



Leicester
City Council

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

Held: WEDNESDAY, 20 APRIL 2022 at 10:00 am

P R E S E N T:

Councillor Singh Johal (Chair)

Councillor Cank

Councillor Khan

* * * * *

6. APPOINTMENT OF CHAIR

Councillor Singh Johal was appointed as Chair for the meeting.

7. APOLOGIES FOR ABSENCE

There were no apologies for absence.

8. DECLARATIONS OF INTEREST

There were no declarations of interest made.

9. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held 28th March 2022 be confirmed as a correct record.

**10. APPLICATION FOR THE REVIEW OF AN EXISTING PREMISES LICENCE:
SOPHY, 8-10 KING STREET, LEICESTER, LE1 6RJ**

The Director of Neighbourhood and Environmental Services submitted a report on an application for the review of an existing premises licence for Sophy, 8-10 King Street, Leicester, LE1 6RJ.

Introductions were made and the Chair outlined the procedure for the meeting to those present.

The Premises License Holder (PLH) Mr Manoj Kumar was present. Mr Neil Cooper (Noise Team, Leicester City Council) was present. Also present were 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. It was noted that an application for the review of an existing premises licence was received on 20 January 2022 from the Noise and Pollution Control Team on the grounds of the prevention of public nuisance. It was noted that further representations were received on the 25th and 31st January from two local residents on the grounds of the prevention of public nuisance.

Mr Cooper presented his report and answered questions from Members, officers and Mr Kumar.

Mr Kumar was given the opportunity to address the Sub-Committee and answer questions from Members and Officers.

All parties present 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 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 Officer to withdraw from the meeting. Members then deliberated in private to consider their decision.

RESOLVED:

That the Premises Licence Holder (PLH) be allowed to RETAIN the premises licence for Sophy, 8-10 King Street, Leicester, LE1 6RJ, subject to modification of licence conditions.

ADDITIONAL CONDITIONS

1. Noise limiters shall be installed on both the ground floor and basement sound systems. All amplified music and voice on the premises shall be played through a noise limiting device which is installed, fitted and maintained in such a manner as to control all sources of amplified music and voice at the premises. The level shall be set to the agreement of the Noise and Pollution Team to prevent noise nuisance being caused to the public, and the agreed level shall not be exceeded without the agreement of the Noise and Pollution Control Team. Once the device is set it should be inaccessible to anyone on the premise other than the licence holder.
2. All external doors and windows must be kept closed, other than for access and egress, in all rooms when events involving recorded/live music or speech are taking place.
3. Disposal of waste bottles into external receptacles where the noise will be audible to neighbouring properties must not occur between 22:00 hours - 08:00 hours.

REASONS FOR THE DECISION

1. The Sub-Committee believed that the additional conditions put forward by the parties would address the cause or causes of the concerns which gave rise to the application for review
2. The Sub-Committee were assured that there would no further noise nuisance from the premises due to the work which had been undertaken at the premises and due to the fitting of noise limiters with agreed noise levels. The Sub-Committee noted that there had been no complaints relating to noise nuisance from the premises since 14th January 2022.
3. The Sub-Committee concluded that customers who caused a nuisance away from the vicinity of the premises were accountable in their own right and were beyond the control of the PLH.

The PLH 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.

11. ANY OTHER URGENT BUSINESS

There being no other items of urgent business, the meeting closed at 11:46am