



Representation in respect of a New Premises Application

Licensing Act 2003

Details of person or body making representation:	
Your Name:	Tj Mavani
Your position/role:	Licensing Enforcement Manager

Details of premises representation is about:	
Name of Premises:	Belgian Chips Leics Ltd
Address of premises:	55 Granby Street Leicester LE1 6EH
Application No. (if known)	157510

Please tick one or more of the licensing objectives that your representation relates to:	
Prevention of Crime and Disorder	<input checked="" type="checkbox"/>
Public Safety	<input checked="" type="checkbox"/>
Prevention of Public Nuisance	<input checked="" type="checkbox"/>
Protection of Children from Harm	<input type="checkbox"/>

Authority Declarations:
<p>I write in my capacity as Licensing Enforcement Manager for Leicester City Council Licensing Authority on the authority delegated to me.</p> <p>Please take notice that I am satisfied that allowing the premises to be used in accordance with the application would undermine the above stated Licensing Objectives and as such submit our representations.</p>

Representations:
<p>We would like to submit our representations for this premises application based upon the above stated licensing objectives.</p>

The application is for a new Premises Licence for the sale/supply of late-night refreshments only. Late-night refreshments are requested from 23:00hrs to 02:00hrs Sunday to Thursday, and from 23:00hrs to 04:00hrs Friday and Saturday.

Seasonal variations have been applied for until 04:00hrs on Bank Holidays and Sundays immediately preceding Bank Holiday Mondays.

The application states that they wish to mirror the previous licence (LEIPNA0342) conditions which were as follows:

Sunday to Wednesday from 23:00hrs until 23:30hrs.

Thursday to Saturday from 23:00hrs until 02:00hrs.

The previous licence was surrendered by the then licence holders in April 2023.

The application content about mirroring the previous licence hours do not match with those that have been applied for. The hours applied for request extended hours from those previously licensed at the premises.

The application suggests that the premises currently operates as a takeaway and eat in restaurant specifically for take away food and soft drinks. There is a seating capacity of 6.

On 3rd September 2023 Leicester City Council's Licensing Enforcement Team observed unauthorised late-night refreshment licensable activity at the premises at 00:41hrs. A warning letter was issued to the applicant Mr Hussein. This is likely to have prompted the applicant to apply for this licence.

The premises is located on the ground floor of 55 Granby Street on the corner of the junction with Belvoir Street in Leicester City Centre. Granby Street is a main arterial route, with access for cars, cyclists and pedestrians.

Above the premises are 7 flats. The entrance to the flats is on Belvoir Street.

55 Granby Street is Grade II listed and falls within the Granby Street Conservation Area. Granby Street is a designated Area of Special Interest and Consultation under Leicester City Councils Licensing Policy under Section 8 - [licensing-policy-2022-2027.pdf \(leicester.gov.uk\)](#).

Reference has been made to a Cumulative Impact Area in the application. This policy no longer exists with this authority area which is identified in the content of their application. Attempts have been made to address the general concerns.

It is imperative that all applicants fully consider the environmental factors of the area in which they are applying. Section 182 guidance states that applicants should proactively engage with the responsible authorities to ensure that a premises and their management uphold the licensing objectives.

The area consists of other take away premises, late night bars and retail establishments. Within the vicinity there are residential buildings, religious buildings and The Grand Hotel. The location of the licenced premises means that it is likely that customers under the influence of alcohol would gravitate towards it.

At 12.00hrs on Tuesday 17th October 2023, Elizabeth Arculus, Licensing Officer within the Licensing Enforcement Team at Leicester City Council met with the applicant Mr Zrng Hussein and his agents from The Licensing Guys Mr Nick Semper and Mr Chris Lucan.

The purpose of the facility was explained. They discussed the general operation of the premises and the applicant explained some of the methods to counter some of the concerns that were raised.

Some of the specifics that the applicant relayed were that he was the owner of the premises and ran it with the help of up to 5 members of staff.

The proposed area to be licensed is on the ground floor only. There is one front door for access and egress. Internally there are fixed high tables and chairs along the windows of the premises, with a food serving counter and a cooking preparation area on open display. Before the counter a door on the left hand side leads to a downstairs basement area for food storage. This is where the CCTV monitor is currently kept. There is also a staff toilet and hand washing facilities. There is no bin storage, but rubbish bags are placed outside every morning.

The CCTV system is currently operational, but the applicant was unable to demonstrate it working via the monitor as he had forgotten the password. The Licensing Officer requested that he recover the password as soon as possible and enable mobile access. The shop frontage is covered by 2 external CCTV cameras. Internally there are 5 CCTV cameras owned by the applicant covering the entrance, counter and kitchen area, plus one in the basement. Mr Hussein does not intend to share access to the CCTV footage with any work colleagues. The Licensing Enforcement Team will be visiting the premises once the licence is in place to observe the CCTV in operation.

The applicant confirmed that he was planning to run the takeaway via Deliveroo in the future. Whilst there are no plans to sell alcohol to customers the applicant was asked how staff would deal with intoxicated customers coming into the premises late at night and he assured Ms Arculus that there were strategies in place to deal with serving drunken people.

The applicant has indicated that Security Industry Authority door staff will be employed on a risk assessment basis. The Licensing Officer asked for further clarification on this condition and Mr Lucan explained that periods of predicted high footfall (i.e. football matches, the Christmas period) would influence when door staff would be employed.

The Licensing Authority do have concerns about the premises and the effects it may have on the local community, both business and residential. This relates to the timings of the applied activities, the operation of the CCTV cameras and the detail of the operating schedule that has been applied for. The operating schedule is loose in laying out specifically how the applicants would uphold the licensing objectives.

We believe that with the amendments and additions shown below that the premises and applicant could promote the licensing objectives in line with conducting their business in a safe manner.

Conditions Details:

We believe the below additions/amendments of conditions in full, which we believe are reasonable, proportionate and enforceable, may assist the Licence Holder in upholding the licensing objectives.

We have detailed, for clarity, those that

- (a) We believe should be replaced from the applied operating schedule with our proposed wording
- (b) Those to be removed from the operating schedule and;
- (c) Those that are in addition.

Any wording on the operating schedule that is not detailed below to remain on any licence.

(a) Conditions to be replaced from Operating Schedule

Wording contained within the applied operating schedule as copied below be replaced with Requested Condition/s:

Operating Schedule Wording:

CCTV:

1. The installation of a digital CCTV system by liaison with, and to a standard approved by Sussex Police.
 - 1.1 The premises shall install and maintain a digital CCTV system.
 - 1.2 The CCTV system shall have sufficient hard drive storage capacity to store a minimum of 31 days.
 - 1.3 The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises at every entrance and exit point and at each point of sale.

SIGNAGE:

- 5.1 Prominent, clear and legible signage shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quickly and quietly.

To be replaced with:

- The licence holder will ensure a high definition, colour HD CCTV camera system is installed, operational and recording whilst the premises is open to the public. The system must permit the identification of individual(s) in all lighting conditions.
- CCTV cameras must cover all areas that the public have access to, including the entrance, exit and pavement area immediately outside the premises.
- CCTV system images must be securely stored, display an accurate date/time stamp and retained for a minimum of 31 days.
- The licence holder will ensure the premises CCTV is provided to an officer from a responsible authority in a downloadable and viewable format within fourteen days of being requested.
- The licence holder will ensure that there is always a member of staff trained and available to download CCTV images/ footage immediately or an agreed timescale if requested by the police or the Licensing Authority.

- The licence holder shall take reasonable steps to prevent public nuisance being caused by customers outside the premises by displaying prominent Quiet notices requesting customers respect the needs of local residents.
- A training record must be kept on the premises, retained for 12 months from the date of the incident and produced to an officer from a responsible authority upon request.

(b) Conditions to be removed from Operating Schedule

Wording contained within the applied operating schedule as copied below be removed:

Operating Schedule Wording to be removed:

N/A

(c) Requested Additional Conditions

Condition/s wording below to be added in full to any granted licence:

- All conditions (*as identified on these reps*) agreed and signed with Leicestershire Police be included in any granted licence.
- All licensable activities will cease at the following times:
Sundays to Thursdays at 01:00hrs
Fridays and Saturdays at 03:00hrs
 - The licence holder shall ensure all Security Industry Authority (SIA) door supervisor(s) used at the premises record their full name, SIA registration number and the dates/time deployed on the premises. A record must be kept on the premises for six months and made available for inspection to an officer from a responsible authority upon request.
 - The licence holder shall complete monthly security reviews and if necessary or if directed by Leicestershire Police Licensing Department in writing, employ Security Industry Authority (SIA) front line door supervisors at the premises.
 - An incident log shall be kept on the premises, retained for a period of 12 months from the date of the incident and made available to an officer from a responsible authority upon request. The incident log must be completed within 24 hours of the incident and record the following:
 - (a) All crimes reported to the premises.
 - (b) Any ejections of patrons.
 - (c) Any complaints received concerning crime, disorder and anti-social behaviour.
 - (d) Any incidents of crime, disorder and anti-social behaviour inside, associated to the premises or immediately outside the premises.
 - (e) Any faults in the CCTV system.
 - There will be regular safety checks of areas such as toilets and entrances/exits and recorded in a logbook which will be kept on the premises and immediately available upon request from any authority officers.
 - A training record must be kept on the premises, retained for 12 months from the date of the incident and produced to an officer from a responsible authority upon request.
 - The licence holder will ensure that a full fire risk assessment will be conducted and reviewed and implemented in line with Fire Safety Legislation annually.

- An incident log will be kept on the premises and retained for a period of 12 months from the date of the incident. The log will be made immediately available for inspection on request of an officer from a responsible authority.
- The Licence is subject to Leicester City Council's Standard Conditions for Places of Public Entertainment, published on the Licensing Authority's website www.leicester.gov.uk/licensing

Appendix:

No Appendix

Click or tap here to enter text.

Authority Signatures:

Tj Mavani
Licensing Enforcement Manager
Leicester City Council
26/10/2023

Reporting Officer
Elizabeth Arculus

Licensing Authority Details:

Licensing Authority
Licensing Enforcement
York House
91 Granby Street
LE1 6FB

Tel: 0116 4540049
Email: licensingenforcement@leicester.gov.uk
www.leicester.gov.uk/licensing

Notice Sent to:

Please note that this representation has been sent to:

- (1) Licensing Authority Applications Team, Leicestershire Police Licensing, Noise Pollution Team, Leicestershire Fire & Rescue Service
- (2) Applicant and/or Agent

Agreement Notice Applicant (if applicable & only valid if signed)

**Notification to Local Authority of Agreement regarding Licensing
Authority Enforcement Concerns.**

Dear Licensing Authority,

I write in my capacity as the applicant/agent in relation to the above matter & application.

Discussions have taken place with Leicester City Council Licensing Enforcement in relation to their concerns and have been made aware of the above conditions that should be replaced/removed or added to any granted licence.

Please note:

I as the applicant/agent agree to all these conditions & amendments as detailed and do not, therefore consider that a hearing is necessary.

Signed 1: Nick SEMPER
Agent for the Applicant
Name in block capitals: The Licensing Guys
28th October 2023

Application Capacity:

Date:

Signed 2:

Name in block capitals:

Application Capacity:

Date:

Licensing Enforcement Agreement Confirmation (if applicable & only valid if signed)