



Leicester
City Council

LICENSING (HEARINGS) SUB-COMMITTEE

DATE: TUESDAY, 3 SEPTEMBER 2024

TIME: 3:00 pm

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

Members of the Sub-Committee

Councillors Singh Johal, Byrne and Cank

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

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

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- ✓ 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. **OBJECTION NOTICE GIVEN FOR A TEMPORARY
EVENT NOTICE: ROZ MACGREGOR-DEVLIN FOR
RUGBY STREET, LEICESTER**

Appendix A

The Chair of the Licensing and Public Safety Committee has agreed that this

item may be taken as urgent business because of the timescale given for holding a hearing in relation to a Temporary Event Notice. The timescale is set out in Schedule 1 of the Licensing Act 2003 (Hearings) Regulations 2005, which provides that a hearing must be held in 7 working days beginning with the day after the end of the period within which representations may be made.

The Director of Neighbourhood and Environmental Services submitted a report in respect of an application for a Temporary Event Notice for Roz Macgregor-Devlin for Rugby Street, Leicester

5. ANY OTHER URGENT BUSINESS

Objection notice given for a Temporary Event Notice

Licensing (Hearings) Sub-Committee

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

Decision to be taken on/Date of meeting: 03 September
2024

Lead director/officer: Deborah Bragg

Useful information

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

1. Summary

- 1.1 This report outlines an objection notice given by the Noise Team and the Police in response to a temporary event notice given by Roz Macgregor-Devlin for Rugby Street, Leicester. 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

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

3. Temporary event notice

- 3.1 A temporary event notice was given on 21 August 2024 by Roz Macgregor-Devlin for an event at wasteland located on Rugby Street, Leicester. The temporary event notice is for an event on 7th and 8th September 2024 and is attached at Appendix A.
- 3.2 The temporary event notice is for the following licensable activities:

Licensable activity	Proposed hours
The sale by retail of alcohol (for consumption on the premises)	11.00 – 23.00
Provision of regulated entertainment	11.00 – 23.00

4. Objection notice

- 4.1 An objection notice was received on 23 August 2024 from the Noise team on the grounds of the prevention of public nuisance. A copy of the objection notice is attached at Appendix B1.
- 4.2 An objection notice was received on 27 August 2024 from the Police on the grounds of the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm. A copy of the objection notice is attached at Appendix B2.

5. Conditions

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

6. Statutory guidance and statement of licensing policy

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

Section	Heading
7.2 – 7.7	TEN – General
7.25 – 7.31	Role of the Licensing Authority
7.32 – 7.36	Police and Environmental Health intervention
7.38 – 7.39	Applying conditions to a TEN

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

Section	Heading
4	Promotion of Licensing Objectives
5	General Principles
11	Temporary Event Notices

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

8.1 Financial implications

None.

8.2 Legal implications

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

8.3 Equalities implications

None.

8.4 Climate Emergency implications

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

8.5 Other implications

Paragraph 4 of this report concerns the prevention of crime and disorder.

9. Background information and other papers:

None

10. Summary of appendices:

Appendix A – Temporary Event Notice

Appendix B1 - B2 – Objection notices

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

No

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

No



**Leicester
Temporary Event Notice
Licensing Act 2003**

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

* required information

Section 1 of 9

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

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

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

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Are you:

- ☐ Applying as a business or organisation, including as a sole trader
☒ Applying as an individual

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

Continued from previous page...

Your Address

Address official correspondence should be sent to.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

United Kingdom

Section 2 of 9

APPLICATION DETAILS (See also guidance on completing the form, general notes and note 1)

Have you had any previous or maiden names?

☐ Yes

☒ No

* Your date of birth

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

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

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

☒ Yes

☐ No

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

Continued from previous page...

Additional Contact Details

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

☒ Yes

☐ No

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

E-mail

Telephone number

Other telephone number

Section 3 of 9

THE PREMISES

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

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

* Does the premises have an address?

☒ Yes

☐ No

Address

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

☐ Yes

☐ No

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

* Building number or name

Wasteland

* Street

24 Rugby Street

District

* City or town

Leicester

County or administrative area

* Postcode

LE3 5FF

* Country

United Kingdom

* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

☒ Neither

☐ Premises licence

☐ Club premises certificate

Location Details

* Provide further details about the location of the event

Wasteland is a community skatepark. I'm holding a festival to celebrate music and skating and the community.

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below [\(see also guidance on completing the form, note 3\)](#)

we will only use the space before the wall, which is the main skate park area at the bottom of Rugby Street

Continued from previous page...

Describe the nature of the premises below (see also guidance on completing the form, note 4)

Describe the nature of the event below (see also guidance on completing the form, note 5)

Wastefest is a community festival event with live music over the weekend for the Wasteland community and local people. There will be two days the 7th and 8th of September where we will play live music from the stage and encourage art and competitions from the events, we will raise donations for the skatepark and the Woodgate Adventure Playground and nursery. We plan to invite local business including mostly local small and independent businesses.

Section 4 of 9

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises
(see also guidance on completing the form, note 6):

- ☒ The sale by retail of alcohol
- ☐ The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- ☒ The provision of regulated entertainment
- ☐ The provision of late night refreshment
- ☐ The giving of a late temporary event notice

(See also guidance on completing the form, note 7).

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.
(See also guidance on completing the form, note 8).

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

(see also guidance on completing the form, note 9)

Event start date

07	/	09	/	2024
dd		mm		yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date

08	/	09	/	2024
dd		mm		yyyy

Continued from previous page...

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

11.00 - 23.00

[\(see also guidance on completing the form, note 10\)](#)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

~~500~~ 499

Note that the maximum number of people cannot exceed 499.

[\(see also guidance on completing the form, note 11\)](#)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 12\):](#)

- ☒ On the premises only
☐ Off the premises only
☐ Both

Section 5 of 9

RELEVANT ENTERTAINMENT [\(See also guidance on completing the form, note 13\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

live music, alcohol and local business on the 7th and 8th of September between 11am and 11pm.

Section 6 of 9

PERSONAL LICENCE HOLDERS [\(See also guidance on completing the form, note 14\)](#)

Do you currently hold a valid personal licence?

☐ Yes

☒ No

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES [\(See also guidance on completing the form, note 15\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

☐ Yes

☒ No

Continued from previous page...

Have you already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or ☐ Yes ☒ No
- b) Begins 24 hours or less after the event period proposed in this notice?

Section 8 of 9

ASSOCIATES AND BUSINESS COLLEAGUES [\(See also guidance on completing the form, note 16\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐ Yes ☒ No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or ☐ Yes ☒ No
- b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐ Yes ☒ No

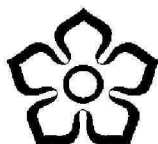
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or ☐ Yes ☒ No
- b) Begins 24 hours or less after the event period proposed in this notice?

Continued from previous page...

Section 9 of 9	
CONDITION (See also guidance on completing the form, note 18)	
It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.	
PAYMENT DETAILS	
This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. This formality requires a fixed fee of £21	
DECLARATION (See also guidance on completing the form, note 19)	
This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"	
* Full name	<input type="text" value="Roz MacGregor-Devlin"/>
* Capacity	<input type="text" value="Wastefest"/>
* Date	<div><div><input type="text" value="21"/> dd</div><div>/</div><div><input type="text" value="08"/> mm</div><div>/</div><div><input type="text" value="2024"/> yyyy</div></div>
<div>Add another signatory</div>	
Once you're finished you need to do the following: 1. Save this form to your computer by clicking file/save as... 2. Go back to https://www.gov.uk/apply-for-a-licence/temporary-event-notice/leicester/apply-1 to upload this file and continue with your application. Don't forget to make sure you have all your supporting documentation to hand.	
OFFICE USE ONLY	
Applicant reference number	<input type="text" value="WasteFest"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

1 2 3 4 5 6 7 8 9 Next >



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

Date: 23/08/24

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

Details of Premises Representation is about.
Name of Premises:
Address: 24 Rugby Street, Leicester LE3 5FF
Application Number:
Our Reference: 24/08685

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

Representation

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

REASONS

This event is proposed to take place on a vacant, former factory site at the end of Rugby Street. The immediate area to the west of the site is almost all residential, consisting mainly of two storey, terraced properties. There are also apartments across the river to the east. During the daytime, road traffic, commercial activity, and on-street activity (mainly from Woodgate), are the dominant noise sources in the locality. However, later in the evening and into the early hours of the morning traffic noise and street noise noticeably reduces. Noise levels on Rugby Street, Central Road, Dunton Street, Bassett Street and Repton Street are noticeably lower than on Woodgate even during the day.

The event will increase footfall to the area. I am concerned about noise from amplified music and voice, from crowd noise and from patrons visiting the site (on foot or in vehicles), throughout the day and night.

I am concerned that by allowing the event to be held over two days and with such long hours, this will increase the likelihood of noise complaints and cause disturbance to residents.

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

I will make every effort to contact the applicant. If an agreement is reached, I will request that they contact you in writing. In the absence of such a formal written request being made, I respectfully recommend refusal for this temporary event notice application as it stands.

Copy to Leicestershire Police (licensing@leicestershire.pnn.police.uk)



**Leicestershire
Police**
Protecting our communities

Force Licensing Department
Mansfield House
74 Belgrave Gate
Leicester LE1 3GG

Tel: 101

www.leics.police.uk

Leicestershire Police

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

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

Details of premises representation is about	
Premises	Wasteland
Address of premises:	24 Rugby Street Leicester
Application No. (if known)	
Applicant	Roz MacGregor-Devlin [REDACTED]
Date Of Event	7 th & 8 th September 2024, between 11.00-23.00 each day
Date Application Received By Police	22 nd August 2024

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

Please summarise your concerns about this application:
I write in my capacity as licensing officer for Leicestershire Police, on the authority delegated to me by the Chief Constable.

My representation to this temporary event notice is based upon all four of the licensing objectives as per the Licensing Act 2003. Those being:

- (1) The prevention of crime disorder.
- (2) Public Safety.
- (3) The prevention of public nuisance.
- (4) Protection of children from harm

This is a temporary event notice for a 2 day festival involving the sale of alcohol in relation to the wastefest skate park. It is described as a community festival with live music from a stage raising money for the skate park and others.

The first and main concern raised is that the owners of the land have been contacted by the local policing team and have **refused permission** for the event to go ahead especially where the sale of alcohol is taking place.

The next point is on part on the location and the deeds there is a covenant that no alcohol – beers, wines or spirits can be brought onto the site now or in the future – this would need to be further explored by the local authority.

The local policing team have also raised the following points:

There is currently a Problem Management Plan in place for the management of anti-social behaviour in the area and the Rally Park caused by a group of known individuals.

There has been around £80,000 worth of damage caused to vehicles in the area, these children do not attend the skate park, but members of the public and other children are targeted by the known youths.

In relation to the site, this is a derelict site from an old factory and a local resident has taken over part of the site to create the Skate Park.

I am not aware that the site conforms to health and safety regulations as the site is not open to the public as it is private land.

The site is in a residential area that will affect the community with noise, and this will create other issues at the location.

The application states 499 persons expected to attend the location, with this area being terraced streets parking is at a premium and will impact on the community.

The application times for a charity event between 1100-2300hrs on both days will impact on the community with 499 people attending the area and leaving the location again causing noise, litter issues to the area.

There are no toilets on site, no electricity and no proper access to the site so I am unsure how this will provide a safe environment.

There is no mention of access or egress from the location should this be needed in an emergency.

There is no mention of the security or steward provision to ensure the attendees safety.

We therefore request that the application for the TEN is refused.

Paul Hardwick
Deputy Licensing Manager
Leicestershire Police

27th August 2024

