

Leicester  
City Council

**WARDS AFFECTED**  
Castle

**FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:**  
Hearing under the Licensing Act 2003

**20 January 2014**

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**Application for a review of an existing premises licence**  
**Long Bar, 29 Market Street, Leicester, LE1 6DN**

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**Report of the Director of Environmental Services**

**1. Purpose of Report**

- 1.1. This report provides information for Members about an application made under the Licensing Act 2003, to assist them in determining the outcome of that application.

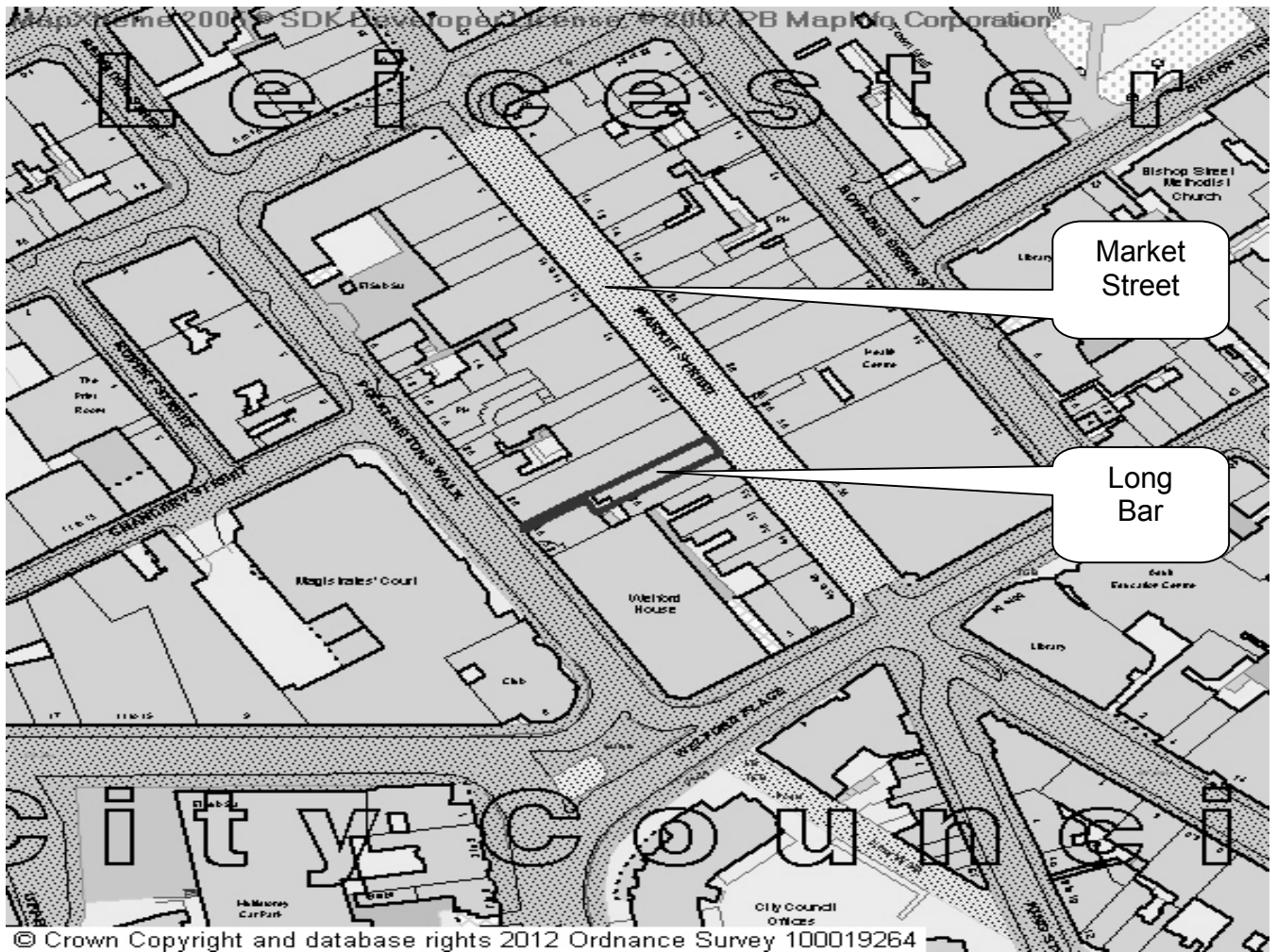
**2. Determination to be made**

- 2.1. Having considered the application and representations, Members must consider whether to
- Reject the review application
  - Modify the conditions of the licence
  - Exclude a licensable activity from the scope of the licence
  - Remove the designated premises supervisor
  - Suspend the licence for a period not exceeding three months
  - Revoke the licence
- 2.2 Where Members take the decision to reject the review application, they are permitted to issue an informal warning to the licence holder and / or recommend improvement within a particular period of time.

**3. Summary**

- 3.1 This report outlines an application for a review of an existing premises licence for Long Bar and summarises the representations received. It also highlights the licensing objectives, the relevant parts of the guidance and regulations, and the pertinent sections of the Licensing Authority's Licensing Policy.

#### 4. Location Plan



#### 5. Existing Licence

- 5.1. The existing licence is attached at Appendix A.
- 5.2. The activities and hours permitted by the existing licence are as follows:

Licensable activity	Current Hours
Live Music	Mon – Thur 11.00 – 03.00 Fri – Sun 11.00 – 06.00
Recorded Music	Mon – Thur 11.00 – 03.00 Fri – Sun 11.00 – 06.00
Performances of Dance	Mon – Sun 11.00 - 03.00
Anything similar to live/recorded music or dance	Mon – Sun 11.00 - 03.00
Late night refreshment	Mon – Sun 23.00 - 03.00
Supply of Alcohol (on & off sales)	Mon – Thur 11.00 – 03.00 Fri – Sun 11.00 – 06.00
Opening hours	Mon – Thur 11.00 – 03.00 Fri – Sun 11.00 – 06.00

## **6. Review application**

- 6.1 An application was received on 26<sup>th</sup> November 2013 from Leicestershire Police for a review of the existing premises licence for The Long Bar. The application was made on the grounds of the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. A copy of the application is attached at Appendix B.
- 6.2 Leicestershire Police have been called out to numerous incidents at the premises and do not believe that the licensing objectives are being upheld in any way shape or form and that the public are at risk when attending the premises. Further information has been submitted with the review application, including statements from Police Officers, Control Room staff and the City Council's Licensing Team Manager, copies of which are attached at Appendix B1.

## **7 Steps to Promote the Licensing Objectives**

- 7.1 In arriving at its decision on the review application, the Licensing Authority's primary consideration must be the promotion of the licensing objectives.

## **8. Statutory Guidance**

- 8.1 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 relevant parts of the guidance in this case are as follows:

<b>Section</b>	<b>Heading</b>
1.2 – 1.5	The licensing objectives
1.15 – 1.17	General principles – each application on its own merits
2.1 – 2.18	Crime and disorder
2.19 – 2.31	Public safety
2.32 – 2.40	Public nuisance
2.41 – 2.51	Protection of children from harm
3.12 – 3.19	Late night refreshment
8.34 – 8.44	Steps to promote the licensing objectives
9.12	Representations from the Police
9.27 – 9.37	Hearings
9.38 – 9.40	Determining actions that are appropriate for the promotion of the licensing objectives
10.1 – 10.5	Conditions - general
10.12 – 10.42	Imposed conditions
10.43 – 10.81	Mandatory conditions in relation to the supply of alcohol
11.1 – 11.33	Reviews
13.40	Licensing hours

## **9. Statement of Licensing Policy**

- 9.1 The relevant parts of the Licensing Authority's Statement of Licensing Policy are as follows:

<b>Section</b>	<b>Heading</b>
2	Fundamental Principles
5	Licensing Hours
7	Prevention of Crime and Disorder
8	Public Safety
9	Prevention of Public Nuisance
10	Protection of Children from Harm
12	Duplication
13	Standardised conditions

## 10. Points for Clarification

10.1 The licence holder and the applicant for review have been asked to clarify certain points at the hearing, as follows:

*By the premises licence holder*

1. Whether the premises licence holder considers that the concerns outlined in the review application are valid, and if not why not?
2. In the light of the review application, does the applicant wish to propose any additional steps for the promotion of the licensing objectives?

*By the applicant for review*

1. Whether they have any additional information to support the review application 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?

## 11. Other Implications

<b>OTHER IMPLICATIONS</b>	<b>YES/ NO</b>	<b>Paragraph/References Within Supporting information</b>
Equal Opportunities	No	
Policy	No	
Sustainable and Environmental	No	
Crime and Disorder	Yes	Parag. 6 – the review application was made on the grounds of the prevention of crime and disorder
Human Rights Act	No	
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

## 12. Background Papers – Local Government Act 1972

- a. None.

### 13. Consultations

13.1 The Licensing Authority has fulfilled its obligations under the Licensing Act 2003 by preparing a notice which has been:

- Displayed at the premises
- Published on our website, and
- Displayed in Customer Services (New Walk Centre)

for 28 days.

### 14. Report Author

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<b>APPENDIX</b>	<b>CONTENT</b>
A	Existing licence
B	Application for review & further information