



Leicester
City Council

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

Held: THURSDAY, 29 OCTOBER 2015 at 9:30 am

P R E S E N T:

Councillor Byrne (Chair)

Councillor Cank

Councillor Hunter

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1. APPOINTMENT OF CHAIR

Councillor Byrne was elected as Chair for the meeting.

2. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Kitterick.

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:
SQUARE BAR, 5-9 HOTEL STREET, LEICESTER LE1 5AW**

The Director, Local Services and Enforcement, submitted a report that required Members to determine an application for a variation of an existing premises licence for Square Bar, 5-9 Hotel Street, Leicester LE1 5AW.

Members noted that a representation had been received in respect of the application, which necessitated that the application for a variation of an existing licence had to be considered by Members.

George Poulter, Regional Manager and Diana Freeman, Licensing and Compliance Officer were present for Amber Taverns the applicant. PC Webb from Leicestershire Police was present. Councillor Lynn Senior was present on behalf of Councillor Patrick Kitterick, representee and Mrs Mary Parkes,

representee was 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 two representations were received on 16 September 2015 from a local resident and the Ward Councillor that related to the prevention of public nuisance. It was also noted that a representation had been received on 18 September 2015 from Leicestershire Police that related to the prevention of crime and disorder, prevention of public nuisance and public safety.

PC Webb explained that following discussions between the applicant and the police, the conditions consistent with the representation from Leicestershire Police as set out in appendix D had been agreed.

Councillor Lynn Senior on behalf of Councillor Kitterick outlined the reasons for the representation.

There were no questions from Members or the Applicant.

Mrs Mary Parkes was then given the opportunity to outline the reasons for the second representation.

Mr George Poulter on behalf of the applicant was then given the opportunity to outline the details of the application and responded to the points made and answered 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 Hearing Panel, the applicant's representatives George Poulter and Diana Freeman, PC Webb, Councillor Senior and Mrs Parkes 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, the applicant's representatives George Poulter and Diana Freeman, PC Webb, Councillor Senior and Mrs Parkes 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 the variation of an existing premises licence for Square Bar, 5-9 Hotel Street, Leicester LE1 5AW be granted subject to the conditions as agreed with the Police together with the conditions consistent with the Operating Schedule and the following conditions:

1. The closing time of the premises shall be Sun to Weds 1am, Thurs, Fri, Sat 2.30am,
2. The Greyfriars exit shall be deemed an emergency exit only.

As a consequence, the existing condition in Annex 3 shall be amended to read, "The licence holder will ensure that appropriate action shall be taken to ensure that customers smoking outside the premises on either Hotel Street or Greyfriars facades do not cause public nuisance, disturbance or disorder. Other appropriate action may include (i) employing an appropriate number of SIA registered door supervisors where necessary; (ii) monitoring the behaviour and noise from customers whilst outside the premise to ensure public nuisance is not being caused."

In reaching their decision the panel had listened to all the representations by all parties and they agreed in principle with the application for a variation with the conditions put forward by Leicestershire Police at appendix D plus additional conditions to close the premises Sun to Wed at 1am, Thurs, Fri, Sat at 2.30am and to deem the Greyfriars exit as an emergency exit only.

The panel believed that the new owners were a reputable company who were prepared to listen and take into consideration the concerns of the local residents. The panel also believed that the extra conditions would help the licence holder to uphold the licensing objectives.

5. APPLICATION FOR A VARIATION OF AN EXISTING PREMISES LICENCE: FOXIE BROWNS VAPING LOUNGE, 54 HIGHCROSS STREET, LEICESTER LE1 4NN

The Director of Local Services and Enforcement submitted a report that required Members to determine an application for a variation of an existing premises licence for Foxie Browns Vaping Lounge, 54 Highcross Street, Leicester LE1 4NN.

Members noted that representations had been received in respect of the

application which necessitated that the application for a variation of an existing licence had to be considered by Members.

The applicant Natasha Foxon was present with Ahmet Redjeb, Head of Security. PC Webb of the Leicestershire Police was also present. The Licensing Team Manager and the Solicitor to the hearing panel were also present.

The Chair led introductions 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 Leicestershire Police on 1st October 2015 that related to the prevention of crime and disorder, public safety and the prevention of public nuisance. It was also noted that two representations were received between 7th and 9th October 2015 from a local resident and a Ward Councillor that related to the prevention of public nuisance and prevention of crime and disorder.

PC Webb outlined the reasons for the representation and explained that following discussions between the applicant and the police, the conditions consistent with the representation from Leicestershire Police as set out in appendix D had been agreed.

The meeting was informed that the local resident who had made the representation was also in agreement with the conditions put forward by Leicestershire Police and had therefore not attended this hearing.

It was noted that Councillor Kitterick had sent apologies and was not otherwise represented and the panel had read the written representation.

The applicant was then given the opportunity to outline the application and to respond to Members questions.

All parties were then given the opportunity to sum up their positions and make any final comments.

The Solicitor to the hearing panel advised Members of the options available to them in making a decision.

The Licensing Manager, the Solicitor to the hearing panel, the applicant Natasha Foxon, Ahmet Redjeb and PC Webb of Leicestershire Police then left the meeting.

The Members then gave the application their full and detailed consideration.

The Solicitor to the hearing panel was then recalled to give advice to the Members on the wording of the decision.

The Licensing Manager, the applicant Natasha Foxon, Ahmet Redjeb and PC

Webb then returned to the meeting.

The Chair informed all present that they had recalled the Solicitor to the hearing panel for advice on the wording of their decision.

RESOLVED

That the application for the variation of an existing premises licence for Foxie Browns Vaping Lounge, 54 Highcross Street, Leicester LE1 4NN be granted subject to the conditions as agreed with the Police together with the conditions consistent with the Operating Schedule.

In reaching their decision the panel had listened carefully to the representations and agreed with the application for variation subject to the conditions put forward by the Leicestershire Police. The panel believed, after hearing the applicant today and being informed of the discussions which had taken place between the police and the applicant, that the promotion of the licensing objectives would be upheld.

6. ANY OTHER URGENT BUSINESS

The meeting closed at 11.22am.