

Leicester  
City Council

**LICENSING (HEARINGS) SUB-COMMITTEE**

**DATE: THURSDAY, 21 JANUARY 2021**  
**TIME: 5:30 pm**  
**PLACE: MICROSOFT TEAMS MEETING**

**Members of the Sub-Committee**

Councillors Fonseca, Sangster, and Singh Johal

Members of the Sub-Committee are summoned to attend the above meeting to consider the items of business listed overleaf.

for Monitoring Officer

**Officer contact: Jacob Mann**  
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email: [Jacob.Mann@leicester.gov.uk](mailto:Jacob.Mann@leicester.gov.uk)

## Information for members of the public

**PLEASE NOTE** that any member of the press and public may listen in to proceedings at this 'virtual' meeting via a weblink which will be publicised on the Council website at least 24hrs before the meeting. Members of the press and public may tweet, blog etc. during the live broadcast as they would be able to during a regular Committee meeting at City Hall / Town Hall. It is important, however, that Councillors can discuss and take decisions without disruption, so the only participants in this virtual meeting will be the Councillors concerned, the officers advising the Committee and any objectors and applicants relevant to the applications to be considered.

### Attending meetings and access to information

You have the right to attend formal meetings such as full Council, committee meetings & Scrutiny Commissions and see copies of agendas and minutes. On occasion however, meetings may, for reasons set out in law, need to consider some items in private.

Dates of meetings and copies of public agendas and minutes are available on the Council's website at [www.cabinet.leicester.gov.uk](http://www.cabinet.leicester.gov.uk), from the Council's Customer Service Centre or by contacting us using the details below.

### Making meetings accessible to all

Braille/audio tape/translation - If you require this please contact the Democratic Support Officer (production times will depend upon equipment/facility availability).

### Further information

If you have any queries about any of the above or the business to be discussed, please contact Angie Smith, Democratic Support on **(0116) 454 5843** or email [Jacob.Mann@leicester.gov.uk](mailto:Jacob.Mann@leicester.gov.uk)

For Press Enquiries - please phone the **Communications Unit on 0116 454 4151**

## **PUBLIC SESSION**

### **AGENDA**

#### **LIVE STREAM OF MEETING**

A live stream of the meeting can be viewed at:

<https://bit.ly/3bxN017>

- 1. APPOINTMENT OF CHAIR**
- 2. APOLOGIES FOR ABSENCE**
- 3. DECLARATIONS OF INTEREST**

Members are asked to declare any interests they may have in the business to be discussed.

- 4. MINUTES OF PREVIOUS MEETING** **Appendix A**

The Minutes of the previous meeting held 15 December 2020 are attached and Members will be asked to confirm them as a correct record.

- 5. PRIVATE SESSION**

### **AGENDA**

#### **MEMBERS OF THE PUBLIC TO NOTE**

**Under the law, the Sub-Committee is entitled to consider certain items in private where in the circumstances the public interest in maintaining the matter exempt from publication outweighs the public interest in disclosing the information. Members of the public will be asked to leave the meeting when such items are discussed.**

The Sub-Committee is recommended to consider the following reports in private on the grounds that they contain 'exempt' information as defined by the Local Government (Access to Information) Act 1985, as amended, and consequently that the Sub-Committee makes the following resolution:-  
"that the press and public be excluded during consideration of the following reports in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because they involve the likely disclosure of 'exempt' information, as defined in the Paragraphs detailed below of Part 1 of Schedule 12A of the Act, and taking all the circumstances into account, it is considered that the public interest in maintaining the information as exempt outweighs the public interest in disclosing the information.

Paragraph 1

Information relating to an individual.

Paragraph 2

Information which is likely to reveal the identity of an individual.

Paragraph 7

Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

B1) Application for a review of an existing Premises Licence: Mario (Known as Peri Peri Pepper), 175 Fosse Road North, Leicester, LE3 5EZ

B2) Application to transfer an existing Premises Licence Holder: Mario (Known as Peri Peri Pepper), 175 Fosse Road North, Leicester, LE3 5EZ

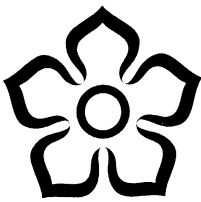
**6. APPLICATION FOR A REVIEW OF AN EXISTING PREMISES LICENCE: MARIO (KNOWN AS PERI PERI PEPPER), 175 FOSSE ROAD NORTH, LEICESTER, LE3 5EZ** [Appendix B1](#)

The Director of Neighbourhood and Environmental Services submits a report.

**7. APPLICATION TO TRANSFER AN EXISTING PREMISES LICENCE HOLDER: MARIO (KNOWN AS PERI PERI PEPPER), 175 FOSSE ROAD NORTH, LEICESTER, LE3 5EZ** [Appendix B2](#)

The Director of Neighbourhood and Environmental services submits a report.

**8. ANY OTHER URGENT BUSINESS**



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# Appendix A

Minutes of the Meeting of the  
LICENSING (HEARINGS) SUB-COMMITTEE  
(Microsoft Teams Meeting)

Held: TUESDAY, 15 DECEMBER 2020 at 10:00 am

P R E S E N T:

Councillor Pickering (Vice-Chair in the Chair)

Councillor Fonseca

Councillor Shelton

\* \* \* \* \*

**31. APPOINTMENT OF CHAIR**

Councillor Pickering was appointed as Chair for the meeting.

It was noted that the hearing of the application was held virtually in accordance with the Local Authorities and Police and Crime Panels (Coronavirus)(Flexibility of Local Authority and Police and Crime Panel Meetings)(England and Wales)(Regulations) 2020 (The 2020 Regulations) and in accordance with the Council's own Remote Procedure Rules.

**32. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**33. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**34. PRIVATE SESSION**

RESOLVED:

That the press and public be excluded during consideration of the following reports in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because it involves the likely disclosure of 'exempt' information, as defined in the Paragraphs detailed below of Part 1 of Schedule 12A of the Act, and taking all the circumstances into account, it is considered that the public interest in maintaining the information as exempt outweighs the public interest in disclosing the

information.

Paragraph 1

Information relating to an individual.

Paragraph 2

Information which is likely to reveal the identity of an individual.

Paragraph 7

Information relating to the any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

B1) Application for a Summary Review of an Existing Premises Licence: Sumo, 54 Braunstone Gate, Leicester, LE3 5LG

B2) Application to Vary a Premises Licence to Specify an Individual as Designated Premises Supervisor: Sumo, 54 Braunstone Gate, Leicester, LE3 5LG

**35. APPLICATION FOR A SUMMARY REVIEW OF AN EXISTING PREMISES LICENCE: SUMO, 54 BRAUNSTONE GATE, LEICESTER, LE3 5LG**

The Chair confirmed with Sub-Committee Members that reports for the meeting had been read and that bodycam and CCTV footage had been viewed.

The Director of Neighbourhood and Environmental Services submitted a report on a summary review of an existing premises licence for Sumo, 54 Braunstone Gate, Leicester, LE3 5LG.

This was a formal review after interim steps were taken to suspend the premises licence for Sumo and remove the Designated Premises Supervisor (DPS) on 25<sup>th</sup> November 2020. The application was made on the grounds that the premises were associated with serious crime or serious disorder or both.

Members noted that representations had been received in respect of the application, which necessitated that the application for a summary review of an existing premises licence had to be considered by the Sub-Committee.

The Premises Licence Holder (PLH and also DPS for the premises) was present with a Legal Representative. Mr Nigel Rixon (Licensing Manager, Leicestershire Police), PC Jeff Pritchard (Licensing Officer, Leicestershire Police), Neil Cooper (Environmental Officer, Noise Control and Pollution Team), Licensing Team Manager (Policy and Applications) and Legal Adviser to the Sub-Committee were present.

The Licensing Team Manager (Policy and Applications) presented the report and outlined the details of the application. It was noted that an application for a summary review of an existing premises licence was received on 23 November 2020.

PC Pritchard for Leicestershire Police was given the opportunity to outline the reasons for the summary review application.

It was noted that a representation was received on 26 November 2020 from the Noise Control and Pollution Team on the grounds of public nuisance. Mr Cooper (Environmental Officer) was given the opportunity to outline the reasons for the representation and answered questions from the Legal Representative for the PLH.

The Legal Representative for the PLH was given the opportunity to present the case for the PLH and answered questions from Members, Environmental Officer and the Police.

All parties were given the opportunity to sum up their positions and make any final comments.

The Sub-Committee received legal advice from the Legal Adviser to the Sub-Committee in the presence of all those present.

In reaching their decision, Members agreed they should deliberate in private on the basis that it was in the public interest and as such outweighed the public interest of their deliberation taking place with the parties represented present.

The Chair announced that the decision and reasons would be considered during private deliberation and would be publicly announced and confirmed in writing within five working days of the decision being reached. The Chair informed the meeting the Legal Adviser to the Sub-Committee would be called back to give advice on the wording of the decision.

The Chair then asked all but members of the Sub-Committee and Democratic Support Officers to disconnect from the meeting. The Sub-Committee then deliberated in private to consider their decision. The Legal Adviser to the Sub-Committee was called back to the meeting to give advice on the wording of the decision.

RESOLVED:

That the premises licence for Sumo, 54 Braunstone Gate, Leicester, LE3 5LG be REVOKED, and the Designated Premises Supervisor be REMOVED from the premises licence.

In reaching their decision the Sub-Committee Members had carefully considered the Committee report presented by the Licensing Team Manager (Policy and Applications) and the representations made by Leicestershire Police, and the Noise and Pollution Control Team, Leicester City Council. The Members had also considered the representations made on behalf of the Premises Licence Holder (PLH) (who was also the Designated Premises Supervisor (DPS)) and taken into account the legal advice given to them during the hearing.

The Sub-Committee Members considered the licensing objectives to be of paramount concern and had considered the application on its own merits and in accordance with the licensing authority's Statement of Licensing Policy and guidance issued under Section 182 of the Licensing Act 2003.

The Members had not taken anything presented to them by the Police at face value and they confirmed that they had scrutinised the information put before them by all parties.

The Sub-Committee had considered carefully the representations made on behalf of the PLH.

The Sub-Committee had considered each of the options available to them. As a result of what they had heard, Members were satisfied that that it was appropriate and proportionate in light of the licensing objectives to remove the Designated Premises Supervisor from the licence and to revoke the premises licence.

Members had also reviewed the interim steps imposed on the 25<sup>th</sup> November 2020 and decided it was appropriate for the promotion of the licensing objectives for the steps to remain in place pending any appeal, namely that the DPS be removed from the licence and the premises licence be suspended.

The Sub-Committee's decision was made in the interests of promoting the licensing objectives, particularly the prevention of crime and disorder.

The Premises Licence Holder would be informed that an appeal against the final review or the interim steps must be made within 21 days to the Magistrate's Court.

**36. APPLICATION TO VARY A PREMISES LICENCE TO SPECIFY AN INDIVIDUAL AS DESIGNATED PREMISES SUPERVISOR: SUMO, 54 BRAUNSTONE GATE, LEICESTER, LE3 5LG**

The application was withdrawn prior to the meeting.

**37. CLOSE OF MEETING**

There being no further items of urgent business, the meeting closed at 11.55am



# Appendix B1

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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