitted to the premises between midnight and 6am and there will always be two members of staff inside the premises so one will remain with the customer while the other gathers the purchases. Customers with vehicles will be asked to switch off engines and staff will speak to customers to moderate any inappropriate behaviour. Where appropriate customers will be reminded that their actions are being recorded on CCTV and if necessary the Police will be called. A canopy for customers is to be built around the service hatch and this may assist to reduce noise as too will an intercom system for customers to use. Mr Gandhi explained that in referring to a bulletproof canopy in his earlier discussion with the Noise Team he had really had in mind soundproofing. Mr Gandhi indicated there are 16 CCTV cameras at the premises which record vision and audio both internally and externally. These had been shown to the Police. Notices will be displayed at the premises, examples of which, similar to those used at other premises, were shown to Members. The Notices will ask customers not to loiter after purchases, to keep noise to a minimum and to respect neighbours. Mr Gandhi also referenced two other businesses in the area, one being a garage, with similar licensed hours.

Having heard from Mr Gandhi at the hearing, while the Noise Team remained opposed to the application, they indicated that had they been provided with further information and specification regarding a soundproofed canopy then their view of the application might potentially have been different. However, the Noise Team did indicate that even if people have not objected to an application, they can still experience sleep deprivation from noise nuisance and occupants of residences are likely to change over time.

Members have noted the Premises Licence was first issued in 2005 and no adverse licensing history has been brought to their attention. The Police confirmed that some nine incidents of shoplifting and associated matters have been reported by Mr Gandhi and his staff which evidences a willingness to engage the Police where required. Members have noted that no representations have been received from residents or local businesses.

In granting the application subject to the conditions set out, Members expect that Mr Gandhi will work with the Noise Team. If problems do arise Members would expect the Premises Licence to be returned to Committee for review.

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

Any appeal against the decision must be made within 21 days to the Magistrates Court.

5. PRIVATE SESSION

RESOLVED:

That the press and public be excluded during consideration of the following reports in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because it involves the likely disclosure of 'exempt' information, as defined in the Paragraphs detailed below of Part 1 of Schedule 12A of the Act, and taking all the circumstances into account, it 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 7

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

B1) – Application for a Review of an Existing Premises Licence

6. APPLICATION FOR A REVIEW OF AN EXISTING PREMISES LICENCE FOR NATTERJACKS, 52A BRAUNSTONE GATE

After receiving the late notification of an application to transfer the premises license, the hearing was adjourned.

7. ANY OTHER URGENT BUSINESS

With there being no further business, the meeting closed at 11.56am.

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: 14 August 2024

Lead director/officer: Deborah Bragg

Useful information

- Ward(s) affected: Westcotes
- Report author: Valentina Cenic
- Author contact details: 0116 454 3081
- Report version number: 1

1. Summary

- 1.1 This report outlines an application under the Licensing Act 2003 for a new premises licence for Liya Supermarket, 62 Hinckley 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

- 2.1 Having considered the application and representation, Members must consider whether to
- Grant the licence without modification
 - Grant the licence subject to conditions
 - Refuse to accept the proposed premises supervisor
 - Reject the application

3. Application and promotion of the licensing objectives

- 3.1 An application was received on 27 June 2024 from Mrs Mastora Mhamad for a new premises licence for Liya Supermarket, 62 Hinckley Road, Leicester. A copy of the application is attached at Appendix A.

- 3.2 The application is as follows:

Licensable activity	Proposed hours
Sale of alcohol (Off)	Monday to Sunday 08:00 – 00:00
Opening hours	Monday to Sunday 08:00 – 00:00

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

3.5 Location Plan



4. Representations

- 4.1 A representation was received on 28 June 2024 from a member of the public. The representation relates to the prevention of crime and disorder, prevention of public nuisance, public safety and the protection of children from harm. The representee is concerned that late opening will cause environmental pollution with drunks leaving alcohol bottles everywhere, as well as detrimental effect on mental health of young children. There are already shops nearby selling alcohol, and the representee sees no reason for another shop. A copy of the representation is attached at Appendix B1.
- 4.2 A representation was received on 11 July 2024 from Leicestershire Police. The representation relates to prevention of crime and disorder, prevention of public nuisance and protection of children from harm. Leicestershire Police do have some concerns about the application, given the number of licensed premises in the area, the proposed operating hours and alcohol related anti-social behaviour. Therefore, Leicestershire Police sought additional security measures in order to reduce the likelihood of alcohol related anti-social behaviour crime and disorder in the area.

- 4.3 Leicestershire Police have reached an Agreement with the applicant. A copy of the Agreement is attached at Appendix B2.
- 4.4 A representation was received on 23 July 2024 from a member of public. The representation relates to prevention of crime and disorder, prevention of public nuisance and public safety. The representee states there are already a lot of off-sales liquor shops in the area, so there is no need for another one, especially as there are groups of people gathering at the side of the shop in the late hours and the residents are not feeling safe passing next to the shop. The representee also states the shop is selling illegal non UK duty paid cigarettes in the area. A copy of the representation is attached at Appendix B3.

5. Conditions

- 5.1 The conditions that are consistent with the application are attached at Appendix C.

6. Statutory guidance and statement of licensing policy

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

Section	Heading
1.2 – 1.5	Licensing objectives and aims
1.15 – 1.16	General Principles
1.17	Each application on its own merits
2.1 – 2.6	Crime & Disorder
2.15 – 2.21	Public nuisance
2.22 – 2.31	Protection of children from harm
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

- 6.2 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

7. Points for clarification

- 7.1 The applicant and the party / 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?)

9. Background information and other papers:

None

10. Summary of appendices:

Appendix A – Application

Appendix B – Representations

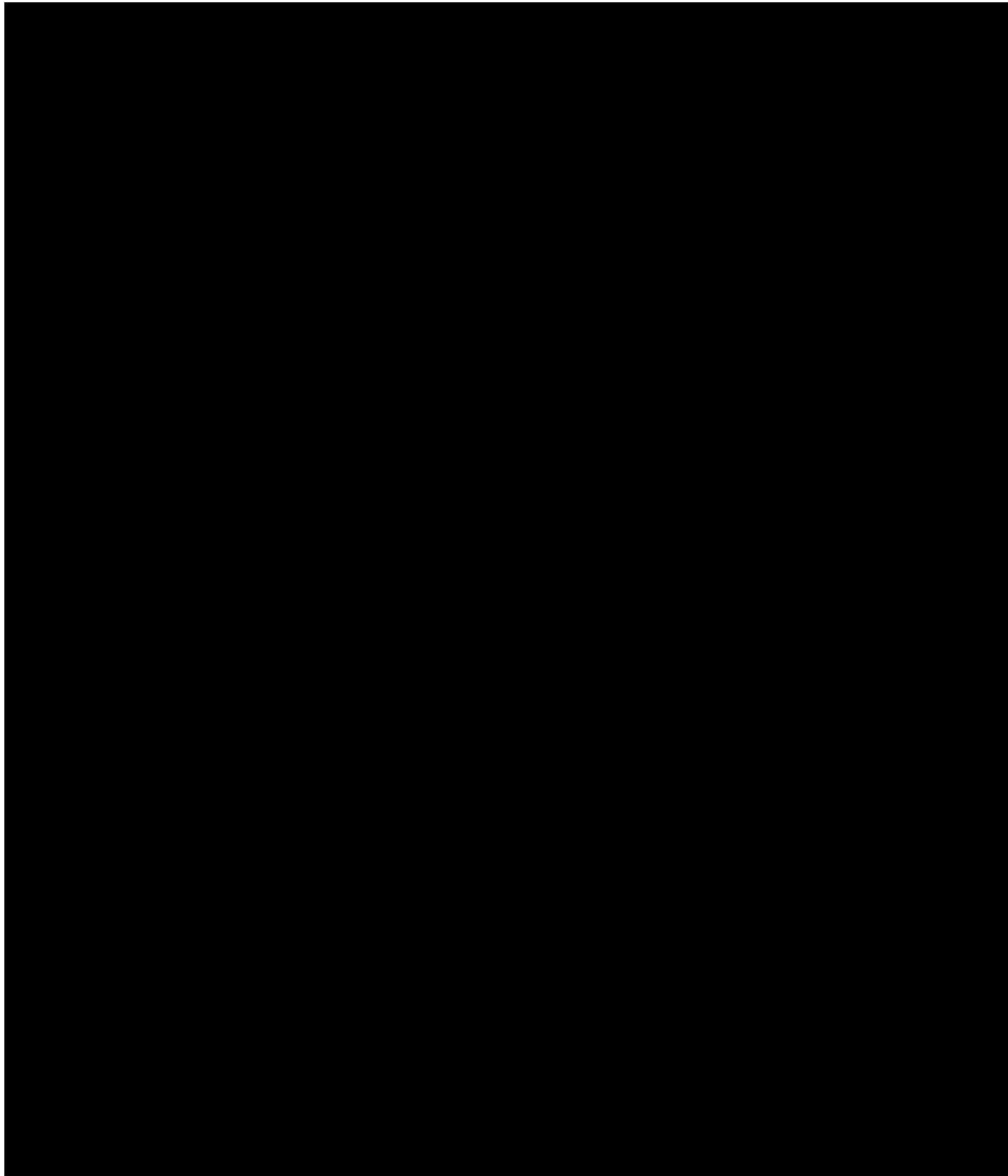
Appendix C – Conditions consistent with the application

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





Tacit consent applies

Process by: **08/08/2024**

Status: **Not collected**

Recent History

Notification to
securelicenses@gmail.com:
Sent on 27/06/2024 15:47

Notification to
licensing@leicester.gov.uk:
Sent on 27/06/2024 15:47

Payment Successful:
at 27/06/2024 15:41








Supporting documents (2)

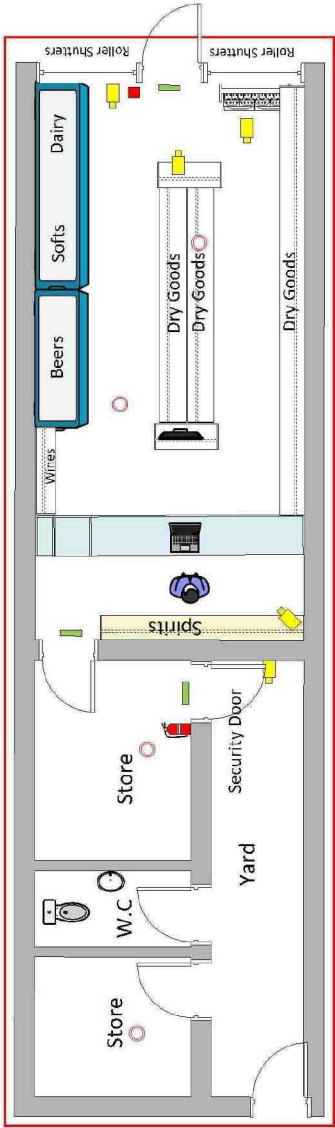
Premises Plan (mandatory)

Consent of designated premises supervisor

Authority Reference

Reference:

LEGEND	Smoke Detector		Fire Bell		Fire Exit	
	Camera		Fire Ext. Water		Monitor	
					Licensable Area	



Drawing Purpose	PREMISES LICENCE APPLICATION	
Drawing Details	<p>The purpose of this drawing is for the submission of a Premises Licence Application.</p> <p>All Measurements have been drawn in millimetres.</p> <p>This drawing is not be used for the intention of any building, shop fitting or construction purposes.</p>	

Name of Premises	Liya Super Market
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Premises Address	62 Hinckley Road, Leicester, LE3 0RD
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SCALE	1-100
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Leicester City Council

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

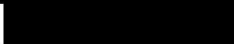
You may wish to keep a copy of the completed form for your records.

I/We Mrs Mastora MHAMAD

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Liya Super Market 62 Hinckley Road			
Post town	Leicester	Postcode	LE3 ORD
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ 8.900	

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input checked="" type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | please complete section (B) |

- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒

I am making the application pursuant to a
 statutory function or ☐
 a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input checked="" type="checkbox"/>	<input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname				MHAMAD		
First names				Mastora		

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality					
Current postal address if different from premises address					
Post town				Postcode	

Daytime contact telephone number	
E-mail address (optional)	

(B) OTHER APPLICANTS

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	M	YYY
2	5	0
7	2	0
2	4	

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

DD	M	YYYY

Please give a general description of the premises (please read guidance note 1)

Small mid terraced retail shop trading as a newsagents / grocery store, situated in a row of mixed retail premises in a commercial area on a secondary road, outside of the city centre.

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

--

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- | | |
|--|--------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)

☐

Supply of alcohol (if ticking yes, fill in box J)

X

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Wed					
Thur					
			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			
Fri			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)			
Mon						
Tue						
			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)			
Wed						
Thur						
			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)			
Fri						
Sat						
Sun						

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>																																					
				Outdoors	<input type="checkbox"/>																																					
<table border="1"> <thead> <tr> <th>Day</th> <th>Start</th> <th>Finish</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Mon</td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td rowspan="2">Tue</td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td rowspan="2">Wed</td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td rowspan="2">Thur</td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td rowspan="2">Fri</td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td rowspan="2">Sat</td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td rowspan="2">Sun</td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> </tbody> </table>				Day	Start	Finish	Mon					Tue					Wed					Thur					Fri					Sat					Sun					Both
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			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)																																							
			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)																																							

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish			Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)			
Tue						
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)			
Thur						
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)			
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish			Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)			
Tue						
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)			
Thur						
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)			
Sat						
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 8)		On the premises	<input type="checkbox"/>
					Off the premises	X
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)			
Mon	08.00					
		00.00				
Tue	08.00					
		00.00				
Wed	08.00					
		00.00				
Thur	08.00					
		00.00				
Fri	08.00					
		00.00				
Sat	08.00					
		00.00				
Sun	08.00					
		00.00				

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	Mrs Mastora MHAMAD
------	--------------------

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).</p> <p>None</p>

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 7)</p>			<p><u>State any seasonal variations</u> (please read guidance note 5)</p>
Day	Start	Finish	
Mon	08.00		
		00.00	
Tue	08.00		
		00.00	
Wed	08.00		
		00.00	
Thur	08.00		
		00.00	
Fri	08.00		
		00.00	
Sat	08.00		
		00.00	
Sun	08.00		
		00.00	
			<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p>

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

1. CCTV

- 1.1 The premises shall install and maintain a digital CCTV system and will cover all areas that the public have access to including the immediate paved area outside the shop
- 1.2 The CCTV system shall have sufficient hard drive storage capacity to store a minimum of 31 days.
- 1.3 The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises at each exit and entrance point.
- 1.4 A CCTV log will be completed on a weekly basis to record all elements of the CCTV System is maintained in good working order and recordings date and time stamped.
- 1.5 Only nominated staff shall be trained in the operation of the CCTV system to ensure rapid data retrieval & downloads of footage that can be provided to the Police & the Local Authority Officer upon reasonable request in accordance with the Data Protection Act.
- 1.6 CCTV shall be continually recording during licensable hours
- 1.7 In the event of a failure of the CCTV system for any reason, a record of the failure will be recorded in the premises CCTV log and immediate steps will be made to rectify the problem.

b) The prevention of crime and disorder

2. Incident Register

- 2.1 An incident log must be kept at the premises. Log records will be retained for a period of 12 months from the date it occurred. It will be made immediately available on request to an 'authorised person' (as defined by section 13 of the Licensing Act 2003), an authorised trading standards officer or the police, and must record the following:
 - (a) All crimes reported to the premises (where relevant to the licensing objectives)
 - (b) Any incidents of disorder involving the premises or its customers
3. When the designated premises supervisor is not on duty, a contact telephone number will be available at all times.
- 4: All spirits will be stored and sold behind the counter
- 5: Roller shutters have been installed at the front of the premises.

c) Public safety

No risk has been assessed under the Licensing Act 2003

d) The prevention of public nuisance

6. Prominent, clear and legible signage shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quickly and quietly.

7. The front outside area will be monitored for people who appear to be loitering and the management and staff will use their best endeavours to disperse any groups of 3 or more people.

e) The protection of children from harm

7. A written register of refusals will be kept including a brief description of the people who have been unable to provide required identification to prove their age. Such records shall be kept for a period of 12 months and will be produced to the police or an 'authorised person' (as defined by section 13 of the licensing act 2003) or an authorised trading standards officer the local authority/council on request.

8. All staff engaged in the sale of alcohol to be trained in Challenge 25. Training records shall be kept on the premises for a period of 12 months and produced to the police or an 'authorised person' (as defined by section 13 of the licensing act 2003) or an authorised trading standards officer of the local authority/council on request.

9. Challenge 25

9.1 The premises shall operate a Challenge 25 policy and scheme. These shall be written down and kept at the premises in the training log book. They shall be produced on request of the police or an 'authorised person' (as defined by section 13 of the licensing act 2003) or an authorised trading standards officer the local authority/council.

9.2 Prominent, clear and legible Challenge 25 signage shall also be displayed at all entrances to the premises as well as at, at least one location behind any counter advertising the scheme operated.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. (to be paid over the phone) X
- I have enclosed the plan of the premises. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☐
Electronic application

- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. X
- I understand that I must now advertise my application. X
- I understand that if I do not comply with the above requirements my application will be rejected. X
- X
[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

It is an offence, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

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

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [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). • 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)
Signature	<i>Tony Clarke</i>
Date	26 th June 2024
Capacity	Agent on behalf of the applicant

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Tony Clarke			
Secure Licenses			
540 Antrim Road			
Post town	Belfast	Postcode	BT15 5GJ
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
securelicenses@gmail.com			

Consent of individual to being specified as premises supervisor

I: *name of prospective premises supervisor* Mrs Mastora MHAMAD

[home address of prospective supervisor]

of:

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

New Premises Licence under s17 of the Licensing Act 2003

[type of application]

by

[name of applicant]

Mrs Mastora MHAMAD

relating to a premises licence

TBA

[number of existing licence, if any]

for

[name and address of premises to which the application relates]

Liya Super Market, 62 Hinkley Rd, Leicester, LE3 0RD

and any premises licence to be granted or varied in respect of this application made by

Mrs Mastora MHAMAD

[name of applicant]

concerning the supply of alcohol at

Liya Super Market, 62 Hinkley Rd, Leicester, LE3 0RD

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

TBA

[insert personal licence number, if any]

Personal licence issuing authority

Leicester City Council

[insert name and address and telephone number]

Signed

Name *(please print)*

Date

23rd June 2024

Valentina Cenic

From: Licensing
Sent: 28 June 2024 15:04
To: Valentina Cenic
Subject: FW: Representation in respect of Premises Licence. Case reference: LIC626652782
Attachments: LIC626652782.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

From: Leicester City Council <noreply@leicester.gov.uk>
Sent: Friday, June 28, 2024 2:30 PM
To: Licensing <Licensing@leicester.gov.uk>
Subject: Representation in respect of Premises Licence. Case reference: LIC626652782

Representation in respect of Premises Licence

Case raised by: 28/06/2024 13:30:05

Customer details:

Title	First name	Surname	Phone number	Mobile number	Email address

Address:

Enter the postcode or	Please select the	Flat	House	Street	Town	County	Postcode

Name of premises: Liya supermarket

Location:

Enter the postcode or street name	Please select the address	Flat	House number	Street	Town	County	Postcode
Le3 0rd	62 Hinckley Road, Leicester		62	Hinckley Road	Leicester	Leicester City	LE3 0RD

Application No. (If known):

Please tick one or more of the licensing objectives that your representation relates to: Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, Protection of Children From Harm

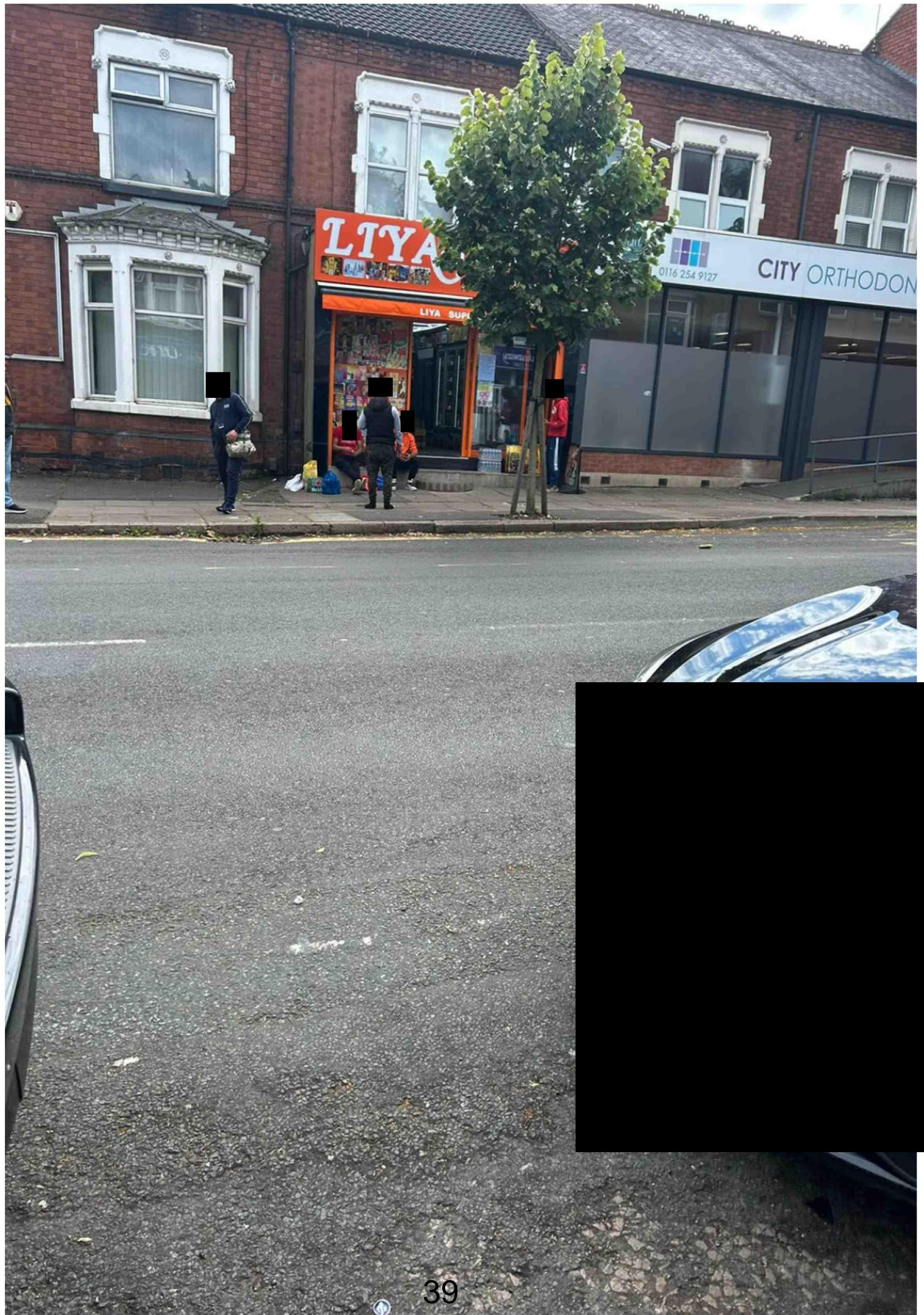
Please summarise your concerns about this application:

_____ have seen the notice today and am very disturbed and concerned by it. I am flabbergasted as the sign on liya supermarket says 'off licence '. How can they put up their sign without a licence ? With late openings there is likely going to be environmental pollution with drunks leaving alcohol bottles on the pavement and outside _____. Hygiene risk as well .The detrimental and mental effect on the young children _____ seeing drunk people . Poses a serious risk to the children as well . We need a safe environment for them _____ Drunk people are frequent on Hinckley road and I am Concerned about alcohol being sold _____ There are shops nearby selling alcohol and I see no reason why we need another one . You can see all 4 of the objectives you mention are relevant. Crime will increase . What if we find our building broken into ? _____ The area is considered not particularly safe anyway and granting this licence will negatively effect public safety. There will be public nuisance as the drunks will hang around outside the shop _____ I feel very strongly that this alcohol licence should not be granted . _____

Please give further details of WHY you believe this application will have an adverse effect on the licensing objectives : Hinckley road is known for drunks hanging around . We see them all the time so we are aware that this will happen here . _____ There are already plenty of shops on Hinckley road selling alcohol . I see no reason for another . _____ nuisances on Hinckley road already _____ . My concerns are for hygiene as well . I have seen some drunks peeing outside on the street _____

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

:



Valentina Cenic

From: [REDACTED]
Sent: 13 July 2024 14:35
To: Valentina Cenic
Subject: Re: REPRESENTATION ACCEPTED LIYA SUPERMARKET

Dear Vanentina

I attach a photo of why I am objecting . You I can clearly see liya supermarket [REDACTED]
[REDACTED] Men are sitting like that on the steps. There is beers in the bags but it seems to be that locals know shop owner and hence they are all assembling there . [REDACTED]
[REDACTED]

Thanks

Thought I'd bring to your attention

Thanks
[REDACTED]
[REDACTED]

Licensing Act 2003
Street Café / Pavement Licence Area - Grant Application
Notification to Local Authority of Agreement Regarding Police Representations.

Leicester City Council
Licensing Authority Office
York House
91 Granby Street
LEICESTER
LE1 6FB

Wednesday 10th July 2024

Dear Sir / Ma'am

Re: Liya Supermarket, 62 Hinckley Road, Leicester. LE3 0RD.

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

Discussions have taken place with the Leicestershire Police in relation to the promotion of the Licensing Objectives.

I am aware that representations have been made and that the following conditions should be placed upon the new licence:

- ~~(1) The licence holder will ensure a high definition, 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.~~
- ~~(2) The licence holder will ensure CCTV images are securely stored, display an accurate date/time stamp and retained for a minimum of 31 days.~~
- ~~(3) 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.~~
- ~~(4) The licence holder will ensure all refusals of age restricted products are recorded and logged. These records will be kept on site and be made available for inspection by an officer from a responsible authority on request.~~
- ~~(5) The licence holder will operate a Challenge 25 policy with the only acceptable proof of age identification consisting of a current passport, photo card driving licence, citizen card or identification carrying a PASS logo. A training record must be kept on the premises, retained for twelve months and produced to an officer from a responsible authority on request.~~

(6) ~~The Challenge 25 policy will be adopted and there will be documented training for all staff (paid or not) before they allowed to sell age restricted products. These records will be made available to the authorities upon request.~~

(7) The licence holder shall ensure that beer, cider, perry or lager above 6.5% ABV is not sold from the premises.

No further conditions

I agree to these conditions * (3, 4 & 7) and do not therefore consider that a hearing is necessary.

Yours faithfully

Signed

Name in block capitals – **TONY CLARKE**

(Applicant / ~~Solicitors for~~ and on behalf of the Applicant – delete as appropriate)

Date – **11th July 24**



Leicestershire Police

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

Details of person or body making representation	
Your Name:	[REDACTED]
Your Address:	Force Licensing Department, Mansfield House Police Station, 74 Belgrave Gate, Leicester. LE1 3GG

Details of premises representation is about	
Name of Premises:	Liya Supermarket
Address of premises:	62 Hinckley Road Leicester LE3 0RD
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 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 alcohol licensing officer for Leicestershire Police, with delegated authority from the Chief Constable.</p> <p>My representation to this new premises licence application is based upon the licensing objectives, as defined by the Licensing Act 2003.</p> <p>The application in its current format (if granted), would undermine three of the four licensing objectives, in relation to:</p> <ul style="list-style-type: none">(1) The prevention of crime and disorder.(2) The prevention of public nuisance.(3) The protection of children from harm.

This is an application for a new off licence / supermarket on Hinckley Road, Leicester.

The premises is located on the junction of Hinckley Road and Tyndale Street. The premises is located on the ground floor but is slightly elevated.

Several other licensed premises are located nearby, including two off-licences on the opposite side of the road.

The applicant has requested the opening hours to the public and the sale of alcohol to be daily between 8am and midnight.

The application is detailed and refers to a number of proposed conditions. Leicestershire Police respectfully requests that all of these conditions within Section M (A-E) are attached to the licence, should the licence be granted.

Leicestershire Police do have some concerns about the application, given the number of licensed premises in the area, the proposed operating hours and alcohol related anti-social behaviour. Therefore, Leicestershire Police seek additional security measures in order to reduce the likelihood of alcohol related anti-social behaviour crime and disorder in the area.

Leicestershire Police believe the inclusion of some additional conditions will reduce the likelihood of anti-social behaviour, crime and disorder at the premises, in the area and help protect the operator, protect those staff members employed at the premises and ultimately promote and uphold the licensing objectives.

Those conditions being:

- (1) 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.
- (2) The licence holder will ensure all refusals of age restricted products are recorded and logged. These records will be kept on site and be made available for inspection by an officer from a responsible authority on request.
- (3) The licence holder shall ensure that beer, cider, perry or lager above 6.5% ABV is not sold from the premises.

No further conditions

The applicant has agreed to the above conditions and this is reflected in a signed agreement, signed by their agent dated Thursday 11th July 2024.

Leicestershire Police respectfully requests that the above conditions are attached to the licence, as they are appropriate and proportionate and promote all four licensing objectives.

[REDACTED]

Leicestershire Police – Leicester City Centre Alcohol Licensing Officer.

Representation dated – Thursday 11th July 2024

Lynsay Coupe

From: [REDACTED]
Sent: 26 July 2024 18:11
To: Licensing
Subject: Re: Objection regarding shop.

[REDACTED]

On Fri, 26 Jul, 2024, 3:22 pm Licensing, <Licensing@leicester.gov.uk> wrote:

Hi

Thank you for your response, please can you let me know what number [REDACTED] you live at?

Regards

Vicky Marshall

Licensing Officer

[REDACTED]
Sent: Friday, July 26, 2024 3:02 PM
To: Licensing <Licensing@leicester.gov.uk>
Subject: Re: Objection regarding shop.

Thank you for your response..
My full name is [REDACTED]
Address is [REDACTED]
Please take action against them asap as there are highly chances that they will start any other illegal activities...
Thank you

On Tue, 23 Jul, 2024, 4:26 pm Licensing, <Licensing@leicester.gov.uk> wrote:

Thank you for your email in relation to a new premises application.

In order for your representation to be accepted, please provide your full name and address.

Regards

Amy Day

Licensing Officer (Policy & Applications Team)

Licensing Authority

Phone: 0116 454 3030

Email: amy.day@leicester.gov.uk

Web: www.leicester.gov.uk/licensing

If you have made an application or sent us an email and have received an automatic acknowledgment please do not try and call licensing – we will respond to you as soon as we are able.

Applications and emails are dealt with in strict date order.

Sent: Tuesday, July 23, 2024 4:11 PM

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

Subject: Objection regarding shop.

Respected authority,

We have an objection regarding this shop which mention below with details

*Address: 62, Hinkley road, LE3 0RD.

*Shop name : LIYA Supermarket.

As on Hinkley road there are already many Off-licence shops available and recently one more has opened which is 'LIYA Supermarket'. This shop is responsible for selling illegal non uk duty paid cigarettes in this area which is against the law of the UK.

As he fixed liquor license notice but sometimes they removed it and sometimes put it back on display.

Additionally they are open till mid night and usually groups of people are standing out side of that shop. As a local community we are not feeling safe while passing through that way.

Thank you.

CONDITIONS

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE
The premises shall install and maintain a digital CCTV system and will cover all areas that the public have access to including the immediate paved area outside the shop
The CCTV system shall have sufficient hard drive storage capacity to store a minimum of 31 days
The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises at each exit and entrance point
A CCTV log will be completed on a weekly basis to record all elements of the CCTV System is maintained in good working order and recordings date and time stamped.
Only nominated staff shall be trained in the operation of the CCTV system to ensure rapid data retrieval 3, downloads of footage that can be provided to the Police & the Local Authority Officer upon reasonable request in accordance with the Data Protection Act.
CCTV shall be continually recording during licensable hours
An incident log must be kept at the premises. Log records will be retained for a period of 12 months from the date it occurred. It will be made immediately available on request to an 'authorised person' (as defined by section 13 of the Licensing Act 2003), an authorised trading standards officer or the police, and must record the following;
(a) All crimes reported to the premises (where relevant to the licensing objectives)
(b) Any incidents of disorder involving the premises or its customers
When the designated premises supervisor is not on duty, a contact telephone number will be available at all times.
All spirits will be stored and sold behind the counter
Roller shutters have been installed at the front of the premises.
Prominent, clear and legible signage shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quickly and quietly
The front outside area will be monitored for people who appear to be loitering and the management and staff will use their best endeavours to disperse any groups of 3 or more people
A written register of refusals will be kept including a brief description of the people who have been unable to provide required identification to prove their age. Such records shall be kept for a period of 12 months and will be produced to the police or an 'authorised person' (as defined by section 13 of the licensing act 2003) or an authorised trading standards officer the local authority/council on request
All staff engaged in the sale of alcohol to be trained in Challenge 25. Training records shall be kept on the premises for a period of 12 months and produced to the police or an 'authorised person' (as defined by section 13 of the licensing act 2003) or an authorised trading standards officer of the local authority/council on request
The premises shall operate a Challenge 25 policy and scheme. These shall be written down and kept at the premises in the training log book. They shall be produced on request of the police or an 'authorised person' (as defined by section 13 of the licensing act 2003) or an authorised trading standards officer the local authority/council.
Prominent, clear and legible Challenge 25 signage shall also be displayed at all entrances to the premises as well as at, at least one location behind any counter advertising the scheme operated
In the event of a failure of the CCTV system for any reason, a record of the failure will be recorded in the premises CCTV log and immediate steps will be made to rectify the problem
CONDITIONS CONSISTENT WITH THE POLICE REPRESENTATION AND AGREEMENT
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 will ensure all refusals of age restricted products are recorded and logged. These records will be kept on site and be made available for inspection by an officer from a responsible authority on request
The licence holder shall ensure that beer, cider, perry or lager above 6.5% ABV is not sold from the premises.

Code of Practice for Hearings - Licensing Act 2003

Version 4a

July 2014

1. Introduction

- 1.1. This Code of Practice sets out how hearings to be held by Leicester City Council in its role as Licensing Authority under the Licensing Act 2003 will be conducted.
- 1.2. The Licensing Act – Hearings Regulations 2004 also regulate the conduct of hearings and this Code should be read in conjunction with those regulations. In the event of uncertainty the Regulations would take precedence.
- 1.3. Members of the Licensing Committee who sit on hearing panels are also governed by the “Code Of Practice For Member Involvement in Licensing Matters.”
- 1.4. The types of hearings to which this Code of Practice is applicable are set out in Sections 6.

2. Objectives

- 2.1. Hearings will be conducted in order to achieve the following objectives:
 - The decision making process promotes the licensing objectives of the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm.
 - All parties are given a fair hearing.
 - Hearings are conducted in an efficient manner.

3. Roles

- 3.1. The Licensing Committee has delegated the holding of hearings to Licensing Sub-Committees of three members. Members of the Sub-Committee will:
 - Consider information and evidence presented by the parties;
 - Control the conduct of hearings in accordance with this code;
 - Ask questions of the parties that are relevant to the matter to be determined.
 - Seek advice from the Legal Advisor and Licensing Officer
 - Make a determination at the conclusion of the hearing.
- 3.2. The Legal Advisor will give legal advice to the Sub-Committee on the following matters:
 - The interpretation of legislation;
 - Other legal matters;
 - The admissibility and relevance of evidence and other information presented by the parties;
 - The relevance and appropriateness of questions.The Legal Advisor will remain neutral to the decision making process.
- 3.3. The Committee Secretary will make a record of the hearing and will advise the Sub-Committee on the procedure to be followed. The Committee Secretary will remain neutral to the decision making process.

- 3.4. The Licensing Officer will provide the factual details of the matter to be considered and offer advice to the Sub-Committee on the Licensing Act, the authority's Licensing Policy and the Guidance issued by the Secretary of State, as they relate to the application and representations made. The Licensing Officer will remain neutral to the decision making process.
- 3.5. The Parties to the hearing include the applicant and any responsible authority or interested party who has made a representation or given a notice in respect of the application. They will be able to give further information in support of their application, representation or notice, to clarify any point that the Licensing Authority has raised, to address the Sub-Committee and, if given permission by the authority, question another party.
- 3.6. Ward councillors who appear at licensing hearings as interested parties, because they have made representations or requested reviews, will be given the same opportunities and be subject to the same restrictions as other parties to the hearing.

4. General Matters

4.1. Setting of Date for Hearings

- 4.1.1. In view of the requirement to hold hearings within specified times, the Licensing Authority will generally be unable to enter into discussions to identify dates convenient to all parties concerned.
- 4.1.2. The Licensing Authority will give notice of the hearing as set out in Section 6.
- 4.1.3. The notice will specify any points that the Licensing Authority would like to be clarified at the hearing.
- 4.1.4. In exceptional circumstances, the Licensing Authority will consider applications to adjourn hearings to a later date.

4.2. Notice of Attendance

- 4.2.1. Any party receiving a notice of hearing will give the Licensing Authority, within the time period specified in Section 6, a notice of whether they intend to attend or be represented at the hearing, or whether they consider a hearing to be unnecessary.
- 4.2.2. If a party wishes any other person (other than a person representing them) to appear at the hearing, the notice shall also contain a request for permission for this, with details of the name of the person and a brief description of the points that the person would be able to make.
- 4.2.3. If a party has not notified the Licensing Authority of their intention to attend a hearing, the rights of the party, as outlined in Paragraph 3.5 above, may only be exercised with the agreement of the Sub-committee.

4.3. Non- Attendance at Hearings

- 4.3.1. If a party to a hearing fails to attend, the licensing authority may hold the hearing in that party's absence unless it considers it in the public interest to adjourn the hearing to a later date.
- 4.3.2. Where a hearing is held in the absence of a party, any written representation made by the party will be considered by the Licensing Authority at the hearing.

4.4. Visits to Premises

- 4.4.1. In certain situations a visit to a premises that is the subject of a hearing may prove useful. This will be dependant on the purpose of the hearing and the level of information that is provided at the hearing. However, care needs to be taken to ensure that the visit does not prejudice the hearing, by evidence being presented at the visit, other than about the physical layout of the premises. Members should also be aware that, because of the limited time during which it is possible to arrange a visit, the timing may not always be the most convenient for all involved.
- 4.4.2. Where, after considering the information presented at the hearing, members of the panel believe that a visit would be useful, a visit may be organised subject to the following
 - The permission of the occupier of the premises being granted.
 - A suitable date being found for the visit within the time allowed for determination on the application.
 - Discussion of the application not taking place during the visit
 - An opportunity being provided for the other parties to the hearing to be present during the visit.

4.5. Documentary Evidence

- 4.5.1. Eight copies of any documentary or written information to be presented at hearings should be submitted to the Licensing Authority in accordance with the timescales set out in Section 6.
- 4.5.2. Parties to the hearing should also submit a written summary, of no more than one page of A4, of all information they intend to present at the hearing.
- 4.5.3. The Licensing Authority will forward copies of evidence and information to other parties to the hearing.
- 4.5.4. The Sub-Committee may only consider evidence submitted at the hearing if all parties agree to its late submission.

4.6. Maximum Time Allowances at Hearings

- 4.6.1. The Licensing Authority is required by regulation to allow the same maximum times for the parties to undertake the functions identified in paragraph 3.5 above. These are set out in Section 6.
- 4.6.2. Applications that all parties should be allowed extra time to undertake their functions, would need to be made in advance of the hearing. In these circumstances it may be possible to rearrange the hearing provided that statutory deadlines can still be met.

4.7. Public Hearings

- 4.7.1. Hearings will be in public.
- 4.7.2. The Sub-Committee may exclude the public from a hearing if it considers it in the public interest to do so.

4.8. Right of Assistance and Representation

- 4.8.1. Any party to a hearing may be assisted or represented by any person whether legally qualified or not.

5. Procedure at Hearings

5.1. Format of Hearings

- 5.1.1. Hearings will take the form of a discussion led by the authority. Cross-examination will not be allowed unless the authority considers it necessary for it to consider the matter being dealt with.

5.2. Introductions

- 5.2.1. The Chair of the Sub-Committee will arrange for all parties present to introduce themselves.
- 5.2.2. The Chair will explain the procedure to be followed.

5.3. Licensing Officer's Report

- 5.3.1. The Licensing Officer will present a report that will:
 - confirm the purpose of the hearing
 - set out the factual details of the matter to be considered
 - provide advice about how the Licensing Act, statutory guidance and the authority's policy relates to the application and any representations made
 - in respect of premises licences, a schedule of the conditions that are consistent with the operating schedule submitted with the application
 - a schedule of the points that require clarification that were identified in the notice of hearing.

5.4. Presentation of Information

- 5.4.1. Each party will clarify any points raised by the authority and give further information in support of their representation, notice or application. Questions about the information may be asked by the Sub-Committee members (see Paragraph 5.5). Cross-examination by another party will not be allowed unless the Sub-Committee consider it would assist them in arriving at a determination.
- 5.4.2. The Licensing Authority will seek to focus the hearing on the promotion of the licensing objective that gave rise to the hearing and avoid the hearing straying into undisputed areas. The information should therefore be relevant and relate to the representation, notice or other determination to be considered and to the promotion of the licensing objectives.
- 5.4.3. Where more than one representation has been made, the party making the representation should avoid duplicating the points made by other parties although they may briefly state their agreement with them.
- 5.4.4. Generally, the parties may not add further representations to those disclosed to the applicant prior to the hearing, but they may amplify their existing representation.
- 5.4.5. Information will be presented first by the party making the representation or notice followed by a response by the applicant. Where there is more than one party giving a representation or notice, the Sub-Committee will decide which order they should take.
- 5.4.6. The maximum time allowed for each presentation is set out in Section 6.

5.5. Questions

- 5.5.1. Following each presentation, members of the Sub-Committee may ask questions.
- 5.5.2. The questions will be relevant and relate to the representation, notice or other determination to be considered. Duplication will be avoided.
- 5.5.3. Where the Sub-Committee consider it would assist them in arriving at a determination, they may give permission for another party, or one of the officers present to ask a question.
- 5.5.4. The maximum time allowed for questions by another party in relation to each presentation is set out in Section 6.

5.6. Final Addresses to the Sub-Committee

- 5.6.1. Following the completion of presentations and questions, each party may address the Sub-Committee. This will be done in the order in which presentations were given.
- 5.6.2. The maximum time allowed for addressing the Sub-Committee is set out in Section 6.

5.7. Close of Hearing

- 5.7.1. On completion of all presentations and questions, the Chair of the Sub-Committee will declare the hearing closed.

5.8. Determination

- 5.8.1. The Sub-Committee will make a determination of the matters to be considered within the timescales set out in Section 6.
- 5.8.2. In coming to a determination the Sub-Committee may take advice from its Licensing Officer and Legal Advisor. All such advice will be given in the presence of the parties to the hearing.
- 5.8.3. Where the parties of the hearing are excluded from the hearing whilst the Sub-Committee considers its determination, then except as allowed for in Paragraph 5.8.4 below, all persons present, including council officers, will also be excluded from the hearing. As an exception to the above, the Sub-Committee may decide that the Committee Services Officer may remain to record, but not take part in, the decision making process.
- 5.8.4. After reaching its determination, the Sub-Committee may ask the Legal Advisor present to verify the wording of the determination and the Committee Services Officer to record the decision, prior to it being announced to the parties. This verification and recording may take place in private.

5.9. Announcement of Determination and Notification

- 5.9.1. If the Sub-Committee has made its determination immediately after the hearing, it will announce its decision, and where applicable the reasons for it, to the parties present.
- 5.9.2. Written notification of the determination will be given to the parties within the timescales set out in Section 6. Notifications will include information about the rights of appeal against the determination made.
- 5.9.3. Where there is any discrepancy between the announcement of the decision and the written notification, the written notification will take precedence.

Details Applicable to Each Type of Hearing

5.10. Determination of Application for Personal Licence – Section 120(7)(a) Determination of Application for Renewal of Personal Licence – Section 121(6)(a)

Period in which Hearing to be held	20 working days from the date of end of period for notice by police
Period of Notice of Hearing	10 working days
Parties to be Notified	The Applicant The Chief Officer of Police
Period of Notice of Attendance at Hearing	5 working days before hearing
Period of submission of evidence to be presented at hearing	5 working days before hearing
Maximum time for presentation of evidence and information by each party at hearing	30 minutes
Maximum time for questioning of each party by any other party at hearing	10 minutes
Maximum time for addressing Sub-Committee by each party	5 minutes
Determinations to be made	Whether it is necessary to reject the application to promote the crime prevention objective
Period allowed for Determination by Sub-Committee	5 working days

5.11. Determination of Application for Premises Licence – Section 18(3)(a) Determination of Application for Club Premises Certificate – Section 72(3)(a)

Period in which Hearing to be held	20 working days from the date of end of period for representations
Period of Notice of Hearing	10 working days
Parties to be Notified	The Applicant Parties making representations
Period of Notice of Attendance at Hearing	5 working days before hearing
Period of submission of evidence to be presented at hearing	5 working days before hearing
Maximum time for presentation of evidence and information by each party at hearing	40 minutes
Maximum time for questioning of each party by any other parties at hearing	15 minutes
Maximum time for addressing Sub-Committee by each party	10 minutes
Determinations to be made	Whether to: <ul style="list-style-type: none"> Grant the licence subject to conditions To exclude from the licence any of the licensable activities To refuse to accept the proposed

	<pre>premises supervisor • To reject the application</pre>
Period allowed for Determination by Sub-Committee	5 working days

5.12. Determination of Application for Provisional Statement – Section 31(3)(a)

Period in which Hearing to be held	20 working days from the date of end of period for representations
Period of Notice of Hearing	10 working days
Parties to be Notified	The Applicant Parties making representations
Period of Notice of Attendance at Hearing	5 working days before hearing
Period of submission of evidence to be presented at hearing	5 working days before hearing
Maximum time for presentation of evidence and information by each party at hearing	40 minutes
Maximum time for questioning of each party by any other parties at hearing	15 minutes
Maximum time for addressing Sub-Committee by each party	10 minutes
Determinations to be made	Whether it would be necessary on the completion of the premises, to: <ul style="list-style-type: none"> Grant the licence subject to conditions To exclude from the licence any of the licensable activities To refuse to accept the proposed premises supervisor To reject the application
Period allowed for Determination by Sub-Committee	5 working days

5.13. Determination of Application to Vary Premises Licence – Section 35(3)(a) Determination of Application to Vary Club Premises Certificate – Section 85(3)(a)

Period in which Hearing to be held	20 working days from the date of end of period for representations
Period of Notice of Hearing	10 working days
Parties to be Notified	The Applicant Parties making representations
Period of Notice of Attendance at Hearing	5 working days before hearing
Period of submission of evidence to be presented at hearing	5 working days before hearing
Maximum time for presentation of evidence	40 minutes

and information by each party at hearing	
Maximum time for questioning of each party by any other parties at hearing	15 minutes
Maximum time for addressing Sub-Committee by each party	10 minutes
Determinations to be made	Whether to: <ul style="list-style-type: none"> • Modify the conditions of the licence • To reject the whole
Period allowed for Determination by Sub-Committee	5 working days

5.14. Determination of Application to Change Premises Supervisor – Section 39(3)(a)

Period in which Hearing to be held	20 working days from the date of end of period for notice by police
Period of Notice of Hearing	10 working days
Parties to be Notified	The Applicant The Chief Officer of Police The proposed premises supervisor
Period of Notice of Attendance at Hearing	5 working days before hearing
Period of submission of evidence to be presented at hearing	5 working days before hearing
Maximum time for presentation of evidence and information by each party at hearing	30 minutes
Maximum time for questioning of each party by any other parties at hearing	10 minutes
Maximum time for addressing Sub-Committee by each party	5 minutes
Determinations to be made	Whether it is necessary to reject the application to promote the crime prevention objective
Period allowed for Determination by Sub-Committee	5 working days

5.15. Determination of Application to Transfer Premises Licence – Section 44(5)(a)

Period in which Hearing to be held	20 working days from the date of end of period for notice by police
Period of Notice of Hearing	10 working days
Parties to be Notified	The Applicant The Chief Officer of police The existing licence holder
Period of Notice of Attendance at Hearing	5 working days before hearing

Period of submission of evidence to be presented at hearing	5 working days before hearing
Maximum time for presentation of evidence and information by each party at hearing	30 minutes
Maximum time for questioning of each party by any other parties at hearing	10 minutes
Maximum time for addressing Sub-Committee by each party	5 minutes
Determinations to be made	Whether it is necessary to reject the application for the promotion of the crime prevention objective
Period allowed for Determination by Sub-Committee	5 working days

5.16. Cancellation of Interim Authority Notice – Section 48(3)(a)

Period in which Hearing to be held	5 working days from the date of end of period for notice by police
Period of Notice of Hearing	2 working days
Parties to be Notified	The Applicant The Chief Officer of police
Period of Notice of Attendance at Hearing	1 working days before hearing
Period of submission of evidence to be presented at hearing	1 working days before hearing
Maximum time for presentation of evidence and information by each party at hearing	30 minutes
Maximum time for questioning of each party by any other parties at hearing	10 minutes
Maximum time for addressing Sub-Committee by each party	5 minutes
Determinations to be made	Whether it is necessary to cancel the interim authority notice for the promotion of the crime prevention objective
Period allowed for Determination by Sub-Committee	5 working days

5.17. Review of Premises Licence – Section 52(2)
Review of Club Premises Certificate – Section 82(2)

Period in which Hearing to be held	20 working days from the date of end of period for representations
Period of Notice of Hearing	10 working days

Parties to be Notified	The licence holder Persons making relevant representations The person who made the application for a review
Period of Notice of Attendance at Hearing	5 working days before hearing
Period of submission of evidence to be presented at hearing	5 working days before hearing
Maximum time for presentation of evidence and information by each party at hearing	40 minutes
Maximum time for questioning of each party by any other parties at hearing	15 minutes
Maximum time for addressing Sub-Committee by each party	10 minutes
Determinations to be made	Whether to: <ul style="list-style-type: none"> • Modify the conditions of the licence • Exclude a licensing activity • Remove the designated premises supervisor • Suspend the licence for up to three months • Revoke the licence
Period allowed for Determination by Sub-Committee	5 working days

5.18. Review of Premises Licence following Closure Order – Section 167(5)(a)

Period in which Hearing to be held	10 working days from the date notice from magistrates' court
Period of Notice of Hearing	5 working days
Parties to be Notified	The licence holder Persons making relevant representations
Period of Notice of Attendance at Hearing	2 working days before hearing
Period of submission of evidence to be presented at hearing	2 working days before hearing
Maximum time for presentation of evidence and information by each party at hearing	40 minutes
Maximum time for questioning of each party by any other parties at hearing	15 minutes
Maximum time for addressing Sub-Committee by each party	10 minutes

Determinations to be made	Whether to: <ul style="list-style-type: none"> • Modify the conditions of the licence • Exclude a licensing activity • Remove the designated premises supervisor • Suspend the licence for up to three months • Revoke the licence
Period allowed for Determination by Sub-Committee	At the conclusion of the hearing

5.19. Police objection to Temporary Event Notice – Section 105(2)(a)

Period in which Hearing to be held	7 working days from the date of end of period for notice by police
Period of Notice of Hearing	2 working days
Parties to be Notified	The Applicant The Chief Officer of Police
Period of Notice of Attendance at Hearing	1 working days before hearing
Period of submission of evidence to be presented at hearing	1 working days before hearing
Maximum time for presentation of evidence and information by each party at hearing	40 minutes
Maximum time for questioning of each party by any other parties at hearing	15 minutes
Maximum time for addressing Sub-Committee by each party	10 minutes
Determinations to be made	Whether to give a counter notice
Period allowed for Determination by Sub-Committee	At the conclusion of the hearing

5.20. Consideration of Convictions of Personal Licence Holder – Section 124(4)(a)

Period in which Hearing to be held	20 working days from the date of end of period for notice by police
Period of Notice of Hearing	10 working days
Parties to be Notified	The Applicant The Chief Officer of police
Period of Notice of Attendance at Hearing	5 working days before hearing
Period of submission of evidence to be presented at hearing	5 working days before hearing
Maximum time for presentation of evidence and information by each party at hearing	30 minutes
Maximum time for questioning of each party by any other parties at hearing	10 minutes

Maximum time for addressing Sub-Committee by each party	5 minutes
Determinations to be made	Whether it is necessary to cancel the interim authority notice for the promotion of the crime prevention objective
Period allowed for Determination by Sub-Committee	5 working days

- 5.21. Determination of Application for Conversion to Premises Licence, subject to of Police Notice of Objection – Paragraph 4(3)(a) of Schedule 8
Determination of Application for Conversion to Club Premises Certificate, subject to of Police Notice of Objection – Paragraph 16(3)(a) of Schedule 8

Period in which Hearing to be held	10 working days from the date of end of period for representations
Period of Notice of Hearing	5 working days
Parties to be Notified	The applicant The Chief Officer of Police
Period of Notice of Attendance at Hearing	2 working days before hearing
Period of submission of evidence to be presented at hearing	2 working days before hearing
Maximum time for presentation of evidence and information by each party at hearing	40 minutes
Maximum time for questioning of each party by any other parties at hearing	15 minutes
Maximum time for addressing Sub-Committee by each party	10 minutes
Determinations to be made	Whether it is necessary to reject the application to promote the crime prevention objective.
Period allowed for Determination by Sub-Committee	At the conclusion of the hearing

- 5.22. Determination of Application for Conversion to Personal Licence, subject to a Police Notice of Objection – Paragraph 26(3)(a) of Schedule 8

Period in which Hearing to be held	10 working days from the date of end of period for notice by police
Period of Notice of Hearing	5 working days
Parties to be Notified	The Applicant The Chief Officer of Police
Period of Notice of Attendance at Hearing	2 working days before hearing
Period of submission of evidence to be presented at hearing	2 working days before hearing
Maximum time for presentation of evidence and information by each party at hearing	30 minutes

Maximum time for questioning of each party by any other party at hearing	10 minutes
Maximum time for addressing Sub-Committee by each party	5 minutes
Determinations to be made	Whether it is necessary to reject the application to promote the crime prevention objective
Period allowed for Determination by Sub-Committee	At the conclusion of the hearing

Summary of Procedure at Hearing

1. Introductions

- 1.1. Introduction from Chair
- 1.2. Introduction from other members, officers and the parties

2. Report

- 2.1. Report by the Licensing Officer
- 2.2. Questions by members
- 2.3. Questions by the parties

3. Presentations

- 3.1. Presentation by those making representations
 - 3.1.1. Questions by members
 - 3.1.2. Questions by other parties
- 3.2. Presentation by applicant
 - 3.2.1. Questions by members
 - 3.2.2. Questions by other parties

4. Final Addresses

- 4.1. By those making representations
- 4.2. By the applicant

5. Advice

- 5.1. From the Licensing Officer
- 5.2. From the Legal Advisor

6. Decision

- 6.1. Consideration by members in private
- 6.2. Members come to a decision
- 6.3. Legal Advisor is asked to check the decision
- 6.4. Chair announces decision

Application for a review of an existing premises licence

Licensing (Hearings) Sub-Committee

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

Decision to be taken on/Date of meeting: 14/08/2024

Lead director/officer: Deborah Bragg

Useful information

- Ward affected: Evington
- Report author: Chris Spencer
- Author contact details: 0116 454 3051
- Report version number: 1

1. Summary

- 1.1 This report outlines an application for a review of an existing premises licence for Curry Flavour Restaurant and Bar, 225 Uppingham Road, Leicester, LE5 4DG. It also highlights the licensing objectives, the relevant parts of the guidance and regulations, and the pertinent sections of the Licensing Authority's Licensing Policy.

2. Determination to be made

- 2.1 Having considered the application Members must consider whether to
- Reject the review application
 - Modify the conditions of the licence
 - Exclude a licensable activity from the scope of the licence
 - Remove the designated premises supervisor
 - Suspend the licence for a period not exceeding three months
 - Revoke the licence
- 2.2 Where Members take the decision to reject the review application, they are permitted to issue an informal warning to the licence holder and / or recommend improvement within a particular period of time.

3. Application and promotion of the licensing objectives

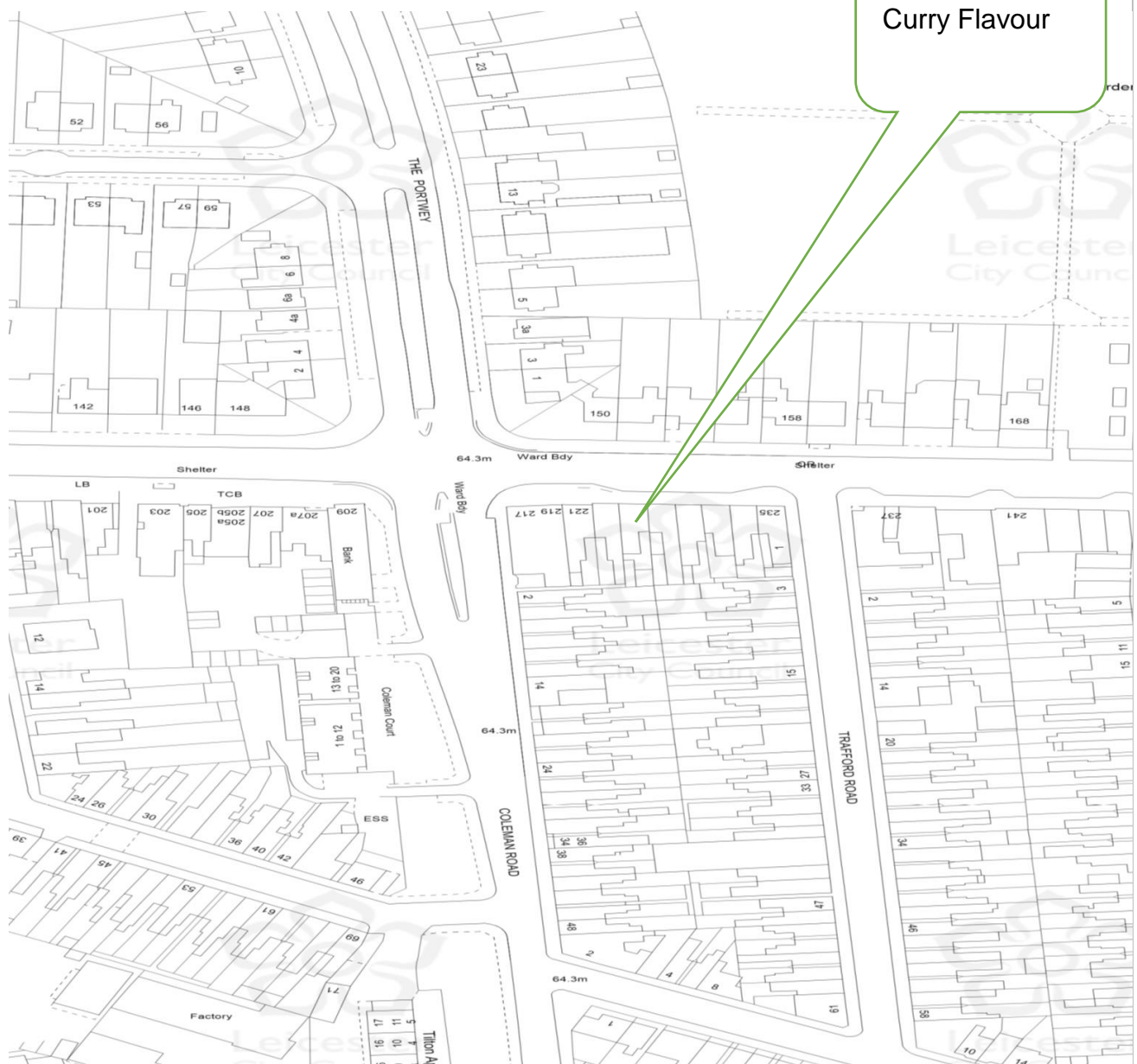
- 3.1 An application was received on 18 April 2024 from the Licensing Enforcement Team for a review of the existing premises licence for Curry Flavour Restaurant and Bar. The application was made on the grounds of the prevention of public nuisance. A copy of the application is attached at Appendix A.
- 3.2 The Licensing Enforcement Team are concerned that there have been numerous reported noise complaints, warning letters, and an Abatement Notice has been issued. In addition there have been previous unauthorised licensable activities taking place at the premise.
- 3.3 The existing licence is attached at Appendix B.
- 3.4 The activities and hours permitted by the existing licence are as follows:

Licensable activity	Current hours
Late Night Refreshment	Friday and Saturday 23.00 until 00.30
Supply of Alcohol	Sunday to Thursday 11.00 until 22.30 Friday to Saturday 11.00 until 00.00
Opening Hours	Sunday to Thursday 11.00 until 23.00 Friday to Saturday 11.00 until 00.30

3.5 The existing licence is attached at Appendix B.

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

3.7 Location Plan



- 3.8 On 17 May 2024 an email was received from Anil Bhavsar (Greenhill Licensing) informing us that the lease to the premises had been surrendered by the licence holder and that a transfer application was being submitted for a new person. At the date of writing the report no application had been received.
- 3.9 On the 5th June 2024, the day of the hearing, an application to transfer the premises licence from Mr Lacmo to Mr Yogesh Natvarlal was received. The decision was made to adjourn the hearing until the 30th July, to allow the transfer application be processed so that if Leicestershire Police had any objections they could be taken into account. On the 10th of June 2024 Leicestershire Police confirmed that they had no objection to the transfer of the licence to Mr Natuarlal. A copy of the updated licence is attached at Appendix B. Due to unforeseen circumstances on the day of the hearing, 30th July 2024, the hearing was adjourned until the 14th August 2024.

4. Statutory guidance and statement of licensing policy

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

Section	Heading
1.2 – 1.5	Licensing objectives and aims
1.15 – 1.16	General Principles
1.17	Each application on its own merits
2.15 – 2.21	Public nuisance
3.12 – 3.20	Late Night Refreshment
8.41 – 8.49	Steps to promote the licensing objectives
9.11 – 9.12	Role of responsible authorities
9.31 – 9.41	Hearings
9.13 – 9.19	Licensing Authorities acting as Responsible Authorities
9.31 – 9.41	Hearings
9.42 – 9.44	Determining actions that are appropriate for the promotion of the licensing objectives
10.1 – 10.3	Conditions - general
10.8 – 10.9	Imposed conditions
10.10	Proportionality
10.13 - 10.15	Hours of trading
10.25 – 10.66	Mandatory conditions in relation to the supply of alcohol
11.1 – 11.29	Reviews
13.10 – 13.11	Giving reasons for decisions
14.51 – 14.52	Licensing Hours

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

Section	Heading
2	Fundamental Principles
5	Licensing Hours
9	Prevention of Public Nuisance
12	Duplication

13	Standardised conditions
----	-------------------------

5. Points for clarification

5.1 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 parties making the representations

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

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

6.1 Financial implications

None

6.2 Legal implications

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

6.3 Equalities implications

None

6.4 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

6.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

None

7. Background information and other papers:

8. Summary of appendices:

Appendix A – Application

Appendix B – Existing licence

9. 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

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

No

Appendix A

[Insert name and address of relevant licensing authority and its reference number (optional)]

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I Lorraine Moore

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Curry Flavour 225 Uppingham Road Leicester LE5 4DG	
Post town Leicester	Post code (if known) LE5 4DG

Name of premises licence holder or club holding club premises certificate (if known) Dharmesh Lacmo

Number of premises licence or club premises certificate (if known) LEIPRM1811

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

☐

2) a responsible authority (please complete (C) below)

Yes

3) a member of the club to which this application relates (please complete (A) below)

☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

☐

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

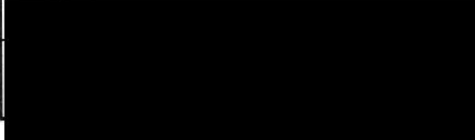
(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Lorraine Moore Licensing Enforcement Team Leicester City Council 115 Charles Street Leicester LE1
Telephone number 

This application to review relates to the following licensing objective(s)

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |
- Please tick one or more boxes ✓

Please state the ground(s) for review

This review application relates to a licensed premises – Curry Flavour Restaurant and Bar, 225 Uppingham Road Leicester, LE5 4DG

The premises operates as a Restaurant Bar.

The Premises Licence, LEIPRM1811 was granted in February 2020. The current Premises Licence holder and Designated Premises Supervisor is Mr Dharmesh Lacmo LEIPRS4411. The premises operates as a restaurant/bar which operates between 11:00am – 11:00pm Sunday to Thursday and 11:00am to 12:30am Friday to Saturday.

On application to obtain a premises licence, the application requested that the hours the premises are open to the public be:

Monday to Thursday 11:00hrs -23:00hrs
Friday and Saturday 11:00hrs - 02:00hrs
Sunday 11:00hrs - 23:00hrs

Late Night Refreshments:

Friday and Saturday 23:00hrs - 02:00hrs

Supply of Alcohol:

Monday to Thursday 11:00hrs - 22:30hrs
Friday to Saturday 11:00hrs - 01:30hrs
Sunday 11:00hrs – 22:30hrs

An agreement was reached with the Noise and Pollution Team that the:

Premises Opening hours:

Sunday to Thursday 11:00hrs-23:00hrs

Friday to Saturday 11:00hrs-00:30hrs

Supply of Alcohol:

Sunday to Thursday 11:00hrs-22:30hrs

Friday to Saturday 11:00hrs-00:00hrs

Late Night Refreshments:

Friday to Saturday 11:00hrs-00:30hrs

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 air conditioning is required.*

Notices to be displayed, located by the exit requesting that customers leave the premises quietly and with consideration to neighbours.

An agreement was also reached with Leicestershire Police that:

Alcohol shall not be sold or supplied unless it is ancillary to a substantial meal that is purchased at the same time.

Customers who are purchasing take away food may also be served alcohol once their order has been placed.

Following the signed agreements being received, a premises licence was granted and has conditions attached, those that are mandatory under the Licensing Act, those consistent with the operating schedule and those that were attached following the signed agreements with the Noise and Pollution Team, Leicester City Council and Leicestershire Police.

On Saturday 30th April 2022, a visit conducted by two Licensing Enforcement Officers to Curry Flavour witnessed customers inside the premises drinking alcohol and it was evident that the kitchen was not open and no meals were being prepared or served. A male inside of the premises stated the kitchen was not open for food as the chef, Mr Lacmo was out of the country.

On Mr Lacmo's return to the country, he was interviewed under caution in relation to the offence contrary to the Licensing Act 2003 Section 136 - Unauthorised Licensable Activities. Mr Lacmo stated that whilst he was out of the country, he had left the responsibility of running the premises in the hands of five other people, none of which as far as we are aware hold a Personal Licence or have any knowledge of the Licensing Objectives.

As a result of this, Mr Lacmo was issued with a warning letter. Exhibit LM1.

On the 19th August 2022 at 23:07hrs, a Pollution Control Officer witnessed a noise nuisance from loud voices at the premises. As a result of this, a warning letter was issued. Exhibit LM2

On the 7th July 2023 a Pollution Control Officer from Leicester City Council witnessed a noise nuisance from loud voices, shouting and laughter at 22:50hrs. The doors/windows to the rear of the property were open allowing a noise breakout. There was also people congregating in the rear courtyard area. As a result of this, a warning letter was issued by the Noise Team. Exhibit LM3

On the 1st September 2023, a Pollution Control Officer from Leicester City Council again witnessed a noise nuisance from loud voices at 22:10hrs. As a result, a Noise Abatement Notice was issued on the 6th September 2023. Exhibit LM4

Since the 7th July 2023 to the 3rd January 2024 a further twelve telephone calls reporting a noise nuisance were made to the Noise Team at Leicester City Council.

On the 11th March 2024, a complaint was received regarding Curry Flavour Bar and Restaurant stating that the premises had stayed open all night playing cards, drinking and screaming all night, causing a noise nuisance.

On the 18th March 2024, two Licensing Enforcement Officers visited Curry Flavour Bar and Restaurant and met with the Premises Licence holder and Designated Premises Licence Holder Mr Dharmesh Lacmo in relation to the complaint.

Mr Lacmo stated that he had not been at the premises on the date the complaint relates to and that he had left the premises to go home to see his children and had left the keys with customers to lock up in his absence. Having viewed CCTV footage for the date and time the complaint relates to, it was witnessed that between the hours of 00:49hrs on the 10th March 2024 and 01:59hrs, two males in the rear garden smoking. A third male enters the rear garden which the Licensing Enforcement Officers identified as being Mr Lacmo. Exhibit LM5

Mr Lacmo has shown that he has not upheld his responsibilities as a Designated Premises Supervisor and Premises Licence Holder. He has allowed a number of individuals and customers to be inside the premises in his absence beyond the licensed hours. This has caused a noise nuisance on several occasions. Mr Lacmo has also allowed in his absence individuals to be a key holder who proceeded to undertake unauthorised licensable activities.

As a result of the latest complaint, the numerous reported noise complaints, warning letters issued, an Abatement Notice and the previous unauthorised licensable activities, Leicester City Council has no faith that Mr Lacmo has the ability to uphold the licensing objectives or adhere to the licence conditions

We therefore request a review of the premises licence as the licence holder is failing to uphold one of the licensing objectives:

- *The prevention of public nuisance*

6. This is the address which we shall use to correspond with you about this application.

yes

Please tick ✓

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate **Yes**
- I understand that if I do not comply with the above requirements my application will be rejected **Yes**

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

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature L Moore

Date 10/04/2024

Capacity Licesning Enforcement Officer – Leicester City Council

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

Please tick ✓ yes

Have you made an application for review relating to the premises before

☐

If yes please state the date of that application

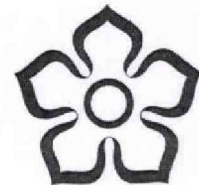
Day Month Year

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If you have made representations before relating to the premises please state what they were and when you made them

Please provide as much information as possible to support the application (please read guidance note 3)

Direct line 0116 454 0049
Our ref: Lic/LEIPRM1811/LM
Date 18th July 2023



Leicester
City Council

Mr D Lacmo
Curry Flavour Restaurant & Bar
225 Uppingham Road
Leicester
LE5 4DG

Dear Mr Lacmo

WARNING: LICENSING ACT 2003 LEIPRM1811 CURRY FLAVOUR RESTAURANT & BAR

On the 30th April 2022, I visited the premises detailed above under the Licensing Act 2003 and was informed that you was out of the country. It was confirmed by a male inside the premises, that the kitchen was closed, but it was witnessed by myself and another officer that alcohol was being served consumed on the premises at the time of my visit without a substantial meal being served at the same time.. This was a breach of your Premises Licence.

As you are the registered Designated Premises Supervisor in respect of this premise, you are responsible for the sale of all alcohol purchased on the premises. It is your responsibility to ensure that the conditions on your Premises Licence LEIPRM1118 are upheld.

Records held by this office confirm that Curry Flavour Restaurant & Bar is licensed for the supply of alcohol for consumption 'ON' the premises only and ***"should not be sold or supplied unless it is ancillary to a substantial meal that is purchased at the same time. Customers who are purchasing take away food may also be served alcohol once their order has been placed"***.

In the event of your absence you should ensure that **ALL** conditions on your Premises Licence are upheld by any authorized person/s to manage the premises in relation to the Premises Licence.

Be informed that should further evidence be obtained to suggest that you are allowing the consumption of alcohol to take place on the premises without a substantial meal being purchased at the same time, you may be subject to prosecution proceedings and the licence may be subject to a review which could ultimately result in the revocation of the premises licence.

For your information the Licensing Objectives detailed in the Licensing Act 2003, are as follows:-

- The prevention of crime and disorder.
- Public safety.
- The prevention of public nuisance.
- The protection of children from harm.

You should be aware that in accordance with the Licensing Act 2003, Licensing Officers and Officers from the Leicestershire Police or local residents may request a review of a Premises Licence if they have concerns relating to the management of the premises.

At this time, **no further action** will be taken against you and you should take heed of the warning that has been issued to you.

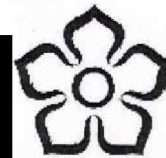
I trust the content of this letter clarifies the situation and hope to receive no further complaints of this nature relating to the premises detailed. Should you wish to discuss the content of this letter, please do not hesitate to contact me on the telephone number shown above.

Yours faithfully

Lorraine Moore
Licensing Enforcement Officer

Please ask for James Brown
Direct Line 454 5643
Our Ref 22/12893/GCOMP
Date 23 August 2022

The Company Secretary
Curry Flavour Leicester Ltd
225 Uppingham Road
Leicester
LE5 4DG



Leicester
City Council

Dear Sir / Madam

ENVIRONMENTAL PROTECTION ACT 1990
225 Uppingham Road, Leicester

Complaints have recently been received by this Department concerning excessive noise coming from your premises. These complaints have been investigated and I witnessed a noise nuisance from loud voices on the 19th of August 2022 at 23:07hrs.

Noise that is a nuisance can be dealt with under powers contained in the above Act. Please reduce the level of noise from your premises to ensure it does not cause a nuisance to your neighbours in the future.

I trust this matter will receive your prompt attention. If further noise nuisances are witnessed coming from your property, legal action could be taken against you.

Your landlord has been advised that a noise nuisance has been witnessed.

If you have any reasonable grounds for causing a nuisance on 19th of August 2022 at 23:07hrs, or you require any further information please do not hesitate to contact me on the telephone number given above.

Yours faithfully



POLLUTION CONTROL OFFICER
NOISE AND POLLUTION CONTROL TEAM

Please Note. You may be subject to surveillance by Leicester City Council via Officers and/or noise monitoring recorders for the next 6 months.

Neighbourhood and Environmental Services
www.leicester.gov.uk

Leicester City Council, York House,
Granby Street, Leicester. LE1 6FB

Please ask for James Brown
Direct Line 0116 454 5643
Our Ref 22/12893/GCOMP
Date 19/07/2023



Dharmesh Lacmo



Dear Sir

**Curry Flavour Restaurant and Bar, 225 Uppingham Road, Leicester,
ENVIRONMENTAL PROTECTION ACT 1990
LICENSING ACT 2003: PREVENTION OF PUBLIC NUISANCE**

I am writing to you as the Designated Premises Supervisor and Premises License Holder and therefore person responsible for the premises known as **Curry Flavour Restaurant and Bar, 225 Uppingham Road, Leicester.**

Complaints have recently been received by this Department concerning excessive noise from these premises. Noise that is a nuisance can be dealt with under powers contained in the above Acts

A noise nuisance from loud music and voices was witnessed coming from Curry Flavour Restaurant and Bar on the 7th of July 2023 at 23:00hrs. The doors/windows to the rear of the premises were open allowing noise breakout, and there were people congregating in the rear courtyard area.

Your premises licence LEIPRM1811 has the following conditions that must be adhered to:

- All external doors and windows are to be kept closed, other than access and egress, in all rooms when events involving amplified/live music or speech are taking place
- The Licence Holder will make sure any area within the curtilage of the venue where customers congregate to smoke will be monitored by staff present to prevent ASB, especially through either noise or litter depositing on the ground

This is a serious matter. I advise you to reduce the volume of the music coming from the premises and to ensure any doors or windows at the front/rear of the premises remain closed when amplified music and/or voice are played to prevent noise nuisance recurring. I also suggest that this department undertake a site visit at your premises to discuss this matter and any measures that you could take to prevent noise nuisance. **I suggest a**

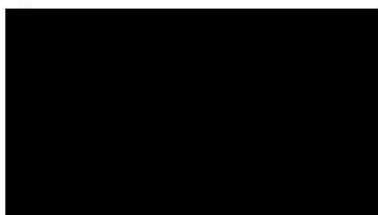
Leicester City Council, Noise and Pollution Control,
115 Charles Street, Leicester. LE1 1FZ

preliminary date and time of Thursday 27th of July at 13:00pm. Please contact me to confirm or offer an alternative date and time to carry out the site visit. Please note that we will not attend without a response from yourself confirming the arrangement.

I should also inform you that if we witness further noise nuisance from your premises it may be necessary to take more formal action by service of a statutory abatement notice. If the notice is contravened, you would be liable, on conviction, for an unlimited fine. In addition to this, we may also consider requesting a review of the premises licence which would involve a hearing in front of a licensing committee. I hope that I can count on your co-operation and that this will not be necessary

I look forward to hearing from you

Yours faithfully



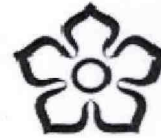
**POLLUTION CONTROL OFFICER
NOISE AND POLLUTION CONTROL TEAM**

Please Note. You may be subject to surveillance by Leicester City Council via Officers and/or noise monitoring recorders for the next 6 months.

Leicester City Council, Noise and Pollution Control,
115 Charles Street, Leicester. LE1 1FZ

**ENVIRONMENTAL PROTECTION ACT 1990
SECTION 80**

Abatement Notice



**Leicester City
Council**

Mr Dharmesh Lacmo
Curry Flavour Leicester LTD
225 Uppingham Road
Leicester
LE5 4DG

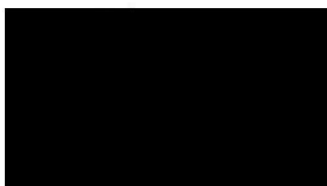
Reference 23/00367/CNEPA

TAKE NOTICE that the Leicester City Council are satisfied that noise from loud voices was emitted from the above premises constituting a statutory nuisance within the meaning of Section 79(1)(g) of the above Act and that the nuisance is likely to recur.

YOU ARE HEREBY REQUIRED under the provisions of the above-named Act as the person responsible, to immediately upon service of this Notice, abate the nuisance and prevent its recurrence.

Paragraph (2) of Regulation 3 of the Statutory Nuisance (Appeals) Regulations 1995 applies on the grounds that the expenditure which would be incurred by any person in the carrying out of works in compliance with the Abatement Notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance. Consequently, this Notice shall have effect notwithstanding any appeal to the magistrates' court which has not been decided by the court.

Dated 6 September 2023



POLLUTION CONTROL OFFICER

(YOUR ATTENTION IS DRAWN TO THE NOTES ON THE BACK OF THIS NOTICE)

Please ask for James Brown
Direct Line 0116 454 5643
Our ref 22/12893/GCOMP
Date 6 September 2023



Mr Dharmesh Lacmo
Curry Flavour Leicester LTD
225 Uppingham Road
Leicester
LE5 4DG

Dear Sir

ENVIRONMENTAL PROTECTION ACT 1990, SECTION 80
Curry Flavour Leicester LTD, 225 Uppingham Road, Leicester

Please find enclosed a Statutory Notice served on you under the provisions of the above Act.

Complaints have been received by this Department concerning noise from your property. On the 1st of September 2023 at 22:10hrs, an Officer witnessed loud voices coming from your property and was satisfied that it was a nuisance and that it is likely to recur. I am therefore obliged to serve this Abatement Notice on you.

I advise you to carefully study the requirements of this Notice together with the notes printed on the back of it. If you do not understand the contents of the Notice, you are advised to seek legal advice.

Should there be any reasonable grounds for causing a noise nuisance on the 1st of September 2023, or you require any further information, please do not hesitate to contact me on the telephone number above.

I would also advise you to reduce the level of noise coming from your premises, so it does not cause further nuisance to your neighbours. If noise nuisance is witnessed from your premises in the future, legal action will be taken against you.

Yours faithfully



POLLUTION CONTROL OFFICER
NOISE AND POLLUTION CONTROL TEAM

Leicester City Council, Noise and Pollution Control,
115 Charles Street, Leicester. LE1 1FZ

Please Note. You may be subject to surveillance by Leicester City Council via Officers and/or noise monitoring recorders for the next 6 months.

Leicester City Council, Noise and Pollution Control,
115 Charles Street, Leicester. LE1 1FZ

NOTES

1. The person served with the notice may appeal against the notice to a magistrates' court within the period of 21 days beginning with the date on which he was served with the notice. Appeals are regulated by the Statutory Nuisance (Appeals) Regulations 1995
2. If a person on whom an abatement notice is served, without reasonable excuse, contravenes or fails to comply with any requirement or prohibition imposed by the notice, he shall be guilty of an offence.
3. Except in a case falling within note 4 below, a person who commits such an offence shall be liable on summary conviction to an unlimited fine together with a further fine of an amount equal to one-tenth of that level for each day on which the offence continues after conviction.
4. A person who commits such an offence on industrial, trade or business premises shall be liable on summary conviction to an unlimited fine.
5. Where an abatement notice has not been complied with the local authority may, whether or not they take proceedings for such an offence, abate the nuisance and do whatever may be necessary in execution of the notice. Any expenses reasonably incurred by a local authority in abating or preventing the recurrence of a statutory nuisance may be recovered by them from the person by whose act or default the nuisance was caused and, if that person is the owner of the premises, from any person who is for the time being the owner thereof: and the court may apportion the expenses between persons by whose act or defaults the nuisance is caused in such a manner as the court consider fair and reasonable.
6. If a local authority is of the opinion that proceedings for an offence would afford an inadequate remedy in the case of statutory nuisance, they may take proceedings in the High Court for the purpose of securing the abatement, prohibition or restriction of the nuisance.

ENQUIRIES

Any enquiries relating to this notice should be addressed to:

*Team Manager
Noise and Pollution Control Team
Leicester City Council
115 Charles Street
Leicester
LE1 1FZ*

LM5m5





10-03-2024 00:49:11

Read/Write

< Mar
Su Mo Tu
3 4 5
10 11 12
17 18 19
24 25 26
31

1 2 3
All

CAM03

Stop Playing

Leicester City Council Licensing Authority

18/03/2024 14:38:34



Licensing Act 2003
Premises Licence

LEIPRM1811



Licensing
Leicester City Council
City Hall
115 Charles Street
Leicester
LE1 1FZ
(0116) 4543030
licensing@leicester.gov.uk

Part 1 - Premises Details

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

Curry Flavour Restaurant and Bar

225 Uppingham Road, Leicester, LE5 4DG.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

Expires **no expiry**

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- 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
I. Late night refreshment (Indoors & Outdoors)	Fri-Sat	11:00pm	12:30am
J. Supply of alcohol for consumption ON the premises only	Sun-Thur	11:00am	10:30pm
	Fri-Sat	11:00am	Midnight

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Sun-Thur	11:00am	11:00pm
Fri-Sat	11:00am	12:30am

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

- J. Supply of alcohol for consumption ON the premises only

Part 2

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

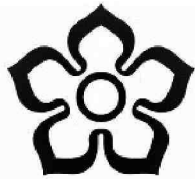
Yogesh Natuarlal

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



Licensing Act 2003
Premises Licence

LEIPRM1811



Leicester
City Council

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

(0116) 4543030
licensing@leicester.gov.uk

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

Dharmesh LACMO

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. LEIPRS4411

Issued by Leicester



Licensing Act 2003 Premises Licence

LEIPRM1811



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

(0116) 4543030
licensing@leicester.gov.uk

ANNEXES

Annex 1 - Mandatory conditions

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

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

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

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

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

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

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

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

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

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

The responsible person shall ensure that-

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

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

Annex 2 _ Conditions consistent with the operating schedule

A written authorisation for staff who are allowed to sell alcohol will be kept on the premises and will be made available to the relevant authorities upon a request being made.

All staff will be trained on the four licensing objectives and the responsible sale of alcohol.

All staff training will be refreshed every 12 months and a written training log will remain on the premises and be produced to the relevant authorities



Licensing Act 2003
Premises Licence

LEIPRM1811



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

(0116) 4543030
licensing@leicester.gov.uk

ANNEXES continued ...

upon a request being made.

A refusal and incident book will be kept on the premises, updated accordingly and produced to the relevant authorities upon a request being made.

CCTV will be retained for a minimum of 28 days and made available within 24hrs of a request being made by a relevant authority.

A member of staff, who is trained to operate the CCTV system, will be present at all times the premises is open to the public.

All alcohol will be stored and displayed behind the bar area/counter.

The consumption of alcohol will not be permitted directly outside of the premises and customers will be advised about this by either staff or notices attached to the door.

A maximum capacity of 45 customers will be permitted in the premises at any given time.

All windows and doors will be kept closed after 20:00hrs each evening except for entry and egress.

Signs will be placed at all exits requesting customers to keep their noise levels to a minimum and respect the needs of the local residents.

The Licence Holder will make sure any area within the curtilage of the venue where customers congregate to smoke will be monitored by staff to prevent anti-social behaviour, especially through either noise or litter depositing on the ground.

No children under the age of 16 will be permitted onto the premises after 20:00hrs, unless they are accompanied by an adult over the age of 21.

The Licence Holder will operate a "Challenge 25" policy and will only accept passports, photo card driving licence, PASS cards and identification card issued by HM Forces.

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

Premises Opening Hours: Sunday to Thursday 11.00 - 23.00hrs
Friday to Saturday 11.00 - 00.30hrs

Supply of Alcohol: Sunday to Thursday 11.00 - 22.30hrs
Friday to Saturday 11.00 - 00.00hrs

Late Night Refreshment 23.00 - 00.30hrs

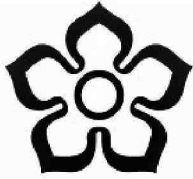
All external doors and windows shall be kept closed, other than for access and egress, in all rooms when events involving amplified/live music or speech are taking place.
(This may mean that air conditioning is required).

Notices to be displayed, located by the exit, requesting that customers leave the premises quietly and with consideration to neighbours.

Alcohol shall not be sold or supplied unless it is ancillary to a substantial meal that is purchased at the same time.

Customers who are purchasing take away food may also be served alcohol once their order has been placed.





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Premises Details

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

Curry Flavour Restaurant and Bar

225 Uppingham Road, Leicester, LE5 4DG.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- 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
I. Late night refreshment (Indoors & Outdoors)	Fri-Sat	11:00pm	12:30am
J. Supply of alcohol for consumption ON the premises only	Sun-Thur	11:00am	10:30pm
	Fri-Sat	11:00am	Midnight

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Sun-Thur	11:00am	11:00pm
Fri-Sat	11:00am	12:30am

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

- J. Supply of alcohol for consumption ON the premises only

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Yogesh Natuarlal

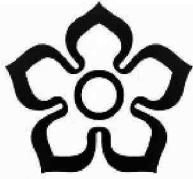
REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)



Licensing Act 2003

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

Dharmesh LACMO

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

Not applicable

