

Leicester
City Council

WARDS AFFECTED
Stoneygate

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

29th May 2014

Objection notice given for a Temporary Event Notice
Albela Restaurant, 207 Evington Road, Leicester

Report of the Director of Environmental Services

1. Purpose of Report

- 1.1. This report provides information for Members about an objection notice received in relation to a temporary event notice (TEN) given under the Licensing Act 2003, to assist them in determining the outcome.

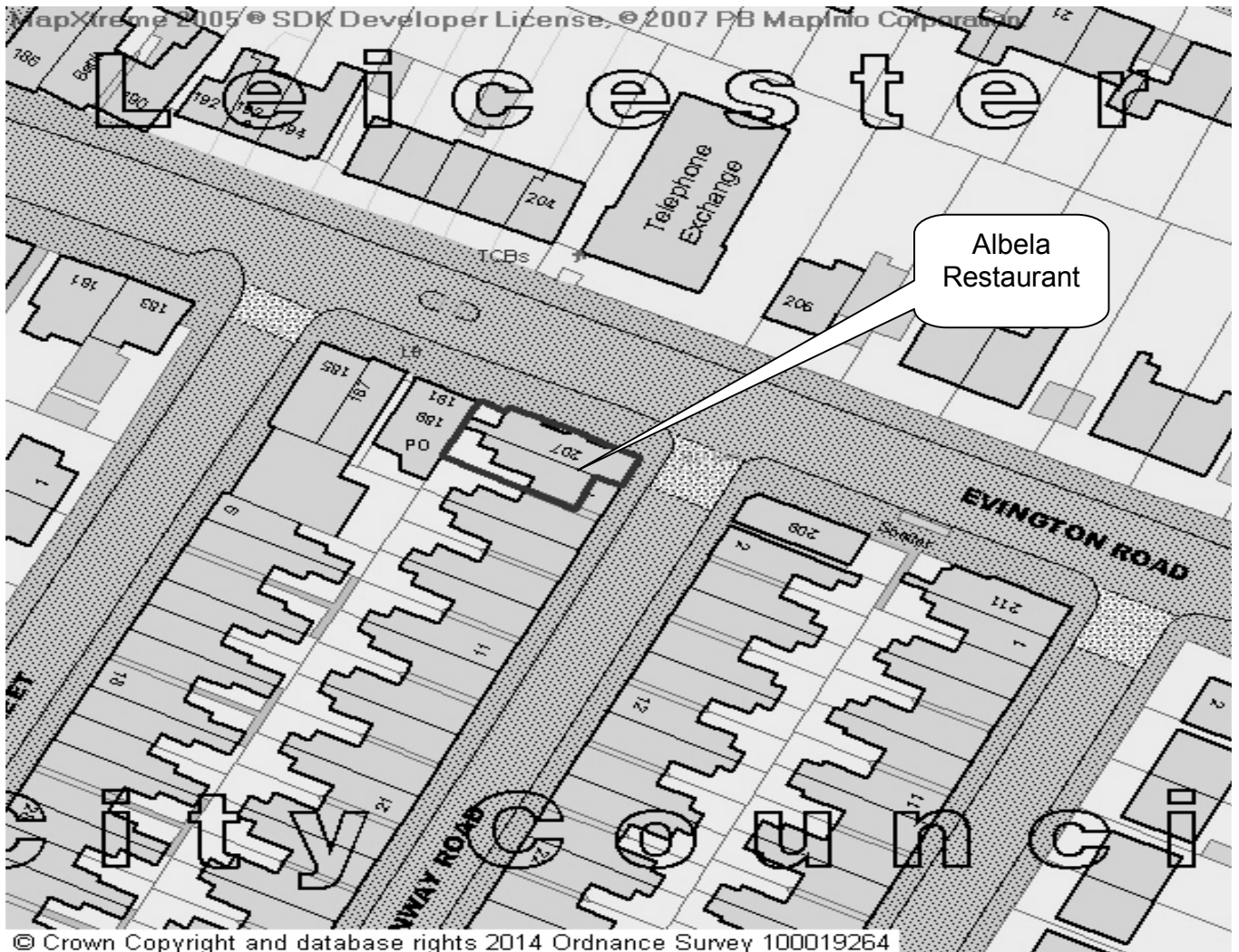
2. Determination to be made

- 2.1. Having considered the temporary event notice and the objection notice, Members must consider whether to
- Give the premises user a counter notice under Section 105 (2) of the Licensing Act 2003 if it is considered appropriate for the promotion of a licensing objective to do so; or
 - Impose one or more conditions on the temporary event notice if:
 - it is appropriate for the promotion of the licensing objectives to do so, and
 - the condition(s) are also imposed on a premises licence or club premises certificate that has effect in relation to all or part of the same premises as the temporary, and
 - the condition(s) would not be inconsistent with the carrying out of the licensable activities under the temporary event notice; or
 - Disregard the objection notice

3. Summary

- 3.1 This report outlines an objection notice given by the Noise Team in response to a temporary event notice given by Mr Abdul Sheikh for Albela Restaurant. 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. Temporary event notice

5.1. A temporary event notice was given on 20th May 2014 by Mr Abdul Sheikh for an event at Albela Restaurant, 207 Evington Road, Leicester. The temporary event notice is for an event from Friday 27th June to Friday 4th July 2014 and is attached at Appendix A.

5.2. The temporary event notice is for the following licensable activities:

Licensable activities	Proposed hours
Provision of late night refreshment	23.00 – 03.30

6. Objection notice

6.1 An objection notice was received on 22nd May 2014 the Noise Team on the grounds of the prevention of public nuisance. A copy of the objection notice is attached at Appendix B.

7. Existing premises licence

7.1 There is no premises licence that affects any part of the premises identified in the temporary event notice. This means that no conditions may be applied to the temporary event notice.

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:

Section	Heading
7.2 – 7.6	TEN – General
7.24 – 7.30	Role of the Licensing Authority
7.31 – 7.35	Police and Environmental Health intervention
7.37 – 7.38	Applying conditions to a TEN

9. Statement of Licensing Policy

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

Section	Heading
2	Fundamental Principles
15	Temporary Event Notices

10. Other Implications

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

11. Background Papers – Local Government Act 1972

a. None

12. Consultations

- a. The Licensing Authority is not obliged to consult any parties with regard to temporary event notices. The applicant is required to serve a copy of their temporary event notice on the Police and the Noise Team.

13. Report Author

Amy Day
Licensing Officer
0116 454 3054
Amy.day@leicester.gov.uk

APPENDIX	CONTENT
A	Temporary event notice
B	Objection notice