



Leicester
City Council

WARDS AFFECTED
Castle

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

31 March 2014

**Agreement reached for an application for a new premises licence
Lilu, 76 Highcross St, Leicester LE1 4NN**

Report of the Director of Environmental Services

1. Purpose of Report

- 1.1. To agree whether a hearing is necessary in relation to an application for a new premises licence listed in Appendix A.

2. Determination to be made

- 2.1 Having considered the application, representations and subsequent agreement between the parties involved, Members are asked to agree that a hearing is not necessary.

3. Background

- 3.1 The application for a new premises licence in Appendix A is the subject of relevant representations. Following discussions between the parties, an agreement has been reached to apply additional conditions to the licence. As a result, the parties have agreed that a hearing is not necessary.
- 3.2 If the proposed additional conditions had been included in the operating schedule when the application was made, the application would not, presumably, have attracted a representation and the licence would have been granted, subject only to conditions consistent with the operating schedule.

4 Effect of Decision that a hearing is Unnecessary

- 4.1 If the Sub-Committee agrees that a hearing is unnecessary, then a licence will be granted including the additional conditions specified.
- 4.2 If the Sub-Committee believes that a hearing is necessary then this will be arranged within the statutory timescales.

5 Statutory Guidance

- 5.1 The Licensing Authority must have regard to guidance issued by the Secretary of State. Paragraph 9.19 of the guidance states:

“...If the licensing authority decides that representations are relevant, it must hold a hearing to consider them. The need for a hearing can only be dispensed with by the agreement of the licensing authority, the applicant and all of the parties who made relevant representations.”

- 5.2 Paragraph 9.24 states:

“As a matter of practice, licensing authorities should seek to focus the hearing on the steps needed to promote the particular licensing objective which has given rise to the specific representation and avoid straying into undisputed areas...”

6 Legal Implications

- 6.1 Regulation 9 of the Licensing Act 2003 (Hearings) Regulations 2005 enables the Council to dispense with a hearing if all of the relevant parties required by the Licensing Act 2003 agree that such a hearing is unnecessary.

Sarah Khawaja

Principal Solicitor (Regulatory & Property) 37 1448

7 Other Implications

OTHER IMPLICATIONS	YES/ NO	Paragraph/References Within Supporting information
Equal Opportunities	No	
Policy	No	
Sustainable and Environmental	No	
Crime and Disorder	Yes	Representation
Human Rights Act	No	
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

8 Background Papers – Local Government Act 1972

None

9 Consultations

- 9.1 The Licensing Authority is not obliged to consult any parties with regard to applications made under the Licensing Act 2003. However, the applicant is required to consult with the responsible authorities as set out in the 2003 Act.

10 Report Author

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Premises Subject to Agreement on Additional Conditions – 31 March 2014

1. Lilu, 76 Highcross St, Leicester LE1 5NN

Licensable activity	Proposed Hours
Live Music	Monday – Sunday 10:00 to 04:00
Recorded Music	Monday – Sunday 10:00 to 04:00
Performances of Dance	Monday – Sunday 10:00 to 04:00
Anything similar to live/recorded music or dance	Monday – Sunday 10:00 to 04:00
Late night refreshment	Monday – Sunday 23:00 to 04:00
Supply of Alcohol (both)	Monday – Sunday 10:00 to 04:00
Opening hours	Monday – Sunday 10:00 to 05:00

Conditions agreed between the applicant, Leicestershire Police and a local resident.

1/ The Licence Holder will ensure that CCTV is installed following advice from the Leicestershire Police, recording during all hours licensable activities are allowed and maintained in accordance with the Information Commissioner’s CCTV Code of Practice.

2/ The licence holder will ensure CCTV recordings are kept for a minimum of 28 days and made available upon request to responsible authorities.

3/ The licence holder will employ SIA registered security staff to deal with any likely contingency.

4/ The licence holder will ensure no person under 18 years will be allowed on the premises without being accompanied by an adult.

5/ The licence holder will adopt the Challenge 21 policy and provide full training to the staff which will be repeated every 3 months.

6/ All licensable activities will cease at 01:00hrs and the opening hours will be until 01:30hrs.