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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: 29 January  
2025

Lead director/officer: Deborah Bragg

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## Useful information

- Ward(s) affected: Westcotes
- 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 Miszak Mini Market, 182 Narborough Road, Leicester, LE3 0BU and summarises the representation 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 representation, Members must consider whether to
- Grant the licence without modification
  - Grant the licence subject to conditions
  - 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 06 December 2024 from Mrs Baghcheh Pirouzi for a new premises licence for Miszak Mini Market, 182 Narborough Road, Leicester, LE3 0BU. A copy of the application is attached at Appendix A.

- 3.2 The application is as follows:

| <b>Licensable activity</b>         | <b>Proposed hours</b>             |
|------------------------------------|-----------------------------------|
| Supply of Alcohol<br>Opening hours | Monday to Sunday<br>08.00 – 22.00 |

- 3.3 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).
- 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 20 December 2024 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 another off licence opening on the road will lead to increased crime and noise. A copy of the representation is attached at Appendix B1.

#### 5. Conditions

- 5.1 The conditions that are consistent with the application 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   |
| 2.15 – 2.21   | Public nuisance  |
| 8.41 – 8.49   | Steps to promote the licensing objectives  |
| 9.11 – 9.12   | Role of 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  |

- 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 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 representation are valid, and if not why not.
2. In the light of the representation 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

Crime and Disorder – see paragraph 4

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

None

## **10. Summary of appendices:**

Appendix A – Application

Appendix B – Representation

Appendix C – Conditions consistent with the application

## **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