



Leicester
City Council

HEARING UNDER THE LICENSING ACT 2003

DATE: THURSDAY, 6 MARCH 2014

TIME: 9:30 am

**PLACE: THE COUNCIL CHAMBER - FIRST FLOOR, TOWN HALL,
TOWN HALL SQUARE, LEICESTER**

Members of the Hearing Panel

Councillors Byrne, Shelton and Naylor

Members of the Hearing Panel are summoned to attend the above meeting to consider the items of business listed overleaf.

for Monitoring Officer

Officer contact: Anita Popper
Democratic Support,
Leicester City Council
Town Hall, Town Hall Square, Leicester LE1 9BG
Tel: 0116 454 6358
email: anita.popper@leicester.gov.uk

INFORMATION FOR MEMBERS OF THE PUBLIC

ACCESS TO INFORMATION AND MEETINGS

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Dates of meetings are available at the Customer Service Centre, 91 Granby 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 454 6354 or email Angie.Smith@leicester.gov.uk or call in at the Town Hall.

Press Enquiries - please phone the Communications Unit on 0116 454 4150

PUBLIC SESSION

AGENDA

1. **APPOINTMENT OF CHAIR**
2. **APOLOGIES FOR ABSENCE**
3. **DECLARATIONS OF INTEREST**

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

4. **APPLICATION FOR A NEW PREMISES LICENCE: **Appendix A**
UNIT 22, 33 CANK STREET, LEICESTER LE1 5BG**

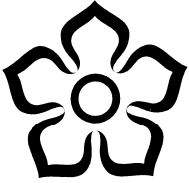
The Director of Environmental Services submits a report on an application for a new premises licence, Unit 22, 33 Cank Street, Leicester LE1 5BG.

Report attached. A copy of the associated documentation is attached for Members only. Further copies are available on the Council's website at www.cabinet.leicester.gov.uk or by phoning Democratic Support on 454 6358.

Please note that the supporting information to the report contains exempt information and is attached for Members only. These papers are marked "NOT FOR PUBLICATION". The information in these papers will be exempt as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended and it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. The information therefore must not be disclosed or discussed at the meeting. Should Members wish to refer to any of these details it is recommended that the meeting move to exclude the Press and Public during its consideration.

5. **ANY OTHER URGENT BUSINESS**

Appendix A



Leicester
City Council

WARDS AFFECTED
Castle

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:
Hearing under the Licensing Act 2003

6 March 2014

**Application for a new premises licence
Unit 22, 33 Cank Street, Leicester, LE1 5BG**

Report of the Director of Environmental Services

1. Purpose of Report

- 1.1. This report provides information for Members about an application made under the Licensing Act 2003, to assist them in determining the outcome of that application.

2. Determination to be made

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

3. Summary

- 3.1 This report outlines an application for a new premises licence for Unit 22, 33 Cank Street and summarises the representations received. It also highlights the licensing objectives, the relevant parts of the guidance and regulations, and the pertinent sections of the Licensing Authority's Licensing Policy.

4. Location Plan



5. Application

5.1 An application was received on 6 January 2014 from Mr Kalpesh Ruparell for a new premises licence for Unit 22, 33 Cank Street, Leicester. A copy of the application is attached at Appendix A.

5.2 The application is as follows:

Licensable activity	Proposed Hours
Live Music	Monday – Wednesday 12.00 – 00.00 Thursday – Saturday 12.00 – 02.00 Saturday – 10.00 – 02.00 Sunday – 10.00 – 00.00
Recorded Music	Monday – Wednesday 12.00 – 00.00 Thursday – Friday 12.00 – 02.00 Saturday – 10.00 – 02.00 Sunday – 10.00 – 00.00

Late night refreshment	Monday – Wednesday 23.00 – 00.00 Thursday – Saturday 23.00 – 02.00 Sunday – 23.00 – 00.00
Supply of Alcohol (for consumption on the premises)	Monday – Wednesday 12.00 – 00.00 Thursday – Friday 12.00 – 02.00 Saturday – 10.00 – 02.00 Sunday – 10.00 – 00.00
Opening hours	Monday – Wednesday 12.00 – 00.00 Thursday – Friday 12.00 – 02.00 Saturday – 10.00 – 02.00 Sunday – 10.00 – 00.00

6. Steps to Promote the Licensing Objectives

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

7. Live Music

- 7.1 The Live Music Act 2012 has amended the Licensing Act 2003 in relation to the provision of live music. Unamplified live music does not require a licence between 08.00 and 23.00 hours each day. Amplified music may be provided between 08.00 and 23.00 hours each day if:
- it is provided in a premises licensed and open for the sale of alcohol, to an audience of not more than 200 people; or
 - it is provided in a premises that is not licensed under the Licensing Act 2003 (other than solely for late night refreshment) but that is a workplace, to an audience of not more than 200 people.
- 7.2 The above exemptions may affect the application under consideration because conditions may not be imposed at this stage to control live music provided in the circumstances described above. However, if problems do occur as a result of live music then conditions may be imposed to control that music following the formal review process.

8. Representation

- 8.1 A representation was received on 15 January 2014 from Leicestershire Police. The representation relates to the prevention of crime and disorder and the protection of children from harm. Leicestershire Police are concerned that the premises is situated between two very busy areas and will attract through traffic. Leicestershire Police have contacted the applicant to request additional conditions to be applied to the licence A copy of the representation and agreement is attached is attached at Appendix B1.

8.2 Another representation was received on 6 February 2014 from a member of the public. The representation relates to prevention of crime and disorder and prevention of public nuisance. The representee is concerned that the unit is sited at the arched gateway to St Martins and is worried that groups of people will congregate in this area. A copy of this representation is attached at Appendix B2.

9. Conditions

9.1 The conditions that are consistent with the operating schedule and the representation are attached at Appendix C.

10. Statutory Guidance

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

Section	Heading
1.2 – 1.5	Licensing objectives and aims
1.15 – 1.17	General Principles – each application on its own merits
2.1 – 2.7	Crime & Disorder
2.18 – 2.24	Public nuisance
2.25 – 2.34	Protection of children from harm
3.11 – 3.18	Late night refreshment
8.34 – 8.42	Steps to promote the licensing objectives
9.12	Representations from the Police
9.27 – 9.37	Hearings
9.38 – 9.40	Determining actions that are appropriate for the promotion of the licensing objectives
10.1 – 10.5	Conditions - general
10.8 – 10.13	Imposed conditions
10.24 – 10.59	Mandatory conditions in relation to the supply of alcohol
13.42 – 13.43	Licensing Hours
15.10 – 15.22	Live music

11 Statement of Licensing Policy

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

Section	Heading
2	Fundamental Principles
5	Licensing Hours
7	Prevention of Crime and Disorder
9	Prevention of Public Nuisance
10	Protection of Children from Harm
11.4 – 11.5	Planning
12	Duplication

13	Standardised conditions
17	Live Music, Dancing, Theatre, Circuses and Street Arts

12 Points for Clarification

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

By the applicant

1. Whether the applicant considers that the concerns outlined in the representations are valid, and if not why not?
2. In the light of the representations made, does the applicant wish to propose any additional steps for the promotion of the licensing objectives?

By the party making the representation

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

13 Other Implications

OTHER IMPLICATIONS	YES/ NO	Paragraph/References Within Supporting information
Equal Opportunities	No	
Policy	No	
Sustainable and Environmental	No	
Crime and Disorder	Yes	Paragraph 8 relates to crime & disorder
Human Rights Act	No	
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

14 Background Papers – Local Government Act 1972

14.1 None

15 Consultations

15.1 The Licensing Authority is not obliged to consult any parties with regard to applications made under the Licensing Act 2003. However, the applicant is required to consult with the responsible authorities as set out in the 2003 Act.

16**Report Author**

Jean Arnold

Licensing Officer

0116 454 3049

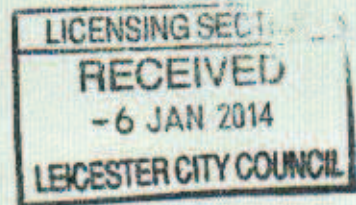
Jean.arnold@leicester.gov.uk

APPENDIX	CONTENT
A	Application
B	Representations/Agreement
C	Conditions consistent with application and representation / agreement



Leicester
City Council

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



3102
058029

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

MR KALPESH RUPARELL
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
UNIT 22 33 CANE STREET ST. MARTINS			
Post town	LEICESTER	Postcode	LE1 5BG
Telephone number at premises (if any)	N/A		
Non-domestic rateable value of premises	£ 15,750		

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
- i. as a limited company please complete section (B)
- ii. as a partnership please complete section (B)
- iii. as an unincorporated association or please complete section (B)

- iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname RUPARELL			First names KALPESH		
I am 18 years old or over			please tick yes		
Current postal address if different from premises address		[REDACTED]			
Post town	LEICESTER		Postcode	[REDACTED]	
Daytime contact telephone number		[REDACTED]			
E-mail address (optional)		[REDACTED]			

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			MIA		
First names			NIA		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address		N/A			
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

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

Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY

0	7	0	4	2	0	1	4
---	---	---	---	---	---	---	---

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

DD MM YYYY

+	+	+	+	+	+	+	+
---	---	---	---	---	---	---	---

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

1920'S VINTAGE COCKTAIL BAR, PRIMARY
 FUNCTION WILL BE SALE OF DRINKS ON SITE,
 ANCILLARY WILL BE THE SUPPLY OF COLD &
 REGENERATED BAR FOOD (NO PRIMARY COOKING)
 FULL TABLE SERVICE PROVIDED, WITH SEATED
 CAPACITY OF APPROX 30 COVERS

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

N/A

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

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

Provision of regulated entertainment

Please tick any that apply

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

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



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



In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
			NIA	Both	<input type="checkbox"/>
Mon				<u>Please give further details here</u> (please read guidance note 3)	
Tue			NIA		
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur				NIA	
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun				NIA	

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2) <p style="text-align: center;">N/A</p>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon			<p style="text-align: center;">N/A</p>		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur			<p style="text-align: center;">N/A</p>		
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat			<p style="text-align: center;">N/A</p>		
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			N/A
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			N/A
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			N/A
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>	
Day	Start	Finish		Outdoors	<input type="checkbox"/>	
Mon			NIA	Both	<input type="checkbox"/>	
Tue				NIA	Please give further details here (please read guidance note 3)	
Wed			NIA		State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)	
Thur				NIA	Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	
Fri			NIA			
Sat					NIA	
Sun						

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
	12:00	24:00			
Tue			LIVE MUSICIANS & VOCALIST, AMPLIFIED FOR SUBTLE BACKGROUND AMBIANCE		
	12:00	21:00			
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
	12:00	24:00			
Thur			N/A		
	12:00	24:00			
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
	00:00	02:00			
	12:00	24:00			
Sat			N/A		
	00:00	02:00			
	10:00	24:00			
Sun					
	00:00	02:00			
	10:00	24:00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3) PLAYING MP3B / CD / VINYL AMPLIFIED FOR SUBTLE BACKGROUND AMBIANCE	Both	<input type="checkbox"/>
	12:00	24:00			
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 4) N/A		
	12:00	24:00			
Wed					
	12:00	24:00			
Thur					
	12:00	24:00			
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
	00:00	02:00			
	12:00	24:00			
Sat			N/A		
	00:00	02:00			
	10:00	24:00			
Sun					
	00:00	02:00			
	10:00	24:00			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
			N/A		Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish			Please give further details here (please read guidance note 3)	
Mon			N/A			
Tue						
Wed			N/A			
Thur						
Fri			N/A			
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing <p style="text-align: center;">N/A</p>		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				<p style="text-align: center;">N/A</p>	Outdoors
					Both
Tue			Please give further details here (please read guidance note 3)		
Wed			<p style="text-align: center;">N/A</p>		
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri			<p style="text-align: center;">N/A</p>		
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun			<p style="text-align: center;">N/A</p>		

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
	23:00	24:00			
Tue			N/A		
	23:00	24:00			
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
	23:00	24:00			
Thur			N/A		
	23:00	24:00			
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
	06:00	02:00			
	23:00	24:00	N/A		
Sat					
	01:00	02:00			
	23:00	24:00			
Sun					
	00:00	02:00			
	23:00	24:00			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) N/A		
Mon	12:00	24:00			
Tue	12:00	24:00			
Wed	12:00	24:00			
Thur	12:00	24:00			
Fri	00:00	02:00			
	12:00	24:00			
Sat	00:00	02:00			
	10:00	24:00			
Sun	00:00	02:00			
	10:00	24:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) N/A.		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name	MR KALPESH RUPARELL	
Address	[REDACTED]	
Postcode	[REDACTED]	
Personal licence n	[REDACTED]	
Issuing licensing authority (if known)	LEICESTER CITY COUNCIL	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon			N/A
	12:00	24:00	
Tue			
	12:00	24:00	
Wed			
	12:00	24:00	
Thur			
	12:00	24:00	
Fri	00:00	02:00	
	12:00	24:00	
Sat	00:00	02:00	
	10:00	24:00	
Sun	00:00	02:00	
	10:00	24:00	

N/A

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

a) **General** - all four licensing objectives (b, c, d and e) (please read guidance note 9)

- MEET REQUIREMENTS OF THE LICENSING ACT 2003
- PRODUCE OPERATING SCHEDULE
- DETAIL STEPS TAKEN TO PROMOTE LICENSING OBJECTIVES, SET OUT BELOW.

b) **The prevention of crime and disorder**

- INSTALL CCTV INSIDE & IMMEDIATELY OUTSIDE PREMISES
- SIA TRAINED DOOR SUPERVISORS
- PROMOTE STAFF TRAINING UP TO LEVEL 1 IN RESPONSIBLE ALCOHOL RETAIL
- SUBJECTIVE JUDGMENT ON DRINKS PROMOTIONS

c) **Public safety**

- ENSURE COMPLIANCE OF LEGISLATIVE AND REGULATORY GUIDELINES I.E. HEALTH AND SAFETY AT WORK ACT.
- SET A CAPACITY LIMIT OF PREMISES
- PROVISION OF STAFF TO CONTROL CUSTOMERS ON PREMISES

d) **The prevention of public nuisance**

- CARRY OUT RISK ASSESSMENT TO DETERMINE THE POTENTIAL EFFECT ON NEIGHBOURING PREMISES, AND TAKE NECESSARY STEPS
- TAKE STEPS TO PREVENT NOISE DISTURBANCE AND ANTI SOCIAL BEHAVIOUR FROM PEOPLE ARRIVING AND LEAVING

e) **The protection of children from harm**

- LIMIT HOURS WHERE CHILDREN MAY BE PRESENT TO 9PM
 - A REQUIREMENT FOR AN ACCOMPANYING ADULT.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature	[REDACTED]
Date	[REDACTED]
Capacity	APPLICANT

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	N/A
Date	N/A
Capacity	N/A

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

MR KALPESH RUPARELL

[Redacted]		[Redacted]	
Post town	LEICESTER	Postcode	[Redacted]
Telephone number (if any)		[Redacted]	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[Redacted]			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

WHITE COPY - FITTER
 BLUE COPY - CUSTOMER
 PINK COPY - SHOP

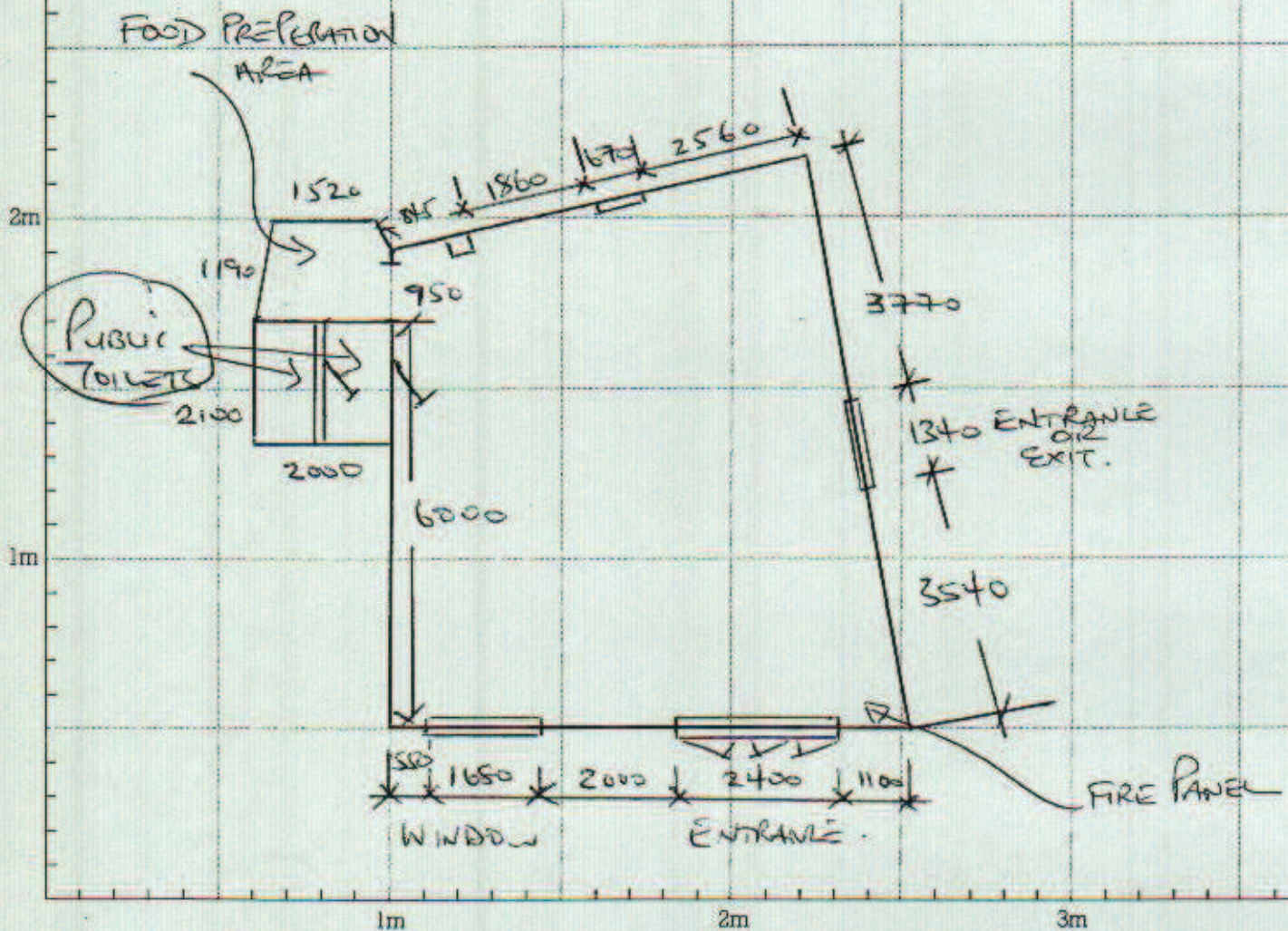
I FULLY UNDERSTAND THE PLAN BELOW AND
 ACCEPT THE SPECIFICATIONS

SIGNED:

DATE

PLEASE INDICATE OUT
 THIS DRAWING IS AN IMP

SCALE 1:100
 UNIT 22
 33 CANE STREET
 ST. MARTINS
 LEICESTER
 LE1 5BG



SPECIFICATION

SPECIAL REQUIREMENTS

SPECIFICATION	ELECTRICAL	RESPONSIBILITY	CONSTRUCTIONAL	RESPONSE
RANGE:		US CUSTOMER		US
COLOUR:		<input type="checkbox"/> US <input type="checkbox"/> CUSTOMER		<input type="checkbox"/>
WORKTOPS:		<input type="checkbox"/>		<input type="checkbox"/>
COLOUR:				
CORNICE			GAS CONNECTIONS	<input type="checkbox"/>
PELMET:				
WALL PANELS	PLUMBING	<input type="checkbox"/> <input type="checkbox"/>		
BASE PANELS - LEFT			TILING PER SQ ²	<input type="checkbox"/>
BASE PANELS - RIGHT				
WORKTOP JOINTS:				

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

MR KALPESH RUPARELL
[name of applicant]

concerning the supply of alcohol at

UNIT 72
33 CANK STREET
ST. MARTINS
LEICESTER
LE1 5BG.

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

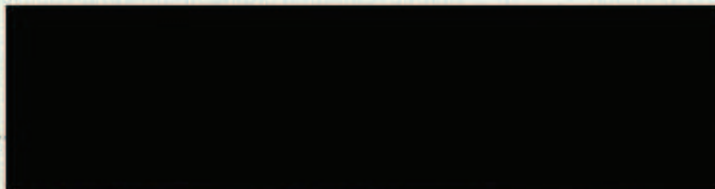
Personal licence number

LEIPRS2641
[insert personal licence number, if any]

Personal licence issuing authority

LEICESTER CITY COUNCIL
[insert name and address and telephone number of personal licence issuing authority, if any]

Signed



Name (please print)

KALPESH RUPARELL

Date

01/01/14

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

Document is Restricted



Leicestershire Police

Appendix B1

Licensing Act 2003 – Representation in respect of New Premises Application

Details of person or body making representation	
Your Name:	PC 247 Mavani
Your Address:	City Licensing Unit, Mansfield House, 74 Belgrave Gate, Leicester LE1 3GG

Details of premises representation is about	
Name of Premises:	
Address of premises:	Unit 22 33 Cank Street Leicester LE1 5BG
Application No. (if known)	

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

Please summarise your concerns about this application:
I write in my capacity as Licensing Officer for Leicestershire Police on the authority delegated to me by the Chief Officer of Police.
Please take notice that I am satisfied that allowing the premises to be used in accordance with the notice would undermine the Crime & Disorder Prevention/Protection of Children from Harm.
We would like to submit our representations for this premises application based upon the above stated licensing objectives.
This premises is within the night time economy areas and is situated between two very busy areas of the economy and will attract through traffic.

It is also in a fairly isolated area which may leave it vulnerable and we believe that along with the conditions that have been offered up in the operating schedule and the tightening of wording will assist in promoting the licensing objectives.

We believe that adding the below conditions along with those attached to the operating schedule will assist in upholding the licensing objectives:

- 1) All licensable activities and closing time will be reduced to 23:00hrs on Sundays
- 2) The licence holder will employ SIA registered security to deal with any likely contingency
- 3) The licence holder will ensure that CCTV is installed following advice from the Leicestershire Police, recording during all hours licensable activities are allowed and maintained in accordance with the Information Commissioner's CCTV Code of Practice.
- 4) CCTV will be kept for a minimum of 28 days and made available upon request to responsible authorities.
- 5) The licence holder will be a member of the local City Watch Scheme.

PC 247 Mavani
Licensing Officer
Leicestershire Police
12/01/2014



Leicestershire
Police

Protecting our communities

City Licensing Unit
Mansfield House
74 Belgrave Gate
Leicester LE1 3GG

Tel: 101 Ext 4697

www.leics.police.uk

**Licensing Act 2003
Premises Licence Application
Notification to Local Authority of Agreement Regarding Police Representations.**

Licensing Authority,
Leicester City Council,
Environment and Development,
Block A, New walk Centre,
Welford Place,
LEICESTER
LE1 6ZG

13 January 2014

Dear Sirs,

Licensing Act 2003 – Unit 22, 33 Cank Street, Leicester.

I write in my capacity as the licensing officer for the Leicestershire Police.

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

I have current representations submitted with yourselves that the following condition/s should be placed upon the new licence:

- 1) All licensable activities and closing time will be reduced to 23:00hrs on Sundays
- 2) The licence holder will employ SIA registered security to deal with any likely contingency
- 3) The licence holder will ensure that CCTV is installed following advice from the Leicestershire Police, recording during all hours licensable activities are allowed and maintained in accordance with the Information Commissioner's CCTV Code of Practice.
- 4) CCTV will be kept for a minimum of 28 days and made available upon request to responsible authorities.
- 5) The licence holder will be a member of the local City Watch Scheme.

I enclose a notice of agreement signed by the applicant.

If this is acceptable I do not consider that a hearing is necessary.

Yours faithfully,

Signed

PC 247 Mavani



Appendix B

Licensing Act 2003
Premises Licence Application
Notification to Local Authority of Agreement Regarding Police Representations.

Licensing Authority,
Leicester City Council,
Environment and Development,
Block A, New walk Centre,
Welford Place,
LEICESTER
LE1 6ZG

13 January, 2014

Dear Sir,

Unit 22, 33 Cank Street, Leicester.

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

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

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

- 1) All licensable activities and closing time will be reduced to 23:00hrs on Sundays
- 2) The licence holder will employ SIA registered security to deal with any likely contingency
- 3) The licence holder will ensure that CCTV is installed following advice from the Leicestershire Police, recording during all hours licensable activities are allowed and maintained in accordance with the Information Commissioner's CCTV Code of Practice.
- 4) CCTV will be kept for a minimum of 28 days and made available upon request to responsible authorities.
- 5) The licence holder will be a member of the local City Watch Scheme.

I agree to these conditions and do not therefore consider that a hearing is necessary.

Yours faithfully

Signed

block capitals KALPESH RUPARELL

Jean Arnold

From: Licensing
Sent: 07 February 2014 10:15
To: Jean Arnold
Subject: FW: Re: New Premises Licence application - Unit 22, 33 Cank St.

From: The Case [REDACTED]
Sent: 07 February 2014 09:50
To: Licensing
Subject: Fwd: Re: New Premises Licence application - Unit 22, 33 Cank St.

Dear Sirs

Copy of Objection sent last night

Kind regards
[REDACTED]

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

Subject: Re: New Premises Licence application - Unit 22, 33 Cank St.
Date: Thu, 06 Feb 2014 19:34:51 +0000
From: The Case [REDACTED]
To: Susan Hall [REDACTED]

Dear Ms Susan Hall,

Thank you for your help earlier today in clearing up the fact that you thought February 3rd was the closing date and February 6th is correct.

I hereby object to the licensing application for Unit 22 Cank Street, St Martins LE1 5BG.

The location of the unit is sited at the arched gateway to St Martins shopping centre. The three main doors of the unit open out into the covered passage way, clearly all inevitable groups of smokers will utilise this cover and if any application for outside seating is applied for it will restrict the flow of pedestrians even more, especially as I regularly see the police emergency attending the St Martins venue Canvas with various public safety issues.

I would also be interested to learn about the intended opening hours, which are not clear in section 'L' eg. what time is 24:00 and if this means midnight then what does 00:00 refer to?

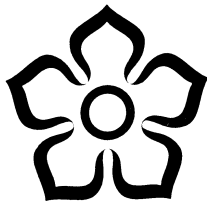
The archway is the major access to an eclectic mix of shops, Pizza Express and Ask, busy family and children party focussed venues and given my knowledge, grounded in 24 years of being in the vicinity, I know that the possible safety/smoking/language issues would impact greatly. For example with The Market Tavern and Square Bar, we have already had to suffer these same disturbances which are on record with yourselves, the police and the court.

I have already reported a venue called Canvas, within St Martins, which

APPENDIX C

CONDITIONS

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE
The licence holder will install CCTV inside and immediately outside of the premises.
The licence holder will employ SIA trained door supervisors.
The licence holder will promote staff training up to Level 1 in responsible alcohol retail.
The licence holder will carry out a risk assessment to determine the potential effect on neighbouring premises and take necessary steps to limit any negative impact in relation to public nuisance
The licence holder will take steps to prevent noise disturbance and anti social behaviour from customers arriving and leaving.
Children will not be allowed on the premises from 9pm until closing.
CONDITIONS CONSISTENT WITH THE REPRESENTATION FROM LEICESTERSHIRE CONSTABULARY
All licensable activities and closing time will be reduced to 23.00hrs on Sundays.
The licence holder will employ SIA registered security to deal with any likely contingency.
The licence holder will ensure that CCTV is installed following advice from the Leicestershire Police, recording during all hours licensable activities are allowed and maintained in accordance with the Information Commissioner's CCTV Code of Practice.
CCTV will be kept for a minimum of 28 days and made available upon request to responsible authorities.
The licence holder will be a member of the local City Watch Scheme.



Leicester
City Council

SECOND DESPATCH

HEARING UNDER THE LICENSING ACT 2003

6 MARCH 2014

ADDITIONAL INFORMATION

Further to the agenda for the above meeting which you should have already received, please find attached additional information for the following hearing, which has just been received.

APPLICATION FOR A NEW PREMISES LICENCE: Unit 22, 33 Cank Street, Leicester LE1 5BG

Documentary Evidence of Mr K Ruparell.

Anita Popper
Democratic Support: Internal 37 6358
External 0116 454 6358

Appendix D

Application for a new premises licence

Unit 22, 33 Cank Street, Leicester, LE1 5BG

Documentary Evidence: 6th March 2014 Mr K. Ruparell

Summary

33 Cank St, a 1920's vintage cocktail bar showcasing premium cocktails (both alcoholic and non-alcoholic), local and craft bottles beers and a selection of fine wines. Food will be served throughout service, ranging from complimentary canapés, bar snacks and sharing platters. With jazz and soul music and the availability of table service, we aim to create a relaxed feel and experience for our customers.

The layout, small occupancy, premium products and service itself will appeal to people that we are trying to encourage back into the city centre. The food offering will encourage customers to eat whilst drinking and where table service is available complimentary water will be automatically be offered and kept replenished.

This will be my first venture as an entrepreneur after 12 years of managing bars and restaurants in the UK and Australia, please see Appendix A for a character reference from my current employer. I consider this to be my vocation will be personally investing £75k into funding this start-up project.

In order to meet the licencing objective I will be taking steps as outlined in my application and in addition to this have agreed to implement the recommendations made by PC TJ Mavani. Appendix B shows a layout drawing with proposed CCTV, which would provide additional recordings currently not covered by city centre CCTV.

In specific relation to objections made by Mr David Hartshorn of the Case Restaurant & Champagne Bar I would like to propose additional steps to promote the prevention of crime and disorder and of public nuisance by the addition of a gated terrace space.

The facia of the building will feature window boxes and hanging baskets to create a welcoming entranceway to the St. Martins scheme.

33 Cank St will revitalise a listed building that has sadly been empty for over 4 yrs., creating up to 5 jobs.

My venue will add to the independent feel that makes the city centre unique and will be a great addition to St Martins, this is supported overwhelming by existing tenants (Appendix D).

Representation to be made on my behalf: Mr John Husain, Barceloneta & Bar Dos Hermanos, Queens Rd, Leicester

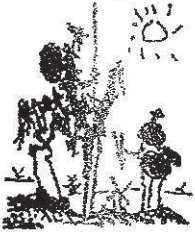
Terrace Space & additional steps

The unit currently has two Entrance/Exit doors (Appendix B & C), the Cank Street entrance will be used by customers, who will not be able to gain entry or exit from the St. Martins doorway. I would like to propose the creation of a outside seating terrace please refer to Appendix C. This terrace will be formed by a series of portable "interlocking gates", which can be set out specifically during trading hours. These gates will feature a design in keeping with the façade of the building. They will also serve a dual purpose, as they will be internally secured to all doorways and windows of the building to provide additional security after close. The terrace will run to the length of the building and being 1.5m in width, represents less that a third of the total size of the St. Martins archway access. I have had discussions with the landlords, who are happy with this proposal and are satisfied this will not impact on the thoroughfare for pedestrians and shoppers into St. Martins.

This proposal will mean that we can have tighter control on customers entering and leaving the venue which is in clear view and close proximity to the serving area, and the creation of a designated outside area, which will prevent overspill into the archway.

I have also begun the process of personally gaining a SIA door supervision licence.

APPENDIX	CONTENT
A	Professional & Character reference
B	Layout diagram and CCTV
C	Outside terrace
D	St. Martins tenants letter of support



BARCELONETA

CASA FUNDADA EN 1989

54 Queens Road Clarendon Park Leicester LE2 1TU Tel 0116 2708408



25th February 2014

RE: 33 Cank Street Premises licence application

To Whom It May Concern:

As the licensee & proprietor of many venues in Leicester for the last 30yr, please accept this as a letter of support for a Premises licence application made by Mr Kalpesh Ruparell

Kal has work for us as Bar Manager at Barceloneta & Bar Dos Hermanos for the last 6yrs. In that time he has ran the venue in a professional manner and has upheld and promoted all licencing objectives.

He has personally helped to develop and implement company policies and trained staff which has ensured that we meet all licencing criteria and as a result have gained Best Bar None accreditation year-on-year.

This concept, experience and passion would be an exciting addition the the city centre and the type of clientele he hopes to attract will help boost trade for all of those around.

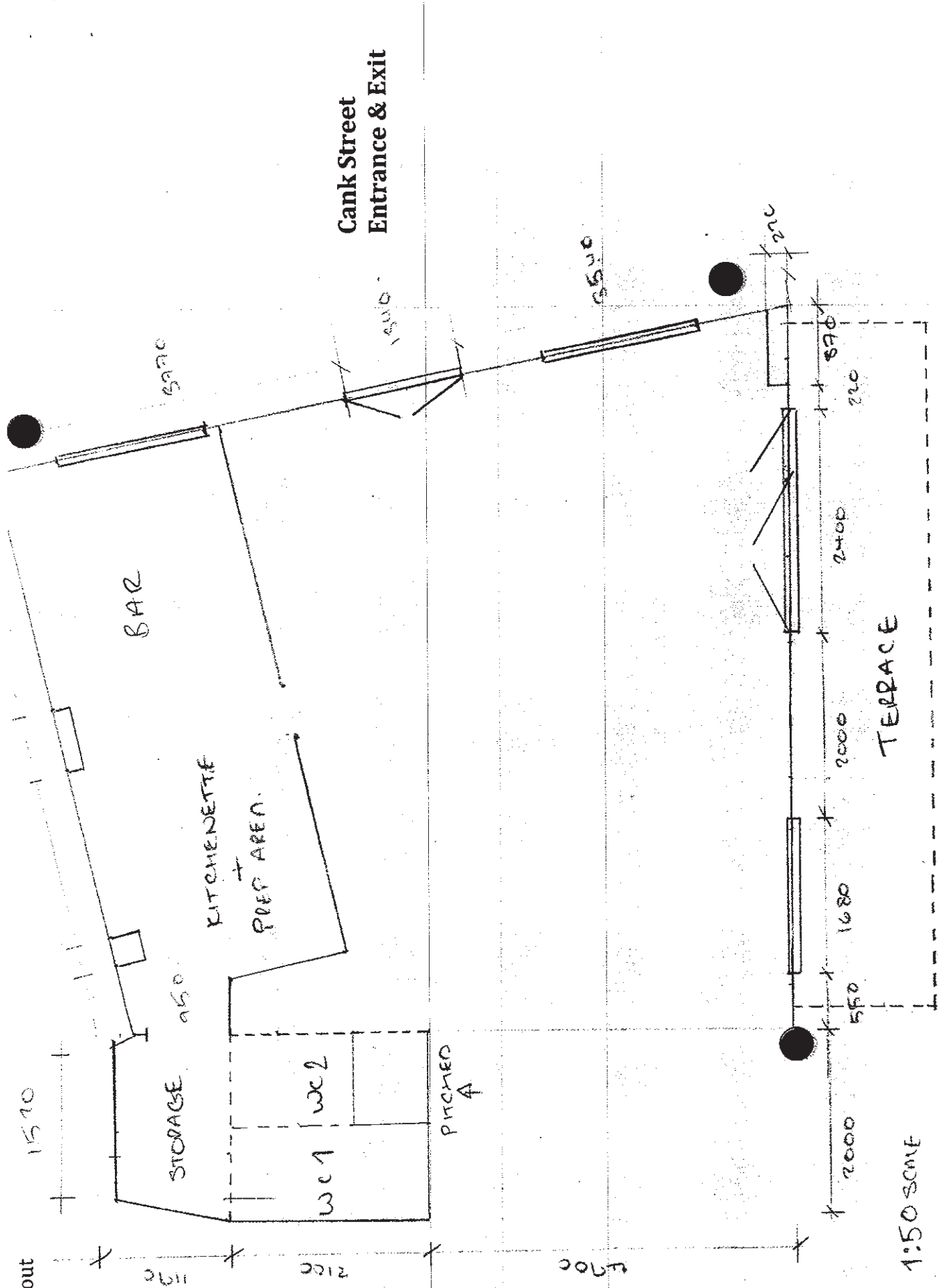
Please don't hesitate to contact me if you require any more help regarding this matter.

Regards

Mr John Husain
Barceloneta



Appendix B: Layout

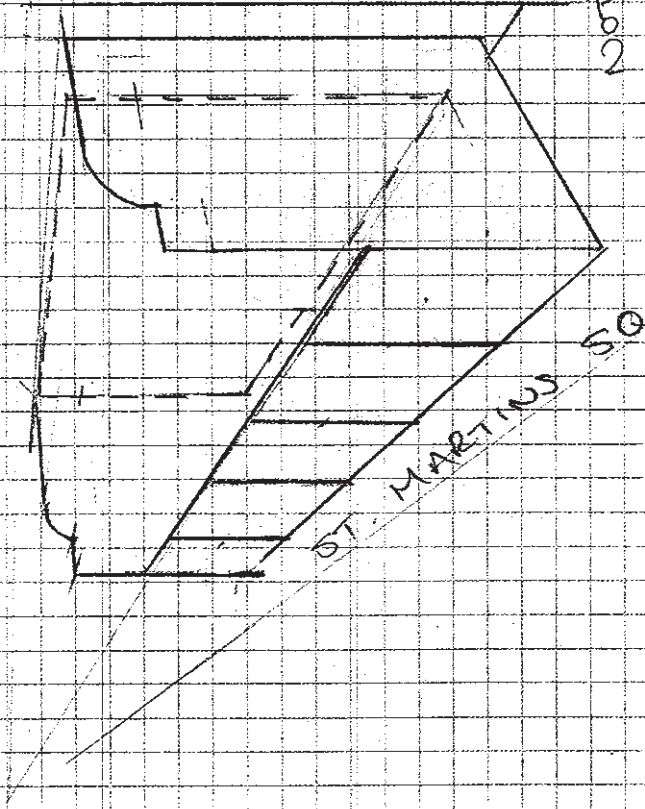


Key: CCTV



APPENDIX C: TERRACE

OUTSIDE SEATING : 3D PERSPECTIVE



NOT TO SCALE



APPENDIX D

Dear Leicester City Council Licensing Committee

All the undersigned being tenants of St. Martins square, fully endorse the proposed concept by Mr Kalpesh Ruparell at Unit 22, 33 Cank Street, St. Martins.

We feel it will be a great addition to the scheme and the city centre as a whole due to its uniqueness and will be occupying a unit that has lain empty for over 4 years.

Thank You

Name	Business	Signature
TRACY BREVILL	Brides of Bond St.	[REDACTED]
WALTER NEWCOMBE	SHORTY'S BAKERS	[REDACTED]
CLARE REYNOLDS.	BEAU NOUVEAU.	[REDACTED]
JOANNE NEESON-SMITH	POLLYS	[REDACTED]
ZOE EVANS	SWEATER STOP	[REDACTED]
TIM HUDSON	FUTURE CYCLES	[REDACTED]
ELLIOTT CLARKE	ST Martins Tea + Coffee	[REDACTED]
J Macdonald Walker	Watch this Space Doukhe	[REDACTED]
BIACE EDWARDS	FLAPJACKS & GENTLEMEN	[REDACTED]
ARFANI SHAFI	OMEGA 3 2GO	[REDACTED]
ALEX VOSE	PANASONIC STORE	[REDACTED]

