



Leicester  
City Council

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

Held: TUESDAY, 14 APRIL 2015 at 9:30 am

P R E S E N T:

Councillor Dr Barton (Chair)

Councillor Shelton

Councillor Westley

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**1. APPOINTMENT OF CHAIR**

Councillor Dr Barton 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. APPLICATION FOR A VARIATION OF AN EXISTING PREMISES LICENCE  
WITHIN A CUMULATIVE IMPACT ZONE: HARVEYS, 43 BELVOIR STREET,  
LEICESTER**

The Director, Local Services and Enforcement, submitted a report that required Members to determine an application for a variation of an existing premises licence within a cumulative impact zone for Harveys, 43 Belvoir Street, Leicester LE1 6SL.

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 Caratella the applicant was present together with his representative Mr Smith, solicitor. Inspector Rixon and PC Webb from Leicestershire Police were present. Also present was the Licensing Team Manager and the Solicitor to the Hearing Panel.

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 an additional bundle of evidence had been provided by the applicant and served on Members of the panel prior to the meeting.

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

Mr Caratella through his representative Mr Smith was then given the opportunity to respond to the points made and answered questions from Members.

The Chair agreed to a short adjournment to allow the applicant, his representative and the representatives of the Leicestershire Police to discuss conditions that might be attached to the licence.

Mr Smith the applicant's representative outlined six conditions that had been agreed with the Leicestershire Police.

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 the applicant, Mr Smith the applicant's representative, Inspector Rixon and PC Webb from Leicestershire Police 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 Caratella the applicant, Mr Smith the applicant's representative, Inspector Rixon 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 application for a variation of an existing premises licence within a cumulative impact zone for Harveys, 43 Belvoir Street, Leicester LE1 6SL be granted with the 6 conditions agreed between the parties as follows:

1. On a Friday and Saturday night from 22.00 the Premises Licence Holder will provide door staff at a ratio of 1 member of door staff for the first 30 customers and a 2<sup>nd</sup> member of door staff for 31-100 customers and thereafter 1 for every 100 customers or part thereof. Such door staff shall carry out random searches and ID checks on customers when it is felt appropriate to do so and there will be 1 member of door staff on each floor that is trading,
2. Substantial refreshment will be available from when the premises open, for the provision of licensable activities, until 22.00,
3. All staff who will be serving alcohol will be trained to ensure that no person who is intoxicated will be served alcohol, such training to be dated, documented and made available to Leicestershire Police on request,
4. There shall be no sale of alcohol for consumption off the premises,
5. A member of staff will be available, upon reasonable request, to download CCTV images and provide those images to Leicestershire Police,
6. The identity of any event promoter and the type of event used by the Premises Licence Holder outside of the normal course of trading shall be notified to Leicestershire Police 21 days before the event.

In reaching their decision the Hearing Panel were satisfied that the Applicant had agreed to six new conditions to address the issues associated with a cumulative impact zone and to uphold the licensing objectives specifically: the prevention of Crime and Disorder; prevention of public nuisance; and public safety.

The Applicant had demonstrated that the variation to the existing licence with the agreed six conditions would not have an adverse effect on the cumulative impact zone.

## **5. ANY OTHER URGENT BUSINESS**

The meeting closed at 11.10am.