



Leicester
City Council

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

Held: FRIDAY, 3 OCTOBER 2014 at 9:30 am

P R E S E N T:

Councillor Clarke (Chair)

Councillor Dr Barton

Councillor Riyait

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1. **APPOINTMENT OF CHAIR**
2. **APOLOGIES FOR ABSENCE**
3. **DECLARATIONS OF INTEREST**

In respect of the application for a review of an existing premises licence for City Rooms, Hotel Street, Leicester, LE1 5AW, Councillors said they had all attended functions at the City Rooms in the past, but attended the hearing with an open mind.

Councillor Barton also said she had met the persons present at the meeting representing themselves, as they were constituents in her ward, but attended the hearing with an open mind.

In respect of the Application for a new premises licence for General Store, 44 Beaconsfield Road, Leicester, LE3 0FE, Councillor Russell, who had submitted a representation, declared that residents had expressed concerns to her in relation to the application.

4. **APPLICATION FOR A REVIEW OF AN EXISTING PREMISES LICENCE:
CITY ROOMS, HOTEL STREET, LEICESTER, LE1 5AW**

The Director, Environmental and Enforcement Services, submitted a report that required Members to determine an application for a review of an existing premises licence for City Rooms, Hotel Street, Leicester, LE1 5AW.

Members noted that a review application had been received, which necessitated that the application had to be considered by Members.

Mr Naresh Parmar (Premises Licence Holder), Mrs Sharon Parmar and Mr Kieran Parmar were present. Mr Neil Cooper, Noise Team Officer was present. 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. Colour photographs of the exterior of the premises were circulated at the meeting. It was noted the application for the review of the premises was made on the grounds of the prevention of public nuisance.

Mr Cooper, Noise Team Officer outlined the reasons for the application for the review of the licence and answered questions from Members.

Mr K Parmar and Mr N Parmar then made their submission 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 K Parmar, Mr N Parmar, Mrs S Parmar, and Mr N Cooper who had made the application for a review of the premises licence 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 K Parmar, Mr N Parmar, Mrs S Parmar, and Mr N Cooper who had made the application for a review of the premises then returned to the meeting.

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:

At the hearing that was held this morning, the Licensing Authority decided to

reject the review application and to issue an informal warning and require improvement within a 12 month period. Members said that in actuality that means a reduction in noise complaints to zero within that period.

The reason for this decision was that there have been efforts made to reduce noise from the premises and at this stage it would not be proportionate to add the condition requested by the Noise Team. This does not mean that if there are issues over the 12 month period the condition would be added to the premises licence.

5. APPLICATION FOR A NEW PREMISES LICENCE: GENERAL STORE, 44 BEACONSFIELD ROAD, LEICESTER, LE3 0FE

The Director, Environmental and Enforcement Services, submitted a report that required Members to determine an application for a new premises licence for General Store, 44 Beaconsfield Road, Leicester LE3 0FE.

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

Mr Arshad Aziz, owner of the premises, was present as well as Councillor Sarah Russell and two local residents who made the representations. 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 representations had been received that related to the prevention of crime and disorder and the prevention of public nuisance.

Councillor Russell and the local residents outlined the reasons for the representations and answered questions from Members.

Mr Aziz then made his submission 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 Aziz, Councillor Russell and the residents who had made representations 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 Aziz, Councillor Russell and the residents who had made representations then returned to the meeting.

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 new premises licence for General Store, 44 Beaconsfield Road, Leicester LE3 0FE be granted subject to the conditions consistent with the Operating Schedule and a restriction to licensing hours as follows:

Monday to Saturday: 10.00 am – 9.00 pm
Sunday: 10.00 am – 6.00 pm.

The Chair stated that the reason for the decision was that a refusal of the licence would be, on balance, disproportionate but this had been seriously considered. There had been no compelling evidence that issues would arise in the hours granted. However, Members agreed with Councillor Russell that a licence, particularly into late hours could lead to anti-social behaviour, street drinking and disturbances hence the restriction in hours.

The panel requested that the applicant noted their concerns and did his utmost in his power to make sure they were unfounded.

6. CLOSE OF MEETING

The meeting closed at 12.15 pm.