

Leicester  
City Council

WARD: Castle

LICENSING ENFORCEMENT SUB-COMMITTEE

3rd September 2019

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APPLICATION FOR THE GRANT OF A HIGHWAYS AMENITIES LICENCE  
(STREET CAFÉ)  
MUM'S COFFEE SHOP, 2-3 HANNAM COURT,  
CHARLES STREET, LEICESTER. LE1 3FS

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**Report of the Director (Neighbourhood & Environmental Services)**

**1. Purpose of the Report**

To determine an application for the grant of a Highways Amenities Licence for a Street Café for premises to be known as Mum's Coffee Shop, 2-3 Hannam Court, Charles Street, Leicester. The applicant is a Miss Verity Stratford.

**2. Options for the Sub-Committee**

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 to grant the application it should be subject to the standard conditions applicable to Highway Amenities Licences.

(2) Grant subject to special conditions

The Sub-Committee may grant the application 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 comments put forward by the applicant and any other information provided in the report.

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

### 3. Financial Implications

None.

### 4. Report

On the 1<sup>st</sup> July 2019 an application was submitted by Verity Stratford, proprietor of Mum's Coffee Shop for the grant of a Highway Amenities Licence (Street Café).

The premises is situated within a row of shops on Charles Street and opposite the newly built Haymarket bus station. In past years, the site was previously occupied by Coombs Bakery. Also on this part of Charles Street is the entrance to Hannam Court. Hannam Court is a residential block of flats, consisting of 41 flats that span above the shops on this part of Charles Street.

The applicant submitted a plan which detailed five tables and twenty chairs, to be placed in front of the premises and on both sides of the front door. The tables and chairs are to be contained within the requested area, sectioned off by barriers.

The applicant has requested to use the street café between the following hours:

08:00hrs – 23:00hrs on Monday to Saturday  
11:00hrs – 23:00hrs on Sunday

On 15<sup>th</sup> July 2019, letters of consultation were sent to surrounding businesses within the area to advise them of the application and a public notice was prominently displayed on the premises itself. Access to Hannam Court was not possible and as a result, a consultation letter was securely attached to either side of the main entry door. This was checked to ensure it remained in situ throughout the consultation period. Any objections were to be received no later than 28 days from the date of the notice. Consultations were also carried out with Councillors who represent the Castle Ward of the city, Leicestershire Police, Leicestershire Fire & Rescue Service, Noise Pollution, Planning, Public Safety and Highway/Traffic Management.

Within the representation period, there were a total of ten objections, all from residents of Hannam Court. All objections were accepted as being 'relevant' to the application. The objections raise concerns about the times requested for the seating area and the implications of noise from the users of the street café. All objections are attached to this report and detailed in the appendix list below.

The response received from the applicant is also attached to this report which seeks to address the objector's concerns.

The following documents are attached to this report:

Appendix A	Application for street café (2 pages)
Appendix B	Proposed plan of street café (1 page)
Appendix C	Photographs of the premises (3 pages)
Appendix D	Resident of Hannam Court (1 page)
Appendix E	Resident of Hannam Court (1 page)
Appendix F	Resident of Hannam Court (1 page)
Appendix G	Resident of Hannam Court (1 page)
Appendix H	Resident of Hannam Court (1 page)
Appendix I	Resident of Hannam Court (1 page)
Appendix J	Resident of Hannam Court (1 page)
Appendix K	Resident of Hannam Court (1 page)
Appendix L	Resident of Hannam Court (1 page)
Appendix M	Resident of Hannam Court (1 page)

## **5. Policy Guidelines**

The overall policy on Street Cafes is to encourage more restaurants, cafes and public houses to have more outside activity in the street which would give an ambience that makes the City more attractive to visitors and residents alike. If an objection is received, the Sub-Committee should take into account the impact a street café may have on residents and any surrounding businesses in the area.

## **6. 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 no right of appeal against the refusal to grant a Highway Amenities Licence.

## **7. Crime and Disorder implications**

None.

## **8. Consultations**

Councillors who represent the relevant Ward of the area, Leicestershire Police, Noise Pollution, Planning, Leicestershire Fire & Rescue Service, Public Safety and Highway/Traffic Management Residents and Businesses within the area.

## **9. Reason for Treating the Report as “Not for Publication”**

None

## **10. Officer to Contact**

Toni Tidmarsh  
Licensing Authority  
0116 4542039  
eh.1480.tt

Our Ref:SC127878085

Date: 2019-06-30

**Street café licensing application****Information submitted to Licensing Authority at Leicester City Council****Type of application:** New licence: £278**Customer****Contact details:**

Title	First name	Surname	Phone number	Mobile number	Email address
Miss.	verity	stratford	[REDACTED]	[REDACTED]	[REDACTED]

**Address:**

Flat	House Number	Street	Town	County	Postcode
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

**Description of premises:** cafe, coffee shop, hot and cold food to eat in or take away**Proposed licence days and times:** mon-8am-11pm

tues-8am-11pm

wed-8am-11pm

thur-8am-11pm

fri-8am-11pm

sat-8am-11pm

sun-11am-11pm

**Additional information:****Supporting documents****Proof of your valid ID with a photo:**IMG\_0661.JPG**Valid public liability insurance certificate:** COBI2234496XB-Mum's coffee shop-Business-Certificate of insurance.pdf**Detailed (proposed) plan of the street café:**cafe map.jpg,IMG\_8746 5.JPG**Pictures of tables and chairs or barrier type/design:** IMG\_8746.JPG,IMG\_2090.JPG**Additional information to support the application:**there is a total of

5 tables

20 chairs

6 banners

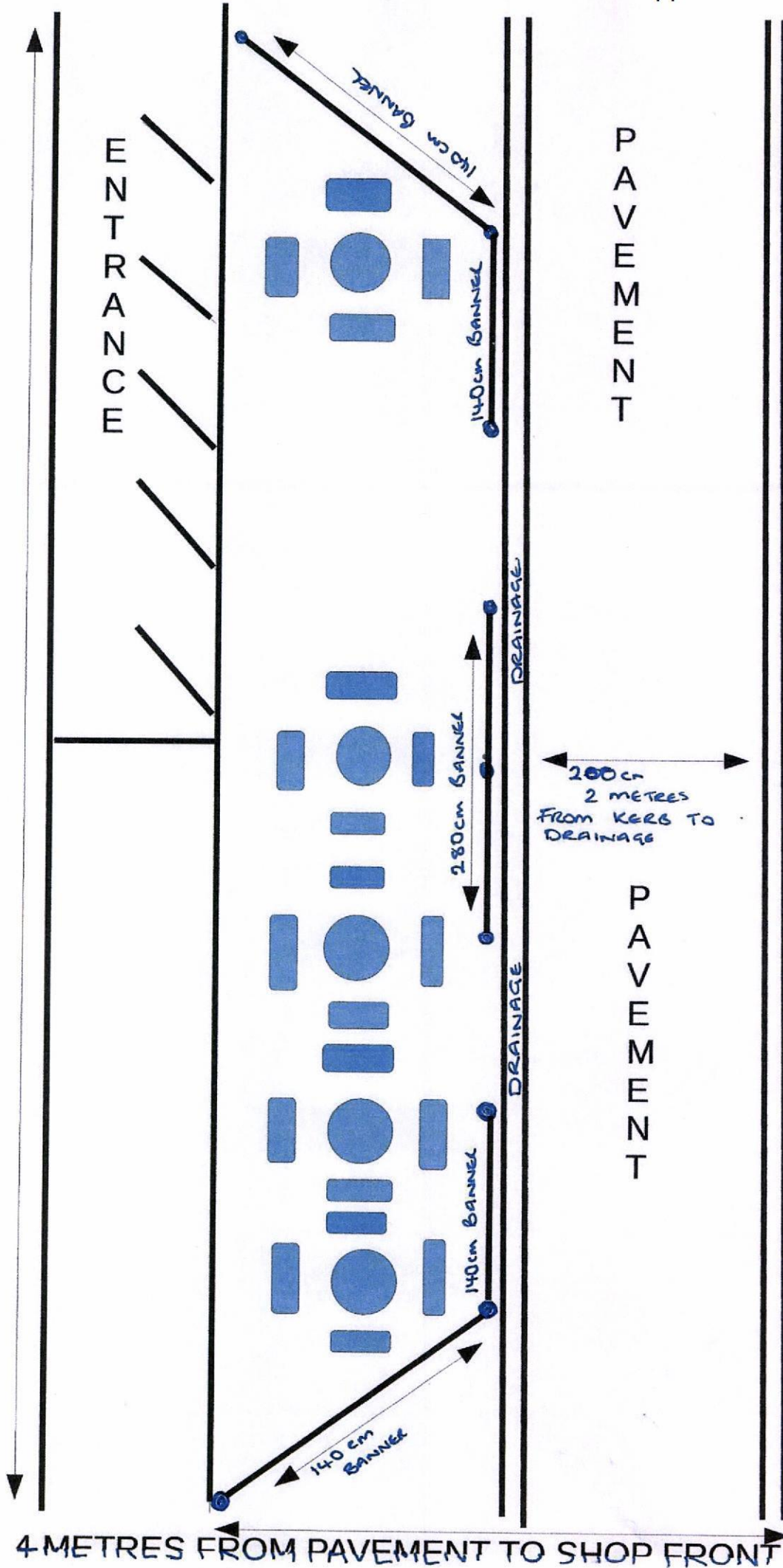
9 posts

**Customer confirmed that they understand and agree to the Declaration.**

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**Payment made for the application: £278**

MUMS  
COFFEE  
SHOP  
35 FT  
LONG

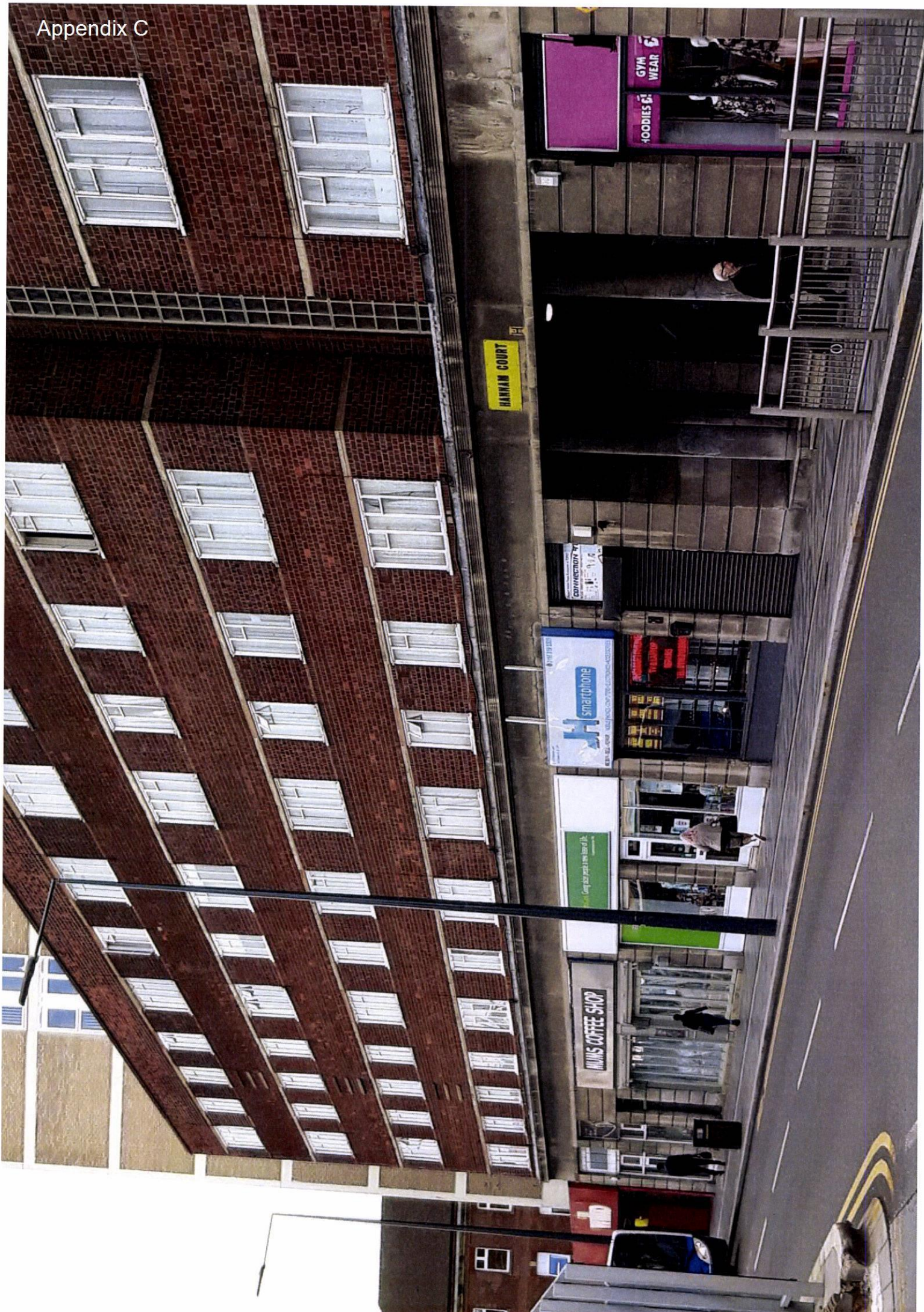


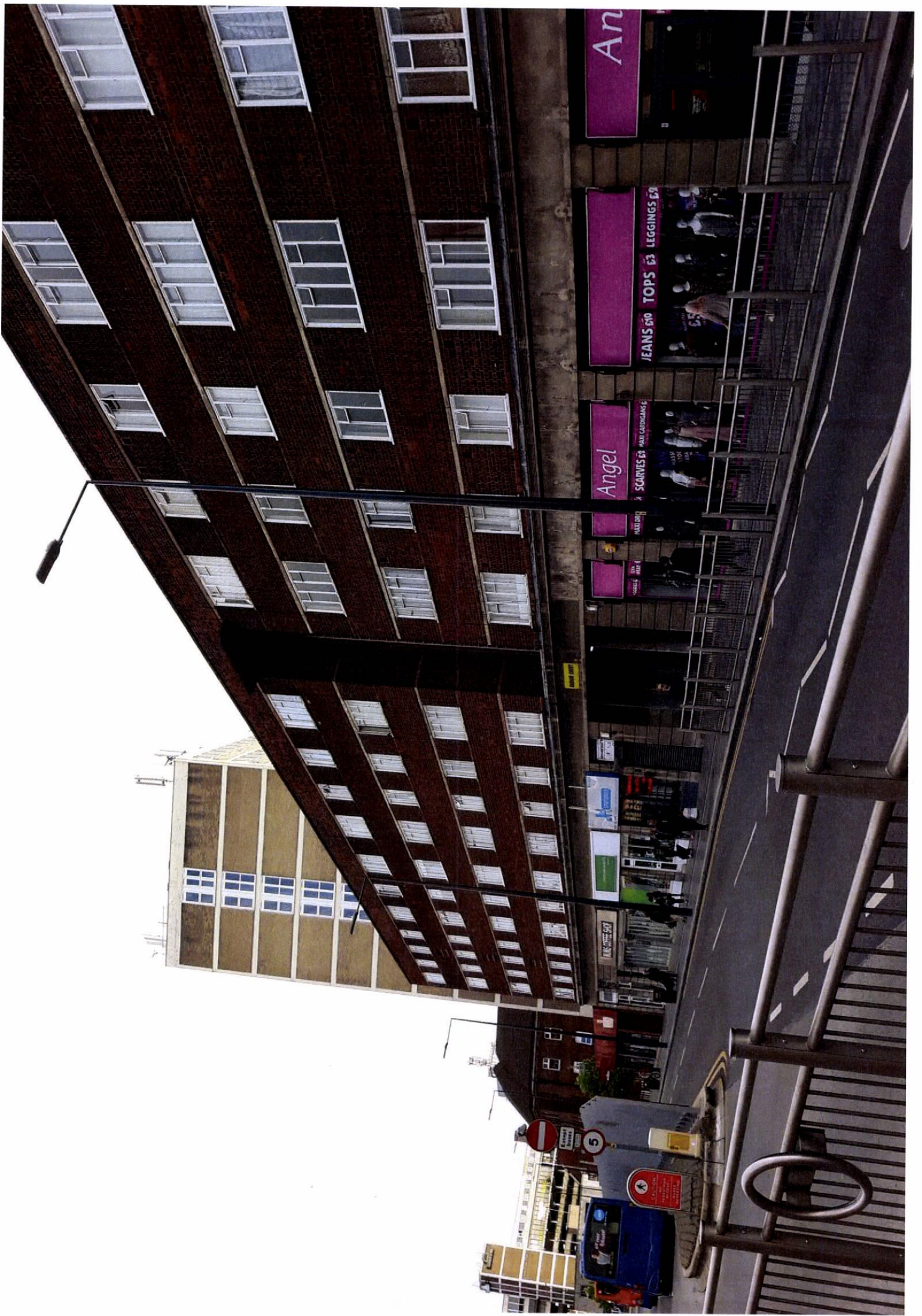
CHARLES STREET  
MAIN ROAD

PAVEMENT

PAVEMENT

4 METRES FROM PAVEMENT TO SHOP FRONT





Angel

JEANS £50 TOPS £3 LEGGINGS £7

Angel

SCARVES £5

MAKING

LOOSE

THE STREET SHOP

THE STREET SHOP

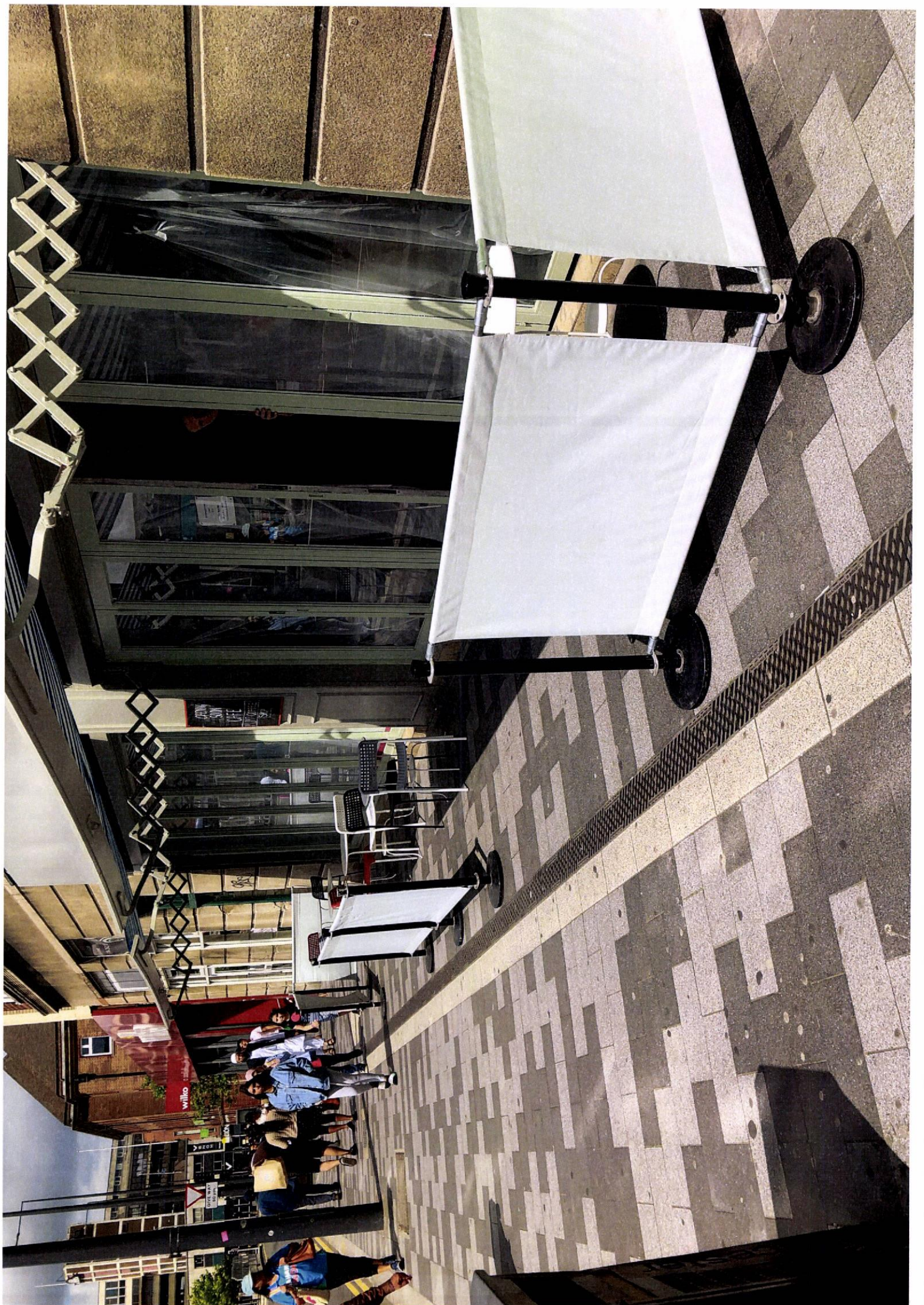
5

NO ENTRY

CAUTION  
PROPERTY  
HOTEL







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RECEIVED

07 AUG 2019

Hi

I have no objection to the actual  
LEICESTER CITY COUNCIL  
cafe but I feel the hours are  
not suitable. A more realistic time  
would be :-

Monday to Saturday 09:00 to 21:00 hr

Sunday 11:00 to 19:00 hr

There is already enough Riff Raff  
in the area without the need  
for more and the cafe will  
attract more noise due to  
revellers and party goers at  
weekends.

FLAT

Flat 

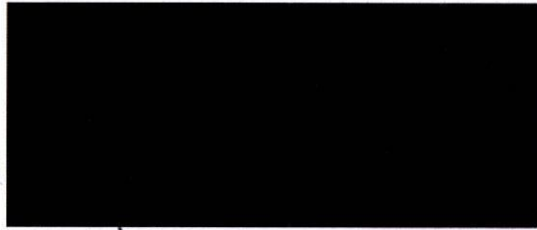
Hannam Court  
41, Charles Street  
Leicester  
LE1 3 FT

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Dear Mrs Marsh

I would like to object to the hours of trading times requested by the new proprietors of the "Mum's Coffee Shop" closing at 23.00 hrs Monday to Saturday would only attract more of the bad element than good.

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Fleet [redacted] Hannam Court

I would like to object against the application for the cafe to be open between 8 and till 23.00 this will make it noisy & will deterb children this will also attract people to sit outside and make to much noise please consider older people and babies, children



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Appendix G

FLAT [REDACTED]  
HANNAM COURT  
CHARLES ST  
LEICESTER  
3

Dear Sir

I object to the cafe being open until 11-p.m.  
on a Sunday night, I can just imagine the noise  
it will cause for the tenants who live upstairs.

Thankyou  
[REDACTED]

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I would like to my objection about the street cafe being open until 11pm.

That will cause noise until late and disrupt tenants of Hannam Court massively, the young, elderly, disabled and everyone.

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flat [redacted] Hannam Court  
41 Charles Street

29/7/19



Dear Toni Tidmarsh

WHAT WE AT HAMMAN COURT  
 WANT OR NEED IS SUITEWORKS  
 WHICH WILL SEE BEERS ETC  
 AT 11 O'CLOCK AT NIGHT  
 SO IT'S A BIG FAT NO FROM ME  
 THE NOISE FROM PEOPLE USING IT  
 WILL BE LOUD & IT THE SUMMER LOUDER

Ym



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Dear Nicola Marsh,

29/7/19

With ref to the application for licenses for the street cafe at Muns coffee shop late license for outside seating, I am not happy that the noise pollution will be acceptable for the residents of Hammam Court. We already have to tolerate the bus station noise pollution and also the street drinkers arguing along Charles street. I feel this will affect my lifestyle as I am not a well person I feel the 11pm closing time is too extreme and would be happy that the closing time should be kept to early evening as I live above the Cafe

Yours faithfully



 HANNAH  
COURT

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[REDACTED]  
FLAT [REDACTED] MAINAM COURT.  
41 CHARLES STREET.  
LEICESTER LE1 3TT.

TO TONI TIDMARSU.

I AM WRITING THIS LETTER IN OBJECTIONS.

TO THE CAFE CALLED MURRI'S COFFEE SHOP. THE CLOSING TIME IS  
TO LATE AT THE TIME OF DAY YOU WILL ONLY GET DRUNKS  
AND THE HOMELESS HANGING AROUND MAKING NOISE AND  
NUISANCE THAT WILL DISTURB US AND ARE NEIGHBOURS.  
AND [REDACTED] AT NUMBER [REDACTED] ALSO HAS THE SAME  
CONCERNS AND ARE FLAT IS RIGHT ABOVE THE CAFE AND  
WE HAVE TO BE UP AT 6 IN THE MORNING FOR WORK.

YOUR SINCERELY

[REDACTED]

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2<sup>nd</sup> August 2019

Dear *Marek,*

Regarding the "Mum's Coffee Shop" 2-3 Hannam Court in Charles Street LE1 wishing them every success.

However my concerns are the propability the noise levels (music?) as well as the continuous cooking odours (friers etc) until 11pm.

Regards.

Yours sincerely,

[REDACTED]

Flat [REDACTED] Hannam Court

Charles St

Leicester LE1 3FT

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Just like to you cant  
miss coffee shop outside  
till 11 oclock at night the noise  
will be to much for the tenants  
in HANNAM COURT especially people  
with children and early risers  
we already have enough at night  
with the bus station and cleaning  
machines. I suggest a better time  
would be 8 PM



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**Toni Tidmarsh**

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**From:** Gavin Brownen [REDACTED]  
**Sent:** 13 August 2019 19:57  
**To:** Toni Tidmarsh  
**Subject:** Re: Street Cafe Application - open once returned from honeymoon.

Dear Toni ,

Thanks for the email and the attached objections  
WOW didn't realise there would be so many.  
We definitely want to carry on with the application,  
As with all of the objections they all seem to be concerned  
With the times and I'm certain we can be flexible on those ,  
We only put those times on the application as a needs to, and as  
Advised we put the maximum closing time mainly because if  
There is any special events going on I the city centre,  
There is no way we will be open until 11pm could we  
Suggest an opening and closing time :  
Mon- fri. 8am till 8pm  
Sat-sun. 8am till 9pm

We completely understand there concerns with regards  
To drinking etc but we will NOT have the licenses to serve  
Alcohol and have no interest in doing so , as for for music  
We will be fully licensed for that , so as long as it is a  
Reasonable volume then it should be fine it won't be loud  
Anyway as we need to be able to talk to customers etc,  
We will not be attracting riff raff as we are currently having  
CCTV fitted at the front and back of the premises and inside  
For our own safety and our customers,

As for the objection with regards to the smell of the fryers  
Etc,, we have had specific ventilation / extraction made  
With a double filter system reducing the smell of frying  
To a minimum .

With regards

Verity and gavin

Sent from my iPhone

