



Leicester
City Council

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

Held: FRIDAY, 29 AUGUST 2014 at 10:00 am

P R E S E N T:

Councillor Clarke (Chair)

Councillor Dr Barton (Vice Chair)

Councillor Shelton

* * * * *

1. APPOINTMENT OF CHAIR

Councillor Clarke was elected as Chair for the meeting.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Westley.

3. DECLARATIONS OF INTEREST

Members were asked to declare any disclosable pecuniary or other interest they may have in the business on the agenda.

There were no declarations.

**4. APPLICATION FOR A VARIATION OF AN EXISTING PREMISES LICENCE:
AFRICAN KITCHEN AND BAR, 4-6 JUBILEE ROAD, LEICESTER**

The Director, Environmental Services, submitted a report that required Members to determine an application for the variation of an existing premises licence for African Kitchen and Bar, 4-6 Jubilee Road, Leicester.

Members noted that a representation had been received in respect of the application, which necessitated that the application had to be considered by Members.

Mr Philip Nleme, owner of the premises was present and was accompanied by

Mr Andy Etuk, restaurant manager and Mr Abraham Jato, supporter. Mr Tom Conlon was present as the person who had made the representation. Also present were the Solicitor to the Hearing Panel and the Licensing Team Manager.

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

The Licensing Team Manager presented the report. It was noted that a representation had been received that related to the prevention of public nuisance.

Mr Conlon outlined the reasons for the representation and answered questions from Members.

Mr Etuk was then given the opportunity to respond to the points made and answered questions from Members.

Mr Nleme made submissions to the members.

All parties were then given the opportunity to sum up their positions and make any final comments.

Prior to Members considering the application, the Solicitor to the Hearing Panel advised Members of the options available to them in making a decision. Members 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, 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.

The Licensing Team Manager, the Solicitor to the Hearing Panel, Mr Nleme, Mr Etuk, Mr Jato and Mr Conlon then withdrew from the meeting.

Members then gave the application full and detailed consideration.

The Solicitor to the Hearing Panel was then recalled to the hearing to give advice on the wording of the decision.

The Licensing Team Manager, Mr Nleme, Mr Jato and Mr Conlon then returned to the meeting. It was noted that Mr Etuk had been called away from the meeting and the meeting continued in his absence.

The Chair informed all persons present that they had recalled the Solicitor to the Hearing Panel for advice on the wording of their decision.

RESOLVED:

That the application for a variation of an existing premises licence

for the African Kitchen & Bar, 4-6 Jubilee Road, Leicester be granted with the conditions consistent with the operating schedule in Appendix D.

In reaching their decision the Hearing Panel said they had heard about previous historical incidents of noise nuisance and were sympathetic with the reasons for the representation.

The Hearing Panel also heard about the nature of the business and decided they were confident in the professionalism of the business. The Hearing Panel were also confident that the management would maintain good levels of communication to ensure that neighbours were satisfied that appropriate noise levels would be maintained.

5. CLOSE OF MEETING

The meeting closed at 10.55am.