



Leicester
City Council

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

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

P R E S E N T:

Councillor Westley (Chair)

Councillor Cank

Councillor Whittle

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1. APPOINTMENT OF CHAIR

Councillor Westley was appointed as Chair for the meeting.

2. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Shelton. Councillor Cank was present as substitute.

3. DECLARATIONS OF INTEREST

Members were asked to declare any pecuniary or other interests they may have in the business to be discussed.

There were no declarations of interest made.

4. APPLICATION FOR A NEW PREMISES LICENCE: DONALD WATSON'S VEGAN BAR, 94 GRANBY STREET, LEICESTER

The Director of Neighbourhood and Environmental Services submitted a report on an application for a new premises licence for Donald Watson's Vegan Bar, 94 Granby Street, Leicester.

Mr Jaimon Thomas (Premises Licence Holder) was present with Mr Sydney Palmer, Licensing Agent. Observing was Mr Brian Vantom present for the applicant. PC Jeff Pritchard (Leicestershire Police) was present to answer any questions Members might have. Mr Gary Geldard (Noise Team, Leicester City Council) 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 from the Noise Team, Leicester City Council was received on 15 June 2022 on the grounds of the prevention of public nuisance.

It was further noted that representations were received on 20th and 21st June 2022 from Leicestershire Police, and Licensing Enforcement, Leicester City Council on the grounds of all four licensing objectives, namely the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm. Agreements had been reached with the Police and Licensing Enforcement for a number of conditions to be applied to the licence if granted.

The Legal Adviser to the Sub-Committee clarified with Mr Thomas that the application had been made in the name of Granby *Street* DC Ltd., which had been omitted on the application form.

PC Pritchard advised Members that by attaching the conditions at Appendix C to the report, as agreed with the applicant, would mitigate the concerns that the police had, with an amendment to Friday and Saturday opening and operating hours agreed.

Mr Geldard was given the opportunity to outline the details of the representation and answered questions from Members and Legal Adviser to the Sub-Committee.

Mr Palmer and Mr Thomas were given the opportunity to present their case and answered questions from Members, the Noise Team Officer and Legal Adviser to the Sub-Committee.

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 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 the decisions and reasons 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.

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 premises licence for Donald Watson's Vegan Bar, 94 Granby Street, Leicester be GRANTED subject to the conditions in the report and additional conditions as agreed with Leicestershire Police and Licensing Enforcement at Appendix C to the report, and following additional conditions.

Additional Conditions

- A noise limiting device shall be 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 with agreement of the Noise and Pollution Control Team and the agreed level shall not be exceeded without the agreement of the Noise and Pollution Control Team. Once set, the Noise limiting device should not be accessible to anyone in the premises other than the Licence holder
- Live or amplified can be played after 11pm but must cease at 1am on Monday to Thursday and 1.30am on Fridays and Saturdays
- All external doors and windows must be kept shut, other than for access and egress, in all rooms when events involving amplified music or speech are taking place.

Reasons for the Decision

In deciding to grant a Premises Licence subject to conditions the committee were satisfied that:

- The applicant had comprehensively addressed the concerns raised by the representations;
- The range of conditions attached to the Premises Licence would promote the four licensing objectives;
- There had been no complaints against the applicant who had 20 years' experience in the trade and held several licences including 3 within the city of Leicester;
- There had been good engagement with all responsible authorities and the committee were satisfied that the applicant would continue to engage with all relevant authorities

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. CLOSE OF MEETING

There being no other items of urgent business, the meeting closed at 11.05am.