



Leicester
City Council

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

Held: FRIDAY, 16 OCTOBER 2015 at 9:30 am

P R E S E N T:

Councillor Thomas (Chair)

Councillor Byrne

Councillor Cank

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1. APPOINTMENT OF CHAIR

Councillor Thomas 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 of interest.

4. APPLICATION FOR A NEW PREMISES LICENCE WITHIN A CUMULATIVE IMPACT ZONE: EFES MANGAL, 26-36 BRAUNSTONE GATE, LE3 5LG

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 Efes Mangal, 26-36 Braunstone Gate, LE3 5LG.

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

The applicant Mr Gokhan Erdogan together with his wife Elif Erdogan, PC Jon Webb from Leicestershire Police and Chloe Roper – the Noise Team representative were all present at the hearing. Also present was the Licensing

Team Manager and the Solicitor to the Sub-Committee.

Introductions were made and the Chair outlined the procedure for the meeting to those present.

The Licensing Team Manager presented the report and outlined the details of the application. Photographs showing external views of the current premises were circulated to everyone present at the meeting.

The Chair noted that the current application was for a premise that had been enlarged by converting two licensed premises into one. He asked for clarification on whether the two premises currently had individual licences. PC Webb confirmed that each of the premises had an individual licence in existence with different hours of licensed activity within different parts of the current layout of the premises. This complicated any enforcement of the licensed activities.

There were no further questions on the report from Members, the applicant or those making representations.

Chloe Roper (Noise Team) outlined the reasons for their representations and stated that following discussions with the applicant, agreement had been reached on a condition that would satisfy the Noise Team's original concerns. The suggested condition was contained in Appendix C of the report. There were no questions from those present.

PC Jon Webb outlined the reasons for the representations made by the Police and answered questions from Members. Following discussions with the applicant, agreement had been reached on a number of conditions that would satisfy the original concerns raised by the Police in the representation. These suggested conditions were contained in Appendix C of the report. The reasons for requesting the removal of Mr Gokhan Erdogan as the Designated Premises Supervisor (DPS) were outlined to the Sub-Committee.

There were no further questions on PC Webb's report from those present at the meeting.

Mr Gokhan Erdogan was then given the opportunity to outline the details of the application, responded to the points made and answered questions from Members. He confirmed that another Designated Premises Supervisor could be appointed and that he was agreeable to amend the hours of licensable activity to midnight from Sunday to Thursday and 1am on Friday and Saturday.

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, PC Webb, Chloe Roper and the applicant with his wife 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, PC Webb, Chloe Roper and the applicant with his wife 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 Efes Mangal, 26-36 Braunstone Gate, LE3 5LG be granted and that Mr Gokhan Erdogan be removed as the Designated Premises Supervisor.

REASONS FOR THE DECISION

The Sub-Committee had considered the written application along with the representations made by the Noise team and the Police. The Sub-Committee had endeavoured to match these up against the Councils policy on the Cumulative Impact Zone. The Sub-Committee decided to grant the licence with the following conditions: Licence for selling alcohol and for regulated music would be until 12.00am Sunday to Thursday and until 1.00am Friday & Saturday. The Sub-Committee also imposed all of the conditions consistent with the operating schedule, the conditions consistent with the representation made by Leicestershire Police and the conditions consistent with the representation made by the Noise Team. The applicant had satisfied the Sub-Committee that granting the licence with the conditions set out in Appendix C would not add to the Cumulative impact on this area. The Sub-Committee confirmed that the conditions referred to were in its entirety including the removal of the applicant (Gokhan Erdogan) as the Designated Premises Supervisor at the premises.

5. CLOSE OF MEETING

The Chair declared the meeting closed at 10.58am.