



## Representation in respect of a Variation 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:	Alino Ltd
Address of premises:	11 Narborough Road Leicester LE3 0LE
Application No. (if known)	172933

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 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 variation application based upon the above stated licensing objectives.</p> <p>The application is for the variation of Premises Licence LEIPRM0381 for the following licensable activities:</p>

- Provision of Live Music (indoors) from 10:00hrs to 03:00hrs Friday and Saturday. Seasonal variations have been requested on Christmas Eve and New Years Eve until 04:00hrs.
- Provision of Recorded Music (indoors) from 10:00hrs to 03:00hrs Friday and Saturday. Seasonal variations have been requested on Christmas Eve and New Years Eve until 04:00hrs.
- Provision of Late Night Refreshment (indoors) from 10:00hrs to 03:00hrs Friday and Saturday. Seasonal variations have been requested on Christmas Eve and New Years Eve until 03:00hrs.
- The supply of alcohol on the premises has been requested from 10:00hrs to 03:00hrs Friday and Saturday. Seasonal variations have been requested on Christmas Eve and New Years Eve until 03:00hrs.
- The premises currently has unrestricted opening hours, but seasonal variations have been requested for Christmas Eve and New Years Eve until 04:00hrs.

The premises is currently licenced for the following activities:

- Exhibition of films (Indoors) Monday – Thursday 10:00hrs to 00:00hrs  
Friday – Sunday 10:00hrs to 01:00hrs
- Performance of live music (Indoors) Monday – Thursday 10:00hrs to 00:00hrs  
Friday 10:00hrs to 01:00hrs  
Saturday – Sunday 12:00hrs to 01:00hrs
- Playing of recorded music (Indoors) Monday – Thursday 10:00hrs to 00:00hrs  
Friday – Sunday 10:00hrs to 01:00hrs
- Performance of dance (Indoors) Monday – Thursday 10:00hrs to 00:00hrs  
Friday – Sunday 10:00hrs to 01:00hrs
- Entertainment of a similar description to that falling within E,F or G (Indoors)  
Monday – Thursday 10:00hrs to 00:00hrs  
Friday – Sunday 10:00hrs to 01:00hrs
- The supply of alcohol for consumption on and off the premises  
Monday – Thursday 10:00hrs to 00:00hrs  
Friday – Sunday 10:00hrs to 01:00hrs
- The premises opening hours are unrestricted.

The premises is a bar and restaurant located on the ground floor of 11 Narborough Road a busy area just outside the city centre in the Westcotes ward. The area consists of a mixture of bars and restaurants, drinking establishments, commercial businesses and residential dwellings.

The premises also holds a current Pavement Cafe Licence LEISC6136.

There are a variety of licensed premises in the vicinity including off licences, late night refreshment premises and bars, many of which are open throughout the nighttime economy.

The proposed area to be licensed is on the ground floor using the front door for both access and egress.

The shop comprises one property as part of a terrace of buildings with other businesses either side, and living accommodation upstairs.

Ms Elizabeth Arculus, Licensing Officer and Miss Minaxi Patel, Licensing Enforcement Officer from the Licensing Team at Leicester City Council visited the premises at 11.00hrs on Tuesday 8<sup>th</sup> April 2025. Ms Arculus had emailed the applicant Mr Jean Alain Kakmeni several times to request a meeting. As there was no response, Ms Arculus contacted the Designated Premises Supervisor Alvine Kouaya Tchega to arrange the meeting. Mr Kakmeni was asked to attend, but unfortunately Mrs Kouaya Tchega confirmed that Mr Kakmeni was unavailable.

11 Narborough Road falls within a designated Area of Special Interest and Consultation under Leicester City Councils Licensing Policy under Section 8 - [licensing-policy-2022-2027.pdf \(leicester.gov.uk\)](#).

Attempts have not been made to address the policy or any of the general concerns.

It is imperative that all applicants fully consider the environmental factors of the area in which they are applying. Section 182 guidance states that applicants should proactively engage with the responsible authorities to ensure that a premises and their management uphold the licensing objectives.

Mrs Kouaya Tchega was unaware of this policy when it was raised by the Licensing Officer at the start of the meeting.

The purpose of the facility was explained to them. They discussed the general operation of the premises and Mrs Kouaya Tchega was asked to explain some of the methods to counter some of the concerns that they raised.

The application refers to a recent major refurbishment which included some extensive remodelling of the premises and full sound insulation. Leicestershire Police and Licensing Enforcement visited the premises on 20<sup>th</sup> September 2024 and it was noted that the premises was closed for a major refurbishment. Mr Kakmeni and Mrs Kouaya Tchega were advised by Licensing Enforcement Officers to contact the Licensing Department as a variation would be required due to the change of layout. However, Mrs Kouaya Tchega explained that only planning had been informed about this change. Therefore, a breach of the licence has already taken place.

In addition, a Temporary Event Notice was submitted for 1<sup>st</sup> December 2024 but was refused by the Licensing Authority as it was a late submission. However a breach of the licence conditions was observed by Licensing Enforcement Officers that evening after 01:00hrs and the applicant was spoken to by the officers at 01:25hrs.

Mrs Kouaya Tchega stated that the premises employed an SIA registered security guard on Friday and Saturday from 22:00hrs to the close time.

The capacity of the venue was discussed, but Mrs Kouaya Tchega was unsure about this. The capacity of the venue is usually decided by the Fire Risk Assessment and when Ms Arculus asked Mrs Kouaya Tchega where the fire risk assessment was, she was unsure as to whether or not they had one.

The premises also did not have a refusals/incident log on the premises or any training records for staff.

There were internal and external CCTV cameras installed at the premises with good coverage.

Mrs Kouaya Tchega understood that staff needed to ask for ID in line with the Challenge 25 procedure, which ID to look for, and how to check it was genuine. However there were no Challenge 25 posters on display at the venue.

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 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 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 requests that the application be refused.

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

### 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:

- *CCTV is been install and maintain to deter crime and provide evidence.*
- *In house security personnel with up to date SIA license.*
- *We have robust age verification procedures in place to prevent underage drinking and entry.*

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 that there is always a member of staff trained and available to download CCTV images/ footage immediately if requested by the police or the Licensing Authority.
- The licence holder will employ a minimum of two Security Industry Authority (SIA) front line door supervisors at the premises on Friday, Saturday and at seasonal events from 10pm 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 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.
- 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.
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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>• An incident and refusals log will be kept on the premises and retained for a period of 12 months from the date of the incident. The log will be made immediately available for inspection on request of an officer from a responsible authority.</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> <li>• There will be regular safety checks of areas such as entrances/exits recorded in a logbook which will be kept on the premises and immediately available upon request from any authority officers.</li> <li>• Bins and bottles must be emptied between 07:00hrs and 22:00hrs.</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 requesting customers respect the needs of local residents.</li> <li>• The Licence is subject to Leicester City Council's Standard Conditions for Places of Public Entertainment, published on the Licensing Authority's website <a href="http://www.leicester.gov.uk/licensing">www.leicester.gov.uk/licensing</a></li> </ul>

Appendix:	
Appendix 1	N/A

<b>Authority Signatures:</b>
<p>Bobby Smiljanic Licensing Enforcement Manager Leicester City Council 15/04/2025</p> <p>Reporting Officer Elizabeth Arculus</p>

**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)

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