



Leicester  
City Council

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

Held: TUESDAY, 17 MARCH 2015 at 9:30 am

P R E S E N T:

Councillor Clarke (Chair)  
Councillor Dr. Barton (Vice Chair)

Councillor Westley

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**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**

There were no declarations of interest.

**4. APPLICATION FOR A VARIATION OF AN EXISTING PREMISES LICENCE  
WITHIN A CUMULATIVE IMPACT ZONE: NORTH, 42 HINCKLEY ROAD,  
LEICESTER, LE3 0RB**

The Director, Local Services and Enforcement, submitted a report that required Members to determine an application for the variation of an existing premises licence within a cumulative impact zone for North, 42 Hinckley Road, Leicester, LE3 0RB.

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

Mr Stephen Rodwell (DPS and Proprietor), Ms Joanna Betts (Chef and Proprietor) and Ms Sally Davies (Business Manager and Proprietor) were present at the meeting. PC Jon Webb from Leicestershire Police 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 was received on 8<sup>th</sup> February 2015 from a local resident that related to the prevention of crime and disorder, and the prevention of public nuisance. The meeting was informed that the resident who had made the representation was not able to attend the meeting but requested his representation be considered at the meeting. It was also noted that a representation was received on 18<sup>th</sup> February 2015 from Leicestershire Police that related to the prevention of crime and disorder, the prevention of public nuisance and public safety. The Police were also concerned the application had not addressed the special policy regarding the cumulative impact zone.

PC Webb outlined the reasons for the representation and answered questions from Members.

Mr Rodwell, Ms Betts and Ms Davies were then given the opportunity to respond to the points made 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 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 Sub-Committee, Mr Rodwell, Ms Betts, Ms Davies, and PC Webb 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, Mr Rodwell, Ms Betts, Ms Davies, and PC Webb 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 application for the variation of an existing premises

licence within a cumulative impact zone for North, 42 Hinckley Road, Leicester, LE3 0RB be granted subject to the conditions consistent with the Operating Schedule, and the following additional conditions:

### **Conditions consistent with the Operating Schedule**

1. The licence holder will ensure that a CCTV system is installed and maintained on the premises.
2. The licence holder will ensure that there are no irresponsible drinks promotions.

### **Additional Conditions**

1. All external doors and windows must be kept closed, other than for access and egress, in all rooms when events involving amplified music or speech are taking place after 11.00pm.
2. Prominent, clear notices shall be displayed at all exits and open areas requesting customers and staff respect the needs of local residents by keeping noise to a minimum when using the outside area and when leaving the premises.
3. The Licensee will employ sufficient registered door staff to deal with any likely contingency on Friday and Saturday evenings from 11.00pm.
4. A Challenge 25 policy will be adopted and there will be adequate, documented training for staff (paid or unpaid) before they are allowed to serve alcohol. Detailed records will be kept and regular training will take place thereafter.

### **REASON FOR THE DECISION**

In reaching their decision Sub-Committee Members said it was disappointing that the application made no reference to the CIZ. However, the applicant and business partners had presented themselves as professional and passionate.

The Members said the business model was not one that would contribute to problems associated with cumulative impact zone. Members had noted the investment in the business and the sound proofing that had been installed. Members had also noted there had been a number of Temporary Event Notices (TENs) which had not resulted in any complaints from the public or responsible authorities.

The Members said that whilst they had considered objectors concerns and were confident the conditions placed on the licence were sufficiently robust, necessary and proportionate, and consistent with the licensing objectives.

### **5. CLOSE OF MEETING**

The meeting closed at 10.57am.