



Leicester  
City Council

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

Held: TUESDAY, 12 APRIL 2022 at 5:30 pm

P R E S E N T:

Councillor Singh Johal (Chair)

Councillor Fonseca

Councillor Gee

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**1. APPOINTMENT OF CHAIR**

Councillor Singh Johal was appointed as Chair for the meeting.

**2. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**3. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**4. APPLICATION FOR A NEW PREMISES LICENCE: DIU AND DAMAN  
LOCAL SHOP, 90 BULLER ROAD, LEICESTER, LE4 5GA**

The Director of Neighbourhood and Environmental Services submitted a report on an application for a new premises licence for DIU and Daman Local Shop, 90 Buller Road, Leicester, LE4 5GA.

The applicant Mr Mayank Shantilal was not present. Present were the Licensing Team Manager (Policy and Applications) and the Legal Adviser to the Sub-Committee.

Members of the Sub-Committee considered whether it was necessary to adjourn the hearing due to non-attendance. Neither the resident nor the applicant and his agent had requested an adjournment. The agent acting for the applicant had contacted the Licensing Team and had asked the Sub-Committee to proceed with the determination of the application in absence of himself and his client. Members of the Sub-Committee felt confident that they had sufficient information before them to determine the application and decided

that it was in the public interest to proceed. The agent for the applicant had forwarded additional information to Members prior to the meeting for consideration.

The Licensing Team Manager (Policy and Applications) presented the report and answered questions from Members. It was noted an application was received on 21 February 2022, and that a member of the public had submitted an objection to the application on 18 March 2022 on the grounds of the prevention of crime and disorder, the prevention of public nuisance and public safety.

Members considered the report and its appendices together with the further information submitted by the applicant. Members also discussed the nature of the residential terraced streets and locality of other shops and sought clarification from the Licensing Team Manager on the timings of licensable activities at nearby premises.

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 decision.

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

In reaching their decision, the Sub-Committee 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 full reasons for the decision would be publicly announced and confirmed 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 asked all but Members of the Sub-Committee and Democratic Support Officers to withdraw from the meeting. Members then deliberated in private to consider their decision.

In reaching their decision the Sub-Committee Members had carefully considered the written report presented by the Licensing Team Manager (Policy and Applications) and the written representation made by the member of the public. The Members had also considered the representation made by the applicant Mr Shantilal, the additional information that had been provided prior to the meeting, and the legal advice given to them during the hearing. The Sub-Committee Members had taken account of the Statutory Guidance, the Regulators' Code and the Council's Licensing Policy.

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

RESOLVED:

That the application for a new premises licence for DIU and Daman Local Shop, 90 Buller Road, Leicester, LE4 5GA be GRANTED.

Members agreed it was appropriate for the promotion of the licensing objectives of the prevention of crime and disorder, and the prevention of public nuisance to grant the application subject to the conditions consistent with the operating schedule and the following additional condition:

- Supply of alcohol Monday to Sunday 9am to 9pm

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.

**5. ANY OTHER URGENT BUSINESS**

There being no other items of urgent business the meeting closed at 6.03pm.