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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: 16 October  
2024

Lead director/officer: Deborah Bragg

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## Useful information

- Ward(s) affected: Stoneygate
- Report author: Amy Day
- Author contact details: 0116 454 3054
- Report version number: 1

### 1. Summary

- 1.1 This report outlines an application under the Licensing Act 2003 for a new premises licence for Lokma Shawarma, 164 Evington Road, Leicester, LE2 1HL 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 03 September 2024 from Lokma Shawarma Ltd for a new premises licence for Lokma Shawarma, 164 Evington Road, Leicester. A copy of the application is attached at Appendix A.

- 3.2 The application is as follows:

Licensable activity	Proposed hours
Late night refreshment	Monday to Sunday 23.00 – 05.00
Opening hours	Monday to Sunday 10.30 – 05.00

- 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. Representations

- 4.1 Three representations were received on 03 September 2024 from members of the public. The representations relate to the prevention of crime and disorder, the prevention of public nuisance and public safety. The representees are concerned that this is a densely populated area and the late hours requested will increase noise, litter, parking issues and anti-social behaviour. Copies of the representations are attached at Appendix B1-3.
- 4.2 A representation was received on 30 September 2024 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 premises is located with an area of 'special interest' as referred to the Council's Statement of Licensing Policy, but the applicant has made no reference to this and is extremely vague as to how they will operate and promote the licensing objectives. A copy of the representation is attached at Appendix B2.

- 4.3 A representation was received on 27 September 2024 from the Noise team. The representation relates to the prevention of public nuisance. The representee is concerned that noise from the premises and delivery companies until 05.00 will likely cause nuisance to local residents. They have been in contact with the applicant and have agreed conditions. A copy of the representation and agreement is attached at Appendix B5.
- 4.4 A representation was received on 25 September 2024 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 that the timings and activity applied for plus the lack of detail on the operating schedule may have an impact on the local community. They have been in contact with the applicant and have agreed conditions. A copy of the representation and agreement is attached at Appendix B6.
- 4.5 A search of Aurora the Councils Mapping System shows that in relation to the planning permission for this premise which was granted on 10 December 2015, the hours that the premise can operate are 09.00 to 23.00 Monday to Sunday.

## 5. Conditions

- 5.1 The conditions that are consistent with the application and the representations are attached at Appendix C.

## 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
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
9.31 – 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
13.10 – 13.11	Giving reasons for decisions
14.51 – 14.52	Licensing Hours

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 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, whether the applicant wishes 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.

## 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 (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

None.

**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

**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