



Leicester
City Council

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

Held: THURSDAY, 10 MARCH 2016 at 9:30 am

P R E S E N T:

Councillor Thomas (Chair)

Councillor Cank

Councillor Sangster

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1. APPOINTMENT OF CHAIR

Councillor Thomas was elected as Chair for the meeting.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Shelton.

Councillor Cank agreed to sit on the panel as a replacement.

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: UNIT 2, 16 SAFFRON WAY, LEICESTER LE2 6UP

It was noted that the applicant had withdrawn this application prior to the meeting.

5. APPLICATION FOR A NEW PREMISES LICENCE: OFF LICENCE, 14-16 BUCKMINSTER ROAD, LEICESTER LE3 9AR

The Director of Local Services and Enforcement submitted a report that required Members to determine an application for a new premises licence for

Off-Licence, 14-16 Buckminster Road, Leicester LE3 9AR.

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

Mr Mahmoud (the applicant) was present accompanied by Mr Yaugar. The three representees Mr Atkar, Mr Chapman and Mr Major were present as were the Licensing Team Manager and the Solicitor to the hearing panel.

It was noted that there was a member of the public in attendance.

Introductions were led by the Chair and the procedure for the meeting was outlined to those present.

The Licensing Team Manager presented the report. It was noted that three representations had been received on 16 February 2016; two from local residents and one from a business owner that related to two of the licensing objectives, namely the prevention of crime and disorder and the prevention of public nuisance, and concerns had been raised about increasing anti-social behaviour in the area.

Mr Atkar outlined the reasons for his representation and answered questions from Members.

Mr Chapman outlined the reasons for his representation and answered questions from Members.

Mr Major outlined the reasons for his representation and answered questions from Members.

Mr Mahmoud supported by Mr Yaugar was then given the opportunity to respond to the points made.

Mr Mahmoud was then invited to outline his application and to answer questions from Members.

All parties were then given the opportunity to sum up their positions and make 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 advised that some of the issues raised in the representations related to need or the protection of an existing business and these were not relevant considerations under the Licensing Act 2003 and should be disregarded. Members were 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 that 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 in the presence of the parties.

The Licensing Team Manager, the Solicitor to the hearing panel, Mr Mahmoud, Mr Yaugar, Mr Atkar, Mr Chapman and Mr Major and the public 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 Mahmoud, Mr Yaugar, Mr Atkar, Mr Chapman, Mr Major and the public 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 new premises licence: Off-Licence, 14-16 Buckminster Road, Leicester LE3 9AR be granted without modification.

IN reaching their decision the panel said they had considered all relevant objections and representations made. The panel did not believe that granting this licence as applied for would bring any additional problems to this area. The panel considered the objection of opening at 6am but found that with other businesses in the area already selling alcohol at this time it would be pointless to impose a condition in this regard. The panel also considered the strength of alcohol to be sold but felt that the price to be charged would discourage problem drinkers. The panel therefore granted this licence as applied for.

6. ANY OTHER URGENT BUSINESS

None.

The meeting closed at 10.52am