



Leicester
City Council

MEETING OF THE LICENSING ENFORCEMENT SUB-COMMITTEE

DATE: TUESDAY, 4 DECEMBER 2012
TIME: 9:30 am
**PLACE: THE COUNCIL CHAMBER - FIRST FLOOR, TOWN HALL,
TOWN HALL SQUARE, LEICESTER**

Members of the Committee

Councillor Thomas (Chair)
Councillor Byrne (Vice Chair)

Councillors Kamal, Naylor, Potter and Sangster
1 Independent Vacancy

Members of the Committee are invited to attend the above meeting to consider the items of business listed overleaf.

for Monitoring Officer

Officer contact: Angie Smith
*Democratic Support,
Leicester City Council*
Town Hall, Town Hall Square, Leicester LE1 9BG
(Tel. 0116 229 8897 Fax. 0116 229 8819)
Email: angie.smith@leicester.gov.uk

INFORMATION FOR MEMBERS OF THE PUBLIC

ACCESS TO INFORMATION AND MEETINGS

You have the right to attend Cabinet to hear decisions being made. You can also attend Committees, as well as meetings of the full Council. Tweeting in formal Council meetings is fine as long as it does not disrupt the meeting. There are procedures for you to ask questions and make representations to Scrutiny Committees, Community Meetings and Council. Please contact Democratic Support, as detailed below for further guidance on this.

There are procedures for you to ask questions and make representations to Scrutiny Committees, Community Meetings and Council. Please contact Democratic Support, as detailed below for further guidance on this.

You also have the right to see copies of agendas and minutes. Agendas and minutes are available on the Council's website at www.cabinet.leicester.gov.uk or by contacting us as detailed below.

Dates of meetings are available at the Customer Service Centre, King Street, Town Hall Reception and on the Website.

There are certain occasions when the Council's meetings may need to discuss issues in private session. The reasons for dealing with matters in private session are set down in law.

WHEELCHAIR ACCESS

Meetings are held at the Town Hall. The Meeting rooms are all accessible to wheelchair users. Wheelchair access to the Town Hall is from Horsefair Street (Take the lift to the ground floor and go straight ahead to main reception).

BRAILLE/AUDIO TAPE/TRANSLATION

If there are any particular reports that you would like translating or providing on audio tape, the Democratic Services Officer can organise this for you (production times will depend upon equipment/facility availability).

INDUCTION LOOPS

There are induction loop facilities in meeting rooms. Please speak to the Democratic Services Officer at the meeting if you wish to use this facility or contact them as detailed below.

General Enquiries - if you have any queries about any of the above or the business to be discussed, please contact Angie Smith, Democratic Support on (0116) 229 8897 or email angie.smith@leicester.gov.uk or call in at the Town Hall.

Press Enquiries - please phone the Communications Unit on 252 6081

PUBLIC SESSION

AGENDA

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are asked to declare any interests they may have in the business on the agenda, and/or indicate that Section 106 of the Local Government Finance Act 1992 applies to them.

3. MINUTES OF PREVIOUS MEETING

Appendix A

The minutes of the meeting of the Licensing Enforcement Sub-Committee held on 7th September 2012 are attached and Members are asked to confirm them as a correct record.

4. APPLICATION TO VARY A LICENSED PREMISES GAMING MACHINE PERMIT UNDER SCHEDULE 13 OF THE GAMBLING ACT 2005: LOCAL HERO, 84 AYLESTONE ROAD, LEICESTER, LE2 7LB

Appendix B

The Director, Environmental Services submits a report which asks Members to determine an application to vary a licensed premises gaming machine permit under Schedule 13 of the Gambling Act 2005 for Local Hero, 84 Aylestone Road, Leicester, LE2 7LB. The applicant is the current licence holder of the premises, Spirit Pub company Services Ltd.

The report is attached. A copy of the associated documentation is attached for Members only. Further copies are available on the Council's website at www.cabinet.leicestr.gov.uk or by phoning Democratic Support on 229 8897.

5. APPLICATION TO VARY A LICENSED PREMISES GAMING MACHINE PERMIT UNDER SCHEDULE 13 OF THE GAMBLING ACT 2005: HEATHLEY PARK, GROBY ROAD, LEICESTER, LE3 9QE

Appendix C

The Director, Environmental Services submits a report which asks Members to determine an application to vary a licensed premises gaming machine permit under Schedule 13 of the Gambling Act 2005 for Heathley Park, Groby Road, Leicester, LE3 0QE. The applicant is the current licence holder at the premises, Spirit Pub Company Services Ltd.

The report is attached. A copy of the associated documentation is attached for Members only. Further copies are available on the Council's website at www.cabinet.leicestr.gov.uk or by phoning Democratic Support on 229 8897.

6. APPLICATION FOR THE GRANT OF A HOUSE-TO-HOUSE COLLECTION LICENCE: TROOP AID / MIDLANDS TEXTILE COMPANY LIMITED **Appendix D**

The Director, Environmental Services submits a report which asks Members to determine an application for the grant of a house-to-house collection licence in respect of a company known as Midlands Textile Company Limited, acting on behalf of Troop Aid. The applicant is Mr Albert T. Sutton, the Chairman of Troop Aid, of King's Court Business Centre, 17 School Road, Hall Green, Birmingham, B28 8JG.

The report is attached. A copy of the associated documentation is attached for Members only. Further copies are available on the Council's website at www.cabinet.leicestr.gov.uk or by phoning Democratic Support on 229 8897.

7. APPLICATION FOR STREET TRADING CONSENT: MR GULMIR AHMAD ZI, LEICESTER COLOSSEUM CAR PARK, 98 MELTON ROAD, LEICESTER **Appendix E**

The Director, Environmental Services submits a report which asks Members to determine an application for the grant of a street trading consent under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, for a street trader on Leicester Colosseum car park. The applicant is Mr Gulmir Ahmad Zi.

The report is attached. A copy of the associated documentation is attached for Members only. Further copies are available on the Council's website at www.cabinet.leicestr.gov.uk or by phoning Democratic Support on 229 8897.

8. APPLICATION FOR STREET TRADING CONSENT: MR ALI OZHOT, ALI'S KEBAB, THE NEWARKE/WESTERN BOULEVARD, LEICESTER **Appendix F**

The Director, Environmental Services submits a report which asks Members to determine an application for the grant of a street trading consent under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, for Ali's Kebab, trading at the junction of The Newarke and Western Boulevard, Leicester. The applicant is Mr Gulmir Ahmad Zi.

The report is attached. A copy of the associated documentation is attached for Members only. Further copies are available on the Council's website at www.cabinet.leicestr.gov.uk or by phoning Democratic Support on 229 8897.

9. APPLICATION FOR STREET TRADING CONSENT: MARY KAPADIA & MEXINE WILSON T/A MEXIAMAR, RIVER SOAR / GRAND UNION CANAL, LEICESTER **Appendix G**

The Director, Environmental Services submits a report which asks Members to

determine an application for the grant of a street trading consent under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, for a mobile street trader selling hot food from a canal barge on the River Soar and Grand Union Canal. The applicants are Mary Kapadia and Mexine Wilson trading as Mexiamar.

The report is attached. A copy of the associated documentation is attached for Members only. Further copies are available on the Council's website at www.cabinet.leicestr.gov.uk or by phoning Democratic Support on 229 8897.

10. ANY OTHER URGENT BUSINESS

11. PRIVATE SESSION

AGENDA

MEMBERS OF THE PUBLIC TO NOTE

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

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

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

Paragraph 1

Information relating to an individual.

Paragraph 3

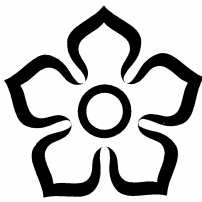
Information relating to the financial or business affairs of any particular person (including the authority).

B1) Minutes of the Licensing Enforcement Sub-Committee held on 2nd October 2012.

12. MINUTES OF PREVIOUS MEETING

Appendix B1

The minutes of the meeting of the Licensing Enforcement Sub-Committee held on 2nd October 2012 are attached and Members are asked to confirm them as a correct record.



Leicester
City Council

Appendix A

Minutes of the Meeting of the
LICENSING ENFORCEMENT SUB-COMMITTEE

Held: FRIDAY, 7 SEPTEMBER 2012 at 9.30am

P R E S E N T:

Councillor Thomas - Chair
Councillor Byrne – Vice Chair

Councillor Dr Barton
Councillor Clarke

Councillor Kamal
Councillor Sangster

* * * * *

28. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Porter.

29. DECLARATIONS OF INTEREST

No declarations of interest were received.

30. ANY OTHER URGENT BUSINESS

The Chair had previously agreed to the submission of report from the Director of Environmental Services for an application for Limited Street Trading Consent for Cook Me The Money in Humberstone Gate West on the grounds that the event would be taking place on 14 September 2012 and there was no scheduled meeting of the Sub-Committee before that date.

RESOLVED:

that the report from the Director of Environmental Services for Limited Street Trading Consent for Cook Me The Money in Humberstone Gate be considered as an item of Any Other Urgent Business.

31. APPLICATION FOR THE GRANT OF A HOUSE-TO-HOUSE COLLECTION LICENCE: CANCER RECOVERY FOUNDATION UK AND UK EXPORT TRADE LIMITED

The Director of Environmental Services submitted a report on an application for the grant of a house-to-house collection permit in respect of a company known as UK Export Trade Limited, acting on behalf of Cancer Recovery Foundation

UK. The applicant was Ms Irina Martin of UK Export Trade Limited.

The applicant and Mr Michael Martin of UK Export Trade Limited were present at the meeting. The Licensing Team Manager and the Solicitor to the Sub-Committee were also present at the meeting.

The Licensing Team Manager outlined the details of the application and answered Members questions.

Ms Martin and Mr Martin presented their case and outlined the proposed operation of the business and circulated a statement of accounts of UK Export Trade Limited for the period 21/02/2011 to 13/03/2012, which had been approved by the Board of Directors on 22 August 2012, to everyone present at the meeting. Ms Martin and Mr Martin answered questions from Members.

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

The Sub-Committee received legal advice from the Solicitor to the Sub-Committee.

The Licensing Team Manager, the Solicitor to the Sub-Committee and Ms and Mr Martin then withdrew from the meeting.

The Sub-Committee then gave the application full and detailed consideration.

The Licensing Team Manager, the Solicitor to the Sub-Committee and Ms and Mr Martin then returned to the meeting.

RESOLVED:

that the application be refused because it falls outside the Council's policy in relation to remuneration being paid from the proceeds of any house-to-house collections.

32. APPLICATION FOR LICENSED PREMISES GAMING MACHINE PERMIT UNDER SCHEDULE 13 OF THE GAMBLING ACT 2005

The Director of Environmental Services submitted a report which required Members to determine an application for the grant of a licensed premises gaming machine permit under Schedule 13 of the Gambling Act 2005, for the Union, 27 Middleton Street, Leicester. The applicant is Mr Stephen Stannard.

The applicant was present at the meeting. The Licensing Team Manager and the Solicitor to the Sub-Committee were also present at the meeting.

The Licensing Team Manager outlined the details of the application and answered Members questions.

Mr Stannard presented his case and explained the reasons for wishing to have a third gaming machine and he explained where this would be sited and how its

operation would be supervised. Mr Stannard then answered questions from Members.

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

The Sub-Committee received legal advice from the Solicitor to the Sub-Committee.

The Licensing Team Manager, the Solicitor to the Sub-Committee and Mr Stannard then withdrew from the meeting.

The Sub-Committee then gave the application full and detailed consideration.

The Licensing Team Manager, the Solicitor to the Sub-Committee and Mr Stannard then returned to the meeting.

RESOLVED:

that the application be approved as the Sub-Committee were satisfied that in doing so the licensing objectives would not be compromised.

33. APPLICATION FOR STREET TRADING CONSENT : MS EMMA THOMAS, SOUPREMES SOUL FOOD, LEICESTER

The Director of Environmental Services submitted a report which required Members to determine an application for the grant of a street trading consent under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, for a mobile street trader selling hot food. The applicant was Emma Thomas.

The applicant was present at the meeting. The Licensing Team Manager and the Solicitor to the Sub-Committee were also present at the meeting.

The Licensing Team Manager outlined the details of the application and answered Members questions.

Ms Thomas presented her case and outlined the proposed operation of her business. Ms Thomas also explained the she wished to trade on industrial estates within the City and in the Hamilton and Northfield areas on two evenings per week. She also confirmed that she was not proposing to trade in the City Centre. She then answered questions from Members.

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

The Sub-Committee received legal advice from the Solicitor to the Sub-Committee.

The Licensing Team Manager, the Solicitor to the Sub-Committee and Ms

Thomas then withdrew from the meeting.

The Sub-Committee then gave the application full and detailed consideration.

The Licensing Team Manager, the Solicitor to the Sub-Committee and Ms Thomas then returned to the meeting.

RESOLVED:

that the application be approved as the Sub Committee were satisfied that it fell largely within the exception in the Street Trading Policy for operators trading on industrial estates.

34. APPLICATION FOR LIMITED STREET TRADING CONSENT - COOK ME THE MONEY

The Director of Environmental Services submitted a report which required Members to determine an application under Schedule 4 of the local Government (Miscellaneous Provisions) Act 1982 for Limited Street Trading Consent for Cook Me The Money in Humberstone Gate West. The applicant was Mr Nana Wilson of ITV, 16th Floor, ITV Studios, Upper Ground, London, SE1 9LT.

The applicant was present at the meeting. The Licensing Team Manager and the Solicitor to the Sub-Committee were also present at the meeting.

The Licensing Team Manager outlined the details of the application and answered Members questions.

Mr Wilson presented his case and outlined the details of the proposed event, and the intention to focus on local produce and food for this daytime programme. Mr Wilson then answered questions from Members.

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

The Sub-Committee received legal advice from the Solicitor to the Sub-Committee.

The Licensing Team Manager, the Solicitor to the Sub-Committee and Mr Wilson then withdrew from the meeting.

The Sub-Committee then gave the application full and detailed consideration.

The Licensing Team Manager, the Solicitor to the Sub-Committee and Mr Wilson then returned to the meeting.

RESOLVED:

that the application be approved as an exception to the Council's Street Trading Policy as the Sub Committee were satisfied that it was a one off event that would promote Leicester.

35. PRIVATE SESSION

RESOLVED;

that the press and public be excluded during consideration of the following report 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 Paragraph 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.

a) Minutes of the Licensing Enforcement Sub Committee held on 12 June 2012.

36. MINUTES OF PREVIOUS MEETING

RESOLVED:

that the minutes of the meeting of the Licensing Enforcement Sub-Committee held on 12 June 2012, be confirmed as a correct record subject to Minute number 10 being amended by the deletion of "Councillor Byrne left the meeting at this point for the duration of the hearing' and 'AGREED that Councillor Potter be appointed as Chair.'

37. CLOSE OF MEETING

The Chair declared the meeting closed at 12.35pm.

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WARD: AYLESTONE

LICENSING COMMITTEE

4 DECEMBER 2012

**APPLICATION TO VARY A LICENSED PREMISES GAMING MACHINE PERMIT
UNDER SCHEDULE 13 OF THE GAMBLING ACT 2005
LOCAL HERO, 84 AYLESTONE RD, LEICESTER LE2 7LB**

Report of the Service Director (Environmental Services)

1. Purpose of the Report

To determine an application to vary a licensed premises gaming machine permit under Schedule 13 of the Gambling Act 2005, for Local Hero, 84 Aylestone Rd, Leicester. The applicant is the current licence holder at the premises, Spirit Pub Company Services Ltd.

2. Options for the Sub-Committee

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

- (a) Grant the application
- (b) Refuse the application, or
- (c) Grant it in respect of –
 - (i) a smaller number of machines than that specified in the application,
 - (ii) a different category of machines from that specified in the application, or
 - (iii) both.

Conditions may not be attached to a permit, other than the statutory condition that the holder shall comply with any relevant provision of a code of practice issued by the Gambling Commission about the location and operation of a gaming machine.

A licensing authority may not refuse an application, or grant an application in respect of a different category or smaller number of machines than that specified in the application, unless they have notified the applicant of such an intention and given the applicant the opportunity to make representations. Such representations may be oral, written or both.

In arriving at its decision Members must have regard to the licensing objectives, and relevant guidance issued by the Gambling Commission under section 25 of the 2005 Act and such other matters as they think relevant.

Members should give reasons for their decision at the time it is announced.

3. Financial Implications

None.

4. Report

Gamestec on behalf of Spirit Pub Company Services Ltd have applied to vary their licensed premises gaming machine permit under schedule 13 of the Gambling Act 2005, which specifically concerns premises that already hold a premises licence under the Licensing Act 2003. The premises are currently known as Local Hero, 84 Aylestone Rd, Leicester and the application is to vary the existing gaming machine permit from three machines to four. A copy of the application is attached at Appendix A.

A letter and email were sent to Gamestec on 13th November 2012, to advise the applicant that due to the number of machines applied for, the application will need to be considered by our Licensing Committee. The letter provided information on matters the Licensing Committee consider relevant in arriving at a decision, to allow for any further information to be provided by the applicant in support of their application. At the time of writing this report no further information has been received and the Licensing Department at Gamestec have confirmed by telephone on 21st November that they do not intend to submit any further information in writing.

Section 282 of the 2005 Act provides an automatic entitlement to make available two gaming machines (of category C or D) for use in premises that benefit from a premises licence under the Licensing Act 2003. Applicants must be holders of a Premises Licence, authorising sale of alcohol for consumption on the premises.

Section 283 of the 2005 Act allows for the provision of more than two Category C or D machines to be made available in premises licensed under the Licensing Act 2003, in accordance with a licensed premises gaming machine permit. An application for a gaming machine permit may be made by the holder of an 'on' licence under the Licensing Act 2003. A copy of the Premises Licence issued for the Local Hero, 84 Aylestone Rd, Leicester is attached at Appendix B.

A licensed premises gaming machine permit lasts indefinitely, and there is no renewal provision. A permit continues in force for as long as the premises has an alcohol licence held by the permit holder. Where a person applies to transfer an alcohol premises licence they need to apply separately for the transfer of the gaming machine permit.

Part 26 of the Gambling Commission's 'Guidance to Local Authorities' relates to alcohol licensed premises. This is attached at Appendix C.

Section 2 of Part C of Leicester City Council's Gambling Policy refers to Alcohol Licensed premises gaming machine permits. The relevant paragraph states,

"If a premises wishes to have more than 2 machines, an application for a permit is needed. The City Council will decide each application on a case-by-case basis but will make its decision based on the licensing objectives and any other matters it considers relevant, which may include:

- the location and size of the premises
- expected clientele

- how the applicant intends to protect children and vulnerable persons from harm or being exploited by gambling
- the measures proposed by the applicant to ensure that anyone under 18 does not have access to the adult only gaming machines, which could include:
 - adult machines being in sight of the bar
 - arrangements for supervision by staff
 - notices and signage
- provision of information leaflets / helpline numbers for organisations such as GamCare.”

Parliament has placed no restrictions on the age at which such machines may be played (other than these played in amusement arcades). It is therefore a matter for the discretion of the premises licence holder and any adults accompanying the children concerned whether they are entitled to play such machines. In the case of premises used exclusively or primarily for the consumption of alcohol, all children under the age of 16 will only be permitted entry to the premises if accompanied by an adult.

5. Legal Implications (Including Human Rights Act)

A licensing decision is a determination of civil rights to which Article 6 Right to a fair trial principles apply. Article 1 of the First Protocol gives the right of peaceful enjoyment of possessions, which would include a licence.

If the decision is not to grant in accordance with the application, the applicant has the right of appeal to the Magistrates' Court.

6. Crime and Disorder

None

7. Consultation

None

8. Reason for Treating the Report as “Not for Publication”

None

9. Officer to Contact

Susan Hall
Licensing Officer
(0116) 252 8554

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047680



Date:09/11/2012

Ref:1543465

LICENSING DEPARTMENT
Leicester City Council
New Walk Centre
Wellford Place
Leicester
LE1 6ZG



Dear Sir/Madam,

RE: LICENSED PREMISES NOTIFICATION/GAMING MACHINE PERMIT

I enclose herewith a Licensed Premises Notification/LPGMP application for the following site:

Local Hero
84 Aylestone Rd
Cattlemarket
LE2 7LB

The relevant fee is also enclosed and I would be obliged if you could forward the acknowledgement or permit to Gamestec for my attention at the address below when this has been granted.

The details will be noted on our records and a copy will be forwarded to the site. A prepaid envelope is enclosed for your convenience.

Thank you in anticipation of your assistance.

Yours faithfully

Steve Clegg
Licensing Department
Gamestec Leisure Ltd

Enc.
1543465



Gamestec Leisure Limited

B10 - Wira House - Wira Business Park - Ring Road - Leeds - LS16 6EB - Tel: 0113 258 9495 - Fax: 0113 239 0072

Email: enquiries@gamstec.co.uk - www.gamestec.co.uk

Registered in England - 1131044 - Registered office: Wira House, 1 Kingsway, Bridgford Industrial Estate, Bridgford, LE1 9RY UK. Registered in England

**GAMING MACHINE PERMIT APPLICATIONS FOR MORE THAN 2 MACHINES:
CONVERSION / NEW / VARIATION / TRANSFER**

(FOR USE BY PREMISES LICENSED TO SUPPLY ALCOHOL FOR CONSUMPTION ON THE PREMISES)

Please refer to guidance notes at the back of this form before completing

To: Leicester City Council
New Walk Centre , , Welford Place , Leicester , LE1 6ZG

<p>SECTION A – What do you want to do?</p> <p>1. Please indicate what you would like to do</p> <p>a) Apply to convert an existing Section 34 permit issued under the Gaming Act 1968, into a licensed premises gaming machine permit where you want more than 2 gaming machines <i>(if you choose this option then please complete sections B, D and E)</i></p> <p>b) Apply for a new licensed premises gaming machine permit where you want more than 2 gaming machines <i>(if you choose this option then please complete sections B, D and E)</i></p> <p>c) Apply to vary an existing licensed premises gaming machine permit <i>(if you choose this option then please complete sections B, D and E)</i></p> <p>d) Apply to transfer an existing licensed premises gaming machine permit <i>(if you choose this option then please complete sections C, D and E)</i></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p>												
<p>SECTION B – Application for grant (includes <u>conversion</u>, <u>new</u> and <u>variation</u> applications)</p> <p>2. How many gaming machines are you currently authorised to provide and if this is a new or variation application, how many do you wish to provide? (please complete the boxes in the table)</p> <table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="padding: 5px;">Category machine</th> <th style="padding: 5px;">Number currently authorised to provide</th> <th style="padding: 5px;">Number wish to provide (new or variation)</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">C</td> <td style="padding: 5px;">3</td> <td style="padding: 5px;">4</td> </tr> <tr> <td style="padding: 5px;">D</td> <td style="padding: 5px;"></td> <td style="padding: 5px;"></td> </tr> <tr> <td style="padding: 5px;">Total:</td> <td style="padding: 5px;">3</td> <td style="padding: 5px;">4</td> </tr> </tbody> </table> <p>3. If you are currently authorised to provide more than 2 machines, please provide your existing Section 34 Gaming Act 1968 permit, or provide reasons stating why it cannot be provided.</p> <p align="right">Existing permit provided*</p> <p><i>(Reasons why existing permit cannot be provided)</i></p> <p>.....</p>	Category machine	Number currently authorised to provide	Number wish to provide (new or variation)	C	3	4	D			Total:	3	4	<p><input checked="" type="checkbox"/></p>
Category machine	Number currently authorised to provide	Number wish to provide (new or variation)											
C	3	4											
D													
Total:	3	4											

***Please keep a copy of your existing permit on the premises to which it relates.**

GAMING MACHINE PERMIT APPLICATIONS FOR MORE THAN 2 MACHINES:
CONVERSION / NEW / VARIATION / TRANSFER

(FOR USE BY PREMISES LICENSED TO SUPPLY ALCOHOL FOR CONSUMPTION ON THE PREMISES)

<p>Section C – Application for permit <u>transfer</u> (<i>i.e. where a transfer has been requested for the Licensing Act 2003 premises licence</i>)</p> <p>4. Name of person requesting the transfer</p> <p>.....</p> <p>5. Confirmation that an application to transfer the relevant Licensing Act 2003 Premises Licence has been:</p> <p style="text-align: right;">Requested <input type="checkbox"/></p> <p style="text-align: right;">Granted <input type="checkbox"/></p> <p>6. Please provide your existing permit, or provide reasons stating why it cannot be provided</p> <p style="text-align: right;">Existing permit provided <input type="checkbox"/></p> <p style="text-align: right;">Reasons why existing permit cannot be provided</p> <p>.....</p>	
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<p>Section D – General Information</p> <p>7. NAME OF PREMISES: Local Hero</p> <p>8. ADDRESS OF PREMISES: 84 Aylestone Rd, Cattlemarket , LE2 7LB</p> <p>9. TELEPHONE NUMBER OF PREMISES: UNKNOWN</p> <p>10. NAME OF EXISTING PREMISES LICENCE HOLDER: Spirit Pub Company (services) Ltd</p> <p>11. ADDRESS OF PREMISES LICENCE HOLDER: Sunrise House, Ninth Avenue, Burton Upon Trent, Staffordshire, DE14 3JZ</p> <p>12. DAYTIME TELEPHONE NUMBER OF PREMISES LICENCE HOLDER: 01283 498 400</p> <p>13. E-MAIL ADDRESS OF PREMISES LICENCE HOLDER: UNKNOWN</p> <p>14. AGENT (E.G. SOLICITOR) IF SUBMITTED ON BEHALF OF THE APPLICANT: Gamestec Leisure , Unit B12 Wira House, Ring Road, Leeds LS16 6ER Telephone: 01132589495</p> <p>15. LICENSING ACT 2003 PREMISES LICENCE REFERENCE (I.E. NUMBER)</p>

GAMING MACHINE PERMIT APPLICATIONS FOR MORE THAN 2
MACHINES:
CONVERSION / NEW / VARIATION / TRANSFER

(FOR USE BY PREMISES LICENSED TO SUPPLY ALCOHOL FOR CONSUMPTION ON THE
PREMISES)

Section E – Fee and Signature(s)

I enclose a sum of (£100 cheques should be made payable Leicester City Council)

*I understand that I must comply with the Gaming Machine Code of Practice for Alcohol Licensed
Premise Permits and Permissions issued by the Gambling Commission. (see guidance note 8)*

Please note: It is an offence under section 342 of the Gambling Act 2005 if a person, without reasonable
excuse, gives to a licensing authority for a purpose connected with that Act information which is false or
misleading.

Dated...09 November 2012.....

Signed (by or on behalf of Licensing Act 2003 Premises Licence holder)

.....


Print Name...Steve Clegg.....

* If you wish to have more than 2 gaming machines then please check the fee payable.

Official Use Only

Date of receipt:

Name of staff member who received application form:

Date of receipt of fee:

Name of staff member who received fee:

Application accepted / returned (please delete as appropriate)

Date of premises licence (Licensing Act 2003) transfer (if applicable):

**GAMING MACHINE PERMIT APPLICATIONS FOR MORE THAN 2 MACHINES:
CONVERSION / NEW / VARIATION / TRANSFER**

Guidance notes:

1. This form is to be used for the **conversion of an existing Section 34** gaming machine permit under the Gaming Act 1968, or for a **new application, variation or transfer** of a alcohol licensed premises gaming machine permit under the Gambling Act 2005.
1. The premises must be licensed under the Licensing Act 2003 to sell alcohol for consumption on the premises, without the requirement that alcohol is served only with food and there must be a bar for serving alcohol to customers on the premises.
2. The gaming machines must be located on these licensed premises.
3. A 'Premises Licence holder' is a person holding a Premises Licence under the Licensing Act 2003.
4. There is no statutory limit to the number of machines, which may be applied for although the licensing authority has some discretion in this regard.
5. The permit's duration is indefinite as it is linked to the Licensing Act 2003 Premises Licence. There is a first annual fee payable within 30 days of the date of issue of the permit and an annual fee payable after that before each anniversary of the date of issue of the permit. Failure to pay the annual fee may result in the cancellation of the permit. The annual fee is £50 (to be confirmed). There are no annual fees payable for 2 machines or less.
6. Two types of gaming machines may be located in alcohol licensed premises. These are:
 - Category C: Maximum stake = 50p / Maximum prize = £70
 - Category D: Maximum stake = 10p or 30p non-monetary / Maximum prize = £5 cash or £8 non-monetary
7. **All alcohol licensed premises which provide gaming machines for use on the premises must comply with any relevant Code of Practice issued by the Gambling Commission under Section 24 of the Gambling Act 2005.** The Gaming Machine Code of Practice for Alcohol licensed premises permits and permissions is available via the Gambling Commission's website at: <http://www.gamblingcommission.gov.uk/> Should you be unclear as to the provisions of the code of practice please contact the Gambling Commission.
8. This licensing authority must notify the applicant of its grant / refusal of the application for a permit as soon as is reasonable practicable after that decision to grant / refuse has been made.

DETAILS OF LICENSED PREMISES GAMING MACHINE PERMIT

This licensed premises gaming machine permit authorises

Spirit Pub Company (services) Ltd

to make gaming machines, of the category and number specified below, available for use on the following premises:

Local Hero

Leicester Cattle Market, 84 Aylestone Road, Leicester, LE2 7LB.

Number of Category C gaming machines authorised by this permit:

3

Number of Category D gaming machines authorised by this permit:

0

Date on which this permit takes effect or is renewed:

09/08/2011

THIS PERMIT IS ISSUED BY



Leicester
City Council

Regeneration & Culture
New Walk Centre
Welford Place
Leicester
LE1 6ZG

web: www.leicester.gov.uk/licensing
tel: (0116) 252 8555





Date:

8/7/11

To Whom It May Concern:

Dear Sir

RE: APPLICATION FOR GRANT OF GAMING MACHINE PERMIT (LPN AND LPGMP) - GAMBLING ACT 2005

I wish to confirm that Gamestec Leisure Limited are authorised to act as the agent of this Company, its subsidiaries, tenants and leaseholders with regard to permit applications and notifications enabling the operation of fruit machines on our various premises.

I confirm that I have been provided with a summary of the Code of Practice as laid down in the Gambling Act and understand that Premises Licence Holders are responsible for ensuring that each of site upholds this.

Yours faithfully

G. Maclean.....Signature

G. MACLEAN.....Print

on behalf of:

Spirit Pub Company

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Licensing Act 2003

Premises Licence**LEIPRM1116**

Licensing Authority Office
Leicester City Council
New Walk Centre
Welford Place
LEICESTER
LE1 6ZG

Part 1 - Premises Details

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

Local Hero

Leicester Cattle Market, 84 Aylestone Road, Leicester, LE2 7LB.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

Expires **no expiry**

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- entertainment facilities for dancing
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Sun-Weds	10:00am	Midnight
	Thurs-Sat	10:00am	1:00am
F. Playing of recorded music (Indoors)	Sun-Weds	10:00am	Midnight
	Thurs-Sat	10:00am	1:00am
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Sun-Weds	10:00am	Midnight
	Thurs-Sat	10:00am	1:00am
J. Provision of facilities for dancing (Indoors)	Sun-Weds	10:00am	Midnight
	Thurs-Sat	10:00am	1:00am
L. Late night refreshment (Indoors)	Sun-Weds	11:00pm	1:00am
	Thurs-Sat	11:00pm	2:00am
M. The sale by retail of alcohol for consumption ON and OFF the premises	Sun-Weds	10:00am	Midnight
	Thurs-Sat	10:00am	1:00am



Licensing Act 2003

Premises Licence

LEIPRM1116



Licensing Authority Office
Leicester City Council
New Walk Centre
Welford Place
LEICESTER
LE1 6ZG

THE OPENING HOURS OF THE PREMISES

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

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

- M. The sale by retail of alcohol for consumption ON and OFF the premises

Part 2

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

Spirit Pub Company (services) Ltd Sunrise House, Ninth Avenue, Burton Upon Trent, Staffordshire, DE14 3JZ.
Telephone 01283498400

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

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

David RADBURN

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. 12/00488/PSL Issued by Hinckley and Bosworth





Licensing Authority Office
Leicester City Council
New Walk Centre
Welford Place
LEICESTER
LE1 6ZG

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 shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children-

- 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 supply 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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
- 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;
- d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on-
 - i) the outcome of a race, competition or other event or process, or
 - ii) the likelihood of anything occurring or not occurring;
- e) 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 glamourise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner

The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

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

The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. 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 a holographic mark.

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; and
- b) customers are made aware of the availability of these measures

Annex 2 - Conditions consistent with the operating schedule

The restrictions in this Annex do not prohibit any sale, supply or consumption of alcohol previously permitted by the Licensing Act 1964.

Licensable activities may continue between the end of the hours permitted by the licence on New Years Eve and the start of the hours permitted by the licence on New Years Day

Licensable activities and opening hours will be extended on St.Davids Day, St. Georges Day, and St. Patricks Day and St. Andrews Day for an additional hour with seven days notice and agreement to the police.





Licensing Authority Office
Leicester City Council
New Walk Centre
Welford Place
LEICESTER
LE1 6ZG

ANNEXES continued ...

Licensable activities and opening hours will be extended on Public Bank Holidays (Friday- Monday), Maundy Thursday, Christmas Eve and Boxing Day for an additional hour.

Licensable activities and opening hours will be extended on the Thursday, Friday, Saturday, Sunday and Monday of Easter Bank Holiday Weekend for an additional hour.

Licensable activities and opening hours will be extended on occasions of local, national or international significance or for charitable events, limited to twelve per year, the finish time will be extended by one hour with fourteen days notice and agreement with the police.

The licence holder will adopt a zero tolerance policy to drugs.

The licence holder will ensure if a disc jockey is used on any night then he/she will ask customers to leave quietly.

The licence holder will ensure that CCTV is installed following advice from the Leicestershire Constabulary Crime Reduction Officer and maintained in accordance with the Information Commissioner's CCTV Code of Practice.

The licence holder will ensure all instance of crime and disorder will be reported to the police and will be kept in a logbook.

The licence holder shall introduce a policy requiring the production of "proof of age" for any sale that takes place where there is any suspicion that the customer is under 18. Such proof may include a pass conforming to the PASS accreditation system, photo driving licence, student cards and passports.

The licence holder will ensure free drinking water will be available at all times.

The licence holder will ensure a no smoking area will be provided.

The licence holder will ensure soft drinks and non-alcoholic drinks will be available between the end of alcohol sales and the closure of the premises.

The licence holder will ensure additional patrols will take place by members of staff, internally and externally, to limit any noise pollution when entertainment is being offered within the premises.

The licence holder will ensure, if appropriate, notices will be displayed asking customers to respect our neighbours when leaving the premises.

The licence holder will ensure children are supervised by an adult at all times.

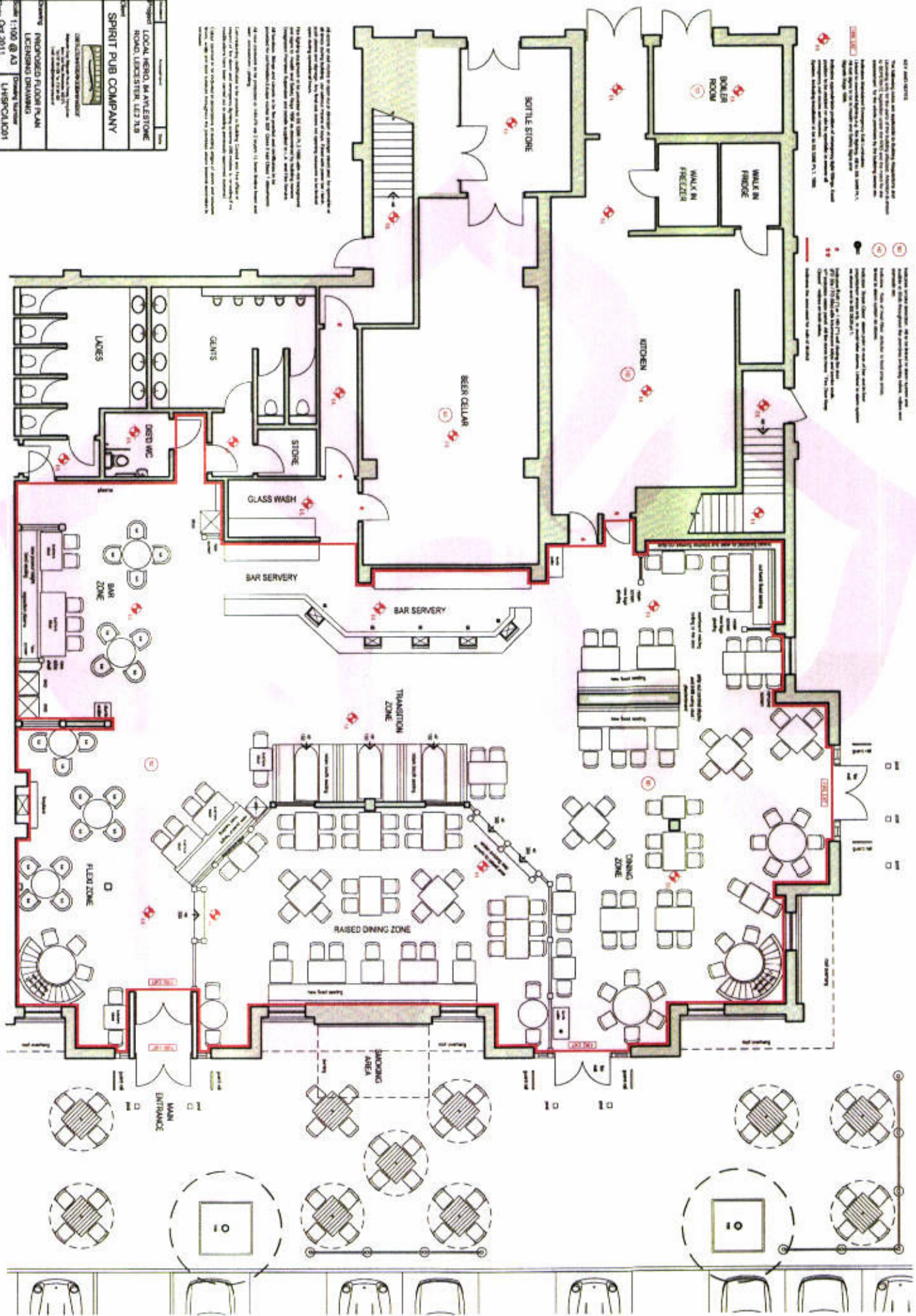
Annex 3 - Conditions attached after a hearing by the Licensing Authority

None



Project Name	LOCAL HERO BAVELTONE ROAD, LINCHESTER, LD2 7UB
Client	SPIRIT PUB COMPANY
Contract	FINISHED FLOOR PLAN LICENSING DRAWING
Scale	1:100 @ A3
Date	04/2011
Drawn by	LHS/CAL/DON

THIS DRAWING IS A FINISHED FLOOR PLAN FOR LICENSING PURPOSES ONLY. IT IS NOT TO BE USED FOR ANY OTHER PURPOSES. THE DRAWING IS THE PROPERTY OF THE ARCHITECT AND SHOULD NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. THE ARCHITECT ACCEPTS NO LIABILITY FOR ANY DAMAGE OR LOSS OF PROFITS, BUSINESS INTERRUPTION, OR OTHER CONSEQUENCES ARISING FROM THE USE OF THIS DRAWING. THE ARCHITECT'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE BUILDING WORKS ONLY.



- 1. Fire alarm call points
- 2. Fire alarm control panel
- 3. Fire alarm call point
- 4. Fire alarm call point
- 5. Fire alarm call point
- 6. Fire alarm call point
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- 50. Fire alarm call point



Licensing Authority Office
Leicester City Council
New Walk Centre
Welford Place
LEICESTER
LE1 6ZG

Premises Details

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

Local Hero

Leicester Cattle Market, 84 Aylestone Road, Leicester, LE2 7LB.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- entertainment facilities for dancing
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Sun-Weds	10:00am	Midnight
	Thurs-Sat	10:00am	1:00am
F. Playing of recorded music (Indoors)	Sun-Weds	10:00am	Midnight
	Thurs-Sat	10:00am	1:00am
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Sun-Weds	10:00am	Midnight
	Thurs-Sat	10:00am	1:00am
J. Provision of facilities for dancing (Indoors)	Sun-Weds	10:00am	Midnight
	Thurs-Sat	10:00am	1:00am
L. Late night refreshment (Indoors)	Sun-Weds	11:00pm	1:00am
	Thurs-Sat	11:00pm	2:00am
M. The sale by retail of alcohol for consumption ON and OFF the premises	Sun-Weds	10:00am	Midnight
	Thurs-Sat	10:00am	1:00am



Premises Licence Summary**LEIPRM1116**

Licensing Authority Office
Leicester City Council
New Walk Centre
Welford Place
LEICESTER
LE1 6ZG

THE OPENING HOURS OF THE PREMISES

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

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

- M. The sale by retail of alcohol for consumption ON and OFF the premises

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Spirit Pub Company (services) Ltd Sunrise House, Ninth Avenue, Burton Upon Trent, Staffordshire, DE14 3JZ.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)**NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**

David RADBURN

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

Restricted in accordance with the Licensing Act 2003



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Part 26: Alcohol-licensed premises

Automatic entitlement to two machines

26.1 Section 282 of the Act provides an automatic entitlement to make available two gaming machines (of category C or D) for use in alcohol-licensed premises. To take advantage of this entitlement, the person who holds the on-premises licence (under the Licensing Act 2003) or relevant Scottish licence must give notice to the licensing authority of their intention to make gaming machines available for use, and must pay the prescribed fee.

26.2 This is not an authorisation procedure – licensing authorities have no discretion to consider the notification or to turn it down. They can, however, remove the automatic authorisation in respect of any particular premises by making an order under section 284. That section provides for the licensing authority to make such an order if:

- provision of the machines is not reasonably consistent with the pursuit of the
- licensing objectives;
- gaming has taken place on the premises that breaches a condition of
- section 282 – for example, the gaming machines have been made available in a way that does not comply with requirements on the location and operation of gaming machines;
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

26.3 Before making an order the licensing authority must give the licensee at least 21 days' notice of the intention to make the order and consider any representations that they may make. The authority must hold a hearing if the licensee so requests and must comply with any other procedural requirements set out in regulations. If there is no appeal, the order will take effect 21 days after notice of the intention was given. The authority must give the licensee a copy of the order and written reasons for making it. The licensee may appeal to the magistrates' court or the sheriff.

Licensed premises gaming machine permits

26.4 Licensing authorities may issue licensed premises gaming machine permits for any number of category C or D machines in licensed premises. Where a permit authorises the making available of a specified number of gaming machines in particular premises, this will effectively replace, and not be in addition to, any automatic entitlement to two machines under section 282.

26.5 Holders of alcohol-licensed premises gaming machine permits and club permits will be required to comply with a code of practice, which has been drawn up by the Commission on the location and operation of machines. Information about this code can be found on the Commission's website²⁶.

²⁶ Code of Practice on Gaming Machine Permits, available from www.gamblingcommission.gov.uk

- 26.6** Section 282 of the Act provides an automatic entitlement to make available two gaming machines (of category C or D) for use in alcohol-licensed premises (under the Licensing Act 2003). It is a condition of this permission that any relevant provision of a code of practice under section 24 about the location and operation of a gaming machine is complied with.
- 26.7** Although the local licensing authority does not have to approve this automatic entitlement, it may issue an order to revoke this permission if gaming has taken place on the premises that breaches a condition of section 282, which would include where a gaming machine has been made available in a way that does not comply with requirements on the location and operation of gaming machines.
- 26.8** The detail of how to apply for licensed premises gaming machine permits is set out in schedule 13 of the Act.
- 26.9** Applications must be made by a person or organisation who holds the 'on-premises' alcohol licence for the premises for which the application is made. An application may not be made if a premises licence under the Gambling Act is in effect at the premises. The application must be made to an authority in whose area the premises are wholly or partly situated. The Act requires an application to include certain information – the premises to which it relates and the number and category of gaming machines sought. Apart from this it is for the authority to direct the form and manner of the application and what additional information and documents are required, such as a valid alcohol premises licence.
- 26.10** In determining an application the authority must have regard to the licensing objectives and to this guidance. They may also take account of any other matters that are considered relevant to the application. The application does not require notification to the Commission or police before determination. However licensing authorities are able to specify this as a requirement should they see fit.
- 26.11** The authority may grant or refuse an application. In granting the application the authority may vary the number and category of gaming machines authorised by the permit. If the authority grants the application, they must issue the permit as soon as possible after that. Where they refuse the application they must notify the applicant as soon as possible, setting out the reasons for refusal. The authority must not refuse an application, or grant it for a different number or category of machines, unless they have notified the applicant of their intention to do so and given the applicant an opportunity to make representations (orally or in writing or both).
- 26.12** The permit must specify the person or organisation to whom it is issued, the number of gaming machines for which the permit has effect, the address of the premises and the date on which it takes effect.
-

Appendix C

- 26.13** The permit holder can apply to the authority to amend the permit to reflect a change in the holder's name. The authority must comply with the request provided the prescribed fee is paid.
- 26.14** The permit holder must keep the permit on the premises, and it must be produced on request for inspection by a constable, enforcement officer or local authority officer (not to do so will be an offence). If the permit is lost, stolen or damaged, the holder may apply to the issuing authority for a copy. The application must be accompanied by the prescribed fee.
- 26.15** There are no renewal provisions for this class of permit because these permits are indefinite, and continue in force for so long as the premises continues to have an alcohol licence and the holder of the permit continues to hold that licence. The permit can lapse if the holder surrenders it to the licensing authority.
- 26.16** The holder may apply to vary the permit by changing the number and/or category of machines authorised by it.
- 26.17** The authority is able to cancel a permit. It may only do so in specified circumstances which include if the premises are used wholly or mainly by children or young persons or if an offence under the Act has been committed. Before it cancels an authority must notify the holder giving 21 days notice of intention to cancel, consider any representations made by the holder, hold a hearing if requested, and comply with any other prescribed requirements relating to the procedure to be followed. Where the authority cancels the permit, the cancellation does not take effect until the period for appealing against that decision has elapsed, or (where an appeal is made), until the appeal is determined.
- 26.18** The authority can also cancel a permit if the holder fails to pay the annual fee (unless failure is the result of an administrative error). The court may order forfeiture of the permit if the holder is convicted of a relevant offence.
- 26.19** Where a person applies to a licensing authority for the transfer of an alcohol premises licence, they will also need to apply separately for the transfer of the licensed premises gaming machine permit. Both applications will require a fee to be paid.
- 26.20** The applicant may appeal to the magistrates' court against an authority's decision not to issue a permit. The holder can also appeal against a decision to cancel a permit.

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WARD: BEAUMONT LEYS

LICENSING COMMITTEE

4 DECEMBER 2012

**APPLICATION TO VARY A LICENSED PREMISES GAMING MACHINE PERMIT
UNDER SCHEDULE 13 OF THE GAMBLING ACT 2005
HEATHLEY PARK, GROBY RD, LEICESTER LE3 9QE**

Report of the Service Director (Environmental Services)

1. Purpose of the Report

To determine an application to vary a licensed premises gaming machine permit under Schedule 13 of the Gambling Act 2005, for Heathley Park, Groby Rd, Leicester. The applicant is the current licence holder at the premises, Spirit Pub Company Services Ltd, Sunrise House, Ninth Avenue, Burton on Trent, Staffs.

2. Options for the Sub-Committee

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

- (a) Grant the application
- (b) Refuse the application, or
- (c) Grant it in respect of –
 - (i) a smaller number of machines than that specified in the application,
 - (ii) a different category of machines from that specified in the application, or
 - (iii) both.

Conditions may not be attached to a permit, other than the statutory condition that the holder shall comply with any relevant provision of a code of practice issued by the Gambling Commission about the location and operation of a gaming machine.

A licensing authority may not refuse an application, or grant an application in respect of a different category or smaller number of machines than that specified in the application, unless they have notified the applicant of such an intention and given the applicant the opportunity to make representations. Such representations may be oral, written or both.

In arriving at its decision Members must have regard to the licensing objectives, and relevant guidance issued by the Gambling Commission under section 25 of the 2005 Act and such other matters as they think relevant.

Members should give reasons for their decision at the time it is announced.

3. Financial Implications

None.

4. Report

Gamestec on behalf of Spirit Pub Company Services Ltd have applied to vary their licensed premises gaming machine permit under schedule 13 of the Gambling Act 2005, which specifically concerns premises that already hold a premises licence under the Licensing Act 2003. The premises are currently known as Heathley Park, Groby Rd, Leicester and the application is to vary the existing gaming machine permit from three machines to four. A copy of the application is attached at Appendix A.

A letter and email were sent to Gamestec on 13th November 2012, to advise the applicant that due to the number of machines applied for, the application will need to be considered by our Licensing Committee. The letter provided information on matters the Licensing Committee consider relevant in arriving at a decision, to allow for any further information to be provided by the applicant in support of their application. At the time of writing this report no further information has been received and the Licensing Department at Gamestec have confirmed by telephone on 21st November that they do not intend to submit any further information in writing.

Section 282 of the 2005 Act provides an automatic entitlement to make available two gaming machines (of category C or D) for use in premises that benefit from a premises licence under the Licensing Act 2003. Applicants must be holders of a Premises Licence, authorising sale of alcohol for consumption on the premises.

Section 283 of the 2005 Act allows for the provision of more than two Category C or D machines to be made available in premises licensed under the Licensing Act 2003, in accordance with a licensed premises gaming machine permit. An application for a gaming machine permit may be made by the holder of an 'on' licence under the Licensing Act 2003. A copy of the Premises Licence issued for the Heathley Park, Groby Rd, Leicester is attached at Appendix B.

A licensed premises gaming machine permit lasts indefinitely, and there is no renewal provision. A permit continues in force for as long as the premises has an alcohol licence held by the permit holder. Where a person applies to transfer an alcohol premises licence they need to apply separately for the transfer of the gaming machine permit.

Part 26 of the Gambling Commission's 'Guidance to Local Authorities' relates to alcohol licensed premises. This is attached at Appendix C.

Section 2 of Part C of Leicester City Council's Gambling Policy refers to Alcohol Licensed premises gaming machine permits. The relevant paragraph states,

"If a premises wishes to have more than 2 machines, an application for a permit is needed. The City Council will decide each application on a case-by-case basis but will make its decision based on the licensing objectives and any other matters it considers relevant, which may include:

- the location and size of the premises
- expected clientele

- how the applicant intends to protect children and vulnerable persons from harm or being exploited by gambling
- the measures proposed by the applicant to ensure that anyone under 18 does not have access to the adult only gaming machines, which could include:
 - adult machines being in sight of the bar
 - arrangements for supervision by staff
 - notices and signage
- provision of information leaflets / helpline numbers for organisations such as GamCare.”

Parliament has placed no restrictions on the age at which such machines may be played (other than these played in amusement arcades). It is therefore a matter for the discretion of the premises licence holder and any adults accompanying the children concerned whether they are entitled to play such machines. In the case of premises used exclusively or primarily for the consumption of alcohol, all children under the age of 16 will only be permitted entry to the premises if accompanied by an adult.

5. Legal Implications (Including Human Rights Act)

A licensing decision is a determination of civil rights to which Article 6 Right to a fair trial principles apply. Article 1 of the First Protocol gives the right of peaceful enjoyment of possessions, which would include a licence.

If the decision is not to grant in accordance with the application, the applicant has the right of appeal to the Magistrates' Court.

6. Crime and Disorder

None

7. Consultation

None

8. Reason for Treating the Report as “Not for Publication”

None

9. Officer to Contact

Susan Hall
Licensing Officer
(0116) 252 8554

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0476771



Date:09/11/2012

Ref:1549141



LICENSING DEPARTMENT
Leicester City Council
New Walk Centre
Welford Place
Leicester
LE1 6ZG

Dear Sir/Madam,

RE: LICENSED PREMISES NOTIFICATION/GAMING MACHINE PERMIT

I enclose herewith a Licensed Premises Notification/LPGMP application for the following site:

Heathley Park
Groby Road
Leicester
LE3 9QE

The relevant fee is also enclosed and I would be obliged if you could forward the acknowledgement or permit to Gamestec for my attention at the address below when this has been granted.

The details will be noted on our records and a copy will be forwarded to the site. A prepaid envelope is enclosed for your convenience.

Thank you in anticipation of your assistance.

Yours faithfully

Steve Clegg
Licensing Department
Gamestec Leisure Ltd

Enc.
1549141



Gamestec Leisure Limited

B10 - Wifa House - Wifa Business Park - Ring Road - Leeds - LS16 6EB - Tel: 0113 258 9495 - Fax: 0113 239 0072

Email: enquiries@gamestec.co.uk - www.gamestec.co.uk

Registered in England - 11412584. Registered office: Wifa House, 1 Kingway, Bridgford Industrial Estate, Bridgford, LE16 9WJ, UK. Registered in England

**GAMING MACHINE PERMIT APPLICATIONS FOR MORE THAN 2 MACHINES:
CONVERSION / NEW / VARIATION / TRANSFER**

(FOR USE BY PREMISES LICENSED TO SUPPLY ALCOHOL FOR CONSUMPTION ON THE PREMISES)

Please refer to guidance notes at the back of this form before completing

To: Leicester City Council
 New Walk Centre , Welford Place , Leicester , LE1 6ZG

<p>SECTION A – What do you want to do?</p> <p>1. Please indicate what you would like to do</p> <p>a) Apply to convert an existing Section 34 permit issued under the Gaming Act 1968, into a licensed premises gaming machine permit where you want more than 2 gaming machines <i>(if you choose this option then please complete sections B, D and E)</i></p> <p>b) Apply for a new licensed premises gaming machine permit where you want more than 2 gaming machines <i>(if you choose this option then please complete sections B, D and E)</i></p> <p>c) Apply to vary an existing licensed premises gaming machine permit <i>(if you choose this option then please complete sections B, D and E)</i></p> <p>d) Apply to transfer an existing licensed premises gaming machine permit <i>(if you choose this option then please complete sections C, D and E)</i></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p>												
<p>SECTION B – Application for grant (includes <u>conversion</u>, <u>new</u> and <u>variation</u> applications)</p> <p>2. How many gaming machines are you currently authorised to provide and if this is a new or variation application, how many do you wish to provide? (please complete the boxes in the table)</p> <table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="padding: 5px;">Category machine</th> <th style="padding: 5px;">Number currently authorised to provide</th> <th style="padding: 5px;">Number wish to provide (new or variation)</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">C</td> <td style="padding: 5px;">3</td> <td style="padding: 5px;">4</td> </tr> <tr> <td style="padding: 5px;">D</td> <td style="padding: 5px;"></td> <td style="padding: 5px;"></td> </tr> <tr> <td style="padding: 5px;">Total:</td> <td style="padding: 5px;">3</td> <td style="padding: 5px;">4</td> </tr> </tbody> </table> <p>3. If you are currently authorised to provide more than 2 machines, please provide your existing Section 34 Gaming Act 1968 permit, or provide reasons stating why it cannot be provided.</p> <p align="right">Existing permit provided*</p> <p><i>(Reasons why existing permit cannot be provided)</i></p> <p><i>Copy not received from solicitor.....</i></p>	Category machine	Number currently authorised to provide	Number wish to provide (new or variation)	C	3	4	D			Total:	3	4	<p><input type="checkbox"/></p>
Category machine	Number currently authorised to provide	Number wish to provide (new or variation)											
C	3	4											
D													
Total:	3	4											

***Please keep a copy of your existing permit on the premises to which it relates.**

GAMING MACHINE PERMIT APPLICATIONS FOR MORE THAN 2 MACHINES:
CONVERSION / NEW / VARIATION / TRANSFER

(FOR USE BY PREMISES LICENSED TO SUPPLY ALCOHOL FOR CONSUMPTION ON THE PREMISES)

Section C – Application for permit <u>transfer</u> (i.e. where a transfer has been requested for the Licensing Act 2003 premises licence)	
4. Name of person requesting the transfer	
5. Confirmation that an application to transfer the relevant Licensing Act 2003 Premises Licence has been:	
Requested	<input type="checkbox"/>
Granted	<input type="checkbox"/>
6. Please provide your existing permit, or provide reasons stating why it cannot be provided	
Existing permit provided	<input type="checkbox"/>
Reasons why existing permit cannot be provided	

Section D – General Information
7. NAME OF PREMISES: Heathley Park
8. ADDRESS OF PREMISES: Groby Road, Leicester, LE3 9QE
9. TELEPHONE NUMBER OF PREMISES: UNKNOWN
10. NAME OF EXISTING PREMISES LICENCE HOLDER: Spirit Pub Company Services Ltd
11. ADDRESS OF PREMISES LICENCE HOLDER: Sunrise House, Ninth Avenue, Burton Upon Trent, Staffordshire, DE14 3JZ
12. DAYTIME TELEPHONE NUMBER OF PREMISES LICENCE HOLDER: 01283 498 400
13. E-MAIL ADDRESS OF PREMISES LICENCE HOLDER: UNKNOWN
14. AGENT (E.G. SOLICITOR) IF SUBMITTED ON BEHALF OF THE APPLICANT: Gamestec Leisure , Unit B12 Wira House, Ring Road, Leeds LS16 6ER Telephone: 01132589495
15. LICENSING ACT 2003 PREMISES LICENCE REFERENCE (I.E. NUMBER)

GAMING MACHINE PERMIT APPLICATIONS FOR MORE THAN 2
MACHINES:
CONVERSION / NEW / VARIATION / TRANSFER

(FOR USE BY PREMISES LICENSED TO SUPPLY ALCOHOL FOR CONSUMPTION ON THE
PREMISES)

Section E – Fee and Signature(s)

I enclose a sum of (£100 cheques should be made payable Leicester City Council)

***I understand that I must comply with the Gaming Machine Code of Practice for Alcohol Licensed
Premise Permits and Permissions issued by the Gambling Commission. (see guidance note 8)***

**Please note: It is an offence under section 342 of the Gambling Act 2005 if a person, without reasonable
excuse, gives to a licensing authority for a purpose connected with that Act information which is false or
misleading.**

Dated...09 November 2012.....

Signed (by or on behalf of Licensing Act 2003 Premises Licence holder)

.....


Print Name...Steve Clegg.....

* If you wish to have more than 2 gaming machines then please check the fee payable.

Official Use Only

Date of receipt:

Name of staff member who received application form:

Date of receipt of fee:

Name of staff member who received fee:

Application accepted / returned (please delete as appropriate)

Date of premises licence (Licensing Act 2003) transfer (if applicable):

**GAMING MACHINE PERMIT APPLICATIONS FOR MORE THAN 2 MACHINES:
CONVERSION / NEW / VARIATION / TRANSFER**

Guidance notes:

1. This form is to be used for the **conversion of an existing Section 34** gaming machine permit under the Gaming Act 1968, or for a **new application, variation or transfer** of a alcohol licensed premises gaming machine permit under the Gambling Act 2005.
1. The premises must be licensed under the Licensing Act 2003 to sell alcohol for consumption on the premises, without the requirement that alcohol is served only with food and there must be a bar for serving alcohol to customers on the premises.
2. The gaming machines must be located on these licensed premises.
3. A 'Premises Licence holder' is a person holding a Premises Licence under the Licensing Act 2003.
4. There is no statutory limit to the number of machines, which may be applied for although the licensing authority has some discretion in this regard.
5. The permit's duration is indefinite as it is linked to the Licensing Act 2003 Premises Licence. There is a first annual fee payable within 30 days of the date of issue of the permit and an annual fee payable after that before each anniversary of the date of issue of the permit. Failure to pay the annual fee may result in the cancellation of the permit. The annual fee is £50 (to be confirmed). There are no annual fees payable for 2 machines or less.
6. Two types of gaming machines may be located in alcohol licensed premises. These are:
 - Category C: Maximum stake = 50p / Maximum prize = £70
 - Category D: Maximum stake = 10p or 30p non-monetary / Maximum prize = £5 cash or £8 non-monetary
7. **All alcohol licensed premises which provide gaming machines for use on the premises must comply with any relevant Code of Practice issued by the Gambling Commission under Section 24 of the Gambling Act 2005.** The Gaming Machine Code of Practice for Alcohol licensed premises permits and permissions is available via the Gambling Commission's website at: <http://www.gamblingcommission.gov.uk/> Should you be unclear as to the provisions of the code of practice please contact the Gambling Commission.
8. This licensing authority must notify the applicant of its grant / refusal of the application for a permit as soon as is reasonable practicable after that decision to grant / refuse has been made.



Date:

8/7/11

To Whom It May Concern:

Dear Sir

RE: APPLICATION FOR GRANT OF GAMING MACHINE PERMIT (LPN AND LPGMP) - GAMBLING ACT 2005

I wish to confirm that Gamestec Leisure Limited are authorised to act as the agent of this Company, its subsidiaries, tenants and leaseholders with regard to permit applications and notifications enabling the operation of fruit machines on our various premises.

I confirm that I have been provided with a summary of the Code of Practice as laid down in the Gambling Act and understand that Premises Licence Holders are responsible for ensuring that each of site upholds this.

Yours faithfully

G. MacleanSignature

G. MACLEANPrint

on behalf of:

Spirit Pub Company

Licensed Premises Gaming Machine Permit

DETAILS OF LICENSED PREMISES GAMING MACHINE PERMIT

This licensed premises gaming machine permit authorises

Spirit Pub Company (services) Ltd

to make gaming machines, of the category and number specified below, available for use on the following premises:

Heathley Park**Groby Road, Heathley Park, Leicester, LE3 9QE.**

Number of Category C gaming machines authorised by this permit:

3

Number of Category D gaming machines authorised by this permit:

0

Date on which this permit takes effect or is renewed:

08/05/2009

THIS PERMIT IS ISSUED BY



Leicester
City Council

Regeneration & Culture
New Walk Centre
Welford Place
Leicester
LE1 6ZG

web: www.leicester.gov.uk/licensing
tel: (0116) 252 8555



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Licensing Act 2003

Premises Licence**LEIPRM0561**

Leicester
City Council

Licensing Authority Office
Leicester City Council
New Walk Centre
Welford Place
LEICESTER
LE1 6ZG

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDANCE SURVEY MAP REFERENCE OR DESCRIPTION**Heathley Park**

Groby Road, Heathley Park, Leicester, LE3 9QE.

Telephone 0870 990 6398

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- entertainment facilities for dancing
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Mon-Sun	7:00am	1:00am
F. Playing of recorded music (Indoors)	Mon-Sun	7:00am	1:00am
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Mon-Sun	7:00am	1:00am
J. Provision of facilities for dancing (Indoors)	Mon-Sun	7:00am	1:00am
L. Late night refreshment (Indoors)	Mon-Sun	11:00pm	2:00am
M. The sale by retail of alcohol for consumption ON and OFF the premises	Mon-Sun	7:00am	1:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Mon-Sun	6:00am	2:00am



Licensing Act 2003

Premises Licence

LEIPRM0561



Licensing Authority Office
Leicester City Council
New Walk Centre
Welford Place
LEICESTER
LE1 6ZG

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

- M. The sale by retail of alcohol for consumption ON and OFF the premises

Part 2

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

Punch Pub Company Limited

Jubilee House, Second Avenue, Burton on Trent, Staffordshire, DE14 2WF.

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

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

Michael KNIGHT



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. BLP0466

Issued by Blaby





Leicester
City Council

Licensing Authority Office
Leicester City Council
New Walk Centre
Welford Place
LEICESTER
LE1 6ZG

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 shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children-

- 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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
- 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;
- d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on-
 - i) the outcome of a race, competition or other event or process, or
 - ii) the likelihood of anything occurring or not occurring;
- e) 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.

The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

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

The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. 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 a holographic mark.

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; and

customers are made aware of the availability of these measures.

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.

Annex 2 - Conditions consistent with the operating schedule

The restrictions in this Annex do not prohibit any sale, supply or consumption of alcohol previously permitted by the Licensing Act 1964.



Licensing Act 2003
Premises Licence

LEIPRM0561



**Licensing Authority Office
Leicester City Council
New Walk Centre
Welford Place
LEICESTER
LE1 6ZG**

ANNEXES continued ...

Licensable activities may continue between the end of the hours permitted by the licence on New Years Eve and the start of the hours permitted by the licence on New Years Day.

The licence holder will ensure that all individual(s) at the premises for the purpose of carrying out a security activity are licensed by the Security Industry Authority.

The licence holder will adopt Leicester City Council's drugs policy.

The licence holder will ensure that if a disc jockey is used on any night then he/she will ask customers to leave quietly.

The licence holder will ensure that if CCTV is installed following advice from the Leicestershire Constabulary Crime Reduction Officer. It will be maintained in accordance with the Information Commissioner's CCTV Code of Practice.

The licence holder will ensure all instances of crime and disorder are reported to the Police and kept in an incident log book.

The licence holder will ensure that all management and staff are fully briefed and trained to the standards required by relevant legislation with regard to Health & Safety Policy.

The licence holder will ensure that additional patrols take place by members of staff, internally and externally to limit any noise pollution when entertainment is being offered within the premises.

The licence holder will ensure that prominent, clear notices are displayed at all exits requesting customers to respect the needs of local residents and leave the premises and the area quietly.

The licence holder will ensure that where already used text/radio pagers will continue to be used for the additional hours of trading and will be monitored by a responsible member of staff.

The licence holder will ensure that soft drinks and non-alcoholic refreshment are available if the premises stays open for an extended period between the cessation of the supply of alcohol and the closure of the premises.

The licence holder will ensure that when children are allowed upon the premises, any entertainment offered within the premises will be suitable for young persons.

The licence holder will ensure that children are supervised by an accompanying adult at all times.

The licence holder will ensure that a no smoking area is provided.

The licence holder will ensure soft drinks and non-alcoholic drinks are available during opening hours.

The licence holder shall introduce a policy requiring the production of "proof of age" for any sale that takes place where there is any suspicion that the customer is under 18. Such proof may include a pass conforming to the PASS accreditation system, photo driving licence, student cards and passports.

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

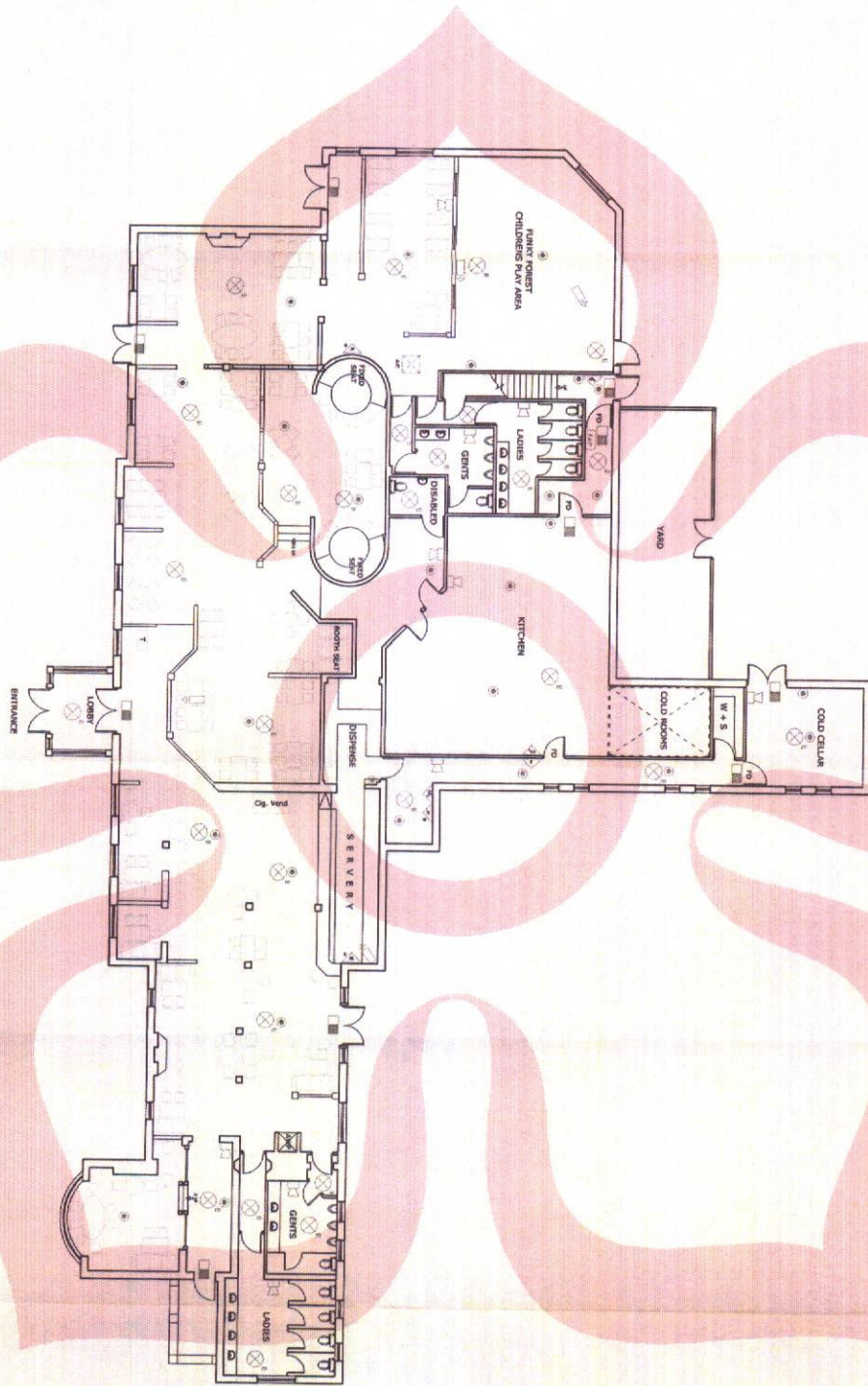
All external doors and windows must be kept closed, other than for access and egress, when music is playing after 23.00 hours.

Prominent, clear notices shall be displayed at all exits requesting customers to respect the needs of local residents and leave the premises and the area quietly.

Disposal of waste bottles into external receptacles where the noise will be audible to neighbouring properties must not occur between Midnight and 08.00.



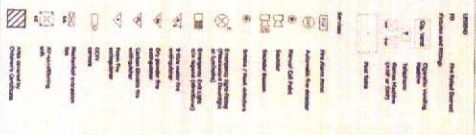
All internal steps to raised areas will comply with Building Regulations applicable at the time of construction, with a maximum rise of 190mm.



Effective Drinking Area = 438 sq. m.

NOTES

This Certificate is to be used and carried out in accordance with the provisions of the Licensing Act 2003. This document must be used and checked against the provisions of the Licensing Act 2003. The Certificate is to be used in all cases with the current Building Regulations unless otherwise stated. The Certificate is to be used in all cases with the current Building Regulations unless otherwise stated. The Certificate is to be used in all cases with the current Building Regulations unless otherwise stated.



<p>20 The Spirit Group</p> <p>55047</p> <p>HEATHLEY PARK GROBY ROAD LEICESTER</p> <p>Ground Floor Layout Licensing</p>	<p>21 MCH</p> <p>MA</p> <p>1:1:00 @ AL</p> <p>30/11/04</p> <p>ROSE</p>
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Premises Licence Summary



Leicester
City Council

Licensing Authority Office
Leicester City Council
New Walk Centre
Welford Place
LEICESTER
LE1 6ZG

Premises Details

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

Heathley Park

Groby Road, Heathley Park, Leicester, LE3 9QE.

Telephone 0870 990 6398

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- entertainment facilities for dancing
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Mon-Sun	7:00am	1:00am
F. Playing of recorded music (Indoors)	Mon-Sun	7:00am	1:00am
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Mon-Sun	7:00am	1:00am
J. Provision of facilities for dancing (Indoors)	Mon-Sun	7:00am	1:00am
L. Late night refreshment (Indoors)	Mon-Sun	11:00pm	2:00am
M. The sale by retail of alcohol for consumption ON and OFF the premises	Mon-Sun	7:00am	1:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Mon-Sun	6:00am	2:00am



Premises Licence Summary



Leicester
City Council

Licensing Authority Office
Leicester City Council
New Walk Centre
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LE1 6ZG

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

- M. The sale by retail of alcohol for consumption ON and OFF the premises

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Punch Pub Company Limited

Jubilee House, Second Avenue, Burton on Trent, Staffordshire, DE14 2WF.

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

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

Michael KNIGHT

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

Restricted in accordance with the Licensing Act 2003



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Part 26: Alcohol-licensed premises

Automatic entitlement to two machines

26.1 Section 282 of the Act provides an automatic entitlement to make available two gaming machines (of category C or D) for use in alcohol-licensed premises. To take advantage of this entitlement, the person who holds the on-premises licence (under the Licensing Act 2003) or relevant Scottish licence must give notice to the licensing authority of their intention to make gaming machines available for use, and must pay the prescribed fee.

26.2 This is not an authorisation procedure – licensing authorities have no discretion to consider the notification or to turn it down. They can, however, remove the automatic authorisation in respect of any particular premises by making an order under section 284. That section provides for the licensing authority to make such an order if:

- provision of the machines is not reasonably consistent with the pursuit of the
- licensing objectives;
- gaming has taken place on the premises that breaches a condition of
- section 282 – for example, the gaming machines have been made available in a way that does not comply with requirements on the location and operation of gaming machines;
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

26.3 Before making an order the licensing authority must give the licensee at least 21 days' notice of the intention to make the order and consider any representations that they may make. The authority must hold a hearing if the licensee so requests and must comply with any other procedural requirements set out in regulations. If there is no appeal, the order will take effect 21 days after notice of the intention was given. The authority must give the licensee a copy of the order and written reasons for making it. The licensee may appeal to the magistrates' court or the sheriff.

Licensed premises gaming machine permits

26.4 Licensing authorities may issue licensed premises gaming machine permits for any number of category C or D machines in licensed premises. Where a permit authorises the making available of a specified number of gaming machines in particular premises, this will effectively replace, and not be in addition to, any automatic entitlement to two machines under section 282.

26.5 Holders of alcohol-licensed premises gaming machine permits and club permits will be required to comply with a code of practice, which has been drawn up by the Commission on the location and operation of machines. Information about this code can be found on the Commission's website²⁶.

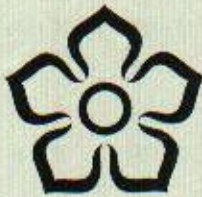
²⁶ Code of Practice on Gaming Machine Permits, available from www.gamblingcommission.gov.uk

- 26.6** Section 282 of the Act provides an automatic entitlement to make available two gaming machines (of category C or D) for use in alcohol-licensed premises (under the Licensing Act 2003). It is a condition of this permission that any relevant provision of a code of practice under section 24 about the location and operation of a gaming machine is complied with.
- 26.7** Although the local licensing authority does not have to approve this automatic entitlement, it may issue an order to revoke this permission if gaming has taken place on the premises that breaches a condition of section 282, which would include where a gaming machine has been made available in a way that does not comply with requirements on the location and operation of gaming machines.
- 26.8** The detail of how to apply for licensed premises gaming machine permits is set out in schedule 13 of the Act.
- 26.9** Applications must be made by a person or organisation who holds the 'on-premises' alcohol licence for the premises for which the application is made. An application may not be made if a premises licence under the Gambling Act is in effect at the premises. The application must be made to an authority in whose area the premises are wholly or partly situated. The Act requires an application to include certain information – the premises to which it relates and the number and category of gaming machines sought. Apart from this it is for the authority to direct the form and manner of the application and what additional information and documents are required, such as a valid alcohol premises licence.
- 26.10** In determining an application the authority must have regard to the licensing objectives and to this guidance. They may also take account of any other matters that are considered relevant to the application. The application does not require notification to the Commission or police before determination. However licensing authorities are able to specify this as a requirement should they see fit.
- 26.11** The authority may grant or refuse an application. In granting the application the authority may vary the number and category of gaming machines authorised by the permit. If the authority grants the application, they must issue the permit as soon as possible after that. Where they refuse the application they must notify the applicant as soon as possible, setting out the reasons for refusal. The authority must not refuse an application, or grant it for a different number or category of machines, unless they have notified the applicant of their intention to do so and given the applicant an opportunity to make representations (orally or in writing or both).
- 26.12** The permit must specify the person or organisation to whom it is issued, the number of gaming machines for which the permit has effect, the address of the premises and the date on which it takes effect.
-

Appendix C

- 26.13** The permit holder can apply to the authority to amend the permit to reflect a change in the holder's name. The authority must comply with the request provided the prescribed fee is paid.
- 26.14** The permit holder must keep the permit on the premises, and it must be produced on request for inspection by a constable, enforcement officer or local authority officer (not to do so will be an offence). If the permit is lost, stolen or damaged, the holder may apply to the issuing authority for a copy. The application must be accompanied by the prescribed fee.
- 26.15** There are no renewal provisions for this class of permit because these permits are indefinite, and continue in force for so long as the premises continues to have an alcohol licence and the holder of the permit continues to hold that licence. The permit can lapse if the holder surrenders it to the licensing authority.
- 26.16** The holder may apply to vary the permit by changing the number and/or category of machines authorised by it.
- 26.17** The authority is able to cancel a permit. It may only do so in specified circumstances which include if the premises are used wholly or mainly by children or young persons or if an offence under the Act has been committed. Before it cancels an authority must notify the holder giving 21 days notice of intention to cancel, consider any representations made by the holder, hold a hearing if requested, and comply with any other prescribed requirements relating to the procedure to be followed. Where the authority cancels the permit, the cancellation does not take effect until the period for appealing against that decision has elapsed, or (where an appeal is made), until the appeal is determined.
- 26.18** The authority can also cancel a permit if the holder fails to pay the annual fee (unless failure is the result of an administrative error). The court may order forfeiture of the permit if the holder is convicted of a relevant offence.
- 26.19** Where a person applies to a licensing authority for the transfer of an alcohol premises licence, they will also need to apply separately for the transfer of the licensed premises gaming machine permit. Both applications will require a fee to be paid.
- 26.20** The applicant may appeal to the magistrates' court against an authority's decision not to issue a permit. The holder can also appeal against a decision to cancel a permit.

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Leicester
City Council

WARD: City Wide

LICENSING ENFORCEMENT SUB-COMMITTEE

4 DECEMBER 2012

APPLICATION FOR THE GRANT OF A
HOUSE-TO-HOUSE COLLECTION LICENCE
TROOP AID / MIDLANDS TEXTILE COMPANY LIMITED

Report of the Service Director (Environmental Services)

1. Purpose of the Report

To determine an application for the grant of a house-to-house collection licence in respect of a company known as Midlands Textile Company Limited, acting on behalf of Troop Aid. The applicant is Mr. Albert T. Sutton, the Chairman of Troop Aid, of King's Court Business Centre, 17 School Road, Hall Green, Birmingham, B28 8JG.

2. Options for the Sub-Committee

The legislation controlling house-to-house collections is the House-To-House Collections Act 1939. This allows for the grant of a permit to enable a house-to-house collection to take place, subject to local Authority policy.

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

(1) Grant

The Sub-Committee may grant the application.

If the Sub-Committee decide that to grant the application it should be subject to the standard conditions applicable to house-to-house collection permits.

(2) Grant subject to special conditions

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

(3) Refuse

The Sub-Committee may refuse the application.

In arriving at its decision the Sub-Committee should take into account the written and spoken comments put forward by the applicant and any other circumstances that are presented at the hearing.

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

3. Recommendation

It is recommended that this application for the grant of a house-to-house collection licence submitted by Troop Aid, be refused. The recommendation is made because the application falls outside the policy adopted in September 1998, regarding the percentage of zero deductions for remuneration that can be taken from the proceeds of house-to-house collections.

4. Financial Implications

None.

5. Report

An application for the grant of a house-to-house collection licence was received by the Licensing Section, dated 20th September 2012. The applicant, Mr. A. T. Sutton, Chairman of Troop Aid, proposed to collect used clothing to sell. A letter, dated 21st September 2012, from Miss Mandy Haythorne, Senior Administrator for Troop Aid, was also received. Miss Haythorne's letter explained that Troop Aid no longer used a collection company known as MP (or M&P) Global Trading Company Limited, because the funds paid to the charity were considered to be too low when compared to the profits made by the collection agents. A copy of the application form and letter of 21st September 2012, are appended to this report.

The letter from Miss Haythorne, dated 21st September 2012, states that Troop Aid now receives 86% of the net income from house-to-house collections conducted in its name. The remaining 14% is to cover distribution and collection expenses.

A leaflet which details the support offered to injured troops by the Charity was included with the application. Also enclosed was a copy of the receipts and payments accounts, dated 31st March 2011, a statement of assets and liabilities, dated January 2012, an independent examiner's report on the accounts, dated 11th January 2012, and a copy of the 6-page Trustees' Annual Report for the period April 2012 to March 2011. A copy of each of the above documents is appended to this report.

A letter dated 27th September 2012, was sent to Mr. Sutton of Troop Aid, which explained that in view of the remuneration agreement, it is proposed to refuse the application. A copy of the proposed refusal letter is appended to this report.

In a letter dated 3rd October 2012, Miss Haythorne of Troop Aid submitted a request that the application be referred before the Licensing Sub-Committee for determination. The letter refers to the requirements placed on charities by the Charities Act 1992. A copy of the letter from Troop Aid is appended to this report.

On investigation by the Licensing Team, the Charities Act 1992 was found to have been replaced by the Charities Act 2011, which came into effect on 14th March 2012.

The current policy in relation to deductions from house-to-house collections states that none may be made from the proceeds of such a collection. In March 2012, the policy was reviewed by the Licensing Committee, at which time the Members determined to re-adopt it.

The three pages of guidance notes provided to organisers of house-to-house collections are appended to this report for information.

6. Policy Guidelines

Leicester City Council has a policy, adopted on 1st September 1998, regarding the percentage of deductions from house-to-house collections, which provides that:

'Approval be given to a guideline figure of zero, for remuneration from the proceeds of any house-to-house collection.'

7. Legal Implications (including Human Rights Act)

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

There is a right of appeal against the refusal to grant a house-to-house collection licence and this would be made to the Secretary of State.

8. Crime and Disorder implications

None.

9. Consultations

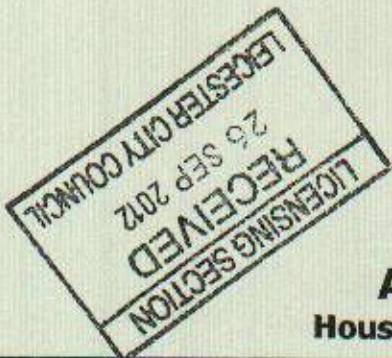
None.

10. Reason for Treating the Report as "Not for Publication"

None.

11. Officer to Contact

Bobby Smiljanic
ext. 29-6454
eh.1268



046330.

Application for Licence House to House Collections Act (1939)

APPLICATION SHOULD BE MADE NO LATER THAN THE FIRST DAY OF THE MONTH PRECEDING THAT IN WHICH IT IS PROPOSED TO COMMENCE THE COLLECTION

To: Leicester City Council

In pursuance of Section 2 of the House to House Collections Act 1939, I hereby apply for a licence authorising me to promote the collection of which particulars are given below.

Date 20.09.2012 Signature of applicant [Signature]

Particulars of Collection

1. Name of applicant ALBERT TELFORD SUTTON

2. Address of applicant [Redacted]

Telephone number 0121 [Redacted]

3. Particulars of charitable purposes to which proceeds of collection are to be applied (full particulars should be given and, where possible, the most recent account of any charity which it to benefit should be enclosed) TROOP AID. KINGS COURT BUSINESS CENTRE, 17 SCHOOL ROAD, HALL GREEN, BIRMINGHAM B28 8JG
0121 711 7215.

4. Over what parts of licensing area is it proposed that the collection should extend? WHOLE OF CITY OF LEICESTER

5. During what period of the year is it proposed that the collection should extend? 9th NOVEMBER 2012 - 8th NOVEMBER 2013

6. Is it proposed to collect money? No

7. Is it proposed to collect other property? If so, of what nature? Is it proposed to sell such property or to give it away or to use it? YES, USED CLOTHING - TO SELL.

Approximately how many persons is it proposed to authorise to act as collectors in the area of the licensing authority to which the application relates?

TWO

9. It is proposed that the remuneration should be paid out of the proceeds of the collection:

a. To collectors

2) 0.75p PER KILO COLLECTED

b. To other persons

b) AGENT: BAGS/INSURANCE/DISTRIBUTION

If so, at what rates and to what classes of persons?

SELF-EMPLOYED

10. Is an application being made for licences for collections for the same purposes in other licensing areas?

YES

If so, to what licensing authority?

WHOLE ENGLAND & WALES

Approximately how many persons in all is it proposed to authorise to act as collectors?

TWO

11. Has the applicant, or to the knowledge of the applicant, anyone associated with the promotion of the collection been refused a licence or order under the Act, or had a licence or order revoked?

PREVIOUS AGENTS: MR. D. RAWLINSON MP or M&P GLOBAL TRADING CO LTD - LICENCES REFUSED % DONATED TO TROOP AID TOO LOW.

FURTHER DETAILS UNKNOWN

12. Is it proposed to promote this collection in conjunction with a street collection? If so, is it desired that the accounts of this collection should be combined wholly or in part with the account of the street collection?

No

13. If the collection is for a War Charity, state if such charity has been registered or exempted from registration under the War Charities Act 1940, and give name of registration authority and date of registration of exemption

No

This form can be posted to the Licensing Authority Office, Leicester City Council, New Walk Centre, Welford Place, Leicester LE1 6ZG

Notes

Section 8(6) - If any person in furnishing any information for the purposes of this Act, knowingly or recklessly makes a statement false in material particular, he shall be guilty of an offence, and shall be liable, on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding £1,000, or to both such imprisonment and such fine.

PATRON: His Royal Highness The Prince of Wales

TROOP AID
supporting our injured troops

21st September 2012

F.A.O. Licencing Team,
Licensing Section,
Leicester City Council
New Walk Centre,
Welford Place,
Leicester LE1 6ZG

TROOP AID
Kings Court Business Centre
17 School Road
Hall Green
Birmingham B28 8JG

Tel: 0121 7117 215
Email: info@troopaid.info
www.troopaid.info

Dear Sirs,

Re: Application for House to House Collection Licence

Please find enclosed our completed application for house to house collection licence duly signed by Mr Albert Sutton, Chairman of Troop Aid, together with the Charity's most recent accounts and Charity literature.

Please would you kindly rescind all previous granted licences issued under the name of Mr David Rawlinson of MP Global Trading Company Limited, or M&P Global Trading Company Limited; as they will be no longer authorised agents for Troop Aid from 30th September 2012. Troop Aid had severed all association with the same, due to the donations made to Troop Aid being too low in comparison to the profit made by the clothing collection agents.

Troop Aid are taking over the administration and regulating of the licences and collections which in turn equates to a larger donation (86% of the net income; the remaining 14% is to cover distribution and collection expenses) payable to Troop Aid. Should you require any further information please do not hesitate to contact me on the Troop Aid Licencing telephone number 0121 702 0161.

Yours faithfully



Mandy Haythorne
Senior Administrator

each **GRAB BAG** costs
£25.00
ALL DONATIONS
WELCOME



LANCE BOMBARDIER BEN PARKINSON
 7 Para RHA
 and
KINGSMAN ANTHONY COOPER
 1 Lancs

support the work of **TROOP AID** in providing **'the basic essentials'** to our injured service personnel.

Some of the fundraising activities



Groups and individuals have contributed funds by organising sponsored walks, running marathons and holding charity events. All donations are much appreciated and help us to support our injured service personnel.

If you would like to help to raise funds for **TROOP AID** please get in touch. Our details are below:

TROOP AID
 supporting our injured troops

TROOP AID, Kings Court Business Centre, 17 School Road,
 Hall Green, Birmingham B28 8JG.

Telephone: Mon to Fri 9.00 am to 4.00 pm on 0121 7117 215
 Email: info@troopaid.info
www.troopaid.info

Patron: His Royal Highness The Prince of Wales.

TROOP AID is registered as a charity in England and Wales.
 Charity number: 1123888.
 The name TROOP AID is a registered trademark. Brochure © TROOP AID 2012.

www.gmldesigned.com

TROOP AID
 supporting our injured troops



The Jaguar Enthusiasts' Club is pleased to support **TROOP AID** in supplying **'the basic essentials'** to casualties returning from serving their country overseas.

www.jec.org.uk

The Jaguar Enthusiasts' Club Charity of the Year 2012.

TROOP AID

supporting our injured troops

Who we are

TROOP AID was founded in November 2006 by three ex servicemen as a result of a visit to Selly Oak Hospital's Alexandra Wing in Birmingham. This is the home of the Defence Medical Welfare Services who are responsible for the welfare of all Armed Forces Personnel, male and female who have been injured during the conflict in Afghanistan and elsewhere.

What are we doing?

When injured troops return to the United Kingdom from the war zones they arrive back without their personal effects or clothing. The objective of **TROOP AID** is to supply the 'basic essentials' when service casualties return from serving their country overseas.

Our **GRAB BAGS** are currently being sent to the Field Hospital in Afghanistan, Cyprus and the Falkland Islands, The Queen Elizabeth Hospital in Birmingham plus the Ministry of Defence Hospital Units in Plymouth, Portsmouth and Frimley Park Hospital in Camberley.

Supplying the basic essentials

In addition to this emergency pack we also supply on demand to the injured service personnel many other items of clothing and footwear such as tracksuits, hoodies, fleeces and trainers. We deal directly with the Defence Medical Welfare Service and other military medical establishments in the UK where there is a need. We sponsor two rooms for the families of Armed Forces Personnel who are in intensive care.

"I'd like to thank you for the bag I received yesterday in Basilton. I came off the ground in just the clothes I was wearing and had nothing. I can't tell you how much of a morale boost it was to get a shower and a clean T-shirt and shorts on! Once again many thanks."

STEPHEN MCMULLAN 2nd Battalion The Rifles



CLARENCE HOUSE

We are very fortunate to have so many dedicated, loyal and immensely courageous men and women who serve in our Armed Forces, each prepared to risk life and limb for this country. Sadly, they face the very real threat of suffering from terrible physical and mental injuries while on duty in countries such as Iraq and Afghanistan.

I am pleased to say that the care provided to our injured service personnel in Selly Oak Hospital and Headley Court is outstanding and, I am sure you will agree, it must continue to be thus. Support for our injured Servicemen and women comes in many forms and Troop Aid, of which I am delighted to be Patron, is just one of the many charities which work so hard to help in this area. Troop Aid sends their now famous 'Grab Bags' to our injured Service personnel, be they in the Military Field Hospital in Afghanistan or Selly Oak Hospital in Birmingham. The Charity is run by a small, but very dedicated team and to them I would like to offer my sincere congratulations for providing such invaluable support.

Murray



Troop Aid provides every one of our injured service personnel at the Queen Elizabeth Hospital a Brave the Bear, access to free coffee and tea and a topped up mobile phone.

"They gave me a phone. It was really good of them. I was able to keep in touch with my family."

CALLUM BROWN 2nd Battalion Royal Scots

How are we doing it?

Our funds come entirely from fund raising events and donations from organisations such as Rotary International, Lions International, Masonic Lodges, Round Table, Primary and Secondary Schools, ex Service Associations, the local business community, the general public and several British expatriate communities overseas. We will continue to help our troops returning from conflicts for as long as necessary.

Why are we doing it?

TROOP AID understands that everyone who joins the Armed Forces may one day go to war and fight for their country. We believe that when injured troops return home they should be cared for. At the Queen Elizabeth Hospital injured servicemen and women receive the very best medical care.

How you can help?

It costs £25.00 to make up one of our **GRAB BAGS**. If you would like to sponsor a bag, or make a donation please send your cheque to:

**TROOP AID, Kings Court Business Centre,
17 School Road, Hall Green, Birmingham B28 8JG.**

Cheques should be made payable to **TROOP AID**.

You can also make a secure donation on line via The Charity Choice website. To do this go to our website:

www.troopaid.info

click on "Make a donation to **TROOP AID NOW**" and fill in the details as requested.



112388
31 MAR 11

Troop Aid		Receipts and payments accounts		CG16a
For the period from	01-Apr-10	To	31-Mar-11	

Section A Receipts and payments

	Unrestricted funds to the nearest £	Restricted funds to the nearest £	Endowment funds to the nearest £	Total funds to the nearest £	Last year to the nearest £
A1 Receipts					
Donations	256,390	-	-	256,390	114,332
Fundraising	104,224	-	-	104,224	55,001
Sponsorship	11,402	-	-	11,402	15,515
Interest received	317	-	-	317	-
Other income	100	-	-	100	-
	-	-	-	-	-
	-	-	-	-	-
Sub total (Gross income for AR)	372,433	-	-	372,433	184,848
A2 Asset and investment sales, (see table).					
	-	-	-	-	-
Sub total	-	-	-	-	-
Total receipts	372,433	-	-	372,433	184,848
A3 Payments					
Purchase of goods	186,408	-	-	186,408	89,959
Postage, stationery, telephone	3,683	-	-	3,683	4,006
Fundraising expenses	37,681	-	-	37,681	14,535
Motor and travel expenses	4,368	-	-	4,368	5,433
Rent	1,362	-	-	1,362	1,300
Insurance	824	-	-	824	251
Storage and equipment	2,038	-	-	2,038	1,343
Sundry expenses	3,009	-	-	3,009	2,937
Legal and professional fees	1,191	-	-	1,191	-
Heat & light	1,004	-	-	1,004	633
	-	-	-	-	-
Sub total	191,560	-	-	191,560	96,307
A4 Asset and investment purchases, (see table)					
	-	-	-	-	14,627
Sub total	-	-	-	-	14,627
Total payments	191,560	-	-	191,560	110,934
Net of receipts/(payments)	180,873	-	-	180,873	73,914
A5 Transfers between funds	-	-	-	-	-
A6 Cash funds last year end	127,030	-	-	127,030	53,116
Cash funds this year end	307,903	-	-	307,903	127,030

Section B Statement of assets and liabilities at the end of the period

Categories	Details	Unrestricted funds to nearest £	Restricted funds to nearest £	Endowment funds to nearest £
B1 Cash funds	Bank current and deposit accounts	307,903	-	-
		-	-	-
		-	-	-
	Total cash funds	307,903	-	-

(agree balances with receipts and payments accounts)

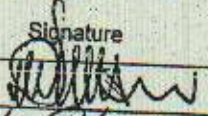
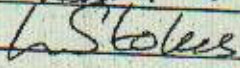
Categories	Details	Unrestricted funds to nearest £	Restricted funds to nearest £	Endowment funds to nearest £
B2 Other monetary assets		-	-	-
		-	-	-
		-	-	-
		-	-	-
		-	-	-
		-	-	-

Categories	Details	Fund to which asset belongs	Cost (optional)	Current value (optional)
B3 Investment assets			-	-
			-	-
			-	-
			-	-
			-	-

Categories	Details	Fund to which asset belongs	Cost (optional)	Current value (optional)
B4 Assets retained for the charity's own use	Motor vehicle	Unrestricted	9,116	-
	Packing cabin	Unrestricted	5,511	-
			-	-
			-	-
			-	-
			-	-
			-	-
			-	-
			-	-
			-	-

Categories	Details	Fund to which liability relates	Amount due (optional)	When due (optional)
B5 Liabilities			-	-
			-	-
			-	-
			-	-
			-	-

Signed by one or two trustees on behalf of all the trustees

Signature	Print Name	Date of approval
	ALBERT SUTTON	16/1/12
	LINDA STOKES	19/1/12

Independent examiner's report on the accounts



Section A

Independent Examiner's Report

Report to the trustees/
members of

Charity Name:
Treep Aid

On accounts for the year
ended

31 March 2011

Charity no
(if any)

1123888

Set out on pages

1 and 2 of the receipts and payments accounts attached

Respective
responsibilities of
trustees and examiner

The charity's trustees are responsible for the preparation of the accounts. The charity's trustees consider that an audit is not required for this year under section 43(2) of the Charities Act 1993 (the 1993 Act) and that an independent examination is needed.

It is my responsibility to:

- examine the accounts under section 43 of the 1993 Act,
- to follow the procedures laid down in the general Directions given by the Charity Commission (under section 43(7)(b) of the 1993 Act, and
- to state whether particular matters have come to my attention.

Basis of independent
examiner's statement

My examination was carried out in accordance with general Directions given by the Charity Commission. An examination includes a review of the accounting records kept by the charity and a comparison of the accounts presented with those records. It also includes consideration of any unusual items or disclosures in the accounts, and seeking explanations from the trustees concerning any such matters. The procedures undertaken do not provide all the evidence that would be required in an audit, and consequently no opinion is given as to whether the accounts present a 'true and fair' view and the report is limited to those matters set out in the statement below.

Independent
examiner's statement

In connection with my examination, no matter has come to my attention (other than that disclosed below *)

1. which gives me reasonable cause to believe that in, any material respect, the requirements:
 - to keep accounting records in accordance with section 41 of the 1993 Act; and
 - to prepare accounts which accord with the accounting records and comply with the accounting requirements of the 1993 Act have not been met ; or
2. to which, in my opinion, attention should be drawn in order to enable a proper understanding of the accounts to be reached.

* Please delete the words in the brackets if they do not apply.

Signed: Kathryn Goodford

Date: 11.1.12

Name: [REDACTED]

Relevant professional
qualification(s) or body
(if any):

ACA

Address: [REDACTED]

Trustees' Annual Report for the period

Period start date: Day M Year
 From 01 April 2010 To 31 March 2011
 Period end date: Day Month Year

Section A Reference and administration details

Charity name **TROOP AID**

Other names charity is known by

Registered charity number (if any) **1123888**

Charity's principal address

[REDACTED]

[REDACTED]

West Midlands

Postcode [REDACTED]

Names of the charity trustees who manage the charity

Trustee name	Office (if any)	Dates acted if not for whole year	Name of person (or body) entitled to appoint trustee (if any)
1 Albert Telford Sutton	Chairman		
2 Derek David Joss			
3 Geoffery George Watkins			
4 Audrey Edna Bond			
5 Linda Joy Stokes			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			

18			
19			
20			

Names of the trustees for the charity, if any, (for example, any custodian trustees)

Name	Dates acted if not for whole year

Names and addresses of advisers (Optional information)

Type of adviser	Name	Address
Solicitor	[REDACTED]	[REDACTED]

Name of chief executive or names of senior staff members (Optional information)

--

Section B Structure, governance and management

Description of the charity's trusts

Type of governing document <i>(eg. trust deed, articles of association)</i>	Constitution
How the charity is constituted <i>(eg. trust, association, company)</i>	Trust
Trustee selection methods <i>(eg. appointed by, elected by)</i>	Appointed by existing Trustees

Additional governance issues (Optional information)

You may choose to include additional information, where relevant, about:

policies and procedures adopted for the induction and training of trustees;

the charity's organisational structure and any wider network with which the charity works;

relationship with any related parties;

trustees' consideration of major risks and the system and procedures to manage them.

The Trustees who have served during the period and since the period end are set out on page one. The Trustees meet regularly to discuss issues relevant to the Charity and to its future development. The Trustees confirm that any systems required to mitigate risks are put in place.

Summary of the objects of the charity set out in its governing document

To relieve serving personnel of the Armed Forces injured in situations of armed conflict, in particular but not exclusively in Afghanistan who are in need by reason of distress, injury, sickness or disability or other disadvantage through such charitable means as the Trustees think fit.

To cover all injured Service Personnel

Summary of the main activities undertaken for the public benefit in relation to these objects (include within this section the statutory declaration that trustees have had regard to the guidance issued by the Charity Commission on public benefit)

Additional details of objectives and activities (Optional information)

Contribution made by Volunteers

Volunteers play a big part in the Office Administration and also with packing the emergency packs that are supplied to wounded Service Personnel.

You may choose to include further statements, where relevant, about:

- policy on grantmaking;
- policy programme related investment;
- contribution made by volunteers.

Section D**Achievements and performance**

Summary of the main achievements of the charity during the year

The Charity continues to meet all its targets in as much as it supplies all requests from the Military Medical and Welfare Staff in a timely manner to meet the needs of the injured servicemen and women who are admitted to the Military Hospital in Afghanistan, the Queen Elizabeth Hospital in Birmingham plus the Ministry of Defence Hospital Units attached to NHS Hospitals in the United Kingdom.

The Charity has expanded its contribution to the Military Ward in the Queen Elizabeth Hospital to include such items as mobile phones for each patient, the supply of two Coffee/Tea/Chocolate machines together with a weekly supply of the ingredients and snacks for the benefit of the patients.

Specialist clothing requested by the nursing staff was also supplied on a regular basis. A regular amount of clothing and toiletries are donated to the Defence Medical Welfare Service staff for distribution to the Military Patients

The Charity fundraising target for this year has exceeded our projection

Section E**Financial review**

Brief statement of the charity's policy on reserves

The Trustees policy is to maintain reserves sufficient to fund it's ongoing Charitable obligation.

Details of any funds materially in deficit

Further financial review details (Optional information)

You may choose to include additional information, where relevant about;

The Charities income comes entirely from donations, fundraising events organised by the charity, volunteers, supporting individuals, organisations and the Business Community within the West Midlands

The Charity expenditure for the year has improved our objectives to extend our support to the wounded

- the charity's principal sources of funds (including any fundraising);
- how expenditure has supported the key objectives of the charity;
- investment policy and objectives including any ethical investment policy adopted.

Section F**Other optional information****Section G****Declaration**

The trustees declare that they have approved the trustees' report above.


Signed on behalf of the charity's trustees

Signature(s)

Full name(s)

Position (eg Secretary, Chair, etc)

Date

	L Stokes
ALBERT TELFORD SUTTON	LINDA JOY STOKES
CHAIRMAN	TRUSTEE

23 JANUARY 2012

Please ask for: Miss R. Derry
Direct Line: 0116 252 6433
Our Ref: PS/LIC/hse/rkd
Date: 27th September 2012



Mr. A. T. Sutton
[REDACTED]
[REDACTED]
West Midlands
[REDACTED]

Dear Sir,

**PROPOSED REFUSAL OF AN APPLICATION FOR THE GRANT
OF A HOUSE-TO-HOUSE COLLECTION LICENCE: TROOP AID**

I acknowledge receipt of your application for the grant of a house-to-house collection licence in respect of Troop Aid. The application form was signed and dated by you on 20th September 2012.

From the information supplied by you, I am aware that Troop Aid has now taken over the administration and regulating of the licences and collections which in turn equates to a larger donation (86% of the net income; the remaining 14% is to cover distribution and collection expenses) payable to Troop Aid.

In view of the remuneration agreement it is **proposed to refuse the application**. If you want the matter to be determined by the Licensing Enforcement Sub-Committee, I ask that you submit a written request marked for my attention within 14 days of the date of this letter.

Please do not hesitate to contact me on the telephone number shown above if you wish to discuss the content of this letter.

Yours faithfully,

Rachael Derry
Licensing Enforcement Officer

cc. Ms. M. Haythorne, Senior Administrator, Troop Aid, Kings Court Business Centre, 17 School Road, Hall Green, Birmingham, B28 8JG.

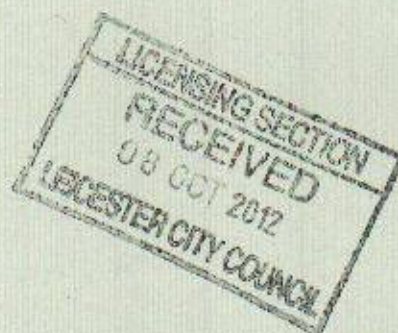
PATRON: His Royal Highness The Prince of Wales

3rd October 2012

TROOP AID

supporting our injured troops

Miss R. Derry
Licensing Section,
Leicester City Council,
New Walk Centre,
Welford Place,
Leicester LE1 6ZG



TROOP AID
Kings Court Business Centre
17 School Road
Hall Green
Birmingham B28 8JG

Tel: 0121 7117 215
Email: info@troopaid.info
www.troopaid.info

Dear Miss Derry,

Re: Refusal of an Application For The Grant of a House-to-House Collection Licence

Thank you for your copy letter dated 27th September 2012, the content of which was further discussed during our subsequent telephone conversation on 3rd October 2012.

I explained that Troop Aid has negotiated a House to House/Kerbside Collection Contract with Midlands Textile Company Limited, signed on 1st October 2012, as required under The Charities Act 1992, to act as "commercial participators" on Troop Aid's behalf, as the Charity is too small to undertake such a task alone.

You advised that "*Leicester City Council's policy is for the Charity to receive 100% of the proceeds of the collection and no reasonable remuneration is permitted to cover the cost of collection bags, public liability insurance or distribution/collection costs*", when queried you stated that "*it was the Charity's problem*". This of course, is discriminatory as we are too small to cover these costs from our Charity account, unlike the bigger charities which are exempt. Of course, the monies held in our account are donated specifically to support injured service personnel and therefore not acceptable to pay out Charity collection expenses e.g. collection bags.

Furthermore, following the regulations and guidelines of the Charities Act 1992, Troop Aid negotiated, that, after costs of the bags, public liability insurance etcetera, that Troop Aid receives the remaining amount donated by Midlands Textiles (100%), this "notifiable amount" (s60(3) of the Charities Act 1992, as amended by the 2006 Act), is calculated as accurately as reasonably possible (the s60(3A) of the Charities Act 1992), the actual amount would be made known to the Charity at each month end for the purpose of financial returns, this was outlined on our application, with no further expenses being financed as per section 59(5) of the 1992 Act and Regulation 2 of the 1994 Regulations states the contract "*must contain a provision as to the amount of remuneration or expenses that the commercial participator is entitled to receive of the things he does in pursuance of the agreement and how that amount is to be determined*".

Troop Aid therefore made provision for reasonable necessary expenses to be permitted.

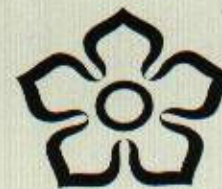
Taking into account the current legislation and regulations and Troop Aid's careful compliance of the same, I would respectfully request that the matter be determined by the Licensing Enforcement Sub-Committee for further consideration.

Should you require additional information, please do not hesitate to contact me on my direct telephone number 0121 702 0161 or mandy.haythorne@troopaid.info

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Mandy Haythorne', written in a cursive style.

Mandy Haythorne



Leicester
City Council

HOUSE TO HOUSE COLLECTIONS ACT 1939

HOUSE TO HOUSE COLLECTIONS REGULATIONS 1947

Notes for the guidance of organisers of House to House Collections and persons acting as collectors

1. Every promoter of a collection shall exercise due diligence to secure that any persons authorised to act as collectors are fit and proper persons.
2. A promoter of a collection shall not permit a person to act as a collector unless he/she has issued or caused to be issued to that person:
 - a) a prescribed certificate of authority* completed except as regards the signature of the collector and signed by or on behalf of the promoter of the collection
 - b) a prescribed badge, having inserted therein a general indication of the purpose of the collection and
 - c) if money is collected, a collecting box or receipt book marked with a clear indication of the purposes of the collection and a distinguished number, which indication and number shall in the case of the receipt book, also marked on every receipt contained therein in addition to the consecutive number of the receipt.

NOTE: Collections by means of envelopes can only be made where the promoter of a collection to whom an order has been granted informs the Secretary of the State that he desires to promote an envelope collection and where the Secretary of the State is of the opinion that the collection is for a charitable purpose of major importance and is suitably administered, the Secretary of State may, if he thinks fit, give permission for the promotion of an envelope collection.

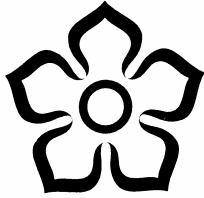
3. Every promoter of a collection shall exercise all due diligence to secure:
 - a) that no prescribed certificate of authority, prescribed badge, collecting box or receipt book is issued, unless the name and address of the collector to whom it is issued, have been entered on a list showing in respect of any collecting box or receipt book distinguished number thereof and
 - b) that every prescribed certificate of authority, prescribed badge, collecting box or receipt book issued to him /her or on their behalf, is returned when the collection is completed or when for any reason a collector ceases to act as such.

* Certificates of Authority may be obtained from H M stationery Office.

4. Every collector shall:
 - a) sign their name on the prescribed certificate of authority issued to them and produce it on the demand of any police Constable or other officer appointed by the Authority or of any occupant of a house visited by them for the purpose of collection
 - b) sign their name on the prescribed badge issued to them and wear the badge prominently whenever they are engaged in collecting and
 - c) keep such certificate and badge in their possession and return them to a promoter of the collection on replacement thereof or when the collection is completed or at any time on the demand of a promoter of the collection.
5. No person under the age of sixteen years shall act or be authorised to act as a collector of money.
6. No collector shall importune any person to the annoyance of such person or remain, an, or at the door of, any house if requested to leave by any occupant thereof.
7.
 - a) where a collector is collecting money by means of a collection box, they shall not receive any contribution save by permitting the person from whom it is received to place it in a collecting box issued to them by a promoter of the collection
 - b) where a collector is collecting money by other means than a collecting box, they shall, upon receiving a contribution from any person, forthwith and in the presence of such person enter on a form of receipt in a receipt book issued to them by the promoter of the collection and on the corresponding counterfoil or duplicate the date, the name of the contributor and the amount contributed, and shall sign the form of receipt, the entries and signature being in ink or indelible pencil shall form the receipt to the person from whom they receive the contribution.
8. Every collector, to whom a collecting box or receipt book has been issued shall:
 - a) when the collecting box is full or the receipt book is exhausted, or
 - b) upon the demand of a promoter of the collection, or
 - c) when they do not desire to act as a collector, or
 - d) upon the completion return to a promoter of the collection that collecting box with the seal unbroken or that receipt book with a sum equal to the total amount of the contributions (if any) entered therein.
9.
 - a) subject as provided in paragraph (b) of the regulation, a collecting box when returned shall be examined by, and if it contains money, be opened in the presence of the promoter of the collection and another responsible person.

- b) where a collecting box is delivered unopened to a bank, it may be examined and opened by an official of the bank in the absence of the promoter of the collection.
 - c) as soon as a collecting box has been opened, the contents shall be counted and the amount shall be entered with the distinguishing number of the collection box on a list which shall be certified by the persons making the examination.
 - d) every receipt book when returned and all sums received therewith shall be examined by the promoter of the collection and another responsible person and the amount of contributions entered in a receipt book shall be checked with the money and entered with the distinguishing number of the receipt book on a list, which shall be certified by the persons making the examination.
10. The chief promoter of a collection in respect of which a licence has been granted, shall furnish an account of the collection on the form provided to the officer of the authority by which the licence was granted within one month of the expiry of the licence.
11. a) Every account furnished in compliance with regulation 10, shall be accompanied by vouchers for each item of the expenses and application of the proceeds in the case of the collection and by the list referred to in regulation 3 and the list referred to in regulation 9.
- b) paragraph (a) of this regulation shall not apply to an account certified by an auditor who is a member of an association or society of accountants incorporated at the date of these regulations or is on other grounds accepted as competent by the Authority to which the accountant is submitted, but where in such case the vouchers, receipt books and lists mentioned in the said paragraph (a) are not submitted with an account, the chief promoter shall ensure that they are available for three months after the account is submitted and shall, if the Authority to which the account was submitted so requires at any time within that period, submit them to that Authority.
12. The chief promoter of a collection shall exercise all due diligence to secure that all forms of prescribed certificates of authority and prescribed badges obtained by them for the purpose of the collection are destroyed when no longer required in connection with that collection or in connection with a further collection which has been authorised to promote for the same purpose.
13. a) House to House Collections Act 1939 Section 4(3) – Any person who contravenes or fails to comply with the provisions of a regulation shall be guilty of an offence.
- b) Section 8(3) – Any Person guilty of an offence under subsection (3) of Section 4 of this Act, shall be liable, on summary of conviction, to a fine not exceeding £500.00 (level 2)

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Leicester
City Council

WARD: BELGRAVE

LICENSING COMMITTEE

4 DECEMBER 2012

APPLICATION FOR STREET TRADING CONSENT

MR GULMIR AHMAD ZI

LEICESTER COLOSSEUM CAR PARK, 98 MELTON ROAD, LEICESTER

Report of the Service Director (Environmental Services)

1. Location



2. Purpose of the Report

To determine an application for the grant of a street trading consent under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, for a street trader on Leicester Colosseum car park. The applicant is Mr Gulmir Ahmad Zi.

3. Options for the Sub-Committee

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

- (a) Grant the application, or
- (b) Refuse the application.

A licensing authority may attach such conditions as they consider reasonably necessary when granting or renewing a street trading consent. This may include conditions to prevent obstruction of the street or danger to persons using it, or nuisance or annoyance (whether to persons using the street or otherwise). The authority may at any time vary the conditions of a street trading consent.

The authority may include in a street trading consent permission for its holder to trade in a consent street

- a) from a stationary van, cart, barrow or other vehicle; or
- b) from a portable stall.

If the authority includes such a permission, it may make the consent subject to conditions

- a) as to where the holder of the street trading consent may trade by virtue of the permission, and
- b) as to the times between which or periods for which he may so trade.

A street trading consent may be granted for any period not exceeding 12 months but may be revoked at any time.

There is no right of appeal against a determination of the Licensing Authority in this instance, but as a matter of good practice Members should give reasons for their decision at the time it is announced.

3. Recommendation

It is recommended that the application be refused in accordance with the City Council's street trading policy.

4. Report

Mr Zi has applied for the grant of a street trading consent for Leicester Colosseum Car Park under schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. A copy of the application is attached at Appendix A.

Street trading policy

The policy provides for certain exceptions, including

- a) The immediate vicinity of Leicester City Football Club and Leicester Tigers, for the purpose of the sale of favours and materials associated with the football clubs that are organised and controlled by those clubs.
- b) Operators selling food who wish to trade on industrial estates, where no other adequate provision is provided.
- c) Limited period consents in respect of particular types of operations in conjunction with specific events in the City.

None of these exceptions are relevant to this application.

Other applications for consents will be considered and each case will be decided on its own merits. The following matters will be taken into account:

- Public nuisance
- Crime and disorder
- Road safety
- Health and safety at schools and for their pupils
- Likely demand for goods being sold
- Availability of goods being sold in other fixed premises in the vicinity
- Objections received from nearby residents, businesses and statutory agencies

Representations

Details of the application have been passed to the Police, Highways, Noise Control and the Food Team. A notice has been placed at the location concerned for two weeks inviting anyone affected by the proposal to submit representations to the Licensing section.

No representations have been received in relation to this application.

Mr Zi has not given any reasons in his application to say why his application should be granted as an exception to the council's policy on street trading.

5. Legal Implications (Including Human Rights Act)

A licensing decision is a determination of civil rights to which Article 6 Right to a fair trial principles apply. Article 1 of the First Protocol gives the right of peaceful enjoyment of possessions, which would include a street trading consent.

Schedule 4 paragraph 7 of the Local Government (Miscellaneous Provisions) Act 1982 details the procedure to be following for granting and renewing street trading consents. The council and the holder of a street trading consent must comply with the requirements of this paragraph.

The holder of a street trading consent may employ any other person to assist in their trading without a further consent being required.

Where a consent is surrendered or revoked, the council shall remit or refund as they consider appropriate the whole or a part of any fee paid for grant or renewal of the consent.

A person who engages in street trading without a street trading consent could be subject to prosecution.

Jamie Guazzaroni, Solicitor, 2526350

6. Crime and Disorder

One matter for consideration as part of the application process is the impact a successful application may have on crime and disorder.

7. Consultation

Leicestershire Constabulary
Highways department
Pollution Control
Food Team
Members of the public

8. Reason for Treating the Report as “Not for Publication”

None

9. Officer to Contact

Amy Day
Licensing Officer
(0116) 2528555



Leicester
City Council



APPLICATION FOR STREET TRADING CONSENT

APPLICANT DETAILS	
Name	
Gulmir AHMAD ZI	
Address	
[REDACTED]	
Details of any food business you have operated in the last 12 months	
[REDACTED]	
BUSINESS DETAILS	
Name	Type (eg, hot food, ice cream, etc)
	FRUIT and VEG
Address for correspondence	
98 MELTON ROAD LEICESTER	
Post code	If mobile, vehicle registration
LE4 5ED	
Location where you wish to trade	
Please describe the location and enclose a plan with the exact location marked on it.	
inside Colloseum Parking	
Hours during which you wish to trade	
9AM TO 6PM	

Version 9 – November 2010
Fees updated April 2012

Leicester City Council's general policy is to NOT grant permission for street trading, particularly in the vicinity of schools. However, each case will be considered on its own merits. The policy does allow for certain exceptions, and sets out matters that the council will take account of when determining an application.

Please read the council's policy before completing the next section.

Please explain how your business may impact on the matters below

Public nuisance

No impact

Crime and disorder

No impact

Road safety

OK

Health & safety at schools and for their pupils

OK

Likely demand for goods being sold

Yes

Availability of goods being sold in other fixed premises in the vicinity

REASONS

Please give the reasons why you believe your application should be granted as an exception to the council's general policy on street trading

DECLARATION

I declare that the information given above is true to the best of my knowledge, and that I will comply with the terms and conditions of any street trading consent granted by Leicester City Council as a result of this application. I am over 17 years of age.

Signature of applicant

[Redacted signature]

Print name

Gulmir Ahmad Zi

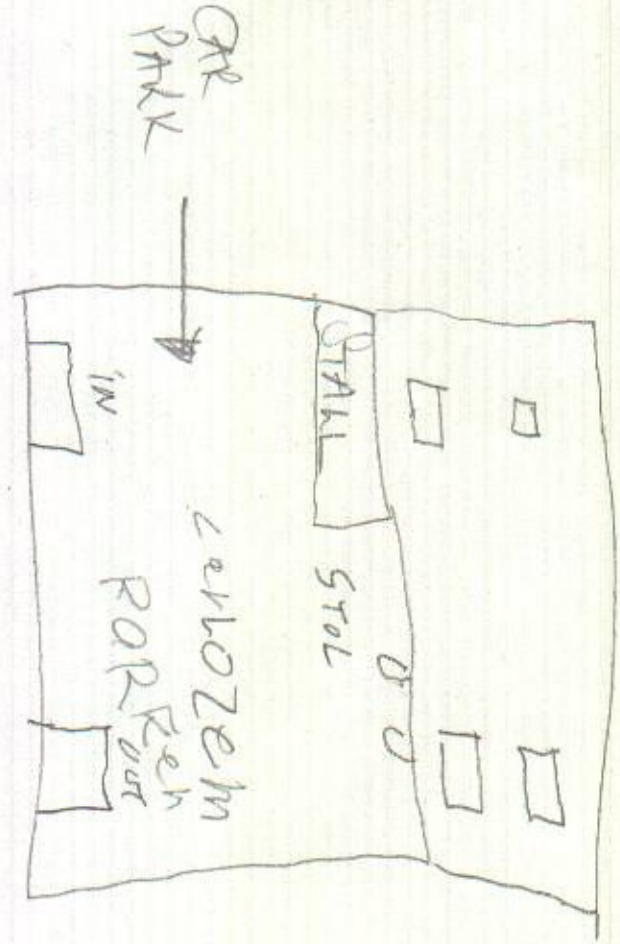
Date

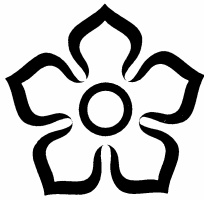
01/11/12

Please send this application with the appropriate fee (see next page) to
Licensing
Leicester City Council
New Walk Centre
Welford Place
Leicester
LE1 6ZG.

Alternatively you may deliver it by hand to Customer Services in B Block of New Walk Centre, the entrance for which is on King Street.

98 WELTON ROAD





Leicester
City Council

Appendix F

WARD: CASTLE / WESTCOTES

LICENSING COMMITTEE

4 DECEMBER 2012

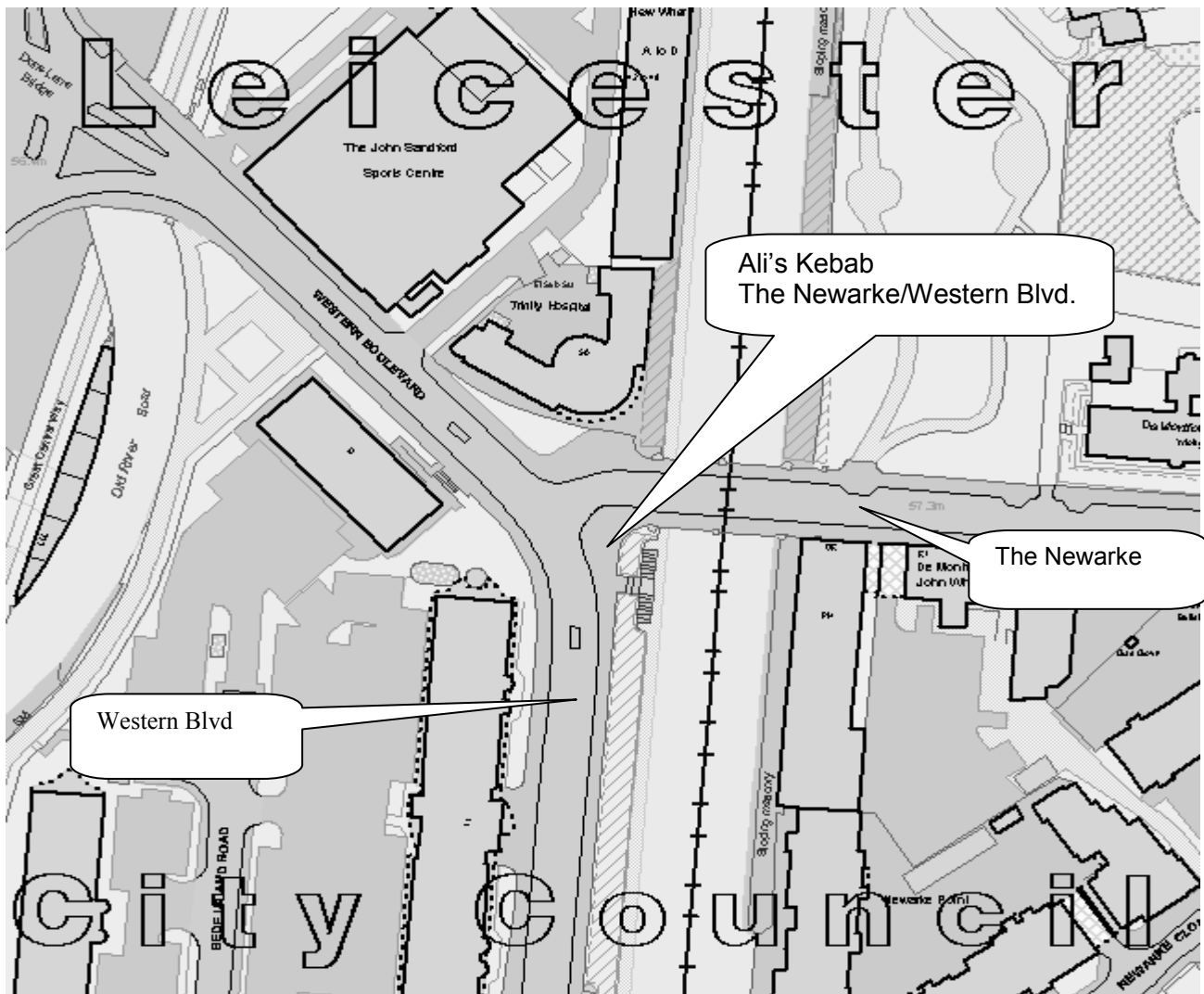
APPLICATION FOR STREET TRADING CONSENT

MR ALI OZHOT

ALI'S KEBAB, THE NEWARKE/WESTERN BLVD, LEICESTER

Report of the Service Director (Environmental Services)

1. Location



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2. Purpose of the Report

To determine an application for the grant of a street trading consent under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, for Ali's Kebab, trading at the junction of The Newarke and Western Boulevard, Leicester. The applicant is Mr Ali Ozhot.

2. Options for the Sub-Committee

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

- (a) Grant the application, or
- (b) Refuse the application.

A licensing authority may attach such conditions as they consider reasonably necessary when granting or renewing a street trading consent. This may include conditions to prevent obstruction of the street or danger to persons using it, or nuisance or annoyance (whether to persons using the street or otherwise). The authority may at any time vary the conditions of a street trading consent.

The authority may include in a street trading consent permission for its holder to trade in a consent street

- a) from a stationary van, cart, barrow or other vehicle; or
- b) from a portable stall.

If the authority includes such a permission, it may make the consent subject to conditions

- a) as to where the holder of the street trading consent may trade by virtue of the permission, and
- b) as to the times between which or periods for which he may so trade.

A street trading consent may be granted for any period not exceeding 12 months but may be revoked at any time.

There is no right of appeal against a determination of the Licensing Authority in this instance, but as a matter of good practice Members should give reasons for their decision at the time it is announced.

3. Recommendation

It is recommended that the application be refused in accordance with the City Council's street trading policy.

4. Report

Mr Ozhot has applied for the grant of a street trading consent for Ali's Kebab trading at the junction of The Newarke and Western Blvd, Leicester selling hot food between 5pm and 5am Monday to Sunday, under schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. A copy of the application is attached at Appendix A.

Street trading policy

The policy provides for certain exceptions, including

- a) The immediate vicinity of Leicester City Football Club and Leicester Tigers, for the purpose of the sale of favours and materials associated with the football clubs that are organised and controlled by those clubs.
- b) Operators selling food who wish to trade on industrial estates, where no other adequate provision is provided.
- c) Limited period consents in respect of particular types of operations in conjunction with specific events in the City.

None of these exceptions are relevant to this application.

Other applications for consents will be considered and each case will be decided on its own merits. The following matters will be taken into account:

- Public nuisance
- Crime and disorder
- Road safety
- Health and safety at schools and for their pupils
- Likely demand for goods being sold
- Availability of goods being sold in other fixed premises in the vicinity
- Objections received from nearby residents, businesses and statutory agencies

Representations

Details of the application have been passed to the Police, Highways, Noise Control, and the Food Team. A notice has been placed at the location concerned for two weeks inviting anyone affected by the proposal to submit representations to the Licensing section.

No representations have been received from the Police, Noise Control, the Food Team, or persons in the vicinity, in relation to this application.

However, representations have been received from a Senior Highway Management Officer and a Transport Development Officer in relation to this application. The Officers are concerned the vehicle would be driven onto and parked on the footway against double yellow lines and may cause unnecessary obstructions which are offences under the Highways Act. They both state the location is a traffic sensitive location and would contravene a Traffic Regulation Order. Copies of the representations are attached at Appendix B1 & B2.

5. Legal Implications (Including Human Rights Act)

A licensing decision is a determination of civil rights to which Article 6 Right to a fair trial principles apply. Article 1 of the First Protocol gives the right of peaceful enjoyment of possessions, which would include a street trading consent.

Schedule 4 paragraph 7 of the Local Government (Miscellaneous Provisions) Act 1982 details the procedure to be followed for granting and renewing street trading consents. The council and the holder of a street trading consent must comply with the requirements of this paragraph.

The holder of a street trading consent may employ any other person to assist in their trading without a further consent being required.

Where a consent is surrendered or revoked, the council shall remit or refund as they consider appropriate the whole or a part of any fee paid for grant or renewal of the consent.

A person who engages in street trading without a street trading consent could be subject to prosecution.

Jamie Guazzaroni, Solicitor, 2526350

6. Crime and Disorder

One matter for consideration as part of the application process is the impact a successful application may have on crime and disorder.

7. Consultation

Leicestershire Constabulary
Highways department
Pollution Control
Food Team
Members of the public

8. Reason for Treating the Report as “Not for Publication”

None

9. Officer to Contact

Susan Hall
Licensing Officer
(0116) 2528554

047354.



Leicester
City Council

APPLICATION FOR STREET TRADING CONSENT

APPLICANT DETAILS	
Name	
ALI OZHOT	
Address	
[REDACTED]	
Post code	Contact telephone number
[REDACTED]	[REDACTED]
Details of any food business you have operated in the last 12 months	
NONE	
BUSINESS DETAILS	
Name	Type (eg, hot food, ice cream, etc)
ALI'S KEBAB	HOT FOOD
Address for correspondence	
[REDACTED]	
Post code	If mobile, vehicle registration
[REDACTED]	
Location where you wish to trade	
Please describe the location and enclose a plan with the exact location marked on it.	
THE NEWARKE/WESTERN BOULEVARD CORNER	
Hours during which you wish to trade	
Monday to Sunday 17 00 - 05 00 HRS	

Leicester City Council's general policy is to NOT grant permission for street trading, particularly in the vicinity of schools. However, each case will be considered on its own merits. The policy does allow for certain exceptions, and sets out matters that the council will take account of when determining an application.

Please read the council's policy before completing the next section.

Please explain how your business may impact on the matters below

Public nuisance

ANYBODY WHO IS NOT BEHAVING PROPERLY WILL NOT BE SERVED AND WILL BE ASKED TO MOVE ON

Crime and disorder

MY WIFE AND I WILL BE SERVING FROM THE VAN AND WILL BE VIGILANT AND REPORT ANYTHING OF A DISORDERLY OR CRIMINAL NATURE TO THE POLICE.

Road safety

VAN WILL BE PARKED OFF THE ROAD ON A WIDE PAVEMENT.

Health & safety at schools and for their pupils

THERE IS NO SCHOOL IN THE VICINITY.

Likely demand for goods being sold

I BELIEVE THE DEMAND WILL BE GOOD AS IT IS A REASONABLY BUSY AREA PARTICULARLY ON FOOTBALL DAYS.

Availability of goods being sold in other fixed premises in the vicinity

THERE IS ONLY ONE FISH & CHIP SHOP IN BRAUNSTONE GATE THAT SELLS SIMILAR FOOD E.G. KEBABS AND BEEFBURGERS AND THAT IS APPROXIMATELY 1/2 OF A MILE AWAY.

REASONS

Please give the reasons why you believe your application should be granted as an exception to the council's general policy on street trading

I BELIEVE THAT THE AREA WILL
BENEFIT FROM THE PROVISIONS OF
A VAN AS MANY FACTORIES IN THE
AREA HAVE BEEN CONVERTED TO BARS
AND FLATS.

IT IS ALSO VERY BUSY ON
FOOTBALL DAYS.

DECLARATION

I declare that the information given above is true to the best of my knowledge, and that I will comply with the terms and conditions of any street trading consent granted by Leicester City Council as a result of this application. I am over 17 years of age.

Signature of applicant



Print name

ALI OZHOT

Date

30/10/2012

Please send this application with the appropriate fee (see next page) to
Licensing
Leicester City Council
New Walk Centre
Welford Place
Leicester
LE1 6ZG.

Alternatively you may deliver it by hand to Customer Services in B Block of New Walk Centre, the entrance for which is on King Street.

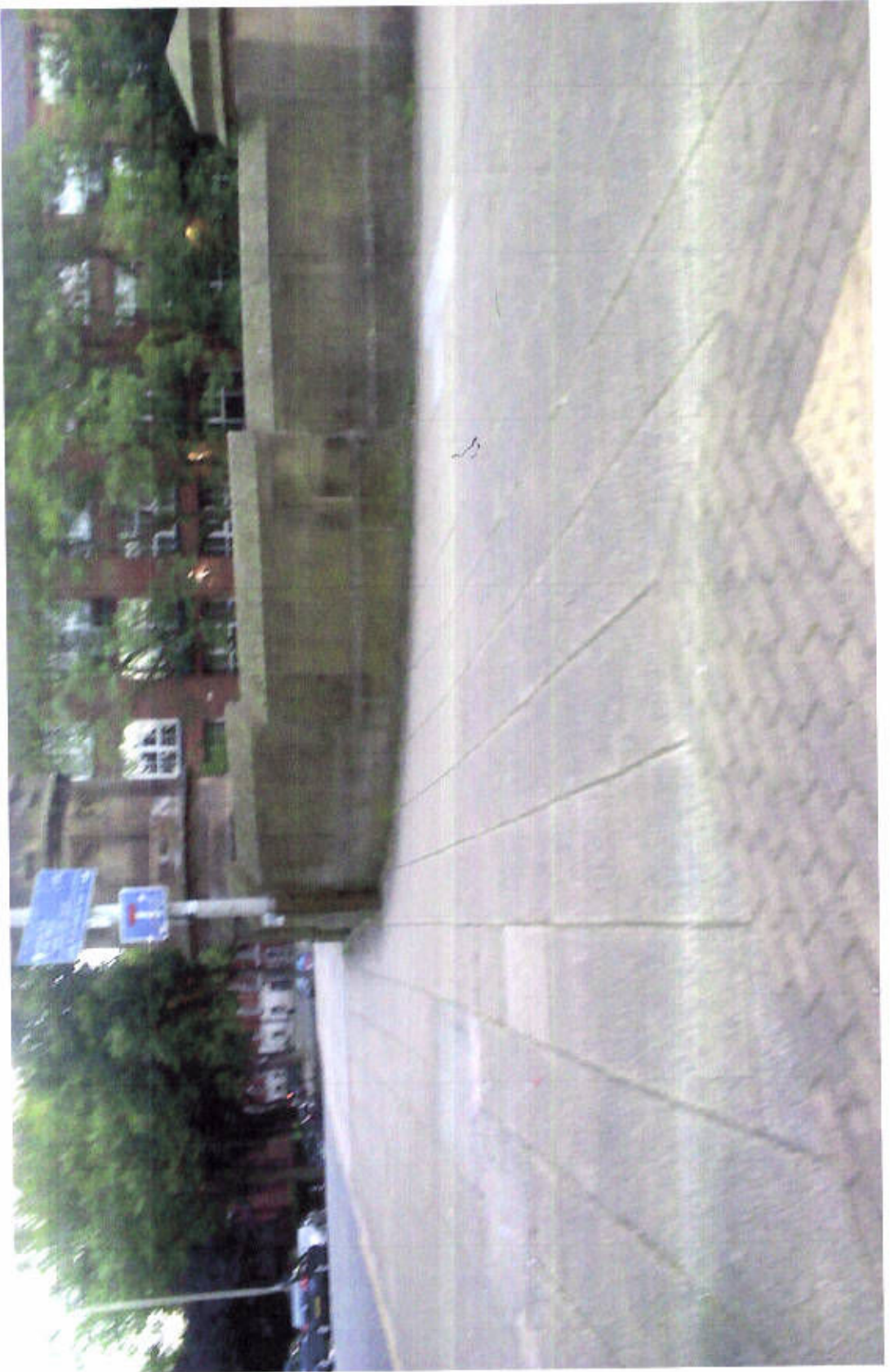
Table of fees

Please indicate which licence type you are applying for, and enclose the relevant fee with your completed application.

Licence type	Fee £	Please tick
12 month street trading consent OUTSIDE central shopping area	2,220	
12 month street trading consent INSIDE central shopping area	5,835	
3 month street trading consent OUTSIDE central shopping area	792	
3 month street trading consent INSIDE central shopping area	1,350	
12 month street trading licence associated with LCFC / Tigers	238	
12 month licence for static pitches for ice cream vendors	1,110	
5 year licence for mobile operators who move from place to place (eg, ice cream vendors)	53	

Plan of location

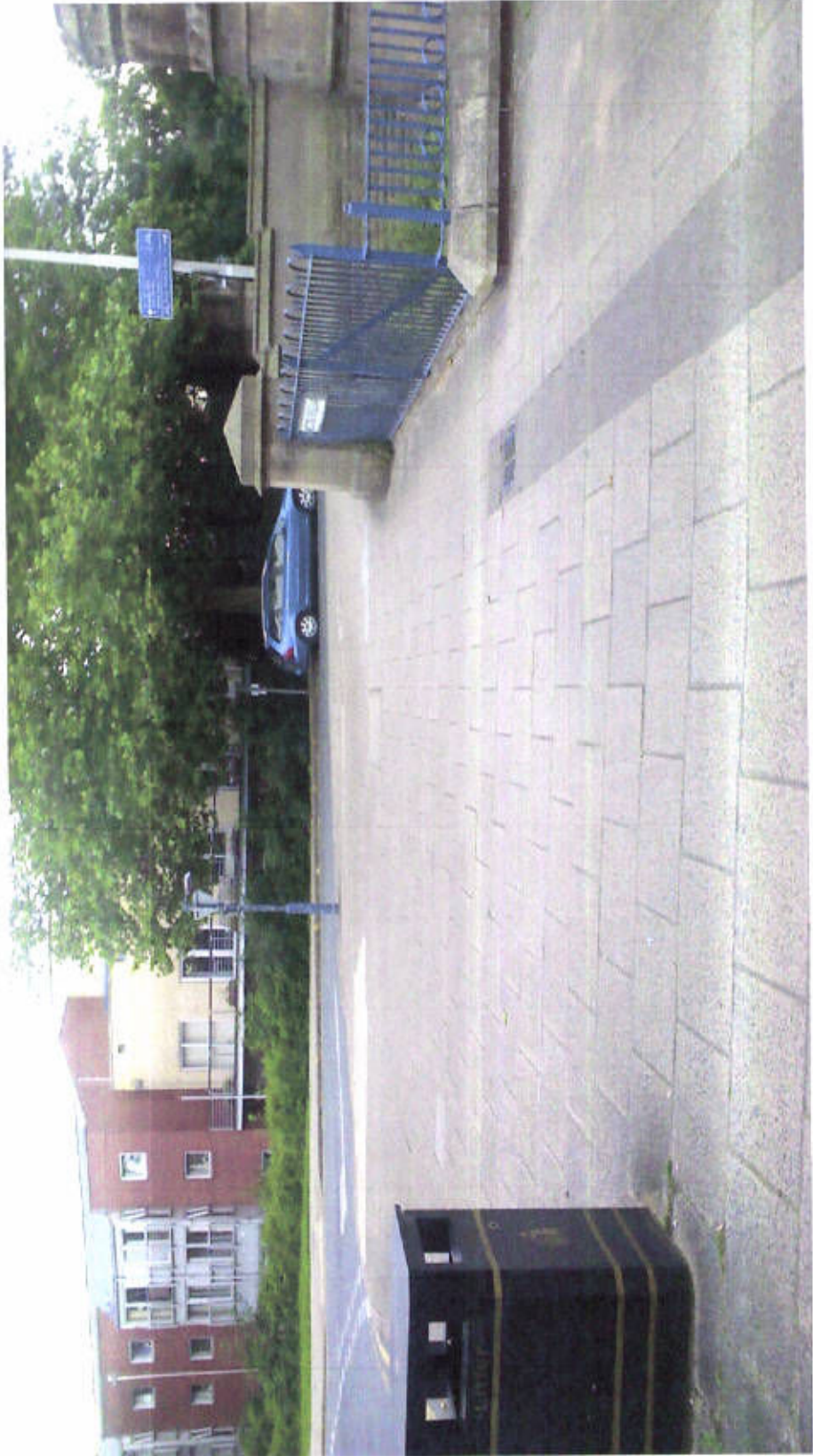
Please remember to include a map showing the exact location you wish to trade. Alternatively you may draw a sketch plan below. This will enable your application to be assessed fully by the Highways department.







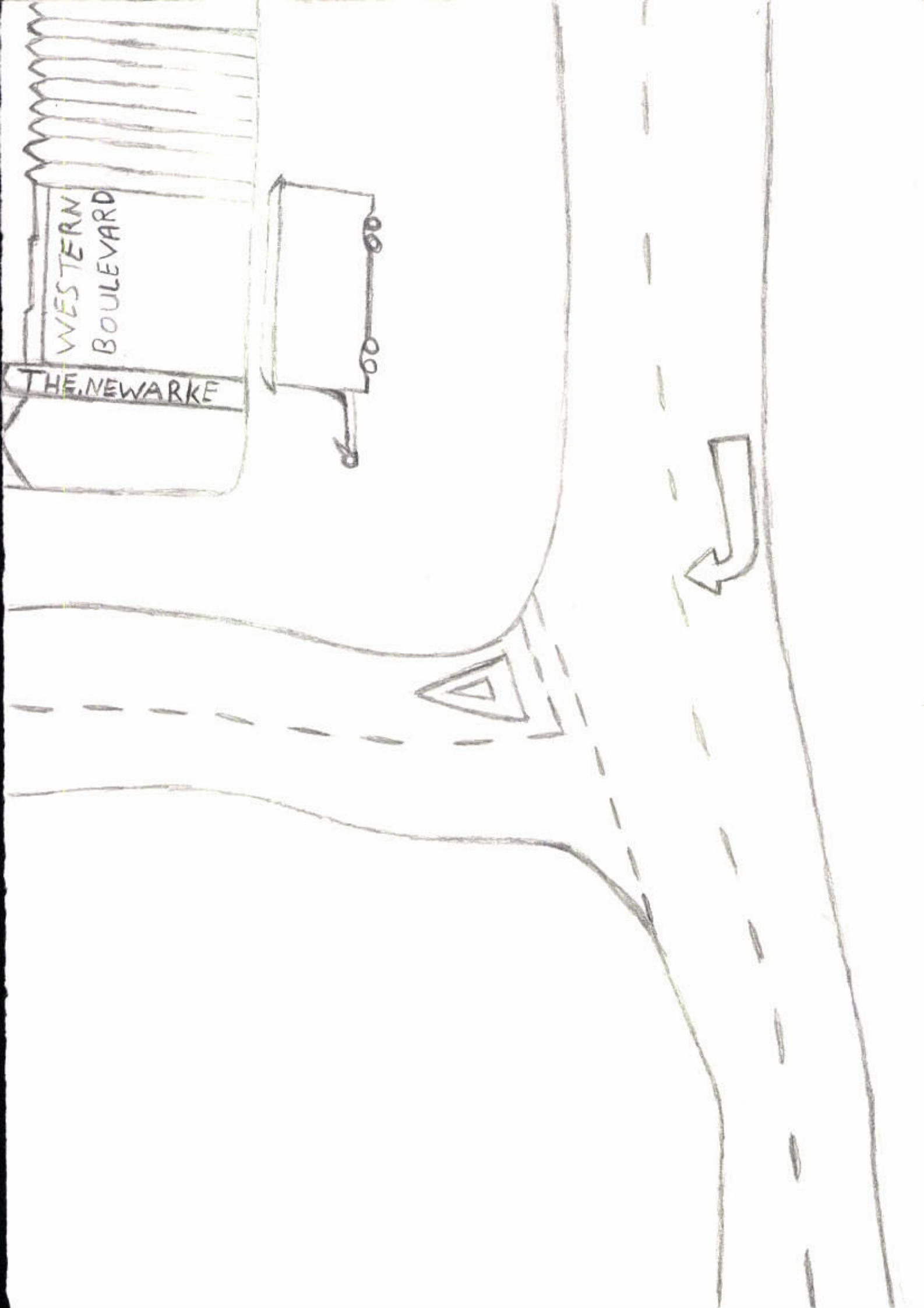












WESTERN
BOULEVARD

THE NEWARKE

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To Licensing

**Street Trading Consent Application
Highway Response**

Street: THE NEWARKE

Applicant's Name: ALI OZHOT

In respect of this application for street trading consent, from the information we have received our response is:

We wish to object to this application for the following reasons:

The photograph and plans attached to the application show the site as Western Boulevard and **NOT** the Newarke. It would be parked on the footway, there are double yellow lines and Western Boulevard is traffic sensitive (see conditions 1,2,4 and 6 below)

Name: Jane Morgan

Date: 1st November 2012

Highway Asset Management Team
Tel 0116 223 2014

N.B. If consent is granted action may still be taken at a later date under the Highways Act 1980 in respect of obstruction of the highway.

Standards Conditions

1. Do not park on footways.
2. Do not park within 15 metres of a junction.
3. Do not pour anything into drainage gullies e.g. fat or greasy water.
4. Comply with all Traffic Regulation Orders restrictions e.g. yellow lines, school keep clear markings, pedestrian crossing markings.
5. Comply with any future Traffic Regulation Order, whether temporary or permanent.
6. Comply with the streets traffic sensitivity restriction, by not parking when the street is traffic sensitive.
7. Vacate the site if roadworks are in progress or any other highway approved works or activity, e.g. erection of scaffold or a parade.

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On behalf of the Highway Authority I object to the application on the following grounds.

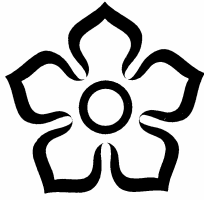
The applicant indicates the van will be parked on the pavement, presumably by being driven onto it. This is an offence under the Highways Act, in addition, the van may be deemed to be causing an un-necessary obstruction in the highway, again an offence under the Highway Act. Both offences are enforceable by the Police.

The area is covered by a Traffic Regulation Order that prohibits waiting at any time, this restriction applies to the footway as well as the carriageway, the applicants vehicle will therefore be in contravention of a Traffic Regulation Order, for which, the Council is the enforcement Agency.

Steve

Steve Warwick Transport Development Officer
Steve.Warwick@leicester.gov.uk
Planning, Transportation & Economic Dev
Transport Strategy
Central Area Team

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Leicester
City Council

WARD: VARIOUS

LICENSING COMMITTEE

4 DECEMBER 2012

**APPLICATION FOR STREET TRADING CONSENT
MARY KAPADIA & MEXINE WILSON T/A MEXIAMAR
RIVER SOAR/GRAND UNION CANAL, LEICESTER**

Report of the Service Director (Environmental Services)

1. Location

Canal barge on the River Soar and Grand Union Canal in Leicester City Council area.

2. Purpose of the Report

To determine an application for the grant of a street trading consent under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, for a mobile street trader selling hot food from a canal barge on the River Soar and Grand Union Canal. The applicants are Mary Kapadia & Mexine Wilson trading as Mexiamar.

2. Options for the Sub-Committee

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

- (a) Grant the application, or
- (b) Refuse the application.

A licensing authority may attach such conditions as they consider reasonably necessary when granting or renewing a street trading consent. This may include conditions to prevent obstruction of the street or danger to persons using it, or nuisance or annoyance (whether to persons using the street or otherwise). The authority may at any time vary the conditions of a street trading consent.

The authority may include in a street trading consent permission for its holder to trade in a consent street

- a) from a stationary van, cart, barrow or other vehicle; or
- b) from a portable stall.

If the authority includes such a permission, it may make the consent subject to conditions

- a) as to where the holder of the street trading consent may trade by virtue of the permission, and
- b) as to the times between which or periods for which he may so trade.

A street trading consent may be granted for any period not exceeding 12 months but may be revoked at any time.

There is no right of appeal against a determination of the Licensing Authority in this instance, but as a matter of good practice Members should give reasons for their decision at the time it is announced.

3. Recommendation

It is recommended that the application be refused in accordance with the City Council's street trading policy, unless Members are satisfied that the applicant will meet the requirements of the code of practice for mobile traders.

4. Report

Mary Kapadia & Mexine Wilson have applied for the grant of a mobile street trading consent for Mexiamar, 36 Triumph Rd, Glenfield, Leicester under schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. The applicants wish to trade from a canal barge selling hot food along the stretch of the River Soar and Grand Union Canal indicated on the plan attached to the application. A copy of the application is attached at Appendix A.

Street trading policy

The policy says that there will be a general presumption in favour of granting consents for street trading by ice cream vans, and by mobile operators who remain stationary at a particular location only long enough to serve customers at that location, provided that they conform to any code of practice issued by the City Council.

The policy provides for certain exceptions, including

- a) The immediate vicinity of Leicester City Football Club and Leicester Tigers, for the purpose of the sale of favours and materials associated with the football clubs that are organised and controlled by those clubs.
- b) Operators selling food who wish to trade on industrial estates, where no other adequate provision is provided.
- c) Limited period consents in respect of particular types of operations in conjunction with specific events in the City.

None of these exceptions are relevant to this application.

Other applications for consents will be considered and each case will be decided on its own merits. The following matters will be taken into account:

- Public nuisance
- Crime and disorder
- Road safety
- Health and safety at schools and for their pupils
- Likely demand for goods being sold
- Availability of goods being sold in other fixed premises in the vicinity
- Objections received from nearby residents, businesses and statutory agencies

Representations

Details of the application have been passed to the Police, Highways, Noise Control, the Parks Services and Riverside Team, Festival & Events Unit and the Food Team.

No representations have been received from the Police, Highways, Noise Control or the Food Team in relation to this application. However, representations have been received from a Festival & Events Officer and a Senior Riverside Officer in relation to this application. The Officers are concerned that granting the application could allow the applicant to trade along the waterways at specific events organised by the Festivals

Team such as Riverside Festival, Castle Park Festival and events at Abbey Park without tendering through their normal tender and consent procedure. The Senior Riverside Officer also has concerns about increased litter and how the applicants can operate safely under the time restrictions in the Council's mobile street trading policy. Copies of the representation are attached at Appendix B1 & B2.

5. Legal Implications (Including Human Rights Act)

A licensing decision is a determination of civil rights to which Article 6 Right to a fair trial principles apply. Article 1 of the First Protocol gives the right of peaceful enjoyment of possessions, which would include a street trading consent.

Schedule 4 paragraph 7 of the Local Government (Miscellaneous Provisions) Act 1982 details the procedure to be following for granting and renewing street trading consents. The council and the holder of a street trading consent must comply with the requirements of this paragraph.

The holder of a street trading consent may employ any other person to assist in their trading without a further consent being required.

Where a consent is surrendered or revoked, the council shall remit or refund as they consider appropriate the whole or a part of any fee paid for grant or renewal of the consent.

A person who engages in street trading without a street trading consent could be subject to prosecution.

Jamie Guazzaroni, Solicitor, 2526350

6. Crime and Disorder

One matter for consideration as part of the application process is the impact a successful application may have on crime and disorder.

7. Consultation

Leicestershire Constabulary
Highways department
Pollution Control
Food Team
Parks Services/Riverside Team
Festival & Events Unit

8. Reason for Treating the Report as “Not for Publication”

None

9. Officer to Contact

Susan Hall
Licensing Officer
(0116) 2528554

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047037



Leicester
City Council



APPLICATION FOR STREET TRADING CONSENT

APPLICANT DETAILS	
Name	
Mexiamar (Mary Kapadia & Mexine Wilson partnership)	
Address [REDACTED]	
Post code	Contact telephone number
[REDACTED]	[REDACTED]
Details of any food business you have operated in the last 12 months	
None	
BUSINESS DETAILS	
Name	Type (eg, hot food, ice cream, etc)
Mexiamar	Hot food
Address for correspondence [REDACTED]	
Post code	If mobile, vehicle registration
[REDACTED]	BW : 501168
Location where you wish to trade	
Please describe the location and enclose a plan with the exact location marked on it. On the River Soar/Grand Union Canal - mobile	
Hours during which you wish to trade	
Between 12:00 – 9:00 p.m.	
<p>Leicester City Council's general policy is to NOT grant permission for street trading, particularly in the vicinity of schools. However, each case will be considered on it's own merits. The policy does allow for certain exceptions, and sets out matters that the council will take account of when determining an application.</p> <p>Please read the council's policy before completing the next section.</p>	

Please explain how your business may impact on the matters below
Public nuisance
We will be trading on the River Soar – there is no public nuisance
Crime and disorder
There is no crime there
Road safety
Not on the road
Health & safety at schools and for their pupils
We comply with Health and Safety rules and the food safety requirement
Likely demand for goods being sold
The barge is the only mobile water craft on the canal to serve food – we believe that demand will develop – is gourmet food, excellent ingredients, no additives, specialty sauce, with tomato, onion, lettuce, served on brown buns. We believe it will bring new vitality to the canal and open up a neglected Leicester resource.
Availability of goods being sold in other fixed premises in the Vicinity
There is no availability of this food on the canal.

REASONS
Please give the reasons why you believe your application should be granted as an exception to the council's general policy on street trading
<p>This is a novel idea – to bring business and activity to the Leicester Canal. It does not interfere with other traders. There are no other people trading like this on the canal.</p> <p>The food is home made, using wholegrain bread and salad. (No fries.) The dressing is home made. It is healthy food, served in an environment that is not presently utilized.</p> <p>It will open up the canal for use by the public.</p>

Enclosed in support of our application:

Letter from Leicester City Council – 26 July, 2012
Craft Licence – Canal & River Trust – 18 September, 2012
BSS Cert: 462814 / Reg # 501168 – British Waterways Safety Cert.
Public Liability Insurance – Towergate
Food Course Certificate – Leicester City Council – August, 2012
Partial map of River Soar/Canal – Google maps

DECLARATION

I declare that the information given above is true to the best of my knowledge, and that I will comply with the terms and conditions of any street trading consent granted by Leicester City Council as a result of this application. I am over 17 years of age.

Signature of applicant



Print name

MARY KAPADIA

Date

18th October, 2012

Please send this application with the appropriate fee (see next page) to
Licensing
Leicester City Council
New Walk Centre
Welford Place
Leicester
LE1 6ZG.

Alternatively you may deliver it by hand to Customer Services in B Block of New Walk Centre, the entrance for which is on King Street.

Please ask for: Katy Redford
Telephone: (0116) 252 7261
Fax no: (0116) 252 7273
Email: planning@leicester.gov.uk
Our ref: PL/KER/201290830P/PRE
Date: 26 July 2012



Leicester
City Council

Planning
New Walk Centre
Welford Place
Leicester LE1 6ZG
www.leicester.gov.uk/planning

MARY KAPADIA



Dear Mrs Kapadia,

PRE-APPLICATION PLANNING ENQUIRY

Reference: 201290830P

Enquiry date: 26 June 2012
Location: 109 WALNUT STREET, BARGE BY UPPERTON ROAD
Proposal: FOOD SERVICE ON THE GRAND UNION CANAL

Thank you for your planning enquiry relating to the above. I have the following comments to make:

I understand following our telephone conversation that the boat would not be moored on a permanent basis. Therefore, in terms of placing a barge on the canal to sell food on match days and other event days planning permission would not be required. If the boat was to be moored on a permanent basis then planning permission would be required.

A premise licence is only required if alcohol would be sold, if there would be regulated entertainment or hot food would be sold after 11pm. A street trading licence may be required, however, I am waiting for colleagues to advise me on that. Otherwise you may wish to contact our licensing department direct.

The Council's Food Safety Team may need to be informed as you would be supplying and selling food. You may wish to access the following link which will provide information regarding what is required. <http://www.leicester.gov.uk/your-council-services/ep/environmental-health-licensing/food-safety/>

As you are aware you will need to contact the Canal Trust (formerly British Waterways) to obtain a licence and any other necessary documentation from them.


If you require any further information, or would like to discuss the matter, please contact me (details at the top of this letter). You will of course appreciate that this is informal advice only and is without prejudice to the local authority's formal consideration of any planning application that may be submitted.

Yours sincerely

Katy Redford
Planning Development Management Team



CRAFT LICENCE INVOICE

Mexiamar Mrs Mary Kapadia 	Address any queries to: Shared Service Centre Fearn's Wharf Neptune Street Leeds LS9 8PB contact customer services on : T 0303 040 4040 Email: customer.services@canalrivertrust.org.uk
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Customer number	Invoice number	Invoice Date	Tax Point
8138981	90649420	18.09.2012	18.09.2012

Description	Value(£)	VAT code
MARGO, 501168, Trading Business Craft Licence 01.09.2012 to 31.08.2013 Prompt Payment Discnt 10.00 % Vat	518.04 51.80- 93.25	C1
PAID WITH THANKS		

VAT Code	VAT Rate	VAT Type	Taxable	VAT
C1	20.00 %	****	466.24	93.25

INVOICE TOTAL 559.49

Canal & River Trust

Principal Office: Shared Service Centre, Fearn's Wharf, Neptune Street, Leeds, LS9 8PB VAT No.GB125511937

Canal & River Trust, a charitable company limited by guarantee registered in England and Wales with company number 7807276 and registered charity number 1146792, registered office address First Floor North, Station House, 500 Elder Gate, Milton Keynes MK9



British Waterways



Environment Agency

The vessel identified below has been examined by the signatory against Boat Safety Scheme (BSS) checking procedures, and at the date of examination it was found to comply with the navigation authorities' minimum safety requirements.

BSS Certificate

Serial Number **462814**

CERTIFICATE DETAILS

Date of Examination **25 August 2012**

Location of Examination **MAIDENHEAD**

Date of Expiry **24 August 2016**

VESSEL IDENTIFICATION

Boat Name **MARGOT**

Index/Registration Number **BW 501168**

Year of Construction **1992**

Length **9.8m**

Beam **2.1m**

CIN/HIN if applicable

Hull Material **STEEL**

Engine Make/Type **//**

Engine Fuel **//**

Number of Engines **//**

Manufacturer's or Builder's Name

Manufacturer's or Builder's Name for Fit Out if Different

Previous BSS Certificate Number **374039**

Latest Status Report Number

CE Marked YES NO

EXAMINATION DETAILS

All relevant advice check list items complied with YES NO If NO, list Check List items

BSS Warning Notice issued or current YES NO If YES, list relevant Check List items

2002 BSS checking procedures applied YES NO

Nav. Authority Code **800**

EXAMINER CERTIFICATION

Examiner Name **JOHN NORMAN** Examiner PIN **393**

Distribution
Grey - Boat Owner
Blue - Navigation Authority
Yellow - Examiner

Signature of Examiner

Date **25 August 2012**

Authentication Stamp

A BSS examination is NOT a full condition survey of a vessel. Please refer to the Notes and 'Limitations of This Certificate' overleaf.

This Statement of Facts is a record of the information and Material Facts advised to Towergate Underwriting Liability & Construction. The acceptance of the Proposal for insurance and the calculation of the premium are based upon all information supplied and this forms the basis of the contract of insurance between you and Towergate Underwriting Liability & Construction on behalf of the Insurers defined within the Policy Schedule. A Material Fact is one which an insurer would regard as likely to influence their assessment and acceptance of the insurance. You should check this Statement and contact your insurance advisor immediately if any information is incorrect or if there are any other Material Facts that you should disclose. Failure to do so could invalidate your policy or result in a claim being repudiated.

1a	Your Name, Company or Business Name <small>(in full, including all Partners & Trading Title)</small>	Mexia Wilson & Maria Kapadia T/A Meximar	
1b	Business Address Postcode	[REDACTED]	
1c	Full Business Description	Selling hamburgers from a narrowboat	
1d	Year Business Established	2012	
1e	Period of Cover	30 / 08 / 2012	to 29 / 08 / 2013
2a	Employers' Liability	Not Insured	
2b	Public and Products Liability	£2,000,000.00	
2c	Contract Works	Not Insured	

Financial Details			
Category of Work		Wageroll	
3a	Clerical / Managerial Employees	Nil	
3b	Direct Manual Employees, Directors & Labour Only Subcontractors	Nil	
3c	Woodworking Machinists	Nil	
3d	Principal's Drawings	Nil	
3e	Bona Fide Subcontractors ie. Supply labour & materials	Nil	
3f	Annual Turnover	£40,000.00	including USA/Canada Turnover of Nil

Heat, Height and Hazardous Work		
4a	Use of Heat <small>(ie. Blow Lamps, Welding/Fame Cutting, Hot Air Guns)</small>	Work away from Your premises does not involve the Use of Heat
4b	The Maximum Height worked to is:	Not Applicable
4c	The Maximum Depth worked to is:	3 Metres (if applicable to nature of business)
4d	Use or Handling of or Exposure to Harmful Materials	There is no use or handling of or exposure to asbestos, materials containing asbestos or any substances known to be harmful to health or that require health warning.
4e	Hazardous Locations including: Power Stations, Nuclear Installations, Gas, Chemical, Oil or Fuel Works, Refineries or Storage Depots Collieries, Mines, Quarries, Bridges, Viaducts, Flyovers or Dams Watercraft, Docks, Harbours, Wharves Airports, Aircraft or Aerodromes, Railways	There is no work undertaken at any Hazardous Location.

General Questions		
5a	Contracts or Agreements	You do not enter into any contracts or agreements which may affect your liability under statute or common law.



Leicester
City Council

Please ask for: Christine Skelton
Telephone: 0116 252 6417

Date: 21 August 2012

Dear *Maxine*,

CIEH Level 2 Award in Food Safety in Catering – 3rd August 2012

Congratulations on passing your recent exam.

Please find enclosed your certificate. It is suggested you take a copy of the certificate and keep it in a safe place as there would be a charge for a replacement.

It is also recommended that this qualification is renewed in three years.

If you would like further information on other courses, please do visit our website
<http://www.leicester.gov.uk/businessstraining>

Thank you for choosing Leicester City Council for your training and once again well done on your success.

Yours sincerely

Christine

Christine Skelton
Admin & Business Support Officer
Business Training Unit
A3 New Walk Centre



Chartered
Institute of
Environmental
Health

Level 2 Award in Food Safety in Catering

1 credit

Mexine Wilson

has successfully completed a programme of training
and an assessment which concluded the course

Graham Jukes

Chief Executive
Chartered Institute of Environmental Health

Examination Date: *03 August 2012*

CIEH recommends you refresh your training by *03 August 2015*

Centre number: *21181*

Certificate number: *8771824*

Original Issue Date: *10 August 2012*

Issue number: *1*

PASS

Office of Qualifications
and Examinations

500547674
and Northern Ireland

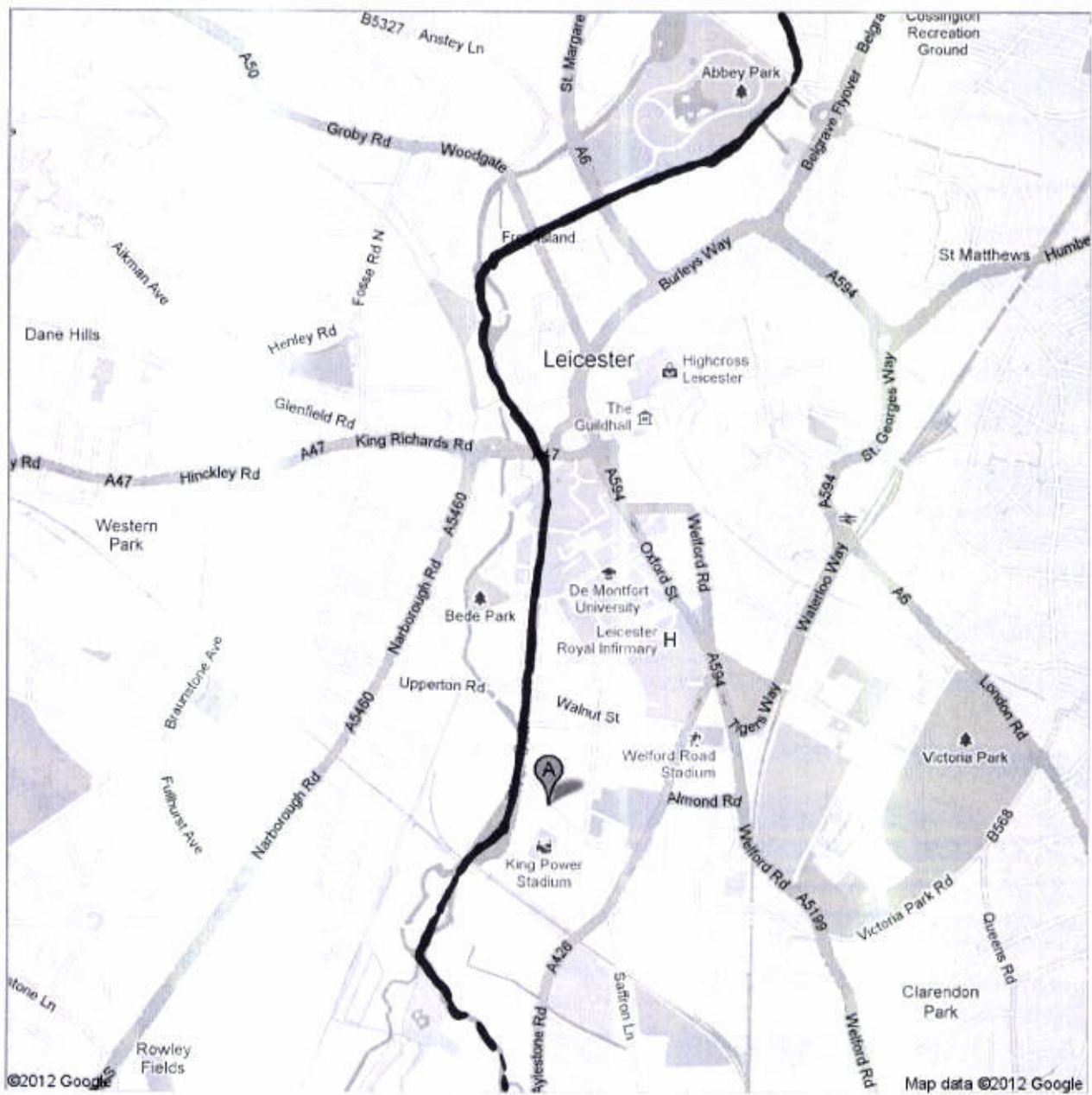
Ofqual





Address **Raw Dykes Rd**
Leicester LE2, UK

Proposed area is the River Soar/Grand Union Canal



Susan

We would want to object unless there is a clause that excludes our events in particular Riverside Festival or any events at Castle Gardens such as Castle Park Festival, i.e.. if they wanted to trade they would have to tender as part of the normal tender procedure for concessions at these events. I guess this would be similar to say annual Ice Cream vendor contracts with parks where they exclude events.

The applicant has already contacted our team re. standing at events, and where they have not been able to stand, e.g.. Abbey Park Bonfire (as the river / canal is outside the event site) they are I understand still planning to sell on the river, while I appreciate this is outside our event site, it may well affect income we receive as a council from concessions at the event.

Simon Brown
Festivals & Events Officer
Regeneration & Culture
Leicester City Council
1st Floor, Wellington House
Wellington Street
Leicester
LE1 6HL
Tel: 0116 238 5080
Fax: 0116 238 5079
Email: simon.brown@leicester.gov.uk
www.leicester.gov.uk/festivals

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The river within Abbey Park is not part of the navigation and so any access over the water is with the consent of the riparian land owner (in this case LCC Parks Services). The bankside, landing stage and any steps to the water within Abbey Park are owned wholly by LCC and permission would be needed to use them.

The canal/river (Mile Straight that relates to the Castle Gardens and Riverside Festival) is a navigation and any trading would have to be with the consent (and paying for a trade licence) of the Canals & Rivers Trust. We cannot charge a boat to trade on the water whether at an event or not without permission from C&RT to do so. It is likewise that we cannot stop them trading, but we can ensure that they do have a licence from C&RT to trade.

The whole of the canal through the city comes under C&RT including the stretch by the football ground (seems though there is going to be a lot more litter for us to deal with on the towpath).

We do not own the towpath and cannot stop people mooring there and doing whatever, and likewise with the landing stage at Castle Gardens. We do own the access onto the staging at Castle Gardens so can have a degree of control as to who can gain access to the staging. Whilst we do own the steps down onto the towpath, it would be difficult to exercise the same degree of control.

The Riverside Festival could be quite easily undermined by this and I suggest that we really need to push this year to get the C&RT on board for the event, and maybe even Castle Gardens.

I am interested in the need for a street trading licence for this operation as technically they would be on private land. I know authorities generally have responsibility for licencing hire or passenger boats on non-navigation stretches of water (ie the Abbey park length), but was unaware that it also covered trading generally. It would be interesting to know who has authority when it comes to navigations, as I can see a situation where a local authority and navigation authority could have different views on granting permission.

Whilst there are no other boats currently trading, there are some business's close by which potentially could be affected (only slightly in my opinion).

The operator needs to know the difference between the navigation they are licenced for and the non-navigation stretches of river were they need the riparian owner's permission (ie Abbey Park). For these areas they would need separate permission and possibly charges to operate.

They also need to state how they are to deal with any rubbish the business generates in the area of the towpath they are operating. LCC litter pick these areas and currently deliberately have a no litter bin policy.

They say they are mobile but make no indication from which location they will be travelling each day as it is illegal to remain moored in any one location for more than 48 hours.

-----Original Message-----

From: Susan Hall

Sent: 23 October 2012 10:58

To: Adrian Lane

Subject: RE: Mobile Trader - canal Boat

Hi

Our street trading policy for mobile operators states a trader can only stop in any one position for 5 minutes to attract trade and then however long it takes to serve the food to customers present.

On that basis, I don't see how it can work. It would take longer than that to moor securely before you can serve. I think they are more in the realm of remaining static for hours at a time in order to attract and carryout the business.

We have had two boats serving food operating in the city in the past. One primarily as a trip boat which served incidental food and also took bookings for longer trips that included meals. The other was a very short lived restaurant boat which customers hired to be served an exclusive meal for small groups.

A third boat operated for a brief period as a floating café just outside of the city boundary.

All now no longer operate.

Generally I support the principle and wouldn't want to prevent the business from setting up.

Adrian Lane,
Senior Riverside Officer,
Parks Services,
Lodge 2,
Victoria Park,



Leicester
City Council

Code of Practice for Mobile Street Traders

This Code of Practice applies to ice cream vans and mobile traders granted a street trading consent. Failure to comply with the Code of Practice may result in prosecution and/or the consent being revoked. Any reference to an ice cream van means a vehicle adapted for the sale of ice cream and which only sells ice cream, cold soft drinks and frozen lollipops.

Mode of Operation

Ice cream vans must:

- Move from position to position remaining stationary for no more than 5 minutes to initially attract customers and thereafter only long enough to serve customers present.
- Ensure that any stopping position does not infringe any parking or traffic requirements or cause obstruction of the highway, and does not present any dangers to other road users or pedestrians.
- Not stop within 100 metres of school grounds during the school day unless allowed to do so by a specific consent.
- Ensure that all conditions on the street trading consent are adhered to.
- Not trade within the inner ring road unless allowed to do so by a specific consent.

Mobile operators other than ice cream vans must:

- Move from position to position remaining stationary for no more than 5 minutes to initially attract customers and thereafter only long enough to serve customers present.
- Ensure that any stopping position does not infringe any parking or traffic requirements or cause obstruction of the highway, and does not present any dangers to other road users or pedestrians.
- Not stop in any 400 metre section of any street more than once in every two hours.
- Not stop within 400 metres of school grounds from an hour before the start of the school day until an hour after the end of the school day.
- Ensure that all conditions on the street trading consent are adhered to.

Sounding of Chimes (Based on the National Code of Practice)

Chimes and other audible signals should not be sounded:

- For longer than 4 seconds at a time – an automatic cut out should be used.
- When the vehicle is stationary.
- Except on approach to a selling point.

Version 3 approved 7 July 2009

In effect from 8 July 2009

Fees updated April 2010, November 2010 & April 2011

- When in sight of another mobile trader.
- Louder than 80 dB(A) at 7.5m.
- Before 12:00 or after 19:00 hours.