

Leicester
City Council

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

7 December 2021

Application for a new premises licence
Singh Brothers EM Ltd, 258-260 Victoria Road East, LE5 0LF

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.

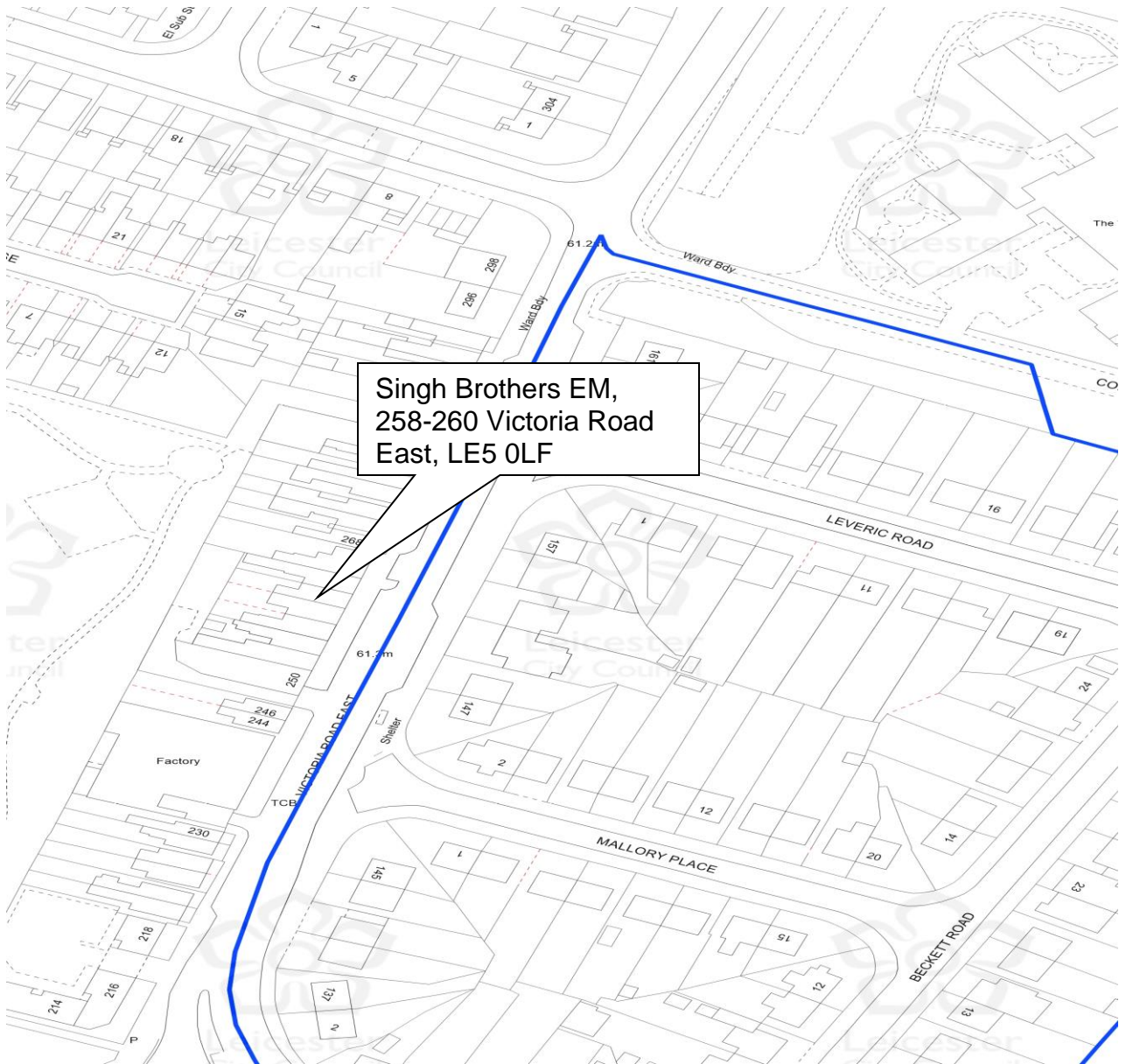
2. Determination to be made

- 2.1. Having considered the application and representations, Members must consider whether to
- Grant the licence without modification
 - Grant the licence subject to conditions
 - Exclude from the licence any of the licensable activities
 - Refuse to accept the proposed premises supervisor
 - Reject the application

3. Summary

- 3.1 This report outlines an application for a new premises licence for Singh Brothers EM Ltd, 258-260 Victoria Road East, LE5 0LF and summarises the representations 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



Singh Brothers EM,
258-260 Victoria Road
East, LE5 0LF

5. Application

5.1 An application was received on 13th October 2021 from Mr Baljinder Singh for a new premises licence for Singh Brothers EM Ltd, 258-260 Victoria Road East, LE5 0LF. A copy of the application is attached at Appendix A.

5.2 The application is as follows:

Licensable activity	Proposed Hours
Supply of Alcohol - Off sales only	Monday to Sunday 08:00 – 23:00
Opening hours	Monday to Sunday 08:00 – 23:00

6. Steps to Promote the Licensing Objectives

6.1 The steps the applicant proposes to take to promote the licensing objectives are set out in the operating schedule (see section M of Appendix A).

6.2 In arriving at its decision on the application, the Licensing Authority's primary consideration must be the promotion of the licensing objectives.

7. Representation

7.1 A petition representation was received on 1st November 2021 from local residents and shop owners. The representation relates to the prevention of crime and disorder / the prevention of public nuisance / public safety. The petitioners are emphasising that the crime rate in the area in the last few months consists mostly of violence, criminal damage and anti-social behaviour. There are already two off licence shops in the close proximity, so they believe by having a third alcohol licence on this street it will have a profound increase of the said crimes and will cause severe disturbance and disorder to our neighbours and local customers who reside close by. A copy of the representation is attached at Appendix B1.

7.2 A representation was received on 2nd November 2021 from Cllr Cank.. The representation relates to the prevention of crime and disorder / the prevention of public nuisance / public safety. Cllr Cank expresses her opposition to a licence being granted advising that there are already 2 premises in the small parade of shops selling alcohol. She is adding that an application was made for the same premises just over 12 months ago which was strongly opposed by in excess of 300 residents in the immediate area.

Cllr Cank emphasises that there have been problems with gangs of youths drinking and causing anti-social behaviour which intimidates local people and whilst the police move them on they just come back once the Police have left. There are large number of drinkers that congregate on the Cravens Recreational Ground which is at the rear of the parade of shops. Not only is street drinking a problem but also the amount of cans and bottles littering the area. A copy of the representation is attached at Appendix B2.

7.3 A further petition representation was received on 10th November 2021 from residents living around Brackley Close Post Office. The representation relates to the prevention of crime and disorder / the prevention of public nuisance / public safety. The residents strongly oppose the application as there are already a few premises selling alcohol in the area, and given that there are already significant problems with street drinking and anti-social behaviour, another off licence would only escalate what is already a growing problem. A copy of the representation is attached at Appendix B3.

8. Conditions

- 8.1 The conditions that are consistent with the operating schedule and the representation are attached at Appendix C.

9. Statutory Guidance

- 9.1 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
2.1 – 2.6	Crime & Disorder
2.7 – 2.14	Public Safety
2.15 – 2.21	Public nuisance
3.12 – 3.20	Late night refreshment
8.41 – 8.49	Steps to promote the licensing objectives
9.11 – 9.12	Role of responsible authorities
9.13 – 9.19	Licensing Authorities acting as responsible authorities
9.20 – 9.24	Health bodies acting as responsible authorities
9.25	Home Office (Immigration Enforcement) acting as a responsible authority
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
16.1 – 16.69	Regulated entertainment

10 Statement of Licensing Policy

- 10.1 The relevant parts of the Licensing Authority's Statement of Licensing Policy are as follows:

Section	Heading
2	Fundamental Principles
5	Licensing Hours
7	Prevention of Crime and Disorder
8	Public Safety

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

11. Points for Clarification

11.1 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?

12. Other Implications

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

13. Background Papers – Local Government Act 1972

None.

14. Consultations

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.

15. Report Author

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APPENDIX	CONTENT
A	Application
B	Representations
C	Conditions consistent with application and representation
D	Additional info from the representees (photos)