
Application for a variation of an existing premises licence

Licensing (Hearings) Sub-Committee

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

Decision to be taken on/Date of meeting: 6th March 2025

Lead director/officer: Deborah Bragg

Useful information

- Ward(s) affected: Castle
- Report author: Valentina Cenic
- Author contact details: 0116 454 3081
- Report version number: 1

1. Summary

- 1.1 This report outlines an application under the Licensing Act 2003 for a variation to an existing premises licence for TTR Local, 22 King Street, Leicester 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 representations, Members must consider whether to
- Grant the licence without modification
 - Modify the conditions of the licence
 - Reject the whole application

3. Application and promotion of the licensing objectives

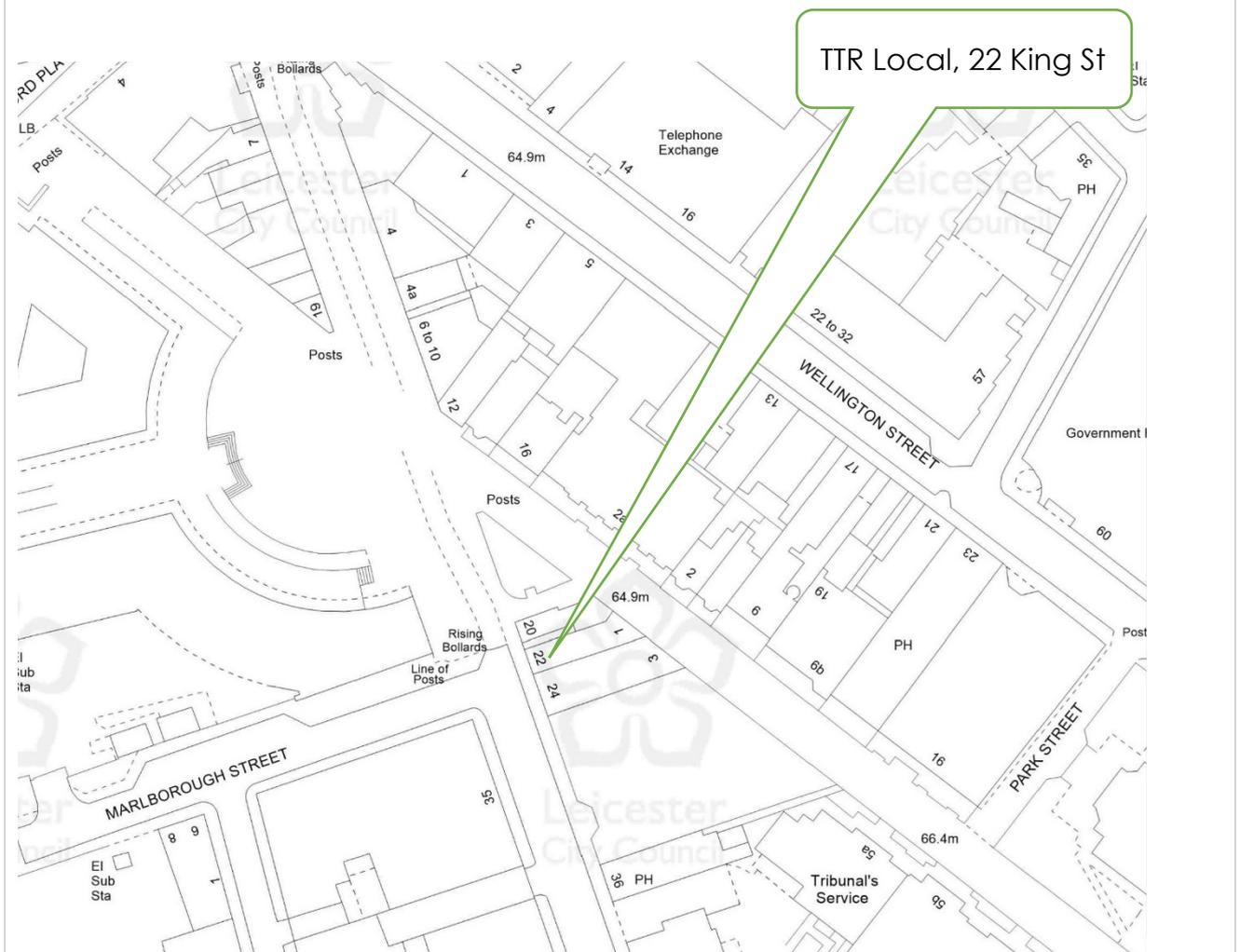
- 3.1 An application was received on 15th January 2025 for a variation of an existing premises licence for TTR Local, 22 King Street, Leicester. A copy of the application is attached at Appendix A.

- 3.2 The variation application is as follows:

Licensable activity	Current hours	Proposed hours
Opening hours	Monday to Sunday 07:30 – 21:00	Monday to Sunday 00:00 – 00:00
Late night refreshment	n/a	Monday to Sunday 23:00 – 05:00
Sale of alcohol (off)	Monday to Sunday 09:00 – 20:00	Monday to Sunday 00:00 – 00:00

- 3.3 The steps the applicant proposes to take to promote the licensing objectives are set out in the operating schedule (see section 16 of Appendix A).
- 3.4 The existing licence is attached at Appendix B.
- 3.5 In arriving at its decision on the application, the Licensing Authority's primary consideration must be the promotion of the licensing objectives.

3.6 Location Plan



4. Representations

4.1 A representation was received on 21st January 2025 from the Police. The representation relates to the prevention of public nuisance, prevention of crime and disorder and public safety. Given the premises proximity to other licensed premises, the Police are deeply concerned about the premises' proposal to operate and sell alcohol 24/7. It is highly likely that the premises will act as a magnet if they serve alcohol to customers already under the influence of alcohol and/or supply alcohol to those customers attending nearby licensed premises, either before or after.

There is also a possibility that members of the public/customers who are refused entry or ejected from nearby premises may elect to source alcohol from the premises in order to continue their night out.

The public space seating area at the bottom of New Walk/King Street (within 20m from the premises) could provide an attractive space for customers to consume alcohol and other products purchased from the premises.

Similarly, the applicant will be unable to manage customers outside the premises between midnight and 6am, as they are in the public domain. But the very fact they are outside is likely to result in increased noise and public nuisance.

The application also refers to a delivery service, which would suggest delivery couriers on both pedal cycles, mopeds and motor vehicles will potentially be attending the premises to collect orders. This in turn will generate noise and is likely to disturb local residents who live along King Street and Marlborough Street.

As alcohol related violent crime, disorder and anti-social behaviour increases in the city centre during the night-time economy, it means there is a real risk of serious problems both at and in the proximity to the premises, regardless of the best intentions of the applicant.

Therefore, the Police requests the application is refused, as it is both appropriate and proportionate to address the causes of the concern(s).

A copy of the representation is attached at Appendix C.

- 4.2 A representation was received on 24th January 2025 from a Councillor. The representation relates to prevention of crime and disorder and prevention of public nuisance. The Councillor is concerned that a 24 hour off-licence will attract people, literally at all hours, to consume alcohol in the nearby vicinity and will have no apparent means of controlling the conduct of those who visit the premises.

The nearby location of several late-night premises will mean this area could turn into an open-air nightclub with none of the commensurate means of organisation or control. This will lead to excessive noise and disruption for nearby residents and the potential for serious crime and disorder.

A copy of the representation is attached at Appendix C1.

- 4.3 A representation was received on 5th February from the Licensing Enforcement Manager. The representation relates to prevention of crime and disorder, prevention of public nuisance and public safety. The Licensing Authority do have concerns about the premises and the effects the extended hours may have on the local community, both business and residential. This relates to the details of the operating schedule that has been applied for, which does lay out some of the intentions of the applicant, however, it is loose in outlining specifically how they would uphold the licensing objectives.

The Licensing Authority believe that the application fails to promote three of the licensing objectives and therefore respectfully request that the application is refused.

However, if the committee elected to grant the licence, the Licensing Authority respectfully requests that the committee considers attaching conditions in order to promote the licensing objectives.

A copy of the representation is attached at Appendix C2.

- 4.4 A representation was received on 7th February 2025 from Noise Team. The representation relates to prevention of public nuisance. The Noise Team are concerned that the applied for licensable activities – supply of alcohol and late night refreshment - if permitted to carry on during the hours of applied for, will produce

noise that unreasonably interferes with the use and cause public nuisance to nearby properties. Therefore, the Noise Team recommend refusal of the application.

A copy of the representation is attached at Appendix C3.

- 4.5 A representation was received on 12th February 2025 from a member of public. The representation relates to prevention of public nuisance, prevention of crime and disorder and public safety. The representee strongly objects to the late opening hours into the early morning due to the drunkenness of the public in this area. The noise and violence that will be created is very disturbing and not safe for neighbours coming into the residential properties near the shop. The representee adds that the street drinking continues near this shop once alcohol has been bought.

A copy of the representation is attached at Appendix C4.

5. Conditions

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

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

There are no significant financial implications arising from the contents of this report.

Signed: Jade Draper

Dated: 14 February 2025

8.2 Legal implications

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

8.3 Equalities implications

Under the Equality Act 2010, public authorities have a Public Sector Equality Duty (PSED) which means that, in carrying out their functions, they have a statutory duty to pay due regard to the need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act, to advance equality of opportunity between people who share a protected characteristic and those who don't and to foster good relations between people who share a protected characteristic and those who don't.

Protected Characteristics under the Equality Act 2010 are age, disability, gender

reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

There are no direct equalities implications arising from the report. However it is important to consider issues of accessibility to the application process and its associated activities (such as lodging an appeal); The criteria used during determination of an application and its associated activities (such as lodging an appeal).

Signed: Surinder Singh, Equalities Officer
Dated: 14 February 2025

8.4 Climate Emergency implications

There are unlikely to be any significant climate emergency implications directly associated with this report and the licensing process.

Signed: Aidan Davis, Sustainability Officer
Dated: 14 February 2025

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 – Existing licence

Appendix C, C1, C2, C3, C4 – Representations

Appendix D – 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