



## Representation in respect of a New Premises Application

Licensing Act 2003

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

Details of premises representation is about:	
Name of Premises:	Baton Rouge
Address of premises:	The Queens Building 41 Rutland Street Orton Square Leicester LE1 1RE
Application No. (if known)	162808

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 checked="" 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 Baton Rouge establishment.

The opening hours of the premises are

- 09:00hrs until 01:30hrs Sunday to Wednesday
- 09:00hrs until 02:30hrs Thursday to Saturday

The provision of live music has been requested both indoors and outdoors

- Tuesday from 18:00hrs to 23:00hrs
- Wednesday from 15:00hrs to 23:00hrs
- Thursday from 12:00hrs to 23:00hrs
- Friday and Saturday from 12:00hrs to 00:00hrs

The provision of recorded music has been requested both indoors and outdoors

- Sunday to Wednesday 09:00hrs to 01:00hrs
- Thursday to Saturday 09:00hrs to 02:00hrs

The provision of anything of a similar description to live music, recorded music or performances of dance has been requested both indoors and outdoors

- Friday to Sunday from 12:00hrs to 18:00hrs

The provision of late night refreshment has been requested both indoors and outdoors

- Sunday to Wednesday 09:00hrs to 01:00hrs
- Thursday to Saturday from 09:00hrs to 02:00hrs

The supply of alcohol for consumption both on and off the premises

- Mondays to Sunday from 11:00hrs until 01:00hrs
- Thursday to Saturday from 09:00hrs to 02:00hrs

Seasonal variations have been applied for with the celebration of American holidays including Mardi Gras (changeable date each year but pre-Lent in the United Kingdom), 4<sup>th</sup> of July, Halloween and Thanksgiving.

The application suggests that the premises will be used as an American themed country music bar, serving food and also providing live musical entertainment.

The premises is located at The Queens Building, 41 Rutland Street in Orton Square in Leicester city's Cultural Quarter. Orton Square is a pedestrian area of the city and the premises is next to the Serbian Orthodox Church of St George the Great Martyr and its churchyard. Along with the Curve Theatre the area consists of commercial buildings and residential properties, and has several late-night public houses, bars and clubs licensed for the sale of alcohol both on and off the premises.

The proposed area to be licensed is on the ground floor and basement, with a small outdoor area. The ground floor consists of several separate areas with tables and chairs, a grand piano, a bar, kitchen and toilets.

There is access to the basement via stairs in a side room and externally via a designated fire exit. There are plans to close off the top floor of the premises with a fire curtain to allow the basement to be used separately. The basement of the building contains a performance area, seating booths and a bar.

At 14:00hrs on Monday 15<sup>th</sup> April 2024, Elizabeth Arculus, Licensing Officer within the Licensing Enforcement Team at Leicester City Council attended the premises with Jeff Pritchard from Leicestershire Police. They were met by the applicant, Matthew Hogg and his business partner Shaun Jones. They went through the building together and the purpose of the facility was explained to them. They discussed the general operation of the premises and Mr Hogg explained

some of the methods to counter some of the concerns that were raised whilst being shown round.

Some of the specifics that Mr Hogg relayed were that he was the joint director of the premises which would be called Baton Rouge with 3 other business partners. Mr Hogg will be the Designated Premises Supervisor and holds a personal licence (23/00462/PSL) with Hinckley and Bosworth Borough Council. Mr Hogg currently runs another establishment called Baton Rouge in Hinckley town centre and this has been operational for a year.

The applicants have asked for a similar premises licence to the previous premises licence held by Orton's Brasserie (LEIPRM1736) with the same opening hours of Sunday to Wednesday 09:00hrs to 01:30hrs and Thursday to Saturday 09:00hrs to 02:30hrs. The sale of alcohol and late night refreshments were permitted from Sunday to Wednesday 09:00hrs to 01:00hrs and Thursday to Saturday 09:00hrs to 02:00hrs.

Mr Hogg confirmed that the CCTV system would be of the highest quality including provision for the clear facial recording of any persons entering the premises. The system will include a separate monitor with 3 external cameras covering the front and side entrance. The internal cameras cover all accessible areas of the restaurant. The CCTV footage will be accessible via mobile phone and all 4 directors will have access to it.

The applicant is also planning to utilise some of the outside space next to the churchyard and may apply for a pavement café licence at the front of the premises in the future.

There is no mention of age restrictions regarding alcohol, only staff training, and that under 16's will not be permitted in the basement bar area after 9pm or allowed to enter the premises without the supervision of a responsible adult. Mr Hogg was asked about the Challenge 25 policy and clearly had an understanding of the policy and the staff training required regarding ID checks by door and bar staff.

There was also no mention of a refusals log book, but Mr Hogg was able to demonstrate that he understood what this entailed.

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 detail of the operating schedule that has been applied for. The operating schedule does lay out some of the intentions of the applicant however, it is loose in specifically how they 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:

- A comprehensive CCTV system covers the entirety of the inside and outside of the building.
- 2 SIA trained door supervisors will be utilised for the basement bar area from 9pm when open.
- Customers will be reminded by staff members and signage to be respectful of the local community when leaving the premises or accessing the outdoor areas. Staff will be empowered to communicate this confidently and politely to customers.
- Children (u16's) will not be allowed to enter the premises under the supervision of a responsible adult.

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 images/ footage immediately or an agreed timescale if requested by the police or the Licensing Authority.
- The licence holder will complete a monthly security review and if necessary and/or if directed in writing by Leicestershire Police Licensing Department, employ Security Industry Authority (SIA) front line door supervisors at the premises and/or additional Security Industry Authority (SIA) front line door supervisors at the premises.
- The licence holder will employ a minimum of two Security Industry Authority (SIA) front line door supervisors at the premises from 9pm until all customers have left the premises when both the ground floor and basement area is being used by customers.
- The licence holder will ensure all Security Industry Authority (SIA) door supervisor(s) used at the premises record their full name, full SIA registration number and the dates/time



<p>deployed at 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.</p> <ul style="list-style-type: none"> <li>• The licence holder will ensure that at least one operational audio and visual body worn camera is deployed at the premises and worn by either a member of security staff or staff, whilst the premises is open to the public from 9pm until close to the public, when both the ground floor and basement area is being used by customers.</li> <li>• The licence holder shall take reasonable steps to prevent public nuisance being caused by customers outside the premises by displaying prominent Quiet notices at all exit points requesting customers respect the needs of residents and keep noise to a minimum whilst outside of the venue.</li> <li>• The licence holder will ensure that children and young people under 18 years of age will only be allowed to enter the premises under the supervision of a responsible adult.</li> <li>• The licence holder will ensure that children and young people under 18 years of age will not be permitted to remain on the premises after 11pm.</li> </ul>
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<b>(b) Conditions to be removed from Operating Schedule</b>
<i>Wording contained within the applied operating schedule as copied below be <u>removed</u>:</i>
Operating Schedule Wording to be removed:  N/A

<b>(c) Requested Additional Conditions</b>
<i>Condition/s wording below to be added in full to any granted licence:</i>
<ul style="list-style-type: none"> <li>• A Challenge 25 policy will be adopted with the only acceptable proof of age identification consisting of a current passport, photo card driving licence or identification carrying a PASS logo. 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.</li> <li>• 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: <ul style="list-style-type: none"> <li>(a) All crimes reported to the premises.</li> <li>(b) Any ejections of patrons.</li> <li>(c) Any complaints received concerning crime, disorder and anti-social behaviour.</li> <li>(d) Any incidents of crime, disorder and anti-social behaviour inside, associated to the premises or immediately outside the premises.</li> <li>(e) Any faults in the CCTV system.</li> </ul> </li> <li>• 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.</li> <li>• 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.</li> </ul>

- 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.
- The licence holder will ensure that there is a dedicated smoking area outside of the premises which will be monitored by staff throughout.
- 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](http://www.leicester.gov.uk/licensing)

#### Appendix:

No Appendix

Click or tap here to enter text.

#### Authority Signatures:

Bobby Smiljanic  
Licensing Enforcement Manager  
Leicester City Council  
30/04/2024

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](mailto:licensingenforcement@leicester.gov.uk)  
[www.leicester.gov.uk/licensing](http://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:



Name in block capitals: MATTHEW HOGG

Application Capacity: BATON ROUGE DIRECTOR AND DPS

Date: 01/05/2024

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Signed 2:

Name in block capitals:

Application Capacity:

Date:

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