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# **Application for a new premises licence**

Licensing (Hearings) Sub-Committee

Decision to be taken by: Licensing (Hearings)  
Sub-Committee

Decision to be taken on/Date of meeting: 01 December  
2023

Lead director/officer: Deborah Bragg

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## Useful information

- Ward(s) affected: Castle
- Report author: Lynsay Coupe
- Author contact details: 0116 454 3065
- Report version number: 1

### 1. Summary

- 1.1 This report outlines an application under the Licensing Act 2003 for a new premises licence for an event being held on Victoria Park on 6 July 2024 and summarises the representations received. It also highlights the licensing objectives and the relevant parts of both the statutory guidance and the Licensing Authority's Licensing Policy.

### 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

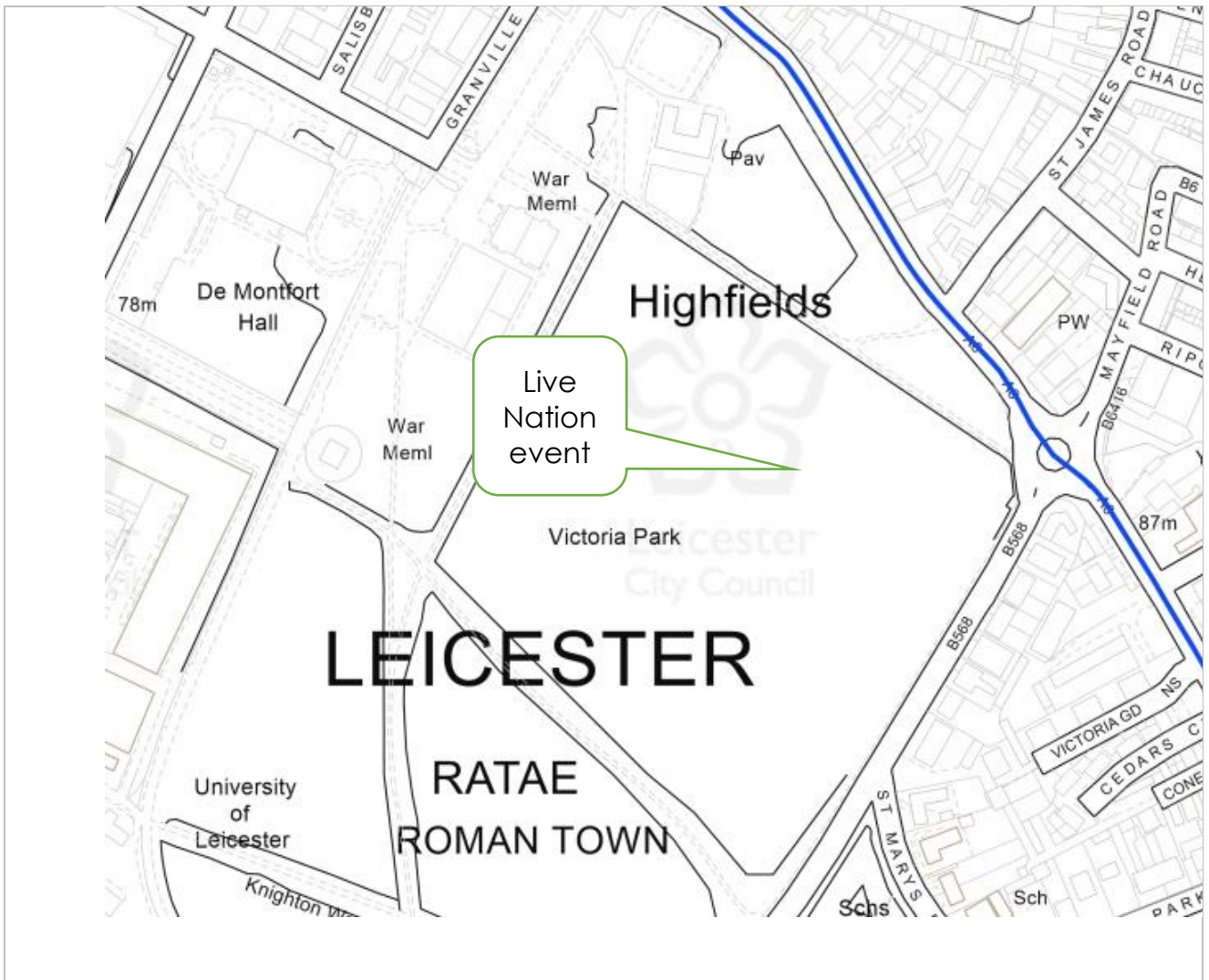
### 3. Application and promotion of the licensing objectives

- 3.1 An application was received on 17 October 2023 from Live Nation (Music) UK Ltd for a new premises licence for Victoria Park for a 1 day event on 6 July 2024. A copy of the application is attached at Appendix A.

- 3.2 The application is as follows:

Licensable activity	Proposed hours
Films Live Music Recorded Music Dance Supply of Alcohol	Saturday 10.00 – 22.30
Opening hours	Saturday 10.00 – 23.00

- 3.3 The steps the applicant proposes to take to promote the licensing objectives are set out in the operating schedule (see section 18 of Appendix A).
- 3.4 In arriving at its decision on the application, the Licensing Authority's primary consideration must be the promotion of the licensing objectives.
- 3.5 Location Plan



#### 4. Representation(s)

- 4.1 A representation was received on 25 October 2023 from the Licensing Enforcement team. The representation relates to the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm. The representee is concerned regarding the scale of the event and the location, they have proposed conditions to be added to the licence, if granted. A copy of the representation is attached at Appendix B1.
- 4.2 A representation was received on 27 October 2023 from a member of the public. The representation relates to the prevention of crime and disorder and the prevention of public nuisance. The representee is concerned that the event will bring anti-social behaviour, such as noise, vandalism and drugs/alcohol issues. A copy of the representation is attached at Appendix B2.
- 4.3 A representation was received on 09 November 2023 from the Noise team. The representation relates to the prevention of public nuisance. The representee is concerned regarding noise levels for the event. They have proposed conditions to be added to the licence, if granted. A copy of the representation is attached at Appendix B3.

- 4.4 A representation was received on 14 November 2023 from the Police. The representation relates to the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm. The representee is concerned that the application doesn't promote all four licensing objectives. They have proposed an earlier end time for the event/licensable activities if the licence is granted. A copy of the representation is attached at Appendix B4.
- 4.5 A representation was received on 14 November 2023 from a member of the public. The representation relates to the prevention of crime and disorder, the prevention of public nuisance and public safety. The representee is concerned that the event will lead to noise and anti-social behaviour. A copy of the representation is attached at Appendix B5.
- 4.6 A representation was received on 14 November 2023 from an interested party. The representation relates to the prevention of crime and disorder, the prevention of public nuisance and public safety. The representee is concerned that the disruption surrounding the event, along with noise nuisance will be detrimental to the local residents. A copy of the representation is attached at Appendix B6.
- 4.7 A representation was received on 14 November 2023 from a member of the public. The representation relates to the prevention of crime and disorder, the prevention of public nuisance and public safety. The representee is concerned that public safety will be compromised because of the event and that local residents will experience noise nuisance. A copy of the representation is attached at Appendix B7.
- 4.8 A representation was received on 14 November 2023 from a member of the public. The representation relates to the prevention of crime and disorder, the prevention of public nuisance and public safety. The representee is concerned that the size of the event will have a detrimental impact on nearby residents. A copy of the representation is attached at Appendix B8.
- 4.9 A representation was received on 14 November 2023 from an interested party. The representation relates to the prevention of crime and disorder and the prevention of public nuisance. The representee is concerned that the event may cause noise nuisance and disorder. A copy of the representation is attached at Appendix B9.
- 4.10 A representation was received on 30 October 2023 from an interested party. The representation relates to the prevention of public nuisance. The representee is concerned that an event they are holding at their premises will be impacted by noise from the Live Nation event. A copy of the representation is attached at Appendix B10.
- 4.11 A letter was also received from Leicester Racecourse raising issues as they had planned an event for 6 July 2024. The areas of concern did not meet the licensing objectives and were therefore not for Members consideration with regards to the application for a premises licence.

## 5. Conditions

- 5.1 The conditions that are consistent with the application and the representations from Licensing Enforcement and the Noise Team are attached at Appendix C.
- 5.2 The Live Music Act 2012 and the Legislative Reform (Entertainment Licensing) Order 2014 amended the Licensing Act 2003 in relation to the provision of regulated entertainment. Certain entertainment does not require a licence subject to audience limits, between 08.00 and 23.00 hours each day. These exemptions may affect the application under consideration because conditions may not be imposed at this stage to control live or recorded music that is unregulated. However, if problems do occur as a result of that entertainment then conditions may be imposed to control such music in the future after a formal review.

## 6. Statutory guidance and statement of licensing policy

- 6.1 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
2.22 – 2.31	Protection of children from harm
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
9.31 – 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

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

Section	Heading
4	Promotion of the licensing objectives
5	General Principles
6	Premises Licences and Club Premises Certificates
8	Areas of Specific Interest and Consultation

## 7. Points for clarification

7.1 The applicant and the 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, whether the applicant wishes to propose any additional steps for the promotion of the licensing objectives.

### *By the parties making the representations*

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.

## 8. Financial, legal, equalities, climate emergency and other implications

### 8.1 Financial implications

None.

### 8.2 Legal implications

Legal advice specific to the application will be provided at the meeting by Legal Officers.

### 8.3 Equalities implications

None.

### 8.4 Climate Emergency implications

There are unlikely to be any significant climate emergency implications directly associated with this report and the licensing process. Aidan Davis, Sustainability Officer, Ext 28 3384.

### 8.5 Other implications

Crime and Disorder – see section 4.

**9. Background information and other papers:**

None

**10. Summary of appendices:**

Appendix A – Application

Appendix B – Representations

Appendix C – Conditions consistent with the application and representations from Licensing Enforcement and the Noise Team.

**11. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?**

No

**12. Is this a “key decision”? If so, why?**

No