



Leicester
City Council

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

Held: WEDNESDAY, 30 MARCH 2022 at 9:30 am

P R E S E N T:

Councillor Singh Johal (Chair)

Councillor Cank

Councillor Shelton

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63. APPOINTMENT OF CHAIR

Councillor Singh-Johal was appointed as Chair for the meeting.

64. APOLOGIES FOR ABSENCE

There were no apologies for absence.

65. DECLARATIONS OF INTEREST

There were no declarations of interest made.

66. 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 was considered that the public interest in maintaining the information as exempt outweighed 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 the review of an existing Premises Licence:
Mamba Bar, 29 Market Street, Leicester, LE1 6DN.

**67. APPLICATION FOR THE REVIEW OF AN EXISTING PREMISES LICENCE:
MAMBA BAR, 29 MARKET STREET, LEICESTER, LE1 6DN**

The Director of Neighbourhood and Environmental Services submitted a report on an application for the review of an existing premises licence for Mamba Bar, 29 Market Street, Leicester, LE1 6DN.

All parties that were required to attend were not present and the meeting was reconvened to 8th April 2022 at 10am.

The meeting closed at 9.50am.

The Licensing Hearing reconvened on 8th April 2022 at 10am.

Introductions were made and the Chair outlined the procedure for the meeting to be followed.

The Premises Licence Holder (PLH) / Designated Premises Supervisor (DPS) was present, accompanied by his Legal Representative. The Manager of the Gresham Hotel was also present. PC Jefferson Pritchard (Licensing Officer, Leicestershire Police) was present. Also present was the Licensing Team Manager (Policy and Applications) and the Legal Adviser to the Sub- Committee.

The Licensing Team Manager (Policy and Applications) presented the report and answered questions from Members. It was noted a representation was received on 11 February 2022 from a neighbouring business. The representation relates to the prevention of crime and disorder, the prevention of public nuisance and public safety.

PC Pritchard was given the opportunity to outline the details of the Police application and answered questions from Members.

The PLH and DPS and their Legal Representative were given the opportunity to address the Sub-Committee and answered questions from the Police and Members.

All parties present were then 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 and were advised of the options available to them in making their decisions.

The Sub-Committee were also advised of the relevant policy and statutory guidance that needed to be taken into account when making their decisions.

In reaching their decision, Members felt they should deliberate in private on the basis that this was in the public interest, and as such outweighed the public interest of their deliberation taking place with the parties represented present, in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

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

The Chair then informed the meeting that all but the Democratic Support Officers should withdraw from the room.

The Sub-Committee then deliberated in private to consider their decision on both applications heard.

The Sub-Committee recalled the Legal Adviser to the Sub-Committee to give advice on the wording of the decision.

RESOLVED:

That the PLH / DPS be allowed to RETAIN the premises licence for Mamba Bar, 29 Market Street, Leicester, LE1 6DN, subject to modification in conditions.

Members considered each of the options available to them and concluded that it was appropriate and proportionate in light of the licensing objectives in relation to the Prevention of Crime and disorder, Public Safety and Prevention of Nuisance MODIFY the conditions of the licence to include:

1. The attached conditions agreed by the parties
2. The premises opening hours on Thursdays to Saturdays shall cease at 4am
3. The supply of alcohol shall cease at 3.30am
4. The PLH shall during its opening hours ensure that it does not permit more than a maximum of 10 customers to smoke/vape within the designated smoking area at the front of the premises

The applicant would be provided with the reasons for the decision in writing within five working days.

All parties would be advised of the right to appeal the decision to the Magistrates Court.

68. PUBLIC SESSION

**69. APPLICATION FOR THE REVIEW OF AN EXISTING PREMISES LICENCE:
SOPHY, KING STREET, LEICESTER, LE1 6RJ**

Since publication of the agenda, it has now become necessary to defer consideration of this agenda item to a future meeting.

70. ANY OTHER URGENT BUSINESS

There being no further business, the meeting closed at 11:36am.