



Leicester
City Council

**WARDS AFFECTED
CASTLE**

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

6 December 2019

**Objection notice given for a Temporary Event Notice
Mamba, 29 Market Street, Leicester, LE1 6DN**

Report of the Director of Neighbourhood and 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 Police in response to temporary event notices given by Mr Prabdeep Pabla for Mamba, 29 Market Street, Leicester. 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. Temporary event notice

- 5.1. A temporary event notice was given on 24 November 2019 by Mr Pabla for an event at Mamba. The temporary event notice is for an event on 10-11 December 2019 and is attached at Appendix A.
- 5.2. A temporary event notice was given on 24 November 2019 by Mr Pabla for an event at Mamba. The temporary event notice is for an event on 31 December 2019 into 1 January 2020 and is attached at Appendix B.
- 5.3. The temporary event notices are for the following licensable activities:

Licensable activities	Proposed hours
The sale by retail of alcohol (for consumption on and off the premises)	10-11 December 2019 23.00 – 06.00
Provision of regulated entertainment	31 December 2019 to 1 January 2020 22.00 – 06.00

6. Objection notice

- 6.1 An objection notice was received on 28 November 2019 from Leicestershire Constabulary on the grounds of the prevention of crime and disorder / the prevention of public nuisance and public safety. A copy of the objection notice is attached at Appendix C.

7. Existing premises licence

- 7.1 The premises identified in the temporary event notice is fully covered by an existing premises licence. One or more of the conditions on this premises licence may be applied to the temporary event notice if Members consider it appropriate for the promotion of the licensing objectives, and insofar as the conditions are not inconsistent with the carrying on of licensable activities under the notice. A copy of the existing premises licence, including the conditions are attached at Appendix D.

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

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	Yes	The objection is made on the grounds of the prevention of crime and disorder
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. The Licensing Authority is not obliged to consult any parties with regard to temporary event notices. The applicant is required to serve a copy of their temporary event notice on the Police and the Noise Team.

13. Reason for Treating the Report as ‘Not for Publication’

Appendices to the report are marked ‘Not for Publication’, because they contain exempt information as defined in Paragraph 1, 2 and 7 of Part 1 of Schedule 12A of the Local Government Act 1972 as follows:

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.

7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Public Interest Test

In respect of all the above categories, information is only exempt information if so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

14. Report Author

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APPENDIX	CONTENT
A	Temporary event notice 1
B	Temporary event notice 2
C	Objection notice
D	Existing premises licence