



Leicester
City Council

WARD: Westcotes

LICENSING ENFORCEMENT SUB-COMMITTEE

15th July 2020

**APPLICATION FOR THE GRANT OF A HIGHWAYS AMENITIES LICENCE
(STREET CAFÉ)
OASIS LOUNGE (MELAYA LTD)
13 NARBOROUGH ROAD, LEICESTER. LE3 0EL**

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 Oasis Lounge (Melaya Ltd) 13 Narborough Road Leicester LE3 0EL. The applicant is a Miss Narcis BARI.

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 consider 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 Wednesday 12th February 2020 an application was submitted by Miss Narcis BARI, proprietor of Oasis Lounge (Melaya Ltd) for the grant of a Highway Amenities Licence (Street Café).

The premises are situated within a row of shops and businesses on Narborough Road near to its junction with Hinckley Road/Braunstone Gate. There is a wide range of businesses in this area including office premises, retail premises, restaurants, take away food outlets and car sales. There are a number of residential apartment and flat type premises generally situated above the retail premises. Due to the range of retail, fast food and residential premises the area is busy at all times of the day.

In past years, the site was previously a bar by a similar name and the current applicant has taken over the running and has made improvements to the premises in order to change the type of clientele.

The applicant submitted an original plan which detailed **two tables and four chairs**, to be placed in front of the premises to the right of the front door as viewed from the pavement.

The tables and chairs are to be contained within the requested area, sectioned off by barriers.

The furniture and barriers proposed are in line with Authorised Street Café furniture.

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

10:00hrs – 02:00hrs on Monday to Saturday
10:00hrs – 01:30hrs on Sunday

After early consultation with the Licensing Authority these times were revised and the applicant now requests:

10:00hrs – 22:00hrs on Monday to Sunday

On 27th May 2020, 31 letters of consultation were hand delivered to surrounding businesses and residential premises within the area to advise them of the application and a public notice was prominently displayed on the premises itself. 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 **Westcotes Ward** of the City, Leicestershire Police, Leicestershire Fire & Rescue Service, Noise Pollution, Planning, Public Safety and Highway/Traffic Management.

There was a concern raised from Leicester City Council Highways in respect of the initial layout and its proximity to street furniture. However, the applicant has worked with the authority and has reduced the café size from **1.5M to 1.2M** to comply with the request. This objection has therefore been formally withdrawn.

Within the representation period, there were a total of three objections, all from local businesses in the area.

All objections were accepted as being 'relevant' to the application. The objections raise concerns about Crime and Anti-Social Behaviour, Drinking, Smoking, Littering, Parking and Noise. 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	Photos of Premises (3 photos)
Appendix C	Original Plan of Street Café (1 page)
Appendix D	Revised Plan of Street Cafe (3 pages)
Appendix E	Photo of Barrier Type (1 photo)
Appendix F	Photo of Tables and Chairs (1 photo)
Appendix G	Objection Letter 1 Business Premises (1 page)
Appendix H	Objection Letter 2 Business Premises (1 page)
Appendix I	Objection Letter 3 Business Premises (1 page)
Appendix J	Response from Applicant Oasis Lounge Narcis BARI (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 consider 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 and Residents and Businesses within the area.

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

None

10. Officer to Contact

Matthew Robinson
Licensing Enforcement Officer
Licensing Authority

Our Ref:SC174474896

Date: 2020-02-12

Street café licensing application

APPENDIX A



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.	Narcis	Bari	██████████		██████████.com

Address:

Flat	House Number	Street	Town	County	Postcode
	██	██████████	Leicester	Leicester City	██████

Description of premises: Oasis Lounge by Melaya is a cafe-bar offering a variety of hot and cold drinks, cocktails, spirits, wine, desserts and snacks. Also we aim to bring cultural events in the area, such as live piano/guitar music, poetry evening, book clubs, cinema evenings. We do offer private hire of the venue and we hope we will be able to organise parents & babies/kids club Sunday afternoons.

Proposed licence days and times: Monday-Saturday 10am-2am
Sunday 10am-1.30am

Additional information:

Supporting documents

Proof of your valid ID with a photo: B0469E66-B030-4DC8-B6F8-7F83B548CB27.jpeg

Valid public liability insurance certificate: CHGS2578121XB1-OASIS LOUNGE by Melaya-Shop-Certificate of insurance.pdf

Detailed (proposed) plan of the street café: D8FB9CCC-0BD4-4F14-84D1-95CF340544B6.jpeg

Pictures of tables and chairs or barrier type/design: 3C212902-F973-4187-959C-038CE1648E24.jpeg

Additional information to support the application:

Customer confirmed that they understand and agree to the Declaration.

Payment made for the application: £278



Leicester City Council Licensing Authority
09/07/2020 15:53:55



Tel: 0116 254 5252
Web: prslettings.com

Oasis Lounge

WEST END
Visit Leicester
www.visitleicester.co.uk
www.visitleicester.info/westend

Stay safe and healthy

- PLEASE AVOID GATHERING IN GROUPS OF MORE THAN SIX PEOPLE
- PLEASE AVOID VISITING PUBLIC PLACES AND ALWAYS WEAR A MASK AND AVOID TOUCHING YOUR FACE
- PLEASE AVOID SHAKING HANDS AND CONTACT WHEN GREETING OTHER PEOPLE
- PLEASE AVOID VISITING PUBLIC PLACES AND ALWAYS WEAR A MASK AND AVOID TOUCHING YOUR FACE
- PLEASE AVOID VISITING PUBLIC PLACES AND ALWAYS WEAR A MASK AND AVOID TOUCHING YOUR FACE

PROTECT & SHIELD
INDEPENDENT



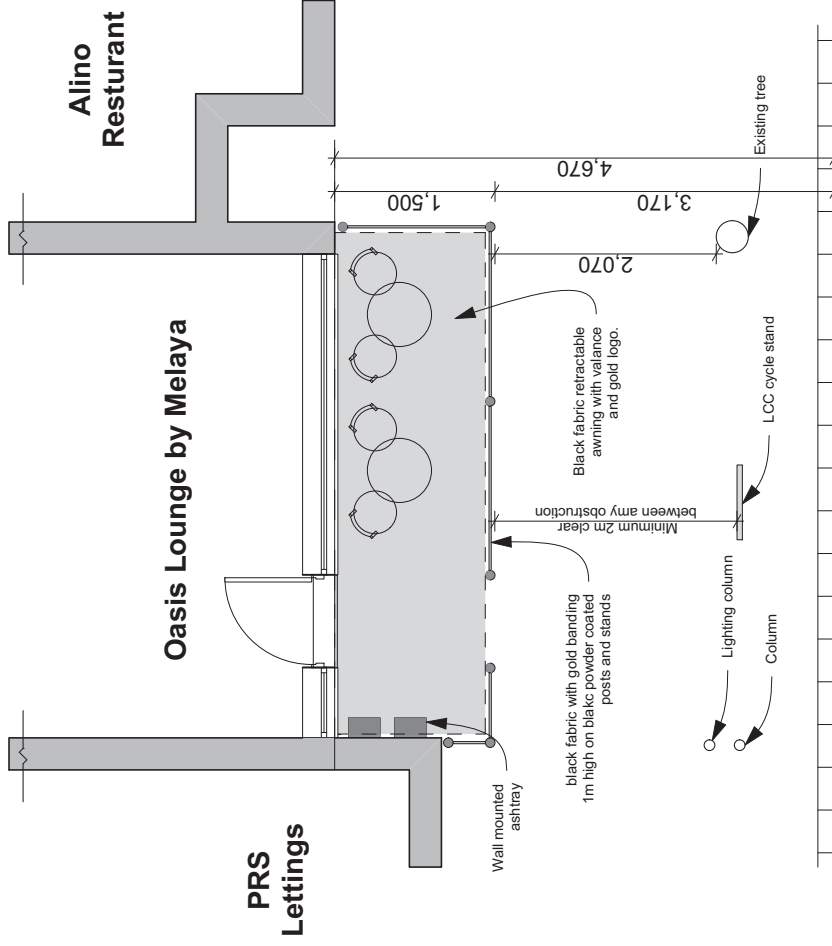
Leicester City Council Licensing Authority
09/07/2020 15:54:20

Note:

Drawing prepared from clients survey

Please note

- This drawing **MUST NOT BE SCALED**.
- All dimensions to be **CHECKED ON SITE** and any **DISCREPANCY** reported to the Architects.
- The site boundary shown is the best assumed from available data and does **NOT** represent legal ownership.
- All dimensions in mm unless otherwise stated



Narborough Road

Pavement Plan 1:50@A3

Revisions.



info@perfectplanning.co.uk
t: +44 (0) 7693 124864
www.perfectplanning.co.uk

Project
Oasis Lounge
Oasis Lounge by Melaya
13 narborough Road, Leicester
Client
Ms Narcis Bari

APPENDIX C

Drawing Title

Pavement License drawing

Drawing By
A.J.L.

Checked By
IPG

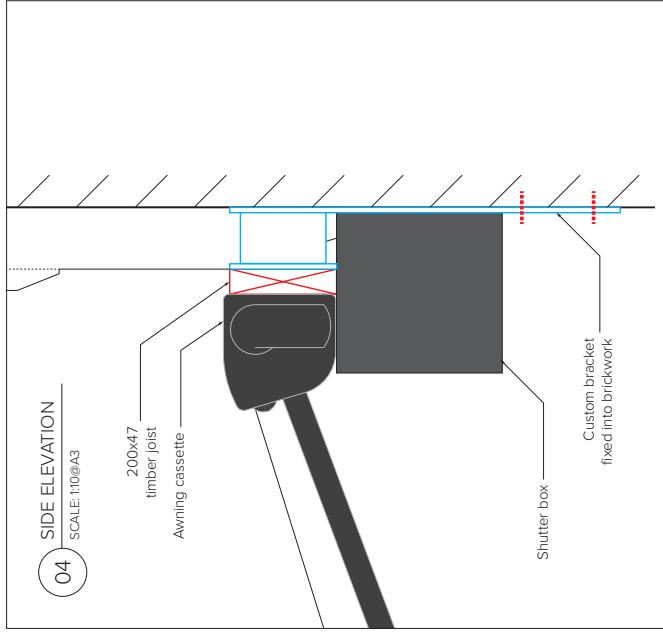
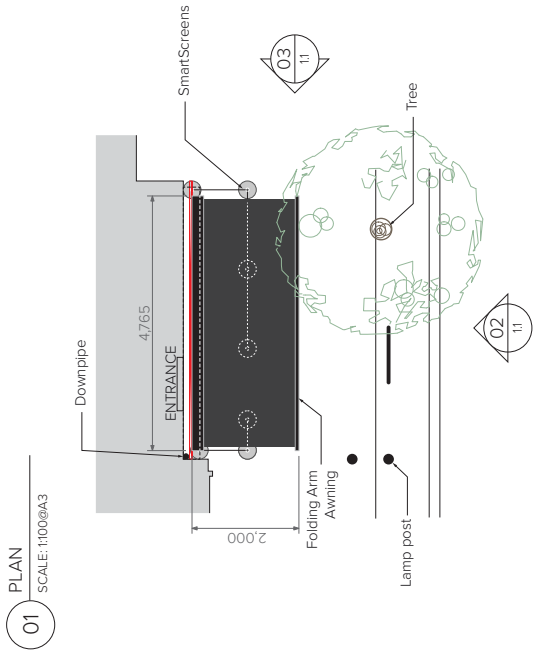
Date
23/03/20

Scale
Various @ A3

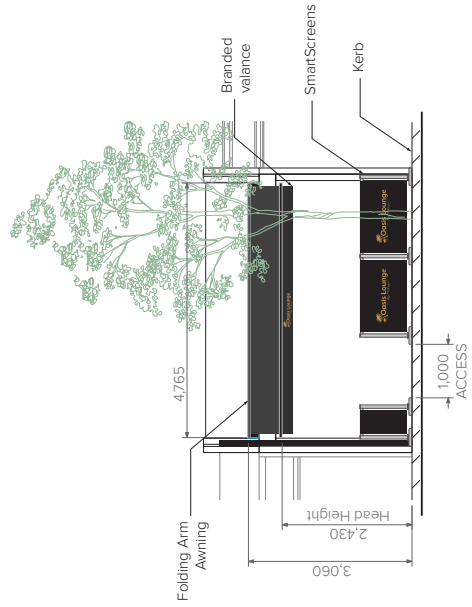
Drawing Number
265 / 01

Revision

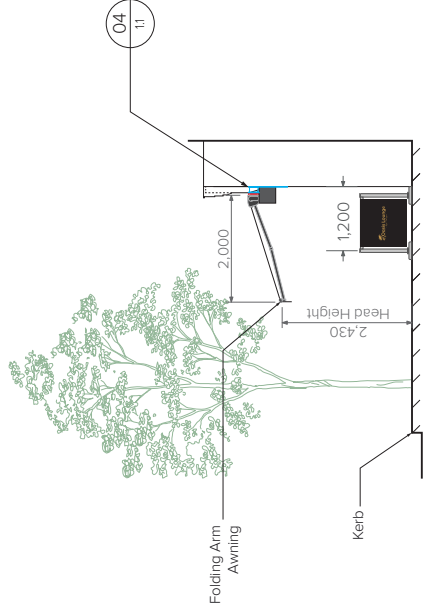
- Overhead protection provided by 1 No. Folding Arm Awning, with branded valance, fixed to timber joist above shutter box. Timber joist fixed to brickwork either side with custom stand-off brackets.
- Area enclosed by Range 97 SmartScreens, with posts on bases and branded canvas panels.



02 FRONT ELEVATION
SCALE: 1:100@A3




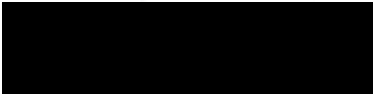
03 SIDE ELEVATION
SCALE: 1:100@A3



APPENDIX D






Narborough Road
Leicester, LE3 0BQ


Matt Robinson
Licensing Enforcement,
Local Services & Enforcement Licensing
Leicester City Council
Phoenix House, 1 King Street
Leicester, LE1 6RN

Dear Mr. Robinson,

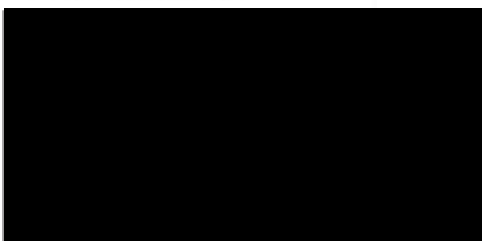
Re: LEIPRM 1272/SC/MR0520, Objection to application for the grant of the Highways amenities licence for Oasis Bar (13, Narborough road, Leicester, LE3 0LE)


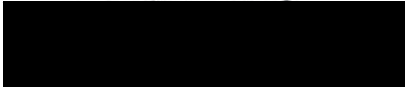
I would like to express my concerns about this application. As a business owner for years, locating seating area on public space is not suitable. This situation will cause alcohol consumption in the street, distracting noise, anti-social behaviour, littering and parking issues. I have a fear that these incidents will have negative impact on neighbouring area. I also have concerns that situations mentioned above can cause impact number of by passers that are my potential customers. In addition to this, disruptive noise may disturb resident living in my property.

I am appreciating for considering concerns of local business owners.

Should you require further information please do not hesitate to contact me from the given details.

Yours Sincerely,




Narborough Road
Leicester, LE3 0BQ


Matt Robinson
Licensing Enforcement,
Local Services & Enforcement Licensing
Leicester City Council
Phoenix House, 1 King Street
Leicester, LE1 6RN

Dear Mr. Robinson,

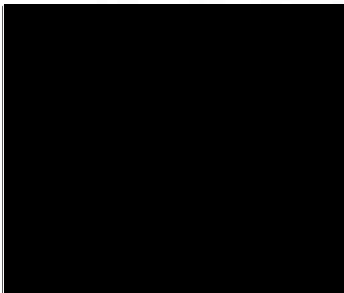
Re: LEIPRM 1272/SC/MR0520, Objection to application for the grant of the Highways amenities licence for Oasis Bar (13, Narborough road, Leicester, LE3 0LE)

As someone that is local business owner for years. I would like to raise concerns in regard to this application. I believe, placing seating area on pavement will cause street drinking, disruptive noise, anti-social behaviour, littering and parking issues. Please not that, such an incident will have negative impact on neighbouring area. I also have concerns that situations mentioned above can create fear on by passers that my potential customers. \

Thank you very much for considering our concerns.

Should you require further information please do not hesitate to contact me from the given details.

Yours Sincerely,



[REDACTED]
Narborough Road
Leicester, LE3 0LE
[REDACTED]

Matt Robinson
Licensing Enforcement,
Local Services & Enforcement Licensing
Leicester City Council
Phoenix House, 1 King Street
Leicester, LE1 6RN

Dear Mr. Robinson,

Re: LEIPRM 1272/SC/MR0520, Objection to application for the grant of the Highways amenities licence for Oasis Bar (13, Narborough road, Leicester, LE3 0LE)

Thank you very much for considering asking opinion of local business owners for the application with reference number above.

As someone who is local business owner for last nine years. I would like to raise objection this application because of following reason. As someone who previously witnessed several serious nuisance behaviours in proposed location by group of people that caused danger to by passers in the past. I have concerns that such an incident may restart and escalate again as proposed seating area will occupy space in the pavement that will result intimidation to by passers. In addition to this, there would be an increase in the potential for smoking, disruptive noise, littering, crime, antisocial behaviour and illegal parking. In the light of information given above, proposed application is not viable and will have an impact on the surrounding area.

Should you require further information please do not hesitate to contact me from the details given above.

[REDACTED]

Representations From Applicant

Received 14th July 2020

Good afternoon Matthew,

As you have inspected earlier in the year, you have been able to see that we are taking a very close approach towards the cleanliness within the premises and around it.

We have in place regular cleaning schedules and to maintain a cleaner environment around our location we have installed an outdoor ashtray at the entrance available for customers, but also for members of the public.

Furthermore we make sure to brush and collect any rubbish in front of our cafe at least twice a day (open and closing time) and whenever necessary throughout our operating times. We also care for the safety of our community and our staff, for that we have recording cctv circuit indoors and outdoors, a no tolerance rule towards any abusive, insulting or dangerous behaviour, there are also signs displayed within the premises reinforcing this matter and we refuse to serve customers who already shows signs of drunkenness.

For any incidents that we cannot control we work closely with Police Community Officers, to intervene if case might be. We pride ourselves for being a place of relaxation and bonne-Heure, a cultural social club where customers can have a drink, relax and have meaningful conversations (our Customer reviews can emphasise that), therefore the lounge music we play is at a low level and is controllable easily by the staff, we have never had any complaints from the neighbours around or above the premises.

The main reason for having this cafe licence in place is actually to have a Safe delimitation between our smoking customers and passers-by and also an assigned outdoor space for disabled customers who doesn't wish to stay indoors and the customers who come accompanied by pets.

I truly believe that having this licence agreed, it will allow us to better manage the environment around our business and to satisfy the customer's needs (who are actually part of the community we serve) .

Kind regards,

Narcis Bari