

Leicester
City Council

**WARDS AFFECTED
WESTCOTES**

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

30th April 2021

**APPLICATION TO TRANSFER AN EXISTING PREMISES LICENCE HOLDER
AND VARY THE DESIGNATED PREMISES SUPERVISOR
UNI, 39 WESTERN BOULEVARD, LEICESTER, LE2 7HN**

Report of the Director of Neighbourhood and Environmental Services

1. Purpose of Report

- 1.1. This report provides information for Members about applications made under the Licensing Act 2003, to assist them in determining the outcome of that application.

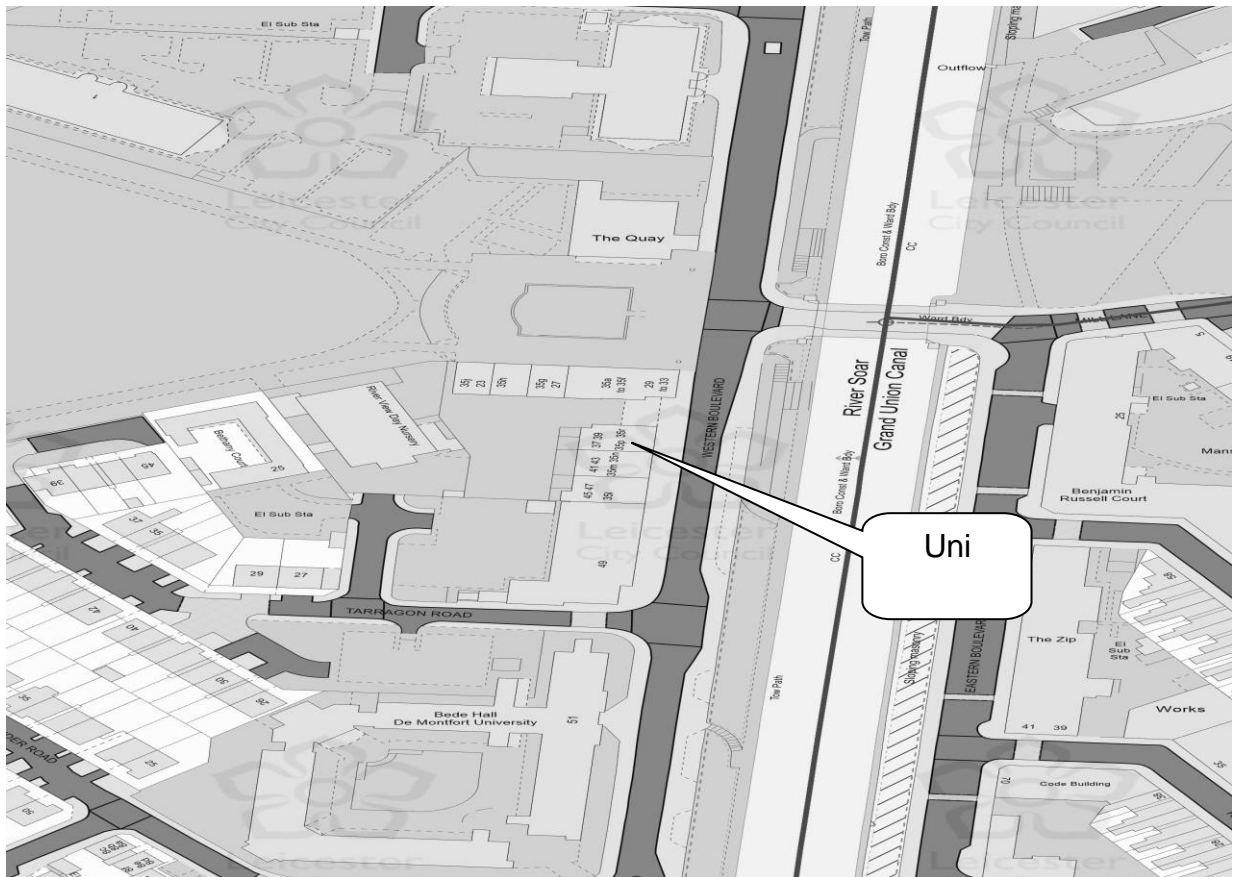
2. Determination to be made

- 2.1. Having considered the application and representation, Members must consider whether to:
- having regard to the Police representation, reject the application if they consider it necessary for the promotion of the crime prevention objective; or
 - grant the application.

3. Summary

- 3.1 This report outlines an application for a transfer and vary DPS variation to an existing premises licence for Uni, 39 Western Boulevard, Leicester 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 13th April 2021 from Mr Sheakha Sharif Najhat to transfer the existing premises licence for Uni, 39 Western Boulevard, Leicester into his name and to specify himself as the Designated Premises Supervisor. A copy of the application is attached at Appendix B.

7 Representation

7.1 A representation was received on 14th April 2021 from Leicestershire Police in relation to the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm. Leicestershire Police are concerned that this is not a genuine transfer application and is an attempt to mislead the police and licensing authority to believe a new applicant is involved in the business and will not repeat the previous failings as highlighted in the review hearing held on 29th March 2021. A copy of the representation is attached at Appendix C.

7.2 At the hearing on 29 March 2021 the decision of the members was to revoke the premises licence. The current licence holder had until 24 April 2021 to appeal the decision. At the time of writing the report we have not been notified whether an appeal has been lodged.

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
2.1 – 2.6	Crime and disorder
4.31 – 4.38	Specification of new designated premises supervisors
4.39 – 4.42	Police objections to new supervisors
8.99 – 8.102	Transfers of premises licences
9.31 – 9.41	Hearings

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

10 Points for Clarification

- 10.1 The applicant and the party 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 representation are valid, and if not why not?

By the party making the representation

1. Whether they have any additional information to support the representation they have made?

11. Other Implications

OTHER IMPLICATIONS	YES/NO	Paragraph/References Within Supporting information
Equal Opportunities	No	
Policy	No	
Sustainable and Environmental	No	
Crime and Disorder	Yes	Paragraph 7
Human Rights Act	No	
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

12. Background Papers – Local Government Act 1972

- a. None.

13. Consultations

- a. The Licensing Authority is not obliged to consult any parties with regard to applications made under the Licensing Act 2003. However, the applicant is required to give notice of the application to the Chief Officer of Police and the existing designated premises supervisor for the premises as set out in the 2003 Act.

14. Report Author

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APPENDIX	CONTENT
A	Existing licence
B	Application
C	Representation