

Leicester
City Council

HEARING UNDER THE LICENSING ACT 2003

DATE: WEDNESDAY, 14 MAY 2014

TIME: 9:30 am

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

Members of the Hearing Panel

Councillors Dr. Barton, Riyait and Thomas

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: Angie Smith
Democratic Support,
Leicester City Council
Town Hall, Town Hall Square, Leicester LE1 9BG
Tel: 0116 454 6354
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.

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, 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**

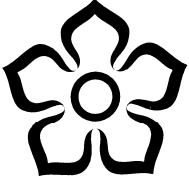
Members are asked to declare any interests they may have in the business to be discussed.

4. **OBJECTION NOTICE GIVEN FOR A TEMPORARY EVENT NOTICE: FORMERLY LEICESTER INTERNATIONAL HOTEL, 57 RUTLAND STREET, LEICESTER** **APPENDIX A**

Report attached. A copy of the associated documentation is attached for Members only. Further copies are available on the Councils website at www.cabinet.leicester.gov.uk or by phoning Democratic Support on 454 6354.

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

14 May 2014

Objection notice given for a Temporary Event Notice Formerly Leicester International Hotel, 57 Rutland Street, Leicester

Report of the Director of Environmental Services

1. Purpose of Report

- 1.1. This report provides information for Members about an objection notice received in relation to a temporary event notice (TEN) given under the Licensing Act 2003, to assist them in determining the outcome.

2. Determination to be made

- 2.1. Having considered the temporary event notice and the objection notice, Members must consider whether to
- Give the premises user a counter notice under Section 105 (2) of the Licensing Act 2003 if it is considered appropriate for the promotion of a licensing objective to do so; or
 - Impose one or more conditions on the temporary event notice if:
 - it is appropriate for the promotion of the licensing objectives to do so, and
 - the condition(s) are also imposed on a premises licence or club premises certificate that has effect in relation to all or part of the same premises as the temporary, and
 - the condition(s) would not be inconsistent with the carrying out of the licensable activities under the temporary event notice; or
 - Disregard the objection notice

3. Summary

- 3.1 This report outlines an objection notice given by the Noise Team in response to a temporary event notice given by Mr Oliver Snedker for the premises formerly known as Leicester International Hotel. 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.

6. Objection notice

- 6.1 An objection notice was received on 1st May 2014 from the Noise Team on the grounds of public safety. A copy of the objection notice is attached at Appendix B.

7. Existing premises licence

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

8. Statutory Guidance

- 8.1 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 relevant parts of the guidance in this case are as follows:

Section	Heading
7.2 – 7.6	TEN – General
7.24 – 7.30	Role of the Licensing Authority
7.31 – 7.35	Police and Environmental Health intervention
7.37 – 7.38	Applying conditions to a TEN

9. Statement of Licensing Policy

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

Section	Heading
2	Fundamental Principles
15	Temporary Event Notices

10. Other Implications

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

11. Background Papers – Local Government Act 1972

- a. None

12. Consultations

- a. As this application was received electronically, the Licensing Authority was required to consult with the relevant responsible authorities as set out in the Licensing Act 2003.

13. Report Author

Amy Day
Licensing Officer
0116 454 3054
Amy.day@leicester.gov.uk

APPENDIX	CONTENT
A	Temporary event notice
B	Objection notice



Leicester
Application for a Temporary Event Notice
Licensing Act 2003

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

* required information

Section 1 of 0

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

System reference	<input type="text" value="Not Currently In Use"/>	This is the unique reference for this application generated by the system.
Your reference	<input type="text" value="ZE Hotel"/>	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

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

Applicant Details

First name	<input type="text" value="Oliver"/>	
Family name	<input type="text" value="Snedker"/>	
E-mail address	<input type="text" value="[REDACTED]"/>	
Main telephone number	<input type="text" value="[REDACTED]"/>	Include country code.
Other telephone number	<input type="text"/>	

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

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

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

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Registration number	<input type="text" value="8342743"/>	
Business name	<input type="text" value="Requiem Live Limited"/>	If your business is registered, use its registered name.
VAT number	<input type="text" value="- none"/>	Put "none" if you are not registered for VAT.
Legal status	<input type="text" value="Private Limited Company"/>	

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 0

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

Have you had any previous or maiden names?

Yes No

Your date of birth

Applicant must be 18 years of age or older

National Insurance number

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

Place of birth

Correspondence Address

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

Yes No

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

Additional Contact Details

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

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

Yes

No

E-mail

Telephone number

Other telephone number

Section 3 of 0

THE PREMISES

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

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

Does the premises have an address?

Yes

No

Address

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

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

Yes

No

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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

Neither

Premises licence

Club premises certificate

Location Details

Provide further details about the location of the event.

Leicester International Hotel - no longer used as a hotel.

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

Only the ground floor is to be used for licensable activities. The room to be used is a restricted space within the complex

Continued from previous page...

near the entrance to Rutland Street.

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

The entrance to Rutland Street will be the only entrance/exit for patrons on the night.

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

A Zombie house of horrors event where patrons follow a pre-planned route in the building and are scared by actors dressed up as Zombies. The event will take place from 7pm to approximately 12:30am. We have conducted city wide events before in Leicester. However, this event is restricted to one building alone. There will be the provision of soft drinks, alcoholic drinks and snacks at the end of the event. Alcoholic drinks will only be on sale after 9pm when the last group of under 18's have left the premises. After 8pm only over 18's are permitted into the venue. There will be the playing of recorded music.

Section 4 of 0

LICENSABLE ACTIVITIES

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

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

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

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

Event Dates

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

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

(see also guidance on completing the form, note 8)

Event start date: / /
dd mm yyyy

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

Event end date: / /
dd mm yyyy

Continued from previous page...

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

21:00 to 02:00

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

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

499

Note that the maximum number of people cannot exceed 499.

(see also guidance on completing the form, note 10)

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

(see also guidance on completing the form, note 11):

- On the premises only
 Off the premises only
 Both

Section 5 of 0

PERSONAL LICENCE HOLDERS (See also guidance on completing the form, note 12)

Do you currently hold a valid personal licence?

- Yes No

Section 6 of 0

PREVIOUS TEMPORARY EVENT NOTICES (See also guidance on completing the form, note 13)

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

- Yes No

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

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

Continued from previous page...

Section 7 of 0

ASSOCIATES AND BUSINESS COLLEAGUES (See also guidance on completing the form, note 14)

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

Yes

No

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

- a) Ends 24 hours or less before; or
- b) Begins 24 hours or less after the event period proposed in this notice?

Yes

No

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

Yes

No

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

- a) Ends 24 hours or less before; or
- b) Begins 24 hours or less after the event period proposed in this notice?

Yes

No

Section 8 of 0

CONDITION

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 4 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

(See also guidance on completing the form, note 16)

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £21

DECLARATION

Continued from previous page...

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Full name	<input type="text" value="Oliver Snedker"/>
Capacity	<input type="text" value="Finance Director"/>
Date	<input type="text" value="29"/> / <input type="text" value="04"/> / <input type="text" value="2014"/> dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/leicester/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

OFFICE USE ONLY

Applicant reference number	<input type="text" value="ZE Hotel"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

< Previous 1 2 3 4 5 6 7 8 Next >



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

Details of Relevant Authority
Name and Job Title: Andrew Sansome, Pollution Control Officer
Address: Noise Team, Leicester City Council, A4, New Walk Centre, Welford Place, Leicester. LE1 6ZG
Phone Number: 0116 454 3061
Fax Number: 0116 252 6444

Details of Premises Representation is about
Name of Premises: Leicester International Hotel
Address: 57 Rutland Street, Leicester, LE1 1SF
Application Number: 061048
Our Reference: 14/05711/PNCNLT

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

Representation

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

REASONS

The event building has been undergoing extensive internal remediation works. These works appear to have stalled before completion. I therefore have concerns that there is a risk to public safety due to the state of the structure, provision of electrical power and the lack of sufficient emergency measures.

Leicester City Council Building Regulations Officers have provided the following opinion.

"Based on our previous involvement with the building in respect of the partial demolition to its Humberstone Road elevation and stripping out throughout the building, I doubt very much whether the building or part of it is fit for purpose to hold such an event. The fact that they only wish to use one entrance / exit should set the alarm bells ringing. I would refer this to the LFRS for their input as I would not expect adequate fire precautions or a proper management strategy to be in place etc."

I have spoken with the applicant who states that they are working with the property management to enable access and use of the ground, first and second floors of the property.

Mains electrical power is currently only available to the ground floor.

The applicant has indicated that a risk assessment for the event as yet to be completed prior to the event.

I therefore recommend that unless the applicant can adequately demonstrate that there are sufficient measures in place to protect Public Safety throughout the duration of the event that the TEN be refused.

I have informed the applicant of my objection to this application.

Send / email to:

- 1) Licensing Officer (NAME)
Licensing
New Walk Centre
Leicester
LE1 6ZG
- 2) Applicant
- 3) Leicestershire Police (liquor.licensing@leicestershire.pnn.police.uk)