



Leicester  
City Council

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

Held: WEDNESDAY, 17 SEPTEMBER 2014 at 9:30 am

P R E S E N T:

Councillor Clarke (Chair)

Councillor Shelton

Councillor Westley

\* \* \* \* \*

**1. APPOINTMENT OF CHAIR**

Councillor Clarke was elected as Chair for the meeting.

**2. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**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. OBJECTION NOTICE GIVEN FOR A TEMPORARY EVENT NOTICE:  
HARVEYS, 43 BELVOIR STREET. LEICESTER, LE1 6SL**

The Director, Environmental Services, submitted a report that required Members to determine an objection notice relating to a temporary event notice (TEN) submitted by Mr Abdul Caratella for an event at Harveys, 43 Belvoir Street, Leicester, LE1 6SL.

Members noted that an objection notice had been received in respect of the Temporary Event Notice, which necessitated that the Temporary Event Notice had to be considered by Members.

Mr Caratella was present at the meeting and was accompanied by Mr David Brown, Solicitor. PC Jon Webb from Leicestershire Police was present. Also present were the Licensing Team Manager and the Solicitor to the hearing

panel.

The Licensing Team Manager informed the meeting that there had been difficulties in arranging a panel of members within time constraints set by the Licensing Act 2003 and supporting regulations. However, the regulations did allow for an extension of the deadline where it was considered necessary in the public interest. The extension process had been followed in this case so that a proper hearing could be held to make a decision in the correct way.

The Licensing Team Manager presented the report. It was noted that an objection had been received from Leicestershire Police on the grounds of the prevention of crime and disorder, the prevention of public nuisance and public safety. Photographs of the exterior of the premises were circulated at the meeting.

PC Webb for Leicestershire Police outlined the reasons for the objection and answered questions from Members.

Mr Caratella and his solicitor were then given the opportunity to respond to the points and concerns that were raised by Leicestershire Police and answered questions from 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 Caratella, Mr Brown and PC Webb then withdrew from the meeting.

Members then gave the application full and detailed consideration.

The Solicitor to the hearing panel was then called back into the hearing to advise on the wording of the decision.

The Licensing Team Manager, Mr Caratella, Mr Brown and PC Webb 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 objection notice given for a temporary event notice at

Harveys, 43 Belvoir Street, Leicester, LE1 6SL be disregarded.

The Sub-Committee said they had agreed there was no evidence to suggest a contravention of any of the licensing objectives stated, in fact to the contrary. They, therefore, were disregarding the objection notice, allowing the event to go ahead, but were imposing the conditions from the existing premises licence, with the exception of the first condition in Annex 3.

## **5. CLOSE OF MEETING**

The meeting closed at 10.35am.