

Leicester
City Council

WARDS AFFECTED

ABBHEY

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

27th April 2021

**Application for a variation of an existing premises licence
Friends Foods Retail (t/a Londis), Merlin Heights, 105 Bath Lane, Leicester,
LE3 5AU**

Report of the Director of Neighbourhood and 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

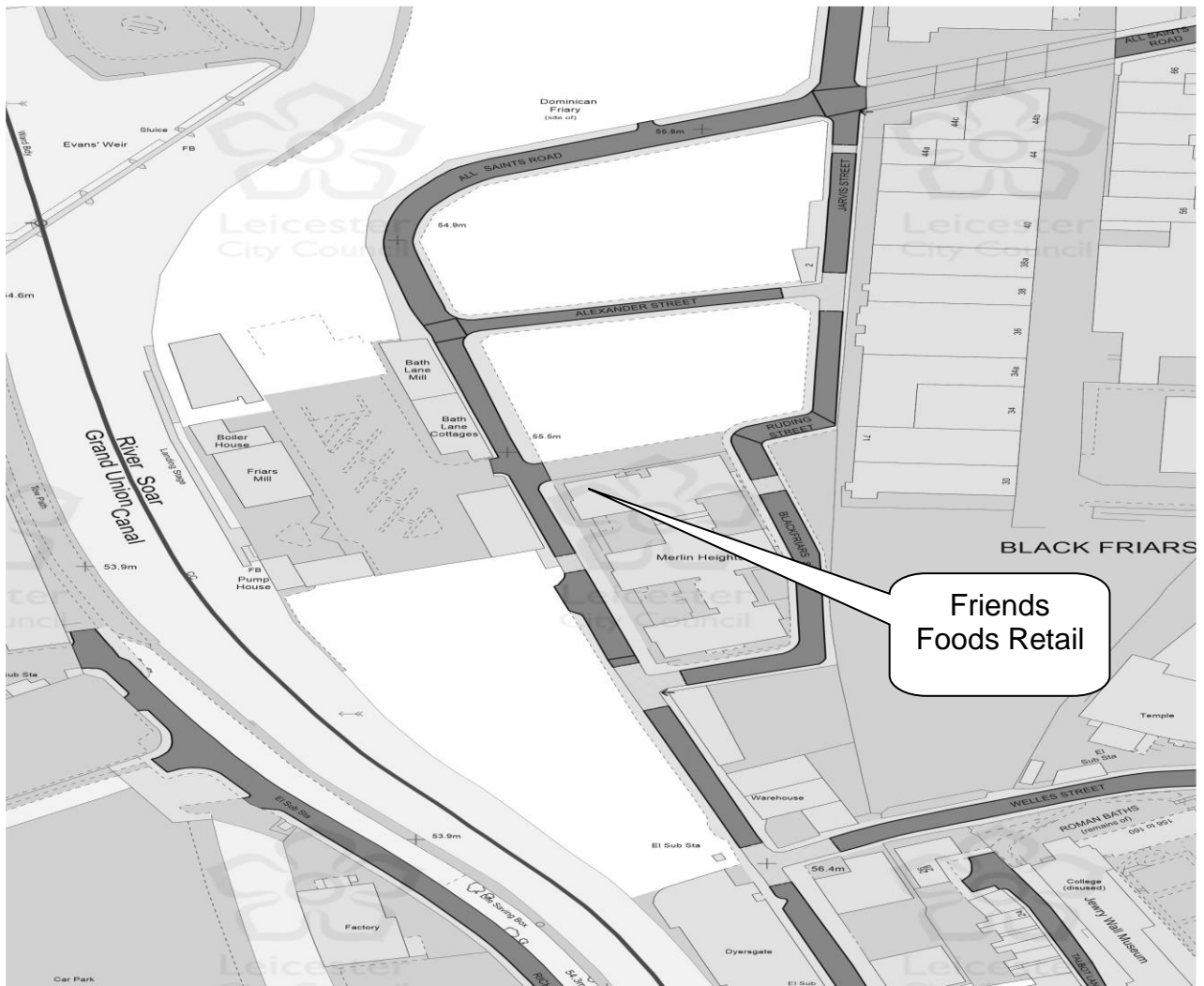
2.1. Having considered the application and representation, Members must consider whether to

- Grant the licence without modification
- Modify the conditions of the licence
- Reject the whole application

3. Summary

3.1 This report outlines an application for a variation to an existing premises licence for Friends Foods Retail and summarises the representation 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. Existing Licence

5.1. The existing licence is attached at Appendix A.

6. Application

6.1 An application was received on 3rd April 2021 from Mr Thinojan Thirumohan and Friends Foods for a variation to an existing premises licence for Friends Foods Retail. A copy of the application is attached at Appendix B.

6.2 The variation sought by the application is as follows:

Licensable activity	Current Hours	Proposed Hours
Supply of Alcohol (consumption off the premises)	Mon – Sun 0600 – 00.00	Mon – Sun 00.00 – 00.00
Opening hours	Mon – Sat 05.30 – 00.00 Sun 06.00 – 00.00	Mon – Sun 00.00 – 00.00

7. Steps to Promote the Licensing Objectives

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

8. Representation

- 8.1 A representation was received on 17th March 2021 from the Noise Team. The representation relates to the prevention of public nuisance. The noise officer is concerned that allowing the premises to operate for such long hours may increase noise disturbances to residents. A copy of the representation is attached at Appendix C.

9. Conditions

- 9.1 The conditions that are consistent with the operating schedule are attached at Appendix D.

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 – 1.16	General Principles
1.17	Each application on its own merits
2.15 – 2.21	Public nuisance
8.41 – 8.49	Steps to promote the licensing objectives
9.11 – 9.12	Role of responsible authorities
9.31 – 9.41	Hearings
9.42 – 9.44	Determining actions that are appropriate for the promotion of the licensing objectives
10.1 – 10.3	Conditions - general
10.8 – 10.9	Imposed conditions
10.10	Proportionality
10.13 - 10.15	Hours of trading
10.25 – 10.66	Mandatory conditions in relation to the supply of alcohol
13.10 – 13.11	Giving reasons for decisions
14.51 – 14.52	Licensing Hours

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
9	Prevention of Public Nuisance
11.4 – 11.5	Planning
12	Duplication
13	Standardised conditions

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	No	
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 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.

16. Report Author

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APPENDIX	CONTENT
A	Existing licence
B	Application
C	Representation
D	Conditions consistent with application