



Leicester
City Council

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

Held: MONDAY, 18 MAY 2015 at 5:30 pm

P R E S E N T:

Councillor Clarke (Chair)

Councillor Dr Barton

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.

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 NEW PREMISES LICENCE WITHIN A CUMULATIVE
IMPACT ZONE: RIDDHI CONVENIENCE STORE, 22 KING STREET,
LEICESTER**

The Director, Local Services and Enforcement, submitted a report that required Members to determine an application for a new premises licence within a cumulative impact zone for Riddhi Convenience Store, 22 King Street, Leicester.

Members noted that seven representations had been received from residents in respect of the application together with a representation from Cllr Lynn Senior and a representation from Leicestershire Police, which necessitated that the application had to be considered by Members.

Mr Anand Vinod the applicant was present. PC Jon Webb from Leicestershire Police was present. The objectors Mr and Mrs Allum and Mr and Mrs Dickinson were present, Cllr Patrick Kitterick was present on behalf of Cllr Lynn Senior, 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.

It was noted that two of the objectors were not present but had contacted the Licensing Officer to give their apologies. One had submitted comments in response to the additional information provided by the applicant. The objector (B3) asked that it be recorded that they were not involved in the ownership or business of Kings News as stated by the applicant.

The Licensing Team Manager presented the report. It was noted that nine representations had been received between 27th March and 22nd April 2015 that related to the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm.

PC Jon Webb outlined the reasons for the police representation and answered questions from Members. Mr Dickinson and Mr Allum outlined the reasons for their representations. Cllr Kitterick on behalf of Cllr Senior outlined the reasons for the representation.

Mr Anand Vinod was then given the opportunity to outline the details of the application and respond to the points made in the representations 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.

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, the applicant Mr Anand Vinod, PC Jon Webb, Cllr Kitterick, Mr and Mrs Dickinson and Mr and Mrs Allum 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, the applicant Mr Anand Vinod, PC Jon Webb, Cllr Kitterick, Mr and Mrs Dickinson and Mr and Mrs Allum 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 a new premises licence within a cumulative impact zone for Riddhi Convenience Store, 22 King Street, Leicester be granted subject to the conditions consistent with the representation from the police as stated in appendix B9, subject to a minor amendment to the first condition that the premises be open to the public Monday – Sunday 07.30hrs to 21.30hrs. Selling of alcohol Monday – Sunday 09.00hrs to 20.00hrs.

In reaching their decision the Hearing Panel concluded this was a new application within the cumulative impact zone and they recognised there was a rebuttable presumption to refuse. The hearing panel listened to the objections from residents, the police and Cllr Kitterick, whereby all four licensing objectives were discussed. The hearing panel had concerns that selling alcohol at later hours would present public safety issues, not least the safety of the applicant. The hearing panel believed that the applicant had presented them with reasons why the application should be granted in particular relating to the nature of his business – a convenience store and the majority of the licensed premises in the area are on licences. Selling alcohol at later hours would not support the licensing objectives and the hearing panel therefore determined to grant the licence with the conditions suggested by the police (B9) with a slight amendment that the premises be open to the public Monday – Sunday 07.30hrs to 21.30hrs not Monday – Saturday.

5. APPLICATION FOR A NEW PREMISES LICENCE: BAR 47, 37-43 RUTLAND STREET, LEICESTER

The Director, Local Services and Enforcement, submitted a report that required Members to determine an application for a new premises licence for Bar 47, 37-43 Rutland Street, Leicester.

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

The applicant, Mr Simon Green was present with Mr Joe Trowell his assistant. Two officers from the Noise Team were 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 the Noise Team on 31st March 2015 that related to the prevention of public nuisance.

An officer from the Noise Team outlined the reasons for the representation and answered questions from Members.

Mr Simon Green was then given the opportunity to outline the details of the application and respond to the points made in the representation 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.

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 Simon Green, Mr Joe Trowell and the two officers from the Noise Team 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, the applicant Mr Simon Green and his assistant Mr Joe Trowell and the two officers from the Noise Team 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 a new premises licence for Bar 47, 37-43 Rutland Street, Leicester be granted subject to the conditions consistent with the operating schedule together with the conditions consistent with the representation from the Noise Team as stated in Appendix B, where there was duplication the Noise Team worded condition would take precedence.

In making their decision the Hearing Panel appreciated this was a new venture and wanted it to succeed. The hearing panel encouraged high quality leisure and entertainment however their primary consideration must be public safety and in particular prevention of public nuisance. With this in mind the hearing panel determined to grant the new licence with the conditions put forward by

the Noise Team and consistent with the operating schedule.

6. ANY OTHER URGENT BUSINESS

The meeting closed at 7.35pm