
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: 12 May 2025

Lead director/officer: Tj Mavani

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 variation to an existing premises licence for Alino, 11 Narborough Road, LE3 0LE, 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
 - 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 21 March 2025 for a variation of an existing premises licence for Alino. A copy of the application is attached at Appendix A.

- 3.2 The variation application is as follows:

Licensable activity	Current hours	Proposed hours
Films Dance Similar to Dance	Monday to Thursday 10.00 – 00.00 Friday to Sunday 10.00 – 01.00	N/A
Live Music	Monday to Thursday 10.00 – 00.00 Friday 10.00 – 01.00 Saturday to Sunday 12.00 – 01.00	Friday to Saturday 10.00 – 03.00
Recorded Music	Monday to Thursday 10.00 – 00.00 Friday to Sunday 10.00 – 01.00	Friday to Saturday 10.00 – 03.00
Late night refreshment	N/A	Friday to Saturday 23.00 – 03.00
Sale of alcohol	Monday to Thursday 10.00 – 00.00	Friday to Saturday 10.00 – 03.00

	Friday to Sunday 10.00 – 01.00	
Opening hours	Unrestricted	Unrestricted

Non standard hours:

Live Music/Recorded Music - Christmas Eve till 4am, New year Eve till 4am

Late Night Refreshment/Sale of alcohol - Christmas Eve till 3am, New year Eve till 3am

Conditions to be removed: None

- 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 03 April 2025 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 revellers already under the influence of alcohol will attend the venue in the early hours of the morning to source more alcohol in an area that already faces challenges in relation to crime and disorder and anti-social behaviour. A copy of the representation is attached at Appendix C1.
- 4.2 A representation was received on 09 April 2025 from the Noise team. The representation relates to the prevention of public nuisance. The representee is concerned that allowing the premises to operate such long hours will increase the likelihood of noise complaints and cause disturbance to residents by customers visiting the premises throughout the night and particularly into the early hours of the morning. The Noise team have now reached agreement with the applicant to add conditions to the licence if granted. A copy of the representation/agreement is attached at Appendix C2.

- 4.3 A representation was received on 15 April 2025 from the Licensing Enforcement team. The representation relates to the prevention of crime and disorder, the prevention of public nuisance and public safety. The representee has concerns about the premises and the effects the extended hours may have on the local community, both business and residential. Conditions have been proposed to be added to the licence, if granted. A copy of the representation/proposed conditions are attached at Appendix C3.

5. Conditions

- 5.1 The conditions that are consistent with the application, representation from the Noise Team and proposed conditions from the Licensing Enforcement team are attached at Appendix D.
- 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
9.42 – 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 representations 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

There are no significant financial implications arising from the contents of this report.
Jade Draper Principal Accountant
24 April 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: 24 April 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. 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 – Existing licence

Appendix C – Representations

Appendix D – Conditions consistent with the application and representation from the Noise Team and proposed conditions from the Licensing Enforcement 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