



Leicester  
City Council

Minutes of the Meeting of the  
LICENSING ENFORCEMENT SUB-COMMITTEE

Held: TUESDAY, 1 NOVEMBER 2022 at 9:30 am

P R E S E N T:

Councillor Pickering (Chair)

Councillor Fonseca

Councillor Gee

\* \* \* \* \*

**9. APPOINTMENT OF CHAIR**

Councillor Pickering was appointed as Chair for the meeting.

Due to a Councillor being absent, the meeting delayed starting until 10:20am.

**10. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**11. DECLARATIONS OF INTEREST**

Members were asked to declare any interests they might have in the business to be discussed on the agenda.

There were no declarations made.

**12. MINUTES OF PREVIOUS MEETING**

RESOLVED:

That the minutes of the meeting of the Licensing Enforcement Sub-Committee held on 4 October 2022 be confirmed as a correct record.

**13. APPLICATION FOR THE GRANT OF A HIGHWAYS AMENITIES LICENSE (STREET CAFE): THE GUILDROOMS, 1-3 GUILDHALL LANE, LEICESTER, LE1 5FQ**

The Director of Neighbourhood and Environmental Services submitted a report

which asked Members to determine an application for the grant of a Highways Amenities Licence (Street Café) for premises known as The Guildrooms, 1-3 Guildhall Lane, Leicester, LE1 5FQ.

The Applicant, Mr Kevin Lee, owner for The Guildrooms was present. Mr Miguel d'Almeida, owner of Almeida Coffee and Juice Bar, was present having made representations.

Also present was the Licensing Enforcement Officer and the Legal Adviser to the Sub-Committee.

The Licensing Enforcement Officer presented the report. It was noted an application was received on 25 August 2022 for the grant of a licence. Within the objection period, two representations were received, one from a Mr d'Almeida and one from Leicester City Councils Licensing Enforcement Team.

The representation from the Licencing Enforcement Team was resolved as the Applicant had agreed to a number of conditions proposed by the Licencing Enforcement Team.

Mr d'Almeida was given the opportunity to outline the details of his representation and answered questions from Members.

Mr Lee was given the opportunity to present his case and answered questions from Members.

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 and were advised of the options available to them in making their decision.

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

In order to reach their decision, the Sub-Committee felt 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.

In reaching their decision the Sub-Committee Members had carefully considered the written report presented by the Licensing Enforcement Officer and the written and verbal representations. The Members had also considered the legal advice given to them during the meeting.

The Sub-Committee Members had taken account of the Council's Street Café Licensing Policy and the Regulators' Code.

The Chair announced that full reasons for the decision would be 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.

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 Highways Amenities Licence be GRANTED to Mr Kevin Lee for fourteen tables, 28 chairs and enclosing barriers to be placed at The Guildrooms on 1-3 Guildhall Lane, Leicester in accordance with the Licensed Plan seven days a week from 9:30am to 8pm, subject to the Council's standard conditions and the additional conditions requested by the Licensing Enforcement Team.

The applicant would be provided for the reasons for the decisions in writing within 5 working days.

#### **14. 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 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 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 that is likely to reveal the identity of an individual.

##### Paragraph 3

Information relating to the financial or business affairs of any particular person (including the authority).

B1) Application for the grant of a Hackney Carriage and private hire vehicles

driver's licence.

B2) Application for the grant of a Hackney Carriage and private hire vehicles driver's licence.

## **15. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVERS LICENCE**

The Director of Neighbourhood and Environmental Services submitted a report requiring Members to make a determination of an application for the grant of a Hackney Carriage and Private Hire Vehicle Driver's Licence.

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

The applicant was present. Also present were the Licensing Enforcement Officer and the Legal Adviser to the Sub-Committee.

The Licensing Enforcement Officer outlined details of the application, including the relevant City Council Guidelines.

The applicant was invited to set out the reasons why he ought to be granted a Hackney Carriage and Private Hire Vehicle Driver's Licence and answered questions from Members and Officers.

The applicant was given the opportunity to sum up their position 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 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.

In considering the applicants application for a Hackney Carriage & Private Hire

Vehicle Driver's Licence, the Sub-Committee considered the Licensing Officer's Report and all relevant representations, both written and oral. The Sub-Committee took account, where appropriate, of the Department for Transport's "Statutory Taxi & Private Hire Vehicle Standards", the Regulators' Code and the General Policy matters detailed in the Council's "Guidelines on relevance of convictions Hackney Carriage and Private Hire Vehicle Drivers".

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

RESOLVED:

That the Hackney Carriage and Private Hire Vehicle Driver's Licence be GRANTED as the Sub-Committee was satisfied that the applicant was a fit and proper person to hold the Licence

## **16. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVERS LICENCE**

The Director of Neighbourhood and Environmental Services submitted a report requiring Members to make a determination of an application for the grant of a Hackney Carriage and Private Hire Vehicle Driver's Licence.

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

The applicant was present. Also present were the Licensing Enforcement Officer and the Legal Adviser to the Sub-Committee.

The Licensing Enforcement Officer outlined details of the application, including the relevant City Council Guidelines.

The applicant was invited to set out the reasons why he ought to be granted a Hackney Carriage and Private Hire Vehicle Driver's Licence and answered questions from Members and Officers.

The applicant was given the opportunity to sum up their position 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 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.

In considering the applicants application for a Hackney Carriage & Private Hire Vehicle Driver's Licence, the Sub-Committee considered the Licensing Officer's Report and all relevant representations, both written and oral. The Sub-Committee took account, where appropriate, of the Department for Transport's "Statutory Taxi & Private Hire Vehicle Standards", the Regulators' Code and the General Policy matters detailed in the Council's "Guidelines on relevance of convictions Hackney Carriage and Private Hire Vehicle Drivers".

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

RESOLVED:

That the Hackney Carriage and Private Hire Vehicle Driver's Licence be GRANTED as the Sub-Committee was satisfied that the applicant was a fit and proper person to hold the Licence.

## **17. ANY OTHER URGENT BUSINESS**

There being no further items of urgent business, the meeting closed at 12.05pm.