



Leicester
City Council

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

Held: THURSDAY, 5 FEBRUARY 2015 at 5:45 pm
in Meeting Room G.01, Ground Floor, City Hall

P R E S E N T:

Councillor Clarke (Chair)

Councillor Dr Barton

Councillor Riyait

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1. APPOINTMENT OF CHAIR

Councillor Clarke was elected as Chair for the meeting.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Kitterick, Stuart Bailey the Chair of the Civic Society and J McGregor who had each lodged a representation on the application.

3. DECLARATIONS OF INTEREST

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

Councillor Clarke declared a non-pecuniary interest as he was a member of the civic society but this interest would not affect his decision on the application.

4. APPLICATION FOR A NEW PREMISES LICENCE: ST MARTIN'S HOUSE, LEICESTER CATHEDRAL AND CATHEDRAL GARDENS, PEACOCK LANE, LEICESTER

The Director, Local Services and Enforcement, submitted a report that required Members to determine an application for a new premises licence at St Martins House, Leicester Cathedral and Cathedral Gardens, Peacock Lane, Leicester.

Members noted that a number of representations had been received in respect

of the application, which necessitated that the application had to be considered by Members.

Nicholas Quinn, the applicant was present. Mrs Martin one of the representees was present. Also present was the Licensing Team Manager and the Solicitor to the Sub-Committee.

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 from Councillor Kitterick on 3rd January 2015 that related to the prevention of public nuisance. Three representations had also been received from two local residents and the Civic Society related to the prevention of crime and disorder and the prevention of public nuisance.

The Licensing Team Manager circulated photographs of the outside area in question and responded to Members enquiries.

Mrs Martin outlined the reasons for her representation and answered questions from Members.

The Chair then explained he had received apologies from Councillor Kitterick and read out the written representation received from Councillor Kitterick.

It was noted that Stuart Bailey had sent apologies and Mrs Martin had agreed to speak in his absence on behalf of the Civic Society and she outlined the reasons for the Civic Society's representation.

It was noted that J McGregor had sent apologies and also sent an email to the Licensing Officer to ask that her written representation be taken into account in her absence.

Nicholas Quinn was then given the opportunity to outline the reasons for the application and respond to the representations made this evening and answer 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 Sub-Committee 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 and in particular guided in relation to Article 8 of the Human Rights Act 1998 regarding the right to respect for private and family life as referred to by Mrs Martin the objector and in balance to that Article 1 of the Human Rights Act 1998 regarding the protection of property.

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 Sub-Committee, Nicholas Quinn the applicant and Mrs Martin the representee then withdrew from the meeting.

Members then gave the application full and detailed consideration.

The Solicitor to the Sub-Committee was then recalled to the hearing to give advice on the wording of the decision.

The Licensing Team Manager, Nicholas Quinn the applicant and Mrs Martin the representee then returned to the meeting.

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

RESOLVED:

that the new premises licence be granted with the conditions consistent with the operating schedule in Appendix C subject to a minor amendment to condition C and D and with four additional conditions, as follows:

- a. The licence holder will ensure the premises have security alarms, external lighting and CCTV,
- b. The licence holder will ensure all visitors are encouraged and reminded to keep noise levels to a minimum when entering and leaving the premises late at night,
- c. The licence holder will ensure SIA accredited door security are provided at all events,
- d. The licence holder will ensure that the Challenge 25 policy scheme is in place,
- e. Outdoor events will only take place in June, July and August and will be limited to 2 per week on Friday, Saturday or Sunday,
- f. There will be no external bar,
- g. There will be no provision of entertainment externally after 10pm,
- h. There will be no general public access to alcohol sales; access should only be available to those attending pre booked events and functions.

In reaching the decision the hearing panel had listened to all the

representations this evening and considered in full those written objections. They noted that no objections were received from any of the responsible authorities. The hearing panel gave weight to the objection from Councillor Kitterick and the others which aided them in the conditions they were placing on the licence. The hearing panel were concerned at the lack of information on the application and particularly in regard to an outside bar and given the decision and conditions to be added felt the applicant would still be at liberty to apply for a temporary event notice (TEN) but the panel would expect any such application to have much more information.

5. ANY OTHER URGENT BUSINESS

None.

The meeting closed at 7.50pm